

ZONING PUBLIC HEARING

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, August 26 2010, beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Eddie L. Freeman, David Phillips, and Bob Gilreath. Gwen Flowers-Taylor was not present. Also present were Interim County Manager Tim Whalen, Community Development Director Chuck Taylor, Zoning Attorney Newton Galloway, and Executive Secretary Glinda Robertson.

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:

Application #10-01Z: Clinton Joseph and Angela Renee McIntyre, Owners – 365 Wilson Road (0.38 acre located in Land Lot 206 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to C-1, Highway Commercial.

Chuck Taylor requested this item along with the next item (#10-01AZ) be discussed together and vote on them separately. Mr. Taylor stated the applicants of both properties are looking to rezone in order to market the property for commercial purposes. He had examples to show how the property could be used commercially. The staff recommendation is for conditional approval with the conditions as follows: 1) If sidewalks exist in the area, an extension of the sidewalk will be made along Wilson Road to include the entire lot frontage at a minimum of (5) foot width; and 2) The site will limit all lighting so any neighboring residential property or rights of way will not be affected from glare.

Mr. Freeman asked if there was a previous question regarding adjoining properties. Mr. Taylor stated this area in general is converting to industrial office and commercial property. He further stated that at some point the county should look at land use all the way around the corner to Hudson Industrial and see if that property should be changed as well.

Motion/second to approve application with staff recommendations by Commissioners Phillips/Freeman and carried by a vote of 4-0.

Application #10-01AZ: Vonnie M. Jordan, Owner – 375 Wilson Road (0.43 acre located in Land Lot 206 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to C-1, Highway Commercial.

Motion/second to approve application with staff recommendations by Commissioners Phillips/Freeman and carried by a vote of 4-0.

Amendment to UDO #A-10-05: Appendix D. Soil Erosion & Sedimentation Control Ordinance – adoption of new ordinance based on the State model code.

Chuck Taylor stated this is a new model ordinance. This particular one deals with erosion control. The county already essentially has the ordinance in the UDO. The state updated the ordinance template. In order for the county to continue being an issuing authority (issue permits) the county must comply.

Motion/second to approve amendment by Commissioners Freeman/Phillips and carried by a vote of 4-0.

Amendment to UDO #A-10-06: Article 20. S-1 Sensitive Land/Flood Ordinance – adoption of new ordinance based on the State model code and deletion of Appendix F.

This is also a new model ordinance. Mr. Taylor stated this is a huge deal for the county. This will also include the adoption of the new flood plain maps of the USGS Development. He stated if the county does not adopt this as it is written, Spalding County residents will loose their ability to get flood insurance.

Motion/second to approve amendment by Commissioners Phillips/Freeman and carried by a vote of 4-0.

C. Other Business:

Tim Whalen asked Chuck Taylor to inform the commissioners of the events that took place today at the Lakes at Green Valley. Mr. Taylor stated the county had to by law put a “stop work” order on the Lakes at Green Valley project. They have had a significant erosion event. It was a situation where silt directly entered into state waters. The order will remain in effect until the developer corrects the problem.

Mr. Taylor further stated that according to Kyri Reid, the problem was made worse by the fact some of the erosion control had been taken up in order to grade near the lake. They failed to put the erosion control back after grading. There was a big rainfall that came along and washed the bank into the water.

A complaint was made to EPD by a private individual. EPD visited the site today. Mr. Goss asked who the EPD representative is and Mr. Taylor stated it is Tim Bethune. Mr. Bethune has been informed the county is going to enforce the “stop work” order properly. According to Mr. Taylor, at this time the EPD is not going to get involved.

Mr. Taylor stated the EPD can write what is called a consent order which would mean they could fine the owner and the grading company however, they chose not to in this case. Mr. Gilreath asked if the county could fine them. Mr. Taylor stated the county could however, the usual procedure is to issue a “stop work” order and if it is not complied with the county can write citations. He commented the writing of citations has happened twice before.

Mr. Goss asked if this includes the whole complex. Mr. Taylor stated this is a large part of the area that is being graded. There is only one permit for the whole project so everything stops except for erosion control.

D. Adjournment.

Motion/second to adjourn at 6:12 p.m. by Freeman/Phillips and carried by a vote of 4-0.

Chairman

Interim County Clerk