

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
DECEMBER 14, 1998, 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 all those in attendance.
 - 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 November 23, 1998 regular City Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Palmer read a plaque presented to the citizens of the City of Calhoun from the Northwest Regional Hospital, in gratitude for the generous donations of gifts for patients at the hospital. Mayor Palmer stated he and Councilman Shelton had attended the ceremony on December 9, 1998, and that he was certainly impressed and was very appreciative to the individuals and clubs who had made donations for the event. Mayor Palmer also stated he had attended a dinner given to approximately 50 children of the Winners Club. The dinner was sponsored by Skillini's Restauraunt in Smyrna, Georgia. He stated the Smyrna Police Department and merchants had donated up to five gifts per child for the Christmas Holiday. He stated it was a very heart-warming event.
 - b. Mayor Palmer requested the Council consider moving the second meeting in December and January from the fourth Monday night to the third Monday night, due to the Christmas holidays in December and a GMA legislative meeting in January. Following discussion, Councilman Holland made a motion to move the fourth Monday night meeting in December to December 21, 1998 at 7:00 P.M., and the fourth Monday night meeting in January to January 18, 1999, at 7:00 P.M. The motion was seconded by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
 - c. Mayor Palmer read a resolution honoring Reverend Jimmie Timms, who was recently inducted into the Atlanta Country Music Hall of Fame as a self-taught mandolin player. Mayor Palmer officially presented the resolution to Reverend Timms and congratulated him on his induction. Mr. Timms responded by stating he was extremely proud to receive the resolution, that he enjoyed playing the mandolin, and he enjoyed competing. However, there were very few locations for competition in Georgia, and it was necessary for him to travel out of state in order to compete. He stated he played the older type music, which had a bearing on the induction into the Atlanta Country Music Hall of Fame.
 - d. Mayor Palmer stated a resolution was needed by the Department of Community Affairs (DCA) for the Innovative Grant pre-application, which was forwarded to the DCA on November 30, 1998. Mayor Palmer read the resolution, Councilman Denmon made a motion to adopt the resolution, second by Councilman Shelton, with Councilman Denmon, Councilman Shelton, Mayor Pro Tem Woods and Councilman Holland voting affirmatively, motion carried.
 - e. Mayor Palmer read a permit, which had been granted to the City of Calhoun authorizing speed detection devices to be used on several streets registered

through the Department of Transportation. He stated this will allow the City of Calhoun to have an expanded traffic control operation. He had met with Chief Mitchell, and he expected additional traffic control to be in place soon in several areas of the City. He stated the Fire Department currently has 60 or more responses monthly, and that 80% of those are associated with traffic accidents. He also gave examples of traffic flow on several major city streets, giving an indication of the increased traffic load in the last few years, which is the major cause of more accidents. He stated this program will be directed to those areas in which we have documented speed problems.

5. Council Comments:

a. Mayor Pro Tem Woods stated:

- 1) The Street Department had removed asphalt and patched cuts on Park Avenue, Barrett Road, Boulevard Heights, and Mauldin Road, using approximately 30 tons of asphalt. At the first of November, the Street Department also did its normal storm water maintenance plan, checking all areas, and making necessary improvements, as needed. He stated they had also removed broken sidewalk on King Street and Woodlawn Avenue and had re-poured sidewalks, as needed. Backup beepers were being installed on street and sanitation vehicles and equipment. The Street Department installed 60 feet of 15-inch drain tile at the Resaca Pump Station, installed 24 by 36 storm water drain on Curtis Parkway, continued to pick up leaves and brush, and hauled 60 loads of stone.
- 2) The Parks Department continued its routine maintenance of road rights-of-way and City owned properties at water tank sites and water pump sites in the unincorporated area.
- 3) The Cemetery Department continued its maintenance at both Fain and Chandler cemeteries.
- 4) The Animal Control Department handled 40 dogs and 12 cats during the month of November, issued 3 first warnings, and responded to 56 complaints.
- 5) Mayor Pro Tem Woods stated he and Eddie Peterson had met with Sheriff Sid Roberts regarding the intersection of the Dews Pond Road and Curtis Parkway. He stated that presently, the City Police Department has determined there are 30 to 50 cars per minute going through the intersection. He stated the intersection is primarily located within the County, except for one quadrant, and after reviewing the numbers with the Sheriff, he agreed to provide patrol service for the area in January, March and May of 1999, with the City providing in December 1998, February and April 1999.

b. Councilman Shelton stated:

- 1) The Police Department made 292 arrests in November 1998, with four DUI's. They collected \$12,040.00 in fines, issued 79 warning tickets, and 455 parking tickets. 119 accidents were investigated, they provided 121 escorts, and they responded to 150 burglar alarms.
- 2) The Fire Department answered 66 calls during the month of November, with an estimated \$3,000.00 in fire damages. They provided 46 inspections and training for aerial fire fighting for several of its fire fighters.

c. Councilman Holland stated:

- 1) The Water and Sewer Construction Department completed 64 water taps and 5 sewer taps in November. They repaired 32 leaks and 51 meters, and changed out 22 meters. They responded to 53 miscellaneous calls, and provided 39 new meter installations. The Sewer Infiltration crew cleared 69,300 feet of right-of-way, inspected 1,650 of sewer line with TV inspection equipment, and reinstalled 3 manhole rings and covers.
- 2) The water plant pumped an average daily flow of raw water of 12.143 million gallons per day (MGD).
- 3) The Waste Treatment Plant treated a daily average of 7.308 MGD during the month of November, with an average BOD effluent of 9, an average suspended effluent of 21, and an average COD effluent of 128.

- 4) Councilman Holland stated the Industrial Development Authority had met and continues to work on their strategic plan for job creation for the community.
 - d. Councilman Denmon stated:
 - 1) The Electric Department sold 29,054,378 kilowatt hours of electricity in November, to a customer base of 3,978. They provided 18 inspections, sold 21 permits and set 11 electric meters.
 - 2) The Building Inspectors issued permits for 3 residential buildings, including 1 apartment building, for total construction of \$510,000.00 of residential housing. They issued permits for 6 commercial construction sites, including 3 signs, for total commercial construction of \$278,650.00.
6. Public Hearings and Comments:
- a. Public Comments:
 - 1) Chairman Ron Free of the Gordon County Board of Commissioners addressed the Mayor and Council, giving them the following statement:

TO: THE CITY OF CALHOUN
 FROM: BOARD OF COMMISSIONERS

“Over the Course of the past two years, the Board of Commissioners has attempted to address the problems of our transportation infrastructure, brought about by increased residential and commercial growth.

We have worked with the City of Fairmount with their new industrial road off State Route 53; we are working with the City of Plainville on Plainville Road; we are working with the City of Resaca on 3 of their streets; and we are working with the City of Ranger on 1 of their streets.

Of particular interest to the City of Calhoun, is the work we are doing to redesign Newtown Road and Peters Street, and we should very soon begin the 4-laneing of Bellwood Road. Each of these projects require right-of-way acquisitions, realignment, and curb and guttering, and each should have a positive impact for the City of Calhoun.

However, the Board of Commissioners is also very aware of the difficulties that the City of Calhoun has had with the Piedmont Street Project. Therefore, the Board of Commissioners would like to extend an invitation to the City of Calhoun to allow the Board to assist the City in bringing this project to fruition. Specifically, the Board of Commissioners would like to offer (all without charge) the expertise of our Road Superintendent to work with the City officials to review the project to determine if there are less expensive alternatives available; we would like to offer the use of our engineers for any cost reducing re-design or plan review that may move the project forward; and when the project is ready, we would like to offer the County Road Department labor and equipment to actually lay the pavement; and the materials for paving can be obtained at our cost.

The Board of Commissioners is in unanimous agreement that this invitation is extended to the City of Calhoun as an expression of our willingness to work together in a spirit of cooperation and teamwork for the benefit of all of our citizens.”

Commissioner Free stated he and the Commission were willing to provide labor, allow their engineers to provide any redesign for a cost reduction plan, in order for the Piedmont Street project to move forward. The County would also offer equipment to lay the pavement and materials for paving could be obtained at their cost. Mayor Palmer stated the City is currently looking at the redesign of the project, since the original bids were so excessive, primarily due to the wall construction. Mayor Palmer asked if the offer included any financing of the walls or paving. Chairman Free stated that had not been ruled out, and the County Commission would be glad to review the situation. Mayor Palmer stated that the work would have to be approved by the Department of Transportation, since it was a DOT contract. As such, it would have to be bid and the labor would be provided by the contractor. He stated the City appreciated the County’s offer, and he would have City staff meet with County staff to determine at what level the work can be coordinated. Mayor Palmer reminded Chairman Free that the citizens of Calhoun pay in excess of \$800,000.00 on the road mill tax, and that he was pleased that projects had been

addressed in other municipalities, and would be addressed within the City of Calhoun. He also stated that in the letter published in the recent Calhoun Times by Chairman Free, he would like to make an offer of support for the Special Purpose Local Option Sales Tax (SPLOST), as long as the needs of all municipalities were considered for the Special Purpose Local Option Sales Tax. Chairman Free stated the Commission would seek requests from all areas as a program was outlined for SPLOST funds. Mayor Palmer expressed appreciation to Chairman Free for his visit and for his message.

- 2) Ms. Judy Mincey made a statement to the Mayor and Council regarding the removal of the dogwood trees on South Wall Street. She stated that she was displeased at the removal and the replanting of crepe myrtles. She stated the tree ordinance in the City of Calhoun calls for the maintenance, care and protection of trees. She felt the remaining trees, though some had been lost, could have been saved for several additional years. Mayor Palmer stated the trees had been planted by his father. He stated his father had donated 300 or more dogwoods each year to individuals for several years. He stated the City finances projects for the Beautification Club, with annual projects for planting and donating trees. He stated the intentions for removing the trees were good. Mayor Palmer encouraged Ms. Mincey to join and work with the Beautification Committee and Tree Commission.
 - 3) Mayor Palmer stated the members of the St. Timothy's Episcopal Church Vestry had asked to be removed from the agenda.
- b. Public Hearings: Mayor Palmer announced 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 any special interest in any of the agenda items. The response was negative.
- 1) A second reading was given of the new zoning and annexation request of Gordon B. Bearden, Jr. for 24.404 acres on Curtis Parkway for zoning of C-2. A public hearing was opened and Harrison reported that all notices to adjoining property owners had been received, signs had been posted, and legal notice had been published in the local legal organ. Mayor Pro Tem Woods stated the Zoning Advisory Board had met on the matter on December 10, 1998, and based upon the fact that the property in question would create an island, as advised by the City's attorney, the matter was requested to be tabled until January 11, 1999. There were no further comments and the hearing was closed. Mayor Pro Tem Woods made a motion to table the request until January 11, 1999, second by Councilman Shelton with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
 - 2) A second reading of the zoning variance request of Cracker Barrel for an on-premise sign 130 feet tall, with a face size of 356 square feet, double sided, with external illumination at the intersection of Highway 53 and I-75. A public hearing was opened. Harrison reported that notices had been mailed to adjoining property owners, signs had been posted on the property, and the legal ads had been published. Mayor Pro Tem Woods stated the Zoning Advisory Board had heard the matter on December 10, 1998 and had heard a report from the Zoning Review Committee, which indicated a 120-foot tall sign is located at Quality Inn, a 120-foot sign is at Texaco and Holiday Express has a 130 foot sign, all of which were granted variances in the quadrant. There was also a variance granted for a 130-foot sign for Wilco at Highway 41 North and I-75. The variance request posed no other problems with the Building, Street, Water, Sewer or Construction Departments. Mr. Kevin Kirbo of Lebanon, Tennessee, representing Cracker Barrel, had addressed the Zoning Advisory Board, presenting a target test indicating the reason by pictures, as to why the sign

was being requested for a height of 130 feet. Mayor Pro Tem Woods stated based on the information provided, it was the consensus of the Zoning Advisory Board to recommend approval to the Mayor and Council. Mr. Kevin Kirbo, of Post Office Box 787, Lebanon, Tennessee, was available, and provided the same picture information to the Mayor and Council, in order for them to understand the reason for the height request. There were no questions for Mr. Kirbo, and the hearing was closed. Mayor Pro Tem Woods made a motion to grant a variance, since the request met one or more of the requirements necessary for granting a variance. The motion was seconded by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

- 3) A second reading was given of a new zoning and annexation request of Paul Lusk for zoning of R-1 and annexation of approximately 5.8 acres on Dews Pond Road just west of Shenandoah Drive; and for an application of Paul Lusk, as agent for J. D. Moreland, for zoning of R-1 and annexation of approximately 10.2 acres on Dews Pond Road, just west of the aforementioned lot. Mayor Palmer stated the application includes a request to reduce lot size below the required 15,000 square feet, to a size as low as 10,000 square feet. A public hearing was opened. Harrison reported notices to the adjoining property owners had been sent, signs had been posted on the property and notices had been published in the legal organ. Mayor Pro Tem Woods stated the Zoning Advisory Board had met on December 10, 1998 and had heard a report from the Zoning Review Committee. The Committee stated a preliminary draft had been presented on the lot arrangement, indicating that the smallest lot size would be approximately 10,000 square feet, with others less than the 15,000 square feet. However they were requesting R-1 zoning for single family housing. The Committee stated that based on a preliminary review of other areas, they saw no problem with the reduced lot size, provided the area is on city sewerage. The Street Department stated the proposed new street construction must meet all specifications under the City's new ordinance, a hydrology study would be required, and that the area would be eligible for trash service. The developer had been furnished with a list of all the requirements, which would need to be completed prior to the issuance of any permits for the project, even for grading. These had been presented on October 19, 1998. The proposed project fits with the long-range plans as previously adopted by the City of Calhoun. The Police Department stated based upon the initial plat, there would be approximately 37 homes, with approximately two cars per home. This would add considerably to the traffic congestion on Dews Pond Road at both of the 4-way stops. It might require a traffic light to be placed at the intersection of Dews Pond Road and Curtis Parkway. The Zoning Review Committee suggested it might be advisable for the developer to assist in the cost of the red light. The developer would be required to set fire hydrants in the project area. The project would be approximately 1.8 miles from Fire Station 3, and would be in their service range. The Water and Sewer Departments stated a sufficient flow water line is in the area. However, any extensions would be at the expense of the developer. Sewer is available. However, no engineering plans have been presented for the group to review at this time. It was noted that any extensions would be at the expense of the developer. The Building Inspection Department stated that a soil erosion plan, in addition to the hydrology study would be required, and that all development would need to follow all the current building codes. The area is outside the City's electric service area. However, it will be subject to City electrical inspections. It was the consensus of the Zoning Review Committee to recommend approval to the Zoning Advisory Board. The Zoning Advisory Board stated they had reviewed the square footage required by various communities, and based on the accessibility of sewer, they would recommend approval of zoning of R-1 with a lot size variance no lower than 10,000 square feet, and annexation, provided the area was on public sewer. There were no other comments and the hearing was

closed. Mayor Pro Tem Woods made a motion to approve the zoning of R-1 with a lot size variance not to go below 10,000 square feet, with the stipulations as expressed in the public hearing. The motion was seconded by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.

- 4) Mayor Palmer stated the rezoning request of Beth Maddox for a lot at 312 Piedmont Street had been withdrawn by the applicant.
- 5) Mayor Palmer stated the application of Jack May as agent for Melton J. May for new zoning and annexation for a lot on Highway 41 South had been withdrawn by the applicant.
- 6) A second reading of the new zoning and annexation request of Wanda Moore as agent for Wilma Greene for a house and lot at 101 Thomas Street for a zoning of R-1 was given. A public hearing was opened. Harrison reported the notices to the adjoining property owners had not been mailed by the applicant. Mayor Palmer asked that the request be tabled until January 11, 1999, to allow sufficient time for the applicant to mail the notices. Mayor Pro Tem Woods made the motion to table until January 11, 1999 at 7:00 P.M., second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- 1) A second reading was given of the new zoning and annexation request of Bob T. and Carol Nance for approximately 3.4 acres on Nance Road next to Bostik-Mydrin, Inc. for Industrial-G zoning. A public hearing was opened. Harrison reported the notices to the adjoining property owners had been mailed, the signs had been posted on the property, and the legal ads had been published. Mayor Pro Tem Woods stated this matter had also been considered at the December 10, 1998 Zoning Advisory Board meeting, with the Zoning Review Committee reporting the property had been inspected by the Building Inspector, the Fire Inspector and the Electrical Inspector, and had been approved. The Police Department stated the property would add very little to their route and could be served. Fire hydrants would be needed, and would be available off the 12-inch line currently being installed in the area. However, the installation of the hydrants would be at the expense of the owners. Any additional water and sewer services for the property would also be at the expense of the owners. The Building Inspector stated that if any additional construction was initiated on the property, it would need to conform with all the building codes presently in effect. The Committee stated the property is within the long range plans previously adopted by the City. Based upon these factors, it was the recommendation of the Zoning Advisory Board to recommend zoning of Industrial-G and annexation. There were no other comments and the hearing was closed. Mayor Pro Tem Woods made a motion to approve zoning of Industrial-G and annexation, second by Councilman Holland, with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

c. Other hearings:

- 1) A public hearing was opened on the new amusement license request of Walter James as owner and Randall James as manager for 330 Piedmont Street. Harrison reported the police report on the manager was clear. There were no other comments and the hearing was closed. Councilman Holland made a motion to approve the new amusement license request for 330 Piedmont Street, second by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.


7. Old Business:

- a. Following a second reading of the James Hall taxi license renewal request for 1999, Councilman Denmon made a motion to approve the renewal, second by Councilman Shelton, with Councilman Denmon, Councilman Shelton, Mayor Pro Tem Woods and Councilman Holland voting affirmatively, motion carried.

- b. A second reading of the alcohol license renewal requests for 1999 for Madison's Steak House for beer pouring, and Brangus Cattle Company for beer, wine and liquor pouring, was given. Councilman Holland made a motion to approve the renewals for 1999 licenses for both restaurants, second by Mayor Pro Tem Woods, with Councilman Holland, Mayor Pro Tem Woods, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.
8. New Business:
- a. A first reading of the C&N amusement license renewal for 1999 for North Wall Street, with Anna Casey as manager, was given. Mayor Palmer stated a second reading would be held on December 21, 1998, at 7:00 P.M.
- b. A second reading was given for a request for new zoning of C-2 and annexation of Carol and Bob Nance for lots 12 and 38 of Sky Way Subdivision on Highway 41 North. Mayor Pro Tem Woods made a motion to set the public hearing for January 11, 1999, at 7:00 P.M., second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
- c. A first reading was given of a zoning change request of James W. Hobgood for property located at 108 East Belmont Drive was given. The request is to change from R-1 to C-2 zoning. Mayor Pro Tem Woods made a motion to set the public hearing for January 11, 1999 at 7:00 P.M., second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- d. A first reading was given of a new zoning and annexation request of Joe E. Moore, et al, for 28.5 acres located at the northwest quadrant of the intersection of Union Grove Road and Belwood Road, for A-1 (Agricultural) zoning. Mayor Pro Tem Woods made a motion to set the public hearing for January 11, 1999 at 7:00 P.M., second by Councilman Shelton, with Mayor Pro Tem Woods, Councilman Shelton, Councilman Holland and Councilman Denmon voting affirmatively, motion carried.
- e. A first reading was given of a new zoning and annexation request of Don R. Owens, for approximately 46 acres at the proposed interchange of Union Grove Road at I-75, for zoning of Industrial-G. Mayor Pro Tem Woods made a motion to set the public hearing for January 11, 1999 at 7:00 P.M., second by Councilman Denmon, with Mayor Pro Tem Woods, Councilman Denmon, Councilman Shelton and Councilman Holland voting affirmatively, motion carried.
- f. A first reading was given of a beer, wine and liquor pouring license application for Cypress Restaurants, Inc. d/b/a Riley's Irish Pub (Denny's) at 915 Highway 53 SE, at I-75 (former location of Savannah's.) Councilman Holland made a motion to set the public hearing on the request for January 18, 1999 at 7:00 P.M., second by Councilman Shelton, with Councilman Holland, Councilman Shelton, Mayor Pro Tem Woods and Councilman Denmon voting affirmatively, motion carried.
9. Other written items not on the agenda: none
10. Director Cornwell's work report: none.
11. Mayor Palmer stated there was no need to move to Executive Session.
12. Mayor Pro Tem Woods made a motion to adjourn, second by Councilman Holland with Mayor Pro Tem Woods, Councilman Holland, Councilman Shelton and Councilman Denmon voting affirmatively, motion carried.

Approved:

Submitted:


James F. Palmer, Mayor


Cathy Harrison, City Administrator

**CITY OF CALHOUN
GEORGIA**

RESOLUTION

WHEREAS, the City of Calhoun is submitting a CDBG pre-application for competition under the Department of Community Affairs' 1998 Innovative Program competition; and

WHEREAS, the pre-application must document that at least one of the national objectives of Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) will be met; and

WHEREAS, one of the required national objectives is the elimination or prevention of slums and blight; and

WHEREAS, the City of Calhoun has documented that the property located at 114 Court Street is a blighting influence under local standards, detrimental to the public health, safety and welfare and that the property's deterioration is negatively affecting the surrounding neighborhood, community facilities and local tax base; and

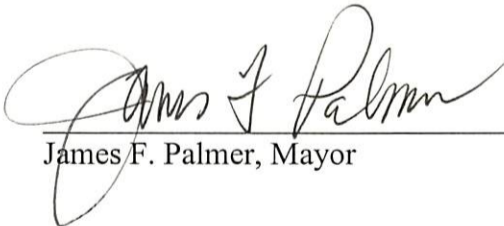
WHEREAS, the City of Calhoun proposes to develop a contract with the Downtown Development Authority who will alleviate the aforementioned blight through the use of CDBG monies to implement certain historic preservation and building rehabilitation activities that the City of Calhoun has determined meet the local and federal definition of activities which aid in the prevention or elimination of slums and blight on a spot basis per 24 CFR Part 570.483(c)(2); and

WHEREAS, the City of Calhoun feels that the rehabilitation, conservation, and redevelopment of the area is necessary to facilitate the elimination and prevention of slums and blighting influences to the surrounding area and that these actions are necessary to the public health, safety, and welfare of the City of Calhoun.

NOW, THEREFORE, BE IT RESOLVED, that the City of Calhoun hereby approves this Resolution.


ADOPTED this the 14th day of December 1998.

City of Calhoun, Georgia



James F. Palmer, Mayor

Attest:



Cathy Harrison, City Administrator

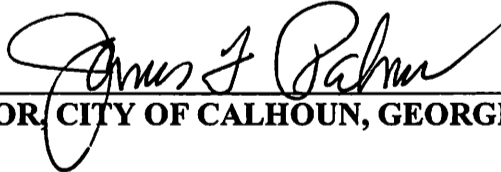
Zoning Application No: 84

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 14th day of December 1998, to consider the **zoning variance application of Cracker Barrel for an on-premise sign 130 feet tall, with a face size of 356 square feet, double sided, with external illumination at the intersection of Highway 53 and I-75, in the current location of Shepherd's Motel and B.J's Restaurant.**

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 are presently signs in which variances had previously been granted, including one for Quality Inn for a 120 foot sign, one to Texaco for a 120 foot sign, one for Holiday Express for a 130 foot sign, and a 130 foot variance for Wilco at the 41 North and I-75 intersection. There were no problems with the variance request from the Building Inspector's office, the Street Department, or Water and Sewer Departments. The committee stated they would recommend approval of the variance to the Zoning Advisory Board.**
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 four 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

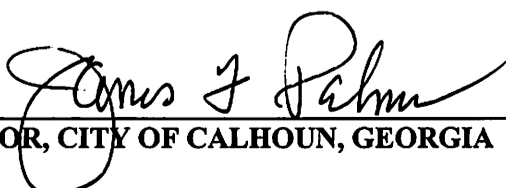
Zoning Application No: 85

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 14th day of December 1998, to consider the new zoning and annexation request of Paul Lusk, both for property he owns and for property owned by J. D. Moreland for which he is acting as agent. The property consists of approximately 16 acres, located on Dews Pond Road. The request is for R-1 zoning with modified lot size.

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: A preliminary draft of the proposed lot arrangement for the area was provided, indicating that the smallest lot size would be approximately 10,000 square feet, with the others being larger, but still under the 15,000 normally required for R-1 zoning. Based on preliminary review of other areas, the committee saw no problem with the reduced lot size, provided the area is on sewer. The new street construction must meet all specifications under the new ordinance, a hydrology study would be required, and the area would be available for residential trash service from the City. The City furnished requirements to the developer, which would be needed prior to the issuance of any permits for the project, should it be zoned and annexed. The proposed project fits in the long range plans as adopted earlier by the City of Calhoun and Gordon County. The Police Department stated, based upon the drawing, there may be up to 37 homes, which normally would average two vehicles per home. This would add to the heavy traffic congestion on Dews Pond Road, at both the 4-way stops, and would continue to impact westward to the red light located at the intersection of Line Street and Highway 41. It is the suggestion of the traffic control section of the Police Department to install a red light at the intersection of Curtis Parkway and the Dews Pond Road. Following further discussion, the committee suggested that the developers assist in the cost of adding the red light. The Fire Department stated the development would require fire hydrants at the expense of the developer. The development is located 1.8 miles from station #3, and will be in the service area. The Water and Sewer Department stated a six inch water line is available on the Dews Pond Road for extension into the area. Sewer would be at the expense of the developers, and sewer plans would need to be reviewed to determine if they were gravity flow line or would require a pump station. The Building Inspection Department stated that a soil erosion plan would need to be provided for the development, that hydrology studies would need to be available, and that all the development would need to follow the current building codes. The development would be outside the City's electric service area. However, the electric inspector would provide inspections for the development.
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: 86

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 14th day of December 1998, to consider the **new zoning and annexation request of Bob T. and Carol Nance for approximately 3.4 acres on Nance Road next to Bostik-Mydrin, Inc. for Industrial-G zoning.**

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 property includes Nance Carpet and is located on the north end of Nance Road, which is in the County. Should any new development be planned for the acreage, a drainage plan would need to be submitted. The Police Department stated the property would add very little to their route since they are presently serving Bostik-Mydrin. Fire hydrants will be needed. There is currently a 12-inch water line being installed in the area, and the hydrants can be installed at the owner's cost. Any additional water service and sewer service for the property would be at the owner's expense. It was also recommended that a hazardous material list be made available to the Calhoun Fire Department. The area is outside the city's electric service area. However, the Electric Department would be responsible for any electrical inspections. The request is in line with the City's long range plans. However, the committee did point out that we are almost at the limit of our ability to provide fire protection in this direction, under the present fire stations as they exist at this time. Building, fire and electrical inspections of Nance Carpet were conducted on December 9, 1998, and were found to be satisfactory.**
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



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