

**ZONING PUBLIC HEARING
MINUTES**

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Monday, May 20, 2013, beginning at 5:00 p.m. with Vice-Chairman Samuel Gardner presiding. Commissioners Rita Johnson and Bart Miller were present. Also present were Community Development Director Chad Jacobs, County Manager William P. Wilson, Jr., Zoning Attorney Newton Galloway and Wendy Law to record the minutes. Chairman Flowers-Taylor, Commissioner Ray & County Clerk Ex-Officio, Ricky Clark were 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 #13-01Z:** CF MH II South Hampton, LLC, Owner- Bloom Sugarman Everett, LLP, Agent – 5291 Old Atlanta Road (30.931 acres located in Land Lot 108 of the 3rd Land District) – requesting a rezoning from C-1, Highway Commercial, to R-3 Multiple- Family Residential.

Community Development Director, Chad Jacobs noted that this is a request to rezone the property from C-1, Highway Commercial, to R-3 Multiple-Family Residential. Furthermore, Mr. Jacobs noted that this is the South Hampton Mobile Home Community and their community predates the zoning ordinance and is currently a legal non-conforming use. The applicant is attempting to bring the property into compliance as the property was subject to some variances. Furthermore, Mr. Jacobs noted that this request is consistent with the comprehensive plan.

Chairman Flowers-Taylor questioned will the property look different. Mr. Jacobs advised that there will be no change as it will remain the same. This will bring the property into compliance from a zoning standpoint, noted Mr. Jacobs.

Stephanie Everett- 977 Ponce de Leon Ave, Atlanta, Georgia

Ms. Everett stated that she was an attorney representing the owner regarding this application. The property owner is simply trying to clean up the records at this property. This mobile community was in place before the current UDO. With the change of ownership, and the way staff is interpreting this application, it is actually a down-zoning, noted Ms. Everett. Nothing on site will change; this will change the zoning that governs the property. Ms. Everett stated that she believes that this request meets the balancing test that is required under the Spalding County Zoning Ordinance.

Commissioner Miller questioned if there would be vacancies. Ms. Everett stated that staff has made it known to them how this language is interpreted. Furthermore, Commissioner Miller questioned how many mobile homes were on the property. Ms. Everett advised that there are 240 total lots of which 60 are vacant. Additionally, Commissioner Miller questioned how many wells were on the property. Ms. Everett stated that there is a separate water operating system for the South Hampton Mobile Home Park. Mr. Wilson advised that water comes from a series of wells.

Motion/Second by Gardner/Miller to approve Application #13-01Z: CF MH II South Hampton, LLC, Owner- Bloom Sugarman Everett, LLP, Agent – 5291 Old Atlanta Road (30.931 acres located in Land Lot 108 of the 3rd Land District) – requesting a rezoning from C-1, Highway Commercial, to R-3 Multiple- Family Residential. Motion carried unanimously by all.

2. **Amendment to UDO #A-13-01:** Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

Mr. Jacobs noted that there have been 5-6 zoning changes since the last official update of the zoning map.

Motion/Second by Gardner/Ray to approve Amendment to UDO #A-13-01: Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County. Motion carried unanimously by all.

C. Other Business:

D. Adjournment.

Motion/Second by Ray/Gardner to adjourn at 5:20 p.m. Motion carried by all.

/s/ _____
Chairman

/s/ _____
County Clerk

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