

October 4, 2005

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, October 4, 2005 at 6:00 p.m. in the Board Room of the Walton County Government Building, 303 South Hammond Drive, Suite 330, Monroe, Ga. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Michael Turner, Vickie Gasaway, Lamar Palmer, Gerald Atha and John Robinson, County Clerk Leta Talbird, County Attorney Ken Lander, Financial Officer Christie Pickens 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 6:00 p.m. and led those present in the Pledge of Allegiance. Commissioner Robinson opened the meeting in prayer.

Commissioner Turner made a motion to adopt the agenda as presented. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a gated private drive subdivision for Rochester & Associates. The effected property, owned by Rivers Edge in Walton, LLC, is located on Michael Etchison Road and Ammons Bridge Road and is further identified on WC Tax Map C 97, Parcel 19. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, 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 Atha made a motion to approve the Conditional Use. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Residential Neighborhood Development preliminary plat for Rochester & Associates. The effected property is located on Michael Etchison Road and Ammons Bridge Road. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the request. There was no one present in opposition. Commissioner Atha made a motion, seconded by Commissioner Palmer, to approve the RND preliminary plat. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from B-1 & B-2 to B-3 for Jeff Crowe. The effected property is located at 3998 Centerhill Church Road and is further identified on WC Tax Map C 51, Parcel 113. The purpose of the request is to rezone 2.02 acres for an auto garage and muffler shop. Chairman Little opened the public hearing on the matter. Jeff Crowe came before the Board in support of the rezone. Mr. Crowe asked the Board to refund the application fee. He stated that the use of the property has not changed, but that changes in the Land Development Ordinance require him to rezone the property. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion to approve the rezone and to refund the

application fee. Commissioner Ayers seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to R-1 with Open Space Conservation Overlay for Harrington Homes. The effected property is located on H.D. Atha Road and is further identified on WC Tax Map C 78, Parcel 34. The purpose of the request is to rezone 51.91 acres for a subdivision. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the rezone. Mr. Rosenthal stated that a letter reserving the applicant's Constitutional rights had been delivered to Chairman Little. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Gasaway recused herself from voting on the matter. After discussion, Commissioner Turner made a motion to approve the rezone with the condition that no alternative septic systems will be used on the back four lots of the development, as consented to by the landowner. Commissioner Ayers seconded the motion. Commissioners Ayers, Turner, Palmer, Atha and Robinson voted in favor of the motion. Commissioner Gasaway recused herself from voting on the matter. The motion carried 5-0.

The Board considered a Planning Commission recommendation to approve a rezone request from R-1 to B-2 for Mark S. Myers. The effected property is located at 2120 Ga. Hwy. 81 and is further identified on WC Tax Map C 51, Parcel 157. The purpose of the request is to rezone 1.871 acres for a real estate office. Chairman Little opened the public hearing on the matter. Mark Myers 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 Turner made a motion to approve the rezone. Commissioner Ayers seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from R-1 with Open Space Conservation Overlay to R-1 with Green Space Overlay for A. Fortner Construction Company, Inc. The effected property is located on Grady Smith Road and is further identified on WC Tax Map C 38, Parcels 37 & 41. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the rezone. Mr. Rosenthal reserved the applicant's Constitutional rights for the record. 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 conditions that right of way will be donated by Mr. Fortner along Grady Smith Road so that the road can be paved in the future and that playground equipment will be put in the common area that is owned by the homeowners association. Commissioner Turner seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to R-1 with 2400 Overlay for RTA Land Development, LLC. The effected property, owned by James D. Green, Billie F. Green and Ray & Victoria D. Green, is located at 3111 North Sharon Church Road and is further identified on WC Tax

Map C 28, Parcel 1. The purpose of the request is to rezone 9.35 acres for a subdivision. Chairman Little opened the public hearing on the matter. Al Wages, representing the applicant, 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 Turner made a motion, seconded by Commissioner Gasaway, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to deny a land use designation change from high density residential to commercial and a rezone from R-1 to B-2 for The Sanctuary House, Inc. The effected property, owned by James M. Sims, is located on John Deere Road and Phillips Drive and is further identified on WC Tax Map N86B, Parcels 59 & 97. The purpose of the request is to construct a 24-hour secure transitional/group home for youth on 14.19 acres. Chairman Little opened the public hearing on the matter. LaKisha Banks, representing the applicant, came before the Board in support of the request. Ms. Banks stated that after discussion with the Planning & Development Office, she would like to change her request and asked the Board to consider changing the land use designation from high density residential to medium density residential and rezone from R-1 to A-1 with a Conditional Use for the proposed facility. Brenda Mobley spoke in opposition to the request, stating that the development would be too close to her home. Chairman Little closed the public hearing on the matter.

Planning Director Mike Martin stated that the revised request was a less intense use than requested in the original application. After further discussion, Commissioner Robinson made a motion to approve the land use designation change from high density residential to medium density residential and to approve a rezone from R-1 to A-1 with a Conditional Use with the condition that a 8-ft. decorative wooden fence will be installed on the east side of the property and an 8-ft. chain link fence with vegetative cover will be installed on the west side of the property. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve amendments to the Walton County Land Development Ordinance adopted 7-5-05 as shown on Errata Sheet dated 8-3-05. Commissioner Turner made a motion, seconded by Commissioner Ayers, to approve the amendments as presented. All voted in favor.

Commissioner Gasaway made a motion, seconded by Commissioner Turner, to approve the following rights of way: Brooks Crossing Subdivision – Brookshire Drive, Meadowood Subdivision – Meadowood Cove and Dogwood Farms Subdivision – Albert Jones Drive, Lois Court. All voted in favor.

Financial Officer Christie Pickens presented an FY06 budget amendment for capital outlay for the Board's consideration. Commissioner Robinson made a motion, seconded by Commissioner Palmer, to approve the budget amendment as presented. All voted in favor.

Ms. Pickens requested the Board adopt a resolution to allow the Recreation Department to

issue checks on the existing Parks & Recreation bank account for payment of officials, scorekeepers and monitors at sporting events and to issue refunds for registration. After discussion, Commissioner Robinson made a motion to table a decision on the matter until a called meeting to be held at 4:00 p.m. on October 6, 2005. Commissioner Gasaway seconded the motion. All voted in favor.

At 6:55 p.m., Commissioner Gasaway made a motion, seconded by Commissioner Palmer, to adjourn the meeting. All voted in favor.

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

KEVIN W. LITTLE, CHAIRMAN

LETA P. TALBIRD, CLERK

CLINTON AYERS, DISTRICT 1

MICHAEL TURNER, DISTRICT 2

VICKIE M. GASAWAY, DISTRICT 3

LAMAR PALMER, DISTRICT 4

GERALD ATHA, DISTRICT 5

JOHN ROBINSON, DISTRICT 6