



Board of Commissioners

ZONING PUBLIC HEARING

The Board of Commissioners of Spalding County, Georgia, held their Zoning Public Hearing on Thursday, November 17, 2005 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Chairman Edward Goss presiding and Commissioners Cecil Davis, Johnie McDaniel, Gwen Flowers-Taylor and Eddie Freeman present. Also present were County Manager William Wilson, Community Development Director Chuck Taylor, Senior Planner Chad Jacobs and Executive Secretary Teresa Watson.

A. Call to order.

B. New Business:

- 1. Application #05-36S:** Cyrus E. Odom, Owner – Kilgore Road (5.92 acres located in Land Lots 103 and 112 of the 3rd Land District) – requesting a Special Exception to allow a Church in the AR-1 District.

Chuck Taylor said the applicant is requesting a special exception for the erection of a church within an AR-1 zone. Per the applicant, the church will be approximately 3156 square feet and shall be placed approximately 700 feet off Kilgore Road. Staff recommends conditional approval with the following stipulations:

1. Any expansion of the structure, any additional structures or the expansion of the use will require another special exception to be approved by the County.
2. The driveway should be paved to County require specifications from the edge of existing pavement on Kilgore Road to the right of way line.

Mr. Taylor noted that the Board of Appeals also recommended approval with the same conditions as noted above.

Cyrus Odom, 1020 Kilgore Road, Griffin, Georgia 30223

Mr. Odom said they had met all the necessary requirements for erection of the church, including architect's blueprints and plans, as well as landscaping. They would like to receive the permit and if they needed to do anything more, he said they would be happy to comply. The church is currently meeting at his home.

Commissioner Davis made a motion to approve Application #05-36S with stated conditions:

- 1. Any expansion of the structure, any additional structures or the expansion of the use will require another special exception to be approved by the County.*
- 2. The driveway should be paved to County require specifications from the edge of existing pavement on Kilgore Road to the right of way line.*

Commissioner Flowers-Taylor seconded the motion which carried by a unanimous 5-0 vote.

- 2. Application #05-16Z: Lift from the table** – Markland Management, LLC, Owner – C. Mark McCullough, Agent – 1495 Macon Road (0.93 acre, more or less, located in Land Lot 204 of the 2nd Land District) – requesting a rezoning from C-2, Manufacturing, to R-6, Planned Residential Community District.

Commissioner McDaniel made a motion to lift Applications #05-16Z, #05-16AZ, and #05-BZ, seconded by Commissioner Davis and approved unanimously at 5-0.

Chuck Taylor said the applicant is requesting approval from Spalding County to allow the rezoning of 15.17 acres from AR-1 Agricultural/Residential and C-2 Manufacturing to R-6 Planned Residential Community to allow for the development of a 96-unit town home project (now at 60 homes after revisions).

At the August Board of Commissioners meeting, this item was tabled in order for the applicant to seek design alternatives. During that time, Mr. McCullough met with the Ordinance Review Committee to discuss potential changes to the design of this project, as well as potential changes to the R-6 zoning district requirements. At the October Board of Commissioners meeting, this item was tabled to allow review of the proposed changes to the plan by Staff. Staff met with the applicant following that meeting and a revised staff report resulted from that meeting. The conditions of the rezoning were also amended and are as follows:

1. That a plan for the amenity area be submitted to staff for review and approval per Section 1104A:Y.
2. An acceleration/deceleration lane shall be provided for sight distance and traffic issues.
3. Provide a streetscape plan with decorative e streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals are to be hardwood species with minimum 2 inch caliper.
4. Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing tree cover as much as possible and show proposed landscaping for the common area and boulevard entrance. A 25' undisturbed natural buffer shall be established around the perimeter of the property. Tree save area shall be shown for the central common area and the surrounding 25' buffer areas. Areas where the buffer does not have sufficient vegetation to meet Section 407, additional vegetation shall be planted.
5. The architectural style of the development will be a craftsman style. Each unit shall be unique which shall be achieved with the use of a mixture of architectural details and building materials. Elevations of each building shall be submitted for approval by staff prior to construction.
6. Exterior materials shall be masonry based with vinyl products allowed only as decorative accents on fascia and soffit treatments.
7. Walking trails shall be included per a design submitted by staff.
8. Only four units per building shall be allowed.
9. Any design matters that cannot be resolved between staff and the applicant shall be presented before the Board of Commissioners for resolution.

Mr. Taylor said the Planning Commission recommended denial of the request, but noted it was not in the same form as presently being proposed after numerous revisions.

Mark McCullough, 800 Springer Drive, Griffin, Georgia

His presentation was the same as previously done three weeks ago, and he offered to answer questions. The price point would be in the \$140s and \$150s, basically the same price point as the homes on Wilson Road. There would be a natural buffer to minimize the impact to the adjacent homes. The greenspace area in the middle is presently wooded and will be partially cleared (primarily underbrush), but some of the larger hardwoods will be kept. This greenspace is just over an acre in size. The natural buffer area is heavily wooded and will be left undisturbed. When there is not sufficient trees for a buffer, Mr. McCullough will plant as required in the landscape plan. The Craftsman's style refers primarily to the type of columns in the architectural design. This design, originally seen in the 1900s to the 1930s, is characterized by steep roof pitches, a combination of building materials such as shakes and shingles as well as fieldstone, fat columns that are fluted, shed dormers, and inset gables. Many of the Craftsman style homes were actually sold out of the Sears and Roebuck catalog. Garages will be set back to further distinguish the 60 homes in the complex. Varied building materials and differing setbacks should combine for individuality. Much research has confirmed the high demand for this type development for active adults. The age of the homeowner would not be restricted but rather the type amenities and design are structured to cater to that target market. An active adult market also lessened the impact to traffic and school capacities. Mr. McCullough said he wanted to include in his amenity package: a clubhouse with 1200 square feet heated and wraparound porches and a greenspace area that would meet with the approval of Staff rather than an amenity package that would

attract younger families with small children such as a pool and playground. The community garden area planned could incorporate bacci ball or exercises lawns. All structures will be handicap accessible. The one-level units total 1430 square feet and are available in one- or two-bedroom styles.

Ross Beasley, 750 Wilson Road, Griffin, Georgia

As a community, residents still find it hard to fathom that 60 units would be positioned on a tract around 11 acres with greenspace, buffer and walking areas. Density will still be a problem, and the residents would prefer not to see R-6 as they feel it would open the door for other undesirable options. Single family homes would be acceptable. Most of the homes are in the 1500 square foot range. The average price point for the area is in the \$130s. It was difficult to imagine the price point of a condo with less square footage being in the same price range.

Commissioner McDaniel made a motion to approve Application #05-16Z with conditions recommended by Staff as follows, and to include a maximum of 60 residential units at 1430 minimum heated square feet per dwelling unit, seconded by Commissioner Davis. The motion carried by a vote of 4-1 with Chairman Goss opposing.

- 1. That a plan for the amenity area be submitted to staff for review and approval per Section 1104A:Y.*
 - 2. An acceleration/deceleration lane shall be provided for sight distance and traffic issues.*
 - 3. Provide a streetscape plan with decorative e streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals are to be hardwood species with minimum 2 inch caliper.*
 - 4. Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing tree cover as much as possible and show proposed landscaping for the common area and boulevard entrance. A 25' undisturbed natural buffer shall be established around the perimeter of the property. Tree save area shall be shown for the central common area and the surrounding 25' buffer areas. Areas where the buffer does not have sufficient vegetation to meet Section 407, additional vegetation shall be planted.*
 - 5. The architectural style of the development will be a craftsman style. Each unit shall be unique which shall be achieved with the use of a mixture of architectural details and building materials. Elevations of each building shall be submitted for approval by staff prior to construction.*
 - 6. Exterior materials shall be masonry based with vinyl products allowed only as decorative accents on fascia and soffit treatments.*
 - 7. Walking trails shall be included per a design submitted by staff.*
 - 8. Only four units per building shall be allowed.*
 - 9. Any design matters that cannot be resolved between staff and the applicant shall be presented before the Board of Commissioners for resolution.*
- 3. Application #05-16AZ: Lift from the table** – Markland Management, LLC, Owner – C. Mark McCullough, Agent – Macon Road (2.18 acres, more or less, located in Land Lot 204 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-6, Planned Residential Community District.

Commissioner McDaniel made a motion to approve Application #05-16AZ with conditions recommended by Staff as follows, and to include a maximum of 60 residential units at 1430 minimum heated square feet per dwelling unit, seconded by Commissioner Davis. The motion carried by a vote of 4-1 with Chairman Goss opposing.

- 1. That a plan for the amenity area be submitted to staff for review and approval per Section 1104A:Y.*
- 2. An acceleration/deceleration lane shall be provided for sight distance and traffic issues.*
- 3. Provide a streetscape plan with decorative e streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals are to be hardwood species with minimum 2 inch caliper.*

4. *Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing tree cover as much as possible and show proposed landscaping for the common area and boulevard entrance. A 25' undisturbed natural buffer shall be established around the perimeter of the property. Tree save area shall be shown for the central common area and the surrounding 25' buffer areas. Areas where the buffer does not have sufficient vegetation to meet Section 407, additional vegetation shall be planted.*
5. *The architectural style of the development will be a craftsman style. Each unit shall be unique which shall be achieved with the use of a mixture of architectural details and building materials. Elevations of each building shall be submitted for approval by staff prior to construction.*
6. *Exterior materials shall be masonry based with vinyl products allowed only as decorative accents on fascia and soffit treatments.*
7. *Walking trails shall be included per a design submitted by staff.*
8. *Only four units per building shall be allowed.*
9. *Any design matters that cannot be resolved between staff and the applicant shall be presented before the Board of Commissioners for resolution.*

4. **Application #05-16BZ: Lift from the table** – Markland Management, LLC, Owner – C. Mark McCullough, Agent – Macon Road (12.99 acres, more or less, located in Land Lot 204 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-6, Planned Residential Community District.

Commissioner McDaniel made a motion to approve Application #05-16BZ with conditions recommended by Staff as follows, and to include a maximum of 60 residential units at 1430 minimum heated square feet per dwelling unit, seconded by Commissioner Davis. The motion carried by a vote of 4-1 with Chairman Goss opposing.

1. *That a plan for the amenity area be submitted to staff for review and approval per Section 1104A:Y.*
2. *An acceleration/deceleration lane shall be provided for sight distance and traffic issues.*
3. *Provide a streetscape plan with decorative e streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals are to be hardwood species with minimum 2 inch caliper.*
4. *Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing tree cover as much as possible and show proposed landscaping for the common area and boulevard entrance. A 25' undisturbed natural buffer shall be established around the perimeter of the property. Tree save area shall be shown for the central common area and the surrounding 25' buffer areas. Areas where the buffer does not have sufficient vegetation to meet Section 407, additional vegetation shall be planted.*
5. *The architectural style of the development will be a craftsman style. Each unit shall be unique which shall be achieved with the use of a mixture of architectural details and building materials. Elevations of each building shall be submitted for approval by staff prior to construction.*
6. *Exterior materials shall be masonry based with vinyl products allowed only as decorative accents on fascia and soffit treatments.*
7. *Walking trails shall be included per a design submitted by staff.*
8. *Only four units per building shall be allowed.*
9. *Any design matters that cannot be resolved between staff and the applicant shall be presented before the Board of Commissioners for resolution.*

5. **Application #05-18Z: Lift from the table** – Mandalay Properties, Inc., Owner – 1029 High Falls Road (44.13 acres located in Land Lot(s) 207 & 208 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential and R-2, Single Family Residential to C-1B, Heavy Commercial.

Commissioner McDaniel made a motion to lift Application #05-18Z from the table, seconded by Commissioner Freeman, and motion carried by a unanimous 5-0 vote.

Chuck Taylor said the applicant has requested approval from Spalding County to rezone the subject property from ARJ-1 Agricultural/Residential and R-2, Single Family Residential to C-1B, Heavy Commercial to allow the subdivision of five commercial lots. The applicant proposes to construct one 50' x 100' metal building on one of the lots for his development business. Per the applicant, the remaining four lots do not have a specific site plan at this time. C-1B zoning is necessary in order to allow neat and orderly outdoor storage.

In review of the criteria for rezoning property in Spalding County staff has found that the request is consistent with the Future Land Use Map and the associated Comprehensive Plan and the impact of this property being rezoned would not threaten the safety and general welfare of the public. The Board of Commissioners tabled this item in order for the developer to meet with neighborhood representatives to discuss use limitations. Staff has heard from neither party since the tabling, and the applicant was not present tonight.

Staff recommends conditional approval of the request as follows:

1. Outdoor storage shall be limited to the side and rear of property.
2. Outdoor storage shall be neat and orderly.
3. Any trees/vegetation that has been disturbed in the buffers as a result of the timbering shall be replanted per Section 407 of the UDO.
4. The area in lot 3 between the power line easement and the 25' buffer shall remain undisturbed.
5. The site will limit all lighting so any neighboring residential properties or rights of way will not be affected from glare.
6. Outdoor amplification or loud systems shall not be used.
7. An acceleration/deceleration lane shall be provided.
8. Due to the close proximity to Dundee Mill, a Phase II Environmental Study shall be performed prior to construction drawings.

Planning Commission recommends denial of the request.

Catherine Stewart, 243 Lang Street, Griffin, Georgia

Ms. Stewart was concerned about the unknown facets of the project. Nothing has been forthcoming from the applicant to provide concrete information as to use of the property.

Peggy Ridgeway, 1059 High Falls Road, Griffin, Georgia

Mr. Grant, the applicant, has not taken care of the property responsibly since acquiring the tract. He promised to contact residents after the last meeting, but no one has heard from him regarding this project. She would have no problem with quality housing, but she and others objected to heavy equipment industrial uses. Mrs. Ridgeway did not feel Mr. Grant would abide by noise and hours of operation restrictions the Board might place.

Mike Ford, 495 Lang Street, Griffin, Georgia

Mr. Ford echoed the sentiments of Mrs. Ridgeway. He referenced an aerial map of the property and pointed out the proximity of the property in question to his tract. He would prefer to see the property remain agricultural but certainly nothing more than residential.

Jan Ford, 495 Lang Street, Griffin, Georgia

The trees that were to have been left as a buffer between Mandalay Properties and her residence have been cleared. Mr. Grant has left much debris and she urged commissioners to deny his request.

Harold Hayes, 132 Evans Road, Milner, Georgia

He owns two of the homes on High Falls Road and his mother owns a home on High Falls Road that adjoins the property in question. He stated the quiet neighborhood was not dead; they just preferred to remain quiet. Mr. Hayes did not feel such an industrial property would revitalize the area at all, and he urged denial of the application.

Commissioner Flowers-Taylor said she asked for this to be tabled at the last meeting because she felt there could possibly be a meeting of the minds, but it appears the developer had no interest in resolving the issues at hand.

Commissioner Flowers-Taylor made a motion to deny Application #05-18Z, seconded by Commissioner McDaniel, and the motion carried by a unanimous 5-0 vote.

6. **Amendment to UDO #A-05-17: Lift from the table** – Article 5. AR-1 Agricultural and Residential – Section 503:A(1), Article 6. AR-2 Rural Reserve – Section 603:A(1), Article 7. R-1 Single Family Residential Low Density – Section 703:A(1), Article 7A. R-1A Single Family Residential – Section 703A:A(1), Article 8. R-2 Single Family Residential – Section 803:A(1), Article 8A. R-2A Single Family and Two Family Residential; Article 10. R-4 Single Family Residential – Section 1003:A(1), and Article 11. R-5 Single Family Residential – Section 1103:A(1) – add provision for minimum size of first floor of any single family dwelling.

Amendment to UDO #A-05-17 was left on the table and will be continued in December.

7. **Amendment to UDO #A-05-25:** General Procedures – Section 414:L – amend Amendments.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-25, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

C. Other Business:

1. Consider approval of final plat for Fair Oaks Subdivision Phase I located off Sidney Drive.

The final plat for Fair Oaks Subdivision Phase I meets the requirements of the ordinance and Staff recommends approval, stated Chuck Taylor.

Commissioner Freeman made a motion to approve the final plat of Fair Oaks Subdivision Phase I located off Sidney Drive, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

2. Consider acceptance of right-of-way (ROW) deed for Oak Ridge Drive located in Fair Oaks Subdivision Phase I off Sidney Drive.

Chuck Taylor said the road had been inspected and met all county requirements, and Staff recommends acceptance of the deed.

Commissioner Freeman made a motion to accept the right of way deed for Oak Ridge Drive located in Fair Oaks Subdivision Phase I off Sidney Drive, seconded by Commissioner Davis and motion carried by a unanimous 5-0 vote.

3. Consider approval of final plat for Parliament Place Subdivision located of Highway 155.

Chuck Taylor said the plat has been reviewed and Staff recommends conditional approval pending receipt of the two bonds for maintenance of the roads for two years and a two-year performance bond that covers paving of the road. The bonds were overnighted but have not yet been received. The paving performance bond is for \$24,200 and the other approximately \$75,000. One of the ponds has been changed from a detention pond to a retention pond. There were some modifications made to the pond and the as-builts reflect the pond is not on the property of the adjacent landowner, as has been discussed.

Jzonn Cureton, Next Generation Property, Inc. 6958 Main Street, Suite A, Lithonia, GA He took pictures prior to development and the pipes underneath the adjacent property owner's road have been clogged for some time. They have made repairs to Ms. Davis' satisfaction, though.

Andre Douglas, Next Generation Property, Inc. 6958 Main Street, Suite A, Lithonia, GA The front detention pond had an error with the survey. The head wall was on Ms. Davis' property about 5' and it was a matter of moving the head wall or asking for an easement, so they decided to move the head wall back. They hired a person to dig out all four pipes at her driveway. Basically drainage around the detention pond is due to a natural flow. They have repaired everything for Ms. Davis, and she signed off on the repairs.

Commissioner McDaniel made a motion to approve the final plat for Parliament Place Subdivision located of Highway 155 with the stated condition that bonds must be

received, seconded by Commissioner Davis, and the motion carried by a 3-2 vote, with Chairman Goss and Commissioner Freeman voting in opposition.

4. Consider acceptance of right-of-way (ROW) deed for Queens Bridge Way located in Parliament Place Subdivision of Highway 155.

Commissioner McDaniel made a motion to approve the right of way deed for Queens Bridge Way located in Parliament Place Subdivision located of Highway 155 with the stated condition that bonds must be received, seconded by Commissioner Davis, and the motion carried by a 3-2 vote, with Chairman Goss and Commissioner Freeman voting in opposition.

D. Adjournment.

Commissioner McDaniel made a motion to adjourn, seconded by Commissioner Freeman, and approved by a unanimous 5-0 vote at 7:29 p.m.

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