

ZONING PUBLIC HEARING

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, July 28, 2011, beginning at 6:00 o'clock p.m. with Commission Chairman Eddie Freeman presiding. Commissioners Chipper Gardner and Raymond Ray were present. Also present were County Manager William P. Wilson, Jr., Community Development Director Chuck Taylor, Zoning Attorney Newton Galloway and Ricky L. Clark, Jr. to record the minutes. Commissioners Flowers-Taylor, Gilreath and Deputy County Manger Virginia Beams were 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 #11-08S:** Marrian L. Washburn, Owner – Ideal Homes of Griffin, Agent – 46 Bend View Road (1 acre, more or less, located in Land Lot 52 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Chuck Taylor reported that the applicant, Ms. Washburn is seeking to replace a stick built home located at 46 Bendview Road, which was damaged by the April 28th tornado with a Manufactured Home. Mr. Taylor stated that the current trend analysis required by the UDO indicates stick built homes are eight (8) times more prevalent than mobile homes in the ½ mile area.

Ricky Shivers- 1644 Birdie Rd- Spoke in favor of Mrs. Washburns request. Mr. Shivers noted that he came before the Board two years ago and his request was approved for a similar application. Mr. Shivers further indicated that Ms. Washburn needs additional assistance at the house. The current occupants are Ms. Washburn's caregivers. Mr. Shivers advised that after speaking with several homeowners in the neighborhood, none are opposed to the Manufactured Home being place on the property at 46 Bendview Rd.

Tom Ross- 101 Moreland Rd-President, Ideal Homes- Spoke in favor of Ms. Washburns request. Mr. Ross noted that Ms. Washburn has lived at the current address for over twenty (20) years. He stated that prior to the tornado Ms. Washburn in fact had two houses on the property. One of the homes was completely demolished and the other left with vast damage. Mr. Ross indicated that the Bailey's (current tenants) have continued to reside in the home despite the damage. Mr. Ross indicated that the tenants currently do not have the financial ability to replace the damaged home. On July 14 the Planning Commission voted 5-1 not to replace the home.

Carol Bailey- 40 Bendview Rd- Spoke in favor of Ms. Washburn's request. Ms. Bailey current tenant of the home, mentioned that after the tornado the roof was left severely damaged. Ms. Bailey also noted extensive termite damage to the home. Ms. Washburn (Landlord/Owner) presented the idea of Manufactured Home. Ms. Bailey noted that the manufactured home in question would in fact be built on a concrete foundation. Ms. Bailey presented to the Board a petition signed by twenty-six (26) residents in the neighborhood.

***Note- Petition available with minutes.**

Chairman Freeman questioned the square footage of the current home. Ms. Washburn noted that the current home is three (3) bedrooms. For the record the home is in fact is listed as being a two bedroom. The third room in which Ms. Washburn mentions is referred to as an office. Chuck Taylor informed the Board that Ms. Washburn does not live in the home, she lives next door.

Mr. Taylor noted that if the application is approved, the property owner has thirty (30) days to completely demolish the current structure after the Certificate of Occupancy for the Manufactured Home is issued.

Chairman Freeman questioned the construction of another home instead of the Manufactured Home. Mr. Freeman stated that you could build the damaged home back much less than purchasing a new manufactured home.

Tom Ross noted that his company Ideal Homes was selling the manufactured home to Ms. Washburn for about \$70,000.00. This cost according to Mr. Ross is substantially less than the purchase of a new home. Mr. Ross stated that the manufactured home would not depreciate the value of the neighborhood.

Buddy Bailey- 46 Bendview Rd- Spoke in favor of Ms. Washburn. Mr. Bailey stated that during the April 28th tornado all of the “stick” built homes were destroyed. He referenced his Manufactured home being able to withstand strong winds.

Commissioner Ray mentioned that in the area there are approximately eight (8) Manufactured homes, seventy-three (73) Single Family Homes and fifteen (15) vacant or undeveloped properties. The petition issued only has twenty six (26) signatures included. Mr. Ray advised that this is not a majority of the homeowners. Commissioner Ray further indicated his main concern with the Manufactured Home is safety and the issue with termites.

Motion by Commissioner Ray to Deny Application#11-08S. Motion dies due to lack of Second.

Commissioner Gardner indicated that this current application is very complicated and a decision will not be easy.

Commissioner Ray mentioned he would like to see the Manufactured Home have a storm shelter installed due to tornados in this area.

Zoning Attorney Newton Galloway noted that currently there is not a condition in the ordinance to require storm shelters added to Manufactured Homes.

Motion/Second by Freeman/Gardner to approve on First Reading, Application #11-08S. Motion carried by a vote of 2-1 with Commissioner Ray opposing.

C. Other Business:

D. Adjournment.

Motion/Second by Ray/Gardner to adjourn at 6:38 pm. Motion carried by a vote of 2-0.

Chairman
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County Manager
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