

BOARD OF APPEALS
Regular Meeting
Open Session
January 18, 2001

The Spalding County Board of Appeals held its regular meeting on January 18, 2001 in the County Commission Meeting Room #108, Spalding County Courthouse Annex. Members present were Frank Harris, Chairman, presiding, Rosa Callaway, Keith Dryden, Karen Mathiak, Margaret Palmer, and Dennis Richardson. Tangela Fuller was not present.

Also present were Cindy McDaniel, Administrative Assistant II, Michael Sabine, Community Development Director, Newton Galloway, Attorney, and Yvonne Langford to record the minutes.

Mr. Harris called the meeting to order, introduced the members of the Appeals Board, and gave the procedure for handling the applications.

ELECTION OF VICE-CHAIRMAN

Mr. Harris called for nominations for Vice-Chairman.

Mr. Richardson nominated Margaret Palmer, seconded by Mr. Dryden.

There were no other nominations and the Chairman declared the nominations closed.

Ms. Palmer was elected by acclamation.

ELECTION OF CHAIRMAN

Mr. Harris called for nominations for Chairman

Ms. Mathiak nominated Mr. Dryden, seconded by Ms. Callaway.

There were no other nominations and the Chairman declared the nominations closed

Mr. Dryden was elected by acclamation.

Mr. Dryden chaired the balance of the meeting;

Application #00-66S: Lift from the table – Kenneth M. and Dena S. Williams, Owners – SprintCom, Inc., Agent – 29.10 acres on Newnan Road, located in Land Lot 34 of the 1st Land District – requesting a Special Exception to allow a telecommunications tower in the AR-1 District.

Mr. Dryden said a letter was received requesting an additional 30-day continuance due to a need for further research on this matter.

Application #00-68S: Rickey Lane Truitt and Tenisha Truitt, Owners – 308 Ginny Lane – requesting a Special Exception to allow a Class A manufactured Home in the AR-1 District.

Tenisha Truitt and Rickey Lane Truitt came forward, were sworn, stated their names, and gave their address as 308 Ginny Lane.

Ms. Truitt said they want permission to replace an old manufactured home with a doublewide manufactured home.

Mr. Harris said the information furnished by staff indicates that most of the adjoining homes are manufactured homes.

MOTION

Mr. Richardson made a motion to approve application #00-68S. The motion passed on a second by Ms. Palmer with Rosa Callaway, Keith Dryden, Frank Harris, Karen Mathiak, Margaret Palmer, and Dennis Richardson voting for the motion.

Application #00-69S: Alton E. Gordy, Jr. and William K. Gordy, Owners – Sprint PCS/Holt & Ney, P. A., Agent – 4745 West Ellis Road – requesting a Special Exception to allow a telecommunications tower in the AR-1 District.

Jim Ney came forward, was sworn, stated his name, and gave his address as Suite 600 100 Galleria Parkway, Atlanta, Georgia.

Mr. Sarran Marshall with SprintCom, Inc. was also sworn at this time.

Mr. Ney said he was representing SprintCom, Inc. in regard to this application. This is a 255' or 258' tower depending on the height of the lighting rod. This will be a wireless telecommunications tower located in a very heavily wooded area. It will be located approximately 350' off of West Ellis Road. He presented a picture of the location. The trees in the immediate area are 60' to 80' in height and will conceal the compound and the lower ranges of the tower. The property is zoned AR-1 and the surrounding area is AR-1. The tract is approximately 60 acres. They will be leasing a 10,000 square foot area. The telecommunications equipment will be concealed in three, prefabricated buildings about the size of a refrigerator. They will be enclosed in an area with a six-foot fence with three strands of barbed wire at the top for security. They will use the existing driveway and will extend that drive into the woods. The facility will be unmanned with a technician coming once a month to examine the site. The facility does not need water or sewer access. They do not generate any trash. He showed a propagation map to identify the additional coverage area that will be served if this tower is allowed. He gave written responses to the standards required by the Spalding County Ordinance indicating that the staff had reviewed this document. He said there are no other existing towers or tall structures in this area that meet the coverage needs for this application. This is in an area with heavy vegetation and trees. There is a four-foot landscape requirement in the ordinance and he requested that be waived since they would have to cut trees to meet that

requirement. The site is well concealed. The tower is designed to accommodate Sprint and two other carriers. They requested approval of the application and the waiver of the buffer/landscape area. He and Mr. Marshall were present to answer any questions.

Ms. Palmer said going north on West Ellis there is a lighted tower that you can see over the trees. Is that a tower that SprintCom could use?

Mr. Ney said they looked at that tower and it is outside their search range.

MOTION

Ms. Callaway made a motion to approve Application #00-69S and to waive the landscape requirements. The application passed on a second by Mr. Richardson with Rosa Callaway, Keith Dryden, Karen Mathiak, Margaret Palmer, and Dennis Richardson voting for the motion and Mr. Harris abstaining.

Application #00-71V: Charles C. and Dorothy Lee Rucks, Owners – 150 Hand Town Road – requesting a Variance to extend or alter a non-conforming use in the AR-1 District.

Mr. Rucks came forward, was sworn, stated his name, and gave his address as 6209 Newnan Road, Brooks, Georgia.

Mr. Rucks said he is a dairy farmer and they have a non-inhabitable trailer. They furnish housing for help and he needs to replace this trailer with a three bedroom, two bath trailer. It will be located in the same location as the present trailer. He had furnished a plat identifying the location. He noted that it is barely visible from the highway. Hand Town Road is a road on their farm. He will remove the present trailer. Mr. Rucks said if the trailer is no longer needed it will be removed.

Mr. Harris said he has known the Rucks for a long time and they are important members of the community and anything that can be done to keep people in agriculture rather than converting the land to something else should be done.

MOTION

Mr. Harris made a motion to approve Application #00-71V. The motion passed on a second by Ms. Mathiak with Rosa Callaway, Keith Dryden, Frank Harris, Karen Mathiak, Margaret Palmer, and Dennis Richardson voting for the motion.

Application #00-72V: Francis Jackson Evans, Sr., Owner – Newnan Road (Georgia Highway 16 W) at entrance to Turtle Tracks Subdivision – requesting a Variance from entrance signs for a subdivision.

Mr. Jack Evans came forward, was sworn, stated his name, and gave his address as 591 Yarbrough Mill Road.

Mr. Evans said he needed a variance to put a sign up on his subdivision that is compatible with other subdivision signs. When you measure the sign he wants and include the decorative posts on either side it is too large to comply with the sign ordinance. It will be set back a good distance from the highway. It will be on the edge of a detention pond and will have a decorative white picket fence closer to the highway and the area will be landscaped. It will be off the County right-of-way.

Ms. Palmer said if you don't have a larger sign you will not be able to see it in time and would miss the subdivision.

MOTION

Ms. Callaway made a motion to approve Application #00-00-72V. The motion passed on a second by Mr. Harris with Rosa Callaway, Keith Dryden, Frank Harris, Karen Mathiak, Margaret Palmer, and Dennis Richardson voting for the motion.

MINUTES

On a motion by Mr. Richardson and a second by Mr. Harris approval was given the minutes of the December 12, 2000 meeting with Rosa Callaway, Keith Dryden, Frank Harris, and Dennis Richardson voting for the motion and Karen Mathiak and Margaret Palmer abstaining because they were not present.

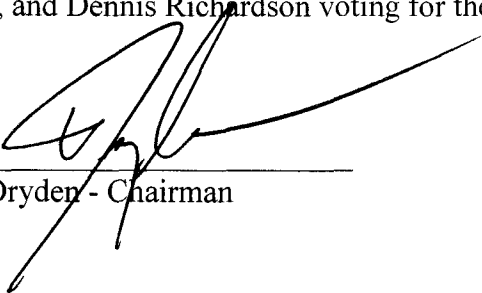
Mr. Dryden said as the chairman of the Board of Zoning Appeals he would like to appoint Mr. Harris to represent the Appeals Board on the Planning and Zoning Board.

Mr. Harris said he would be happy to serve in that capacity.

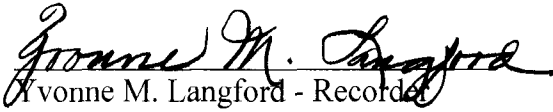
Mr. Richardson said he would like to express appreciation to Mr. Harris for the work and professional job he has done for the last year.

MOTION

Ms. Mathiak made a motion to adjourn the meeting. The motion passed on a second by Mr. Harris with Rosa Callaway, Keith Dryden, Frank Harris, Karen Mathiak, Margaret Palmer, and Dennis Richardson voting for the motion.



Keith Dryden - Chairman



Yvonne M. Langford - Recorder