

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**January 27, 2004**

The Spalding County Planning Commission held its regular monthly meeting on January 27, 2004 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Karen Mathiak, Chairman, presiding, Ray Browning, Ronald Green, Delores Phillips, and John Youmans.

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

Ms. Mathiak called the meeting to order, introduced the members of the Planning Commission, and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

**MINUTES**

Mr. Browning made a motion to approve the minutes of the January 13, 2004 meeting. The motion passed on a second by Mr. Green with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion.

**Application #03-27Z:** Chuck Pruitt Builders, Inc., Owner – 21 Millcreek Lane (2.53 acres located in Land Lot 93 of the 1st Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-5, Single Family Residential.

**STAFF REPORT**

Mr. Taylor said this request is for land that was developed prior to the adoption of the UDO. The request is to rezone in order to be able to split the property into two parcels and build two homes. The staff has reviewed the rezoning and recommends denial. The property cannot be split without getting a variance. The area is predominantly AR-1 zoning and the future land use map indicates the area should be rural reserve which is one unit per two acres. The property presently meets the guidelines for rural reserve zoning. The original design was for two-acre lots. A few of the lots were created as one acre or less prior to the adoption of the UDO.

**Applicant Comment:**

Chuck Pruitt – 1023 Moreland Road – Williamson, Georgia

Mr. Pruitt said he purchased the land thinking he would be able to divide the tract into two lots. He considered this an upgrade since he is going to build nice houses. One of the lots will be one-acre and the other will be an acre and a half. There are some lots there that are one-half acre. He thought he would not have a problem getting this rezoned for one-acre lots.

Public Comments:

Danny Hobbs – 28 Millcreek Lane

Mr. Hobbs wanted to know why this should be rezoned to one-acre lots. He and his neighbors own the land they live on. They do not need this and he does not think this is legal. He does not like this. Can anyone explain why this needs to be rezoned? It is so they can make a dollar. He lives there and they are not trying to make money. They have put everything they have in their homes. He comes in with this two-dollar house and makes all their property go down. He does not like it at all and he is not the only one that feels that way.

Rufus Maddox – 31 Millcreek Lane

Mr. Maddox said he has 2.5 acres that joins this property. He moved there 15 years ago because he thought it took 2.5 acres for a home or a trailer. He does not like this. He does not care what kind of house he puts up he does not want it like a mill village with houses jammed up. He lived on one all his life and that is why he moved out there.

Bronson Hayes – 20 Millcreek Lane

Mr. Hayes said he has lived there for thirty years on his 2+ acres. They do not need two houses in front of them on a dead end street. There is nothing but old folks that live there and he does not know why that this has to come up and why he can put two houses there. It does not make sense.

Hernando Villaraga – 12A Millcreek Lane

He received the letter and he came to get more information. He, also, represents his mother, Ms. Ethel Faena, who lives at 36 Crystal Creek. She does not speak good English. She lives right on this lot. They do not agree with what they are asking.

Ethel Faena – 36 Crystal Creek

She did not speak. Her son spoke for her.

Gregg Pruitt – 55 Partridge Path – Williamson, Georgia

Mr. Pruitt said when his son purchased this, he did not think that he would have a problem. He does not understand some of the comments particularly the “two dollar houses”. The houses will sell for approximately \$100,000 each. There are many smaller than two-acre tracts. The road is predominately trailers. There is no way that you could do anything but raise the value. He feels his son is taking a big chance. He does not see a problem with this. What he is building on one-acre will be of equal or greater value than what is out there.

Mr. Rufus Maddox spoke again.

Mr. Maddox said if this is changed now and someone else buys a piece of property and they decide to do the same thing. He has the most road frontage of anyone out there. He could put four houses on his property. What would that do out there? If you keep letting them push us out, the next buyer is going to put more out there. Everyone out there is old

and has had their property out there for 20 or 30 years. He has been out there 15. He has no problem with one house, but if you rezone this, the next time someone sells there might be four houses out there. He has the road frontage to do that. He thinks this is a done deal because he has offset the house toward his property line.

Mr. Taylor said Mr. Pruitt has already started a house out there that exceeds the minimum square footage required. He said there is no problem with issuing a permit for one house, but they cannot issue a building permit for a second house.

Discussion was held to identify the location of each of the houses. During discussion Mr. Youmans, Mr. Green, Ms. Phillips and Ms. Mathiak were in agreement with the staff report and felt they would be setting a precedent to approve the application. This is a rural area and is designated so on the land use map. Mr. Browning said he would vote to approve. Trends bring change. The people present have indicated that this would be a change and change is inevitable. The preponderance of what he saw was some older structures and at some point in time they will be replaced. They are going to have to be replaced. They have almost served their full usefulness as far as a dwelling. When that happens, what do you replace it with? Where do you set the trend? Do you want a site built home of a certain size or do you want a lesser standard? Forget the lot size. They have no agricultural use. The AR zone is just a holding area for future zoning throughout the county. They are not farming. There is no row cropping. There is no breeding operation for animals. It has no agricultural purpose. You are talking lot size and house size. Mr. Pruitt has drawn the lot to maximize the privacy of the homeowners. It will be secluded and private and will not be intrusive on his neighbors. The sideline setbacks are the same whether there is one house or two.

#### **MOTION**

Mr. Youmans made a motion to deny Application #03-27Z. The motion passed on a second by Ms. Phillips with Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion and Mr. Browning voting against.

Mr. Taylor advised Mr. Pruitt that this board is a recommending board only and the Commissioners will consider this application on February 26. The recommendation from this Board is for denial.

**S/D #03-09:** Longview Estates – Osceola Investments, LLC - Owner – 70.35 acres off Teamon Road, located in Land Lot 201 of the 3<sup>rd</sup> Land District – 59 lots.

Mr. Taylor said the staff had recommended tabling this application, because at the time of review, the plat did not meet the zoning requirements of the ordinance, but since that time, a revised plat has been received that meets the requirements.

Steve Moore – 165 Forest Drive – Locust Grove, Georgia

Mr. Moore said in October they had proposed 59 one-acre lots with a minimum of 1500 SF houses. He identified the changes that have been made since that time. All the lots

will face Teamon Road but access is by an alley at the rear. There are no curb cuts for driveways on Teamon Road.

**MOTION**

Mr. Browning made a motion to approve the preliminary plat in S/D #03-09. The motion passed on a second by Mr. Youmans with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion.

**S/D #03-10I:** O'Dell Road Subdivision – Pilkenton-Murray, LLC, Owner – 15.79 acres off O'Dell road, located in Land Lot 108 of the 2<sup>nd</sup> Land District – 14 lots.

Mr. Taylor said there had been some issues but they received a revised plat and the issues have been resolved.

Niles Murray – 1400 Maple Drive – Griffin, Georgia

Mr. Murray said they are requesting approval of the submitted plat for an Industrial Subdivision. They have sewage that will tie into the forced main on Carver Road. The project is ready to move forward. The property has been zoned as required. There are 14 lots that will be used for shop buildings for businesses such as plumbers, cabinet shops, etc. The buildings will be metal with accents. There will be fenced areas for parking.

**MOTION**

Mr. Browning made a motion, seconded by Ms. Phillips, to approve S/D#03-10I. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion.

Review of Annexation Request to City of Griffin, Southside Development, Inc. – Applicant property is located at North Hill Street Extension and Northside Drive.

Mr. Galloway said he had a conflict with the annexation request and excused himself from the discussion. He left the meeting at this time.

All members of the Planning Commission were furnished copies of the proposed annexation requirements and agreements.

Vince Hines – Chief Building Inspector – City of Griffin

This annexation has received preliminary approval from the City of Griffin Planning and Zoning Board. Twelve conditions were placed on approval. The conditions are listed in the information furnished to the Planning Commission members. The rezoning to medium density residential is consistent with the City of Griffin 2020 Comprehensive Plan. The adjacent property in the City of Griffin is zoned medium density residential. The zoning would permit the construction of 236 homes on the 47+ acres that are developable on the property. The applicant plans to construct 154 single-family residences with walking trail, green space, picnic area, etc. Sewer is available and the developer will be responsible for all infrastructure including sidewalks, curb and gutter, water, sanitary sewer, etc.

Bill Johnston, Attorney – 124 North Hill Street

Mr. Johnston said the homes will be 1200 SF. Parking will be allowed on one side of the street only. Utilities will be underground, front and side yards sodded, there will be sidewalks, recreational area, a homeowners' association, and 50% of homes will have masonry accents.

Mr. Johnston said his understanding of the annexation process is that the Planning Commission reviews it and it then goes to the County Commission for approval or denial. It is possible for the County and City Commissions to reach a consensus and draw a resolution. That has not happened and will probably not occur. They want to address the concerns of the Planning Commission.

Mr. Browning said he and Mr. Taylor have been in meetings along with a couple of the Commissioners to attempt to get a consensus in how the future land use map can be applied in different areas throughout the county. The general consensus is that the more dense residential areas should be in areas closer to the City of Griffin. This property is almost surrounded by the city. You want density in areas that are close to dense areas. It is entirely appropriate that this land fit in the city better than in the county. It will be served by sewer which is a city function. It is better in the city.

Mr. Ballard said the school systems deals with the city and county both and try to get along with both. This proposal is for a fairly dense subdivision and there will be some issues to be considered. This is in Atkinson School and Kelsey School districts where there is presently more room for growth than in any of the other school districts. The areas closer to the city can be developed with less impact on the school system.

Ms. Phillips said she has great concerns over the density of the project. She has lived in Spalding County for 55 years and she lived in this area and has seen what has been done in the area close to 9<sup>th</sup> Street. The houses are really close. They have no parking. When you put someone out they are in the street. There are things that are not good for this particular area from North Hill Street all the way over to 9<sup>th</sup> Street between Northside Drive all the way up. There are a lot of dilapidated houses within the city. This is too much for this particular area.

Mr. Hines said this developer wants to build moderately sized homes to try to get some people into home ownership. Until they can eradicate substandard houses they are going to be up against this.

Ms. Phillips said the products in this area are not the same as the products in the other parts of the county. She has seen the difference. She lives and travels East McIntosh, 9<sup>th</sup> Street and Hill Street. She is addressing the density. The people that live in the area have concerns.

Mr. Johnston said the developer is putting in less houses than allowed and it should be better than what is in the area now.

Mr. Browning said this would give the area a better product that will raise the standards in the area.

Mark Whitley – Southside Developers – 7544 South Lake Parkway – Jonesboro

Mr. Whitley said when this was discussed with the county earlier, the discussion was for 6000 SF lots and that was of concern. Since that time, they have added 25 acres to the tract and there will be more green space. They have increased the size of the houses to 1200 SF up from the minimum of 1100 SF. They have added the brick accents with two car wide driveways, garages. They have added a lot. They have negotiated a lot of things with the City of Griffin. They are going to work with the city as a joint venture for a recreation area. There is a mixture of zoning on the property and some of the area is zoned for apartments which would lend itself to a more dense development. Some of the area is zoned industrial.

Ms. Phillips said she is not comfortable with this project at all. She knows how the people in the area feel about the density.

Mr. Taylor said there were some concerns that he would like to mention. There are some residential areas that do not have sewer and there is going to be sewer on a new piece of property. He wondered if there might be some way to invest in the area to provide sewer for some of the other nearby houses such as those on Bourbon Street. The county has been improving the requirements for residential property by increasing the house sizes and architectural requirements. Since this property will be a transition area into the county, consideration might be given to making some improved requirements regarding the roof slopes, the two car garages, etc. The county is trying hard to upgrade housing. It is working well. Some of the requirements in the document the city furnished regarding this subdivision seem to be vague and could be more definitive such as the requirement for privacy fencing. It works best if the fences are not right up against the street because they sometimes look worse than what is being screened with the fence. It works best to have the fence in the rear yard and the buffer closer to the street. The sidewalks are shown as 4 to 6 feet. Are there areas for 6-foot sidewalks and areas for 4-foot sidewalks or is this just a general requirement? The requirement is for retaining as many trees as possible during the development. Is there a tree save ordinance by the city and is a tree survey to be done to identify trees that are to be saved? He asked about the plans for a joint venture on the recreation area. Mr. Taylor said he has just begun reading the standards and has not read the complete report.

Mr. Hines said he would have to refer the sewer question to Mr. Brant Keller. There has been no tree survey done. They are just beginning the work on this development. They want to avoid clear cutting and with the decreased density they should be able to do real well to save as many trees as possible. He noted on the recreation area it has only been mentioned with no definite plans. It is a matter between the city, the county and the developer.

Ms. Mathiak said she would like to be certain that Ms. Phillips' concerns are in the record along with the points that Mr. Taylor has mentioned. The school system comments need to be in the report also.

Mr. Brown addressed the sewer issue as mentioned by Mr. Taylor. He suggested that McIntosh Trail submit a grant application for sewer to this area.

Mr. Hines said he would discuss this with Mr. Keller and try to have an answer before the Commissioners address this issue.

Mr. Browning said, regarding the school issue, this project is approximately two years away and will give the school system some lead-time to make some accommodations.

**ADJOURN**

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

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Karen Mathiak – Chairman

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Yvonne M. Langford - Recorder