

**ZONING PUBLIC HEARING
MINUTES**

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, June 27, 2013, beginning at 6:00 p.m. with Chairman Gwen Flowers-Taylor presiding. Commissioners Raymond Ray, Rita Johnson, Samuel Gardner and Bart Miller were present. Also present were Community Development Director Chad Jacobs, Zoning Attorney Newton Galloway, County Manager William P. Wilson, Jr., and County Clerk, Ex-Officio Ricky Clark 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. 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. Consider lift from table, Application #13-07S:** JLB Properties, LLC. Owner-Felecia Miller, Agent – 3100 Teamon Road (3.177 acres located in Land Lot 249 of the 3rd Land District) – requesting a Special Exception to allow a Family Personal Care Home in the AR-1 District.
Motion/Second by Ray/Gardner to lift from the table. Motion carried unanimously by all.

Community Development Director Chad Jacobs noted that this is the same application that was presented a month ago. Mr. Jacobs stated that since the meeting staff has had a couple of conversations with the applicant and also met with Mr. Miller onsite to discuss other options outside of a personal care home. Additionally, Mr. Jacobs noted that he also had 2-3 phone conversations with Felecia Miller about exploring some of those options.

Kris Renner- 3140 Teamon Road

Mr. Renner stated that he was against the application for various reasons. Mr. Renner stated that he doesn't think the Board is fully aware as to what is actually going on. At the last meeting they were told that they would have to enclose the garage to meet the minimum square footage requirement. This has already been done, and the applicant never received the proper permitting. On April 16th Code enforcement pulled them off the job. Since that day that haven't had a permit and are still building. Furthermore, Mr. Renner stated that this personal care home would cause more traffic than already experienced with Sun City. Mr. Renner presented the Board with a petition signed by neighboring residents. In closing, Mr. Renner asked the Commission, "how would you feel if a personal care home was next door to you?"

Commissioner Johnson questioned if there was a reason that the applicant was not here. Mr. Jacobs advised that staff re-advertised and resent notices. Zoning Attorney Newton Galloway questioned if the applicant was aware of the time. Mr. Jacobs stated that staff had tried several times to get in touch with the applicant prior to the meeting.

Chairman Flowers-Taylor questioned how long had it been since Mr. Jacobs spoke with the applicant. Mr. Jacobs advised that he spoke with the applicant the day after the meeting and they were outside cutting grass. Chairman Flowers-Taylor also questioned if he went inside the house. Mr. Jacobs noted that the Building Official Eric Mallard went inside the home and issued the stop work order for the work on the garage that was not permitted. Mr. Jacobs noted that Eric also has concerns with the floor structural element.

Chairman Flowers-Taylor stated that she is not comfortable with the fact that the applicant came and admitted to not living at the property. In response to Mr. Renner, Chairman Flowers-Taylor stated that she doesn't have a problem with a personal care home next door if the owners/facilitators are her neighbors and have vested interest in the neighborhood.

Mr. Jacobs stated that a similar issue came up in 2010 and the consensus was that the county would just need to know that someone affiliated with the personal care home actually lived there.

Motion/Second by Gardner/Ray to deny Application #13-07S: JLB Properties, LLC. Owner- Felecia Miller, Agent – 3100 Teamon Road (3.177 acres located in Land Lot 249 of the 3rd Land District) – requesting a Special Exception to allow a Family Personal Care Home in the AR-1 District. Motion carried unanimously by all.

C. Other Business:

D. Adjournment.

Motion/Second by Gardner/Ray to adjourn at 6:16 p.m. Motion carried unanimously by all.

/s/ _____
Chairman

/s/ _____
County Clerk

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