

**SPALDING COUNTY APPEALS BOARD**  
**Regular Meeting**  
**June 9, 2005**

The Spalding County Appeals Board held its regular monthly meeting on June 9, 2005 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Jon Baird, Vice-chairman, presiding, Keith Dryden, Doug Hardwick, Charles Perdue, JoAnne Phinazee, and Allan McCallum. Dennis Richardson was 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. Baird called the meeting to order and introduced the members of the Appeals Board. He 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 #05-14V: Lift from the table** – Freda Cronic, Individually and as Executor of the Last Will and Testament of J. A. Cronic, Owner – Macon Signs, Inc., Agent – North Expressway (5.074 acres located in Land Lot 103 of the 3<sup>rd</sup> Land District) – requesting a Variance from minimum total sign area per establishment.

No action was taken on this application at the request of the applicant.

**Application #05-15V:** Willie J. Miller, Owner – 37 Springdale Drive (1.05 acres located in Land Lot 167 of the 3<sup>rd</sup> Land District) – requesting a Variance to extend or alter a non-conforming use in the AR-1 District.

Willie J. Miller – 37 Springdale Drive

Mr. Miller said he has a small mobile home 14' x 36' that he wants to make an addition to making it a 24' x 36'. The present unit is not large enough.

Chuck Taylor said the staff recommendation is for conditional approval. They recommend that the new addition will be constructed so that it will match the existing exterior in design and appearance.

**MOTION**

Mr. McCallum made a motion to approve Application #05-15V conditioned on the addition being constructed so that it will match the existing exterior in design and appearance. The motion passed on a second by Ms. Phinazee with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

Mr. Baird said there has been a request to table one of the applications on the agenda and he would like to consider that one next since a major portion of the people in attendance are present to discuss this item. It would be better if they did not have to sit through the meeting only to find the application is not going to be considered.

**MOTION**

Mr. Dryden made a motion to amend the agenda to discuss Application #05-18S next. The motion passed on a second by Mr. McCallum with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

**Application #05-18S:** Julia Abigail Maddox, Owner – Scarbrough & Rolader Development, LLC – South 6<sup>th</sup> Street Extension (96.594 acres located in Land Lot 170 of the 2<sup>nd</sup> Land District) – requesting a Special Exception to allow development standards of construction of condominium dwelling, patio dwelling or zero lot line dwelling (Country Club) in the R-1 District.

Mr. Taylor said it is understood that some of the residents in the South Sixth Street area would like to have the opportunity to meet with the applicant regarding the design of the proposed neighborhood. The applicant is prepared to present this case but has not objections to a delay to give the opportunity for that meeting.

**MOTION**

Mr. McCallum made a motion to table Application #05-18S until next month. The motion passed on a second by Mr. Dryden with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

**Application #05-16V:** Freda Cronic, Executor of Last Will and Testament of J. A. Cronic, Owner – Paragon Consulting Group, Agent – North Expressway (5.074 acres located in Land Lot 103 of the 3<sup>rd</sup> Land District) – requesting a Variance from minimum parking lot landscape area requirement in the C-1B District.

Charles Penny – 118 North Expressway

Mr. Penny said they are requesting to be allowed to eliminate some of the landscape islands on this project. This is an auto dealership and space is at a premium. They will be meeting the requirements of the tree ordinance at the site. The perimeter landscaping will not be altered.

Mr. Taylor said when the staff reviewed the application it was noted that it meets the criteria for granting a variance. The recommendation is for conditional approval. The conditions are:

1. The trees and landscaping in the islands that are to be eliminated shall be moved to other areas on site in order to maintain the tree density calculation. Each tree must be given enough space to be able to grow to full maturity.
2. A revised landscape plan shall be submitted.

**MOTION**

Mr. Dryden made a motion to approve Application #05-16V with the conditions as recommended by the staff. The motion passed on a second by Ms. Phinazee with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

**Application #05-17V:** Brea Homes, LLC, Owner – 15 Liberty Hill Road (1.206 acres located in Land Lot 57 of the 3<sup>rd</sup> Land District) – requesting a Variance from minimum front yard setback in the AR-1 District.

Connie Hershey – Brea Homes

Ms. Hershey said they have someone interested in purchasing this property for construction of a home. The lot is 10 or 15 feet short for the setback.

Mr. Taylor said in reviewing the application it has been discovered that the lot is not a lot of record in the county and does not meet the current zoning requirements. This lot was created when the county put a road through a property splitting two pieces of property and creating a triangle piece. This is definitely a hardship situation but it needs to be advertised that a variance will have to be granted to make this a lot of record. The recommendation is to table until the next meeting so that both variances can be covered under the one application thus saving the applicant the expense of two applications.

**MOTION**

Mr. Dryden made a motion to table Application #05-17V until the next meeting. The motion passed on a second by Mr. McCallum with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

**Application #05-19S:** Capital Mortgage Corporation, Owner – Dorothea L. Brown, Agent – 163 Ginny Lane (3.32 acres located in Land Lot 73 of the 2<sup>nd</sup> Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

No one was present to address the board regarding this application. Discussion was held and it was decided to table until the next meeting.

**MOTION**

Mr. Perdue made a motion to table Application #05-19S until the next meeting. The motion passed on a second by Mr. Hardwick with Mr. Baird, Mr. Dryden, Mr. Hardwick, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion.

**MINUTES**

Ms. Phinazee made a motion, seconded by Mr. McCallum, to approve the minutes of the May 12, 2005 meeting. The motion passed with Mr. Baird, Mr. Perdue, Ms. Phinazee and Mr. McCallum voting for the motion and Mr. Dryden and Mr. Hardwick abstaining because they were not present.

**MOTION**

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

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Jon Baird – Vice-chairman

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Yvonne M. Langford - Recorder