

**SPALDING COUNTY APPEALS BOARD**  
**Regular Meeting**  
**January 8, 2004**

The Spalding County Appeals Board held its regular monthly meeting on January 8, 2004 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were Dennis Richardson, Chairman, presiding, Bobby Hart, Charles Heggie, Allan McCallum, and Greg Pruitt. Jon Baird was not present.

Also present were Charles Taylor, Community Development Director, Lee Craig, Senior Planner, Newton Galloway, Attorney, and Virginia Langford to record the minutes.

Mr. Richardson called the meeting to order.

Mr. Richardson called for election of the Vice-chairman.

Mr. Pruitt nominated Bobby Hart. Allan McCallum seconded the nomination.

Charles Heggie made a motion, seconded by Allan McCallum, to close the nominations. The motion passed with Mr. Heggie, Mr. McCallum, Mr. Pruitt and Mr. Richardson voting for the motion and Mr. Hart abstaining.

Mr. Hart was declared elected by acclamation.

Mr. Richardson called for election of the Chairman.

Mr. Hart nominated Greg Pruitt. There were no other nominations.

Mr. Heggie made a motion, seconded by Mr. McCallum to closed the nominations. The motion passed with Mr. Hart, Mr. Heggie, Mr. McCallum, and Mr. Richardson voting for the motion and Mr. Pruitt abstaining.

Mr. Pruitt was declared elected by acclamation.

Mr. Pruitt chaired the meeting for the balance of the business session.

**Application #03-39V: Lift from the table** – Cole Tract Associates, L.P., Owner – 210 acres, more or less, on Trestle Road located in Land Lots 145, 247, 128, and 234 of the 2<sup>nd</sup> and 3<sup>rd</sup> Land Districts – requesting a Variance to allow private roads.

Mr. Taylor said there has been a lot of discussion regarding private roads and gated communities between the staff and the County Commissioners. It appears that the Commissioners are going to take up the issue of private roads and gated communities and the staff recommendation is to leave Application # 03-39V on the table until there is direction from the Commissioners. Minerva is aware of this decision and they will defer to the wishes of the Board of Commissioners.

Mr. Galloway said that he is not certain that a variance to allow a private road is appropriate because there is a specific provision in the ordinance that identifies private roads and states there will be no more private roads. Also, there is a policy issue as to whether or not a private road, even if it is approved, should be the subject of a variance rather than a policy decision by the Board of Commissioners.

It was decided to leave this application on the table.

#### **MINUTES**

Mr. Hart said the minutes reflected that Mr. Galloway was present when, in fact, he was not present. Mr. Hart made a motion to approve the minutes of the December 11, 1003 meeting with the correction. The motion passed on a second by Mr. McCallum with Mr. Hart, Mr. Heggie, Mr. McCallum and Mr. Richardson voting for the motion and Mr. Pruitt abstaining.

#### **PUBLIC HEARING RULES**

Mr. Hart said the rules for public hearings was included in the information sent for this meeting along with a set of the commissioners' rules. One is six or seven pages and the other is one page. One includes committees which does not apply to the Appeals Board since they do not have committees. He has looked over the Planning Commission rules for public hearings and it is similar and can be changed to fit the needs of the Appeals Board.

Mr. Galloway said he had requested the information be furnished and he was talking about the hearing rules, not the committee. He suggested that the same rules apply to all boards for all hearings so there is not the confusion of different rules for different hearings. The Appeals Board can draw up any rules they want.

Mr. Taylor said the public goes from one meeting to the next and it can be confusing for them.

Discussion was held regarding the swearing in of those that address the Board regarding applications. It was noted that there have been occasions when it was not done and the

Board decided to swear people in reinforce the necessity of all information being truthful. It was decided to continue this policy.

**MOTION**

Mr. Heggie made a motion to adopt the rules for hearings. The motion passed on a second by Alan McCallum with Mr. Hart, Mr. Heggie, Mr. McCallum, Mr. Pruitt, and Mr. Richardson voting for the motion.

Mr. Pruitt said he would like to discuss the minimum lot size for sewerer subdivisions. He read some information that he had and wanted clarification regarding amenities and commons areas. It was realized that this was going to take a lengthy discussion and it would be more appropriate to discuss this in a workshop or at a meeting when everyone is prepared to discuss.

**MOTION**

The meeting was adjourned on a motion by Mr. Richardson and a second by Mr. McCallum with Mr. Hart, Mr. Heggie, Mr. McCallum, Mr. Pruitt, and Mr. Richardson voting for the motion.

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Greg Pruitt – Chairman

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Virginia Langford - Recorder