

NEWTON COUNTY BOARD OF COMMISSIONERS

MINUTES

September 19, 2000

**Newton County Executive Office Building
Chairman Davis C. Morgan, Presiding**

Present: Chairman Davis Morgan, Commissioners Ronnie Dimsdale, J.C. Henderson, Hubert White; Attorney Scott Cole; Finance Director John Middleton

Absent: Commissioner Danny Stone – Regional Conference; Clerk Jackie Smith – Clerk’s Conference

Also present: Cindy Tumlin-Covington News; Karen Addy-Newton Citizen; Add Seymour- Atlanta Journal Constitution – Small group of citizens

Call To Order: Chairman Morgan extended welcome and read thought for the day.

Invocation: Commissioner Ronnie Dimsdale

Pledge of Allegiance: Led by Chairman Morgan

APPROVAL OF MINUTES OF DATED September 5, 2000

Motion: To approve minutes as submitted.

Proposed by: Commissioner Tommy Ballard, District One

Second: Commissioner J.C. Henderson, District Four

Motion Carried Unanimously

APPOINTMENT TO TAX ASSESSOR BOARD

Commissioner Dimsdale spoke with Jim Means (Chairman Tax Assessor Board) who stated they needed BOC to reaffirm the appointment of Mrs. Lindsay to the board. Commissioner Henderson questioned term. Commissioner Dimsdale stated it would be 2001. He stated that due to scheduling problems she had not been able to complete her schooling. The state requires reaffirming to be able to complete requirements.

Motion: To affirm the appointment of Mrs. Lindsay to Board of Assessors.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second: Commissioner Hubert White, District Five

Motion Carried Unanimously

LAND TRUST COMMITTEE PRESENTATION

Chairman Morgan recognized the Land Trust Committee and introduced Frank Turner, Jr. Mr. Turner talked about the committee’s role, and its members, and asked for questions from the board.

Commissioner White: Questioned conservation easements and local code regarding the minimum lot size for septic tanks (100 foot lot), septic tank layout & environmental health questions. Higher density allows developer opportunity to leave more greenspace. He commented that he felt county needed to look at some of the concerns with state environmental health, and that the higher density allows developers to work with the 20% greenspace.

Commissioner Ballard: Questioned of the 2200 acres at Gaither Plantation if the land trust would permit future boards to make decisions on timber harvesting of the pines...not hardwoods.

Chairman Morgan requested the committee to please stand and introduce themselves. They are: LaTrelle Oliver, Eshe Riviears, Johnny Pressley, Mort Ewing and Frank Turner, Jr.

Commissioner Henderson asked if they could come to a work session and they said they would and coordinate it through LaTrelle Oliver.

The board thanked the committee for their work on behalf of the county.

COMMUNITY SERVICE BLOCK GRANT (CSBG) FY2001
Subcontracts for Newton County Senior Services
Subcontracts for Newton County DFACS

This is a housekeeping item that was discussed at the work session.

Motion: To approve as presented.
Proposed by: Commissioner Hubert White, District Five
Second: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

ZONING: Note: The following zonings were tabled from September 5, 2000.

Greg Mitchell
Intersection of Sara Drive & Covington Bypass Road
R-30 to RMF

Proposed Zoning: RMF
Area: 24.5 acres
Current Zoning: R-30
Planning Commission Recommendation: To deny. The request does not comply with Future Land Use Map.
Staff Recommendations: To deny based on the following:
1. The proposed zoning does not comply with the future land use map.
2. The area retains a rural atmosphere with open land and single-family detached housing. This developing would be contradictory to the policy of focusing appropriate housing in appropriate locations.

Planner Lloyd Kerr stated the petitioner presented the rezoning from R-30 to RMF for approximately 24 acres of property. He stated the planning commission as well as the planning staff recommended denial of the request as it does not comply with the future land use map. Future plan designates this area as low-density residential development. Negative impacts on traffic, schools, and other county infrastructures.

Petitioner Representative: Attorney Jimmy Alexander

Mr. Alexander distributed a map of the general area of this property (I-20 on one side of the Bypass Road to Crowell Road on the other) showing that low-density residential zoning has not occurred.

He suggested that a variety of other zonings do exist on the Bypass Road and consequently the land use map is out of date.

He distributed pictures of the housing existing in all the subdivision that would be impacted by this project. He passed around plans of the proposed townhouse apartment units - 1200 square feet.

In addition to required buffers:

1. Petitioner will provide privacy fencing along the adjoining property lines to existing residences.
2. No development at this time on the 4-acre tract up front of the property zoned commercial.
3. Density: 144 units when built out.

He noted that the location of the property in relation to the sewage treatment plant precludes developing upscale residential property on this site.

Projects property will not support \$150,000 - \$200,000 single family housing, but eventually develop as other tracts have in this area: Office Institutional and Highway Commercial; M1, M2 or Industrial or RMF.

He commented that as proposed RMF is the best promise and solution for this property. This townhouse is far superior quality of development compared to other rental property in the vicinity (within a few 100 yards).

Questions:

Commissioner White: Are these pictures a project already done by the petitioner? A: No, just an example and should be viewed as such. (Example of a 2-bedroom townhouse type project.)

Commissioner Henderson: What other projects have been done by developer? A: The developer, Kip Lance, is doing similar project of 2-bedroom townhouse in the historic district in Madison.

Opposition:

- Thomas Buckner
Rental cost?
- Jeff Hay
Resident in area
Would like Mr. Alexander's comments on location near sewage plant addressed.
Area is alive and well and this is not an issue.
No adverse affects...tax appraisals up again in this area, houses continue to be built.
New homes sold with view of lake and treated sewage sprinklers in back-has not affected the sale.
- Pertinent Facts:
Read letter to editor (Covington News) from Deborah Robertson, Newton County Board of Education, regarding adverse impact of 144 rental units on school system.
- Agrees with recommendation from the Planning & Zoning Commission.
- Petitions from residents in community – come from the neighborhoods/subdivision affected – 130 signature residents 18/older from 65 homes.
- Reviewed the proposed changes to project proposed by petitioner and noted their concerns.
- Thanked board for listening to their concerns and noted that his request is opposed by the Planning & Zoning Commissioner, the Zoning Department, the School Board, and residents. They asked that petition be denied and that the existing zoning be maintained.
- Other residents stated and asked questions as follows:
- How much will units rent for?

- Spoke of appreciation of home and living in Newton County.
- Does not want to look out front door at apartments.
- Worked hard for their homes.
- Requested that they make the property a recreation site/playground.

Petitioner Representative: Attorney Jimmy Alexander

- ◆ Land uses not issue of popularity.
- ◆ Issue is right of landowner to utilize his property.
- ◆ Restricting his use to use that is unreasonable then you take away Terry Smith's right to use his land.
- ◆ He spoke of land use, mixed use
- ◆ Apartments are already in the same area.
- ◆ These will be 1200 square – as large as many houses in area.

Questions:

Commissioner Henderson: Has P&Z seen this map? A: No, but is aware of the uses in the area.

There was discussion of the various businesses in area.

Commissioner White: Talked about the difficulty and facts that go into making these zoning decisions and after discussion duly made motion.

Motion: To uphold Planning & Zoning Commission recommendation to deny.

Proposed by: Commissioner Hubert White, District Five

Second: Commissioner J.C. Henderson, District Four

Motion Carried Unanimously

Rance Lukas

5202 Hwy. 20 South

R-40 to C-N

Proposed Zoning: R-40

Area: 1.55 acres

Current Zoning: C-N

Planning Commission Recommendation: To deny.

Staff Recommendations: To approve with conditions.

Planner Lloyd Kerr stated the property would be used as a small retail site. He gave staff recommendation conditions:

1. Exterior elevations and exterior lighting must meet staff approval.
2. Landscaping and parking plans must meet staff approval.
3. Sidewalks must be installed along entire road frontage.
4. Access to be provided to adjacent parcels.
5. Acceleration/deceleration lanes per DOT standard.

Petitioner: Mr. Lukas

- ◆ Site plan submitted for review
- ◆ Strictly exterior/no structural renovation
- ◆ Parking/sidewalks
- ◆ Have buyer at this time, offer contingent on zoning.

Questions:

Commissioner Henderson: Why was it denied previously? A: No firm buyer...will be small retail antique shop.

Commissioner Dimsdale: Will antiques be displayed in the existing house? A: yes

Opposition: None

Motion: To approve request based on Planning & Zoning recommendations per four stipulations.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second: Commissioner J.C. Henderson, District Four

Motion Carried Unanimously

Jawahar Chugh

3665 Salem Road

M-1 to C-H

Proposed Zoning: C-H

Area: 4.01 acres

Current Zoning: M-1

Planning Commission Recommendation: To approve.

Staff Recommendation: To approve request with the following conditions:

1. Exterior lighting must meet staff approval.
2. Landscaping and buffer material must meet staff approval.

Discussion by commissioners and review of the site plan.

Motion: To approve request to include staff recommendations.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second: Commissioner J.C. Henderson, District Four

Motion Carried Unanimously

STREET LIGHT PETITIONS: None

ALCOHOLIC BEVERAGE LICENSE: None

APPROVAL OF COUNTY CHECKS:

Motion: To approve checks as submitted.

Proposed by: Commissioner J.C. Henderson, District Four

Second: Commissioner Ronnie Dimsdale, District Two

Motion Carried Unanimously

CITIZENS COMMENTS:

EXECUTIVE SESSION:

Motion: To enter into executive session...8:15 PM.
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

Motion: To enter into regular session...8:40 PM.
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

Motion: To adjourn.
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

Respectfully Submitted,

John Middleton, Finance Director
For Jackie Smith, Clerk

Davis C. Morgan, Chairman