

**MINUTES OF THE MOULTRIE-COLOQUITT COUNTY PLANNING
COMMISSION MEETING HELD JANUARY 11, 1999 AT 7:00 P.M., IN
COUNCIL CHAMBERS AT CITY HALL**

CALL TO ORDER:

Chairman Gay called the meeting to order and Commission Member Ralph Taylor led us in Prayer.

Members Present: William Gay; Floyd Faison; Harry Oxley; Sonny Murphy; Wayne Perry; Doug Bell; Ralph Taylor; Evelyn Mitchell and James Willis.

Members Absent: Lester Thompson; Tommy Cagle and Rev. C.E. Sheppard.

Others Present: J.D. Byrd; Charlie Hoes; Amy and William C. McCalley and Marty Steiner.

I. APPROVAL OF MINUTES:

Minutes from the October meeting were approved as written.

II. APPLICATION FROM CHARLIE T. HOES, REPRESENTING PIDCOCK WAREHOUSE, REQUESTING TO PUT A BILLBOARD SIGN ON THE PROPERTY LOCATED AT 319 EAST BYPASS SE.

Mr. Hoes came forward and passed pictures out to the Commission Members and explained to the Members that his Billboard sign would look more professional than the plywood billboard signs that are out on Ga. Hwy 133 South. Mr. Hoes also stated that his sign would not have the stairs that are on the pictures he passed around.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY CHARLIE T. HOES.

After a lengthy discussion, Floyd Faison moved to approve the request based on RDC's recommendation and contingent that Mr. Hoes meets all building requirements, second was made by Harry Oxley and it carried unanimously.

III. APPLICATION FROM WILLIAM C MCCALLEY, REQUESTING A SPECIAL USE PERMIT FOR 517 2ND ST. SE, FOR USE AS AN ATTORNEY'S OFFICE.

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Mr. McCalley came forward and explained to the Commission Members that he would be leaving the office at Kirbo and McCalley, that Mr. Kirbo's office will be more family oriented. Mr. McCalley stated that his buying the property is based on the decision of the Planning Commission. He also stated that Jack Wilson is working on the plans for renovations and he would make the property look professional, yet still residential.

Mr. Steiner came forward and stated that he and Sandra Allen owned the property across the street and wanted to know if parking was going to be in front or in the rear, and they wanted to make sure Mr. McCalley kept the property up. Mr. McCalley stated at this time he had nothing to submit, but he would improve the property.

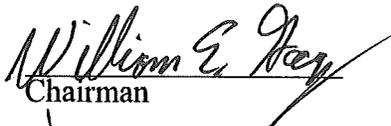
**ACTION TAKEN ON THE APPLICATION SUBMITTED BY WILLIAM
C. MCCALLEY.**

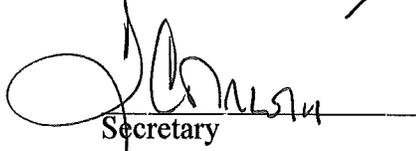
After a brief discussion, Commission Member Ralph Taylor moved based on RDC's recommendation that the application be approved for a Special Use Permit, second was made by Commission Member Evelyn Mitchell and it carried unanimously.

- IV. Mr. Byrd asked the Planning Commission to take a vote to ask that the City Council replace Tommy Cagle, who has only attended two meetings within the past two years, Harry Oxley moved to request that the City Council replace Tommy Cagle, second was made by Evelyn Mitchell and it carried unanimously.

V. **ADJOURNMENT:**

No further business to discuss, the meeting was adjourned.


Chairman


Secretary

MINUTES OF THE MOULTRIE-COLOQUITT COUNTY PLANNING COMMISSION
MEETING HELD MARCH 8, 1999 AT 7:00 P.M. IN COUNCIL CHAMBERS

CALL TO ORDER:

Chairman Gay called the meeting to order and Commission Member Sonny Murphy led us in Prayer.

Members Present: Harry Oxley; Evelyn Mitchell; Floyd Faison; William Gay; Sonny Murphy; Wayne Perry; Doug Bell and James Willis.

Members Absent: Rev. CE Shephard; Ralph Taylor and Lester Thompson.

Others Present: J.D. Byrd; Beth English; William Fallin and Dr. Bill Smith.

I. APPROVAL OF MINUTES:

Commission Member Harry Oxley made a motion that the minutes from the January 11th meeting is approved as written. Second was made by Evelyn Mitchell and it carried unanimously.

II. APPLICATION FROM EASTER SEALS SOUTHWEST GEORGIA, REQUESTING TO REZONE THE PROPERTY LOCATED AT 2536 5TH ST SE FROM R-TH (TOWN HOUSE DISTRICT) TO R-3 (RESIDENTIAL DISTRICT) ZONING.

Beth English, representing Easter Seals, came forward and explained to the Commission Members that they have funding to build 8 apartments for handicap residents for this piece of property. Ms English also stated that the residents will be capable of taking care of themselves and they have the support of several local residents.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY EASTER SEALS-SOUTHWEST GEORGIA

After a brief discussion, based on their review and a recommendation by SW GA RDC, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application be approved for R-3 (Multiple Dwelling Residential District) zoning. Motion was made by Commission Member Harry Oxley and second by Evelyn Mitchell.

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III. APPLICATION SUBMITTED BY WILLIAM FALLIN, REPRESENTING DR. WILLIAM H. SMITH, REQUESTING TO REZONE LOTS 18, 19, 20, 21, 22, 23, 24, 25 & 26 (LAMAR HINSON SUBDIVISION) FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL DISTRICT) ZONING.

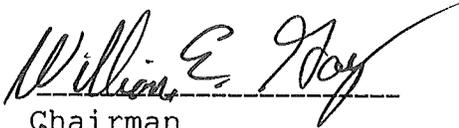
Mr. Fallin came forward and introduced Dr. Bill Smith, and proceeded to explain to the Planning Commission that Dr. Bill Smith had a buyer for the property but they did not know what the buyer wanted to put on the property. Mr. Fallin also stated that in order for Dr. Smith to sell this piece of property he would need a C-3 zoning.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY WILLIAM FALLIN.

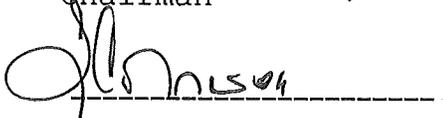
After a brief discussion, based on their review and a recommendation by SW GA RDC, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application be approved for C-3 (Commercial District) zoning. Motion was made by Commission Member James Willis and second by Evelyn Mitchell.

IV. ADJOURNMENT.

With no further business to discuss, the meeting was adjourned.



Chairman



Secretary

**MINUTES OF THE MOULTRIE-COLOQUITT COUNTY PLANNING
COMMISSION MEETING HELD MAY 10, 1999 AT 7:00 P.M. IN COUNCIL
CHAMBERS AT CITY HALL**

MEMBERS PRESENT: Floyd Faison; Warren Taylor; William Gay; James Willis;
Doug Bell; Wayne Perry; Sonny Murphy; Rev. C.E.
Shepherd and Harry Oxley.

MEMBERS ABSENT: Evelyn Mitchell and Ralph Taylor.

CALL TO ORDER:

Chairman Faison called the meeting to order. Warren Taylor was introduced and welcomed as a new Planning Commission member.

I. APPROVAL OF MINUTES:

Commission Member William Gay made a motion to approve the April 12th minutes. Second was made by Rev. Shepherd and it carried unanimously.

**II. APPLICATION FROM JAMES M. BIVINS, REQUESTING A SPECIAL
PERMIT FOR AN OFFICE LOCATED AT 619 2ND ST SE**

Mr. Bivins came forward and explained to the Commission Members that he wanted to open his Law Practice at this location. Mr. Bivins showed the Members a drawing outlying changes he plans on making to the house.

**ACTION TAKEN ON THE APPLICATION SUBMITTED BY JAMES M.
BIVINS**

After a brief discussion, based on their review and a recommendation by SW GA RDC, the Moultrie-Colquitt County Planing Commission voted unanimously to approve the application for a Special Use Permit. Motion was made by Commission Member Rev. Shepherd and second by William Gay.

**III. APPLICATION FROM MARVIN L. CROFT, REQUESTING TO
REZONE THE PROPERTY LOCATED AT 508 LANE ST. FROM R-2
(TWO-FAMILY RESIDENTIAL DISTRICT) TO C-1 (NEIGHBORHOOD
BUSINESS DISTRICT) ZONING.**

No one was present to speak for this application.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY MARVIN CROFT.

After a brief discussion, based on their review and a recommendation from SW GA RDC, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend that the application be denied for C-1 (Neighborhood Business District) zoning. Motion was made by Commission Member Wayne Perry and second by Rev. C. E. Shephard.

IV. APPLICATION FROM H & M INVESTMENT, REQUESTING TO REZONE LOTS 40, 41, 42, 43 & 44 LOCATED ON SOUTH MAIN STREET ACROSS FROM CVS PHARMACY, FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-3 (MULTIPLE DWELLING RESIDENTIAL DISTRICT) ZONING.

Matt Friedlander came forward and told the Planning Commission Members that he owned the property and at this time, he had no plans on developing the property. Commission Member Warren Taylor asked Mr. Friedlander if a study had been done on the traffic flow in that area. Mr. Byrd stated that at this time a count would not be necessary. Bob Skerrett came forward and told the Commission Members he felt that the change in zoning would lower his property value. Mr. Friedlander stated he also lived in the neighborhood and would not do anything to lower property values. Several concerned neighbors voiced the same opinions, too much traffic already in this neighborhood.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY H & M INVESTMENT.

After a lengthy discussion, Commission Member Wayne Perry made a motion that the request for R-3 (Multiple Dwelling Residential District) zoning be denied. Second was made by Warren Taylor. Chairman Faison called for the vote. Commission Members Warren Taylor and Wayne Perry voted to deny the rezoning request. Commission Members Rev. Shephard and Doug Bell abstained. Commission Members William Gay, James Willis, Sonny Murphy and Harry Oxley voted against the denial. Because the motion to deny said request did not carry, Commission Member Harry Oxley made a motion that the request for R-3 (Multiple Dwelling Residential District) zoning be approved. Second was made by William Gay. Chairman Faison called for the vote. Commission Members Warren Taylor, Wayne Perry, and James Willis voted to deny the rezoning request and Doug Bell abstained. Commission Members Harry Oxley, William Gay, Sonny Murphy and Rev. Shephard voted to approve the rezoning request. By a majority vote, the Planning Commission recommended that the City Council approve the rezoning request.

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V. ADJOURNMENT

No further business to discuss, the meeting was adjourned.



Chairman



Secretary

**MINUTES OF THE MOULTRIE-COLOQUITT COUNTY PLANNING
COMMISSION METING HELD JUNE 28, 1999 AT 7:00 P.M. IN COUNCIL
CHAMBERS AT CITY HALL**

MEMBERS PRESENT: Floyd Faison; Harry Oxley; Kenneth Wallace; Evelyn Mitchell; William Gay; Sonny Murphy; Wayne Perry; Warren Taylor; Rev. C.E. Shephard and James Willis.

MEMBERS ABSENT: Doug Bell and Ralph Taylor.

CALL TO ORDER:

Chairman Faison called the meeting to order. Kenneth Wallace was introduced and welcomed as a new Planning Commission member.

I. APPROVAL OF MINUTES:

Commission Member William Gay made a motion to approve the May 10th minutes as written. Second was made by Evelyn Mitchell and it carried unanimously.

II. APPLICATION FROM THE CITY OF MOULTRIE, REQUESTING TO ZONE 8.08 ACRES LOCATED ON THE EAST SIDE OF INDUSTRIAL DRIVE BETWEEN HUBBELL DIECAST AND THE GA FLA RAILROAD TO M-1 (LIGHT & SERVICE INDUSTRIAL DISTRICT) ZONING.

After a brief discussion, based on our review and SW GA. RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application be approved and the property be zoned M-1. Motion was made by Commission Member William Gay and second by Evelyn Mitchell.

III. APPLICATION FROM LASSETER INVESTMENTS, REQUESTING TO REZONE 47.28 ACRES WEST OF THE EAST BYPASS AND NORTH OF THE MOULTRIE-ADEL ROAD(4TH AVE NE) AND EAST OF THE PROPOSED ROWLAND DRIVE EXTENSION FROM AG TO C-3 (COMMERCIAL DISTRICT) ZONING.

Lynn Lasseter, representing Lasseter Investments, told the Commission Members that they have several businesses interested in coming to this area.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY LASSETER INVESTMENTS.

After a brief discussion, based on our review and SW GA RDC's Recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application be approved and that the property be rezoned C-3. Motion was made by Commission Member Harry Oxley and second by Sonny Murphy.

IV. **APPLICATION FROM COLONY BANK, REQUESTING TO REZONE 2.00 ACRES LOCATED ON THE SW RIGHT OF WAY OF THE EAST BYPASS AND THE NORTH LINE OF LAND LOT 246 AND RUN THENCE ALONG THE SW RIGHT OF WAY OF THE EAST BYPASS.**

Lynn Lasseter told the Commission Members that they had prematurely sold these two acres prior to rezoning and Colony Bank, Trade Name (The Bank of Worth) has plans to open a branch office here in Moultrie.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY COLONY BANK.

After a brief discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application be approved and that the property be rezoned C-3. Motion was made by Commission Member Harry Oxley and second by James Willis.

V. **APPLICATION FROM G.T. & BETTY DEMOTT REQUESTING TO REZONE 1.856 ACRES LOCATED SE CORNER INTERSECTION OF THE EAST BYPASS AND TALLOKAS ROAD FROM AG TO C-2 (GENERAL BUSINESS DISTRICT) ZONING.**

William Fallin came forward and explained to the Commission Members that the buyers of the property were going to open a bank.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY G.T. & BETTY DEMOTT.

After a brief discussion, based on our review, the Moultrie-Colquitt County Planning voted unanimously to recommend to the City Council that the application be approved and that the property be rezoned C-2. Motion was made by Commission Member William Gay and second by Rev. Shephard.

VI. APPLICATION FROM DELORES GRINER, REQUESTING TO REZONE 1.00 ACRES IN LAND LOT 339 IN THE 8TH LAND DISTRICT(SOUTH OF MCKELLAR MOTORS) FROM AG TO C-3 (COMMERCIAL DISTRICT) ZONING.

Helen Whitney, representing the landowner explained to the Commission Members that this piece of property is being sold for a mobile home lot.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY DELORES GRINER.

After a brief discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application be approved and that the property be rezoned C-3. Motion was made by Commission Member Sonny Murphy and second by Evelyn Mitchell.

VII. APPLICATION FROM MAIDEE HARPER, REQUESTING TO REZONE ALL THAT TRACT OF LAND BELONGING TO SELLER AND BEGINNING AT THE SOUTHERN BOUNDARY OF MCKELLAR MOTORS AND EXTENDING SOUTHWARD ALONG THE "EAST BYPASS" APPROXIMATELY 333.05 FT. TO THE "BRANCH" THEN EXTENDING 500 FT. BACK FROM THE BYPASS, TO TAKE IN ALL PROPERTY OF SELLER THAT REQUIRES ZONING FROM AGRICULTURE TO C-3 (COMMERCIAL DISTRICT) ZONING.

Helen Whitney came forward and explained to the Commission Members that this piece of property along with the property of Delores Griner will make up the total acreage for a mobile home lot.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY MAIDEE HARPER.

After a brief discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application be approved and the property be rezoned C-3. Motion was made by Commission Member Sonny Murphy and second by William Gay.

VIII. Chief Hannon came forward and told the Planning Commission Members that he was trying to get a class together for the Commission to keep them abreast of any changes and help them understand procedures. Mr. Hannon also stated that he wanted to also get the City Council involved. Mr. Hannon also needed to find out

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If it would be better to have this class on a week day or a Saturday. After polling each member the majority vote was to hold class on a weekday.

IV. ADJOURNMENT:

No further business to discuss, the meeting was adjourned.



Chairman



Secretary

**MINUTES OF THE MOULTRIE-COLOQUITT COUNTY PLANNING COMMISSION MEETING
HELD JULY 12, 1999 AT 7:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL**

MEMBERS PRESENT: Floyd Faison; Harry Oxley; Kenneth Wallace; Evelyn Mitchell; Sonny Murphy; Doug Bell and James Willis.

MEMBERS ABSENT: William Gay; Wayne Perry; Rev. C.E. Shephard and Ralph Taylor.

CALL TO ORDER:

Chairman Faison called the meeting to order.

I. APPROVAL OF MINUTES:

Commission Member James Willis made a motion to approve the June 28th meeting minutes as written. Second was made by Evelyn Mitchell and it carried unanimously.

II. APPLICATION FROM WESLEY & ANN GULLETT, REQUESTING A SPECIAL USE PERMIT FOR 323 2ND ST. S.E., FOR USE AS A PROFESSIONAL OFFICE.

William Fallin, representing Mr. & Mrs. Gullett came forward and explained to the Commission Members that the Gulletts wanted to open a home for men who have drug and alcohol problems. This home will be monitored at all times with a house manager as well as drug testing. Both Mr. & Mrs. Gullett are counselors and have very high credentials. Mr. Gullett is also working at the Turning Point.

John Folds came forward because he has concerns about the businesses in the neighborhood and they are afraid that trouble could take place. Mr. Gullet explained again that there is always someone there and this is an all-male facility. If we feel someone is intoxicated they will be tested and if they test positive they will have to leave. Ann Newton also came forward and expressed that she didn't feel comfortable with the idea of a halfway house.

Commission Member Harry Oxley inquired as to how many at one time could stay at the facility. Mr. Gullett stated that a maximum of only 6 beds is available.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY WESLEY & ANN GULLETT.

After a brief discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to approve the application for a Special Use Permit allowing the Half Way House. Motion was made by Commission Member Harry Oxley and second by Sonny Murphy.

III. APPLICATION FROM SOUTHWEST GEORGIA COMMUNITY ACTION COUNCIL, INC., REQUESTING A SPECIAL USE PERMIT FOR THE PROPERTIES LOCATED 923 & 925 1ST AVE. S.W., ALSO INCLUDES VACANT LOT DIRECTLY ACROSS THE STREET NORTH TO 21 10TH ST SW FOR USE AS PROFESSIONAL OFFICES AND A PARKING LOT.

Randy Weldon, representative for SW GA CAC, explained to the Commission Members that they are running out of space. They are serving more lunches than previously anticipated.

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ACTION TAKEN ON THE APPLICATION SUBMITTED BY SW GA CAC.

After a brief discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to approve the application for a Special Use Permit for professional office use. Motion was made by Commission Member Harry Oxley and second by James Willis.

IV. ADJOURNMENT.

No Further business to discuss, the meeting was adjourned.



Chairman



Secretary

**MINUTES OF THE MOULTRIE-COLOQUITT COUNTY PLANNING COMMISSION MEETING
HELD OCTOBER 11, 1999 AT 7:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL**

MEMBERS PRESENT: Floyd Faison; Kenneth Wallace; Harry Oxley; Wayne Perry; William Gay; Sonny Murphy; Doug Bell; James Willis and Warren Taylor.

MEMBERS ABSENT: Evelyn Mitchell; Ralph Taylor and Rev. C.E. Shephard.

CALL TO ORDER:

Chairman Faison called the meeting to order.

I. APPROVAL OF MINUTES:

Warren Taylor was omitted as being present at the July 12th meeting. With this error being noted, Commission Member James Willis made a motion to approve the July 12th meeting minutes. Second was made by William Gay and it carried unanimously.

II. APPLICATION FROM MORRIS D. BAKER, REQUESTING TO REZONE LOT 600, A VACANT LOT SOUTH OF 600 & 604 1ST ST NW, FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (TWO-FAMILY RESIDENTIAL DISTRICT) ZONING.

Morris Baker, owner came forward to speak in regards to the property. Mr. Baker stated that as the property is zoned now it is not feasible. Mr. Baker also said that he wants to convert the house in to a duplex.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY MORRIS D BAKER.

After a brief discussion, based on our review and SW Ga RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application for R-2 (Two Family Residential District) zoning be approved.

III. APPLICATION FROM F & W PROPERTIES, LLC, REQUESTING TO REZONE 7.56 ACRES LOCATED ON THE EAST 319 BYPASS, BORDERED ON THE NORTH BY TALLOKAS CIRCLE SUBDIVISION, AND ON THE SOUTH OF MAGNOLIA MANOR FROM R-2 (TWO FAMILY RESIDENTIAL DISTRICT) ZONING TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) ZONING.

Broughton Williams and Jack Friedlander, owners came forward to speak in regards to the property. They explained to the Commission Members that they wanted to development a community that will gear towards widowers or widows. It would be a very private community and the tenants would also park in the rear of the house. They also stated that the houses would either be brick or wood board. Mr. Williams and Mr. Friedlander also passed pictures out to the Commission Members that gave them a view of how the community would improve the area and they would probably have to put a privacy fence to keep the four wheelers off the property.

Mr. Friedlander told the Members that they would defiantly make the area look attractive as well as affordable. Commission Member Harry Oxley wanted Mr. Williams and Mr. Friedlander to assure the members that this would not be a project like other contractors had built in the past. They stated the houses were going to be built as if they themselves were going to live in the community.

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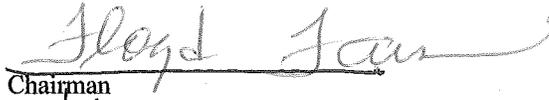
ACTION TAKEN ON THE APPLICATION SUBMITTED BY F & W PROPERTIES, LLC.

After a brief discussion, based on our review and SW Ga RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that The application be approved for R-PUD (Residential Planned Unit Development) zoning. Motion Was made by Commission Member James Willis and second by Doug Bell.

- IV. On October 28, from 11:00 AM to 5:00 PM at the Public Library in the conference room, a training session is being offered and taught by someone from the University of Georgia. Lunch will be catered. Stacy Griffin, Historic Secretary told the Commission Members that the morning session will begin at 8:30 and the Historic Committee as well as City Council will be in attendance.

V. **ADJOURNMENT:**

With no further business to discuss, the meeting was adjourned.



Chairman



Secretary

**MINUTES OF THE MOULTRIE-COLOUITT COUNTY PLANNING COMMISSION MEETING
HELD NOVEMBER 8, 1999 AT 7:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL**

MEMBERS PRESENT: Floyd Faison; Evelyn Mitchell; Harry Oxley; William Gay; Sonny Murphy; Wayne Perry; Warren Taylor; James Willis and Rev. C.E. Shephard.

MEMBERS ABSENT: Kenneth Wallace; Doug Bell and Ralph Taylor.

CALL TO ORDER:

Chairman Faison called the meeting to order.

I. APPROVAL OF MINUTES:

Commission Member Harry Oxley made a motion to approve the minutes as written. Second was made by Evelyn Mitchell and it carried unanimously.

II. APPLICATION FROM MICHAEL & DIANE PARTEN, REQUESTING TO REZONE LOT 3, SOUTHERN HALF OF LOT 4 AND ALL OF LOT 6 & 7 IN THE KINGWOOD HEIGHTS SUBDIVISION FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL DISTRICT) ZONING.

Billy Fallin came forward and stated that he was here to represent all three applicants and that his statements would be pertaining to all three of the applicants. Chairman Faison explained that he could speak for all three, but each application would be voted on separately. Commission Member Harry Oxley stated that we have to vote on each application separately that he doesn't make the rules. Mr. Fallin stated that all his comments would pertain to all three of the applicants, the Partens, Thelma Bailey, Ronald & Debra Trapp.

Mr. Fallin asked that each of the Commission Members to look at the plat which shows all the lots that they are wanting to rezone. By looking at the parcels everyone with the exception of Ms. Parker is asking that the Planning Commission rezone these properties Commercial. There is no one here to dispute the request from this area. Mr. Fallin also stated that if you look all along the bypass at the properties that have been rezoned, those properties fall along the lines of his clients request. Mr. Fallin stated that the houses are in pretty bad shape and the area is falling and falling fast. Mr. Fallin also stated that he is aware of the Planning Commissions responsibility to protect the homeowners, but it's not these people caused this to happen out here, the bypass decided that when they four laned and the property gradually fell. Mr. Fallin also stated that if we don't rezone, the property owners will have a tough time selling as well renting these houses.

Commission Member Harry Oxley stated that the places Mr. Fallin referred to as being rezoned had access to the bypass, and this property only has access from Kingwood Dr. Mr. Fallin stated that was not exactly right, when they built the bypass they put a driveway on lot 8, also on lot 9 they put in an understructure to put a driveway as well as lot 10. Mr. Oxley stated he did not see anything but a street coming in Kingwood, that there was not a state right of way from the bypass to this subdivision. A driveway is different from an access. Mr. Fallin stated this is not a state map, but a tax map. Also Mr. Fallin stated that Hardees across the street has access to the bypass. Mr. Oxley stated that there is only one piece of property that is adjacent to the bypass. Mr. Fallin stated that to make it work, you would need to close Kingwood.

Charles Dean came forward and told the Planning Commission that he owned lots 19, 20 and 21 and when the property was set up by Mr. Holman he didn't think a survey was done. Mr. Dean

stated that when he moved there thirteen years ago, he had his property surveyed and his land went over in to Ms. Parker's land and his property also goes in to the lawn of lot 22 across the drainage ditch. Mr. Dean stated that all he is saying is if any of this property is sold, it will have to be surveyed and a whole new can of worms will be opened up. Because he is going to take his land over that ditch in to that persons yard and they will not be selling as much property as they think they are going to sell. Mr. Dean also stated that most of the traffic is from the nursing home because they do not have enough parking and this is a very busy street.

Billy Brazel came forward and said that he lives around the corner and he objects to the rezoning for several reasons. Mr. Brazel said he invites each and everyone to drive down this road and get out of your cars and look at the highway. Mr. Brazel stated he lived around the curve and he's not going to be right on it, but if it did go commercial the nursing home has dumpster at the culdesac where the city comes and picks up trash because they have no where else to put a dumpster. He has a problem with big trucks, lights shining and the nursing home is limited from parking spaces.

Lizzie Parker came forward and stated she has lived in this neighborhood for 31 years. She bought the property to live in until she dies and still hopes to do that, but she would hate to have some business that would keep her up all night because she is too old for that. Ms. Parker stated that she had to pay for that easement Mr. Fallin was talking about and her deed does not call for an easement. Ms. Parker stated there is too much traffic already and wanted to know if the city could close a road? Chairman Faison stated that a lot of those questions we could not answer. Mr. Faison stated that he thought there are some things that are a little more protected than that particular way but we are listening to you and here you.

Debra Trapp, an applicant to rezone stated that she owns the property that Mr. Dean spoke about, where the ditch drainage comes that he could take 15 feet of my property. Ms. Trapp stated that she has deeds to her place as well as they do theirs and mine don't say that. Another point is the road we are on is a dead end road, not all nursing home traffic. Mr. Oxley stated that you can not get to the property except by Kingwood, not the bypass. This is an established road and the city has not given a road to anyone. Mr. Fallin stated that the city does close roads. (Badcock)

ACTION TAKEN ON THE APPLICATION SUBMITTED BY MICHAEL AND DIANE PARTEN

After a lengthy discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application to rezone C-3 (Commercial District) zoning be denied. Motion was made by William Gay and second by James Willis.

III. APPLICATION FROM THELMA BAILEY, REQUESTING TO REZONE THE NORTHERN HALF OF LOT 4 AND ALL OF LOT IN THE KINGWOOD HEIGHTS SUBDIVISION FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL DISTRICT) ZONING.

Mr. Fallin spoke on behalf of this application.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY THELMA BAILEY

After a lengthy discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application to rezone C-3 (Commercial District) zoning be denied. Motion was made by James Willis and second by Sonny Murphy.

IV. **APPLICATION FROM RONALD AND DEBRA TRAPP, REQUESTING TO REZONE LOTS 8, 9 AND 22 IN KINGWOOD HEIGHTS SUBDIVISION FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL DISTRICT) ZONING.**

Mr. Fallin spoke for this application.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY RONALD AND DEBRA TRAPP.

After a lengthy discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application to rezone C-3 (Commercial District) zoning be denied. Motion was made by Sonny Murphy and second by Warren Taylor.

V. **APPLICATION SUBMITTED BY CECIL RHODES, REQUESTING TO REZONE ONE ACRE FRONTING THE WEST BLVD. (15TH ST SW) FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-1T (SPECIAL NEIGHBORHOOD BUSINESS DISTRICT) ZONING, THIS IS ALSO A REQUEST TO SUBDIVIDE.**

Kirk Friedlander, representing Mr. Rhodes, came forward and explained to the Commission Members that Mr. Rhodes has ten acres, seven acres in the city and three acres in the County and Mr. Rhodes is selling to a gentleman who wants to open a plant nursery. Mr. Friedlander also stated that six acres would remain R-1B, he only wants to rezone the one acre and in order to do that he needs to subdivide as well.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY CECIL RHODES

After a brief discussion, based on our review and SW GA RDC's recommendation the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application for C-1T (Special Neighborhood Business District) zoning be Approved. Motion was made by Harry Oxley and second by William Gay. Commission Voted unanimously to approve the request to subdivide the one acre lot. Motion was made by Harry Oxley and second by William Gay.

VI. **AN APPLICATION FROM KEITH ALLEN, REQUESTING A SPECIAL USE PERMIT FOR A LEGAL OFFICE LOCATED AT 814 1ST ST SE**

Keith Allen came forward and told the Planning Commission that he has to vacate his present location because the building has been sold to the County. Mr. Allen stated he looked a long time to find a piece of property that he could make in to an office. The house looks rough from the outside, but the inside is very nice, and the layout is exactly the way he would have wanted it if he had drawn it himself. Mr. Allen stated that just two doors down is Laura Keith's office which is a dentist office on the corner. Mr. Allen also stated that Cecil Horne called him and told him that he understood he was looking for an office and told him that this house belong to Leonard Taylor and he had a key if he wanted to look at the house. Mr. Allen stated he really would hate to see this house go down any further and he really wasn't going to make any major changes.

Mr. James Ridgeway came forward and stated that he nor the other neighbors had a problem with what Mr. Allen wanted to do, they just wanted to know how long is the Special Use permit? Chief Hannon stated only as long as Mr. Allen would be in the house. Mr. Allen stated that he was going to get rid of the dog house.

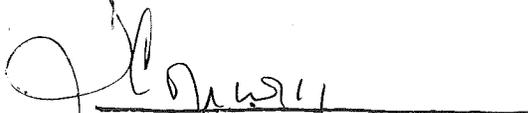
ACTION TAKEN ON THE APPLICATION SUBMITTED BY KEITH ALLEN.

After a brief discussion, based on the improvements that Mr. Allen will make and the additional commercial property in the area, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application for a Special Use Permit be approved. Motion was made by Commission Member Harry Oxley and second by James Willis.

VII. ADJOURNMENT:

With no further business to discuss, the meeting was adjourned.


Chairman


Secretary

**MINUTES OF THE MOULTRIE-COLOQUITT COUNTY PLANNING COMMISSION MEETING
HELD DECEMBER 6, 1999 AT 7:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL**

MEMBERS PRESENT: Floyd Faison; Harry Oxley; Kenneth Wallace; William Gay; Sonny Murphy; Wayne Perry and James Willis.

MEMBERS ABSENT: Warren Taylor; Evelyn Mitchell; Doug Bell; Rev. CE Shephard and Ralph Taylor.

CALL TO ORDER:

Chairman Faison called to order.

I. APPROVAL OF MINUTES:

Commission Member James Willis made a motion to approve the minutes as written. Second was made by William Gay and it carried unanimously.

II. APPLICATION FROM TIM HURD, REQUESTING TO REZONE 1.99 ACRES LOCATED IN LAND LOT 353 IN THE 8TH LAND DISTRICT IN COLOQUITT COUNTY, GEORGIA FROM R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-1 (NEIGHBORHOOD BUSINESS DISTRICT) ZONING. THIS WAS ALSO A REQUEST TO SUBDIVIDE.

Kirk Friedlander, representing Tim Hurd, came forward and told the Commission Members that Mr. Hurd has sold the land to a group for a Commodities Office. Mr. Friedlander also stated that the building on the property was going to be moved.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY TIM HURD.

After a brief discussion, based on our review and SW GA RDC's recommendation, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council their approval of the application to rezone C-1(Neighborhood Business District). Motion was made by Commission Member Harry Oxley and second by James Willis.

Motion to approve the subdividing request was made by Commission Member William Gay. Second was made by Sonny Murphy and it carried unanimously.

III. APPLICATION SUBMITTED FROM KAREN & BRAD CHASE, REQUESTING TO REZONE 2021 5TH AVE SE, FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL DISTRICT) ZONING.

Mr. Fallin came forward and stated that he was here to speak on behalf of Brad & Karen Chase, Wiley Gibbs and Wanda Herndon because all three applicants are asking for the same classification to rezone from R-1B to C-3. Mr. Fallin handed out a colored map of the Kingwood Gardens area. Mr. Fallin stated he had been here before in regards to Kingwood Gardens and understands this is a sensitive and delicate matter. Mr. Fallin stated that on the map each color represents what direction the area is taking-the orange blocks-zoned commercial all around-burgundy-rental houses-yellow-owner occupied and Mr. Fallin believes the owners still occupy these homes-blue color is a lot and a half and this house is for sale. On 5th Ave. the washed out pink shows the 4 lots in question. There are a total of 42 lots of the 42 lots left, 15 are residential lots of the 15 lots every single one of them touches commercial property with the exception of

Bobby Livingston. Mr. Fallin stated he had asked and received a copy of RDC's recommendation and reading that, they analyze almost like if I had wanted to prepare and tell you what to say. Mr. Fallin said that what they are proposing is to comply with all requirements such as buffers etc. Mr. Fallin also stated that the Huddle House was rezoned with all the residential housing around the huddle house. Mr. Fallin stated they would do everything possible with screening, shrubs as noted in section 4.30. This property is falling and falling fast it's just a question as to when it will happen. Mr. Fallin stated that on behalf of his clients we would like for you to consider rezoning the property C-3(Commercial District).

Ms. Jackie Gibbs came forward to speak on behalf of her mother Ms. Wiley Gibbs who couldn't be here because of her illness. Ms. Gibbs stated that her mother has lived here for twenty years, but because of her illness, she felt it would be best for her mother to be close to her in Tifton. Ms. Gibbs stated that she could not sale her property as residential because it is not worth anything and they really needed to sell commercial in order to make a profit. Ms. Gibbs also stated that the vacant lot on 5th Ave would stay vacant as long as the property was residential. Another reason they want to sell is because of the traffic coming in and the noise, it's very distracting and makes her mother nervous.

Bill Holland, an Attorney from Valdosta, Ga., is representing Bobby and Margaret Livingston. Mr. Holland came forward and asked the Commission Members to take a look at lot 8 which also has a 76 on the map provided by Mr. Fallin, this lot belongs to Mr. Livingston, as Mr. Fallin pointed out it corners in the back by these four lots. That lot is in the middle of four other owner occupied lots and if he counted correctly, there are 29 residential lots not just 15. Mr. Holland stated that since the rezoning of the Huddle House in 95, his clients have continued to try and live in this location. With the noise and parked trucks, his clients will be the first to tell you it's tough and if a C-3 zoning is allowed behind them, it's his understanding that a McDonalds or any type of fast food restaurant would be allowed at this location. There would be a lot of traffic, a gathering place for young people as well as being inconsistent with the residential zoning and a place to live. Mr. Holland stated that they understood and would have to agree with Mr. Fallin to some degree that we have some considerable amount of commercialization around this area. Mr. Holland stated to the Commission Members the question they need to ask themselves are they to the point that they are willing to make this area uninhabitable? There are still out parcels around Wal-Mart that are available for this type of use. In weighing the good with the bad, he is speaking on behalf of all three applications because he didn't want to come back up for all three, because their position is the same. After looking at RDC's recommendation, he feels one item that isn't addressed #2, he doesn't disagree with it, but wanted to know what happens to Bobby Livingston and the remaining 25 residential parcels.

ACTION TAKEN ON THE APPLICATION SUBMITTED BY BRAD AND KAREN CHASE.

Based on our review and the Future Land Use Study, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application to rezone C-3 (Commercial District) zoning be approved. Commission Member Harry Oxley abstained from voting on all three applications, because he felt it would be a conflict of interest. Motion was made by Commission Member William Gay and second by Sonny Murphy.

IV. APPLICATION FROM WILEY GIBBS, REQUESTING TO REZONE #28 NORMAN DRIVE, FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL DISTRICT) ZONING.

Mr. Fallin spoke on behalf of this application.

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ACTION TAKEN ON THE APPLICATION SUBMITTED BY WILEY GIBBS.

Based on our review, and the Future Land Use Study, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application to rezone C-3 (Commercial District) zoning be approved. Motion was made by Commission Member Kenneth Wallace and second was made by Sonny Murphy.

V. **APPLICATION FROM WNADA KAY HERNDON, REQUESTING TO REZONE #26 NORMAN DRIVE, FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL DISTRICT) ZONING.**

Mr. Fallin spoke on behalf of this application

ACTION TAKEN ON THE APPLICATION SUBMITTED BY WANDA KAY HERNDON.

Based on our review, and the Future Land Use Study, the Moultrie-Colquitt County Planning Commission voted unanimously to recommend to the City Council that the application to rezone C-3 (Commercial District) zoning be approved. Motion was made by Commission Member James Willis and second by Kenneth Wallace.

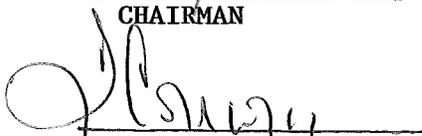
VI. The Planning Commission wanted to point out the note from SW GA RDC, in regards to the Protective screening that would be required for the above applications if approved by City Council.

VII. **ADJOURNMENT:**

With no further business to discuss, the meeting was adjourned.



CHAIRMAN



SECRETARY