

ZONING PUBLIC HEARING

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Monday, December 5, 2011, beginning at 5:00 p.m. with Commissioner Eddie Freeman presiding. Commissioners Gwen Flowers- Taylor, Ray & Gardner were present. Also present were County Manager William P. Wilson Jr., Deputy County Manager Virginia Beams, Attorney Newton Galloway, Community Development Director Chad Jacobs and Ex Officio, County Clerk, Ricky L. Clark Jr. to record the minutes. Commissioner Gilreath was absent.

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. 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 #11-25S:** Hannelore Taylor, Owner – Nicole Arnold, Agent – 390 Hosannah Road (2.932 acres located in Land Lot 215 the 3rd Land District) – requesting a Special Exception to allow a Transitional Group Home in the AR-1 District.

Community Development Director Chad Jacobs, stated that the Board of Appeals at their regularly scheduled meeting voted to deny the request from Ms. Arnold by a vote of 5-1. Mr. Jacobs noted that staff recommends conditional approval with the following recommendations: Home shall service only 3 residents, a variance will be required for the minimum lot size of 3 acres, a variance will be required for non-compliance with ADA requirements, the dwelling shall be re-inspected by the Building Official and the Fire Marshall for safety compliance, Any expansion of the facility will require an additional special exception.

Commissioner Ray questioned the three residents that currently reside in the home. Mr. Ray also mentioned an upgrade needed for improvements to the sewer system and if this inevitably has an effect on the amount of people presently in the home. Mr. Jacobs advised that the problems with the septic system were not an indicator for the amount of people in the home. Finally, Mr. Ray questioned if the residence met Health Department & UDO requirements. Mr. Jacobs stated that the property is currently below the required space size for a transitional home in this area. Mr. Jacobs requested that the Board revisit and possibly take the ADA requirement out of the UDO.

Tammy McGuire- 390 Hosanna Rd, Griffin, GA- Ms. McGuire stated that she is a current renter at the applicants home located at 390 Hosanna Rd. Ms. McGuire stated that her and Ms. Arnold have both visited homes within the neighborhood to try to find a resolution and address different issues voiced by neighbors. She noted another concern of the community was potential criminals living in the residence. Ms. McGuire advised that the criminals in question could not be located. Ms. McGuire advised she was in support of the transitional housing as proposed by Ms. Arnold and see no possible disruption it could cause to the neighborhood.

Christine Edwards- 2047 Lewis Dr., Griffin, GA,- Ms. Edwards credited Ms. Arnold for helping her out over the years with her situations. She stated that Ms. Arnold has contributed to her success and she whole-heartedly believes in the vision of the transitional housing.

Nicole Arnold- 217 Central Lake Circle, Griffin, GA.- Ms. Arnold commenced by providing pictures of the proposed site located at 390 Hosannah Rd. She stated that she only wished to provide a home for battered women and children that are at risk. Ms. Arnold also stated that she tried to find information where someone was allegedly arrested at the home and has been unsuccessful in doing so. Ms. Arnold further stated that it was unfair for her women to be accused of littering up the neighborhood. Ms. Arnold stated that she oversees her mother's property located at 390 Hosannah Rd. She noted that in order for her to be granted 501(c)(3) status that there was certain criteria that had to be met.

Rev. Samuel Dickson- 380 Hosannah Rd. Griffin, GA 30223- Rev. Dickson noted he has several properties in the area. He noted that he has never seen Ms. McGuire, Ms. Edwards, or Ms. Arnold in the area before. Rev. Dickson stated that the community is an established community with good neighbors and he wishes to keep it family oriented. He further noted that with the term transition you must have some form of transitional services readily available for residents. Rev. Dickson stated that he did not want to see the increased traffic in the area. Rev. Dickson advised that he doesn't have a problem with what Ms. Arnold is trying to offer, he just doesn't believe it should be in their neighborhood.

Jesse W. Gates- 460 Hosannah Rd. Griffin, GA 30223- Mr. Gates stated that he was looking at the Griffin Daily Newspaper and three people were arrested for stealing railroad tracks. He stated that two of the alleged thieves were staying in a half-way house. Mr. Gates noted that anytime you have a facility like this you, you always start out with few residents and gradually the number increases. He stated that there are a lot of elderly residents in the area and for this reason he is against the transitional housing.

Mr. Wilson provided the Board with a petition signed by neighbors opposed to the transitional housing in the neighborhood. (This shall be made part of record)

Commissioner Flowers-Taylor stated that she spoke with several members of the Appeals Board. She referenced the ordinance stating that a 1500 sq. ft. home shall only occupy three residents. Mrs. Flowers-Taylor stated that Ms. Arnold is not requesting a half-way house. She also stated that there are emergency personnel in the area. Further, Mrs. Flowers-Taylor noted that she had spoken with a childcare representative and a DFACS worker both of which stated that there is need for this type of shelter. She stated that it's contradictory for the community to describe this neighborhood as being family oriented but will not embrace others moving in.

Commissioner Ray request a moratorium be issued to address various concerns with text.

Commissioner Flowers-Taylor questioned what changes in fact needed to be made. Commissioner Ray stated that there are a couple of items inside the ordinance that need to be changed and made more clear and precise. Mr. Ray noted that one change he would recommend would be ADA requirements and also being sure to state the intent of the ordinance.

Motion/Second by Gardner/Ray to deny Application #11-25S. Motion carried by a vote of 3-1 with Commissioner Flowers-Taylor opposing. Motion/Second by Ray/Gardner to issue moratorium for 90 days to give staff time to address questions and revise text as it pertains to transitional housing. Motion carried by all.

- 2. Amendment to UDO #A-11-09:** Article 3. Establishment of Districts – Section 301:B(6) – add TCC Tri County Overlay.

Motion/Second by Gardner/Ray to approve Amendment to UDO #A-11-09. Motion carried by a vote of 4-0.

- 3. Amendment to UDO #A-11-10:** Appendix J. Commercial/Industrial Development – Article 4. General Procedures – Section 404:D – amend review of construction plans.

Motion/Second by Ray/Gardner to approve Amendment to UDO #A-11-10. Motion carried by a vote of 4-0.

C. Other Business:

- 1. Zoning Attorney Newton Galloway requests closed meeting for the purpose of discussing pending or potential litigation.

CLOSED MEETING AFFIDAVIT

[A copy of the affidavit must be filed with the minutes of the meeting]

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

Members of the Spalding County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.

The Spalding County Board of Commissioners met in a duly advertised meeting on December 5, 2011.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 5 : 38 p .m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Yes Consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____(insert the citation to the legal authority making the tax matter confidential);

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

No Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other (describe the exemption to the open meetings law): _____ as provided in _____(insert the citation to the legal authority exempting the topic).

This the 5th day of December 2011.

Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 5th day of December 2011.

Gwen Flowers-Taylor

Samuel Gardner

Ricky L. Clark, Jr.

Notary Public

Raymond Ray

Eddie Freeman

My commission expires:

Bob Gilreath

January 5, 2014

Motion/Second by Gardner/Ray to enter closed session at 5:38 pm. Motion carried by a vote of 4-0.
Motion/Second by Gardner/Ray to adjourn closed session at 5:50 pm. Motion carried by a vote of 4-0.

D. Adjournment.

Motion/Second by Gardner/Ray to adjourn at 5:55 pm. Motion carried by all.

Chairman

County Manager

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