

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
February 24, 2004

The Spalding County Planning Commission held its regular monthly meeting on February 24, 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. Youmans made a motion to approve the minutes of the February 10, 2004 meeting. 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 abstaining because he was not present.

Application #04-01Z: Huco Construction, LLC, Owner – Teamon Road (113.07 acres located in Land Lots 138, 151, and 152 of the 3rd Land District) requesting a rezoning from AR-2, Rural Reserve, to R-4, Single Family Residential.

Mr. Jeremy Crosby – 208 Walnut Trail – McDonough, Georgia
Mr. Mike Horne – 1065 Jodeco Road – Stockbridge, Georgia

Mr. Horne said he was present on behalf of Mr. Crosby – Huco Construction. The property is 113 acres, and the request is for a two-acre zoning. They will be applying for a special exception to reduce that and will include green space. They are proposing 71 lots on the 113 acres. This will meet the land use plan. The special exception they are requesting is a new plan that the county has just adopted. They will dedicate 25% of the land to a permanent green space program. It results in 29 acres of the 113 acres being in green space. Plans were furnished to the Planning Commission members. Initially, they proposed a minimum of 1500 SF homes. The staff has recommended 1750 SF, and they have discussed this with the staff and feel they can meet that. They have a couple of ranch plans that have 1750 SF including an unfinished bonus room above the garage. They wanted to include this but if they have to finish the bonus rooms they will. They are planning a nice brick clubhouse, playground, walking trails, picnic areas, and benches. Some of the streets will have islands with one-way sections that will go around the islands. They plan to have sidewalks, trees and park benches in the islands. Staff

recommendation is for R-2 rather than R-4, and they are willing to do the 1750 SF if the unfinished bonus room will qualify toward that footage. They will be planting trees and there will be more trees on the property when finished than at the present time. They showed the plans they intend to use for this property. These plans have been used before. This should be a nice transition from the smaller homes in the area to the larger homes in the area.

The following are comments from those in attendance.

Debbie Frost – 724 Teamon Road

Ms. Mathiak acknowledged that a letter had been received from Ms. Frost earlier.

Ms. Frost said this neighborhood is diverse but stands united to preserve the countryside of Teamon Road. Two years ago Spalding County unanimously turned down a request on this same piece of property and said the property should remain AR-2 zoning. Huco Construction purchased grazing land in the middle of the countryside, far removed from the city limits of Griffin, knowing the land was zoned AR-2. Now they want to bury good agricultural farmland under paved roads and sidewalks. Huco Construction would have you believe that 71 homes on 113 acres would be good for the residents of Teamon area, City of Griffin and the County of Spalding. Teamon area has always been agricultural in nature. Planting a subdivision in all this serenity will change this agricultural community forever. Open pastureland is a rare find and should not be discarded. The area will be contaminated if the subdivision is allowed. The entrance to the subdivision is about 250 yards from the deadly curve on Teamon Road. She had pictures of the area noting the present environment of the area. Huco Construction is not interested in preserving the country life or the historical country in the area. They built her home and they know how they felt about living in the country. They saw a good deal on the land next to her farm and now they want to put in a subdivision. Most of the homes in this immediate area are 3000 SF or better and they would like to see that trend continue. She called attention to a petition from the neighbors in the area and said she would be able to get more names. No one wants this subdivision. She requested this application be denied.

Eugene Wenner – 3214 Butternut Circle – Minnesota

Mr. Wenner purchased 5.6 acres on Teamon Road about six months ago with plans to build a home. He is concerned with the number of homes proposed for this site. He purchased this land feeling that the five-acres was going to be the trend. He wants to see this remain as it is. He is going to build a nice brick home in excess of 3000 SF. He is concerned about this subdivision. Each lot will have to have a septic system and he is concerned about what it will do to the springs and creeks in the area. They will be contaminated.

Mark Murdock – 750 Teamon Road

Mr. Murdock said he has just found out about this and is not really prepared. There is a lot going on with this Huco project that is not in their big plan. He and his wife dreamed of moving to the country, and they found this property. Their intention was to build a dream home and live there forever. When they purchased the property, it was zoned for

five-acres. They built a live-in shop that meets all the requirements for a home. They are living there now with the intent to build a \$200,000 log cabin on the property. They do not see that happening if this subdivision is approved. There is no buffer, and that is what they have been trying to get away from. He has always lived in subdivisions, and he wants to get away from that. He loves the wild life. Teamon Road is a very dangerous road. They would like for it to remain at five acres but certainly two to three would be more acceptable than this proposal.

Jimmy Lee Releford – 1301 Teamon Road

Mr. Releford said he has 4.5 acres and loves it. He likes the wildlife. The road is dangerous. He has lived there 12 years and has seen a lot of wrecks. They are going to build under a power line. He works for the power company and power lines are a health hazard. They do not want this subdivision. They want everything to stay as it is.

Roy Smith – 956 Teamon Road

Mr. Smith said he owns the Country Cloth and Hobby Shop in this area and has been there for 32 years. He has 17 acres with an 1125' border beside this tract of land. His main concern is that he has 8 natural water springs on his property. He has talked to EPA and EPD, and they advise that five acres should not be a problem. Anything less they are coming in. If this contaminates his springs, it is trouble. That property comes downhill to his property. He uses the water for irrigation for farm things. There are fish in the pond also. The EPA advised him to let them know what is going on because natural water reserves are being swamped up and they are trying to fight it. When you put that many septic tanks right next to his line, then EPA is going to step in and he will be sure they do. He does not fool around when it comes to his springs. He likes his good fish. He likes his clean water. He will not tolerate this. He agrees with the five acres. They have a community. They stick together and are going to fight this.

Thurman Bowen – 350 N. Panola Road

Mr. Bowen said he lived in subdivisions in Jonesboro. They came here and bought a place in the county. You go outside and do not hear anything but animals. A lot of people go to Florida to retire, but they came to Sunnyside to retire. They like it and do not want any subdivisions. They have a 6000 SF house and have a small lake with springs on the property. They have well water, and they do not want this subdivision.

Peggy Bowen 350 North Panola Road

Ms. Bowen said she and her husband have been married 27 years and all that time they had hopes of moving to the country and living on the water. They have a little lake. They searched for a long time for this property and they love it. They love the wild life. They moved here knowing it was zoned for five acres and built a beautiful 6000 SF brick home. They want to see the neighborhood remain as it is. They purchased an additional 8 acres adjacent to their property to keep the property as it is. They did not want anyone to move next door so they could have the countryside next door. They are concerned about pollution. They have a well and several natural springs. She is concerned about the traffic. It is too fast and dangerous. She does not want to see 70 new homes with 140 additional cars.

Larry Frost – 724 Teamon Road

Mr. Frost said in July 2002, he purchased 41 acres of land adjacent to the proposed subdivision. They have just built their dream home. Huco Construction built their home, and he has a good relationship with them. They like what they have and purchased the property because of the way it was, and they want to keep it that way. There have been a lot of personal concerns and he agrees with most of them. He requested the Board consider those when making their decision. The Board needs to decide what is best for Spalding County. He feels the zoning, as is, is best for Spalding County. It is a treasure to have people like the ones in this area that want to have “hobby farms”. It is difficult to find open pastureland that can be utilized for agricultural or “hobby farms”. Teamon Road, as it is, is a treasure. The County will ultimately realize more income for Spalding County by keeping it as it is and attracting the larger homes. There are a lot of other places to build a subdivision. This particular tract of land is not a suitable place to build this subdivision. He requested the zoning remain as is.

Gail Dean – 1250 Teamon Road

Ms. Dean said she agrees with everything Mr. Frost said. They adjoin this property. They are concerned about the septic tanks and the power lines that run through the property. There is a lot of water that goes down the hill into the creek. She expressed concern about what constitutes a watershed. They too have concerns about the springs. The infrastructure is not equipped to handle this subdivision; water, roads, schools. Spalding County already has water problems. Northern Spalding County is a “hot bed” of activity with all the other high-density developments. She asked the Commission to take into consideration all the other activity in the area. She requested the zoning remain five-acre lots.

Tom Dean – 1250 Teamon Road

Mr. Dean said he has lived on Teamon Road for fifty years. He has seen it change from a peach orchard to any number of things. He remembers when there was another request to put a large number of homes on this property. At that time, they were selling Spalding County short if they thought they needed to establish one and two-acre lots for homes for people. People move to the country not for conveniences because the conveniences are not in the country. They pay twice as much for someone to fix plumbing and electrical problems. They move to the country to get away from people crammed in on top of each other in postage stamp situations. He has ten rental houses in the country and they don't stay vacant but about a day because everyone wants to be in the country to get some fresh air and see the stars at night and have good fresh water. These people are selling themselves short. They have a commodity that not many people have and that is space. They ought to sell what they have. This proposal does not fit.

Ricky Wilson – 706 & 700 Teamon Road

Mr. Wilson said he has just built a 3000 SF home on lot 706. His back yard faces a horse farm, soon to be 70 lots. He lived in Jonesboro in a subdivision. He did not move to Spalding County to have houses built right behind him. The houses being built on Teamon Road are all about 3000 SF homes. Most of them are very nice brick homes.

People are asking him all the time if there is more land here. They would love to buy three to five acres and build a nice home. What they propose is not the norm in this area. He requested the zoning remain at five acres. He expressed concern over this many septic tanks.

Michael Boatwright – 712 Teamon Road

Mr. Boatwright said he agreed with Mr. Wilson. He has sold his house in Clayton County, and his new house on Teamon Road will not be ready for two more weeks. He lived in Clayton County and all he wanted was to see the beautiful land as it is on Teamon Road. He was told he had to have five acres. He loves it and he wants it to stay as it is. He does not want it to be Clayton County. This is a friendly atmosphere. Why do you want to loose it?

STAFF REPORT

Mr. Taylor said the staff recommends conditional approval with the minimum house size established at 1750 SF, provide a 100' undisturbed buffer outside any lot along the southeastern property lines (abutting PRRRD zoning known as Cherokee Rose), streetscape with sidewalks on both sides of the road and decorative streetlights along with street trees, and streetscape plans shall be submitted with construction plans.

Mike Horne – Huco Construction

Mr. Horne said they are concerned about some of the same issues as the people that live in the area. Mr. Crosby has made a substantial investment in this property. They chose this property not because they could come in and throw up 70 houses at 1200 SF, but they chose it because it is a nice area. They plan to do a nice subdivision. They have met with Mr. Taylor on several occasions and have tried to get “up to speed” on the new ordinances. They have agreed to do nice brick front homes with a minimum of 1750 SF. They do want to go down to one-acre lot sizes in order to give back some green space. There are concerns about septic tanks, power lines, traffic, trees and other environmental concerns. Those concerns will be handled as they go through a development plan approval process. They won't put a septic tank on a lot that won't be approved by the health department. They will have high intensity soil testing done on the property. They will have detention that will handle storm water runoff. They purposely designed the subdivision where the open areas are in areas where they can have detention areas. They have moved the houses away from the power lines. They have done everything the county is trying to promote. They have a good plan and requested the Commission consider everything they have presented and recommend approval.

SCHOOL REPORT

Bruce Ballard said through the school system, the Planning Commission and the County Commission an effort has been made to work toward getting information that is valuable and useful when looking at new subdivisions. If you look at this subdivision and all the subdivisions that are in the planning stages in the community, even three lots can affect the school system. The schools that are in this area are Beaverbrook Elementary, Cowan Road Middle School and Griffin High School. In addition to the plan that is on the table now, there is a subdivision with an additional 300 lots in the Beaverbrook district, in the

middle school district there are 719 new lots and the high school 1159 new lots. This is going to have an impact on the schools. When you consider that from the perspective of the schools, it would be better to keep this at the present density. The school system is doing the best it can with the funding available.

Mr. Youmans said the issue is that no matter how stringently the people in the area feel about their property the development is going to come down Teamon Road. This is unfortunate for them. This development is fairly nice. He is concerned about the proximity of this development to Cherokee Rose. The Planning Commission is well aware of some of the issues with the property owners in the area. He is concerned that the developers make their potential homeowners aware of the issues with Cherokee Rose.

Mr. Horne said they do intend to disclose this.

Mr. Green said the subdivision is nice. He is a “country boy” and he is considering the area around this. He has a problem seeing a large subdivision thrown in the middle of this.

Ms. Phillips said she feels Huco has presented a quality product but when she went through this community and what she sees is something that she has not seen in Spalding County in a long time with the amount of acreage and the quality product with the houses there. She would like to keep that particular area going in the direction that it is presently going.

Mr. Browning said he commends the developers on a quality product but he has to agree with the Board members that the recent trend in the area is far removed from this subdivision. With the investments that the people have put in the area, he feels the trend should continue.

MOTION

Mr. Browning made a motion to deny Application #04-01Z. The motion passed on a second by Ms. Phillips with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion.

Mr. Galloway explained to those in attendance the process that will follow regarding this application.

The Planning Commission took a five-minute recess.

Application #04-02Z: Stan Lindsey Homes, Inc., Owner – Intersection of Amelia Road and Locust Grove Road (10.737 acres located in Land Lots 84 & 85 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-4, Single Family Residential.

Bill Deloach -154 Windbrook Drive – McDonough

Mr. Deloach said he is a land surveyor and civil engineer and has designed a subdivision of 8 lots for Stan Lindsey Homes, Inc. The lots are one-acres lots with 25.4% of the site dedicated to green space. To provide fire protection and water to the site, they will have to place a water line on Amelia Road. They will have two car garages.

STAFF REPORT

Mr. Taylor said the staff recommends conditional approval of the development. The recommendation is that water mains shall be installed along Amelia Road to service this development.

SCHOOL REPORT

Mr. Ballard said this area is already under heavy development. The elementary school in the area will have in excess of 3000 new lots. The school prefers to keep the zoning the same to maintain fewer lots.

Mr. Browning said this development is minimal in size and scope and is in keeping with what is in the area, and he does not have a problem with this application.

Barbara Carter Sharpe – 270 Boundary Tree Drive – Ellenwood, Georgia

Ms. Sharpe said the property adjacent to this property was given as an inheritance to five nephews which includes her two sons. The intent was that at sometime they would build on the property or at least keep it in the family. She is concerned regarding what this is going to do to this property regarding their ability to keep the land.

MOTION

Mr. Browning made a motion to approve this application conditioned on water mains being installed along Amelia Road. 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.

S/D #03-08: Lift from the table – Heron Bay Golf and Country Club – Jefferson David Fincher, et al and Minerva Properties, L.L.P., Owners – 207.344 acres off Johnson Road located in Land Lot 146 of the 2nd Land District – 310 lots.

MOTION

Ms. Phillips made a motion, seconded by Mr. Green, to lift application S/D # 03-08 from the table. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion.

Brian Davison – 2292 Henderson Mill Road – Atlanta

Mr. Davison said this is a preliminary plat application for property that was recently rezoned. Initially, there were some conditions that they feel have been satisfied. They recently showed this plan to the Board of Commissioners. Since the initial request, the plan has been cut by 50/60 lots. The open space has been expanded. They have eliminated the Johnson Road access point. The Palmers requested that the County pave a

portion of Johnson Road and Minerva Properties has volunteered to pave that section of the road. This will provide another entry point to the property. These changes were made prior to the County Commission giving final approval for the rezoning so they have seen the revised plan.

Discussion was held regarding the approval of water and sewer being provided by Henry County.

Mr. Davison said these houses will be from 1550 SF to 6000/7000 SF. The average on the Spalding County side will be 3000 ± SF.

SCHOOL REPORT

Mr. Ballard said the school system is already aware of Minerva's magnitude. They have cut the number of the lots, and they are pleased to hear that.

MOTION

Mr. Browning made a motion to approve S/D #03-08 conditioned on Spalding County granting approval for provision of water and sewer by Henry County. 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.

Planned Development concept plan review – 285.35 acres located on Smoak Road (for discussion only).

Mr. Andrew Welch – Attorney

Mr. Welch said he was representing the property owner, Mr. Hockett. A plat was available for this site. They were present to get comments regarding this development from the Planning Commission.

Mr. Hockett

Mr. Hockett said he has lived on this property since 1978. He gave an overview of the ownership of the property. He lives in a 5000 SF home which he built in 1998 and is in the middle of this property. They have not filed an application but have spent time doing research regarding the development in the area. They have spent time talking with the county staff and with the County Commissioners and with members of the Planning Commission to get ideas regarding developing this property. They are presently zoned R-1. They understand the concerns that have been expressed and have decided to delete the commercial area previously considered. Additionally, there have been comments regarding increasing open space and decreasing lot count. The development was modeled in some ways after the Minerva project. Minerva is very good at what they do. They own the property and do not have plans to partner with a developer. They do not have any pending contracts for sale. They plan to develop as all the surrounding properties are being developed. The plat that is presented is not the final plat and they would like to get feedback from the Planning Commission. They will have a package sewer plant.

Mr. Taylor said on the current land use plan this property is shown as conservation area and it is shown on the future land use plan as part conservation and part rural area. This is south of the village that will be formed at Teamon Road and Smoak Road. It falls outside the village area. This site falls just outside of the transition area. The idea of a village is that everything you need is within walking distance. This is a little bit further than walking distance and that is why they recommend going for the conservation type subdivision even if sewer is available. This appears to be the perfect opportunity to have a conservation subdivision. The staff cannot recommend this type density on this site.

Mr. Browning said the county is right on the onset of approving a new land use plan which should be approved this summer. There has been a lot of planning for this new plan. In order to make a development like this fit they would have to know that it is coming on line after this plan is enacted. It needs to fit what is planned for the area as best it can so the staff, Board and Commissioners can make solid comments. Knowing the land use plan is going to happen, he feels inadequate to discuss this. He does not have the tools to advise on what is good and what is bad about the plan because they don't know the rules until the land use plan is approved. As much as has been put in the effort for quality-controlled growth, it behooves everyone to follow it as closely as possible.

Mr. Youmans said his concern is to turn out a good product. We do not want to run people away from either of the other developments in the area. This will need to be a comparable product.

Mr. Welch said they plan to have the same level of quality that Minerva has planned. They have been able to find out what firms Minerva has used, and they will be using the same level of planners.

SCHOOL REPORT

Mr. Ballard said this is a quality development and there are not many in the county. The school system uses a formula of 1.2 students per household so this would add an additional 700+ students that the school system can expect for a subdivision of this size. Even though the students would be distributed throughout the grade levels, this is still another school. It costs \$2200 from taxes to educate students annually. This means an additional \$1.5 million per year. This is a concern. He would welcome discussions regarding how the developer and school system can help each other.

Mr. Green said looking at the plat, it appears to be a nice subdivision. He would like to see this area continue to have quality development.

Ms. Phillips inquired about the location of Mr. Hockett's home. Mr. Hockett identified the location of his home and the location of his mother's home. He said the plan is to remove his mother's home since the quality is not in keeping with what they plan for the development. They are planning a lot of open space and will include a swim/tennis center and walking trails.

Mr. Browning said he knows this property will be developed, and he suggests they follow the land use plan as closely as possible and work with the staff. This Board and the County Commission intend to do their best to follow that plan as closely as possible. The staff has the capability to give him the direction to follow. The county would like a very high end product.

Mr. Taylor said there are concerns about environmental requirements because there are streams on the property. Smoak Road, although paved south from the property, heading north there is a good portion that has not been paved. He feels that a lot of the commuter traffic will be heading north.

MOTION

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

Karen Mathiak – Chairman

Yvonne M. Langford - Recorder