

BOARD OF APPEALS
Regular Meeting
Open Session
March 8, 2001

The Spalding County Board of Appeals held its regular meeting on March 8, 2001 in the County Commission Meeting Room #108, Spalding County Courthouse Annex. Members present were Keith Dryden, Chairman, presiding , Rosa Callaway, John Youmans, Frank Harris, Greg Pruitt, and Dennis Richardson . Tangela Fuller and Margaret Palmer were 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. Dryden called the meeting to order, introduced the members of the Appeals Board, and gave the procedure for handling the applications.

Application #01-08S: Ailene M. Pope, Owner – 2454 Steele Road – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Mr. Tom Ross came forward to address the Board regarding this application. He was sworn, stated his name, advised that he was with Ideal Homes at 101 Moreland Road.

Mr. Ross said Ms. Pope wants to purchase a new Class A, double section home. Her present home is more than 10 years old. It will have vinyl siding and a shingle roof. It will be a significant improvement.

MOTION

Mr. Harris made a motion to approve Application #01-08S. The motion passed on a second by Mr. Richardson with Rosa Callaway, Keith Dryden, John Youmans, Frank Harris, Greg Pruitt, and Dennis Richardson voting for the motion.

Application #01-09V: Johnny W. Lewis, Owner – Donald May, Agent – 7 acres on North Rover Road, located in land Lot 12 of the 2nd Land District – requesting a Variance from minimum lot width and minimum road frontage of 200 feet to 140 feet.

Mr. Donald May came forward to address the Board regarding this application. He was sworn, stated his name, and gave his address as 941 M. Sanders Road, Buchanan, Georgia.

Mr. May said the last time an application was made for a variance on this property the question was raised regarding the 200-foot set back. He provided copies of the original deed restrictions on this property on North Rover Road as it was divided by Mr. Smith who developed this area. The question came up as to whether or not there was a deed

restriction that required 200' road frontage. The deed covenants say that no house shall be built closer than 200' to the fronting street which means a set back and has nothing to do with frontage. It seemed there was some confusion about who was the owner/seller and who was the buyer. He introduced Mr. Johnny Lewis who is the present owner and Mr. Diaz and his family who want to purchase this property for construction of a home. There is 140' of road frontage and the code says there should be 200' of road frontage. The map of the property shows a lot of 500' in depth and a 140' road frontage. The property spreads to 400' in width further back on the lot. Mr. Diaz presently owns a 3200 SF home in Jonesboro. Mr. Diaz is a supervisor with Delta Airlines.

Mr. May said when the property was originally put on the market the code read that the frontage required was 125' if you connected to county water. The code was deleted sometime in the 1990's and has caused this situation. There are many structures on Rover Road that have less than 200' of road frontage. The smallest frontage on this road is 32'. There is another property that has 31 acres and it has 60' of road frontage. There has been housing built on the road in the last two years less than 140'.

There was one person signed to address the Board regarding this application.

Debbie Daniel Bryant came forward, was sworn, stated her name and gave her address as 282 North Rover Road.

Ms. Bryant told the Board that this is a flag lot and they are illegal in Spalding County. She requested the Board to put some assurances in place so this will be a stick built home if the variance is approved. She said a horse or two or even a cow but she does not want a chicken farm or multi livestock situation. She would like to see it remain predominantly residential as it is at the present time. She lives next door to this land.

Mr. Sabine said there can be only one principal use for a lot so they would not be able to have a commercial operation on this lot. He said he had a conversation with Mr. May a few weeks ago and he agreed to conditions of a site built home with minimum square footage of heated space of 1750. The Board could make this part of the approval conditions.

MOTION

Mr. Richardson made a motion to grant the variance conditioned on 1750 SF of heated space and conventional construction, stick built. The motion passed on a second by Mr. Pruitt with Rosa Callaway, Keith Dryden, John Youmans, Frank Harris, Greg Pruitt, and Dennis Richardson voting for the motion.

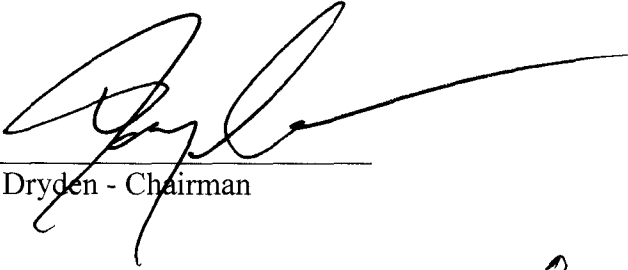
MINUTES

Ms. Callaway made a motion to approve the minutes of the February 8, 2001 meeting. The motion passed on a second by Mr. Harris with Rosa Callaway, Keith Dryden, Frank Harris, and Greg Pruitt voting for the motion and Mr. Richardson and Mr. Youmans abstaining because they were not present.

Mr. Sabine said plans are underway for a joint meeting between the County Commissioners, Planning Commission, and the Appeals Board. He requested the members to consider possible dates and it will be discussed at the next meeting.

MOTION

Approval was given to adjourn the meeting on a motion by Ms. Callaway and a second by Mr. Richardson with Rosa Callaway, Keith Dryden, John Youmans, Frank Harris, Greg Pruitt, and Dennis Richardson voting for the motion.



Keith Dryden - Chairman



Yvonne M. Langford - Recorder