

MINUTES

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, July 26, 2012, beginning at 6:00 p.m. with Chairman Gwen Flowers-Taylor presiding. Commissioners Raymond Ray, Bob Gilreath, Samuel Gardner and Eddie Freeman were present. Also present were County Manager William P. Wilson Jr., Community Development Director Chad Jacobs, Zoning Attorney Newton Galloway and Ex-Officio, County Clerk Ricky L. Clark Jr.

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 #11-09S: Wat Phramahajana, Inc., Owner – Michael Goode, ESQ, Agent – 498 Steele Road (17.563 acres located in Land Lot 39 of the 3rd Land District) – requesting a Special Exception to expand an existing Church, synagogue, chapel, or other place of religious worship in the AR-1 District.**

Community Development Director Chad Jacobs advised that this application went before the Board of Appeals and proposed the aforementioned conditions. Mr. Jacobs noted that Kyri Johnson, Community Development and Tim Bethune of the Environmental Protection Division performed a site inspection on June 26, 2012 and both indicated no downstream sedimentation was noticed. Mr. Jacobs further noted that one of the main issues resolved around the application was the 40' by 36' building which was erected has been since removed and demolished. This site has not been allowed to be rebuilt and constructed. Assuming approval of this application, they have decided to re-erect the building in another location.

After questioning from Commissioner Ray, Mr. Jacobs advised that all original recommendations and issues and been resolved.

Speaking For Approval:

Dell Tyler- 1911 Rosewood Drive- Stated that he has been working with the site for several years. Mr. Tyler apologized for anything that was done wrong and assured that they would be in compliance hence forth. Mr. Tyler noted that there is a lot of work to be done on the property.

Richard Calhoun- 49 Atlanta Street, Marietta, GA- Mr. Calhoun advised that after reading all recommendations provided by Staff and the Board of Appeals, he is in full agreement and wish to comply. Mr. Calhoun noted that he will provide the Board with a letter advising same. Mr. Calhoun requested the Board to approve the special exception with conditions also added.

Michael Goode- 49 Atlanta Street, Marietta, GA- Agreed with statement of Mr. Calhoun.

Teresa Lynch- 309 Gordon Road, Newnan, GA- Ms. Lynch advised that she has attended the temple several times with friends and commented that the people and location are fascinating. Ms. Lynch stated that the temple is a wonderful setting for reflecting and learning. Ms. Lynch grew up in a Methodist Church and has always visited several other denominations even though they may have different religious belief. Ms. Lynch indicated that it's through places like the temple that people are made better and also better stewards of the earth. Ms. Lynch invited the community to visit and noted that the temple is open to all people.

Ty Tmple- Washington, D.C.- Stated that he came to provide his support to the temple and explained their plan to build better facilities to support the need of the people. He noted that the temple provides a place for people to learn about different culture. The mission of the temple is to provide a place for all people, not only Buddhists. Mr. Tmple noted that if the temple has issues with rules and regulations they will be adjusted to come into compliance. Mr. Tmple also noted that there is room for the temple to increase and improve. Mr. Tmple stated that there is a 10 day retreat every May in which the extra facilities are needed to accommodate meditation.

Speaking Against Approval of Temple:

Terry Sweat- 1315 Manley Road, Griffin, GA- Mr. Sweat quoted Mr. Goode saying “I am committed with being in compliance with zoning requirements set by County. I have gone to the Zoning Department to make sure proper permits are in place. I will obey any stipulation set by the Board.” Mr. Sweat stated that Mr. Goode has done everything except comply. Mr. Sweat presented several pictures taken on the site showing where they were not in compliance. Mr. Sweat further noted that Community Development Director Chad Jacobs visited the site in April and found noncompliance and made everyone leave. Mr. Sweat closed stating that the Buddhists don’t care about county ordinances and they have not followed rules and regulations. Mr. Sweat stated that the tax payers of Spalding County ask that this motion be denied.

Troy Hulon- 393 Steele Road, Griffin, GA- Mr. Hulon stated that this application is an issue. Mr. Hulon quoted Chairman Flowers-Taylor saying that they are continuously holding meetings after they have been told not to. Mr. Hulon also advised that their attorney, Michael Goode, is also practicing Buddhism with them. Mr. Hulon indicated several violations and presented pictures taken on the property. Mr. Hulon advised that the Health Department is also not in approval of the application. Mr. Hulon prompted the Board that he would sue the county if application was approved.

Commissioner Gilreath questioned the stream which was indicated by Mr. Hulon. Mr. Jacobs advised that the stream was inspected by EPD and it was a consensus that it was rerouted but would be tough to prove. The stream hasn’t been blocked up and impeded.

Motion/Second by Gardner/Ray to approve Application #11-09S: Wat Phramahajanaka, Inc., Owner- Michael Goode, ESQ, Agent - 498 Steele Road (17.563 acres located in Land Lot 39 of the 3rd Land District) – requesting a Special Exception to expand an existing Church, synagogue, chapel, or other place of religious worship in the AR-1 District with the following conditions as recommended by the Board of Zoning Appeals & Staff:

- 1. Site lighting shall be designed so that it will not glare into adjacent residential areas or public rights-of-way.***
- 2. The 25-foot planted buffer shall be extended along the northern property line to the street right of way. Said buffer shall be kept natural and undisturbed except for additional planting to cover gaps in existing vegetation.***
- 3. A deceleration lane shall be added to the entrance of the site prior to any future site development plan or building permit approval, separate of the construction of the 40’ x 40’ pavilion that has been moved out of the setback.***
- 4. A proper development plan and hydrology study shall be performed for the development prior to any future site development or building permit approval.***
- 5. Any addition or expansion of the use in excess of the submitted plan dated June 5, 2012 shall require an additional special exception.***
- 6. All structures located within the 25’ undisturbed buffer along the steam bank shall be removed immediately.***
- 7. The acceleration/deceleration lane shall not be imposed until the proposed 5,000 square foot building is permitted.***
- 8. An evaluation shall be performed by the Environmental Resource Coordinator and Georgia Environmental Protection Division regarding any potential runoff/erosion/sedimentation from this facility to adjacent properties.***

Motion carried by a vote of 3-2 with Commissioners Ray & Freeman opposing.

Commissioner Freeman left the meeting at this point. (6:35 p.m.)

Commissioner Gilreath left the meeting at this point. (6:35 p.m.)

Motion/Second by Ray/Gardner to amend agenda by adding discussion regarding junk vehicles and unmaintained yards. Motion carried by a 3-0 vote.

Mr. Jacobs advised that Chairman Flowers-Taylor requested staff to look up ways to tighten junk vehicle ordinance and to add language in respect to un-kept property. Mr. Jacobs noted that currently the junk car ordinance refers to a vehicle that is abandoned and cannot operate. He noted that there is a certain time frame that it can be kept on a property. Mr. Jacobs further informed the Board of ordinances pertaining to junk cars as adopted by other counties.

Chairman Flowers-Taylor noted that she went into the area of Hallmark and Amberwood and out of 30 houses 17 of them had junk cars in front. She also indicated that there was one property in which a limousine had people living out of it. Mrs. Flower-Taylor noted that Code Enforcement has no way to write citations.

Board directed Community Development Director Chad Jacobs to research language to strengthen enforcement of junk vehicles and unmaintained yards.

C. Other Business:

D. Adjournment.

Motion/Second by Gardner/Ray to adjourn at 6:50 p.m. Motion carried by a 3-0 vote.

Chairman
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County Manager
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