

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
November 11, 2008

The Spalding County Planning Commission held its regular monthly meeting on November 11, 2008 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ed Johnson, Chairman, presiding; Janet Bailey; Frank Chastain and David Traer. John Youmans was not present.

Also present were: Charles Taylor, Community Development Director; Newton Galloway, Attorney and Yvonne Langford to record the minutes. Bruce Ballard, Ex-Officio Member and Chad Jacobs, Senior Planner were not present at the meeting.

Mr. Johnson called the meeting to order and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

Application #FLA-08-06: William Larry Bowling and Victoria K. Bowlin, Owners – 525 Bethany Road (2.989 acres located in Land Lot 10 of the 2nd Land District) – from Rural Reserve to Commercial.

Application #08-13Z: William Larry Bowlin and Victoria K. Bowlin, Owners – 525 Bethany Road (2.989 acres located in Land Lot 10 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to O & I, Office and Institutional.

These two applications were discussed together and voted separately.

Larry Bowlin – 1271 Rover-Zetella Road

Mr. Bowlin said this building, when first constructed, was used for storage. Their office was located in their home. As their business has grown, they needed more space and some of their employees worked out of this building. It started as a farm office, and as they had more employees, they would come and work from this location. Due to the economy, they are now downsizing. They will be going back to a smaller operation. They applied for a business license and were advised the property would have to be rezoned. They are doing the same thing now that they have done for the past three or four years. It is not hurting anything or anybody. They are not dumping any waste. The property is very well maintained. They have some equipment staged there that is going to be sent for auction. Other than that there is very seldom any equipment there.

Mr. Traer asked about the number of acres that are on the east and west of this property. Mr. Bowlin advised that on one side there are 100 acres and on the other there are 40 acres. His parents own the rest all the way to Highway 362.

Mr. Terry Harris - 121 Bethany Road – Williamson, Georgia

Mr. Harris said his concern is that he was never notified anything about this application. Bethany Road is mainly used for the equipment. Rawls Road was notified but there are 15 to 16 houses on Bethany Road that were never notified. His mother has just had radiation treatment for cancer. She cannot handle the dust in the area. Every time a vehicle travels on this road there is dust. She has to wear a mask to go outside. It is a dust bowl. Maybe one of these days the road will be paved. The more traffic the more dust.

Lori Banner – 107 Bethany Road

Ms. Banner asked how big the establishment will be, what type equipment will be traveling on Bethany Road and when is the road going to be paved. She is concerned about the traffic because she has two small children. She lives in the first house off the main road. It causes a lot of dust.

Mike Lynch – 256 Bethany Road

Mr. Lynch said the road is all dirt to Mr. Bowlin's property. The traffic comes down Rawls and takes a right on Bethany. The main entrance is on Bethany. There are already 10 to 15 employees each day going to this office. They go to lunch everyday, in and out. Mr. Bowlin has seven active business licenses. The application only states there are two businesses, grading and farming. If he puts them all at this location, there will be 149 employees which are what is showing on the active business licenses. The hours of operation are almost 6 days per week and sometimes on Sunday. They come there at 6:00 a.m. and don't leave until late at night. They are operating and repairing heavy equipment out of this office complex. You can see all the heavy equipment and what is going on. There is pressure washing; does not know if he is using detergents or just hot water but it is going on almost everyday. During the day, some kind of vehicle is in and out at least every 15 to 30 minutes. He works third shift and sees it everyday. The employees have no respect for the speed limit or the neighborhood. He woke up Saturday morning to two lowboys moving at least 20 to 30 ton earthmovers out of the site. There are still at least 15 pieces of equipment in the yard. UPS has a pick-up everyday at this location and Fed Ex and DHL in and out sometimes. There are certain untruths to the application. No one lives at this residence or place of business. There is high traffic and dust. He requested a traffic study prior to granting the rezoning. This will not diminish Mr. Bowlin's property value, but it will diminish Mr. Lynch's. He will never be able to sell if this is allowed. He has said the adjacent and nearby properties are all large farms. That is not true. There are two houses at the corner and 15 houses down Rawls Road which are not large farms. There are a couple of large farms in the area. Please stop this now before it gets out of hand.

Jon Collier – 359 Rawls Road

Mr. Collier said he is on the corner of Bethany and Rawls so he gets the brunt of a lot of the traffic. There is no regard for the stop sign that is there. It is a four-way stop and they come through the stop sign without stopping. There has been a lot of talk about paving the road. Right now they are traveling 45 to 50 mph, and if it is paved, that will increase to 65 and 70 mph. He has asked the Sheriff to come out there several time to monitor the traffic. They have come out there. He has 3 small children under the age of 9. He is concerned about the safety of the neighborhood. He has operated heavy equipment and understands what distance it takes to stop one of these vehicles. The speed of these vehicles is entirely too fast. His schedule varies from week to week, and he will be home at lunch some days and others he is gone by 4:00 a.m. He sees the operation at all hours. During the summer, the traffic is greatly increased. The road has to be graded once a month. What is going to prevent a food franchise if this is zoned commercial? When you start putting that kind of operation close to houses, the value goes down.

Gary Hardin – 365 Rawls Road

Mr. Hardin wanted to know why he is making this request now when the facility has already been built and heavy equipment has been going in for the past six months. They will deliver a load of heavy equipment, the trailer will leave and then two or three days later come back and pick up the same equipment and leave with it.

Thomas Bowden – 117 Bethany Road

Mr. Bowden said he lives on the main entrance to Bethany Road. The County and State came in a put up a sign that stated no tractor-trailers and no trucks allowed. They still have a lot of

tractor-trailers in and out carrying the large earthmovers and graders to and from the construction sites. They have a lot of the large commercial service trucks in and out. The dust is horrendous. He has to change his air filters every two weeks. It is getting worse. The road is rutted. It is not fair for the road to remain this way. The reason the no truck sign was put up was to try to prevent the damage to the road. The County is out about every month to six weeks to scrape the road. He appreciates the County's efforts to maintain the road. This really does not need to happen.

Mr. Taylor said the general area around this site is very rural. There is some suburban residential development in the area. The County's Land Use Map shows this area, in the future, to still be very low-density residential and rural in nature. It does not change until you get up the intersection of Rover-Zetella and Highway 362. The Staff recommendation is to deny the change in the Future Land Use Map.

The propose zoning for the property is Office and Institutional which is very low intensity office type use. Since the Staff does not support the change in the Future Land Use Map, they do not recommend the zoning change either. There has been some discussion regarding other uses that are being observed on the property in conjunction with the office use. The property's current zoning is agricultural use. As agricultural, zoning is an intense use as far as the property is concerned. You can cut hay, plant and sell crops and store farm equipment. The building on the site now and the addition that was made were done as an agricultural barn and an accessory to that agricultural use. They were not aware, until the application was made for a business license for office use, that there was office use on the site. No one had made a complaint. However, since this is zoned for agricultural use, no office use is allowed under current zoning, and they did not approve the business license. All of Mr. Bowlin's business licenses were issued for home occupation and originated from his home on Rover-Zetella Road. The uses that are intended for the property are not appropriate for the zoning that is under application, and Mr. Bowlin will need to apply for another zoning such as C-2 Industrial Zone which will allow for the use and storage of the type maintenance equipment he has.

Mr. Johnson said he visited the site and observed the large equipment and wondered if O & I was the appropriate zoning. He further noted that this is a request for spot zoning.

Ms. Bailey visited the site and noticed the traffic and dust. She was not happy with what she saw.

MOTION

Ms. Bailey made a motion to deny application #FLA-08-06. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson and Mr. Traer voting for the motion.

MOTION

Ms. Bailey made a motion to deny application #08-13Z. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson and Mr. Traer voting for the motion.

Mr. Taylor advised those in attendance that the ordinance requires that the County notify the people who own property that abuts or is across the street from the subject property. For the County Commission meeting, there will be a sign placed on the property as well as a notice sent to the adjacent properties.

Amendment to UDO #A-05-15: Lift from the table – Appendix M. Dark Sky Lighting Standards Ordinance – new ordinance.

No action was taken of this Amendment.

MINUTES

Mr. Traer made a motion to approve the minutes of the October 28, 2008 meeting. The motion passed on a second by Mr. Chastain with Mr. Chastain, Mr. Johnson and Mr. Traer voting for the motion and Ms. Bailey abstaining because she was not present.

ADJOURN

The meeting was adjourned on a motion by Mr. Chastain and a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson and Mr. Traer voting for the motion.

Ed Johnson – Chairman

Yvonne M. Langford - Recorder