

ZONING PUBLIC HEARING

A public hearing was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Thursday, July 24, 2008 beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Johnnie McDaniel, David Phillips and Eddie Freeman present. Absent from the meeting was Commissioner Gwen Flower-Taylor. Also present were County Manager William P. Wilson, Jr., Assistant to the County Manager Paul Van Haute, Community Development Director Chuck Taylor and Executive Secretary Teresa Watson.

A. Call to Order.

Motion/second by Commissioners McDaniel and Freeman to move Items 2 and 3 for Amendment to FLA-08-01 and Application #08-02Z to Items 1 and 2 carried 4-0.

B. New Business:

1. **Amendment to FLA-08-01: Lift from the table** – Fayette Environmental, LLC, Owner – Bucksnot Road (28.428 acres located in Land Lot 115 of the 3rd Land District) – from Forestry to Industrial.

Mr. Taylor advised that Staff recommends leaving Amendment to FLA-08-01 and Application #08-02Z on the table to allow for completion of the Bucksnot and Bailey Jester Road Study and so the Planning Commission may advise of their recommendation which will be forthcoming after the July 29, 2008 meeting.

There was no motion to lift from the table and Amendment to FLA-08-01 for Fayette Environmental, LLC will continue to the August Zoning Public Hearing.

2. **Application #08-02Z: Lift from the table** – Fayette Environmental, LLC, Owner – Scarborough Development, Agent – Bucksnot Road (28.428 acres located in Land Lot 115 of the 3rd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

There was no motion to lift from the table and Application #08-02Z for Fayette Environmental, LLC will continue to the August Zoning Public Hearing.

3. **Application #08-10S:** Sharon Reeves, Owner – 1645 North Second Street Extension (0.87 acre located in Land Lot 196 of the 3rd Land District) – requesting a Special Exception to allow a Family Personal Care-Home in the R-1 District.

Chairman Goss noted that the Board of Commissioners have concerns with the present structure of the personal care home concept and have directed Staff to study the matter with regard to several issues. *Therefore, Chairman Goss and Commissioner Freeman moved/seconded to table Application #08-10S indefinitely; motion carried 4-0.*

4. **Application #08-06Z:** Griffin Motor Company Enterprises, Owner – 3418 North Expressway (1 acre located in Land Lot 105 of the 3rd Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Mr. Taylor advised the applicant has requested approval from Spalding County to rezone the property from C-1 to C-1B for purposes of conducting used vehicle sales and automotive repairs. The request is consistent with the Future Land Use Map classification of commercial. Mr. Taylor noted that Applications #08-06Z and #08-06AZ could be discussed simultaneously with a separate vote taken for each application. Staff recommends Conditional Approval of the request with the following stipulations:

- a. A front yard setback variance shall be applied for and approved.
- b. Combine the two one-acre tracts into one two-acre tract.
- c. A planted vegetative buffer shall be provided along the rear property line.

The Planning Commission recommends Conditional Approval of the request with the same conditions as proposed by Staff.

Jon Mattox, 256 Williams Trail, Griffin, Georgia

Mr. Mattox stated they were in the process of cleaning up the property and demolishing a fire-damaged structure on the property currently. There is a building for mechanics and

nothing will be done outside as he likes to keep a clean operation. Griffin Motor Company's original location three miles south has been in business for 21 years and they are seeking to supplement that location with this operation purchased from Walter Terry.

Motion to approve Application #08-06Z by Commissioner Phillips with the conditions as noted by Staff (shown below) and with the stipulation that it be only for retail automotive and repair, seconded by Commissioner McDaniel, carried by a vote of 4-0.

- a. *A front yard setback variance shall be applied for and approved.*
- b. *Combine the two one-acre tracts into one two-acre tract.*
- c. *A planted vegetative buffer shall be provided along the rear property line.*

5. **Application #08-06AZ:** Griffin Motor Company Enterprises, Owner – 3420 North Expressway (1 acre located in Land Lot 105 of the 3rd Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Motion to approve Application #08-06AZ by Commissioner Phillips with the conditions as noted by Staff and with the stipulation that it be only for retail automotive and repair, seconded by Commissioner Freeman, carried by a vote of 4-0.

- a. *A front yard setback variance shall be applied for and approved.*
- b. *Combine the two one-acre tracts into one two-acre tract.*
- c. *A planted vegetative buffer shall be provided along the rear property line.*

C. Other Business:

1. Consider extension of amendment to Moratorium for Acceptance of Site Development Plans, Building Permits and Rezoning for the North Hill Street, Jordan Hill Corridor from where the City limit crosses Hill Street to Dobbins Mill Road for any commercial development, enacted at the December 20, 2007 Board of Commissioners Zoning Public Hearing.

Motion by Commissioner McDaniel to approve extension of amendment to Moratorium for Acceptance of Site Development Plans, Building Permits and Rezoning for the North Hill Street, Jordan Hill Corridor from where the City limit crosses Hill Street to Dobbins Mill Road for any commercial development, enacted at the December 20, 2007 Board of Commissioners Zoning Public Hearing to December 31, 2008, seconded by Commissioner, seconded by Commissioner Phillips, carried 4-0.

2. Consider Resolution to Enact Moratorium for Acceptance, Consideration and Approval of any application seeking a Business License, Zoning Action, or Building Permit to operate a personal care home within Spalding County.

Mr. Taylor advised this is a new Moratorium being sought in response to concerns of the Board of Commissioners and is similar to the first Moratorium last year in order to allow time to address issues with the regulations. Commissioner McDaniel felt the decision-making process was more subjective and needed more objectivity. There should be a more consistent, firm criteria with which to base decisions.

Motion to approve Resolution to Enact Moratorium for Acceptance, Consideration and Approval of any application seeking a Business License, Zoning Action, or Building Permit to operate a personal care home within Spalding County to January 24, 2009, by Commissioner Phillips, seconded by Commissioner Freeman, carried 4-0.

3. Consider Resolution to Enact Moratorium for Acceptance, Consideration and Approval of any application seeking a Business License, Zoning Action, or Building Permit to operate a child caring institution within Spalding County.

Mr. Taylor advised there is a definition for foster home in the ordinance now, but the Special Exception process has never required approval for a foster home. This moratorium applies to all zoning districts and will not affect those in the foster care system or group homes, such as the one operated by Truitt Cathy in northwestern Spalding County.

Motion to approve Resolution to Enact Moratorium for Acceptance, Consideration and Approval of any application seeking a Business License, Zoning Action, or Building Permit to operate a child caring institution within Spalding County to January 24, 2009, by Commissioner Freeman, seconded by Commissioner McDaniel, carried 4-0.

D. Adjournment.

Motion to Adjourn at 6:39 p.m. by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a unanimous 4-0 vote.

Chairman

County Clerk

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