

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
July 30, 2013

The Spalding County Planning Commission held its regular monthly meeting on July 30, 2013 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ed Johnson, Chairman, presiding; Bruce Ballard; Sonny Eubanks; Frank Harris and John Youmans.

Also present were: Chad Jacobs, Community Development Director; Virginia Church, Attorney and Yvonne Langford to record the minutes.

Mr. Johnson called the meeting to order and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

Application #13-02Z: Joseph P. and Miriam F. O'Day, Owners – 1644 Tomochichi Road (6.88 acres, more or less, located in Land Lot 23 of the 2nd Land District) – requesting a rezoning from R-2, Single Family Residential, to AR-1 Agricultural and Residential.

Joseph O'Day – 1644 Tomochichi Road

Mr. O'Day said he has requested the rezoning so he and his wife can have their 5 miniature horses on the property. The horses are retired show horses. They are pets, and they would like to have them on the property with them. They have talked with the neighbors, and they do not have any objections to the horses. The neighbor adjacent to them runs cattle and further down the street there are horses and goats. His horses should fit the area.

Mrs. O'Day was signed in but had no further comments.

Mr. Jacobs said this is essentially a down zoning from R-2 to AR-1. This request is compliant with the future land use map, and the staff recommendation is for approval.

MOTION

Mr. Youmans made a motion to approve Application #13-02Z. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

S/D #05-07: Consider extension of preliminary plat for Vineyard Park Subdivision – State Bank & Trust Company, Owner – expires June 28, 2013.

Mr. Jacobs said the staff recommends approval.

MOTION

Mr. Harris made a motion to approve S/D #05-07. The motion passed on a second by Mr. Youmans with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

S/D #05-10: Consider extension of preliminary plat for Hunt's Mill Estates Subdivision – MF Georgia II, LLC, Owner – expires June 28, 2013.

Mr. Jacobs said the staff recommendation is for approval.

MOTION

Mr. Ballard made a motion to approve S/D #05-10. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

S/D #05-11: Consider extension of preliminary plat for Teamon Pointe Subdivision – Minerva Springs Lake, LP, Owner – Expires July 26, 2013.

Mr. Jacobs said the staff recommends approval.

MOTION

Mr. Ballard made a motion, seconded by Mr. Youmans, to approve S/D #05-11. The motion passed with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

Amendment to UDO #A-13-02: Article 4. General Procedures – Section 408 – delete Exemption from Permit Fee.

Mr. Jacobs said the reason for requesting this amendment to the UDO is they have issues regarding house fires. They were treated as acts of God and were exempt from permitting fees. However, 95% of fires are not acts of God. Permits are issued and they have to do the inspection's which is causing an expense to the County. This is essentially to cover the expense involved with the inspections. Permit fees are \$25 base fee and .20 per square foot.

MOTION

Mr. Harris made a motion to approve Amendment to UDO #A-13-02: The motion passed on a second by Mr. Youmans with Mr. Ballard, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

Amendment to UDO #A-13-03: Article 15. C-2 Manufacturing – Section 1503A (34) – delete Commercial Livestock Processing as principal use; Section 1503:B(9) – add Commercial Livestock Processing as special exception use.

Amendment to UDO #A-13-04: Article 15. C-2 Manufacturing – Section 1503:A(42) – delete Poultry Processing Plant as principal use; Section 1503:B(10) – add Poultry Processing Plant as special exception use.

Amendment to UDO #A-13-03 and Amendment to UDO #A-13-04 were discussed together but voted separately.

Mr. Jacobs said at the current time, there is a moratorium in effect regarding these amendments. The current C-2 language allows commercial livestock processing by right. There is a lot of C-2 zoning that surrounds some neighborhoods. They are trying to avoid a slaughterhouse close to a neighborhood. They want to take it out as a right and make it a special exception and look at the request on a case by case basis. Mr. Galloway did have concerns over the minimum lot size of 100 acres. The Planning Commission might want to review that portion of the change. Mr. Eubanks raised the issue of why a right should be taken away from property owners. There are over 125 permitted uses by right and now they want to remove two. He is not for removing it as a permitted right. Mr. Eubanks wanted to know how many 100-acre tracts there are in the County. Mr. Jacobs said they were not denying them the right they were just changing it so a request would have to be reviewed. He said he did not know how many 100-acre tracts there are remaining. He is not set on the 100-acre requirement but is recommending this change to make certain that it does not negatively impact surrounding properties. Mr. Youmans said what is trying

to be prevented is a slaughterhouse in someone's backyard. He further stated that this is not taking a right but just adding another level of approvals. Discussion was held and it was determined more information was needed before making a decision.

MOTION

Mr. Ballard made a motion to table Amendment to UDO #A-13-03 until the next meeting. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

MOTION

Mr. Harris made a motion to table Amendment to UDO #A-13-04 until the next meeting. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

Amendment to UDO #A-13-05: Appendix C. Ordinance Establishing Board of Appeals – Section 11, 111, 111A and VII – amend number of Board of Appeals members.

Mr. Jacobs said this amendment is to establish the Board of Appeals at 5 members. At one time, there were five members, and it was changed to 7 and now it needs to revert to the 5 members. Mr. Harris said at one time, a member of the Appeals Board was a member of the Planning Commission and a member of the Planning Commission was a member of the Appeals Board. It was helpful to have the information from each of the other Boards available at the meetings. Ms. Church said the current ordinance and the new ordinance provides for a sixth voting member of the Board who is the Chairman of the designated other board.

MOTION

Mr. Harris made a motion to approve Amendment to UDO #A-13-05. The motion passed on a second by Mr. Youmans with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Youmans made a motion to approve the minutes of the May 28, 2013 meeting. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

ADJOURN

The meeting was adjourned on a motion by Mr. Ballard and a second by Mr. Youmans with Mr. Ballard, Mr. Eubanks, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion.

Ed Johnson – Chairman

Yvonne M. Langford - Recorder