

## ZONING PUBLIC HEARING

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, January 28, 2010, beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, Eddie L. Freeman, and David Phillips present. Commissioner Gilreath was absent. Also present were Interim County Manager Tim Whalen, Assistant to the Interim County Manager Virginia Martin, Community Development Director Chuck Taylor, Zoning Attorney Newton Galloway and Phyllis Doane to record minutes.

### A. Call to Order:

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. Time allotted to speakers will be five minutes each, unless otherwise noted at the Board's discretion. No speakers will be allowed to readdress the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility area expected at all times.

### B. New Business:

1. **Application #09-16S:** Skipstone Corporation, Owner – 600 Baptist Camp Road (63.7 acres located in Land Lot 153 of the 3<sup>rd</sup> Land District) – requesting a Special Exception to allow a School – elementary, middle, high – public or private in the AR-1 District.

Chuck Taylor, Community Development Director, stated the corporation had requested this special exception in order to operate their school on the property. The site is actually west of the Cherokee Rose Shooting Resort and also west of the proposed building in the process now. Staff recommends approval with conditions as well with an added provision that a 120 day planning period be implemented regarding the deceleration lane.

Commissioner Flowers-Taylor asked how do we know and who determines where there is insufficient buffer. Mr. Taylor stated that it would be up to the interpretation of the Zoning Administrator. Most of the site is heavily wooded but there are occasions where along the buffer you are going to have gaps and it is in those areas that the buffer should be supplemented with fencing or additional vegetation to fill those gaps. Commissioner Flowers-Taylor also wanted to know why there is an issue with the residents in this area. Mr. Taylor stated that the AR-1 zoning district only allow one principle use of the property and with the approval of the Special Exception the school will become the principle use of the property meaning that the residence, which would be an additional principle use would be illegal. To change this there would have to be some text amendments to the UDO to allow for more additional uses, which Attorney Galloway stated would take approximately sixty days.

Kevin Napier, 600 Baptist Camp Road, Griffin, GA

Mr. Napier stated that Charles and Shondi Moody at present reside in the residence. Shondi is the head of the school. The second building is a two car garage.

Bob Cupp, 2452 East McIntosh Road, Griffin, GA

He stated that he was present to provide additional information if the Board needed any as he was the one who drew up the plan.

*Motion/second to approve Application #09-16S with conditions as recommended by Staff by Phillips/Freeman and carried by a vote of 4-0.*

- a. *The existing residence on the site must be vacated or a separate parcel, meeting AR-1 Zoning must be created around the home.*
- b. *A deceleration lane shall be added at the entrance on Baptist Camp Road with provision that a 120-day planning period be implemented*
- c. *All improvements proposed to the site will need to meet Unified Development Ordinance (UDO) requirements, including the requirements and processes of Appendix J of the UDO.*
- d. *Where the current vegetation in the buffer is insufficient. Additional buffer planting, fencing or a combination of both shall be required to meet the standards or section 407 of the Unified Development Ordinance (UDO).*

e. *Site lighting, including those for any sports facilities shall be designed not to glare into adjacent residential areas or public rights-of-way.*

2. **Application #09-17S:** Christ Our Savior Evangelical Lutheran Church, Owner – 3235 Team Road (4.117 acres located in Land Lot 113 of the 2<sup>nd</sup> Land District) – requesting a Special Exception to allow a Church in the R-2 District.

Community Development Director Chuck Taylor gave the Staff report. He stated that the applicant is asking for a Special Exception in order to expand an existing Church from 1606 square feet to 4756 square feet. The church is on Teamon Road.

Carl W. Brul, 2310 Patton Road, Griffin, GA

Mr. Brul stated that he is the Pastor and future plans are for a larger sanctuary and to start new missions. There are presently 25 families that attend this church which is approximately 40 people. They have been at the present site for approximately one year. This project will give them seating for 160 people for worship services, church office, class room and storage facilities. There is one issue that question in the conditions and that is the installment of a deceleration lane. The statistical survey states according to the size there could be up to 175 cars in the parking lot on Sunday but there are now at present only 20 cars in the parking lot at any given time. That number will not change immediately when the facility is occupied. The traffic on Sunday mornings is not impeded in any way and there is no visibility problem within a quarter mile in each direction. At some point there may be a need for a \$16,000 deceleration lane but not now. He stated the construction of the building is going to strain their resources and if they have to include a deceleration lane, it will really strain them.

Archie Baker, 1859 Airline Road, McDonough, GA

Mr. Baker stated he was the contractor for the proposed church and was present if any additional information was needed.

Mr. Taylor said this church was initially approved as a special exception in 2006. It was basically a single-family house that was being converted to a church. The church is growing and the additional building will also drive trip generation. It is not just based on the sanctuary size but on the facility size. One of the reasons the initial recommendation was that any expansion of the church would require an additional special exception was because they want to track impact. The deceleration lane is regularly required and traffic on Teamon Road is anticipated to increase. The church is small and they did not require the deceleration lane with the initial special exception knowing that if it expanded it would have to have additional approval.

Discussion was held regarding the additional traffic that is going to be generated on Teamon Road due to additional development in the area. The consensus of the Board was to allow the applicant to delay the construction of a deceleration lane for 18 months from the beginning of the construction of the proposed building. Pastor Burl stated they would not go past the 18 months if the Board would approve the delay.

***Motion/second to approve Application #09-17S application for a Special Exception to expand an existing church from 1606 sq. ft. to 4756 sq. ft. with recommendations of Staff and a caveat with the construction of a deceleration lane within 18 months of this date by Commissioners Flower-Taylor/Phillips and carried by a vote of 4-0.***

- a. *Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights of-way.*
- b. *A deceleration lane shall be added to the entrance of the site to be implemented within 18 months of this date.*
- c. *Any addition or expansion of the use shall require and additional special exception*

3. **Amendment to UDO #A-09-08:** Article 5, AR-1 Agricultural and Residential – Section 503:B(17) – amend to allow office use in the AR-1 District.

Zoning Attorney Galloway addressed this text amendment. He commented this was a text amendment from the previous month and had made additional changes as directed by concerns by Commissioner Flowers-Taylor and sent to the Board as well as Andy Welch, counsel for Bolin and was requested to add two additional words (and customers) by counsel.

Attorney Galloway stated that this text amendment would address all active working farms that desire to have another business off premise that meet the criteria.

Commissioner Goss stated that this is going to open the door again that we denied the previous application for commercial use and feels it will cause the Board problems down the road.

*Motion/second to approve UDO #A-09-08 by Commissioners Freeman/Flowers-Taylor with changes to section i. and j. as directed by Attorney Galloway as follows and carried by a vote of 3-1 with Commissioner Goss voting against the motion.*

*i) Equipment or vehicles related to the off-premises business are not allowed on site, except for personal vehicles of persons employed on the premises for office use.*

*j) Office use cannot create or generate increased traffic and/or noise, except for that associated with the use of personal vehicles of persons employed on the premises for office use and customers.*

**C. Adjournment.**

*Motion/second by Commissioners Flowers-Taylor/Freeman to adjourn at 6:55 p.m. carried 5-0.*

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Chairman

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Interim County Clerk

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