

SPALDING COUNTY APPEALS BOARD
Regular Meeting
October 8, 2009

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

Also present were: Charles Taylor, Community Development Director; Newton Galloway, Attorney and Virginia Langford to record the minutes.

Mr. Perdue 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.

Application #09-14V: Brooks Properties International, Inc., Owner – 1632 and 1636 Old Atlanta Road (4.30 acres located in Land Lot 126 of the 3rd Land District) – requesting a Variance to extend or alter a non-conforming use in the C-1C District.

Sylvia Morris – 825 Hale Avenue

Ms. Morris said they are requesting a 3-year extension of the variance of the property at 1632 and 1636 Old Atlanta Road due to economic conditions. They are waiting for a change to be more favorable for a commercial operation. They are collecting rent on the houses and have made repairs. There is more work to be done. They have painted them inside and out. This income is supporting the operation of the property to include the property taxes.

Discussion was held regarding the intent of use of the property and Mr. Perdue questioned the appearance of the property. Ms. Morris said they want to keep the property for residential use at the present time which is a non-conforming use since the property is zoned for commercial use. They plan to bring it into conformity when economic conditions change to be more favorable for commercial use. She further advised that new tenants are moving in and that is the reason for the clutter on the porch. They are also removing a very large tree at the rear of the property which is still being cut up and removed.

Charlotte Middlebrooks – 1623 Old Atlanta Road

Ms. Middlebrooks spoke concerning this application. After her comments, it was realized that she was discussing another property.

Mr. Taylor said the zoning was approved in 2001 and the owner was advised that the homes would have to be removed within five years. In 2006, a variance was granted to extend that requirement for an additional 3 years. This area is transitioning to a more commercial area. The immediate area of that site is still more residential in character. These homes are not completely out of place and out of character with the overall area. The staff recommendation is to extend the variance for the requested time. However, the appearance of the property is of concern. When they visited the site for inspection on October 2, 2009, there were piles of debris on the property. They would like approval conditioned on the property being kept neat and orderly at all times with no accumulation of trash, debris, parts or junk vehicles be allowed to accumulate on the site. This will strengthen the case if the county gets complaints from anyone in the neighborhood.

MOTION

Mr. Clanton made a motion to approve Application #09-14V with the staff recommended conditions. The motion passed on a second by Ms. Hackbart with Mr. Clanton, Ms. Hackbart, Mr. Ingram and Mr. Perdue voting for the motion.

Application #09-15V: Griffin-Spalding County Development Authority, Owner – Paragon Consulting Group, Agent – The Lakes at Green Valley off Rehoboth Road located in Land Lot 138 of the 2nd Land District – requesting a Variance to allow cul-de-sac street to exceed 300 linear feet in the PDD District.

Charles Penny – 106 Maplewood Drive

Mr. Penny said he was with Paragon Consulting Group and representing the Griffin-Spalding Development Authority in requesting a variance to allow this cul-de-sac, which is in excess of 300 linear feet. This property is part of the development known as The Lakes at Green Valley. This portion is the commercial section. It is intended to be a “stand alone” commercial section with smaller lots and smaller buildings than the industrial portion. This portion is wedged in between two cross country gas lines and an electric transmission line. Due to the topography, this plan was needed to get some buildable lots. If the cul-de-sac was restricted to 300 feet, it would be difficult to have any lots. They are requesting a 700 to 750 foot cul-de-sac. The lots will be approximately 1-acre lots and will be used for office/warehouse facilities. They anticipate 7 to 8 lots.

Mr. Taylor said the Griffin-Spalding Industrial Development Authority, who is the applicant, is not subject to the County zoning rules. They have historically followed the county zoning regulations. From a topographic and traffic standpoint, it is probably not a good idea to try to make a connecting road. He is satisfied that there is not a very good way to connect to a road. The existing easements also pose a problem regarding configuration of the lots. The Staff recommendation is for approval.

MOTION

Mr. Ingram made a motion to approve Application #09-15V. The motion passed on a second by Mr. Clanton with Mr. Clanton, Ms. Hackbart, Mr. Ingram and Mr. Perdue voting for the motion.

MINUTES

Mr. Ingram made a motion, seconded by Mr. Clanton, to approve the minutes of the September 10, 2009 meeting. The motion passed with Mr. Clanton, Ms. Hackbart, Mr. Ingram and Mr. Perdue voting for the motion.

ADJOURN

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

Doug Hardwick – Chairman

Yvonne M. Langford - Recorder