

## ZONING PUBLIC HEARING

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, June 23, 2011, beginning at 6:00 p.m. with Commission Chairman Eddie Freeman presiding. Commissioners Gwen Flowers-Taylor, Bob Gilreath, Chipper Gardner and Raymond Ray were present. Also present were Deputy County Manager Virginia Beams, Community Development Director Chuck Taylor, Zoning Attorney Newton Galloway and Executive Secretary, Ricky L. Clark, Jr to record the 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. **Zoning Attorney requests closed meeting for the purpose of discussing pending or potential litigation as provided in O.C.G.A. Section 50-14-2(1).**

*Motion/Second by Flowers-Taylor/Gardner to enter closed session at 6:02 carried by a vote of 5-0.*

*Motion/Second by Ray/Gardner to adjourn closed session at 6:32, carried by a vote of 5-0.*

C. **New Business:**

1. **Application #11-02Z: Lift from the table** – Inland Empire, Inc., Owner – 3458 Teamon Road (2.85 acres located in land Lot(s) 113 and 114 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-2, Single Family Residential to C-1, Highway Commercial.

**Michael Jackson- 154 Highland Park Dr. McDonough-** Mr. Jackson came before the board to ask that the property be zoned C-1. Mr. Jackson stated that if the property was zoned C-1A it wouldn't allow for a drug store to be place there because of the square footage requirement. Mr. Jackson indicated that a strip-mall would not be beneficial to that area.

*Motion/Second by Flowers-Taylor/Gardner to lift from table Application #11-02Z, carried by a vote of 5-0.*

*Motion/Second by Ray/Flowers-Taylor to approve with the condition set forth by staff, carried by a 5-0 vote.*

2. **Amendment to UDO #A-11-02:** Appendix J. Commercial/Industrial Development Ordinance – Article 3: Fees – amend to define the term development.

Chuck noted that in the past the County has defined that development is based on the size of the track that you develop. He noted that staff wants to define it as the actual portion of the track you're developing because essentially that's where the cost from reviewing it comes. Chuck stated that our current ordinance requires that people pay the grading & development fees and plan review fees.

Flowers-Taylor- Stated that this amendment would help citizens because they will only be charged for the disturbed area not the entire area. She also questioned the projected run-off.

*Motion/Second by Flowers-Taylor/Gilreath to accept the change to text amendment UDO #A-11-02 to define the term development, carried by a vote of 5-0.*

3. **Amendment to UDO #A-11-03:** Article 12. C-1 Highway Commercial, Article 13. C-1A Neighborhood Commercial, C-1B Heavy Commercial, C-2 Manufacturing

and AAR Active Adult Residential – amend to allow minor home occupation and general home occupation.

Chuck advised that minor home occupation is simply your home office which has no impact on the county. General home occupation would be a where you actually have a product that you are actually selling and have people coming to your house. All of these items have impact on the county. The county commissioners took action and made these business owners go through a special exception process so that they could be looked at on an individual basis.

***Motion/Second by Ray/Gardner to accept the change to text amendment to UDO #A-11-03, carried by a vote of 5-0***

**D. Other Business:**

1. Discuss and give direction to staff regarding a transitional group homes ordinance.

**Ms. Nicole Arnold- 217 Central Lake Circle Griffin, GA-** Ms. Arnold presented to the board that in Spalding County there are no beds at the House of Hope or the Salvation Army. Griffin Housing Authority, Northside Hills, the Regency and Heritage Heights all currently have a freeze on accepting applicants. She indicated that there is no location for homeless people to reside in Spalding County. Spalding Collaborative has issued a grant for \$5,000.00 to get Ms. Arnold started. Ms. Arnold feels that there is a need for shelter for women and children in Spalding County. The location in question is located on Hosanna Rd. Mrs. Arnold added that she has already spoke with the neighbors in the area and they have no problem accepting transitional housing in the area.

Chuck advised that there are a lot of people that need temporary shelter. Currently, Spalding County allows for kids and adults to be placed in shelters, but not together. Chuck added that we have ordinances in place that provide for kids placement alone. The ordinance does not provide for mothers and children to be placed together.

Commissioner Ray stated that homeless and mentally ill patients should be separated. He noted that if you are going to allow the different types to live together there needs to be some sort of security. Mr. Ray would also like to see some sort of permit requirement. This way the county can regulate what we have and what they do. Mr. Ray also noted he would want the Health Inspector to perform some kind of test to make sure that the place is sanitary.

Mrs. Flowers-Taylor advised that Mr. Taylor wasn't speaking of substance abuse and mentally ill patients being housed together. There always need to be a stipulation because it's not always the mother. The stipulation should be made to guardians, etc. The previous board never wanted drug & substance abuse in residential areas. Mrs. Flowers-Taylor stated if we put the condition only in AR-1 it would be difficult for some circumstances. Mrs. Flowers-Taylor also advised Chuck that she would like him to remove the term of HIV.

Mr. Gilreath questioned if the ordinance was specific as to where these homes could be located within the county.

Mr. Freeman stated he would be concerned about the setting of the shelter. Mr. Freeman advised that in his opinion it is the best decision of the board to allow staff to come back before with criteria.

***Staff recommended Chuck Taylor to come back before the board with criteria for transitional housing.***

***Motion/Second by Flowers-Taylor/Gilreath to amend the agenda, carried by a vote of 5-0 to establish a moratorium for 90 days for a quarter mile distance in all directions at the intersection of Teamon Road and SR 155.***

*Motion/Second by Flowers-Taylor/Gardner to establish a moratorium on accepting any rezoning applications until staff comes back with future land map, carried by a vote of 5-0.*

*Motion/Second by Ray/Gilreath for revisions on the lap map area, carried by a vote of 5-0.*

Deputy County Manager Virginia Beams asked the Board for direction as to the Fence Ordinance. Mrs. Beams noted to the board that there was a misunderstanding that there was a moratorium in place. Mrs. Beams presented to the board the minutes of the June 15, 2009 Regular Session.

Mr. Freeman echoed stating that the board needs to enforce the Fence Ordinance.

*Motion/Second by Flowers-Taylor/Gardner for staff to enforce fence ordinance, carried by a vote of 5-0.*

**E. Adjournment.**

**F. *Motion/Second by Ray/Gilreath to adjourn at 7:23 p.***

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Chairman

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County Manager

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