

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**March 26, 2013**

The Spalding County Planning Commission held its regular monthly meeting on March 26, 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; Newton Galloway, 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.

**ELECTION OF OFFICERS**

Mr. Johnson called for nomination for a chairman. Mr. Johnson nominated Mr. Youmans to serve as chairman. Mr. Ballard seconded the nomination.

Mr. Youmans said he would rather pass to chairmanship to Mr. Johnson and nominated him for chairman. Mr. Harris seconded the nomination.

The vote was tied with Mr. Ballard and Mr. Eubanks voting for Mr. Youmans and Mr. Harris and Mr. Youmans voting for Mr. Johnson.

Mr. Johnson called for the vote again and Mr. Johnson was elected with Mr. Ballard, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for Mr. Johnson and Mr. Johnson abstaining.

Mr. Johnson called for nominations for a vice-chairman.

Mr. Ballard nominated Mr. Youmans. Mr. Johnson seconded the nomination.

Mr. Youmans was elected with Mr. Ballard, Mr. Eubanks, Mr. Harris and Mr. Johnson voting for Mr. Youmans and Mr. Youmans abstaining.

**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 3<sup>rd</sup> Land District) – requesting a rezoning from C-1, Highway Commercial, to R-3, Multiple-Family district.

Stephanie Everett – 977 Ponce De Leon Avenue, Atlanta, Georgia

Ms. Everett said she was an attorney representing the owner regarding this application. This is a mobile home community that has existed for some time. This community predates the zoning ordinance and is currently a legal non-conforming use. They are requesting a rezoning to R-3 which is consistent with the land-use plan. They have had some conditional variances approved by the Appeals Board contingent on this zoning being approved.

The property was recently sold and the new owner intends to keep the property as it is currently used, as a mobile home community.

Mr. Harris requested the name of the local Georgia representative. Ms. Everett did not have that information but stated that the owner owns other communities in Georgia and have a Georgia

presence and will have a local person on-site managing the property. She offered to get the information and provide it to Mr. Harris.

The issue was raised as to whether or not all of the current lots are non-conforming. Ms. Everett said that there are 60 vacant lots but all of the lots are legal non-conforming lots. The County recently issued the opinion that if certain lots remain vacant for a year or more in the future the County will consider that those lots have lost their legal non-conforming status. That is one of the reasons for seeking this zoning change because that will alleviate that issue.

Mr. Jacobs said the staff recommendation is for approval. It is consistent with the land-use map, and it will also bring the legal non-conforming use into conformity. The rezoning is subject to the variances that were conditionally approved by the Appeals Board.

#### **MOTION**

Mr. Harris made a motion to approve Application #13-01Z. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Johnson, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

**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 said the Planning Commission used to approve the official zoning map every quarter, but they plan to request approval on an annual basis. Very little has changed since the last time it was approved. He reviewed the changes.

#### **MOTION**

Mr. Ballard made a motion to approve Amendment to UDO #A-13-01. The motion passed on a second by Mr. Youmans with Mr. Ballard, Mr. Eubanks, Mr. Harris, Mr. Johnson and Mr. Youmans voting for the motion.

#### **MINUTES**

Mr. Youmans made a motion to approve the minutes of the December 11, 2012 meeting. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Eubanks, Mr. Harris, Mr. Johnson 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. Harris, Mr. Johnson, and Mr. Youmans voting for the motion.

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Ed Johnson – Chairman

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Yvonne M. Langford - Recorder