

SPALDING COUNTY APPEALS BOARD
Regular Meeting
May 12, 2005

The Spalding County Appeals Board held its regular monthly meeting on May 12, 2005 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Dennis Richardson, Chairman, presiding, Jon Baird, Charles Perdue, JoAnne Phinazee, and Allan McCallum. Doug Hardwick and J. D. Smith were not present.

Also present were Charles Taylor, Community Development Director, Chad Jacobs, Senior Planner, Newton Galloway, Attorney, and Yvonne Langford to record the minutes.

Mr. Richardson called the meeting to order and introduced the members of the Appeals Board and invited anyone present that was not the applicant and wanted to address the Board on any of the applications to come forward and sign the request form.

Application #05-13V: Cory S. Dague, Owner - Dague Communities, Inc., Agent – 1572 Vineyard Road (1acre located in Land Lot 28 of the 3rd Land District)- requesting a Variance to extend or alter a non-conforming use in the R-2 District.

Cory Dague – 1572 Vineyard Road

Mr. Dague said his mother-in-law lives in his duplex. He moved her here from Florida so they could take care of her. This week she was diagnosed with Alzheimer's. She has been in a wheel chair. The duplex is small and they need to add a recreation room and bath to give them more room. The present bathroom door is not wide enough for the wheel chair.

Mr. Taylor said the staff recommendation is for approval conditioned on the addition being constructed to match the existing building.

MOTION

Mr. Baird made a motion to approve Application #05-13V conditioned on the addition matching the existing structure. The motion passed on a second by Mr. Perdue with Mr. Baird, Mr. Perdue, Ms. Phinazee, Mr. McCallum and Mr. Richardson voting for the motion.

Application #05-14V: Freda Cronic, Individually as an Executor of the Last Will and Testament of J. A. Cronic, Owner - Macon Signs, Inc., Agent - North Expressway (t.074 acres located in Land Lot 103 of the 3rd Land District) – requesting a Variance from minimum total sign area per establishment.

Dick Mullins – 676 Brook Circle

Mr. Mullins said the Cronics are building a new Nissan Dealership on 5.074 acres. The sign ordinance for Spalding County limits the total signage square footage to 200 SF per business establishment. The standard Nissan sign package is 221 SF which is 21 feet over the allowance. The business is on 5.074 acres. If the business was on ½ acre they would still be allowed 200 SF. If it was on 100 acres you would be allowed 200 SF. This is a problem with the ordinance. It should not be applied uniformly to every business. The improvements to this site will cost 3.5 million dollars. They want to be allowed to use the standard Nissan sign package. If they do not use the standard package Nissan will pay them \$400 per month toward the signage for six months. If they use the standard package Nissan will allow \$400 per month for 24 months. To deny this application will cost them \$7000 to \$8000 in lost revenue. Mr. Mullins went over the layout of the sign package. He said the staff recommendation is for denial noting that it is a self-created hardship. They did not do anything to create this hardship. There are 10 signs involved in the package.

Mary Fisdale – Macon Signs, Inc. – P. O. Box

Ms. Fisdale owns Macon Signs and will be making the installation. She has installed this identical sign package in Statesboro, Warner Robins and Dublin. A variance was granted for the Statesboro installation. She said that some of the signs are directional and if you do not have those you create confusion. The customers will not know where to go for service, parking, sales or parts. You can't trim the signs because they are manufactured by a national sign company. They do not manufacture the signs they just install them.

Mr. Taylor said by ordinance there is a different standard for sign variances than for other variances. In cases of sign variances the county is very restrictive as to application of the standards. The most significant standard is that of showing a hardship. Hardship considerations have been where the business was significantly below the grade of the right of way. The applicant has not shown a hardship other than that which is self-created. The recommendation is for denial.

Discussion was held and the issue was raised as to whether or not some of the signs can be purchased in a smaller size. The applicant did not know if there might be an option to purchase the directional signs in a smaller size. It was decided to table this application until the applicant has the opportunity to investigate whether or not some of the signs can be purchased in a smaller size.

MOTION

Ms. Phinazee made a motion to table Application #05-14V. The motion passed on a second by Mr. Perdue with Mr. Baird, Mr. Perdue, Ms. Phinazee, Mr. McCallum and Mr. Richardson voting for the motion.

MINUTES

Ms. Phinazee made a motion, seconded by Mr. Baird, to approve the minutes of the April 14, 2005 meeting. The motion passed with Mr. Baird, Mr. Perdue, Ms. Phinazee Mr. McCallum and Mr. Richardson voting for the motion.

Consider extension of a Variance approval for Application #04-67V – Ginger Ray Smith, Owner - 2 Acres at the intersection of Arthur K. Bolton Parkway and High Falls Road.

Mr. Richardson said when a variance is approved the building permit must be obtained and construction begun within six months of approval. If this does not happen the variance expires. The building permit for this site has not been issued as the applicant is waiting to see how the widening project for Highway 16 by the Georgia DOT will impact their development plans. An extension for an additional six months will be necessary.

MOTION

Mr. McCallum made a motion to approve a six months extension of the Variance in application #04-67V. The motion passed on a second by Mr. Baird with Mr. Baird, Mr. Perdue, Ms. Phinazee Mr. McCallum, and Mr. Richardson voting for the motion.

Mr. Galloway said the extension is for six months from the expiration of the previous variance.

MOTION

The meeting was adjourned on a motion by Mr. McCallum and a second by Ms. Phinazee with Mr. Baird, Mr. Perdue, Ms. Phinazee Mr. McCallum, and Mr. Richardson voting for the motion.

Dennis Richardson – Chairman

Yvonne M. Langford - Recorder