

**After
Agenda**

**Board of Commissioners of Spalding County
Zoning Public Hearing
Monday, August 27, 2020
6:00 PM
Room 108, Annex Building**

The Spalding County Board of Commissioners held a Zoning Public Hearing in Room 108 of the Spalding County Annex on Thursday, August 27, 2020, beginning at 6:00 p.m. with Chairperson Gwen Flowers-Taylor presiding. Commissioners James Dutton, Rita Johnson and Bart Miller were present for the meeting. Commissioner Donald Hawbaker was absent from the meeting. Also present were County Manager, William P. Wilson, Jr., Zoning Attorney, Newton Galloway, Community Development Director, Debbie Bell, and Kathy Gibson, Executive Secretary to record the minutes.

I. OPENING (CALL TO ORDER) by Chairperson Gwen Flowers-Taylor.

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

II. INVOCATION

Commissioner Rita Johnson, District #3 delivered the Invocation.

III. PLEDGE TO FLAG

Commissioner Bart Miller, District #4, led the pledge to the flag.

IV. PUBLIC HEARINGS

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. Speakers will be allotted three (3) minutes to speak on their chosen topics as they relate to matters being considered by the Board of Commissioners on this Agenda. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

V. NEW BUSINESS

- 1. Application #20-09S:** Donald S. Brack and Sandra L. Brack, Owner - Victoria Brack, Agent - 2711 South Walkers Mill Road (6.522 acres located in Land Lot 249 of the 2nd Land District) - requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Debbie Bell, Community Services Director, stated that this is a Special Exception request for the placement of a manufactured home. Staff recommended denial based upon the statistical analysis based on trend in the area tended toward conventionally built homes over manufactured homes. Conventionally built homes comprise approximately 70% of the homes in the area and manufactured homes make up only 7%. It was also noted, as part of

the denial, that information in the initial application did not indicate a true 4-12 roof pitch, but Ms. Brack provided specifications from the manufacturer that verified a 6-12 roof pitch on the model she had selected.

Victoria Brack, 865 East College Street, Griffin, GA, advised that she is requesting a special exception for a manufactured home on the property next to where her parents live. Her parents are older and need her help in maintaining their property and she would like to have a home next to them so that she can help take care of them.

As for the denial, she has presented documentation from the manufacturer that she can get a 6-12 roof pitch and she will get a 6-12 roof pitch on the home she hopes to purchase. She stated that there is nothing that she can do about the trend in the area; however, the house will not be seen from the road. There is a picture included in the package to the board and the residence will look like the picture.

Chairperson Flowers-Taylor then asked if there was a medical hardship with her parents. She stated that Ms. Brack wanted to be close to assist in taking care of your parents?

Ms. Brack advised stated that her parents are 71 and 76 years of age and they live on 3 acres. They have a hard time keeping up with the property and she wants to live close so that she can assist with the up keep of their property. Ms. Brack advised that her father had gone into the hospital and was in the hospital for two months prior to their moving to this area and one of the reasons they moved to this area was to be closer to her and at this time she feels like she needs to be even closer.

Commissioner Dutton then asked why she had chosen to go with a manufactured home rather than a tiny house or something?

Ms. Brack advised that it was mostly affordability. The one that they have picked looks like a stick built home once the 6-12 roof pitch is placed on it.

Chairperson Flowers-Taylor then asked Ms. Bell, what was the recommendation made of the Board of Appeals?

Ms. Bell stated that the Board of Appeals recommended approval of the request.

Chairperson Flowers-Taylor and Commissioner Dutton then asked what the approval was based upon?

Ms. Bell stated that the staff report has not changed, it is the same staff report that was presented to the Board of Appeals that you have before you tonight. So, the same criteria and map was presented to the Board of Appeals.

Commissioner Dutton stated that although he feels for the applicant, it is not fair to the surrounding community. There are places in Spalding County where there are plenty of manufactured homes and placing one there would

not be a problem, but this isn't one of those areas and he feels it would be unfair to the surrounding people.

Commissioner Johnson stated that she feels if there was a medical reason for this, then she could see more of a need here. That is not what she is getting and if the trend is toward conventional homes, then she doesn't see a real reason to change it with the special exception.

Ms. Brack stated that when the Board of Appeals looked at it, they reviewed a map with the 1 mile radius and when they reviewed the map, they decided to approve the request. She advised that she understands the trend in the area, but once they reviewed the radius map, they did recommend approval of the Special Exception.

Commissioner Johnson asked how many homes were actually in the area?

Ms. Bell advised the total count is 149 parcels in the radius. Of that number there are 105 Single Family Conventional constructed homes, 11 Manufactured Homes, 5 Commercial or Agricultural parcels and 27 Undeveloped parcels. This is what is reflected on the map.

Chairperson Flowers-Taylor stated that she would like to know approximately when the conventionally constructed homes were built and it would be good to know the year of the manufactured homes currently in the area. The manufactured home could be a 1955 mobile home compared to a 2010 manufactured, \$150,000 manufactured home.

Ms. Bell stated that she would make a note of these concerns for future meetings. The information provided is based on the current records contained in the Tax Assessors Office.

Mr. Wilson advised that directly across from this parcel is a home and property owned by Wayne Moss who has advised that he would like to see the property conform to the trend for the area.

Chairperson Flowers-Taylor advised that she would feel better about placing a manufactured home here if there was some type of medical need. However, in looking at what is being asked and what we have done throughout the entire County, we need to be consistent with what our plan is, if the plan is based on the way the community is trending then we need to make our decision based on that criteria.

Motion/Second by Dutton/Johnson to deny Application #20-09S: Donald S. Brack and Sandra L. Brack, Owner - Victoria Brack, Agent - 2711 South Walkers Mill Road (6.522 acres located in Land Lot 249 of the 2nd Land District) - requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District. Motion carried unanimously by all.

2. **Amendment to UDO #A-20-07: Article 7. R-1 Single Family Residential**

Low Density - Section 704:Y, Article 7A. R-1A Single Family Residential - Section 704A:Y & Article 8. R-2 Single Family Residential - Section 804:Y - delete private driveways.

Ms. Bell stated that earlier in the year, we presented a request to delete private driveways from AR-1 and AR-2. After that had been done, staff realized that it had not included any other zoning districts so, for the sake of completeness we wanted to go through and make sure that the same directive was included in these districts as well.

Commissioner Flowers-Taylor asked if Ms. Bell could go back and remind the Board why this should be deleted from the ordinance.

Ms. Bell stated that primarily establishing multiple owners on a single private driveway causes confusion regarding maintenance issues. People purchase a piece of property along one of these private driveways and they assume the County will maintain the driveway and it causes a lot of consternation when they find the County does not maintain the road.

Mr. Wilson advised that there was an instance in District 4 where this type of driveway was allowed and the developer may not have disclosed completely the ownership of the road and that is the only one that he is aware of that has ever been developed under this ordinance. We have an ordinance now that requires that you grade, base and pave and moving forward he feels this is the way we should go.

Newton Galloway, Zoning Attorney, then advised that the problem occurred when there were multiple owners, who did not agree, who shared the same driveway.

Mr. Wilson then advised that no one had signed up to speak for or against the amendment.

Motion/Second by Johnson/Dutton to approve the Amendment to UDO #A-20-07: Article 7. R-1 Single Family Residential Low Density - Section 704:Y, Article 7A. R-1A Single Family Residential - Section 704A:Y & Article 8. R-2 Single Family Residential - Section 804:Y - delete private driveways. Motion carried unanimously by all.

VI. OTHER BUSINESS:

1. Consider alternate design review for a new building to be erected by MEJA Construction located on Hwy. 155.

Ms. Bell stated that the initial request for the alternate review as presented to the Board on March 16, 2020. At that time the Board approved an alternate roof, a flat roof with façade variations. Now Meja is coming back with a final architectural rendering and proposal for the exterior finishings of the building. She then provided pictures from the original presentation for exterior materials and then presented the proposed building façade and exterior finishings. The rendering does not include stone, it does

include brick and another type of cementitious siding that has more of a cast concrete appearance.

Chairperson Flowers-Taylor asked what the material actually is?

Ms. Bell advised that she simply wanted the Board to know that what is being presented this evening is somewhat different from the exterior materials than were presented in March.

Don Hulon, 291 Steel Road, Griffin, Ga. advised that he is with Meja Construction. Mr. Hulon stated that on March 16 they came in in brought samples for what the building was going to look like and asked for a variation on the roof which was granted. At that time, he told Commissioner Dutton that he would see the rendering because he had some concerns and he didn't want them to show some pictures and then come in and build something totally different.

Mr. Hulon stated that under Section 4-16 of Ordinance the Architectural Design Standards Item B, the material allowed facing the right of way shall be brick, stone, split face cement masonry units (CMU), cement plank (Hardie Plank Siding) or glass. Nichiha is an upgrade from the Hardie Plank Siding, it is a prefinished material that has an assembly and trim so that it is a really nice-looking product. It is not like Hardie Plank where once it is installed, it has to be painted and maintained. This is a prefinished product.

Mr. Hulon then stated that on the rendering presented tonight, the gray material is a prefinished panel and it does look like concrete panels. The brown area will also be the Nichiha product, it is thicker than Hardie Board and it has an assembly system that attaches it and it doesn't pull away like Hardie Board. You don't have the issues that you can have with Hardie Board, it is a very high-end product.

Chairperson Flowers-Taylor then asked if the building would be three-sided full brick?

Mr. Hulon stated that the requirement is for anything that can be seen by the public has to have brick or the same material, the back of the building is the only thing that varies from that and it does allow metal paneling on the back.

Chairperson Flowers-Taylor then asked if Nichiha is equivalent to Hardie Board?

Ms. Bell advised that from an architectural finish standpoint it would meet the requirement it is a cementitious siding.

Chairperson Flowers-Taylor then asked if the Nichiha would be the brown, the gray and the brick on the rendering?

Mr. Hulon advised that it would be the brown and the grey, that the remainder is real brick.

Mr. Wilson then asked what would be on the back of the building.

Mr. Hulon advised that the brick would wrap the corner and it would have metal panels on the back.

Commissioner Flowers-Taylor then asked how this rendering is different from the original plan?

Ms. Bell advised that from a material standpoint, it isn't different. It meets the requirements to have either a cementitious or a masonry material on the façade. It is really just an issue of aesthetics in that the concrete look was very different from what was originally presented which was wood and stone.

Motion/Second by Johnson/Dutton to accept the alternate design review for a new building to be erected by MEJA Construction located on Hwy. 155. Motion carried unanimously by all.

VII. CLOSED MEETING – None.

VIII. ADJOURNMENT

Motion/Second by Johnson/Dutton adjourn the meeting at 6:33 p.m. Motion carried unanimously by all.