

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
January 13, 2004

The Spalding County Planning Commission held its regular monthly meeting on January 13, 2004 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Karen Mathiak, Chairman, presiding, Ray Browning, Delores Phillips, Ronald Green, and John Youmans.

Also present were Charles Taylor, Community Development Director, Newton Galloway, Attorney, Bruce Ballard, Griffin-Spalding County School System, and Lee Craig, Senior Planner, to record the minutes.

Mr. Browning called the meeting to order and introduced the members of the Planning Commission.

ELECTION OF VICE-CHAIRMAN

Mr. Browning called for nominations for vice-chairman.

Ms. Mathiak nominated Ray Browning as vice-chairman, seconded by Mr. Youmans.

There were no other nominations, and the nominations were declared closed.

Mr. Browning was elected with John Youmans, Delores Phillips, Ronald Green, and Karen Mathiak voting for the motion, and Ray Browning abstaining.

ELECTION OF CHAIRMAN

Mr. Browning called for nominations for chairman.

Mr. Youmans nominated Karen Mathiak as chairman, seconded by Mr. Browning.

There were no other nominations, and the nominations were declared closed.

Ms. Mathiak was elected with John Youmans, Delores Phillips, Ronald Green, and Ray Browning voting for the motion, and Karen Mathiak abstaining.

Amendment to UDO #A-04-01: R-1A – establish residential district to allow minimum heated area of 2,500 square feet.

Mr. Galloway stated that this amendment creates a dual residential district with a minimum heated square feet for a principal dwelling of 2,500 square feet. The provisions

are the same as the other single-family residential districts with the exception of the minimum heated square footage of principal dwellings.

Mr. Browning questioned the need to include “local, state, or federal government buildings.” He stated that in some areas it would not be beneficial to the neighborhood to have a government building.

Mr. Galloway stated that while this provision is superfluous, it has always been included in the list of principal uses allowed in single-family residential districts. By law you cannot limit the right of eminent domain held by government, which would allow the condemnation of property.

Mr. Browning questioned the compensation due to a property owner if condemnation was initiated by a government entity.

Mr. Galloway explained that while the property owner could not stop condemnation by government, if diminutive value is the result of the condemnation, then the property owner is to be given due compensation.

Mr. Browning then questioned the inclusion of Section 804(S), which requires the property owner to combine two (2) adjoining, substandard lots if they don’t individually meet the “new” requirements. Mr. Browning stated he did not realize that this was included in all of the single-family residential districts.

Ms. Craig and Mr. Taylor confirmed that this provision is included in all of the single-family residential districts.

Mr. Browning stated that he feels this is inequitable to require this. He stated that he does not feel that this is what the County wants to do.

Mr. Galloway stated that legally this provision is acceptable, but that it is inequitable. This provision has been in the ordinance since the adoption in 1994. Mr. Galloway suggested that the Planning Commissioners recommend approval to the Board of Commissioners if this is the only area of concern. Because this provision is included in all of the single-family residential districts, Mr. Galloway suggested that this issue be discussed at the next workshop.

Ms. Mathiak agreed and called for a motion.

MOTION

Mr. Youmans made a motion to approve Amendment #A-04-01 with the provision that Section 803(S) be discussed at the February workshop. The motion passed on a second by Mr. Browning with Mr. Browning, Ms. Mathiak, Ms. Phillips, Mr. Green, and Mr. Youmans voting for the motion.

Amendment to UDO #A-04-02: Appendix A. Subdivision Ordinance – Section 505:B(6) – amend to only require detention pond fencing for ponds deeper than 5 feet.

Mr. Galloway requested that this amendment be tabled until the next meeting due to legal concerns voiced by some of the County Commissioners.

MOTION

Ms. Mathiak made a motion to table Amendment #A-04-02 until the February 10, 2004 meeting. The motion passed on a second by Ms. Phillips with Mr. Browning, Ms. Mathiak, Ms. Phillips, Mr. Green, and Mr. Youmans voting for the motion.

MINUTES

Mr. Browning made a motion to approve the minutes of the December 9, 2003 meeting with the correction of Bruce Ballard’s name. The motion passed on a second by Mr. Youmans with Ms. Mathiak, Mr. Browning, Ms. Phillips, and Mr. Youmans voting for the motion. Mr. Green abstained, as he was not present at the meeting.

MOTION

The meeting was adjourned on a motion by Mr. Youmans and a second by Mr. Green with Mr. Browning, Ms. Mathiak, Ms. Phillips, Mr. Green, and Mr. Youmans voting for the motion.

Karen Mathiak – Chairman

Lee Craig - Recorder