

After Agenda

**Board of Commissioners of Spalding County
Zoning Public Hearing
Thursday, August 26, 2021
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 26, 2021, beginning at 6:00 p.m. with Chairman Clay Davis presiding. Commissioners James R. Dutton, Rita Johnson, Gwen Flowers-Taylor and Ryan Bowlden were present for the meeting. Also, present were County Zoning Attorney, Newton Galloway, County Manager, Steve Ledbetter and Kathy Gibson, County Clerk to record the minutes.

I. OPENING (CALL TO ORDER) by Chairman Clay Davis.

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 Ryan Bowlden, District #4, led the Pledge to the Flag.

Motion/Second by Flowers-Taylor/Johnson to include a review and approval of the 2021 LMIG Bid. Motion Carried unanimously by all.

Motion/Second by to Flowers-Taylor/Johnson to include a discussion to set up a Special Called meeting for consideration of the 2021 Property Tax Rollback. Motion carried unanimously by all.

A. 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.

B. New Business

1. Consider request from the Griffin-Spalding Chamber of Commerce for letter to accompany a One- Day Alcohol Permit to the State for an event to be held on September 25, 2021.

Cindy Jones, President and CEO of the Chamber of Commerce advised that this is for a Ladies Night Out Event, which is a fund raiser for the Chamber and will be a Hawaiian Luau sponsored to be held at the Lakes Pavilion on September 25, 2021.

Motion/Second by Johnson/Bowlden to approve the request from the Griffin-Spalding Chamber of Commerce for letter to accompany a One- Day Alcohol Permit to the State for a special event on September 25, 2021. Motion carried unanimously by all.

2. **Application #21-05Z:** MGA Residential, LLC, Owner/Niles Murray, Agent – 1192 Parham Road (2.94 ac., more or less, located in Land Lot 44 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-4, Single – Family District.

Debbie Bell, Community Development Director asked that Application #21-05Z and Application #21-06Z be read and considered together as they are related items, but they will need to be voted on individually.

Ms. Bell stated the properties under consideration are two adjacent lots that are zoned AR1 and they are both legal non-conforming lots because neither lot meets the current 3 acre minimum requirement for this zoning and the owners at 34 Mimosa Road have a .59 acre lot and are planning to purchase some of the property from the adjacent lot located at 1192 Parham Road which is currently also under 3 acres.

Ms. Bell then advised that the “cleanest” solution for these requests would be to rezone both properties to R4 which will allow a minimum lot size on one acre. There are two other lots located on this road with R4 designation which were rezoned in 2003 based on a request from Niles Murray and were conditioned to no further subdivision of the properties.

Recommendations in the staff report for the two parcels being considered this evening is that there be no further subdivision of these parcels. Both parcels do have existing homes and there would be no additional configuration of the lots they are simply shifting land from one lot to the other and rezoning seemed to be the “cleanest” way to accomplish this.

Commissioner Flowers-Taylor then asked why the request is for R4 designation instead of R2 or something else.

Ms. Bell stated that the road already has two pieces of property zoned R4 in the area already, the size of the houses on the lots fall within the R4 zoning and the R4 zoning would bring these properties into conformance, staff recommended R4 to maintain consistency within the neighborhood.

Ms. Bell then advised that the staff recommendations are that no additional lots be created.

Motion/Second by Flowers-Taylor/Johnson to approve Application #21-05Z: MGA Residential, LLC, Owner/Niles Murray, Agent – 1192 Parham Road (2.94 ac., more or less, located in Land Lot 44 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-4, Single – Family District with conditions as recommended by staff. Motion carried unanimously by all.

3. **Application #21-06Z:** Reuban Talbot, Owner/Niles Murray, Agent – 34 Mimosa Road (.59 ac., more or less, located in Land Lot 43 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential to R-4, Single – Family District

Motion/second by Flowers-Taylor/Johnson to approve Application #21-05Z: MGA Residential, LLC, Owner/Niles Murray, Agent – 1192 Parham Road (2.94 ac., more or less, located in Land Lot 44 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-4, Single – Family District with conditions as recommended by staff. Motion carried unanimously by all.

4. **Application #21-54S:** Bryan D. Parish, Owner – 1600 Bethany Road (70.04 ac. located in Land Lot(s) 100 of the 1st Land District) – requesting a special exception to construct a barndominium in the AR-1 zoning district.

Ms. Bell stated that this is the first request for a barndominium since the ordinance was approved by the Board. This is a 70-acre property zoned AR1 so it fits the terms for a barndominium. The location of the proposed home also meets the required set-backs as it is planned to be 200' from the road.

Ms. Bell then showed a image of the proposed building and advised that this is a stock image from the manufacturer and as it is shown does not meet all of the building material requirements; however, this will be addressed by staff during the permitting process. The purpose of the illustration is so the Board could see the layout of the building, the porch, the windows and overall look of the proposed building and staff will address the 25% building material requirement at the permitting stage.

Commissioner Flowers-Taylor asked the property owner if this is going to be a working farm.

Brian Parish, 6600 Yatesville Highway, Yatesville, Georgia advised that it would be a working farm.

Ms. Bell stated that there is a recommended condition that states that final building plans must meet all of the requirements addressing exterior materials.

Motion/Second by Bowlden/Flowers-Taylor to approve Application #21-54S: Bryan D. Parish, Owner – 1600 Bethany Road (70.04 ac. located in Land Lot(s) 100 of the 1st Land District) – requesting a special exception to construct a barndominium in the AR-1 zoning district with the conditions as recommended by staff. Motion carried unanimously by all.

C. Other Business

1. Consider review and approval of the 2021 LMIG Bid.

Dr. Ledbetter, County Manager, advised that the bids for the LMIG have been received and evaluated for the paving contract. He then stated that all of the bids were substantially higher than anticipated and will result in a reduction in the number of roads that will be resurfaced through this program this year. The bids were reviewed by staff and Paragon Consultants and the low bidder was E.R. Snell.

Dr. Ledbetter then stated that the amount available through the LMIG is \$941,413.48 which will allow for the resurfacing of Baptist Camp, Morgan Road, Liberty Hill Road and Melissa Circle. Dr. Ledbetter advised that staff wanted to present to the Board this evening so that we can get on the schedule for paving as soon as possible. In order to do this we need to let the contractor know they have been awarded the contract so they can move forward.

Commissioner Flowers-Taylor stated that we have experienced problems with ER Snell paving our roads in the past. They went back and fixed the problems, but if it had been done properly to begin with there would not have been problems to fix. She stated that the County doesn't have the money or resources to redo a project because the contractor did not do it right the first time. She then asked how many contractors participated in the bidding process.

Dr. Ledbetter stated there were four who participated in the bid process, two whose costs were extremely high. C.W. Matthews and E.R. Snell were the low bidders, with E.R. Snell entering the lowest bid on the project.

Commissioner Flowers-Taylor then stated that we have gone with C.W. Matthews in the past even though they were not the low bid because of the past problems with E.R. Snell. She stated that she realizes that people can make mistakes, but we don't have a lot of money to go back and fix something. She would be more comfortable going with a contractor who has a history of delivering a good product in a timely manner for us.

Chairman Davis asked if Dr. Ledbetter had the quotes from the other bidders?

Dr. Ledbetter advised he would provide the quotes from the other bidders, but at this time he would prefer to keep that information confidential until a decision is made.

Motion/Second by Flowers-Taylor/Bowlden to table the decision regarding the LMIG paving bids and have staff present all of the responses to the bid package until the September 20th Extraordinary Session. Motion carried unanimously by all.

2. Consider request to set up a date and time for a Special Called to consideration the 2021 Property Tax Rollback.

Chairman Davis stated he would like to have this meeting on September 1, 2021 at 9:00 a.m. followed by a closed session to discuss

personnel.

Motion/Second by Johnson/Bowlden to conduct a Special Called Work Session to consider 2021 Property tax rollback and an Executive Session. Motion carried unanimously by all.

D. Closed Meeting

E. Adjournment

Motion/second by Johnson/Bowlden to adjourn the meeting at 6:26 p.m.