

## ZONING PUBLIC HEARING

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, March 22, 2012, beginning at 6:00 p.m. with Vice-Chairman Samuel Gardner presiding. Commissioners Raymond Ray, Bob Gilreath and Eddie Freeman were present. Also present were County Manager William P. Wilson Jr., Zoning Attorney Newton Galloway, Community Development Director Chad Jacobs and Ex-Officio, County Clerk Ricky L. Clark Jr. Chairman Gwen Flowers-Taylor was not present.

### 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 #12-01S:** Tina M. Darsey, Owner – 1567 Locust Grove Road (2.639 acres, more or less, located in Land Lot 106 the 3rd Land District) – requesting a Special Exception to allow a General Home Occupation in the AR-1 District.

Mr. Jacobs stated that barber shop will have approximately 6-10 customers per day. Mr. Jacobs further noted that the application meets all criteria for the home occupation requirements. Board of Appeals & Staff recommends approval.

Commissioner Gilreath questioned has staff checked all parking requirements. Chad advised that there is sufficient space on the property.

*Motion/Second by Freeman/Ray to approve Application #12-01S: Tina M. Darsey, Owner- 1567 Locust Grove Road (2.639 acres, more or less, located in Land Lot 106 the 3<sup>rd</sup> Land District) – requesting a Special Exception to allow a General Home Occupation in the AR-1 District. Motion carried by all.*

2. **Amendment to UDO #A-11-08:** Article 2. Definitions of Terms Used – Section 203:O – amend definition dwelling unit regarding attachment of dwelling.

Mr. Jacobs noted that both amendment A-11-08 & A-12-01 that these back off of each other. Mr. Jacobs stated that there is an unwritten policy that states you can build a second dwelling on your property as long as it's attached to a breezeway. This creates a problem where you may have a 3500 square foot house and another one immediately behind the other one.

Commissioner Freeman questioned if you could build two houses on an acre tract. Mr. Jacobs advised that you could but it creates over massing of property.

*Motion/Second by Freeman/Ray to approve Amendment to UDO #A-11-08: Article 2. Definitions of Terms used – Section 203: O- amend definition dwelling unit regarding attachment of dwelling. Motion carried by all.*

3. **Amendment to UDO #A-12-01:** Article 5. AR-1 Agricultural & Residential - Section 503:C(17), Article 6. AR-2 Rural Reserve - Section 603:C(15), Article 7. R-1 Single Family Residential Low Density - Section 703:C(16), Article 8. R-2 Single Family Residential - Section 803:C(17), Article 10. R-4 Single Family Residential - Section 1003:C(16), Article 11. R-5 Single Family Residential - Section 1103:C(16) - amend to allow mother-in-law suites as accessory use.

Mr. Jacobs is recommending an amendment to state that the mother-in-law suite shall be located in the rear yard only and shall not exceed 750 square feet, it shall contain

only one bedroom, one bath and no separate utilities, shall utilize its own independent septic system, shall be ancillary to an existing principle dwelling and built after or during construction of the principle dwelling, only family member as defined in article 2, section 202ee may be domiciled in the suite.

Commissioner Ray questioned if you can have mother-in-law suite that's a manufactured home attached. Zoning Attorney Newton Galloway stated that the answer was no because the manufactured home is prohibited in that zoning district.

Mr. Wilson stated that there was a request in Mr. Freeman's district to allow for the use of a rented mother-in-law suite, and it was denied.

Mr. Jacobs stated that Chairman Flowers-Taylor had concerns that 700 sq. ft. may be too big, special exceptions policy and whether or not a manufactured home allowed.

Mr. Galloway advised that the definition section was left out of the ad. Mr. Galloway also noted that there should have been an addition to add section z prime, mother-in-law suite. The amendment must be advertised.

***Motion/Second by Freeman/Ray to table Amendment to UDO #A-12-01: Article 5. AR-1 Agricultural & Residential - Section 503:C(17), Article 6. AR-2 Rural Reserve - Section 603:C(15), Article 7. R-1 Single Family Residential Low Density - Section 703:C(16), Article 8. R-2 Single Family Residential - Section 803:C(17), Article 10. R-4 Single Family Residential - Section 1003:C(16), Article 11. R-5 Single Family Residential - Section 1103:C(16) - amend to allow mother-in-law suites as accessory use. Motion carried by all.***

- 4. Amendment to UDO #A-12-03:** Appendix K. Landscape and Tree Preservation Ordinance for Multi-Family, Commercial, Institutional and Industrial Developments – Section 105 – amend minimum plant requirements.

Mr. Jacobs noted that currently under Appendix K, for every new commercial business they must provide One 2-inch caliper canopy tree and one 2-ionch caliper understory for every 2,000 square feet of impervious surface. Additionally, one 3 gallon shrub shall be required for every 300 square feet of impervious surface. Mr. Jacobs noted that the problem is that the businesses are running out of space for plants. Mr. Jacobs is recommending tone 2-inch canopy tree for every 2,500 square feet, one 2-inch caliper understory tree for every 3,000 square feet and one 3 gallon shrub for every 500 square feet of impervious surface.

Commissioner Freeman stated that he agrees that there were too many trees figured into the equation.

Commissioner Ray questioned if Community Development requires a landscape plan when they bring in their site plans. Mr. Jacobs stated the landscape plan is always required. If they have 20,000 sq. feet or more of impervious land, it must be done by a registered landscape architect.

***Motion/Second by Freeman/Gilreath to approve Amendment to UDO #A-12-03: Appendix K. Landscaped and Tree Preservation Ordinance for Multi-Family, Commercial, Institutional and Industrial Developments – Section 105 – amend minimum plant requirements. Motion carried by all.***

**C. Other Business:**

**D. Adjournment.**

***Motion/Second by Freeman/Gilreath to adjourn at 6:27 p.m. Motion carried by all.***

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Chairman

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County Clerk

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