

**After
Agenda**

**Board of Commissioners of Spalding County
Zoning Public Hearing
Monday, April 24, 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, Monday, April 24, 2014, beginning at 6:00 p.m. with Chairman Samuel C. Gardner presiding. Commissioners Rita Johnson, Gwen Flowers-Taylor and Bart Miller were present. Commissioner Raymond Ray was 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) – Chairman Samuel C. Gardner

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.

II. NEW BUSINESS:

1. Application #FLA-13-01: Paul Thomas Jr. and Joyce Addis have requested a future land use map change from Low Density Residential and Open Space Network to Agriculture for the following: 1781 Carver Road (59.121 acres), 1833 Carver Road (3.061 acres) and Carver Road (42.237 acres) located in Land Lot 87 of the 2nd Land District.

Chad Jacobs, Director of Community Development, requested the rezoning applications be considered by the Board at the same time and then be voted on as separate items. Mr. Jacobs advised that Mr. Addis has recently purchased property on Carver Road is wanting to use it as a horse farm. He was advised that the property is currently zoned as R2 residential on the Land Use Map in a Low Density Open Space Network and that any type of livestock uses would fall under an Agriculture definition meaning the property has to be zoned AR1.

Mr. Jacobs stated that in order to get an AR1 zoning the Land Use Map would have to be amended from Low Density Open Space to Agriculture and the land would also have to be rezoned from an R district to an AR1 district. This would give Mr. Addis the ability to have livestock under the Agricultural zoning.

Mr. Jacobs stated that in review of the future Land Use Map application the staff recommends denial on the application as submitted. This area is planned as Low Density Residential and there have been a number of subdivisions developed in this area over the last 10 to 15 years. There has been significant thought and actions taken in the way this area is land use designated and planned. Approval of this request would present a significant shift in policy for this area from a land use planning standpoint and would create a negative planning precedent. The Planning Commission also denied the request by a vote of 5-0.

Mr. Jacobs stated that he would be addressing all three applications for rezoning at one time. It is requested that all three of the applications be denied as it is inconsistent with the Land Use Map and the associated Comprehensive Plan. At the Planning Commissions meeting in February, they struggled with the Land Use Map and the rezoning and had a 2-2-1 vote, reflecting a no action with one abstention, so the Planning Commission has sent up a recommendation of no action.

Mr. Jacobs further stated that although the Planning Commission sent up a no action recommendation, they did want to express as a unanimous body a desire to establish a way, whether it be through a new ordinance or revising the current language to accommodate these type of requests in the future. It is hoped that a solution can be found for not only the petitions before the Board tonight, but one that will address any larger tract of land that the owner may want to use for agricultural practices within the County that is currently zoned residential.

Mr. Jacobs stated that the Board does have the option to table these zoning applications this evening and to give staff ample time to research the current zoning laws to see if language can be revised within the Agricultural Zoning restrictions or to work within the context of the current Residential Zoning restrictions to include a limited livestock ability without permitting a full blown agricultural operation. Whatever solution is designed, it will still have to be in keeping with our current Land Use Plan.

The following spoke in favor of the matter:

Tommy Addis, 1833 Carver Road, Griffin, GA
Johnny McDaniel, 1603 Beville Drive, Griffin, GA

Motion/Second by Johnson/Miller to table Application 3FLA-13-01 by Paul Thomas, Jr. and Joyce Addis to change the future land use map from Low Density Residential And Open Space Network to Agriculture for the following: 1781 Carver Road (59.121 acres), 1833 Carver Road (3.061 acres) and Carver Road (42.237 acres) located in Land Lot 87 of the 2nd Land District. To provide time for staff to review alternate language or to adjust the current ordinance to address the request currently before the Board and

to address future requests of this type. Motion carried unanimously.

2. Application #13-05Z: Paul Thomas Jr. and Joyce Addis, Owners - 1781 Carver Road (59.121 acres located in Land Lot 87 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 Johnson/Miller to table Application 313-05Z by Paul Thomas, Jr. and Joyce Addis, owners, 1781 Carver Road (59.121 acres located in Land Lot 87 of the 2nd Land District) to rezone from R-1, Single Family residential Low Density, to AR-1, Agricultural and Residential. Motion carried unanimously.

3. Application #13-05AZ: Paul Thomas Jr. and Joyce Addis, Owners - 1833 Carver Road (3.061 acres located in Land Lot 87 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 Johnson/Miller to table Application 313-05AZ by Paul Thomas, Jr. and Joyce Addis, owners, 1833 Carver Road (3.061 acres located in Land Lot 87 of the 2nd Land District) to rezone from R-1, Single Family residential Low Density, to AR-1, Agricultural and Residential. Motion carried unanimously.

4. Application #13-05BZ: Paul Thomas Addis, Jr., Owner - Carver Road (42.237 acres located in Land Lot 87 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 Johnson/Miller to table Application 313-05BZ by Paul Thomas, Jr. and Joyce Addis, owners, Carver Road (42.237 acres located in Land Lot 87 of the 2nd Land District) to rezone from R-1, Single Family residential Low Density, to AR-1, Agricultural and Residential. Motion carried unanimously.

III. ADJOURNMENT

Motion/Second by Miller/Johnson to adjourn. Motion carried unanimously. Meeting adjourned at 6:56 p.m.