

**After
Agenda**

**Board of Commissioners of Spalding County
Zoning Public Hearing
Thursday, February 25, 2010
6:00 PM
Meeting Room, Courthouse Annex**

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, February 25 2010, beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, Eddie L. Freeman, and David Phillips and Bob Gilreath Present. Also present were Assistant to the Interim County Manager Virginia Martin, Community Development Director Chuck Taylor Zoning Attorney Newton Galloway, Executive Secretary Glinda Robertson and Phyllis Doane to record minutes.

A. Call to Order:

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Time allotted to speakers will be five minutes each, unless otherwise noted at the Board's discretion. No speakers will be allowed to readdress the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility area expected at all times.

B. New Business:

1. **Application #10-01S:** CSS Corporation, Owner – 205 Sport Way (0.4591 acre located in Land Lot(s) 69 and 92 of the 3rd Land District) – requesting a Special Exception to allow a personal care home in the R-2 District.

Motion/second to table at request of the applicant by Phillips/Gilreath and carried 5-0.

2. **Application #09-10Z:** James Foster, Owner – 1638 Moreland Road (1.55 acres located in Land Lot 42 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Motion/second to approve zoning to R-2 in order for the applicant to be able to donate a .29 acre portion of his property to the adjacent church by Flowers-Taylor/Freeman and carried 5-0.

3. **Application #09-11Z:** Zack B. Hinton, Jr. and Debbie Hinton, Owners – Smith, Welch and Brittain, Agent – Sam Solomon Road (53.944 acres located in Land Lot 117 of the 2nd Land District) – requesting a rezoning from R-2, Single Family Residential, to AR-1, Agricultural and Residential.

Motion/second by Phillips/Freeman to approve rezoning by a vote of 4-1 with Commissioner Gilreath voting against.

4. **Application #09-21S:** Zack B. Hinton, Jr and Debbie Hinton, Owners – Smith, Welch & Brittain, LLP, Agent – Sam Solomon Road (53.944 acres located in Land Lot 117 of the 2nd Land District) – requesting a Special Exception to allow a private airstrip in the AR-1 District.

Motion/second by Phillips/Freeman to approve Application #09-21S with the following conditions placed by Applicant and Staff and carried by a vote of 4-1 with Commissioner Gilreath voting against the motion.

- (1) *Applicant will pay cost up to \$10,000 to have orange marker balls installed on transmission lines with MEAG installing*
- (2) *Applicant will mark runway to indicate landing approach – northeast away from MEAG lines*
- (3) *Applicant will agree not to pave the runway.*
- (4) *The potential danger posed by the power lines to the safe take-off and landing of the aircraft must be mitigated.*
- (5) *That all Federal and State laws regarding the establishment and operation of this airstrip be met and notice of the FAA approval documentation to have the airstrip sent to Community Development office.*

5. **Application #FLA-09-02:** Minerva Spalding Village, L.P., Owner – Baptist Camp Road and Jordan Hill Road (70 acres, more or less, located in Land Lot 168 of the 3rd Land District) – from Low Density Residential to Village Node.

Motion/second to approve Application by Flowers/Taylor-Freeman and carried by a vote of 5-0.

6. **Minerva Spalding Village, L.P., Owner** – requesting a rezoning from R-2, Single Family Residential, to VN, Village Node on the following all being located in Land Lot 168 of the 3rd Land District:

Application #09-08Z: 1132 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.

Application #09-08A1Z: 1307 Jordan Hill Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.

Application #09-08A2Z: 1309 Jordan Hill Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.

7. **Minerva Spalding Village, L.P., Owner** – requesting a rezoning from R-5, Single Family Residential, to VN, Village Node on the following all being located in Land Lot 168 of the 3rd Land District:

a. **Application #09-08BZ:** 1255 Jordan Hill Road (1 acre)

Motion/second to approve the Application by Freeman/Flowers-Taylor and carried 5-0.

b. **Application #09-08CZ:** 1219 Jordan Hill Road (8 acres)

Motion/second to approve the Application by Freeman/Flowers-Taylor and carried 5-0.

8. **Minerva Spalding Village, L.P., Owner** – requesting a rezoning from PDD, Planned Development District, to VN, Village on the following all being located in Land Lot 168 of the 3rd Land District:

a. Application #09-08DZ: **Jordan Hill Road (15.847 acres)**

Motion/second to approve the Application by Flowers-Taylor/Freeman and carried by a vote of 5-0.

9. **Minerva Spalding Village, L.P., Owner** – requesting to rezoning from R-2, Single Family Residential, and R-1, Single Family Residential Low Density, to VN, Village Node on the following all being located in Land Lot 168 of the 3rd Land District:
- a. **Application #09-08E1Z: 922 Baptist Camp Road (66.74 acres, more or less)**
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- b. **Application #09-08E2Z:** Jordan Hill Road (40.92 acres, more or less)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
10. **Minerva Spalding Village, L.P., Owner** – requesting a rezoning from R-1, Single Family Residential; R-2, Single Family Residential; and R-5, Single Family Residential, to VN, Village Node on the following all being located in Land Lot 168 of the 3rd Land District:
- a. **Application #09-08F1Z:** 918 Baptist Camp Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- b. **Application #09-08F2Z:** 938 Baptist Camp Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- c. **Application #09-08F3Z:** 942 Baptist Camp Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- d. **Application #09-08F4Z:** 946 Baptist Camp Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- e. **Application #09-08F5Z:** 950 Baptist Camp Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- f. **Application #09-08F6Z:** 1054 Baptist Camp Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- g. **Application #09-08F7Z:** 1130 Baptist Camp Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- h. **Application #09-08F8Z:** 1223 Jordan Hill Road (1 acre)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- i. **Application #09-08F9Z:** 1195 Jordan Hill Road (2 acres)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.
- j. **Application #09-08F10Z:** 1171 Jordan Hill Road (1.15 acres)
Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.

k. Application #09-08F11Z: 1155 Jordan Hill Road (2 acres)

Motion/second to approve the Application by Flowers-Taylor/Freeman and carried 5-0.

11. **Minerva Spalding Village, L.P., Owner** – requesting a Special Exception to allow permitted use exceeding 30,000 square feet, senior living and self-storage units in the VN District on the following being located in Land Lot 168 of the 3rd Land District:

a. Application #09-18S: 1132 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

b. Application #09-18AS: 1307 Jordan Hill Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

c. Application #09-18BS: 1309 Jordan Hill Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

d. Application #09-18CS: 1255 Jordan Hill Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.

Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.

e. Application #09-18DS: 1219 Jordan Hill Road (8 acres)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

f. **Application #09-18ES:** 922 Baptist Camp Road (66.74 acres, more or less)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

g. **Application #09-18FS:** Jordan Hill Road (40.92 acres, more or less)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

h. **Application #09-18GS:** 918 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

i. **Application #09-18HS:** 938 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

j. **Application #09-18IS:** 942 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*

2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

k. Application #09-18JS: 946 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

l. Application #09-18KS: 950 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

m. Application #09-18LS: 1054 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

n. Application #09-18MS: 1130 Baptist Camp Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

o. Application #09-18NS: 1223 Jordan Hill Road (1 acre)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

p. Application #09-18OS: 1195 Jordan Hill Road (2 acres)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

q. Application #09-18PS: 1171 Jordan Hill Road (1.15 acres)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

r. Application #09-18QS: 1155 Jordan Hill Road (2 acres)

Motion/second to approve the Application by Flowers-Taylor/Freeman with the following conditions and carried by a vote of 5-0.

1. *The special exception is limited to only allowing the proposed grocery store to exceed the 30,000 square foot threshold.*
2. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.*

C. Other Business:

Consider approval to submit Tri-County LCI Supplemental Study documents to Atlanta Regional Commission (ARC).

Motion/second to submit by Freeman/Flowers-Taylor and carried by a vote of 5-0.

D. Adjournment.

Motion/second by Freeman/Phillips to adjourn at 8:50 P.M. and carried by a vote of 5-0.