

**SPALDING COUNTY APPEALS BOARD**  
**Regular Meeting**  
**September 10, 2009**

The Spalding County Appeals Board held its regular monthly meeting on September 10, 2009 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Doug Hardwick, Chairman, presiding; Michelle Cannon, Bryan Clanton, Gail Hackbart, Richard Ingram, Charles Perdue, and Allan McCallum.

Also present were: Charles Taylor, Community Development Director; Newton Galloway, Attorney and Yvonne Langford to record the minutes.

Mr. Hardwick called the meeting to order and invited anyone present that was not the applicant and wanted to address the Board on any of the applications to come forward and sign the request form.

**Application #09-12S:** Mi Suk Guhwang, Owner – Nancy D. Hagler, Agent – 1035 Vineyard Road (7.3 acres located in Land Lot 59 of the 3<sup>rd</sup> Land District) - requesting a Special Exception to allow a kennel in the AR-1 District.

Nancy D. Hagler – 105 Hawthorne Drive – Riverdale, Georgia 30274

Ms. Hagler said this application is requested in order to put a kennel on this property. The party wanting to open this kennel has been real sick and wants to do this as a business. He will probably have from 20 to 40 dogs. Ms. Hagler said she has read the recommended conditions from the staff and has no problems with the conditions.

Mr. Taylor said the staff recommendation is for conditional approval. The conditions are:

1. All existing structures, refuse and debris shall be removed from the property.
2. A 25 foot undisturbed buffer shall be required on all sides that are abutting residential property. Said buffer shall be supplemented with plant material of sufficient height to provide visual screening of the facility from adjacent property.
3. Any site lighting shall be designed so as to not glare into adjacent residential areas.
4. A site plan, meeting the requirements of Appendix J of the Spalding County Unified Development Ordinance (UDO), shall be submitted to the county for approval prior to obtaining a development permit for the kennel.

**MOTION**

Mr. Ingram made a motion to approve Application #09-12S with the recommended conditions. The motion passed on a second by Mr. Hardwick with Ms. Cannon, Mr. Clanton, Ms. Hackbart, Mr. Hardwick, Mr. Ingram, Mr. Perdue, and Mr. McCallum voting for the motion.

**Application #09-13S:** Merrydale Estates, Inc., Owner – Brightmoor Hospice, Inc., Agent – 3295 Newnan Road (6 acres, more or less, located in Land Lot 15 of the 2<sup>nd</sup> Land District) – requesting a Special Exception to allow Nursing Homes/Hospice in the AR-1 District.

Dick Mullins – 676 Brook Circle

Mr. Mullins said he was representing the applicant in this request. He provided a drawing of the site plan for this project. They have made a slight adjustment to the driveway. It has been relocated and it does not have the spur off to the adjoining property. They changed this after the recommendation from the county staff. There are two adjoining parcels that make up the six acres. Mr. Mullins identified the property on which the Hospice will be built. The site is adjacent to Brightmoor Nursing home. The property to the north is zoned AR-1 and the property below that is zoned R-2. A Hospice is allowed in an AR-1 zone but is not allowed in the R-2 zone. An application has been filed to change the R-2 zone to an

AR-1 zone. They are requesting this special exception for the entire 6 acres conditioned on the rezoning being approved. They have a copy of the conditions from the Community Development Department of the County and they have no problem with the conditions. They have already addressed the second recommendation by taking out the connecting driveway.

The issues of the buffer were discussed. Mr. Mullins said he was not certain but he said he did not think there was a need for a buffer because the nursing home, personal care home and now the hospice will be all together. Mr. Ron Westbury was present and could address that issue.

Ron Westbury – 1255 Azalea Circle – Conyers, Georgia

Mr. Westbury said he was the project manager for the new nursing home when it was built and one of the conditions was that the buffer be provided. That buffer is there and they plan to leave it. At that time, there was a residence on the six acres and the buffer was for their protection.

Mr. Taylor said the staff recommendation is for conditional approval. The conditions are:

1. The proposed portable storage building shall be screened from the public view.
2. The proposed connecting driveway on the west side of the property shall be moved north to increase vehicle storage capacity and limit conflicting turn movement at the site exit
3. A deceleration lane shall be added at the driveway entrance to the site, subject to approval by the Georgia Department of Transportation (GDOT).

Mr. Taylor said they did not intend that the connecting driveway be removed they just wanted it to be moved a little further north so that it would not be so close to the entrance. Interconnectivity between the sites may be a good thing. If there is going to be interactive traffic between the two sites, that connecting driveway may be a good idea and could prevent them from having to add an additional decal lane.

Mr. Mullins said they would be willing to work with the staff regarding the interconnectivity between the properties.

#### **MOTION**

Mr. McCallum made a motion to approve Application #09-13S with conditions 1 and 3 as recommended by the staff and condition 2 shall be amended to state that the applicant will work with the staff prior to the Board of Commissioners meeting to resolve the driveway connectivity issue. The motion passed on a second by Mr. Perdue with Ms. Cannon, Mr. Clanton, Ms. Hackbart, Mr. Hardwick, Mr. Ingram, Mr. Perdue, and Mr. McCallum voting for the motion.

#### **MINUTES**

Ms. Cannon made a motion, seconded by Mr. McCallum, to approve the minutes of the August 13, 2009 meeting. The motion passed with Ms. Cannon, Ms. Hackbart, Mr. Hardwick, Mr. Perdue and Mr. McCallum voting for the motion and Mr. Clanton and Mr. Ingram abstaining because they were not present.

#### **ADJOURN**

The meeting was adjourned on a motion by Mr. Perdue and a second by Mr. McCallum with Ms. Cannon, Mr. Clanton, Ms. Hackbart, Mr. Hardwick, Mr. Ingram, Mr. Perdue, and Mr. McCallum voting for the motion.

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Doug Hardwick – Chairman

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Yvonne M. Langford - Recorder