

September 7, 2004

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, September 7, 2004 at 6:00 p.m. in the Courthouse Annex V Conference Room, 132 East Spring Street, Monroe, Ga. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Michael Turner, Phil Green, Lamar Palmer, Gerald Atha and John Robinson, County Clerk Leta Talbird, Associate County Attorney Bill Childers and Planning Director Mike Martin. A list of citizens and other employees in attendance at this meeting is on file in the auxiliary file under this meeting date.

Chairman Little called the meeting to order at 6:05 p.m. and led those present in the Pledge of Allegiance. Commissioner Green opened the meeting in prayer.

Commissioner Robinson made a motion to adopt the agenda as presented, with requested additions. Commissioner Ayers seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to re-adopt the WC Comprehensive Land Development Ordinance in its entirety along with errata sheet dated 7-2-04. Commissioner Robinson made a motion to re-adopt the Ordinance as recommended, changing Kennel, Hobby paragraph C - Location on a site not less than 5 acres with all buildings used for animals to be located at least 200 feet from any property line and all animals shall be fenced at least 200 feet from any property line. Commissioner Ayers seconded the motion. All voted in favor.

Jimmy Parker of Precision Planning, Inc. presented a proposal for engineering services for road improvements associated with Youth Middle School. Commissioner Green made a motion, seconded by Commissioner Turner, to approve the proposal. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Atha, to remove the following items from the agenda: 8. Decision on land use amendment for N. Anderson Malcom – Mt. Paran Church Road and 9. Decision on rezone request from A-1 to R-1 on 50.5 acres for N. Anderson Malcom – Mt. Paran Church Road. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from A-2 to R-1 with Greenspace Overlay for Central Georgia Development. The effected property, owned by Savannah Mayfield & Kathryn Norris, is located on Double Springs Church Road and is further identified on WC Tax Map C 74, Parcel 8 Split. The purpose of the request is to rezone 29 acres for a single-family residential subdivision. Chairman Little opened the public hearing on the matter. David Willett of Central Georgia Development came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the rezone with the following conditions: Minimum 2400 square feet houses, all brick or masonry on all four sides of each residence, all underground utilities, and 500 feet of 4 ft. high fence with a barbless top strand to be paid for totally by the developer with the clearing to be done by the adjacent land owner, Mr. Campbell. Commissioner Atha seconded the motion. Commissioners Ayers, Turner, Green, Palmer and Atha voted in favor of the motion. Commissioner Robinson opposed the motion, citing the impact of the development on schools. The motion carried 5-1.

The Board considered a Planning Commission recommendation to approve a

rezone request from B-1 to B-3 for Wellspring Farm, LLC, John Carter. The effected property is located at 2183 U.S. Hwy. 78 and is further identified on WC Tax Map C 61, Parcel 206. The purpose of the request is to rezone 1.24 acres for a custom built motorcycle shop. Chairman Little opened the public hearing on the matter. There was no one present in support of the rezone. Charna Parker of the Planning & Development Office presented the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the rezone with the condition that all outside storage other than retail will be fenced so that it can't be seen by the public. Commissioner Robinson seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a land use amendment from Commercial to Industrial on 3.7 acres for Cook & Fowler, LLC and Shumate & Company, Inc. The effected property is located on Plantation Drive off U.S. Hwy. 78 and is further identified on WC Tax Map C 61, Parcels 170 A, L & M. Chairman Little opened the public hearing on the matter. Attorney Gene Benton, representing the applicant, came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Turner, to approve the land use amendment. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from B-2 & M-1 to M-1 for Cook & Fowler, LLC and Shumate & Company, Inc. The effected property is located on Plantation Drive off U.S. Hwy. 78 and is further identified on WC Tax Map C 61, Parcels 170 A, L & M. The purpose of the request is to rezone 3.7 acres for light industrial use. Chairman Little opened the public hearing on the matter. Attorney Gene Benton, representing the applicant, came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Green, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to R-1 for Teresa Millard. The effected property is located at 3391 Old Zion Cemetery Road and is further identified on WC Tax Map C 41, Parcel 7. The purpose of the request is to rezone 3.242 acres to split into two buildable tracts. Chairman Little opened the public hearing on the matter. Teresa Millard came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Turner, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from MH (A-2) to R-1 for Tina Dixon. The effected property, owned by Kevin Craig, is located on S. Smith Road and is further identified on WC Tax Map C 48, Parcel 9 Split. The purpose of the request is to rezone 1.22 acres to provide a buildable tract. Chairman Little opened the public hearing on the matter. Tina Dixon came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Turner, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a guesthouse for Charles Durham & Patricia Thomas. The effected property is located at 4275 Timber Trace road and is further identified on WC Tax Map N 59B, Parcel 26. Chairman Little opened the public hearing on the matter. Patricia Thomas came before the Board in support of the Conditional Use. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner

Ayers made a motion, seconded by Commissioner Robinson, to approve the Conditional Use. All voted in favor.

Chris Kumnick of the Walton County Environmental Health Office presented Environmental Health Ordinances for the Board's consideration. There was no one present in opposition. Commissioner Robinson made a motion to adopt the following Ordinances: Swimming Pools, Spas & Recreational Water Parks, Tourist Accommodations, On-Site Sewer Management Systems and Food Service. Commissioner Turner seconded the motion; voted and carried unanimously.

The Board considered a request for acceptance of rights of way in Bradley Gin Subdivision, a private drive development. Commissioner Palmer made a motion to accept the right of way subject to completion of the list of corrections and requirements that is attached to the request. Commissioner Turner seconded the motion; voted and carried unanimously.

Commissioner Robinson made a motion, seconded by Commissioner Atha, to accept the rights of way in the following subdivisions: Brookstone Estates Subdivision, Alcovy Ridge Subdivision and Pine Hill Subdivision. All voted in favor.

The Board considered an annexation request from the City of Loganville. The effected property, containing 17.1141 acres, is located on U.S. Hwy. 78 and is further described as Loganville Annexation Request #A04-044, WC Tax Map C 43, Parcels 2 & 5. Planning Director Mike Martin reviewed the discussion from a meeting held with the City of Loganville. Commissioner Turner stated that there is a potential traffic hazard due to the impact of the proposed development on U.S. Hwy. 78. After further discussion, Commissioner Robinson made a motion to approve the annexation. Commissioner Atha seconded the motion. Commissioners Green, Palmer, Atha and Robinson voted in favor of the motion. Commissioners Ayers and Turner opposed the motion. The motion carried 4-2.

The Board considered an annexation request from the City of Monroe. The effected property, containing 48.09 acres, is located on U.S. Hwy. 78 & Ga. Hwy. 10 Bypass and is further identified on WC Tax map 93, Parcel 7. Planning Director Mike Martin stated that he saw no adverse effect to the County as a result of the annexation. Commissioner Robinson made a motion, seconded by Commissioner Atha, to approve the annexation. Commissioners Ayers, Green, Palmer, Atha and Robinson voted in favor. Commissioner Turner opposed the motion. The motion carried 5-1.

The Board considered a request from the Social Circle Development Authority to waive 2003 taxes due on property acquired by the Authority from the Sanders Upshaw Estate. Commissioner Palmer made a motion to waive the County portion of the taxes. Commissioner Green seconded the motion. After further discussion, Commissioner Palmer amended his motion to exempt the County portion of the taxes only for the portion of the year that the Social Circle Development Authority owned the property. Commissioner Green seconded the amended motion. All voted in favor.

The Board discussed concerns regarding the condition of the bridge on Chandler Haulk Road. Chairman Little read the latest DOT bridge report regarding the condition of the bridge. Chairman Little stated that he will ask DOT to re-evaluate the bridge and if there is any question about the proposed repairs, the County will go forward with replacing the bridge.

At 6:58 p.m., Commissioner Turner made a motion, seconded by Commissioner Ayers, to adjourn the meeting. All voted in favor.

All documents of record for this meeting are on file in either the addendum book or auxiliary file under this meeting date.

KEVIN W. LITTLE, CHAIRMAN      LETA P. TALBIRD, CLERK

CLINTON AYERS, DISTRICT 1      MICHAEL TURNER, DISTRICT 2

HARRY P. GREEN, DISTRICT 3      LAMAR PALMER, DISTRICT 4

GERALD ATHA, DISTRICT 5      JOHN ROBINSON, DISTRICT 6