



EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held its Extraordinary Session on Monday, September 19, 2005 in its 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 James R. Fortune, Community Development Director Chuck Taylor and Executive Secretary Teresa Watson.

I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.

II. INVOCATION – Rev. Michael Moore

III. PLEDGE TO FLAG

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Consider Proclamation declaring October 2005 as Disability Awareness Month.

Motion to declare October 2005 as Disability Awareness Month was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a unanimous 5-0 vote.

2. Consider Proclamation declaring September 17-23, 2005 Constitution Week.

Motion to declare the week of September 17-23, 2005 as Constitution Week was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a unanimous 5-0 vote.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statement for two months ended August 31, 2005.

Motion to accept Financial Statement for two months ended August 31, 2005 by Commissioner McDaniel, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

VI. CITIZENS COMMENTS

1. Phyllis Wilcox would like to discuss new proposed tax reform.

Ms. Wilcox could not attend due to illness and will reschedule her comments at a later date.

VII. PUBLIC COMMENT

Anna Burns, 403 East College Street, Griffin, Georgia

On behalf of the Griffin-Spalding Board of Education and Partners in Education, Ms. Burns invited the Board of Commissioners to tour four schools on October 21, 2005 at 9:30 a.m. Commissioners will board the school bus for the tour at Spalding High School after an orientation session and then proceed to visit the remaining schools. Ms. Burns wanted commissioners to personally view the school facilities funded by monies from SPLOST and state capital outlay mechanisms. Representative John Yates will be the honorary chair. Members of the Planning Commission, Board of Appeals and planning staff have also been invited for this field trip. Lunch will be provided at Moreland Road Elementary School.

Demitri Phillipou, 2700 North Expressway, Griffin, Georgia

Mr. Phillipou invited the Board of Commissioners to come view his recently opened entertainment establishment, Pole Position. He wanted to dispel rumors and stated this was a NASCAR-themed bar with no dancing poles. He urged commissioners to visit to gain a comfort level about the bar which has a full menu food selection with steaks, chicken, salads, and appetizers. There are three

serving bars. A possible ribbon cutting will be planned for the future. Mr. Phillipou said he and his associates did not want to distance themselves from the good citizens and governmental bodies of Spalding County. His group also does a holiday “feed the hungry” program where they provide meals, and they want to do continue that practice in Spalding County, as well.

John Michael Wallace, 371 Wallace Road, Griffin, Georgia

Mr. Wallace thanked the Board for the proclamation declaring Constitution Week. He spoke against a possible village node at Highway 155 and Jackson Road. He urged commissioners to conserve resources into the one village node already underway at Heron Bay to ensure a high rate of success.

VIII. MINUTES

1. Consider approval of the minutes of the August 15, 2005 Extraordinary Session, the August 25, 2005 Zoning Public Hearing and the August 25, 2005 Special Called Meeting.

Motion by Commissioner McDaniel to approve all minutes, seconded by Commissioner Freeman. Motion and second were withdrawn since Commissioner Davis was not present for all meetings and did not wish to vote on them collectively.

Motion by Commissioner McDaniel to approve the August 15, 2005 Extraordinary Session and the August 25, 2005 Special Called Meeting, seconded by Commissioner Freeman and approved by a unanimous 5-0 vote.

Motion by Commissioner McDaniel to approve the August 25 Zoning Public Hearing, seconded by Commissioner Freeman, and motion carried by a vote of 4-0-1 with Commissioner Davis abstaining.

IX. CONSENT AGENDA

1. Consider approval on second reading Ordinance amending the Motor Vehicles and Traffic Code of Spalding County to provide for school zones and speed limits therein.

**SPALDING COUNTY, GEORGIA
TRAFFIC REGULATION ORDINANCE
ORDINANCE NO. 05-13
AN ORDINANCE**

TO AMEND THE MOTOR VEHICLES AND TRAFFIC CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR SCHOOL ZONES AND SPEED LIMITS THEREIN; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY RESOLVED AND ORDAINED by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. Pursuant to Section 7-1003, School zones and speed limits therein, the following shall be added to the areas established as school zones and shall be posted as such with posted speed limits as hereinbelow designated.

“(h) *Moreland Road*, from a point beginning at Beville Drive to a point west for a distance of .60 miles to Stonebriar Boulevard, to be zoned for twenty-five (25) miles per hour from 7:30 a.m. to 8:30 a.m. and 2:15 p.m. to 3:30 p.m., school days only.

(i) *Carver Road*, from a point beginning .20 miles north of the Pike County Line north for a distance of .04 miles, to be zoned for twenty-five (25) miles per hour from 7:30 a.m. to 8:30 a.m. and 2:15 p.m. to 3:30 p.m., school days only.”

Section 2. Be it resolved that any person convicted of a violation of this ordinance shall be punished as provided for by law.

Section 3. That the within ordinance shall be and become effective immediately upon its adoption on two presentations, as provided by Section 2-1005 of the Code of Spalding County, Georgia, and upon erection of speed limit signs as designated herein.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed.

First reading: August 15, 2005

Adopted on second reading: September 19, 2005

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

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2. Consider approval on second reading Amendment to the Official Zoning Ordinance of Application #05-15Z: Karen C. Martin, Owner – 1310 Highway 19/41 South – 2.0 acres, C-1 to C-1B, Conditional.

APPLICATION OF KAREN C. MARTIN
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 05-15Z

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 “C-1, Highway Commercial;”

WHEREAS, Karen C. Martin, applicant, applied for a change in zoning classification to be applied to the within described property to “C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on June 3, 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 July 28, 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 lot, tract or parcel of land situate lying and being located in Land Lot 117 of the 2nd Land District, originally Monroe, now Spalding County, Georgia, containing 2.000 acres of land as shown on plat of survey for Karen C. Martin prepared by Kenneth E. Presley and Associates, Inc. dated May 30, 1995 and may be more particularly described as follows:

Beginning at a point of the east right-of-way of U.S. Route No. 41 & 19 and State Route No. 333 said point being located southerly 759.46' from the intersection of the south right-of-way of O'Dell Road and the east right-of-way of U.S. Route 41 & 19 and State Route No. 333; thence proceed N 89°40'07" East a distance of 247.17' to a 1" PF; thence S 00°01'15" East a distance of 31.63' to a point; thence S 00°27'02" West a distance of 100.11' to a point; thence S 00°08'14" West a distance of 99.49' to a point; thence S 00°33'37" East a distance of 99.94' to a point; thence S 00°05'11" West a distance of 21.28' to a 1" PF; thence S 89°40'07" West a distance of 248.21' to a 1" PF located on the East right-of-way of U.S. Route 41 & 19 State Route No. 333; thence N 00°11'50" East along the East right-of-way of said highway a distance of 352.35' to the Point of Beginning.

From "C-1, Highway Commercial" to "C-1B, Heavy 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) Outdoor storage shall be limited to the side and rear of the property.
- b) The site will limit all lighting so any neighboring residential properties or rights-of-way will not be affected by glare.
- c) Expansion of the building would require that the building be brought into conformity with the 70-foot front yard setback or a variance shall be obtained.

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 September 19, 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 lot, tract or parcel of land situate lying and being in Land Lot 117 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, containing 2.000 acres at 1310 Highway 19/41 South, zoned C-1B, 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.

Motion by Commissioner McDaniel to approve all items on consent agenda, seconded by Commissioner Davis, and motion carried by unanimous 5-0 vote.

X. OLD BUSINESS

1. Consider approval on second reading Amendments to the Official Zoning Ordinances the following:
 - a. Amendment to Unified Development Ordinance #A-05-16: Article 17A. Village Node Village Node – add new article.

IN RE:

Text Amendment #A-05-16

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; and

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.; and

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; and

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 August 25, 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; and

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, to appear as Article 17A. VN Village Node District:

ARTICLE 17A. VN VILLAGE NODE DISTRICT

Section 1701A: Purpose. The VN district is established to provide development design criteria and standards for comprehensive and coordinated development of areas identified on the Spalding County Future Land Use Map (a part of the Spalding County Comprehensive Plan) as being appropriate for greater residential densities and mixed-use development. The VN district encourages flexible site plans and building arrangements under a unified plan of development for retail, commercial and service uses for self-sufficient neighborhoods and to encourage and develop a sense of community. The VN district is established to provide a variety of residential development styles and community commercial services.

The VN district encourages development of residences in areas surrounding and adjoining commercial property. The residential areas will consist of quality housing constructed in compliance with high construction standards which focus on aesthetic appearance and co-existence with nearby commercial property. The VN district will encourage development of

flex (live/work) units which consist of multi-storied structures with commercial uses and/or living space. The commercial area within the VN district shall be composed principally of neighborhood and community related commercial uses requiring less than 30,000 square feet. The commercial area must be developed in a manner consistent with adjoining residential properties.

The VN district encourages pedestrian access to commercial properties from residences. Retail centers shall be designed to provide pedestrian access from all areas of the village. The development benefits from better land utilization in the provision of roads, utilities, other infrastructure and overall site design. The VN district must have direct ingress and egress from a state highway or a County collector street. All property within the VN district must be served by public water and sewer.

Section 1702A: Boundaries of the Village Node District.

The Official Map (Section 2301 of this Ordinance) shows the boundaries of all VN districts within Spalding County. Article 23 also contains additional information regarding interpreting district boundaries, amending boundaries, etc.

Section 1703A: Permitted Uses.

A. The following **Principal Uses** are permitted in VN districts provided such uses shall not exceed 30,000 square feet per business and have no outside storage of any unfinished product for sale or raw materials:

1. Animal Hospital or kennel.
2. Appliance sale and repair.
3. Art Studio.
4. Bakery.
5. Bank or financial institution.
6. Barber/Beauty Shop.
7. Bed and Breakfast Inn.
8. Catering service.
9. *Reserved.*
10. Clothing store.
11. Club, private.
12. College or university.
13. Crafts.
14. Cultural facility, library, museum.
15. Dance school or studio.
16. Dental laboratory.
17. Department Store.
18. Driving range.
19. Dry goods store.
20. Florist shop.
21. Flowers, growing and sales.
22. Food store.
23. Garden, growing and sales.
24. Gift shop.
25. Government building, local, federal or state.
26. Indoor amusement or recreational activities.
27. Laundry.
28. Library.
29. Legal Office.
30. Locksmith.
31. Medical laboratory.
32. Medical office.
33. Messenger service.
34. Music teaching studio.
35. Novelty shop.
36. Office Equipment and supplies.
37. Photography studio.
38. Publicly owned recreation center.
39. Restaurant.
40. Shoe repair shop.

41. Shrubbery, growing and sales.
42. Dwelling, Cluster
43. Dwelling, Single Family Detached
44. Dwelling, Single Family Attached
45. Dwelling, Condominium
46. Dwelling, Loft Residential
47. Dwelling, Patio
48. Dwelling, Townhouse
49. Flex Space Unit

B. The following **Principal Uses** are permitted as **Special Exceptions** in VN Districts:

1. Church, synagogue, chapel or other place of religious worship including educational building, parsonage, church-related nursery or kindergarten, and other related uses meeting the following development standards:
 - a. The maximum floor area of the church and associated uses shall be 10,000 Square Feet;
 - b. The lot may not exceed one (1) acre;
 - c. All buildings must be located at least twenty (20) feet from any side or rear property line;
 - d. No additional approval shall be required for the expansion or modification of any facility, as defined in this Section, which existed as of September 5, 2005 on the property on which it is presently located;
 - e. Churches must occupy a separate building or structure;
 - f. Parking shall be located to the rear and side of the structure; and
 - g. The church structure must be consistent with the architectural design used in the village node.
2. Day Care Center meeting the following development standards:
 - a. Compliance with the rules promulgated by the Georgia Department of Human Resources where applicable.
3. Gasoline service station that meets the following development standards:
 - a. All canopy structures, including underground storage tanks, must be placed at least thirty (30) feet from any property line;
 - b. Must be placed on a corner lot or on a tract which includes a corner lot;
 - c. Curb cuts must be located at least fifteen (15) feet from the intersection of street lines;
 - d. Must meet architectural design standards of the VN district, including the Canopy.
4. Hotel
5. Any use identified in Section 1703A(A) exceeding 30,000 square feet.
6. Tower or antenna meeting the standards and development criteria established in the Spalding County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers defined in Section 4(B)(i-v) and which additionally shall be determined by the Spalding County Board of Zoning Appeals to meet the criteria for approval set forth in Section 6(C).
7. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines;
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing;

- c. No vehicles or equipment may be stored on the lot;
 - d. With the exception of an access driveway, a buffer, as provided in Section 405 of this Ordinance, must be maintained along the front, side and rear property lines.
8. Dwelling, Multiple Family, provided that:
- a. the total number of multiple family dwelling units may not exceed 20% of the total number of residential dwellings developed within the village node;
 - b. multiple family dwellings may not be developed in the village node unless the total acreage in the village node exceeds thirty (30) acres; and
 - c. for purposes of the village node located on Georgia Highway 155, residential dwellings constructed within Heron Bay shall be deemed residential dwellings in the village node.
9. Dwelling, Two Family
- C. The following **Accessory Uses** are permitted in VN districts:
- 1. Those determined by the Administrative Officer to be customarily appurtenant to those uses permitted in this district.
 - 2. Tower, domestic or antenna, domestic.
- D. The following **Accessory Uses** are permitted as **Special Exceptions** in VN districts:
- 1. None.
- E. All accessory uses must meet the following standards:
- 1. They must be located in the rear yard.
 - 2. They must be located at least five (5) feet from any property line.
 - 3. They may not be located in any front or side yard.
 - 4. Accessory buildings not attached to the principal building must be located at least twelve (12) feet from the principal building on the lot.
- F. All uses not permitted within VN districts by this Section are specifically prohibited.

Section 1704A: Development Review and Approval Process.

A. Pre-Application Concept Conference/Review.

- 1. Prior to filing an application for a VN Zoning District, the applicant shall confer with the Administrative Officer or his designee in order to review the general character of the planned development (on the basis of tentative land use sketch) and to obtain information on development standards and ordinances affecting the proposed planned development.
- 2. Before an application is accepted, the applicant shall submit a preliminary concept plan for review by the Community Development Department.

B. Plan Submittal and Review

- 1. With the application for rezoning, the applicant shall submit a Concept Plan for the Village Node. Said plan shall, at a minimum show the following information:
 - a. Planned development name;
 - b. The owner and developer of the property;

- c. Architect, engineer or planner who designed the plan;
 - d. Location or orientation map of the property;
 - e. Legal description of the parcel;
 - f. Date, scale, north arrow;
 - g. Total acreage of tract;
 - h. Topography at ten-foot contour intervals;
 - i. Proposed land use and net acreage in each type;
 - j. Proposed street layout;
 - k. Proposed parking plan showing the number of spaces, whether they are proposed and on-street or off-street spaces, and calculations justifying the number of spaces provided;
 - l. Proposed lot layout;
 - m. Proposed buffers, open space, common space and natural environmental features such as surface drainage and open water;
 - n. General location of proposed buildings to be used for Commercial, recreation, or public facility uses;
 - o. Proposed building elevations of typical buildings;
 - p. Proposed phases of development within the village node which must provide for the proportionate development of single-family dwellings, townhouses or condominiums, commercial/flex units and (if approved as a special exception) multiple family dwellings.
2. The department shall coordinate review of the plan and associated documents and provide a report to the Planning Commission which will either be a part of or separate from the rezoning report.

D. Concept Plan Approval – The Concept Plan shall be reviewed by the Planning Commission and approved by the Board of Commissioners during the rezoning process.

Section 1705A: Development Standards for VN Districts.

A. Dwelling, Single Family Detached:

- 1. Minimum Front Yard: 5 feet
Maximum Front Yard: 15 feet, 25 feet on collector road
- 2. Minimum Side Yard: 10 feet (between structures); 20 feet (corner lot)
- 3. Minimum Rear: 25 feet
- 4. Minimum Road Frontage: 40 feet (alley access); 50 feet (driveway) 35 feet (cul-de-sac)
- 5. Minimum Lot Width: 40 feet (alley access); 50 feet (driveway)
- 6. Minimum Square Footage: 1500 square feet
- 7. Maximum Building Height: 35 feet; Building height may be increased to 60 feet, provided the structure is serviced by an approved sprinkler fire suppression system and upon approval as a Special Exception pursuant to Section 413 of this Ordinance. Any height

limitations stated does not apply to projections not intended for human habitation.

- 8. Access: Rear alleyway or parking driveway designed to accommodate at least two vehicles.

B. Dwelling, Townhouse:

- 1. Minimum Front Yard: 5 feet
Maximum Front Yard: 15 feet
- 2. Minimum Side Yard: 0 feet (between dwellings); 20 feet (between buildings)
- 3. Maximum units per building: 10 (ground floor)
- 4. Minimum Rear Yard: 25 feet
- 5. Minimum Road Frontage: 24 feet per dwelling unit
- 6. Minimum Square Footage: 1000 square feet
- 7. Maximum Building Height: 35 feet; Building height may be increased to 60 feet, provided the structure is serviced by an approved sprinkler fire suppression system and upon approval as a Special Exception pursuant to Section 413 of this Ordinance. Any height limitation stated does not apply to projections not intended for human habitation.
- 8. Access: Rear of town home.

C. Flex Units:

- 1. Minimum Front Yard: 5 feet
- 2. Maximum Front Yard: 15 feet
- 3. Minimum Side Yard: 0 feet (between units); 20 feet (between buildings)
- 4. Maximum units per building: 10
- 5. Minimum Rear Yard: 25 feet
- 6. Minimum Road Frontage: 24 feet per unit
- 7. Maximum Building Height: 35 feet; Building height may be increased to 60 feet, provided the structure is serviced by an approved sprinkler fire suppression system and upon approval as a Special Exception pursuant to Section 413 of this Ordinance. Any height limitation stated does not apply to projections not intended for human habitation.

D. Dwelling, Multiple Family/Dwelling, Condominium:

- 1. Minimum Front Yard: 5 feet
Maximum Front Yard: 15 feet
- 2. Minimum Side Yard: 0 feet (between dwelling); 20 feet (between buildings)
- 3. Maximum units per building: 16
- 4. Minimum Rear Yard: 25 feet
- 5. Maximum Building Height: 35 feet; Building height may be increased to 60 feet, provided the structure is serviced by an approved sprinkler fire suppression system and upon approval as a Special Exception

pursuant to Section 413 of this Ordinance. Any height limitation stated does not apply to projections not intended for human habitation.

E. Non-Residential:

1. Maximum Front: 10 feet (Sidewalk must extend to the building foundation)
 2. Side: 0 feet (between units); 20 feet (between buildings)
 3. Rear: 0 feet
 4. Minimum Road Frontage: 20 feet
 5. Maximum Building Height: 35 feet; Building height may be increased to 60 feet, provided the structure is serviced by an approved sprinkler fire suppression system and upon approval as a Special Exception pursuant to Section 413 of this Ordinance. Any height limitation stated does not apply to projections not intended for human habitation.
- F. Common Space: a minimum of 750 square feet for each residential dwelling unit or flex unit.

1. Allowed uses within common space:

- a. Parks (Active and Passive)
- b. Walking Trails
- c. Greenspace
- d. Public Art
- e. Playgrounds
- f. Gazebos
- g. Fountains
- h. Swimming Pools
- i. Putting Greens

2. A central park area shall be required in the center of the commercial and/or flex unit area of the village node which complements the use of the commercial/flex units and provides for a central location for community activities.

3. The common space must be dispersed throughout the village node, with no more than 20% of the total common space contained within the village node being concentrated in any one location.

4. Common space shall also include a landscaped divided lane traffic entrance into the village node from the state highway or County collector street.

G. Residential Architecture

1. Dwelling/Single Family; Dwelling/Town home:

a. Traditional Architectural Design – Traditional vernacular architectural design is required. Each house within the subdivision must be built with at least three (3) of the following:

- i. authentic exterior siding, i.e. wood or wood appearing;
- ii. minimum ten (10) feet ceilings on ground floor (with the exception of powder rooms, restrooms utility rooms, pantries and closets);
- iii. minimum eight (8) feet depth front porches extending at least 60% of the width of the façade of the house;
- iv. foundations or slab above grade (to make the appearance of a crawlspace) or crawlspace;

- iv. Victorian gingerbread detailing;
 - v. widows walks;
 - vi. bay windows or turrets;
 - vii. decorative gable vents and gables;
 - ix. entrance porticos;
 - x. Greek revival columns;
 - xi. decorative window pediments;
 - xii. no vinyl siding.
- b. Country Club - The Architectural Design must include at least three (3) of the following:
- i. minimum three side brick, stone, stucco or hardy plank for Dwelling, single family; façade brick, stone or stucco for Dwelling, town home;
 - ii. porticos;
 - iii. transom windows;
 - iv. detailed balusters and pediments;
 - v. masonry chimneys or quoins.
- H. Multiple Family/Condominium Architecture:
1. Architectural Criteria: Each building within the development shall be constructed with:
- a. at least 25% of the exterior front façade with ornamental brick, stone or stucco accents;
 - b. Completely enclosed staircases and stairwells;
 - c. construction framing on 16" centers for wall studs;
 - d. exterior vinyl siding of a minimum .44 mil thickness;
 - e. decorative gables and vents;
 - f. minimum roof pitch with an increase of 5 feet in height for horizontal run of 12 feet;
 - g. balconies, patios or sunrooms/screened porches;
 - h. fireplaces;
 - i. washer/drying connections in each dwelling unit.
- I. Commercial/Flex Unit Architecture - All structures including all building elevations located within the VN shall be construed utilizing a consistent and unified design and which contains architectural design elements including, but not limited to, the following:
- a. Canopy, awnings or porticos;
 - b. Arcades, Archways;
 - c. Outdoor patios;
 - d. Display windows-decorative window;
 - e. Architectural details (such as decorative tile or brickwork) integrated into the building façade;

- f. Integrated planters or wing walls that incorporate landscape and/or sitting areas;
 - g. Articulated cornice line;
 - h. Peaked roof form;
 - i. Accent materials (min 15% of façade) (keystones, window pediments, functioning shutters, wrought iron railing, transoms);
 - j. Other architectural features as approved with rezoning;
 - k. All Structures shall be constructed of a minimum 85% masonry (brick, stone) coverage, exclusive of windows and doors.
- J. Streetscaping
- 1. Single Family Residential:
 - a. Minimum 6 feet Landscape Strip between Curb and Sidewalk
 - b. Minimum one 2” caliper tree within the landscape strip for every residential lot.
 - c. Minimum one 2” caliper tree within the front yard of every residential lot offset with the tree in the landscape strip.
 - d. Decorative street lights compatible with the architectural character of the neighborhood as shown in Appendix A.
 - e. Other streetscaping as approved by the Board of Commissioners.
 - f. Unified mailbox design compatible with the architecture of the neighborhood.
 - 2. Multiple Family Residential/Condominium Residential:
 - a. Minimum 4 foot Landscape Strip between Curb and Sidewalk
 - b. Other streetscaping as approved by the Board of Commissioners.
 - c. Minimum one 2” caliper tree for every 50 feet in landscape medians
 - d. One Park Bench for every 200 feet of linear road frontage.
 - e. Decorative street lighting compatible with the architectural character of the neighborhood as shown in Appendix A.
 - 3. Commercial/ Flex Space Units
 - a. Minimum one 2” inch caliper street tree for every 50 linear feet of road frontage planted within the sidewalk (tree grate)
 - b. Minimum one 2” caliper tree for every 50 feet in landscape medians
 - c. One Park Bench for every 200 feet of linear road frontage.
 - d. Decorative street lighting compatible with the character of the neighborhood as shown in Appendix A.
- L. Parking
- 1. Required Number of Spaces - The village is to be a pedestrian oriented development. As such the parking standards below are meant to be the minimum and maximum number of off street parking spaces that must be provided within the development. Sharing of parking spaces is encouraged where uses have off-peak parking demand. Off street parking spaces can be shifted to on-street parking only with approval by the Board of Commissioners.

- a. Dwelling, Single Family Detached – rear alleyway access: 1.5 spaces for every unit. Parking within garages shall not be counted toward the total number.
 - b. Dwelling, Single-Family Detached – driveway access: driveway constructed with 20 foot paved apron. Parking within garages shall not be counted toward the total number.
 - c. Dwelling, Townhouse, Condominium or Loft: 1.5 spaces for every unit. Parking within garages shall not be counted toward the total number.
 - d. Commercial/Flex Unit – 1 space for every 500 feet or fraction thereof.
2. Commercial/Loft/Flex Unit Parking Design Criteria
- 1. All off-street parking shall be located to the side and rear of all buildings.
 - 2. All on-street parking spaces, located adjacent to the front property line shall be counted toward the number of required spaces.
 - 3. All parking spaces shall have minimum dimensions of 9.5 feet in width X 18 feet in length.
 - 4. Internal driveways shall have a minimum width of 14 feet for one-way traffic and 24 for two-way traffic.
 - 5. Landscaped island required for every ten (10) linear parking spaces.

Section 1706A: Other Development Standards in the Village Node District.

- A. Applicability to Land and Buildings: No building, structure or land may be used or occupied and no building or structure or part of a building or structure may be erected, constructed, moved or structurally altered unless in conformity with all the regulations specified for the Village Node District.
- B. Every Use on a Lot: No building or structure may be erected or use established unless upon a lot as defined by this Ordinance.
- C. Open/Common Space not to be Encroached Upon: No common or open space within the Village Node District may be encroached upon or reduced in any manner except in conformity with the requirements and standards in this zoning district. Shrubbery, driveways, retaining walls, fences, curbs and buffers (See: Definition in Article 2) are not considered to be encroachments into common or open space. Open/Common Space areas as required by this Ordinance must be permanently maintained as Open/Common Space in accordance with the requirements of this Ordinance.
- D. Encroachment of Public Rights of Way: No building, structure, service area required parking (on or off street) or loading/unloading facility is permitted to encroach on public rights of way.
- E. Physical design standards: Minimum design standards for driveways, loading areas and other such physical site improvements are contained in Appendix A, Spalding County Subdivision Ordinance. Consult that document for specific requirements.
- F. Off Street Parking and Service Requirements: Minimum standards for off-street parking and service requirements are contained in the Spalding County Standard for Off-Street Parking and Service Facilities (Appendix G).
- G. Other Applicable Development Regulations: Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
- H. Signs: Minimum design and location standards are contained in the Spalding County Sign Ordinance (Appendix E). Consult that document for specific requirements.
- I. Conflict: In the event of a conflict between the requirements of this Article and any other provision of the Spalding County Unified Development Ordinance or any Appendix thereto, the more restrictive provision shall control.

Section 3: The foregoing amendment 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.

Motion to approve Amendment to UDO #A-05-16 by Commissioner McDaniel, seconded by Commissioner Davis, and motion carried by vote of 4-1 with Chairman Goss voting in opposition.

- b. Amendment to Unified Development Ordinance #A-05-18: Article 4. AR-1 – Section 503:C – add provision to allow Class B Manufactured Home as accessory use.

IN RE: Text Amendment #A-05-18

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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on August 25, 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; and

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:

Add to Article 2, AR-1, Agricultural and Residential - Section 503:C the following:

- 15. Class B Manufactured Homes provided that:

- i. The manufactures homes can only be accessory to an active farm with a minimum tract size of 100 acres.
- ii. Subject property must be classified as Preferential Assessment as defined in O.C.G.A. 48-5-7.1 with County Board of Tax Assessors.
- iii. May only be used for housing employees of the farm.
- iv. Manufactured homes must be located a minimum of 100 feet from any property line.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

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.

Commissioner McDaniel motioned to approve Amendment to UDO #A-05-18, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.

- c. Amendment to Unified Development Ordinance #A-05-19: Article 5. General Procedures – Section 413:G”(2)(d) – amend Urban Proximity requirements.

IN RE: Text Amendment #A-05-19

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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on August 25, 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; and

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: Section 413G”.2.d. shall be deleted in its entirety and replaced with the following paragraph:

- d. Urban Proximity: This subdivision design is appropriate for undeveloped property, which abuts or is near to boundaries of the City of Griffin. Appropriate properties for this development are surrounded by residential development with densities equal to or exceeding 2 dwelling units per acre and which are already developed in an existing grid street pattern and are not self contained subdivisions. In such areas, amenities are provided on a community basis and are not necessarily restricted to the development of the particular subdivision. The urban proximity areas may be developed in a manner, which Simply extends the existing grid residential development. Properties for which the urban proximity design pattern is appropriate are less than forty (40) acres in size and served by public water and sewer. Furthermore, they are located within designated areas shown on the “Urban Proximity Overlay” map. These properties are designated on the “Urban Proximity Overlay” map. Such map shall be signed by the Chairman of the Board of Commissioners of Spalding County and bear the seal of the County or that of a Notary Public under the following words: “This certifies that this is the Official “Urban Proximity Overlay Map” referred to in Section 413(G’)(2)(d) of the Zoning Ordinance of Spalding County.” A new Official Urban Proximity Map was adopted on _____ which will replace the previous Official Map.

Architectural Design Criteria:

The design is based is upon architectural styles and neighborhood layout and design grids, which were common in the era predating the 1950’s. Houses in such subdivisions were of traditional design and construction with architectural features such as: front porches, Craftsman style, Victorian gingerbread, Queen Anne or Georgian cottage. Existing neighborhoods with architectural and layout design contemplated in this section are currently found within the City of Griffin along South 6th Street, South Hill Street and Terracedale Court. Additional examples are Apple Orchard in Fayetteville, Georgia and Honeysuckle Ridge in Peachtree City, Georgia.

1. Traditional vernacular architectural design is required.
2. Each house within the subdivision must be built with at least two (2) of the following:
 - a. authentic exterior siding, i.e. wood, brick or vinyl with a thickness of at least .44 mil. and appearance of period siding design;
 - b. minimum ten (10) feet ceilings on ground floor (with the exception of powder rooms, restrooms utility rooms, pantries and closets);
 - c. minimum eight (8) feet depth front porches extending at least 60% of the width of the facade of the house;
 - d. foundations or slab above grade (to make the appearance of a crawlspace) or crawlspace;
 - e. Victorian gingerbread detailing;
 - f. widows walks;
 - g. bay windows or turrets;
 - h. decorative gable vents and gables;
 - i. entrance porticos;
 - j. Greek revival columns;
 - k. decorative window pediments.
3. Streets and Sidewalk Design Criteria:
 1. The following are required:
 - a. minimum four (4) feet width sidewalks;
 - b. streetscape design, which includes street trees;
 - c. curb and gutter; and

d. streetlights.

4. Other Design Criteria:

- a. reduced setbacks to fifteen (15) feet provided each house in the subdivision is built with a rear-facing garage;
- b. sodded front yards, with corner lots and double frontage lots having any yard fronting on the right of way sodded;
- c. common space of at least 1,000 square feet per Dwelling shall be provided. Such common space shall not be located more than 500 feet from the boundary of any residential lot, provided that such distance may be increased to 750 feet when required for the layout and design of the subdivision while maintaining an average distance from the boundary of each lot which does not exceed 500 feet.
- d. individual commons space areas cannot be more than twice the size of the average lot size in the development
- e. common space shall also include at least two (2) of the following:
 - i. park benches;
 - ii. gazebos;
 - iii. decorative fountains;
 - iv. statues;
 - v. playgrounds

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

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.

Commissioner McDaniel motioned to approve Amendment to UDO #A-05-19, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.

- d. Amendment to Unified Development Ordinance #A-05-20: Article 8. R-2 – Section 803:A – add provision for Mill Village Infill.

IN RE: Text Amendment #A-05-20

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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the

text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on August 25, 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; and

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: That the following paragraph be added to Section 803.A:

9. Mill Village Infill, provided that the following criteria be met:
 - a. This section shall apply to the properties immediately adjacent to the Highland Mill Village.
 - b. Subdivision Design
 - i. The existing mill village street grid needs to be continued. Expansion of the road grid system shall allow the developer to extend them in such a way as to match right-of-way and pavement width only of access to the parcels along said streets are accessed by way of a rear alleyway.
 - ii. Density shall not exceed that of the lots within the village.
 - iii. Lot dimensions such as width and depth shall be consistent with those dominant in the existing mill village. Setbacks (front, side, rear) shall be consistent with those dominant in the existing mill village.
 - c. Architectural Design - The architectural design of Mill Village Infill Developments is to be a continuation of the architectural theme of the original village. To that end the following criteria shall be observed in the design of the homes within the infill area:
 - i. Traditional vernacular architectural design is required.
 - ii. Each house within the subdivision must be build with at least two (2) of the following:
 - a. authentic exterior siding, i.e. wood or wood appearing;
 - b. minimum ten (10) feet ceilings on ground floor (with the exception of powder rooms, restrooms utility rooms, pantries and closets;
 - c. minimum eight (8) feet depth front porches extending at least 60% of the width of the facade of the house;
 - d. foundations or slab above grade (to make the appearance of a crawlspace) or crawlspace;
 - e. Victorian gingerbread detailing;
 - f. widows walks;
 - g. bay windows or turrets;
 - h. decorative gable vents and gables;
 - i. entrance porticos;
 - j. Greek revival columns;
 - k. decorative window pediments.
 - d. Other Design Criteria:

- i. the minimum heated area of the homes in the Mill Village infill area shall be compatible with the house size of the existing mill village, but in no case shall it be less than 1,250 square feet.
- ii. reduced setbacks to fifteen (15) feet provided each house in the subdivision is built with a rear-facing garage and alley way with a minimum width of 14 feet.
- iii. sodded front yards, with corner lots and double frontage lots having any yard fronting on the right of way sodded;
- iv. common space of at least 1000 square feet per Dwelling of the gross tract acreage shall not be located more than 500 feet from the boundary of any residential lot, provided that such distance may be increased to 750 feet when required for the layout and design of the subdivision while maintaining an average distance from the boundary of each lot which does not exceed 500 feet.
- v. individual commons space areas cannot be more than twice the size of the average lot size in the development common space shall also include at least two (2) of the following:
 - a. park benches;
 - b. gazebos;
 - c. decorative fountains;
 - d. statues;
 - e. playgrounds

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

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.

Commissioner McDaniel motioned to approve Amendment to UDO #A-05-20, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.

- e. Amendment to Unified Development Ordinance #A-05-21: Appendix A. Section 704 – add provision for Architectural Design Criteria and Section 706 – revise Discretionary Density Bonuses.

IN RE: Text Amendment #A-05-21
 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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on August 25, 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; and

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: To Appendix A, Section 704 of the UDO add new Paragraph C to read as follows:

C. Architectural Design Criteria:

Architectural design for homes, clubhouses and similarly used structures in the Conservation subdivision, the developer shall choose one of the following design theme options:

1. Traditional Architectural Design

Traditional vernacular architectural design is required under this option. Each house within the subdivision must be build with at least two (2) of the following:

- a. authentic exterior siding, i.e. wood or wood appearing or Period themed vinyl siding with a minimum thickness of .44 mil.
- b. minimum ten (10) feet ceilings on ground floor (with the exception of powder rooms, restrooms utility rooms, pantries and closets;
- c. minimum eight (8) feet depth front porches extending at least 60% of the width of the facade of the house;
- d. foundations or slab above grade (to make the appearance of a crawlspace) or crawlspace;
- e. Victorian gingerbread detailing;
- f. widows walks;
- g. bay windows or turrets;
- h. decorative gable vents and gables;
- i. entrance porticos;
- j. Greek revival columns;
- k. decorative window pediments.

2. Country Club Design

The Architectural Design must include at least two (2) of the following:

- a. minimum three side brick, stone, stucco or hardy plank façade;
- b. porticos;
- c. transom windows;
- d. detailed balusters and pediments;
- e. masonry chimneys; or
- f. quoins.

- g. 4-side Brick Stone or Stucco
3. Estate Life Design

Architectural Design Criteria:

- a. An English or American or Continental European large, country estate home dominated by the use of brick or stone is required, with outbuildings generally designed to look like farm buildings.
- b. Exterior materials restricted to wood, stone, brick or cem-plank siding.
- c. Slab on grade construction is not allowed.

Section 3: Delete Appendix A, Section 706 in its entirety and replace with the following section:

Section 706. Discretionary Density Bonuses

Section 706. Discretionary Density Bonuses

Additional density may be allowed at the discretion of the Board of Commissioners when one or more of the following public benefits are proposed:

- A. **Public Usage of Greenspace.** To encourage the dedication of conservation land for public use (including active or passive recreation areas, spray irrigation areas and other public facilities), a density bonus shall be computed on the basis of a maximum of one dwelling unit per five acres of greenspace or per 2,500 feet of trail that becomes publicly accessible. The decision to accept the dedication of greenspace to public usage within a conservation subdivision shall be at the discretion of the Board of Commissioners.
- B. **Endowment for Greenspace Maintenance.** If the greenspace is to be donated to a land trust or to Spalding County, a 10% density bonus may be allowed to generate additional income for the purpose of endowing a permanent fund to offset continuing costs of maintaining the greenspace (including such activities as mowing meadows, removing invasive vines, paying insurance premiums and local taxes, including costs associated with active or passive recreation facilities). Spending from this fund should be restricted to expenditure of interest so that the principal may be preserved. The amount required for contribution to the endowment shall be at least twenty (20) times the annual estimated maintenance costs. The applicant shall present an estimate prepared by an agency, firm or organization acceptable to Spalding County and with experience in managing conservation land and recreational facilities.
- C. **Implementation.** The density bonus that may be allowed pursuant to this section shall reduce the amount of required greenspace by up to 10%, reducing the minimum lot area requirements by up to 10% or by a combination thereof (at the discretion of Spalding County). The reductions may be cumulative, if Spalding County is satisfied that the public purpose of preserving greenspace and conservation lands within Spalding County is best being served.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

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.

Commissioner McDaniel motioned to approve Amendment to UDO #A-05-21, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.

County Manager Wilson excused himself from the proceedings at this time.

2. Consider second reading of Amendments to the Official Zoning Ordinance for the following:
 - a. Application #05-13Z: Cole Tract Associates, L.P., Owner – Johnson Road (old Fincher Tract) – 199.669 acres, PDD to PDD & Village Node.

APPLICATION OF COLE TRACT ASSOCIATES, L.P.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-13Z

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 “PDD, Planned Development District;”

WHEREAS, Cole Tract Associates, L.P., applicant, applied for a change in zoning classification to be applied to the within described property to “PDD, Planned Development District and VN, Village Node;”

WHEREAS, such application was filed with Spalding County, Georgia on May 26, 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 July 28, 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:

Tract A

All that tract or parcel of land lying and being in Land Lot 146 of the 2nd Land District, Spalding County and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 145, 146, 175 and 176; thence along the Land Lot line common to Land Lots 146 and 175, which is also the Spalding/Henry County line South 89°32'17" East, a distance of 2715.27 feet to a ½ inch rebar found; thence south 10°59'04" East, a distance of 261.02 feet to a ¾ inch rod found; thence North 81°54'50" East, a distance of 347.69 feet to a 1 inch pipe found on the Land Lot line common to Land Lots 146 and 147; thence along said Land Lot line South 00°50'37" West, a distance of 2277.96 feet to a ¼ inch rebar found; thence continuing along said Land Lot line South 01°08'02" West, a distance of 500.00 feet to a point at the Land Lot corner common to Land Lots 142, 143, 146 and 147; thence along the Land Lot line common to Land Lots 143 and 146 North 89°32'46" West, a distance of 1207.74 feet to a point on the easterly right-of-way of Johnson Road (40' R/W); thence along said right-of-way the following calls: North 27°36'29" West a distance of 65.82 feet to a point; thence 126.40 feet along a curve to the left, said curve having a chord of North 38°12'15" West 126.24 feet and a radius of 718.83 feet to a point; thence North 46°17'48" West, a distance of 511.73 feet to a point; thence North 45°48'27" West, a distance of 462.01 feet to a point; thence North 48°38'54" West, a distance of 204.38 feet to a point; thence leaving said right-of-way 134.86 feet along a curve to the left, said curve having a chord of North 12°49'07" East 134.82 feet and a radius of 1679.04 feet to a point; thence 1762.15 feet along a curve to the left, said curve having a chord of North 22°49'21" West 1660.14 feet and a radius of 1481.86 feet to a point; thence North 56°53'20" West, a distance of 334.06 feet to a point on the Land Lot line common to Land Lots 145 and 146; thence along said Land Lot line North 00°18'15" West, a distance of 184.97 feet to a rock found; being the POINT OF BEGINNING.

Said tract contains 147.573 acres or 6428301 square feet of land.

Tract B

All that tract or parcel of land lying and being in Land Lot 146 of the 2nd Land District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 145, 146, 175 and 176; thence along the Land Lot line common to Land Lots 145 and 146 the following calls: South 00°18'15" East, a distance of 1481.71 feet to a ½ inch rebar found; thence South 02°23'16" West, a distance of 298.01 feet to a 1 inch pipe found on the northerly right-of-way of Johnson Road (40' R/W); thence crossing said right-of-way South 00°27'10" East, a distance of 41.20 feet to a point; thence continuing along said Land Lot line South 00°27'10" East, a distance of 1155.25 feet to a point; thence South 87°18'21" East, a distance of 172.32 feet to a point on the Land Lot line common to Land Lots 143 and 146 and the TRUE POINT OF BEGINNING; thence 288.79 feet along a curve to the left, said curve having a chord of North 53°05'53" East 288.58 feet and a radius of 2153.21 feet to a point; thence 889.43 feet along a curve to the left, said curve having a chord North 32°43'36" East 878.40 feet and a radius of 1627.51 feet to a point on the southerly right-of-way of Johnson Road (40' R/W); thence along said right-of-way the following calls: South 48°38'54" East, a distance of 184.33 feet to a point; thence South 45°48'27" East, a distance of 461.19 feet to a point; thence South 46°17'48" East, a distance of 510.82 feet to a point; thence 116.40 feet along a curve to the right, said curve having a chord of South 38°14'26" East 116.26 feet and a radius of 678.83 feet to a point; thence South 27°36'29" East, a distance of 42.53 feet to a point on the Land Lot line common to Land Lots 143 and 146; thence along said Land Lot line North 89°32'46" West, a distance of 1635.70 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains 15.871 acres or 691339 square feet of land.

Tract C

All that tract or parcel of land lying and being in Land Lot 146 of the 2nd Land District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 145, 146, 175 and 176; thence along the Land Lot line common to Land Lots 145 and 146 the following calls: South 00°18'15" East, a distance of 1481.71 feet to a ½ inch rebar found; thence South 02°23'16" West, a distance of 298.01 feet to a 1 inch pipe found on the northerly right-of-way of Johnson Road (40' R/W); thence crossing said right-of-way South 00°27'10" East, a distance of 41.20 feet to the TRUE POINT OF BEGINNING; thence along the southerly right-of-way of Johnson Road the following calls: South 76°35'52" East, a distance of 531.32 feet to a point; thence South 74°45'00" East, a distance of 291.10 feet to a point; thence leaving said right-of-way 23.29 feet along a curve to the right, said curve having a chord of South 16°11'43" West 23.29 feet and a radius of 1579.04 feet to a point; thence 834.39 feet along a curve to the right, said curve having a chord of South 32°44'02" West 824.06 feet and a radius of 1527.51 feet to a point; thence 414.23 feet along a curve to the right, said curve having a chord of South 54°30'30" West 413.26 feet and a radius of 1750.52 feet to a point on the Land Lot line common to Land Lots 145 and 146; thence along said Land Lot line North 00°27'10" West, a distance of 1155.25 feet to a point on the southerly right-of-way of Johnson Road, being the TRUE POINT OF BEGINNING.

Said tract contains 12.989 acres or 565816 square feet of land.

Tract D

All that tract or parcel of land lying and being in Land Lot 146 of the 2nd Land District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 145, 146, 175 and 176; thence along the Land Lot line common to Land Lots 145 and 146 South 00°18'15" East, a distance of 304.77 feet to the TRUE POINT OF BEGINNING; thence South 56°53'20" East, a distance of 268.08 feet to a point; thence 1643.87 feet along a curve to the right, said curve having a chord of South 22°48'34" East 1548.64 feet and a radius of 1381.86 feet to a point; thence 105.46 feet along a curve to the right, said curve having a chord of South 12°24'29" West 105.44 feet and a radius of 1579.04 feet to a point on the northerly right-of-way of Johnson Road (40' R/W); thence along said right-of-way the following calls: North 74°45'00" West, a distance of 291.61 feet to a point; thence North 76°35'52" West, a distance of 541.83 feet to a 1 inch pipe found on the Land Lot line common to Land Lots 145 and 146; thence along said Land Lot line North 02°23'16" East, a distance of 298.01 feet to a ½ inch rebar found; thence along said Land Lot line North 00°18'15" West, a distance of 1176.93 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains 23.236 acres of 1012152 square feet of land.

From "PDD, Planned Development District" to "PDD, Planned Development District and VN, Village Node" 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) All front porches will be underpinned and finished in character of the home.
- b) A parking plan shall be provided.

- c) Access to sewer with sufficient capacity to serve the development shall be available.

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 September 19, 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 situate lying and being in Land Lot 146 of the 2nd Land District of Spalding County, Georgia, containing 199.669 acres Johnson Road (old Fincher Tract), zoned PDD & VN, 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.

Commissioner McDaniel motioned to approve Application #05-13Z, seconded by Commissioner Davis, and motion carried by 4-1 vote with Chairman Goss opposing.

- b. Application #05-13AZ: Frank S. Wilson, Sr. and Emily Howard Wilson, Georgia Wilson-Jones, Thomas D. Wilson, Jr. & William P. Wilson, Jr. as Trustee for the Estate of William P. Wilson, Sr., Owners – Georgia Highway 155 – 35.891 acres – R-2 to Village Node.

APPLICATION OF FRANK S. WILSON, SR. AND EMILY HOWARD WILSON, GEORGIA WILSON-JONES, THOMAS D. WILSON, JR. AND WILLIAM P. WILSON, JR. AS TRUSTEE FOR THE ESTATE OF WILLIAM P. WILSON, SR. FOR REZONING CERTAIN PROPERTY LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-13AZ

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 “R-2, Single Family Residential District;”

WHEREAS, Frank S. Wilson, Sr. and Emily Howard Wilson, Georgia Wilson-Jones, Thomas D. Wilson, Jr. and William P. Wilson, Jr. as Trustee for the Estate of William P. Wilson, Sr., applicants, applied for a change in zoning classification to be applied to the within described property to “VN, Village Node;”

WHEREAS, such application was filed with Spalding County, Georgia on May 26, 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 July 28, 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 and being in Land Lot 147, 2nd Land District, Spalding County, Georgia being more particularly described as follows:

To find the point of beginning commence at a point located at the Land Lot corner common to Land Lots 147, 146, 142 and 143, thence running west along the Land Lot line common the Land Lots 146 and 147 499.87 feet to an iron pin found and the TRUE POINT OF BEGINNING; thence North 00°50'37" East, 1294.88 feet to a point on the eastern right-of-way line of Fincher Road (30-foot prescriptive easement); thence running along the eastern right-of-way line of Fincher Road, 123.03 feet along the arc of a curve to the left having a radius of 211.17 feet and being scribed by a chord bearing North 12°55'31" East, 121.30 feet to a point; thence North 01°00'03" East, 1005.40 feet to a point; thence 70.60 feet along a curve to the right, having a radius of 45.00 feet and being scribed by a chord bearing North 45°56'42" East, 63.58 feet to a point on the southern right-of-way line of Fincher Road; thence running along the southern right-of-way line of Fincher Road, South 89°06'39" East, 616.29 feet to a point on the western right-of-way of Georgia State Route 155 (apparent 80-foot right-of-way); thence running along the western right-of-way line of Georgia State Route 155, 562.06 feet along the arc of a curve to the left having a radius of 18344.69 feet and being scribed by a chord bearing South 02°29'57" West, 562.04 feet to a point; thence South 01°37'17" West, 478.46 feet to a point; thence 556.54 feet along a curve to the right, having a radius of 5000.00 feet and being scribed by a chord bearing South 04°48'36" West, 556.25 feet to a point; thence South 07°59'56" West, 542.02 feet to a point; thence 396.38 feet along a curve to the right, having a radius of 3500.00 feet and being scribed by a chord bearing South 11°14'36" West, 396.16 feet to a point; thence South 14°29'15" West, 74.02 feet to an iron pin found; thence leaving the western

right-of-way line of Georgia State Route 155 and running North 73°36'33" West, 489.69 feet to an iron pin found and the true POINT OF BEGINNING.

Said tract contains 35.8911 acres (1,563,414 square feet), more or less, as shown in a survey prepared for Minerva Properties, LLC by POINT TO POINT LAND SURVEYORS, INC. dated March 29, 2005.

From "R-2, Single Family Residential District" to "VN, Village Node" 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) All front porches will be underpinned and finished in character of the home.
- b) A parking plan shall be provided.
- c) Access to sewer with sufficient capacity to serve the development shall be available.

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 September 19, 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 situate lying and being in Land Lot 147 of the 2nd Land District of Spalding County, Georgia, containing 35.891 acres on Georgia Highway 155, zoned VN, 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.

Commissioner McDaniel motioned to approve Application #05-13ZA, seconded by Commissioner Davis, and motion carried by 4-1 vote with Chairman Goss opposing.

County Manager Wilson returned to meeting.

XI. NEW BUSINESS

1. Consider approval of final plat for Rocky Creek Estates (minor subdivision) located off Boynton Road and Hillview Road.

Community Development Director Chuck Taylor explained this was a request for a minor subdivision on property that spans both Spalding and Henry counties. This 33 lot subdivision has lots fronting on Rocky Creek Road in Henry County and Spalding County, as well as lots fronting on Boynton Road and Hillview Road in Spalding County. Some lots that front on Rocky Creek Road in Henry County are proposed as flag lots with 30' road frontages, intermixed with 125' road frontage lots that would also be partially in Henry County. The configuration of the subdivision is designed to minimize the amount of site improvements that

must be made in order to put in all the lots. This meets Henry County requirements for road frontages.

Commissioner McDaniel noted this configuration was designed to get by with as little as possible and leave with as little as possible.

Commissioner Flowers-Taylor noted Spalding County would not approve a design within the County configured in this manner because it creates too much of a hazard with regard to road frontages. She said while the Board could not approve for Henry County, it contradicted the desires of this Board.

Mr. Fortune said Zoning Attorney Galloway could find nothing in Georgia law addressing this situation. However, it is generally considered that Spalding County could not impose its zoning regulations on Henry County property, and vice versa. The question is if this subdivision is about 85% in Spalding County and 15% in Henry County, does that afford Spalding County leverage to be considered the dominant zoning body. He was uncertain how the courts would rule if this was brought up for appeal.

Commissioner Davis said Spalding County could enforce its zoning code in its territory and leave Henry County to enforce theirs in their territory.

Extensive discussion followed. Mr. Fortune said with regard to taxes, it is generally returned to the county with the greatest proportion of real property. The vast majority here is in Spalding. No water is provided on Rocky Creek, and they will probably be on wells. Spalding will provide water on Boynton and Hillview Roads. Some of the contour of the road in Henry County could change since Rocky Creek is on the list for paving. The number of driveway cuts was a factor for several commissioners. The configuration was felt to be taking advantage of a loophole through its design to hold down development costs. Commissioners noted it would have been advantageous for the developer to have been present to respond to questions, and they requested Mr. Standard be present for future considerations.

Discussion followed regarding the possibility of tabling the request for final plat approval. Mr. Fortune said he had requested that Mr. Taylor retrieve a copy of the UDO so he could reference the issue, but he thought if no action is taken within a certain period of time from tonight, the petition will automatically be approved. He suggested the Board simply move to the next item and return to the matter during this meeting after Mr. Taylor returned. The Board moved to the next item on the agenda, taking no action until Mr. Taylor could return.

2. Consider approval of revised final plat for Heron Bay Pod AA-1.

This final plat reflects two minor modifications, one regarding placement of a catch basin and one where the previous intent had been to run two shared driveways that were not agreeable to prospective buyers. Heron Bay will now set the houses back in order to provide additional landscaping on the streetscape, giving each homeowner their own driveway instead of sharing. The number of lots and other factors remain the same.

Motion to approve revised final plat for Heron Bay Pod AA-1 by Commissioner Davis, seconded by Commissioner McDaniel, and motion carried by unanimous 5-0 vote.

Returning to the request for approval of final plat for Rocky Creek Estates, Mr. Fortune said if no action is taken within 45 days from tonight, based on how the ordinance reads, the final plat will automatically be approved. He felt tabling the issue would defeat the spirit of the request; the applicant wants either approval or denial. Tabling doesn't constitute action, though, and he said the Board can table until the October 3, 2005 meeting with no problem.

A motion was made by Commissioner Freeman to table until October 3, 2005 with direction to Community Development Director Chuck Taylor to work with applicant, requesting a more conventional configuration with fewer driveway cuts on all roads but in particular on Rocky Creek Road where flag lots are a factor, seconded by Commissioner McDaniel. Motion carried by a unanimous 5-0 vote.

3. Consider approval of final plat for Ingram Hills Subdivision, Phase I, located off Kilgore Road and North Pomona Road.

The plats presented tonight utilize easements to provide residential water service to the lots on North Pomona Road from Kilgore Road where the lots have existing water. This is a policy the Water Authority and the Board of Commissioners had until recently when the Board suspended that policy. Mr. Pruitt had submitted his plans before that suspension of the policy; therefore, he said these plats can be approved tonight as submitted. There have been discussions

regarding fire protection, installation of a fire hydrant on an existing county water line, and all have been addressed in a memo to commissioners previously.

Greg Pruitt responded to Commissioner McDaniel that customers would know water service from meter to their homes would be their responsibility. He was unhappy to see the Board suspend the practice of allowing easements across property for access to water. The Health Board has adopted new regulations that say if a resident is within 1000 feet of county water, they must tap on. One lot less than 3 acres in a defined subdivision negates the option for a well and mandates county water for that property. This is a tiring process and many delays were experienced, such as no quorum for one zoning meeting and another cancellation because of a holiday observance. This 15-lot subdivision should have been a simple procedure and the process is now entering its eleventh month. All homes should please the commissioners since, although the multiple zoning allows 1250 to 1750 square feet, the plans are to build all in the 1500 to 1750 square foot range. Target price will be \$160,000 to \$180,000.

Commissioner McDaniel noted he did not care for the name Mr. Pruitt chose for the subdivision.

Commissioner McDaniel motioned to approve final plat for Ingram Hills Subdivision, Phase I, seconded by Commissioner Davis, and motion carried by vote of 4-1 with Chairman Goss opposing.

4. Consider approval of final plat for Ingram Hills Subdivision, Phase II, located off North Pomona Road and Pomona Road.

Commissioner Davis motioned to approve the final plat for Ingram Hills Subdivision, Phase II, seconded by Commissioner McDaniel.

Mr. Pruitt responded to Commissioner McDaniel that the existing pond will stay a pond, which will have to be drained to run the water line and then refilled. The lake is spring fed by several springs. The 1" water line will be encased in a larger sleeve to facilitate repairs in the future without having to drain; the line can be slipped out and replaced.

Commissioner Davis amended his motion to approve the final plat for Ingram Hills Subdivision, Phase II, to include a condition that the 1" water line be encased (sleeved) in the pond area to facilitate easy access in the future, and Commissioner McDaniel seconded the amended motion. Motion carried by a 4-1 vote with Chairman Goss opposing.

5. Consider appointment to Keep Griffin/Spalding Beautiful Committee to fill the unexpired term of Louise Tipton, for a term to expire 12-31-05.

County Manager Wilson explained to some commissioners the purpose, responsibilities and funding resources of this committee.

Motion by Commissioner Davis to appoint Barbara King to the Keep Griffin/Spalding Beautiful Committee for a term to expire 12-31-05, seconded by Commissioner Freeman, and motion carried by a unanimous 5-0 vote.

6. Consider Joint Resolution with City of Griffin in support of Regional Fire Training Facility.

Mr. Wilson explained this resolution in no way commits the City or the County to any money, but rather just expresses our support for the concept of a regional fire training center. There have been and will continue to be meetings with legislators, State of Georgia, Griffin Technical College, City of Griffin, Spalding County, and the Georgia Public Safety Training Center on this project.

**A RESOLUTION
EXPRESSING SUPPORT FOR THE PROPOSED GRIFFIN-SPALDING
REGIONAL FIRE TRAINING CENTER AND FOR OTHER PURPOSES**

WHEREAS, THE Georgia Public Safety Training Center in Forsyth, Georgia has been and is essentially the sole provider of fire training in the State of Georgia and Griffin Technical College provides a degree program which leads to Firefighter Certification and wish to enter into a partnership with the City of Griffin Fire Department and Spalding County Fire Department to provide a regional training center in Griffin, Georgia; and

WHEREAS, the facility would improve firefighter training in the regional concept of training and off-site burn building training facilities are part of the GPSTC master plan to improve and facilitate training for the fire service in the state and enhance a regional training concept and fulfill a definite need as it relates to the Homeland Security readiness; and

WHEREAS, this facility would enhance the programs being offered through the Griffin Technical College Fire Service program with hands-on training. The City of Griffin would provide the land necessary to construct a state-of-the-art fire training facility that will allow access to training for 30 or more fire departments, as well as give Middle Georgia Search and Rescue a training facility; and,

WHEREAS, the facility will also enhance programs offered through Griffin Technical College Fire Service program and would be owned by the college and made available to training firefighter students in its programs, to increase the number of certified firefighters for employment in the region; and,

WHEREAS, this facility will be staffed and operated by the Griffin and Spalding County Fire Departments' Training Officers, to provide regional training to firefighters and students and collect maintenance fees to offset cost of upkeep and reduce waiting time for vital training in a thirteen county area; and,

WHEREAS, Mr. David Knight, Mr. John Yates and Mr. Ronnie Chance, the legislative representatives for Spalding County and Griffin, have all endorsed and support the concept of a regional fire training facility through this partnership.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GRIFFIN AND SPALDING COUNTY BOARD OF COMMISSIONERS, that these bodies hereby express their support for the Griffin-Spalding Regional Fire Training Center partnership to construct this much needed facility, along with Griffin Technical College and the Georgia Public Safety Center.

Adopted this nineteenth day of September 2005.

Edward Goss, Jr., Chairman (L.S.)
Spalding County Board of Commissioners

Commissioner Davis motioned to approve Joint Resolution, seconded by Commissioner McDaniel, and motion carried by unanimous 5-0 vote.

7. Consider approval of Resolution adopting the NIMS (National Incident Management System) for preparing for and responding to disaster incidents.

Mr. Wilson said our Department of Homeland Security (formerly the Emergency Management Agency) has been using the NIMS system for about 4 years, but this is a formal declaration of their desire to standardize. The federal Office of Homeland Security wants to have all forms alike for all type disasters throughout the country.

Spalding County Incident Management System (NIMS) Adoption Ordinance in Georgia

WHEREAS, Federal Homeland Security Presidential Directive (HSPD) 5 establishes the National Incident Management System (NIMS); and

WHEREAS, NIMS establishes a single, comprehensive approach to domestic incident management to ensure that all levels of government across the nation have the capability to work efficiently and effectively together using a national approach to domestic incident management; and

WHEREAS, NIMS provides a consistent nationwide approach for federal, state and local governments to work together to prepare for and respond to, and recover from domestic incidents regardless of the cause, size or complexity; and

WHEREAS, NIMS provides for interoperability and compatibility among federal, state and local capabilities and includes a core set of concepts, principles, terminology and technologies covering the Incident Command System, Unified Command, training, management of resources and reporting; and

WHEREAS, all Federal departments and agencies shall make adoption of the NIMS a requirement for providing federal preparedness assistance through grants, contracts or other activities to local governments; and

WHEREAS, the State of Georgia has enacted through law (O.C.G.A 38-3-57) that all local public safety and emergency response organizations, including emergency management agencies, law enforcement agencies, fire departments, and emergency medical services, shall implement the standardized unified incident command system and that those agencies that do not establish such system shall not be eligible for state reimbursement for any response or recovery related expenses;

Be it therefore resolved that Spalding County hereby adopts the National Incident Management System (NIMS) as established under HSPD 5 and the Unified Command System as established under O.C.G.A. 38-3-57 as its system of preparing for and responding to disaster incidents.

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

Motion by Commissioner Davis to approve Resolution adopting the National Incident Management System, seconded by Commissioner Freeman, and motion carried by a unanimous 5-0 vote.

8. Consider Mutual Aid Agreement with Pike County for 911 emergency service.

County Manager Wilson noted that Item #8 had been added at the request of County Attorney James Fortune after copies were provided to commissioners. Every 911 system in the state needs a backup system in case of a major failure at the 911 center. Spalding County's backup sister county is Butts County in case something disastrous happened and Spalding County's system was inoperable. Pike County has recently implemented a 911 system and need to designate a backup system, as well. Staff recommends approval for Spalding County to act as backup for Pike County.

Commissioner Davis motioned to approve the revised Mutual Aid Agreement with the Item #8 addendum recommended by County Attorney James Fortune, seconded by Commissioner McDaniel, and motion carried by a unanimous 5-0 vote.

9. Consider approval of Contract with City of Sunny Side to provide fire protection services for October 1, 2005 through September 30, 2006.

Motion by Commissioner McDaniel to approve Contract with City of Sunny Side for the provision of fire protection services, seconded by Commissioner Davis, and motion carried by unanimous 5-0 vote.

10. Consider approval on first reading Ordinance amending the FY 2006 Budget Ordinance to appropriate 2003 LLEBG Funds.

Mr. Wilson said these Local Law Enforcement Block Grant funds were being carried over from a previous year's grants to be used for computer equipment.

Motion by Commissioner McDaniel to approve on first reading Ordinance amending the FY 2006 Budget Ordinance to appropriate 2003 LLEBG funds, seconded by Commissioner Freeman, and motion carried by unanimous 5-0 vote.

11. Consider approval on first reading Ordinance amending the FY 2006 Budget Ordinance to add lower courts to Circuit Budget for Office of Public Defender and reimbursement from counties within the circuit.

Mr. Wilson stated that commissioners at an earlier meeting had approved a Memorandum of Agreement with the Public Defender's Office. This amendment to that MOA shows equal additional expenditures and revenues, resulting in no additional cost to the County.

Motion by Commissioner McDaniel to approve on first reading Ordinance amending the FY 2006 Budget Ordinance to add lower courts to Circuit Budget for Office of Public Defender and reimbursement from counties within the circuit, seconded by Commissioner Davis, and motion carried by unanimous vote of 5-0.

12. Consider approval of OFF System Safety Project for striping between the Georgia Department of Transportation and Spalding County.

The Department of Transportation has been asked to stripe Old Macon Road from the Griffin city limits to the Lamar County line. Since this flows through another municipality, Orchard Hill, the Department of Transportation will pay 100% of the project. There will be five City streets striped, as well (Solomon, Experiment, Poplar, Meriwether and Ninth), and the Department of Transportation grouped Old Macon Road with those city streets so there will be no cost to the city or county.

Commissioner Davis made a motion to approve the OFF System Safety Project between GDOT and Spalding County, seconded by Commissioner Freeman, and motion carried by a unanimous 5-0 vote.

13. Consider Resolution of Intent to Abandon a portion of The By-Way Road.

County Manager Wilson said the County had been approached by Mr. Dick Morrow to abandon a portion of The By-Way Road which has been unused for several years since the Department of Transportation construction of State Route 16. There are two property owners on this road, Mr. Morrow and Mr. Thomas Rodgers. Mr. Rodgers has no objection. Essentially The By-Way Road serves as a driveway to Mr. Rodgers' property. There is an aerial photograph provided in commissioners' packets to show where the old roadway was but is not grown up entirely with trees. The intent is to abandon from a point beginning 260' from Green Valley Road (about where Mr. Rodgers' driveway is positioned) all the way to the right of way at Arthur Bolton Parkway, or State Route 16. There is a formal process that must be followed and the action tonight to adopt a resolution of intent to consider abandonment will begin that process. Property owners, postmaster and school superintendent must be notified in writing and legal ads must be published once per week for two weeks, followed by a public hearing and then adopt a formal resolution abandoning a portion of the right of way. There are numerous opportunities for public input on the abandonment of a roadway. Public input is generally received when the situation occurs with a through road, but this is essentially a dead end road with only two property owners. No objections are anticipated.

Mr. Fortune said the process was designed to allow commissioners to ascertain if there was any beneficial, legitimate use of this road to the public. If the answer is no, then there is no problem with abandoning the property. Obviously, if the road were being used by the general population, there might be a legitimate interest in keeping it open, but in the matter of The By-Way Road, the trees grown up in the roadway certainly indicate that is not the case.

Mr. Wilson explained that everything on one side of the middle of the old road would revert back to Mr. Rodgers and the property from the middle of the road on the other side would revert to Mr. Morrow. By law, the property reverts to the property owners on each side of the road, meeting at the center line of the old road. The property will return to tax rolls as private property rather than a public road. Mr. Wilson thought it had already been abandoned many years ago with the construction of Arthur Bolton Parkway, but research could not produce such an action. The road width is considered ditch-to-ditch since there is no deed for it, but he felt it would be around 16 feet.

Mr. Fortune stated when there was no deed, the right of way that you acquire, you acquire by possession or by working it. So, there would be a proscriptive easement from the back of the ditch to the back of the ditch on the other side of the road because that would be the portion of roadway the County would be exercising dominion and control over with this process. Nothing has been done with this unused section of the roadway in a long, long time.

Commissioner Davis motioned to approve the Resolution of Intent to Abandon a portion of The By-Way Road, seconded by Commissioner McDaniel to approve.

Commissioner Freeman said he felt the property owner requesting should have to buy land and not have County pay to abandon a roadway that will benefit him. The County incurs costs in advertising, etc. to abandon. Mr. Wilson said the County had never charged any property owners for any County roadway abandonment. They have simply done it when asked to do so. Some discussion followed regarding the triangle that is positioned at the entrance of The By-Way Road off Green Valley Road where the roadway divided for a small section, much as the entrance at Cumberland Road does. This is property owned by Spalding County and is not part of this abandonment process at this time. It doesn't make sense for the County to retain ownership of this property.

Mr. Fortune felt this portion would have to be declared surplus and sold on the Courthouse steps since it is not actually part of the road. This can be done at the October 3, 2005 meeting.

Commissioner Freeman said he would have no problem if Mr. Morrow had been the original landowner, but he felt Mr. Morrow simply needed this portion of the road to fulfill his five acre requirement for the overlay. If this is the case, he felt he should have to buy it.

Community Development Director Chuck Taylor said Mr. Morrow could probably get a variance. Depending on how much land will be acquired through this potential abandonment, he may still need to get a variance. Acquisition of this will just make the variance be less than what it would have initially been for Mr. Morrow. Mr. Morrow owns the piece that fronts on Arthur Bolton Parkway.

Should a request from a commissioner request come in for this public road, the County would work to improve The By-Way Road; they would scrape, gravel and maintain only back of ditch to back of ditch since there is no official deeded right of way. It has probably only been scraped once or twice over the past few years and gravel doesn't seem to have been applied in a good many years. If the request is made, the County will come out and ditch it, run the sidecutters, gravel it and maintain it as a public road. Review of the aerial photograph followed. This is simply a decision to start the process. A formal resolution to abandon won't even be considered until October 17, 2005.

Chairman Goss asked if they could go forward with approval of this resolution of intent tonight and then at the October 17 meeting say they did not want to proceed with the process.

Mr. Fortune said there would need to have a finding that there was some legitimate public reason to not abandon it. There would need to be a determination that it was still being used by the public. Code states that it must have ceased to be of any ascertainable public benefit. Public use of this section of roadway is obviously not there since it has grown up with trees.

**RESOLUTION OF INTENT TO CONSIDER THE ABANDONMENT
OF AN UNUSED PORTION OF THE BY-WAY ROAD**

WHEREAS, subsection 32-7-2(b)(1) of the Official Code of Georgia Annotated provides the procedure for abandonment of a section of the county road system when, for any reason, it has ceased to be used by the public to the extent that no substantial public purpose is service by it; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia has been requested to determine whether an unused portion of The By-Way Road located in Land Lot 211 of the Second District of original Monroe, now Spalding County, beginning at a point 260 feet from its intersection with Green Valley Road, running east to the right of way of State Route 16, has ceased for any reason to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, a plat or sketch of said road, which is hereto attached, has been tendered to this Board for its use in making such determination; and

WHEREAS, the Board of Commissioners of Spalding County deems it prudent and in the best interest of the County to investigate this request and to make a determination as to whether or not such road should be abandoned;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that a copy of the within resolution, and a copy of such plat or sketch, be posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex, and further that a copy of this resolution and said plat or sketch be transmitted to the Postmaster of Griffin, Georgia for his review with the local mail carrier, and a copy hereof be transmitted to the Superintendent of Schools for his review with the person in charge of bus transportation for the students of the local school system, so that this Board my have any response from the public or from the local postmaster or from the Superintendent of the Griffin-Spalding County School System on or before October 17, 2005 that would aid and assist this Board in making, or declining to make, such determination; and

BE IT, AND IT IS, FURTHER RESOLVED that the within resolution shall become effective immediately and that all acts or resolutions, or parts thereof, in conflict herewith be, and the same are hereby repealed.

This the 19th day of September, 2005.

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

Commissioner Davis called the question. Motion carried by a vote of 3-2 with Chairman Goss and Commissioner Freeman voting in opposition.

14. Consider rescheduling Zoning Public Hearing dates in November and December due to observance of County holidays.

Motion by Commissioner McDaniel to reschedule November 24, 2005 Public Zoning Hearing on Thanksgiving Day to November 17, 2005 and the December 22, 2005 Public Zoning Hearing to December 15, 2005, seconded by Commissioner Davis. Motion was

amended to include cancellation of the December 19, 2005 Extraordinary Session, as well, with Commissioner Davis accepting amendment to his second. Motion carried by a unanimous 5-0 vote.

15. Consider establishing policy for use of Courthouse Annex meeting rooms.

Mr. Wilson said historically political parties have been allowed to use county's meeting room for their parties' conventions and rallies, but the County hasn't had requests for individual campaign receptions until now. Discussion followed and the general consensus was that governmental, religious or non-profit uses only were appropriate for weekdays during regular business hours. Political parties' conventions and rallies could be scheduled for weekends or after hours much as they have been in the past with a vacating time of not later than midnight. Such use is responsible for opening, closing and activating the alarm. Staff and the County Attorney will draft a policy for the Board's review at a later date.

16. Discuss policy for use of easements for residential water services.

Mr. Wilson said since the Board of Commissioners has had a request from one individual who is landlocked and having problems with her well for an easement off a public street for access to water service. He suggested a policy that this practice be used for private residences only and not for subdivisions and the State policy applies which states the easement can only run through one lot to the requesting landowner. This request came only two or three weeks after the Board of Commissioners suspended the practice which was unusual because these requests are few. The Board can implement the policy for residential lots of record as of tonight, if it so desires. The policy of not running water through more than one lot is simply to avoid situations where people claim to have no knowledge of these easements and they dig or bulldoze over lines. They should be knowledgeable of a dedicated easement on their property, but it doesn't always work in that manner. Some have even requested the County move water taps down existing roads, and the County has not done that but rather put the water taps where the main line is and fed lines from there.

Commissioner McDaniel noted that running water on an easement would have some impact on the private drive ordinance being contemplated, particularly with regard to fire hydrants.

Mr. Greg Pruitt spoke in favor of allowing the practice to continue that had been in place for years which permitted crossing one lot with an easement to serve another. With regard to private drives, if there is water at the end of the private drive then individual property owners would have their own water lines (not County lines since they cannot be public water). This practice will impact the private driveway ordinance.

After extensive discussion, County Attorney Fortune suggested that Staff research the policy and come back with recommendations to the Board at a later date.

XII. REPORT OF COUNTY MANAGER

- The Sheriff's Department wants the County to develop a policy regulating companies that move houses on County thoroughfares. More will be presented on this at a later date.
- Parks and Recreation would like to utilize Internet applications for registering for programs that don't require fees. Such use was deemed appropriate.
- The City of Griffin will launch a wellness program and they would like the County to participate, as well. State Department of Human Resources would like to do a project with local governments. The City has approved the program and more will be brought in October for the Board's consideration.
- A request has been received from Alan Mobley to purchase property that the County bought in a tax sale in 1990. On this 18.88 acre tract, Mr. Fortune noted the County would not guarantee title but would provide a quit-claim deed. Commissioners expressed an interest and instructed Mr. Wilson to proceed with getting an appraisal so that a deposit equal to that appraised amount could be requested before actually beginning the process. Mr. Mobley has requested to purchase this property because it is adjacent to property he owns that is up for rezoning. Once the deposit is received and the property is declared surplus, it will go to highest bidder on the courthouse steps with a minimum bid imposed. The County cannot use this landlocked property but Mr. Wilson said he needed approval to go ahead with the process. Board members approved.
- A copy of the work release cost analysis for moving inmates to the old C.I. has been placed in commissioners' boxes for review.
- Hurricane Katrina relief – The old Griffin Ace Hardware location closed last week. Several departments assisted there and GSARs (Georgia Search and Rescue) are currently working with hurricane relief efforts. Mr. Wilson said he had offered services and equipment, coordinated

through members of the Fire Department and ACCG, should the need arise. When cooperative efforts are better organized, help will be provided.

- Zoning Attorney Newton Galloway wants a Closed Meeting before the upcoming Zoning Public Hearing on September 22, 2005 at 5 p.m. Board members approved.
- Airport Road walking track was closed over the weekend but should reopen on Wednesday of this week with the new rubberized coating.
- The Griffin-Spalding School System, with the Kennedy Road Middle School opening, requires cutting a portion of Kennedy Road down to build accel/decel lanes then rebuilding the road. The process will begin Wednesday, September 21 and complete in about two weeks. Five houses on this portion of the road would be affected by the partial road closing that will be necessary.

XIII. REPORT OF COMMISSIONERS

Freeman – No comments.

Flowers-Taylor – Commissioner Flowers-Taylor is concerned about communications capability during catastrophic outages such as Hurricane Katrina recently. Motorola has addressed concerns about the communications system's practical use during a massive outage such as a hurricane. She was concerned after hearing some of the horror stories about the inability of areas to communicate.

Commissioner Flowers-Taylor also wanted clarification on the guidance provided to Brian Upson at the Joint Workshop the Board of Commissioners had with the Water Authority Members. She felt they no indication was given that the plan wanted sewer addressed from existing areas of density such as northern Spalding.

Additionally, one of utilities (possibly a gas company) continues to dig holes on Bourbon Street and doesn't return to fill the holes. Even with patching, however, the holes return after about a week.

Davis – No comments.

Goss – A & B Junkyard needs to have Staff go forward with trying to improve the area for residents. Complaints are numerous and the situation has actually worsened since initial complaints.

McDaniel – Commissioner McDaniel noted the serious problems with geese at Wyomia Tyus Park. He detailed reports of trashiness and assaults by geese to citizens using the walking trails. The droppings are very messy and unsanitary. Feathers also go into drains and equipment, and oils are challenging the lake's ecosystem. Nesting and grazing habits of the geese are rapidly introducing weeds into the expensive sod. Many patrons of the park feed them. Signs have been erected requesting that residents not feed the geese. At the October 3, 2005, there will be a wildlife biologist from the Department of Natural Resources to address Board. Recommendations for eradicating the geese run the gamut, from dogs, to disturbing their nests, to spraying grape juice, and even to actually killing the geese.

XIV. ADJOURNMENT

A motion to adjourn was made by Commissioner Davis, seconded by Commissioner McDaniel, and carried by a unanimous 5-0 vote at 8:47 p.m.

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