

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
MARCH 8, 1999, 7:00 P.M.**

MINUTES

PRESENT: JAMES F. PALMER, MAYOR
RONALD H. WOODS, MAYOR PRO TEM
JOHN D. SHELTON, JR., COUNCILMAN
HENRY HOLLAND, COUNCILMAN
RAY M. DENMON, COUNCILMAN

ALSO: WILLIAM P. BAILEY, CITY ATTORNEY
KELLY CORNWELL, DIRECTOR OF UTILITIES AND PUBLIC WORKS
EDDIE PETERSON, ASST. DIR. OF UTILITIES AND PUBLIC WORKS
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Palmer called the meeting to order and welcomed everyone.
 - a. Councilman Holland gave the Invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the February 22, 1999 regular city council meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Palmer welcomed Jesse Bohannon and members of Scout Troop 13 to the City Council meeting.
 - b. Mayor Palmer announced a joint meeting of the City of Calhoun officials, Gordon County, the Airport Authority Board and the Industrial Development Authority on March 9, 1999 at 7:00 P.M. at the Chamber of Commerce, regarding the long-range plans for the local airport.
 - c. Mayor Palmer announced the second visit of the U. S. General Store was held on March 2, 1999 at the Depot, with representatives of the federal government regarding Medicare, Social Security and IRS personnel. He stated the grand opening for the General Store will be held on March 16, 1999 at 10:00 A.M. Everyone is invited to attend.
 - d. Mayor Palmer congratulated the Calhoun boy's varsity basketball team and coaches on their tremendous season of 29 and 2, with no losses during the regular season, and being in the final 8 in the state.
5. Council Comments:
 - a. Mayor Pro Tem Woods stated:
 - 1) The Electric Department sold 25,075,786 kWh of electricity in the month of February 1999, to a customer base of 4022. They provided 21 electrical inspections, issued 11 permits, and set 11 meters. They are also completing the electrical work on the traffic signal on Highway 53 and South Industrial Boulevard. The Electric Department has added an assistant superintendent, Jeff DeFoor, whose primary responsibilities will be oversight of the installation and subsequent operation of the City's electrical generation project.
 - 2) The Cal-net Telecommunications Department did a presentation to the existing industries committee in February. They have completed the 100 megabyte per second Ethernet connections for Carriage Industries, adding additional contracts for Multitex and Colormaster, which were recently purchased by the Dixie Group.
 - b. Councilman Shelton stated:
 - 1) The Police Department made 394 cases in February 1999, of which 8 were DUI's. They collected \$37,205.00 in fines, issued 123 warning tickets and 368 parking tickets. They investigated 100 accidents, responded to 139 burglar alarms and provided 94 escorts.
 - 2) The Fire Department responded to 53 calls, with fire damages estimated at \$212,900.00. 20 of the calls were accident related, with 12 injuries. The Fire Department provided 46 inspections during the month, with 27 of

those being annual inspections. They continued training of on-duty personnel in areas of CPR and first aid. The Fire Chief also attended a management training seminar.

c. Councilman Holland stated:

- 1) The Street Department hauled scrap iron from the lots behind the Water, Sewer and Street Department barns, obtaining over \$5,000.00 for the surplus materials. The Street Department also cut dead trees at the cemetery, repaired street cuts on MLK Drive. They rolled the temporary parking lot at Coosa Valley Tech to make it more usable by the teachers. They moved the crepe myrtles at the parking lot adjacent to the railroad at the railroad's request. These were relocated to Fields Ferry Golf Course. The Street Department also began work on the berm that would be needed for installation of the gas generator.
- 2) The Sanitation Department continued its regular commercial routes and provided routine maintenance of vehicles for the commercial activities. They gained two new 4-yard customers.
- 3) The Parks Department continued with their routine maintenance and building improvements.
- 4) The Cemetery Department continued with maintenance and assisted with the opening and closing of 6 graves during the month of February.
- 5) The Risk Management team inspected the three fire stations during the month of February.

d. Councilman Denmon stated:

- 1) The Water Department pumped over 319,961,000 gallons of raw water during the month, with an average of 11.427 million gallons per day pumped during the month of February.
- 2) The Sewer Treatment Plant pumped an average of 10.160 million gallons per day in the month of February, with the BOD effluent being 13, suspended solids effluent being 20 and the COD effluent being 114.
- 3) The Water and Sewer Construction Department made 36 water taps and 3 sewer taps. They also repaired 19 leaks, provided 13 meter change outs, and installed 39 new meters. The sewer infiltration crew inspected 2,020 feet of sewer, with the aid of TV smoke inspection systems.
- 4) The Building Inspection Department issued no permits for residential construction and 2 permits for new commercial buildings, and 2 commercial remodeling projects, for a total commercial construction cost of \$507,500.00.

6. Mayor Palmer stated at this time, public hearings on zoning matters would be held. The public would have the opportunity to make pro and con comments with a ten minute maximum time limit for each side of the matter. Each person speaking would be required to have filed a Financial Disclosure Statement five days prior to the hearing, and each person would be required to give their name and address before speaking. An inquiry was made to determine if any of the elected officials would need to file a disclosure statement regarding ownership or special interest in any of the agenda items. The response was negative.

a. Mayor Palmer gave a second reading of a zoning change request of Vivian Byrd for property located at 110 East Line Street, from R-1 to C-2 zoning.

- 1) A public hearing was opened.
- 2) Harrison reported that all notices had been handled properly.
- 3) Mayor Pro Tem Woods stated the Zoning Advisory Board heard the matter at their regular zoning meeting on March 4, 1999, and had received a request from the agent, J. C. Maddox, to table the matter until the April meeting. He stated it was the recommendation of the Zoning Advisory Board to table the matter.
- 4) Mayor Palmer asked if there were any comments. There were none.
- 5) Mayor Pro Tem Woods made a motion to table the matter until April 12, 1999, second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

b. A second reading was given of a new zoning and annexation request of Nery Echeverria and Daysy Cabrera for property located at 102 Florence Avenue, for R-1 zoning.

- 1) A public hearing was opened.

- 2) Harrison reported that all notices had been handled in the proper manner.
 - 3) Mayor Pro Tem Woods stated the Zoning Advisory Board heard the matter on March 4, 1999 and received a report by the Zoning Review Committee composed of department heads. The Building Inspector stated there was no problem with the request, since there would be no additional construction on the property other than remodeling of the existing house. The Building Inspector did recommend the zoning be changed to R-2, since most of the property in the immediate area is zoned R-2. The Street Department superintendent stated Florence Avenue is in very poor condition and stated the street will be added to the City's LARP list for repaving in the immediate future. Peterson stated the request fits in the City's long-range plans. There were no problems expressed by the Police Department, since the area is currently in their patrol area. The Water and Sewer Construction Department stated that water is currently available, sewer can be made available, but would be at the expense of the property owner. The Fire Department listed in their report that no fire hydrants are located on Florence Avenue, and this is primarily due to the small size of the water line in the area. Mayor Pro Tem Woods stated the members of the Zoning Advisory Board concurred with the findings of the Zoning Review Committee, and based on the information provided, they would recommend R-2 zoning as opposed to R-1 and they would recommend annexation.
 - 4) There were no other comments and the hearing was closed.
 - 5) Mayor Pro Tem Woods made a motion to zone R-2 and to annex, second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- c. A second reading was given of a new zoning and annexation request of Winfred B. Gray for property located at 400 Peters Street, for R-2 Zoning.
- 1) A public hearing was opened.
 - 2) Harrison reported that all the notices had been handled properly.
 - 3) Mayor Pro Tem Woods stated this matter had also been heard on March 4, 1999 by the Zoning Advisory Board. A report of the Zoning Review Committee was heard. They had determined that the property was a little over 2 acres. It currently has a driveway on Peters Street. However, the sight distance for the drive is not appropriate, and the second drive is too close to an intersection. It was recommended that Mr. Gray relocate the drive in order to meet the proper sight distance and to be the proper distance from the intersection. It was also stated the area would need a storm water plan and a hydrology study. The development would be available for residential or commercial trash pickup, depending upon the number of units. The Building Inspector stated there is currently R-2 zoning in the area. Therefore, the request is in line with the surrounding properties. The Police Department stated there were no problems, since the area is already within their patrol route. Water is currently available for the property from an 8-inch water line on Peters Street. Sewer could be available from Linda Lane or from Peters Street. However, the cost of extending the line would be the responsibility of the developer. The Electric Department stated the property is not in the city service area. However, they will provide electrical inspections for the development. The property fits within the City's long-range plans. However, the City Department heads recommended that a ten percent green area be utilized to make the area more user friendly for children. The Fire Department reported a fire hydrant is located near the property. Based upon these factors, it was recommended by the committee that the property be zoned R-2 and annexed.
 - 4) Mayor Pro Tem Woods stated the Zoning Advisory Board also heard a report from the property owner, Winfred Gray, indicating that he planned to build brick-front apartment buildings, with vinyl sides and back. The apartments would be in the range of 1250 square feet per unit. He is also remodeling the house on the property for rent.
 - 5) Mayor Pro Tem Woods stated that the Zoning Advisory Board had also heard a report from Ms. Sue Dover who owns property adjoining the proposed development. Ms. Dover opposed the rezoning of the property,

stating apartments would ruin the property values of the homes in the area and would add to the congestion on the street. He also noted the Board received a letter from Faye Langston, who was also opposed to the R-2 zoning and annexation of the property. He stated the Board had reviewed the request carefully, and based upon their findings, they recommended that the property be zoned R-2 and annexed.

- 6) Mayor Palmer asked if there were additional comments.
 - 7) Winfred Gray stated that he indeed would be building quality apartments on the property. They would be brick veneer front, with vinyl siding and would have 1250 square feet per unit. Also, the house located on the property is being renovated.
 - 8) Ms. Sue Dover of 155 Cherry Street addressed the Council and stated she was opposed to apartments in the area, since it would devalue the existing single family housing, the congestion on Peters Street is extremely heavy and apartments would only add to the congestion. She stated she had been informed that Peters Street would be improved but would not be widened, and this would do little to improve congestion. She asked the Council to consider not zoning the property R-2.
 - 9) There were no other comments and the hearing was closed.
 - 10) Mayor Pro Tem Woods made a motion to zone the property R-2 and to annex. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
- d. A second reading was given of a new zoning of C-2 and annexation request of Christopher B. McCracken as agent for Ozelle Shepherd, for property on Highway 41 for development of a chiropractic clinic.
- 1) Mayor Palmer stated the City had received notice from Mr. McCracken to withdraw the request.
- e. A second reading was given of a new zoning and annexation request of Joe E. Moore for property located at the southeast quadrant of the intersection of Union Grove Road and U. S. Highway 41 for A-1 zoning.
- 1) A public hearing was opened.
 - 2) Harrison reported that all notices had been handled properly.
 - 3) Mayor Pro Tem Woods stated the Zoning Advisory Board had also heard this matter on March 4, 1999. They heard a report based upon findings by the Zoning Review Committee, which indicated the applicant desired to annex but to maintain an A-1 zoning for the time being, in order to keep taxes low, since he had no immediate plans to develop the property. The Building Inspector noted that prior to rezoning of the property for commercial or industrial development, a full soil and sedimentation plan, a hydrology study, a pre-construction conference, and grading permits would all need to be provided prior to any disturbance of the land. The Police Department stated the current zoning of A-1 would be no problem. However, future rezoning for commercial or industrial use might impact the Police Department. The Water and Sewer Construction Department stated there is a 12-inch water line on Highway 41 which can serve the property. However, sewer is not currently available and any extensions to make it available to the property will be at the expense of the developer. The Electric Department stated the area is currently outside the City's service area. However, if industry of sufficient size should locate on the property, the City may bid if the customer has a choice. Peterson stated the long range plans for the City show the property to be appropriate for commercial or industrial use. The Zoning Review Committee stated, since it is the intent of the owner to develop in the future for commercial or industrial use, they would recommend annexation with a current zoning of A-1 and annexation of the property. Mayor Pro Tem Woods stated the Zoning Advisory Board had discussed the exact location and the boundaries of the property with the owner. Following a report of the facts, they would recommend A-1 zoning and annexation.
 - 4) There were no other comments and the hearing was closed.
 - 5) Mayor Pro Tem Woods made a motion to zone A-1 and annex the Joe E. Moore property at the southeast quadrant of the intersection of Union Grove Road and Highway 41. The motion was seconded by Councilman

Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.

- f. A second reading was given of a zoning change request of Joel E. Ostuw for approximately 1/3 acre at 415 North Wall Street from O & I to C-2 zoning.
 - 1) A public hearing was opened.
 - 2) Harrison reported that all notices had been handled in a proper manner.
 - 3) Mayor Pro Tem Woods stated the Zoning Advisory Board had received a request from J. C. Maddox to table the matter until April 12, 1999.
 - 4) There were no other comments.
 - 5) Mayor Pro Tem Woods made a motion to table the item until the April 12, 1999 Council meeting. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods., Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
- g. A second reading was given of a zoning change request from Industrial-G to C-2 zoning by Hoyt Whittenburg of Whittenburg Properties, Inc. as agent for Fite Barnette, Guardian of Shirley Roach, for property described as 1.219 acres at 235 West Line Street.
 - 1) A public hearing was opened.
 - 2) Harrison reported that all notices had been handled in a proper manner.
 - 3) Mayor Pro Tem Woods stated the Zoning Advisory Board had also reviewed this matter on March 4, 1999. They heard a report from the Zoning Review Committee, including a statement that the property to be built upon must be above the flood plain area, and a full soil and erosion study would be needed, as well as certification from the Corps of Engineers, which would be required to show where flood waters would go if the property is developed. The City would also require a full hydrology study and a pre-construction conference, and the developer will need to meet all the requirements prior to the start of any construction. The driveway radius on the state route would need to be 40 to 50 feet, in order to have proper entrances and exits, due to the traffic on the busy state route. The committee reported the development would conform to the long-range plans of the City. The Police Department stated there was no problem, since the area is in the current patrol area. The Water and Sewer Construction Department stated water and sewer is available. However, the cost of any extensions would be borne by the developer, including any easements that must be acquired. Based upon these factors, the Zoning Review Committee recommended rezoning from Industrial-G to C-2. Mayor Pro Tem Woods stated the City had also reviewed its plans to improve storm water flows from King Street across adjoining property to the development west of the Whittenburg property.
 - 4) There were no other comments and the hearing was closed.
 - 5) Mayor Pro Tem Woods made a motion to rezone the property from Industrial-G to C-2. The motion was seconded by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.

7. Other hearings: **none.**

8. Old Business: **none.**

9. New Business:

- a. Attorney Bailey stated the City had received a request from Stanley Simpson and Bill Walraven to dedicate the addition to Frontage Road, approximately 0.843 acres, which lies within the City, with the balance of the road being in the County. He stated the owners have marketable title and from a legal standpoint, it was acceptable. Director Cornwell stated the street has been built to city specifications, and is acceptable. Based upon these factors, Councilman Denmon made a motion to approve the section of the road, which would be in the City for dedication as a city street, upon the presentation of a deed to the property. The motion was seconded by Councilman Shelton, with Councilman Denmon, Councilman Shelton, Mayor Pro Tem Woods and Councilman Holland voting affirmatively, motion carried.

10. Other written items not on the agenda: none
11. Work report of Kelly Cornwell, Director of Utilities and Public Works:
 - a. He stated the Mauldin Road Phase 4 improvements to the Water Plant are 95% complete and should be completed prior to June 30.
 - b. The northwest pump station is moving ahead properly. The remaining part of the line on the Oostanaula Bridge should be installed and the project put on line within the next two weeks.
 - c. The Well Project #3: The pump removal and video is scheduled for this week. The engineer on the project and Cornwell will meet with EPD on March 9 to discuss filtering of the water, which will allow the project to move forward by summer.
 - d. Cornwell stated the work had been delayed in the Mill Village area due to rain and ground water. At this time, they are evaluating a request by the contractor to wait until the area has dried out before proceeding.
 - e. Electric Generator: Cornwell stated the air permit has been submitted to EPD, the gas contracts had been signed and returned to Sonat and should be filed with FERK shortly. The plan for connecting the generator to our distribution system is complete. Drawings and specifications are complete. The foundation work should begin on March 9, with unit delivery on March 23.
 - f. Cornwell stated the final pay request from Ruby Collins had been received, is being reviewed and a closeout will be finalized on the Sewer Treatment project shortly.
12. Mayor Palmer stated there was no need to move to Executive Session.
13. Councilman Holland made a motion to adjourn, second by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

Approved:



James F. Palmer, Mayor

Submitted:



Cathy Harrison, City Administrator

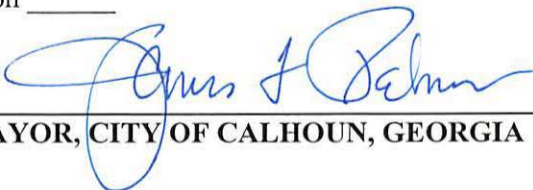
Zoning Application No: 93

A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the 8th day of March 1999, to consider **the new zoning and annexation request of Nery Echeverria and Daysy Cabrera for property located at 102 Florence Avenue, for R-1 zoning** (the Application.)

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **There was no problem with the request, since there would not be any additional construction, only remodeling of the existing house. The Building Inspector did recommend a zoning of R-2, since most of the property in the immediate area is zoned R-2. The Street Superintendent stated Florence Avenue is in poor condition, and the street will be added to the City's LARP list for repaving in the immediate future. Peterson stated the request fits in the City's long-range plans. The Police Department reported no problem, since the area is in their current patrol area. Water and Sewer Construction Department stated water is currently available for the property. Sewer can be made available with the cost to be borne by the property owner. The Fire Department listed in their report that no fire hydrants are located on Florence Avenue, and that due to the size of the water line, none could be added at this time. The Zoning Advisory Board felt that based upon these factors, they would recommend annexation and zoning of R-2, rather than R-1.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with seven standards.**
8. Based upon the foregoing findings, the Application is:
 - (a) Approved X (with R-2 zoning)
 - (b) Denied _____
 - (c) Approved with express Condition _____

Number Voting: 4
In Favor: 4
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA


Zoning Application No: 94

A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the 8th day of **March 1999**, to consider **the new zoning and annexation request of Winfred B. Gray for property located at 400 Peters Street, for R-2 Zoning** (the Application.)

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **The Street Superintendent indicated the area is a little over 2 acres, and currently has a driveway on Peters Street. However, the sight distance for the drive is not appropriate, and the second drive is too close to an intersection. He recommended that Mr. Gray relocate the drive in order for it to meet the proper sight distance and to be the proper distance from the intersection. The area would need a storm water plan and a hydrology study, and the development would also be available for residential or commercial trash pickup, depending upon the number of units. The Building Inspector stated there is currently R-2 zoning across the street. Therefore, the request is in line with the surrounding properties. The Police Department stated there was no problem, since the area is already within their patrols. Water is currently available for the property from an 8-inch water line on Peters Street. Sewer could be available from Linda Lane or from Peters Street. However, the cost of extending the line would be the responsibility of the developer. The Electric Department stated the property is not in the city service area. However, they would provide electrical inspections for the development. Peterson stated the request fits within the City's long-range plans. However, he recommended that a ten percent green area be utilized to make the area more user friendly for children. According to the Fire Department, there was no problem, since there is a fire hydrant located near the property. The Zoning Advisory Board recommended R-2 zoning and annexation.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with seven standards.**
8. Based upon the foregoing findings, the Application is:
 - (a) Approved X
 - (b) Denied
 - (c) Approved with express Condition

Number Voting: 4
In Favor: 4
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA

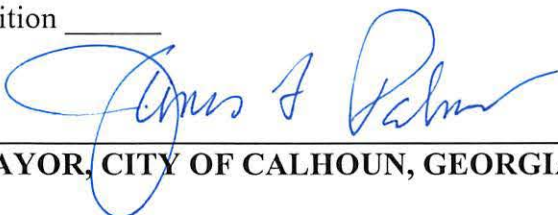
Zoning Application No: 95

A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the 8th day of **March 1999**, to consider **the new zoning and annexation request of Joe E. Moore for property located at the southeast quadrant of the intersection of Union Grove Road and U. S. Highway 41 for A-1 zoning.** (the Application.)

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
1. The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **The request is an accommodating annexation for future annexations of property south of the Moore property. Mr. Moore is requesting A-1 zoning for the time being, in order to maintain lower tax rates, due to the fact that he has no current plans for development of the property. The Building Inspector noted there is presently a house and trailer located on the property. However, the trailer will be moved and will not be under the jurisdiction of the City, once the property is annexed. There will not be any residential trash pick up for the area. The Building Inspector stated when the property is developed, it will be required to have a full soil and sedimentation plan, a hydrology study, a pre-construction conference, and will require grading permits prior to any disturbance of the land. The Police Department stated, with the current zoning of A-1, there would be no problem. However, future rezoning for commercial or industrial use could impact the Police Department. The Water and Sewer Construction Department stated at this time, there is a 12-inch water line on Highway 41. However, no sewer is currently available and any extensions to make it available to the property will be at the expense of the developer. The Electric Department stated the area is outside the City service area. However, if industry of sufficient size should locate on the property, the City would bid, should the customer have a choice. Peterson stated the long-range plans for the City show the property to be appropriate for commercial or industrial use. The Zoning Advisory Board recommended annexation with a current zoning of A-1.**
5. List any additional findings, if necessary, to support additional conditions: **none.**
6. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with seven standards.**
7. Based upon the foregoing findings, the Application is:
 - (a) Approved X
 - (b) Denied
 - (c) Approved with express Condition

Number Voting: 4
In Favor: 4
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA


Zoning Application No: 96

A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the 8th day of **March 1999**, to consider **the zoning change request from Industrial-G to C-2 zoning by Hoyt Whittenburg of Whittenburg Properties, Inc. as agent for Fite Barnette, Guardian of Shirley Roach, for property described as 1.219 acres at 235 West Line Street (the Application.)**"

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **The Building Inspector stated the property must be above the flood plain area, and a full soil and erosion study will be needed, as well as certification from the Corps of Engineers, which would be required to show where flood waters would go if the property is developed. A full hydrology study would be needed as well. The development will require a pre-construction conference, and the developer will need to meet all the requirements prior to the start of any construction. The driveway radius on the state route would need to be 40 to 50 feet, in order to have proper entrance and exits, due to the traffic on the busy state route. Peterson stated the development of the property conforms to the long-range plans of the City. The Police Department stated the area is in the current patrol area and would pose no problem. The Water and Sewer Construction Department stated water and sewer is available. However, the cost of any extensions would be borne by the developer, including any easements that must be acquired. It was noted that since the building would be a complex for several commercial offices, the developer would be required to pay the sewer connection fees based upon the number of businesses in the building, and these would need to be paid prior to occupying the property. Based upon these factors, the committee stated they would recommend rezoning from Industrial-G to C-2. Peterson stated he and the Street Superintendent had reviewed the site and had determined that they can continue with their work with the development of the property. The Zoning Advisory Board recommended the zoning change from Industrial-G to C-2.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with seven standards.**
8. Based upon the foregoing findings, the Application is:
 - (a) Approved X
 - (b) Denied
 - (c) Approved with express Condition

Number Voting: 4
In Favor: 4
Opposed: 0



MAYOR, CITY OF CALHOUN, GEORGIA