



REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their Regular Monthly Meeting on Monday, June 6, 2005 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Chairman Edward Goss presiding and Commissioners Cecil Davis, Gwen Flowers-Taylor, Eddie Freeman and Johnie McDaniel present. Also present were County Manager William Wilson, County Attorney Jim Fortune, Zoning Attorney Newton Galloway and Executive Secretary Teresa Watson.

AGENDA TOPICS

- I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. INVOCATION – Rev. Michael Moore**
- III. PLEDGE TO FLAG**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Cheryl Matlock to make a presentation on behalf of the University of Georgia, Griffin Campus, Field of Dreams Committee.

Cheryl Matlock, UGA Griffin Campus Field of Dreams Committee. This project has no political affiliation and is not program-specific. She thanked local legislators for their assistance in securing funding for the “**2+2 Program**” beginning in August 2005. The program is so named because of the partnership with Gordon College whereby an enrolling student will complete his/her freshman and sophomore years at Gordon and then transfer to the UGA, Griffin Campus for the junior and senior years of select degree programs. A facility is sorely needed to accommodate this program, and the Field of Dreams Commission would like to propose placing an exciting new Student Learning Center as the single item in a possible 2005 SPLOST.

Dave Lamb, also a member of the Field of Dreams Committee, continued that the educational opportunity would fill a void for many students but would also provide an improved workforce, as well, for the community. The UGA Griffin Campus has been an important component of the Griffin community since 1989. Their major areas of research and food science bring more than \$50 million to the local economy. Clayton State and Mercer have been the closest options for a four-year degree program up until now. Mr. Lamb detailed the course offerings and future degree programs, as well. The Griffin Campus could also act as a satellite location for Gordon College classes. Tifton already has a 2+2 partnering program and enjoyed their first graduates last month. UGA’s satellite campus in Gwinnett will become Gwinnett University and not UGA, making the Griffin Campus’ role even more important. One can get a four-year degree without ever leaving the area. Long-range, they can grow above this small, finite beginning to unparalleled numbers. The currently proposed Student Learning Center is 40,000 to 45,000 square feet at a cost of \$10 million. The ten year growth projections indicate 1000 students will utilize the program. Mr. Lamb noted the community missed having Gordon College locate here in the 1960s, and that school contributes \$75 million annually to the Barnesville economy. Spalding County also missed a smaller start with this program due to the failure of the SPLOST referendum last year. Education drives our local economy and is a magnet for business and industry. Higher education yields quality of life improvements and improve economic growth, and he urged support of this Student Learning Center in the 2005 General Election with a single issue SPLOST. He referenced the building’s proposed design and the billboards advocating the new program. The opportunity is here, he summarized, provided we don’t fail to act.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

Kay Penn, 665 Jenkinsburg Road, Locust Grove, Georgia

Ms. Penn addressed the Board regarding her desire to not see an Industrial Park in her neighborhood near the Wallace Road property. She also requested that perhaps at the next Board of Commissioners meeting the public could be given an update on what's occurring within the Griffin-Spalding Development Authority and the status of new industrial park property.

Matthew Stafford, 1560 Flynt Street, Griffin, Georgia

Mr. Stafford, representing Hampton Inn, thanked the Board of Commissioners for its efforts to promote tourism. He noted that HB 1455 outlines that 40% of hotel/motel tax dollars are for a specific program and does not include the Main Street program. He offered the Board assistance with getting Spalding County into compliance since it has no defined tourism program.

Mike Wallace, 371 Wallace Road, Griffin, Georgia

Mr. Wallace wanted to commemorate that 61 years ago today Allied Forces invaded Europe. He voiced his profound respect and gratitude for their sacrifices.

Gwen Champion 238 Pinetree Circle, Griffin, Georgia

Ms. Champion wanted an update on the sewer problem in her area. Mr. Dick Morrow noted that Representative David Knight, State House District 126, has kindly offered state assistance to Miss Delaney and Mr. Goodrum to help resolve the problem.

A motion to amend the agenda to move Item #14 -Consider health services agreement with Georgia Correctional Health, LLC, for the provision of inmate medical services at the Spalding County Detention Center – to be heard after **Public Comment** was made by Commissioner Davis, seconded by Commissioner McDaniel, and carried by a vote of 5-0.

14. Consider health services agreement with Georgia Correctional Health, LLC, for the provision of inmate medical services at the Spalding County Detention Center.

Captain Michael Ray of the Spalding County Sheriff's Department introduced Dr. Carlo Musso of Georgia Correctional Health LLC, proposed as the provider for a 24/7, all-inclusive medical services contract for the jail. Current prescription drug service and dental service providers will release the County from existing contracts to allow Georgia Correctional Health to provide all inclusive medical/dental/pharmaceutical services beginning immediately. This will keep costs down and house all health related services under one carrier. Captain Ray and the Board thanked Dr. Musso for taking on the detention facility on such short notice when the previous physician contractor had to cancel hurriedly. Dr. Musso's firm came highly recommended and is widely recognized in the field of inmate health care, currently serving the contiguous counties of Fayette, Clayton and Henry. Dr. Musso addressed the services and identified possible cost savings.

Commissioner Flowers-Taylor asked Dr. Musso to define elective medical care, i.e. cosmetic surgeries or homeopathic treatment for items which could be left alone with no detriment to patient. He plans to continue routine service, as well as provide the capability to perform X-rays and ultrasound at the jail, as well as provide prenatal care, orthopaedics for on-site problems, and on-site dialysis. There should be some cost benefits in not having to transport inmates for care off-site. He can treat acute trauma but in some cases, an inmate may need further treatment than in-house service can provide. The contract period is now through June 30, 2006.

Commissioner Davis made a motion to approve the health services agreement with Georgia Correctional Health, LLC, seconded by Commissioner McDaniel, and the motion carried by a vote of 5-0.

VIII. MINUTES

1. Consider approval of the minutes of the May 16, 2005 Extraordinary Session and the May 26, 2005 Zoning Public Hearing.

A motion to approve the minutes of the May 16, 2005 Extraordinary Session and the May 26, 2005 Zoning Public Hearing, with the noted correction of the spelling of Commissioner Davis' name in the May 16, 2005 meeting minutes' opening paragraph, was made by Commissioner McDaniel, seconded by Commissioner Freeman, and the motion carried by a vote of 5-0.

IX. CLOSED MEETING

1. Zoning Attorney requests a Closed Meeting to discuss pending litigation.

A motion to go into Closed Meeting was made by Commissioner McDaniel, seconded by Commissioner Freeman, and the motion carried by a vote of 5-0 at 6:44 p.m.

A motion to reconvene to Open Meeting was made by Commissioner McDaniel, seconded by Commissioner Davis, and the motion carried by a vote of 5-0 at 7:28 p.m.

X. OLD BUSINESS

1. Consider Application #04-13S: M.R.D. Realty, Inc., Owner – John G. Pruitt, Agent – Tract 84 West McIntosh Road (25.53 acres located in Land Lot 62 of the 3rd Land District) – requesting a Special Exception to allow condominium dwelling , patio dwelling or zero lot line dwelling (Country Club Subdivision) in the R-1 District.

Attorney Andrea Cantrell Jones, of Dillard & Galloway, represented M.R.D. and spoke on their behalf. This issue is back before this Board on remand for reconsideration, and she noted the litigation is real. Spalding County zoning ordinances specifically allow this type zoning for medium-density residential. Additionally, sewer is available which lends itself to density; and it's in the public interest is to use sewer whenever possible. This type development creates a neighborhood atmosphere more so than large lots. She referenced site plans and designs with pool, tennis courts, bacci ball courts, walking trails and other amenities. There will be 48 families in a beautiful community with a 300' parkway coming in with a 60' buffer on either side.

James R. Green, 2437 W. McIntosh Road, Griffin, Georgia

He passed out a handout showing a 1-acre option he felt would be viable for the development. He asked for a show of support for residents who signed the petition submitted at the last meeting with over 40 names. The average residential stay in the neighborhood is 15 years, making it stable. Dense developments attract a transient residential base and are generally not well cared for. This type development belongs in an urban area. He felt the Board of Commissioners made the right decision initially in denying the request and he requested they do the right thing now and not just the expedient thing.

Ms. Jones responded to questions about the buffer by noting there was a 20' natural buffer included now around property, included within lots since lot lines go all the way to property lines. The developer will be happy to ensure this natural buffer is kept and in instances where natural growth is not adequate, he will plant pines or Leyland cypress.

In consideration of the signed settlement agreement, a motion to approve for 48 single family detached dwelling units, constructed of house exterior facade with brick veneer being the principle exterior construction material and not including the use of stucco, construction of all exterior walls completed without the use of vinyl siding, construction and completion of any and all amenities in common area approved with improvements designated on a certain plat or plan of development entitled "Rezoning Plat Lexington Place" dated July 24, 2003 and completion of landscaping in accordance with a certain plat or plan of development entitled "Special Exception Site Plan for Lexington Place" dated March 24, 2004, for Application #04-13S: M.R.D. Realty, Inc., Owner, was made by Commissioner McDaniel. All amenities added at the last meeting: bacci ball courts, shuffleboard courts, two tennis courts, clubhouse and pool shall be included, as well. The motion was seconded by Commissioner Davis, and failed by a vote of 2-3 with Chairman Goss and Commissioners Freeman and Flowers-Taylor opposing.

Commissioner Flowers-Taylor made a motion to accept the Special Exception of Application #04-13S: M.R.D. Realty, Inc., Owner, for a maximum of 45 units, with all amenities and conditions as noted above by Commissioner McDaniel, as well as a natural 20-foot undisturbed buffer to be built up wherever necessary in inadequate areas. The motion was seconded by Commissioner McDaniel. The motion carried by a vote of 3-2 with Chairman Goss and Commissioner Freeman opposing.

Ms. Jones acknowledged that her client, M.R.D. Realty, Inc. would accept this action as satisfactory and thereby dismiss the lawsuit after 30 days has passed from this meeting.

2. Lift from the Table: Amendment to the Zoning Ordinance of Spalding County **UDO #A-05-06** – General Procedures – Section 411:A and B and Appendix C – Ordinance Establishing Board of Appeals – Section VII:e – Amendment to modify standards for granting variances.

A motion to lift Amendment to UDO #A-05-06 from the table was made by Commissioner McDaniel, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

This amendment broadens the scope of criteria and provides the Board of Appeals and Staff with greater tools. They have applied a practical standard and called it hardship on occasion, but some decisions were not really consistent with applying a hardship standard as stipulated in the Code. They looked at other counties' standards, and this comes in large part from Cherokee and Forsyth counties' variance standards which are fairly advanced. These were the best guides for use. The Ordinance sets out standards for variances with regard to what can and cannot be granted variances and provides Staff with more criteria to use, resulting in more pragmatic application. The reality is that sometimes the Board of Appeals had to stretch the hardship standard to accommodate a simply practical consideration and achieve a common sense result. Some consideration was given several years ago to allowing a zoning administrator authority to grant variances, but this criteria works much better for the Staff level. Discussion followed.

Chairman Goss said he felt this was a last ditch effort to help The Board of Appeals. If the situation did not improve as a result of this amendment, he felt the County should seriously consider removing it in its entirety.

A motion to approve Amendment to UDO #A-05-06 – General Procedures - on first reading was made by Commissioner Davis, seconded by Commissioner McDaniel, and the motion carried by a vote of 4-1 with Commissioner Freeman opposing.

3. Consider on second reading Amendment to the Official Zoning Map of **Application #05-08Z**: Math Fields, Inc., Owner – 3616 Fayetteville Highway – 2.1 acres – AR-1 to C-1A.

APPLICATION OF MATH FIELDS, INC.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 05-08Z

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “AR-1, Agricultural and Residential;”

WHEREAS, Math Fields, Inc., applicant, applied for a change in zoning classification to be applied to the within described property to “C-1A, Neighborhood Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on February 25, 2005;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on May 26, 2005, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia that the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that tract or parcel of land lying in Land Lot 6 of the 3rd Land District of originally Henry County, now Spalding County, Georgia as shown on a “Zoning Plat for Rachel Gay”, dated February 24, 2005 by G. Tim Conkle, RLS, and being more particularly described below.

BEGINNING at a point on the south side of Georgia State Route No. 92 thence proceed S 80°00’00” W 24.04’; thence N 80°35’33” E 321.10’ to the true point of beginning. Thence S 15°50’28” W 407.65’ to a point; thence N 80°35’55” W 350.00’ to a point; thence N 09°24’05” E 270.00’ to a point; thence N 78°27’03” E 80.00’; thence N 85°48’47” E 118.53’; thence N 76°44’52” E 120.43’; thence N 80°35’33” E 100.00’ to the original point of beginning.

From “AR-1, Agricultural and Residential” to “C-1A, Neighborhood Commercial” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the

people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a) Used for a restaurant only.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On June 6, 2005, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that tract or parcel of land lying and being in Land Lot 6 of the 3rd Land District of originally Henry, now Spalding County, Georgia, containing of 2.1 acres located on 3616 Fayetteville Highway (Georgia State Route 92), zoned C-1A, Conditional.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

A motion to approve Application #05-08Z: Math Fields, Inc., Owner, was made by Commissioner Freeman, seconded by Commissioner Davis, and the motion carried by a vote of 3-2 with Commissioners McDaniel and Flowers-Taylor opposing .

4. Consider Ordinance amending the Licensing and Regulations Section of the Spalding County Code of Ordinances, Section 6-1012, to provide for penalties for first, second and third offenses and reapplication for alcoholic beverage license criteria.

A motion to the Ordinance amending the Licensing and Regulations Section of the Spalding County Code of Ordinances to provide for penalties and reapplication for alcoholic beverage license criteria on first reading was made by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, and the motion carried by a vote of 5-0.

XI. CONSENT AGENDA

1. **Amendment to UDO #A-05-04:** R-1, Single Family Residential Low Density – Section 703, R-1A Single Family Residential – Section 703A, R-2 Single Family Residential – Section 803 and R-4 Single Family Residential – Section 1003 – amendment to delete zero lot line dwelling developments and replace with Cluster Developments.

RE: *Text Amendment #A-05-04*

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY
RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police

power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on May 26, 2005 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be deleted from the Zoning Ordinance of Spalding County: Section 203(O).

Section 2: The following provision shall be deleted from the Zoning Ordinance of Spalding County: Section 203(F).

Section 3: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 2, Definitions, to appear as Section 203(F).

Section 203: Housing Definitions.

F. **Dwelling, Cluster:** One of a series of attached and/or detached single family individually owned dwelling units of conventional construction which may be set against one (1) or two (2) lots lines rather than in the middle of the lot, combined with joint ownership of common areas of buildings and grounds.

Section 4: The following provision shall be deleted from the Zoning Ordinance of Spalding County: Section 703(B)(3).

Section 5: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 7, "R-1 Single-Family Residential Low Density" District to appear as Section 703(B)(3):

Section 703: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exceptions** in R-1 districts:

3. Condominium dwelling, patio dwelling or cluster dwelling meeting the following development standards:

a. Density shall not exceed six (6) dwellings per acre.

- b. Site-built single family dwelling with a heated floor area of at least 2,000 square feet.
- c. Upon special exception approval, the development must comply with all requirements of the Subdivision Ordinance of Spalding County, irrespective of the number of dwellings or lots on which the special exception is requested.
- d. Each dwelling must be served by public sewer and public water.
- e. Development standards for construction of condominium, patio dwelling or cluster dwelling in R-1 districts:
 - i. Minimum lot area: 6,000 square feet
 - ii. Minimum lot width: 50 feet
 - iii. Minimum front yard depth: 25 feet
 - iv. Minimum side yard depth: 15 feet (or closer subject to compliance with applicable fire rating construction codes)
 - v. Minimum rear yard depth: 20 feet (or 20 feet from the exterior walls of the structure abutting to the rear for interior lots bounded on the rear by other lots within the same subdivision)
 - vi. Garage: Each structure must include a garage to accommodate at least one (1) vehicle per dwelling unit. Additional off street paved parking must be provided for at least one (1) additional vehicle.
 - vii. Street Lighting: Subdivision plans must provide for street lighting within the subdivision.
 - viii. Sidewalks: Minimum three (3) feet wide sidewalk located between edge of curb and exterior margin right of way.

Section 6: The following provision shall be deleted from the Zoning Ordinance of Spalding County: Section 703A(B)(3).

Section 7: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 7A, "R-1A Single-Family Residential Low-Medium Density" District to appear as Section 703A(B)(3):

Section 703A: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-1A districts:
 - 3. Condominium dwelling, patio dwelling or cluster dwelling meeting the following development standards:
 - a. Density shall not exceed six (6) dwellings per acre.
 - b. Site-built single family dwelling with a heated floor area of at least 2,500 square feet.
 - c. Upon special exception approval, the development must comply with all requirements of the Subdivision Ordinance of Spalding County, irrespective of the number of dwellings or lots on which the special exception is requested.
 - d. Each dwelling must be served by public sewer and public water.
 - e. Development standards for construction of condominium, patio dwelling or cluster dwelling in R-1A districts:
 - i. Minimum lot area: 6,000 square feet
 - ii. Minimum lot width: 50 feet
 - iii. Minimum front yard depth: 25 feet

iv. Minimum side yard depth: 15 feet (or close subject to compliance with applicable fire rating construction codes)

v. Minimum rear yard depth: 20 feet (or 20 feet from the exterior walls of the structure abutting to the rear for interior lots bounded on the rear by other lots within the same subdivision)

vi. Garage: Each structure must include a garage to accommodate at least one (1) vehicle per dwelling unit. Additional off street paved parking must be provided for at least one (1) additional vehicle.

vii. Street Lighting: Subdivision plans must provide for street lighting within the subdivision.

viii. Sidewalks: Minimum three (3) feet wide sidewalk located between edge of curb and exterior margin right of way.

Section 8: The following provision shall be deleted from the Zoning Ordinance of Spalding County: Section 803(B)(3).

Section 9: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 8, "R-2 Single-Family Residential Low-Medium Density" District to appear as Section 803(B)(3):

Section 803: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exceptions** in R-2 districts:

3. Condominium dwelling, patio dwelling or cluster dwelling meeting the following development standards:

a. Density shall not exceed six (6) dwellings per acre.

b. Site-built single family dwelling with a heated floor area of at least 1,750 square feet.

c. Upon special exception approval, the development must comply with all requirements of the Subdivision Ordinance of Spalding County, irrespective of the number of dwellings or lots on which the special exception is requested.

d. Each dwelling must be served by public sewer and public water.

e. Development standards for construction of condominium, patio dwelling or cluster dwelling in R-2A districts:

i. Minimum lot area: 6,000 square feet

ii. Minimum lot width: 50 feet

iii. Minimum front yard depth: 25 feet

iv. Minimum side yard depth: 15 feet (or close subject to compliance with applicable fire rating construction codes)

v. Minimum rear yard depth: 20 feet (or 20 feet from the exterior walls of the structure abutting to the rear for interior lots bounded on the rear by other lots within the same subdivision)

vi. Garage: Each structure must include a garage to accommodate at least one (1) vehicle per dwelling unit. Additional off street paved parking must be provided for at least one (1) additional vehicle.

vii. Street Lighting: Subdivision plans must provide for street lighting within the subdivision.

viii. Sidewalks: Minimum three (3) feet wide sidewalk located between edge of curb and exterior margin right of way.

Section 10: The following provision shall be deleted from the Zoning Ordinance of Spalding County: Section 1003(B)(3).

Section 11: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 10, "R-4 Single-Family Residential Medium-High Density" District to appear as Section 1003(B)(3):

Section 1003: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exceptions** in R-4 districts:

3. Condominium dwelling, patio dwelling or cluster dwelling meeting the following development standards:

- a. Density shall not exceed six (6) dwellings per acre.
- b. Site-built single family dwelling with a heated floor area of at least 1,500 square feet.
- c. Upon special exception approval, the development must comply with all requirements of the Subdivision Ordinance of Spalding County, irrespective of the number of dwellings or lots on which the special exception is requested.

d. Each dwelling must be served by public sewer and public water.

e. Development standards for construction of condominium, patio dwelling or cluster dwelling in R-4 districts:

- i. Minimum lot area: 6,000 square feet
- ii. Minimum lot width: 50 feet
- iii. Minimum front yard depth: 25 feet
- iv. Minimum side yard depth: 15 feet (or close subject to compliance with applicable fire rating construction codes)
- v. Minimum rear yard depth: 20 feet (or 20 feet from the exterior walls of the structure abutting to the rear for interior lots bounded on the rear by other lots within the same subdivision)
- vi. Garage: Each structure must include a garage to accommodate at least one (1) vehicle per dwelling unit. Additional off street paved parking must be provided for at least one (1) additional vehicle.
- vii. Street Lighting: Subdivision plans must provide for street lighting within the subdivision.
- viii. Sidewalks: Minimum three (3) feet wide sidewalk located between edge of curb and exterior margin right of way.

Section 12: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 13: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

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- 2. **Amendment to UDO #A-05-09:** R-1 Single Family Residential Low Density – Section 703:A(8) and R-4, Single Family Residential – Section 1003:A(8) – amendment to allow Industrialized Homes as a permitted use.

IN RE: **Text Amendment #A-05-09**

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on May 26, 2005 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 7, "R-1 Single-Family Residential Low Density" to appear as Section 703(A)(8):

Section 703: Permitted Uses.

A. The following **Principal Uses** are permitted in R-1 districts:

8. Industrialized home, single family detached dwelling with a heated floor area of at least 2,000 square feet.

Section 2: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 10, "R-4 Single Family District" to appear as Section 1003(A)(8):

Section 1003: Permitted Uses.

A. The following **Principal Uses** are permitted in R-4 districts:

8. Industrialized home, single family detached dwelling with a heated floor area of at least 1,500 square feet.

Section 3: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

3. Consider, on second reading, Ordinance amending the FY2005 Budget Ordinance to provide for capital lease proceeds, Hospital Authority grant reimbursement, CSBG prior year carryover funds, Impact Fees, Public Defender and Confiscated Assets Budget.

**AN ORDINANCE AMENDING THE
FISCAL YEAR 2005 BUDGET ORDINANCE
FOR SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2005 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

WHEREAS, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board might amend its annual budget ordinance so as to adapt to changing governmental needs during the fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on July 1, 2004, be amended as follows:

Section I. General Fund

A. Revenues

Fund Balance	From	\$ 1,044,561	to \$	1,236,661
Intergovernmental Revenue	From	\$ 912,816	to \$	1,483,016
Other Financing Sources	From	\$ 367,444	to \$	927,432

B. Expenditures

Clerk of Court	From	\$ 906,368	to \$	952,668
Public Defender	From	\$ 0	to \$	5,780
Public Defender Circuit	From	\$ 0	to \$	518,750
Sheriff	From	\$ 4,361,206	to \$	4,658,176
Animal Control	From	\$ 251,386	to \$	307,468
Public Works	From	\$ 2,783,341	to \$	2,907,518
Parks	From	\$ 1,711,686	to \$	1,794,445
Health	From	\$ 608,937	to \$	800,407

Section II. Confiscated Assets Fund

A. Revenue

Fines and Forfeitures	From	\$ 0	to \$	90,000
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B. Expenditures

Confiscated Assets	From	\$ 0	to \$	90,000
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Section III. CSBG Fund

A. Revenue

Intergovernmental Revenue	From	\$ 190,020	to \$	252,220
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B. Expenditures

DFACS	From	\$	0	to	\$	54,200
Youth Development	From	\$	0	to	\$	8,000

Section IV. Impact Fees Fund

A. Revenue

Charges for Services	From	\$	0	to	\$	259,560
Investment Income	From	\$	0	to	\$	685

B. Expenditures

General Appropriations	From	\$	0	to	\$	11,040
Parks & Recreations	From	\$	0	to	\$	249,205

Approved on first reading this 16th day May 2005.

Approved, adopted and enacted on second reading this 6th day June 2005.

William P. Wilson, Jr. (L.S.)
County Manager

Edward Goss, Jr. (L.S.)
Chairman

A motion to approve items on the Consent Agenda was made by Commissioner Davis, seconded by Commissioner McDaniel, and the motion carried by a vote of 5-0.

XII. NEW BUSINESS

1. Consider approval of final plat of Lakeview Plantation (Minor Subdivision), located off Lakeview Drive.

The applicant, Edward Duffy of 680 Lakeview Drive, was present to answer questions. He stated the homes would be brick façade on front with hardy plank.

A motion to approve the final plat of Lakeview Plantation was made by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, and the motion carried by a vote of 5-0.

2. Consider approval of revised Schedule of Fees for Environmental Health Services as recommended by the Spalding County Board of Health.

A motion to approve the revised fee schedule proposed by the Spalding County Board of Health was made by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, and the motion carried by a vote of 4-1 with Commissioner Davis voting in opposition.

3. Consider request from Spalding County Board of Health regarding membership on the Sewer Task Force.

A motion to approve the request of the Spalding County Board of Health requesting membership on the Sewer Task Force, to stipulate either the Board of Health chairman or his/her designee, was made by Commissioner Flowers-Taylor, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

4. Consider approval of Memorandum of Understanding with the City of Griffin relating to Grant Request Funds for Technical Assistance for the Griffin Police Department.

A motion to approve the Memorandum of Understanding with the City of Griffin relating to Grant Request Funds was made by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, and the motion carried by a vote of 5-0.

5. Consider approval of easement with the City of Griffin for Wyomia Tyus Olympic Park property.

A motion to approve the easement with the City of Griffin for Wyomia Tyus Olympic Park property was made by Commissioner McDaniel, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

6. Consider approval of easement agreement with the City of Griffin for connection to manhole and sewer line on Memorial Drive property from Oak Hill Cemetery property.

A motion to approve the easement agreement with the City of Griffin for connection to manhole and sewer line on Memorial Drive property to the Oak Hill Cemetery was made by Commissioner Freeman, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

7. Conduct Public Hearing for request to establish a street lighting district and animal restraint district for Glenview Estates Subdivision.

A motion to conduct a Public Hearing to establish a street lighting district and animal restraint district for Glenview Estates Subdivision was made by Commissioner Freeman, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

There was no public comment.

The Public Hearing was closed on a motion by Commissioner McDaniel, seconded by Commissioner Davis, with a vote of 5-0.

8. Consider request to establish a street lighting district and animal restraint district for Glenview Estates Subdivision.

A motion to approve the establishment of a street lighting district and animal restraint district for Glenview Estates Subdivision was made by Commissioner McDaniel, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

9. Consider approval of Grantee-Subgrantee Agreement for Office of Domestic Preparedness State Homeland Security Grant Program FY05 Agreement.

A motion to approve the Grantee-Subgrantee Agreement for the Office of Domestic Preparedness State Homeland Security Grant Program for FY05 was made by Commissioner Davis, seconded by Commissioner Freeman, and the motion carried by a vote of 5-0.

10. Consider resolution authorizing elected officials and volunteer personnel to be covered under Workers' Compensation and authorizing Chairman to execute agreement with Association of County Commissioners of Georgia for provision of Workers' Compensation benefits.

A motion to approve the resolution authorizing elected officials and volunteer personnel to be covered under Workers' Compensation and authorizing Chairman to execute agreement with Association of County Commissioners of Georgia for provision of Workers' Compensation benefits was made by Commissioner McDaniel, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

11. Consider on first reading an Ordinance to Amend the Code of Spalding County Street Use Ordinance to provide for No Through Trucks on certain County roads: Musgrove Road, Oxford Road, Sapelo Road and Wild Plum Road.

A motion to approve on first reading an Ordinance to Amend the Code of Spalding County Street Use Ordinance to provide for No Through Trucks on Musgrove Road, Oxford Road, Sapelo Road and Wild Plum Road was made by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, and the motion carried by a vote of 5-0.

12. Consider on first reading an Ordinance to Amend the Code of Spalding County Ordinance relative to tax on hotels.

A motion to approve on first reading an Ordinance to Amend the Code of Spalding County Ordinance relative to tax on hotels was made by Commissioner McDaniel, seconded by Commissioner Freeman, and the motion carried by a vote of 5-0.

13. Consider cancellation of July 4, 2005 Spalding County Board of Commissioners Regular Monthly Meeting due to observance of the Independence Day holiday.

A motion to cancel the Regular Monthly Meeting of the Spalding County Board of Commissioners scheduled for July 4, 2005 was made by Commissioner Davis, seconded by Commissioner Freeman, and the motion carried by a vote of 5-0.

XIII. REPORT OF COUNTY MANAGER

- Tom Ridgeway reported the Dive Team lake cleanup at Dundee Lake will be June 26. This will not be treated as a training exercise but rather will have experienced divers.
- UGA has provided flyers for anyone interested on the new course offerings.
- Mr. Wilson will be out of the office from June 16-24, 2005. Jinna Garrison will be present for the June 20 meeting and Community Development Director Chuck Taylor for the June 23 Zoning Public Hearing.
- The City of Yatesville is interested in surplus light bars and sirens available from the Spalding County Fire Department. The consensus of the Board was to declare the items surplus and sell to the City of Yatesville.
- Update of Wastewater Management Master Plan. The City wants a commitment from the County on updating the Wastewater Management Master Plan. They have capacity issues that need addressing. This effort will be jointly funded by City/County. Mr. Wilson would like the Board to authorize working with the two engineers and reporting back. No RFPs are going out because the learning curve would be so great with new organizations coming into the mix at this date on a project already prolonged. The Plan needs to be coordinated with the Future Land Use Map and the Comprehensive Plan. Water System Fund monies are to be used for the \$35,000 to \$50,000 cost. The plan will deal with septage, as well, and package plants under private facilities. Sewer in the County is needed; the question is who will provide. Consensus of the Board was to proceed.

XIV. REPORT OF COMMISSIONERS

Freeman: Nothing.

Flowers-Taylor: Nothing.

Davis: Nothing.

McDaniel: Nothing.

Goss: Nothing.

XV. CLOSED MEETING

1. County Manager requests a Closed Meeting to discuss acquisition of real estate.

A motion to enter Closed Meeting to discuss acquisition of real estate was made by Commissioner McDaniel, seconded by Commissioner Freeman, and the motion carried by a vote of 5-0 at 8:51 p.m.

A motion to reconvene to Open Meeting was made by Commissioner McDaniel, seconded by Commissioner Freeman, and the motion carried by a vote of 5-0 at 8:57 p.m.

XVI. ADJOURNMENT

A motion to adjourn was made by Commissioner McDaniel, seconded by Commissioner Davis, and the motion carried by a vote of 5-0 at 8:58 p.m.