

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**June 29, 2004**

The Spalding County Planning Commission held its regular monthly meeting on June 29, 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. Bruce Ballard was not present at the meeting.

Also present were Charles Taylor, Community Development Director, Newton Galloway, Attorney, 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.

**AGENDA**

Ms. Mathiak said the agenda needed to be amended to change the order of the applications. Mr. Davidson has had car trouble and will be late so the applications that he is involved with need to be postponed until he arrives.

**MOTION**

Mr. Youmans made a motion, seconded by Mr. Browning to amend the agenda to change the order of the applications. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**Application #01-19Z:** Lewis Brewer, Jr., Owner – Minerva Properties, L.L.P., Agent – 111.49 acres on Trestle Road, located in Land Lots 147, 248, and 234 of the 3<sup>rd</sup> Land District – requesting approval of revisions to development plans.

**Application #01-19AZ:** Quail Creek Land and Timber Company, Owner – Minerva Properties, L.L.P., Agent – 3 acres, more or less, on Johnson Road, located in Land Lot 234 of the 2<sup>nd</sup> Land District – requesting approval of revisions to development plans.

**Application #01-19BZ:** Cole Tract Associates, LP, Owner – Minerva Properties, L.L.P., Agent – 95.47 acres on Trestle Road, located in Land Lot 145 of the 2<sup>nd</sup> Land District – requesting approval of revisions to development plans.

These three applications were considered together and voted separately.

**STAFF REPORT**

Mr. Taylor said the staff recommendation is for approval of the development plan changes. He went over the proposed changes.

Jane Curtis – Minerva Properties – 2292 Henderson Mill Road - Atlanta

Ms. Curtis said they want to change pod BB to have 6000 SF lots. This will increase the number of lots by 20 but they will be utilizing the land considerably better. It will be more dense in one area but they are preserving a lot of the open space. This will now be 58 lots. There was information regarding the types of homes that will be built on this tract. She went over the work that is being done at the present time. In the original plan, when the initial rezoning was requested, there was to be 588 homes but that was later reduced, and the total lots in now anticipated being approximately 350 homes.

**MOTION**

Mr. Browning made a motion, seconded by Ms. Phillips, to approve application #01-19Z. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**MOTION**

Mr. Browning made a motion, seconded by Mr. Green, to approve application #01-19AZ. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**MOTION**

Mr. Browning made a motion, seconded by Ms. Phillips, to approve application #01-19BZ. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**S/D #01-07:** Heron Bay Golf and Country Club – Minerva Properties, L.L.P., Owner – 210.17 acres off Trestle Road and Johnson Road Extension, located in Land Lots 145, 234, and 247 of the 2<sup>nd</sup> and 3<sup>rd</sup> Land Districts – 350 lots.

Mr. Taylor said staff recommends approval conditioned on all departments approving the final plat.

**MOTION**

Mr. Browning made a motion to approve S/D #01-07- conditioned on all departments signing off on the changes. 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

**S/D #04-03:** Hickory Cove – Charles Woodroof, Owners – 18.60 acres off East Maddox Road and County Line Road located in Land Lots 200 and 201 of the 2<sup>nd</sup> Land District – 9 lots.

Mr. Taylor said the staff recommendation is for approval of S/D #04-03 conditioned on approval from all county departments.

Charles Woodroof – 1100 Pine Valley Road – Griffin, Georgia

Mr. Woodroof said he was acting on behalf of Chuck Knowles who is the owner of the property. This is 18.6 acres to be divided into 9 lots of 2+ acres each. This conforms to

the current R-1 zoning. They are also conforming to the minimum square footage of 2000 SF. The preliminary plat was submitted and revisions have been made to address the concerns regarding fire safety in placement of the fire hydrants. The environmental issue will be resolved. They are holding approval until the final plat and will approve each lot separately.

**MOTION**

Mr. Browning made a motion to approve/D #04-03 for R-1 Zoning – 9 lots conditioned on approval from all county departments and to include the installation of two fire hydrants. 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 #04-05:** Blanton Hills – Pilkenton-Murray, L.L.C., Owner – 15.62 acres on the southwest corner of Blanton Mill Road and Yarbrough Mill Road located in Land Lot 61 of the 1<sup>st</sup> Land District – 5 lots.

Mr. Taylor said the recommendation is for approval with condition that all departments sign off on the plat.

Harvey Pilkenton – 111 Cheshire Drive

Mr. Pilkenton said he was under the impression that all departments had approved the plat. He said the houses will be restricted to a minimum of 1750 SF.

Mr. Taylor said there are some “housekeeping” issues that need to be resolved.

**MOTION**

Mr. Youmans made a motion to approve S/D #04-05 conditioned on the required corrections to the plat and a minimum of 1750 SF heated. The motion passed on a second by Mr. Browning with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**Application #04-12Z:** David H. Duke, Trustee of Clifford C. Duke Trust, Owner – Minerva Properties, L.L.P., Agent – Johnson Road (76.97 acres located in Land Lot 143 of the 2<sup>nd</sup> Land District) requesting a rezoning from R-2, Single Family Residential, to PDD, Planned Development District.

**Application #04-12AZ:** Minerva Properties, L.L.P., Owner – Old Railway portion on Johnson Road (.21 acres located in Land Lots 143, 144, 145, and 146 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-2, Single Family Residential, to PDD, Planned Development District.

These two applications were considered together and voted separately.

Mr. Taylor said the staff recommends approval conditioned on the subdivision design be redesigned so that it is in keeping with the traditional neighborhood design. Because Johnson Road is a primary access point, the wooded bridge on the road at the intersection

of Johnson Road and 155 require considerable upgrading. It should be conditioned that the developer work with the county in making considerable upgrades in order to accommodate the additional traffic as generated. The recommendation is to table approval of the preliminary plat until the redesign is completed. This requires approval of a special exception because this is a reduction in lot size.

Brian Davidson – Minerva Properties – 2292 Henderson Mill Road – Atlanta

Mr. Davidson went over the plans for this property. He identified the roads that they will be developing to carry the traffic. They will be repaving Johnson Road to the Fincher property. They will additionally pave the section of Trestle Road and Johnson Road to connect the two pieces of Heron Bay.

In discussion, it was noted that the land use map of the comprehensive plan shows a density proposed for this area of 1 to 4 units per acre. This plan is on the low side of the range at 2.2 per acre. Discussion was also held regarding the road improvements that would be needed.

#### **MOTION**

Mr. Browning made a motion to approve Application #04-12Z conditioned on the redesign and working with the county on the road upgrade. 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.

#### **MOTION**

Mr. Browning made a motion to approve Application #04-12AZ conditioned on the redesign and working with the county on the road upgrade. 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.

**S/D #04-04:** Duke Tract – Heron Bay Golf and County Club – David H. Duke, Trustee of Clifford C. Duke Trust and Minerva Properties, L.L.P., Owners – 77.18 acres off Johnson Road located in Land Lots 143, 144,145, and 146 of the 2<sup>nd</sup> Land District – 154 lots.

Mr. Taylor said the recommendation is to table this pending approval of the special exception and the redesign is completed.

#### **MOTION**

Mr. Browning made a motion to table S/D #04-04. 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.

#### **MINUTES**

Ms. Phillips made a motion to approve the minutes of the June 8, 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.

Mr. Browning said he is concerned about the Roosevelt Railroad Museum. He does not know whether Mr. Galloway or Mr. Fortune needs to address this. They are carrying passengers over a line that has not had recertification. The crossties are rotten. The bridge has not been inspected in a long time. It is of concern. It is a safety issue. He has some question as to whether or not the deed is legal, because when a railroad was granted under the rights of the laws of the State of Georgia, it doesn't say that when it ceases it goes to a railroad museum. When it ceases to be in effect, it goes back to the property owners.

Mr. Galloway said the law is clear that when a railroad right of way is abandoned, the right of way reverts to the adjoining property owners. The property owners take to the centerline of the existing railroad right of way.

Mr. Browning said he would like to have information on whether or not a railroad can sell a right of way or convey a right of way to a museum. He is concerned that the County might have some liability if they allow this to continue.

Mr. Galloway said he would discuss this with Mr. Wilson, County Manager and Mr. Fortune, County Attorney.

**MOTION**

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

---

Karen Mathiak – Chairman

---

Yvonne M. Langford - Recorder