

SPALDING COUNTY APPEALS BOARD
Regular Meeting
January 8, 2009

The Spalding County Appeals Board held its regular monthly meeting on January 8, 2009 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Doug Hardwick, Chairman, presiding; Michelle Cannon; Richard Ingram; Charles Perdue and Allan McCallum. Bryan Clanton and JoAnne Phinazee were not present.

Also present were: Chad Jacobs, Senior Planner; Newton Galloway, Attorney and Yvonne Langford to record the minutes. Chuck Taylor, Community Development Director was not present at the meeting.

Mr. Hardwick called the meeting to order 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.

ELECTION OF CHAIRMAN

Mr. Hardwick called for nominations for Chairman.

Mr. McCallum nominated Doug Hardwick and Ms. Cannon seconded the nomination.

MOTION

Ms. Cannon moved that the nominations be closed and Mr. Hardwick elected by acclamation. Mr. McCallum seconded the motion. The motion passed with Ms. Cannon, Mr. Hardwick, Mr. Ingram, Mr. Perdue and Mr. McCallum voting for the motion.

ELECTION OF VICE-CHAIRMAN

Mr. Hardwick called for nominations for a Vice-Chairman.

Mr. McCallum nominated Charles Perdue and Mr. Ingram seconded the nomination.

MOTION

Ms. Cannon made a motion, seconded by Mr. McCallum, that the nominations be closed and Mr. Perdue elected by acclamation. The motion passed with Ms. Cannon, Mr. Hardwick, Mr. Ingram, Mr. Perdue and Mr. McCallum voting for the motion.

Application #08-24S: Patrick R. Shivers and Wanda N. Shivers, Owners – Ideal Homes of Griffin, Agent – 1644 Birdie Road (8.20 acres located in Land Lot 24 of the 3rd Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Wanda Shivers 1000 Steele Road

Wanda Shivers said that she and her husband are making this application but Mr. Shivers could not be present because he is out of town. Ms. Shivers said they were both born and raised in Spalding County. She grew up in the Birdie Community. They lost their home to foreclosure last year due to her husband's illness and the fact that she lost her job due to the company she worked for closing and it took her seven months to find a job with an income less than half of what she had been making. They have had this tract of land for 14 years. They feel they can afford the manufactured home they have selected. Due to the housing market, they do not feel they can sell

the tract of land that they own. This is a beautiful home. They want something they like and can afford. She requested approval for the Special Exception.

Tom Ross – 101 Moreland Road

Mr. Ross said he is the owner of Ideal Homes of Griffin located at 101 Moreland Road. Mr. Ross made a presentation with a spreadsheet giving the location of the homes in the area, the value, acreage, age and type of house. He had a video presentation with pictures of the homes in the area. He said his presentation is being made in the spirit of looking at this home from the perspective of compatibility. He researched 175 homes in the area. He reviewed the specifications of the manufactured home they have selected. It is three-bedroom, 2.5 baths with an excess of 2100 SF. Mr. Ross showed modular homes and manufactured homes under similar finish packages and advised that there was no way to tell the difference, but they are treated differently. Modular homes, known as DCA, are treated like a stick built home in the County whereas a manufactured home is treated differently.

Discussion was held regarding the construction trend in the area. Mr. Ross says he feels trend is inappropriate and the criteria should be compatibility.

Dean Crosby – 1626 Steele Road

Mr. Crosby said he saw the sign and wanted to attend to determine what is happening. He just built a house on Steele Road two years ago. He knows how hard it is to build one. He hates to see anyone loose his or her home due to bankruptcy. He has not researched the zoning, but he is concerned regarding how many modular homes can they legally put on this property, and in what fashion or form that would lower the property values in the area. That is his concern. He is not saying yes or no to this application.

Tammy Caldwell Russell – 255 Stone Ridge Way – Fayetteville, Georgia

Ms. Russell said she owns 50 acres adjacent to the property but had no comments.

Mr. Jacobs responded to Mr. Crosby's question regarding the number of modular homes that can be put on this property. Per zoning, whether it is a manufactured home or a conventionally built home, you can only put one dwelling unit per property.

Mr. Galloway discussed the difference between a modular home and a manufactured home. They are legally two different types under Georgia code and are treated differently.

Mr. Jacobs said the staff has to follow the criteria of the UDO, and in review, they have to look at the general area as defined by the ordinance, which is a one-half mile radius. In that half-mile radius, they identified 123 parcels. Within those parcels, there were 9 manufactured homes, 94 single-family, conventionally built homes and 20 undeveloped parcels. The percentage is 77% conventional construction, 7% manufactured homes and 16% vacant parcels. By code, they only look at a ½ mile radius. Building permits have predominately been for conventionally built homes in the past five years. The staff recommends denial.

MOTION

Mr. Ingram made a motion to deny Application #08-24S. The motion passed on a second by Mr. McCallum with Ms. Cannon, Mr. Hardwick, Mr. Ingram, Mr. Perdue and Mr. McCallum voting for the motion.

MINUTES

Mr. Perdue made a motion, seconded by Mr. Ingram, to approve the minutes of the December 11, 2008 meeting. The motion passed with Mr. Hardwick, Mr. Ingram, and Mr. Perdue voting for the motion and Ms. Cannon and Mr. McCallum abstaining because they were not present.

ADJOURN

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

Doug Hardwick – Chairman

Yvonne M. Langford - Recorder