

SPALDING COUNTY APPEALS BOARD
Regular Meeting
June 8, 2006

The Spalding County Appeals Board held its regular monthly meeting on June 8, 2006 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Jon Baird, Chairman, presiding; Keith Dryden; Doug Hardwick; Richard Ingram; Charles Perdue; JoAnne Phinazee and Allan McCallum.

Also present were: Charles Taylor, Community Development Director; Chad Torri, Attorney and Yvonne Langford to record the minutes.

Mr. Baird called the meeting to order and invited anyone present that was not the applicant and wanting to address the Board on any of the applications to come forward and sign the request form.

Application #06-14V: Angelia D. Stokes, Owner – 745 Mangham Road (2.46 acres located in Land Lot 51 of the 2nd Land District) – requesting a Variance to allow an accessory structure in the front and side yard in the AR-1 District.

Angelia Stokes – 745 Mangham Road

Ms. Stokes said they want to build a pool and an 18 X 12 gazebo at the shallow end of the pool at the side of the house. They cannot put the pool at the rear of the house due to the slope and the septic tank lines. She said she was not clear what is considered the side yard and what is considered the front yard but a portion of the pool will be approximately 10 to 20 feet in front of the house. She said she can move the gazebo, but this is the only location for the pool. The adjacent property, which is 33 acres, is owned by her parents. It is a pasture with cows. She has a 6' privacy fence down the front of her property, and the balance is wooded from her property to her parent's property line.

Charles Taylor said the recommendation is for conditional approval. The condition is that no accessory structures or the pool will encroach into the front yard.

Discussion was held and Ms. Stokes said she would move the gazebo to the side of the pool, and she would have room to position it between the pool and the fence.

Mr. Taylor requested that if the Board was inclined to allow the pool to encroach on the front yard that a specific distance be designated so they would have something definitive to enforce.

MOTION

Mr. Dryden made a motion to approve Application #06-14V conditioned that the pool not encroach on the front yard more than 15' and the gazebo be located so it does not encroach on the front yard. The motion passed on a second by Mr. McCallum with Mr.

Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

Application #06-15V: Kingston Land Developments, LLC, Owner – South Sixth Street Extension (89.566 acres located in Land Lot 169 of the 2nd Land District) – requesting a Variance to allow cul-de-sac streets to exceed 300 linear feet.

Dick Mullins – 676 Brooks Circle

Mr. Mullins said Mr. Pat Markus and Mr. Ken Palmer purchased the Lamar King property at the end of last year. They are experienced developers and will be developing the property. The proposal is to put 30 lots on this 90-acre tract. The lots will be two acres minimum with 10 acres of green space and a pond. The lots will sell for \$80,000 per lot, and the houses will be approximately \$300,000 to \$500,000. The developers propose that the entry will be off of County Line Road at a location that is fairly flat. They will take the cul-de-sac all the way around to end at the green space. It is not feasible to take the road out to the South Sixth Street Extension, because that exit would be very hazardous for traffic. An entry and exit on South Sixth Street, at this location, would be dangerous due to the speed of the traffic and visibility. The staff has recommended approval due to the safety issues. He requested approval from the Appeals Board.

Ms. Phinazee asked what the intent was when this property was purchased. She said they had to know about the cul-de-sac rules when they purchased the property.

Mr. Mullins said they did, but the purpose of a variance is to allow a variance where the ordinance is unduly restrictive. They could put an entrance/exit on Sixth Street, but it is a safety issue. He does not feel the citizens of Spalding County want to run the risk of another dangerous intersection.

Elizabeth Chewning – 118 Jewel Drive

Ms. Chewning said she supports the cul-de-sac as proposed, because in her opinion, it fosters a sense of community and family love in an area. Griffin wants to bring in good quality residents. If the street goes all the way to Sixth Street, it would add another dangerous intersection on that stretch. The speed limit is often ignored through there. There are a lot of cul-de-sacs in the area that are wonderful. She requested that the application be approved.

Charles Robert Lührman – 121 Runnymede Road

Mr. Lührman said he is in favor of the cul-de-sac, because if you force them to run the road out to Sixth Street, you might as well position emergency equipment there at all times, because you are going to have some major accidents. He lives on Runnymede Road, and it is sometimes tough to get out of there because people drive 60 and 70 MPH down Sixth Street. To force a road out there would be foolish.

Catherine Chewning – 119 Runnymede Road

Ms. Chewning said she has live here for 26 years. She supports the proposal as presented. Runnymede is a fine community. They think that Scarbrough Development behind them will be a good community. If this develops as proposed, it will be a good addition for Spalding County. The safety issue as stated is critical. Runnymede is at the bottom of a dip on Sixth Street. There is scarcely enough time to see the cars coming and get out and clear the intersection in a safe manner when the cars are traveling at the correct speed limit of 45 MPH. An additional cut would be very close to the crest of the hill, but just down far enough to be frightful blind spot. She requested the Appeals Board support the design of the street as proposed.

Morgan Fordham – 2060 South Sixth Street

Mr. Fordham said he lives across from this property. He agrees with the other property owners. This would be a dangerous place to have another entrance/exit. He agrees that this cul-de-sac should be allowed.

Mr. Taylor said the staff recommendation is for approval due to the safety issues on Sixth Street.

Mr. Baird said he concurs with the comments that have been made. He visited the site and pulled into the location of the sign posted for the variance request. When he was trying to back out, he thought he was being very careful but was almost “rear-ended” by someone flying over the hill. He supports this application.

MOTION

Mr. Dryden made a motion to approve Application #06-15V as requested. The motion passed on a second by Mr. Perdue with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

MINUTES

Mr. Dryden made a motion, seconded by Mr. Perdue, to approve the minutes of the May 11, 2006 meeting. The motion passed with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Ingram, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

MOTION

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

Jon Baird – Chairman

Yvonne M. Langford - Recorder