

**SPALDING COUNTY APPEALS BOARD**  
**Regular Meeting**  
**February 13, 2003**

The Spalding County Appeals Board held its regular monthly meeting on February 13, 2003 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were Dennis Richardson, Chairman, presiding, Jon Baird, Ray Browning, Keith Dryden, Bobby Hart, and Greg Pruitt. Charles Heggie and Mose Stogner were not present.

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

Mr. Richardson 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 #02-47V: Lift from the table** – Annie Odom, Owner – Kilgore Road (3 acres located in Land Lot 122 of the 3<sup>rd</sup> Land District) – requesting a Variance from minimum road frontage and to allow building permits on a land locked lot in the AR-1 District.

**MOTION**

Mr. Pruitt made a motion to lift Application #02-47V from the table. The motion passed on a second by Mr. Baird with Mr. Baird, Mr. Browning, Mr. Dryden, Mr. Hart, Mr. Pruitt, and Mr. Richardson voting for the motion.

**Application #02-46S: Lift from the table** – Annie Odom, Owner – Kilgore Road (3 acres located in Land Lot 122 of the 3<sup>rd</sup> Land District) – requesting a Special Exception to allow a Church in the AR-1 District.

**MOTION**

Mr. Dryden made a motion to lift Application #02-46S from the table. The motion passed on a second by Mr. Pruitt with Mr. Baird, Mr. Browning, Mr. Dryden, Mr. Hart, Mr. Pruitt, and Mr. Richardson voting for the motion.

Mr. Richardson said these two applications will be heard together but voted separately.

Mr. Cyrus Odom came forward, was sworn, and gave his address as 1020 Kilgore Road, Griffin, Georgia

Mr. Taylor said the members of the Appeals Board had a memo from the Administrative Officer regarding these applications. The memo advises that the variance application does not appear to meet the merits of a variance and therefore the Appeals Board should not hear this application. If the variance is not approved then the special exception would not be appropriate.

Mr. Galloway said the variance application would require a 100% reduction in road frontage. This has never been allowed. Road frontage is required. There is some question as to whether or not authority exists to approve as filed. If the applicant should want to pursue the application the recommendation is to deny. The recommendation is to have the applicant withdraw the requests.

Mr. Odom said he was prepared to give road frontage for this application. He had papers drawn up to make this transfer.

On inspection of the papers it was noted that this was only for an easement and did not change the merits of the applications.

Mr. Odom said he was prepared to give title to a tract of land for the church that would have road frontage.

Mr. Ernest Odom – 996 Kilgore Road – was sworn and addressed the issues regarding this application.

Discussion was held regarding whether or not the tract had sufficient frontage to meet the requirements. It was decided to withdraw the applications and seek a refund until the appropriate transfers could be completed. Mr. Galloway spent time with the applicants advising them of the requirements and the options.

**Application #03-01V:** Metro 2000, Owner – 5291 Old Atlanta Road (Lot 112 located in Land Lots 108 and 109 of the 3<sup>rd</sup> Land District) – requesting a Variance from 5-year age limit on a manufactured home being brought into Spalding County.

Mr. Jack Padron, Jr. – 9035 Sandorn Drive – Roswell, Georgia was sworn and addressed the Board regarding this application.

Mr. Padron said that Metro 2000 had no intention of bringing in a home older than the five years allowed. The seller of the home misrepresented the age of the home at the time of the sale. They made an error and showed the date as 1998 when it was actually a 1995 mobile home. When the appropriate title was received the error was noted. The home is

presently in Spalding County and the company has gone to some expense to have it moved.

Discussion was held regarding the error and how it occurred and Mr. Padron said there was no intent on their part to bring a manufactured home into the community that did not meet the requirements but this was an error and they are seeking help.

#### **MOTION**

Mr. Hart made a motion to deny Application #03-01V. The motion passed on a second by Mr. Browning with Mr. Baird, Mr. Browning, Mr. Dryden, Mr. Hart, Mr. Pruitt, and Mr. Richardson voting for the motion.

**Application #03-02S:** Robert L. Wooster, Owner – 2400 Steele Road (2 acres located in Land Lot 21 of the 3<sup>rd</sup> Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Robert L. Wooster came forward, was sworn, gave his address as 2400 Steele Road, Griffin, Georgia.

Mr. Wooster advised the Board that he presently has a 1972 manufactured home on his land and wants to bring in a new 2003 manufactured home. It was noted that he does not want to remove the home that is presently on this lot.

Mr. Wooster was advised that the new home will have to be attached to the present structure. The attachment has to have a roof. It can be attached by a roofed breezeway structure.

Discussion was held and Mr. Browning noted that the trend in this area is predominantly site built homes. Mr. Wooster said the immediate area that he is in has manufactured homes but down the road and around the corner it is predominantly site built homes. He is going to spend in excess of \$100,000 on his home and it will not detract from the neighborhood. He priced a site built home and he could not afford it. It was noted by Mr. Dryden that this site already has a manufactured home on it and it might be a different situation if this was a vacant lot.

#### **MOTION**

Mr. Dryden made a motion to approve application #03-02S conditioned on the present structure being attached to the new manufactured home through the proper codes of Spalding County. The motion passed on a second by Mr. Hart with Mr. Dryden, Mr. Hart, Mr. Pruitt, and Mr. Richardson voting for the motion and Mr. Baird and Mr. Browning voting against.

Mr. Wooster was advised that this will have to be approved by the County Commissioners.

**MINUTES**

Mr. Dryden made a motion to approve the minutes of the January 9, 2003. The motion passed on a second by Mr. Pruitt with Mr. Baird, Mr. Dryden, Mr. Hart, Mr. Pruitt, and Mr. Richardson voting for the motion and Mr. Browning abstaining since he was not present.

Discussion was held regarding a decision they made at an earlier meeting regarding setbacks on a house in Huntington South Subdivision. The question was raised as to whether or not the Appeals Board had the authority to initiation action regarding a variance. Mr. Galloway said he does not think the Appeals Board can initiate action regarding a variance. The Appeals Board can initiate zoning actions. The Planning Commission or the Board of Commissioners can initiate action regarding a variance but not the Appeals Board.

**MOTION**

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

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Dennis Richardson – Chairman

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Yvonne M. Langford - Recorder