

SPALDING COUNTY APPEALS BOARD
MINUTES
August 12, 2004

The Spalding County Appeals Board held its regular monthly meeting in room 108 of the Spalding County Courthouse Annex on August 12, 2004. Members present were: Greg Pruitt Chairman, presiding Bobby Hart, Charles Heggie, Allan McCallum, Dennis Richardson, and J. D. Smith. Jon Baird was not present.

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

Mr. Pruitt called the meeting to order and requested anyone present wishing to address comments to the Planning Commission regarding any of the applications to come forward and sign-in on the appropriate form.

Each person speaking regarding the applications came forward, stated their name and address and were sworn.

Application #04-35S: Olin T. Jones and Joan S. Jones, Owners – Galaxy Homes, Inc. Agent -376 Jim Goodson Road (1.94 acres located in Land Lot 83 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District

Olin T. Jones – 7171 Bryce Road – Riverdale, Georgia

Mr. Jones said he purchased this property one year ago and wants to put a manufactured home on this property for his use.

Mr. Taylor said the staff recommendation is for denial. The majority of the homes in the general area are conventionally constructed dwellings. The trend in the area is toward conventionally constructed homes. The house that was previously on this lot was a site-build house.

MOTION

Mr. Hart made a motion to deny application #04-35S. The motion passed on a second by Mr. Richardson with Mr. Hart, Mr. Heggie, Mr. Pruitt, Mr. McCallum, Mr. Richardson and Mr. Smith voting for the motion.

Application #04-36V: Rickey E. Conaway and Cathy A. Conaway, Owners – Greg Pruitt Construction Company, Agent – 996 Vineyard Road (7.03 acres located in Land Lot 60 of the 3rd Land District) requesting a Variance to allow cul-de-sac streets to exceed 300 linear feet and from commercial grade playground requirements.

Mr. Pruitt recused himself from participation in this application due to having an interest in the property. He left the room and Mr. Hart chaired the meeting for this application.

Chad Pruitt – 1717 Honeybee Creek Drive

Mr. Pruitt said they are seeking this special exception for the cul-de-sac because the property is long and narrow with minimal road frontage. The only way the property can be developed as planned is with a long cul-de-sac. This property is planned for marketing to the “empty-nesters”, and the commercial grade playground would not be used. They want to develop two shuffleboard courts along with the clubhouse rather than the commercial playground.

Mr. Taylor said the staff has reviewed the request and agree with the developer regarding the playground. Additionally, the street cannot be tied to any other street, and they recommend approval of the cul-de-sac request.

MOTION

Mr. McCallum made a motion, seconded by Mr. Smith to approve Application #04-36V. The motion passed with Mr. Hart, Mr. Heggie, Mr. McCallum, Mr. Richardson and Mr. Smith voting for the motion. Mr. Pruitt was not present.

Mr. Pruitt returned and resumed chairmanship of the meeting.

Application #04-37S: Inland Empire, Inc., Owner – The Lord’s House, Inc., Agent – North Second Street Extension (6.18 acres located in Land Lot 197 of the 3rd Land District) – requesting a Special Exception to allow a Church in the AR-1 District.

Lillie K. Crawford -250 Armistead Circle

Ms. Crawford stated the request is to put a church on this property on North Second Street Extension. The plan that was turned in is smaller than the planned church. The building will be approximately 18,000 to 22,000 SF. This will include a parsonage and playground. The building will have a fellowship hall and gymnasium.

Josephine Scott – 1906 North Second Street Extension

Ms. Scott said this property is in a watershed area. It is within six miles of a Henry County drinking water intake. This type property is supposed to be protected from development to keep the water supply clean. Spalding County ordinances basically say this property should remain undeveloped or minimal development. As it is zoned, it is one house per three acres. Spalding County ordinances state that impervious surfaces should be no more than 25% of the lot size in this type area. She does not object to the church per se, but they need to realize the type property they have purchased and this property is not for expansion. A small church with a little impervious surface will be appropriate but expansion beyond that is inappropriate.

Grace Dougherty – North 2nd Street Extension

Ms. Dougherty did not speak except to second what Ms. Scott had said.

James Avery – 1861 North 2nd Street Extension

Mr. Avery said he owns 42.7 acres across the road. He is against the special exception. He is not against the church but anything other than the church he opposes.

Barb Morales – 2079 North 2nd Street Extension

Ms. Morales said she and her entire family are totally opposed to this application. It is a dirt road and generates a lot of noise with the present traffic. There is a train track. It is quiet and private, and a church does not belong in a neighborhood like that. The road is barely wide enough for two cars. They do not want the road paved.

Mr. Taylor said the plan that was submitted was for a 3500 SF church and now it is being stated that they plan 22,000 SF with a parsonage. The 3500 SF church would be a minimal impact on the area but with the larger facility it would be a significant impact on the area. His recommendation is to table to allow them to present a site plan with the actual plans so they can make an accurate assessment of the development.

MOTION

Mr. Richardson made a motion to table Application #04-37S. The motion passed on a second by Mr. Hart with Mr. Hart, Mr. Heggie, Mr. Pruitt, Mr. McCallum, Mr. Richardson and Mr. Smith voting for the motion.

Application #04-38V: John Herbert, Inc. Owner – 83 Westwood Drive (2.41 acres locate in land Lots 13 and 14 of the 4th Land District) – requesting a Variance to extend or alter a non-conforming use in the AR-1 District.

John Herbert – 1750 Cardinal Drive

Mr. Herbert said he started a project on a home on Westwood Drive. He talked with Mr. Gregory regarding the details of his plans to be certain that it conformed to the requirements. They obtained a permit and began the work on the rear. They came back for additional permitting and were advised that it would be a variance. The family that lives there has a disabled child and needs more room. They are going to cover the manufactured home so that it will look like a house. The porch will be removed.

Discussion was held regarding the expansion plans.

Mr. Herbert said the plan is that he will renovate the house and the present tenant is going to purchase the property from him and he will finance the purchase. There is no hardship for the present owner but he is trying to help the present tenant to become a property owner.

Mr. Taylor said the recommendation is for approval with conditions. They did find a hardship with the potential owner. The conditions are that the addition must meet current code and the exterior material and color must blend with the existing structure.

MOTION

Mr. Richardson made a motion to approve Application #04-38V with the conditions as recommended. The motion passed on a second by Mr. Heggie with Mr. Hart, Mr. Heggie, Mr. Pruitt, Mr. McCallum, Mr. Richardson and Mr. Smith voting for the motion.

MINUTES

Mr. Hart made a motion, seconded by Mr. Smith to approve the minutes of the July 8, 2004 meeting. The motion passed with Mr. Hart, Mr. Pruitt and Mr. Smith voting for and Mr. Heggie, Mr. McCallum and Mr. Richardson abstaining since they were not present.

ADJOURN

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

Greg Pruitt – Chairman

Yvonne M Langford - Recorder