

## MINUTES

**The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 of the Courthouse Annex, Monday, November 3, 2014, beginning at 5:00 p.m. with Chairman Samuel Gardner presiding. Commissioners Raymond Ray, Rita Johnson, Gwen Flowers-Taylor and Bart Miller were present. Also present were County Manager, William P. Wilson, Jr., Zoning Attorney, Newton Galloway, Director of Community Development, Chad Jacobs, and Executive Secretary, Kathy Gibson, to record the minutes.**

### **I. OPENING (CALL TO ORDER) – Chairman Samuel Gardner.**

Commissioner Ray requested that the agenda be amended to include an item #5 under New Business to discuss the Substandard Housing Ordinance drafted earlier this year since Mr. Jacobs and Mr. Galloway are both present for this meeting.

***Motion/Second by Ray/Flowers-Taylor to add an item #5 to the Agenda to allow discussion of the Substandard Housing Ordinance. Motion carried unanimously by all.***

### **II. CITIZEN COMMENT**

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.

### **III. NEW BUSINESS:**

1. Application #14-04Z: Ed Jr. and Maria Johnson, Owners - 600 Hamil Road (40.87 acres located in Land Lot 228 of the 3rd Land District) - requesting a rezoning from R-2, Single Family Residential, to AR-1, Agricultural and Residential.

Chad Jacobs, Director of Community Development, requested that items #1 and #2 be heard together and that they be voted on separately as both items are the same applicant and are on adjoining properties.

Consensus of the board was to hear both items #1 and #2 together and vote on the items separately as requested by Mr. Jacobs.

Mr. Jacobs advised that the applications currently before the board are to move from R2 Single Family Residential to an AR1 Agricultural and Residential designation. It is the intention of the applicant to grow crops on the property. Mr. Jacobs stated that in review of the request the staff recommends approval in that the request is consistent with the comprehensive plan and the future land use map and the request will not cause a threat to the public health, safety or welfare of the area.

Mr. Jacobs stated that approval is requested on Application #14-04Z and Application #14-05 AZ. At the regular scheduled meeting in October the Planning Commission also recommended approval of both applications. This will take this property into compliance with the future land use map.

**Ed Johnson, 600 Hamil Road** stated that he and his family currently have 25 to 30 acres that they have harvested hay from on this property for years and they have several gardens that they plant on the property and currently grow more vegetables than they can use for their family. It is their hope that in the future they will be able to sell the crops they cannot use at farmers markets.

***Motion/Second by Ray/Miller to approve Application #14-04Z: Ed Jr. and Maria Johnson, Owners - 600 Hamil Road (40.87 acres located in Land Lot 228 of the 3rd Land District) - requesting a rezoning from R-2, Single Family Residential, to AR-1, Agricultural and Residential. Motion carried unanimously by all.***

2. Application #14-04AZ: Ed and Maria Johnson, Owners - Hamil Road (2.212 acres located in Land Lot 228 of the 3rd Land District) - requesting a rezoning from R-2, Single Family Residential, to AR-1, Agricultural and Residential.

***Motion/Second by Flowers-Taylor/Miller to approve Application #14-04AZ: Ed and Maria Johnson, Owners - Hamil Road (2.212 acres located in Land Lot 228 of the 3rd Land District) - requesting a rezoning from R-2, Single Family Residential, to AR-1, Agricultural and Residential. Motion carried unanimously by all.***

3. Application #14-05Z: Bankston Properties, LLC, Owner - Spalding County Board of Commissioners, Agent - Williamson Road (30.366 acres located in Land Lot(s) 76 and 77 of the 2nd Land District) - requesting a rezoning to O & I, Office and Institutional.

Mr. Jacobs advised that this application goes hand in hand with the de-annexation of this property from the City back into the County. Mr. Jacobs advised that the county had approved support of the de-annexation and at that time were advised that there would have to be a zoning placed on the property once it became part of the county. Staff is recommending zoning of this property to O&I. Mr. Jacobs stated that at the regular meeting of the Planning and Zoning Commission approved the zoning of this by a vote of 3-0.

Mr. Jacobs advised that before this goes to final reading we have to get a current meets and bounds survey. He requested that the approval by the board be conditioned upon receipt of a current meets and bounds survey and up-to-date legal description. The second condition needs to be upon the City of Griffin approving de-annexation this zoning will apply.

***Motion/Second by Ray/Johnson to approve Application #14-05Z: Bankston Properties, LLC, Owner - Spalding County Board of Commissioners, Agent - Williamson Road (30.366 acres located in Land Lot(s) 76 and 77 of the 2nd Land District) - requesting a rezoning to O & I, Office and Institutional with the following two conditions to be met prior to second reading: the first being an up-to-date meets and bounds survey and legal description and the second being pending de-annexation approval from the City of Griffin.***

Commissioner Flowers-Taylor asked how the surrounding property owners were notified of the de-annexation and rezoning application.

Mr. Galloway advised that the standard notification was sent out to all of the surrounding property owners as required for the rezoning of the property. Mr. Galloway advised that the county's only obligation regarding the de-annexation was to send a letter of support to the city in support of the action the rest of the obligation of notification would be the city's obligation.

Mr. Jacobs provided documentation of how every property owner that abuts the property in question was notified by mail. Signage and publication was also done per the Zoning Procedures Act.

***Motion carried unanimously by all.***

4. Amendment to UDO #A-14-07: Appendix A. Subdivision Ordinance - Section 406: C - amend review of construction plans.

Mr. Jacobs stated that this will change the UDO to move the review from 21 day review time for civil drawings to a 7 day review time. This change was implemented several years ago, but we never codified the change. This request will codify this change and incorporate it into the UDO.

***Motion/Second by Ray/Johnson to approve the amendment to UDO #A-14-07: Appendix A. Subdivision Ordinance - Section 406:C - amend review of construction plans. Motion carried unanimously by all.***

5. Commissioner Flowers-Taylor requests to revisit the Substandard Housing Ordinance drafted earlier this year.

William Wilson, County Manager, stated that staff met on December 19, 2013, to discuss this ordinance and recommended items that staff would like to see changed and incorporated items that the board wanted included and that is where the ordinance stands.

Mr. Galloway stated that the board met on this issue at the same time we met on the Alcohol license review. The ordinance distributed to the Board is the text that was developed in that meeting.

Mr. Galloway then directed the board to Section 9-3104 Minimum Standards Section (e). Exterior Conditions and Accessory Structures. This section was discussed extensively at the meeting in December and this document contains the text that was developed in that meeting.

Mr. Galloway stated that the outside storage of junk is included as part of the definition of substandard housing, trees and shrubs from a visibility perspective, and general plant growth which was limited to property less than two acres in size and would be considered the landscaped yard area of developed property. This ordinance treats these conditions in the same manner under substandard housing conditions as a deteriorating roof or a hole in the wall of a house would be treated or any other circumstance that would cause a house to be substandard.

Mr. Galloway advised that there were other changes requested with regard to procedure and the Zoning Administrators being able to enter a property without a warrant and other clean up items that were requested at that time and he has incorporated all of the changes requested at that meeting into the ordinance before the board.

Commissioner Flowers-Taylor requested that the section addressing a condition that is a violation be amended to read the height of grass be no taller than 15 inches.

Consensus of the board is to make the change as requested by Commissioner Flowers-Taylor and place the ordinance for first reading on the December 1<sup>st</sup>, 2014 agenda for consideration.

**IV. OTHER BUSINESS - None**

**V. ADJOURNMENT**

***Motion/Second by Ray/Miller to adjourn. Motion carried unanimously by all. Meeting adjourned at 5:59 p.m.***

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/s/ Samuel C. Gardner  
Chairman

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/s/ William P. Wilson, Jr.  
County Manager