

# After Agenda

**Board of Commissioners of Spalding County  
Zoning Public Hearing  
Thursday, October 23, 2014  
6:00 PM  
Meeting Room 108, Courthouse Annex**

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 of the Courthouse Annex, Thursday, October 23, 2014, beginning at 6:00 p.m. with Vice Chairman Raymond Ray presiding. Commissioners Rita Johnson and Bart Miller were present. Chairman Samuel Gardner and Commissioner Gwen Flowers-Taylor were absent. Also present were County Manager, William P. Wilson, Jr., Zoning Attorney Newton Galloway, Director of Community Development, Chad Jacobs, and Kathy Gibson, Executive Secretary to record the minutes.

- I. **OPENING (CALL TO ORDER)** – Vice Chairman Raymond Ray
- II. **CITIZEN COMMENT**

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

- III. **NEW BUSINESS:**

- 1. Consider request to lift from the table the following: Application #FLA-14-02, Application #14-02Z, Application #14-02AZ and Application #14-02BZ, items that were tabled at the Zoning Public Hearing on September 25, 2014.

***Motion by Johnson/Miller to lift from the table the following: Application #FLA-14-02, Application #14-02Z, Application #14-02AZ and Application #14-02BZ, items that were tabled at the Zoning Public Hearing on September 25, 2014. Motion carried unanimously by all.***

Newton Galloway, Zoning Attorney, asked if the board would enter a motion to consider all of the applications at the same time and then vote on the items individually.

***Motion/Second by Johnson/Miller to consolidate the applications for discussion purposes. Vote carried unanimously by all.***

#### IV. OTHER BUSINESS:

1. Consider Application #FLA-14-02 that was tabled at the Zoning Public hearing on September 25, 2014 for Cecil O. and Dorothy S. McAdams have requested a future land use map change from Low Density Residential and Open Space Network to Agriculture for the following: 1649 Carver Road (3.03 acres), 1663 Carver Road (2.06 acres) and 1725 Carver Road (86.532 acres) located in Land Lot 86 of the 2<sup>nd</sup> Land District.

Chad Jacobs, Director of Community, stated that there is a future land use map amendment requesting to go from low density residential and open space network to agricultural which coincides with three applications for rezoning. One is a large 86 acre tract and the other two are a two acre tract and a three acre tract and the request is to go from a R1 designation to an AR1 designation. The reason for this designation is to be able to have horses on the property.

Mr. Jacobs stated that the staff is recommending denial on all of the applications and at their regularly scheduled hearing the Planning Commission recommended denial on the future land use amendment which made the rezoning's moot at that point in time.

**Tommy Addis, 1833 Carver Road, Griffin, GA** stated that Ms. McAdams has 90 acres and she would like to go for the rezoning so that if at some point in the future she wants to have cows on the property, she will not have to come back before the board in order to put other livestock on the property. He advised that it is Ms. McAdams intention to combine the three parcels into one.

**Dot McAdams, 1663 Carver Road, Griffin, GA** stated that she would appreciate the zoning of AR1 and her property abuts 102 acres that is currently zoned AR1. She stated that it is her hope to have all of the parcels combined and Mr. Jacobs has stated that he will assist her in this process.

Mr. Jacobs stated that the amendment to allow horses in residential zonings has been approved that will allow one horse for every three acres of land. He further stated at this point in time there is no need for any change as Ms. McAdams can have her horse under the amendment to her current zoning.

Vice Chairman Ray asked Mr. Jacobs to review the action taken on Mr. Addis' property.

Mr. Jacobs stated that the board amended the land use plan from low density residential and open space network to agricultural. He further stated that the three tracts that he brought before the board were rezoned from residential to AR1 with the stipulation that there would be no commercial chicken houses on the property.

Mr. Jacobs stated that staff is recommending denial; however should this zoning request follow the same route as the previous request, it will be a significant policy shift for this area. The future land use map is based on projections for land usage over a 20 year period of time and reflect where we felt growth would be occurring. Based on those projections, services for the area such as fire, police and schools were developed. Currently, there is an elementary and middle school in the center of this area.

Commissioner Miller stated that he property under consideration this evening adjoins the piece of property that we rezoned for Mr. Addis and he has a problem denying her the same zoning when the property abuts the property we just changed to AR1.

Mr. Jacobs advised that this is a policy decision that the board will have to make. The staff has expressed their concerns over the decision and made our recommendation.

***Motion/Second by Ray/Johnson to approve the Application #FLA-14-02 that was tabled at the Zoning Public hearing on September 25, 2014 for Cecil O. and Dorothy S. McAdams have requested a future land use map change from Low Density Residential and Open Space Network to Agriculture for the following: 1649 Carver Road (3.03 acres), 1663 Carver Road (2.06 acres) and 1725 Carver Road (86.532 acres) located in Land Lot 86 of the 2<sup>nd</sup> Land District. Motion carried unanimously by all.***

2. Consider Application #14-02Z that was tabled at the Zoning Public Hearing on September 25, 2014 for Cecil O. and Dot S. McAdams, Owners – 1649 Carver Road (3.03 acres located in Land Lot 86 of the 2nd Land District) - requesting a rezoning from R-1, Single Family Residential Low Density, to AR-1, Agricultural and Residential.

***Motion/Second by Ray/Johnson to approve Application #14-02Z that was tabled at the Zoning Public Hearing on September 25, 2014 for Cecil O. and Dot S. McAdams, Owners – 1649 Carver Road (3.03 acres located in Land Lot 86 of the 2nd Land District) - requesting a rezoning from R-1, Single Family Residential Low Density, to AR-1, Agricultural and Residential with the restriction of no commercial chicken houses. Motion carried unanimously by all.***

3. Consider Application #14-02AZ that was tabled at the Zoning Public Hearing on September 25, 2014 for Dorothy S. McAdams, Trustee of the Dorothy S. McAdams Revocable Trust, Owner – 1663 Carver Road (2.06 acres located in Land Lot 86 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-1, Single

Family Residential Low Density, to AR-1, Agricultural and Residential.

***Motion/Second by Ray/Miller to approve Application #14-02AZ that was tabled at the Zoning Public Hearing on September 25, 2014 for Dorothy S. McAdams, Trustee of the Dorothy S. McAdams Revocable Trust, Owner – 1663 Carver Road (2.06 acres located in Land Lot 86 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-1, Single Family Residential Low Density, to AR-1, Agricultural and Residential with the restriction of no commercial chicken houses. Motion carried unanimously by all.***

4. Consider Application #14-02BZ that was tabled at the September 25, 2014 Public Zoning Hearing for Dorothy S. McAdams, Trustee of the Dorothy S. McAdams Revocable Trust, Owner – 1725 Carver Road (86.532 acres located in Land Lot 86 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-1, Single Family Residential, to AR-1, Agricultural and Residential.

***Motion/Second by Ray/Miller to approve Application #14-02BZ that was tabled at the September 25, 2014 Public Zoning Hearing for Dorothy S. McAdams, Trustee of the Dorothy S. McAdams Revocable Trust, Owner – 1725 Carver Road (86.532 acres located in Land Lot 86 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-1, Single Family Residential, to AR-1, Agricultural and Residential with the restriction of no commercial chicken houses. Motion carried unanimously by all.***

Mr. Wilson advised that at the meeting on Monday night Commissioner Flowers-Taylor had requested information on what needs to be done in order to have a review on the future land use map and overlay districts. Mr. Wilson stated that at that time he asked that the question wait until Mr. Galloway was present.

Mr. Jacobs stated that Commissioner Flowers-Taylor had expressed her concern over a couple of different items: one being the C-2 zoning on Hill Street starting at the city limits and going up to East McIntosh. In that area there are a number of C-2 zonings that don't really make a lot of sense. Mr. Jacobs agreed that it is something that we definitely need to look at and the other matter would be in regard to the area we addressed this evening. These zoning changes represent a definite policy shift by the board and would suggest a workshop with public input be considered at some future date.

Mr. Galloway agreed that the North Hill Street zoning to of C-2 should have never been zoned as C-2. He stated that these zonings were done in the 1960's in the hope that another mill would be constructed in the area. He also agreed that this zoning does need to be addressed; however, it is not something that we can do now. The bulk of that area has always been used primarily as residential property and it was zoned speculatively for a mill. He stated that the property does need to be rezoned but to do it piece by piece would be expensive and time consuming.

Mr. Galloway then stated that we have historically followed the policy that it is better to have property rezoned as it is being used.

Chairman Ray stated that he believes Commissioner Flowers-Taylor was concerned with the overall map and looking at where we stand today versus what was anticipated at the time it was adopted. Commissioner Ray asked that staff review and evaluate North Hills Street and Carver Road areas and he requested that Mr. Jacobs report back to the board his recommendations and that we need to advise Commissioner Flowers-Taylor of what was discuss this evening.

#### **IV. ADJOURNMENT**

***Motion/Second by Miller/Johnson to adjourn. Motion carried unanimously by all. Meeting adjourned at 7:26 p.m.***