

**After
Agenda**

**Board of Commissioners of Spalding County
Zoning Public Hearing
May 28, 2015
6:00 P.M.
Room 108, Courthouse Annex**

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 of the Courthouse Annex, Thursday, May 28, 2015, beginning at 6:00 p.m. with Chairman Rita Johnson presiding. Commissioners Bart Miller, Raymond Ray and Donald F. Hawbaker were present. Commissioners Gwen Flowers-Taylor absent. Also present were County Manager, William Wilson, Community Development Director, Chad Jacobs, County Zoning Attorney, Newton Galloway and Kathy Gibson, Executive Secretary to record the minutes.

A. Call to Order led by Chairman Rita Johnson.

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.

B. New Business:

1. Application #15-02S: Lift from the table - Victory Praise Cathedral, Inc., Owner - 801 Teamon Road (14 acres located in Land Lot 150 & 151 of the 3rd Land District) - requesting a Special Exception to allow a church, synagogue, chapel, or other place of worship including educational building, parsonage, church-related nursery or kindergarten and other related uses in the AR-1 District.

Motion/Second by Hawbaker/Ray to lift from the table Application #15-02S Victory Praise Cathedral, Inc., Owner - 801 Teamon Road (14 acres located in Land Lot 150 & 151 of the 3rd Land District) - requesting a Special Exception to allow a church, synagogue, chapel, or other place of worship including educational building, parsonage, church-related nursery or kindergarten and other related uses in the AR-1 District. Motion carried unanimously by all.

Chad Jacobs, Community Development Director advised that Victory Praise Cathedral, Inc. has submitted a Special Exception request for a church to be located at 801 Teamon Road. This property is an odd shaped parcel; however, it does meet all of the minimum requirements in the Special Exception Guidelines for a church or a place of worship.

Staff recommends conditional approval of this application since the parcel does meet the requirements of Section 503.1.b. The usage will not be detrimental to the neighborhood or to the development of surrounding properties. Staff does recommend the following conditions:

- a) Site lighting shall be designed as not to glare into adjacent residential areas or public right-of-way.
- b) An acceleration/deceleration lane shall be provided at the church entrance.
- c) Any addition or expansion of the use, not in compliance with the submitted master plan shall require an additional special exception.

Mr. Jacobs advised that these are typically the conditions placed on places of worship. He also stated that at the Board of Zoning Appeals regular meeting in April, they also recommended by a vote of 5-0 a conditional approval of the conditional request; however, there was one slight change with respect to item (b) the acceleration/deceleration lane to be a requirement at the time the church expands to include any of the additional buildings shown on the master plan and that it not be a requirement for construction of the Sanctuary.

Commissioner Johnson inquired as to how construction would be planned for the area.

Mr. Jacobs advised that Phase I of the construction would be the Sanctuary and the other buildings on the Master Plan would be in later phases of development once the church is established and growing. The layout of the buildings are unusual due to the shape of the property.

Joey Scanlon, 216 E. Solomon Street, Griffin, GA, is the Engineer hired by Victory Praise Cathedral, Inc., for this project. He advised that he signed up to speak in case there were any questions from Mr. Jacobs' presentation. He asked that Board keep in mind that the drawing presented is the overall master plan for the property. The initial plan for the property is construction of the Sanctuary that is depicted on the front of the property, the additional buildings are growth that they would like to see in the future. He stated that there are no current plans to build the additional structures in the back, they included them in the master plan so that one special exception for the property would cover the entire proposed plan for the property. Mr. Scanlon advised that this church currently has about 50 members, so there would be 50 to 100 people initially attending services typically on a Sunday.

Rev. Joey Johnson, 100 Victoria Drive, Fayetteville, Georgia stated that he is the Pastor at Victory Praise Cathedral, Inc. He advised that the church is hoping to get the footprint of the plan approved prior to moving forward with the plan for the actual building. He further stated that once the footprint is approved they look to start construction within a year.

Motion/Second by Hawbaker/Ray to approve Application #15-02S: Victory Praise Cathedral, Inc., Owner - 801 Teamon Road (14 acres located in Land Lot 150 & 151 of the 3rd Land District) - requesting a Special Exception to allow a church, synagogue, chapel, or other place of worship including educational building, parsonage, church-related nursery or kindergarten and other related uses in the AR-1 District with the following conditions:

- a) Site lighting shall be designed as not to glare into adjacent residential areas or public right-of-way.***
- b) An acceleration/deceleration lane shall be provided at the church entrance at the time a request is made by the church to build the additional buildings as displayed on the master plan and as recommended by the Board of Zoning Appeals.***
- c) Any addition or expansion of the use, not in compliance with the submitted master plan shall require an additional special exception.***

Motion carried unanimously by all.

2. Application #15-04S: Dana J. Gilow and Jennifer B. Gilow, Owners - 120 Jewel Drive (0.73 acre located Land Lot 138 & 139 of the 2nd Land District) requesting a Special Exception to allow a Home Occupation, General, excluding public garage, repair garage and kennel, in the R-1 District.

Mr. Jacobs advised that this application is a home occupation, this is to be a small engraving business that the applicant is looking to start in their home and hope to expand the business to a commercial building should they be able to grow the business as they are anticipating. He stated that staff recommends approve as the application does satisfy all of the requirements as set out in Section 202LL and the Special Exception Criteria 4-13(g) of the Spalding County Ordinance. At their meeting in May, the Board of Zoning Appeals also approved the request by a vote of 4-0.

Dana & Jennifer Gilow, 120 Jewel Drive, Griffin, GA, stated that they are wanting to start off small and try to establish an engraving business out of their home to determine if this is going to be a viable business for them. They have talked with

all of their neighbors of their intentions and no one has a problem with their plan. They confirmed that the purpose of the home occupation request is to see if they can establish a customer base that will allow them the opportunity to branch out into a commercial storefront.

Motion/Second by Ray/Miller to approve Application #15-04S: Dana J. Gilow and Jennifer B. Gilow, Owners - 120 Jewel Drive (0.73 acre located Land Lot 138 & 139 of the 2nd Land District) requesting a Special Exception to allow a Home Occupation, General, excluding public garage, repair garage and kennel, in the R-1 District. Motion carried unanimously by all.

C. Other Business:

Chairperson Ray stated that his deceased father, Raymond Ray and one of his previous partners, Kenneth E. Presley who is also deceased, sold a piece of property in 1992 on a land sales contract on Rivers Road. The individuals who purchased the property paid taxes on the property from 1992 to 2011, they have not paid taxes on this piece of property since 2011 so back taxes are currently owed on this property. He advised that his mother nor Ms. Shirley Presley have any interest in the property so they are going to let the Tax Commissioner place it on the courthouse steps for sale.

Commissioner Ray stated that at the Board of Commissioners' meeting on Monday night he would be making this same announcement and he would be providing the Board with a Notice of Tax Levy from the Tax Commissioner as well as the Tax Assessors information on the piece of property. Commissioner Ray stated that he and his father share the same name and no designation of Sr. or Jr. was made at the time the deed was recorded.

Commissioner Ray advised that he wanted to make the circumstances surrounding this property clear before they could be blown out of proportion. He wanted to advise the Board Members first, and he will announce it to the public and the media at the meeting on Monday night.

D. Adjournment

Motion/Second by Miller/Hawbaker to adjourn at 6:37 p.m. Motion carried unanimously by all.