

BOARD OF APPEALS
Regular Meeting
October 12, 2000

The Spalding County Board of Appeals held its regular monthly meeting on October 12, 2000 in the County Commission Meeting Room #108, Spalding County Courthouse Annex. Members present were Frank Harris, Chairman, presiding, Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, and Margaret Palmer. Dennis Richardson and Kenny Young 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. Harris called the meeting to order, introduced the members of the Appeals Board, and gave the procedure for the handling of the applications.

Application #00-52S: Carlos R. and Margie L. White, Owner – Premiere Housing Group, Inc. Agent – 1008 N. McDonough Road – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Ms. Margie Lee White came forward to address the Board regarding this application. She was sworn, stated her name and gave her address as 1012 North McDonough Road.

Ms. White said they have had a trailer on this property since 1972 and her daughter lived in it at that time. She moved out and their son moved in and presently lives there now. The daughter and her husband have purchased a manufactured home and would like to be close to them and put the home on this property. She will have to put in a new septic system.

Mr. Dryden said he had been in this area and does not see any problems with application. It is consistent with the development in the area.

Ms. Callaway said she too saw no problem with this application.

Mr. Bryant said there appears to be a lot of manufactured homes in the area.

MOTION

Mr. Dryden made a motion to approve Application #00-52S. The motion passed on a second by Ms. Callaway with Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voting for the motion.

Mr. Harris advised Ms. White the Appeals Board had approved the application and the County Commissioners will consider the application on October 26.

Application #00-53S: John N. and Audrey N. Holden, Owner – Debra A Cooper, Agent – 836 N. Pomona Road - requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Ms. Debra Cooper came forward to address the Board regarding this application. She was sworn, stated her name, and gave her address as 31 Sabon Drive, Brooks, Georgia.

Ms. Cooper said this will be a first time purchase of a home for her family. They currently reside in Spalding County and would like to remain in Spalding County. The home will be located in an area where there are other manufactured homes. The home will meet or exceed the requirements for a manufactured home in the area.

Mr. Dryden said in looking over the information provided by staff it appears that the area is a mix between conventional and manufactured homes and he has no objections to the application.

MOTION

Mr. Dryden made a motion to approve Application #00-53S. The motion passed on a second by Ms. Palmer with Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voting for the motion.

Mr. Harris said this will be considered by the County Commissioners on October 26 with a recommendation for approval by the Appeals Board.

Application #00-54V: Brent Scarbrough and Shane Waters, Owners – C. Mark McCullough, Agent – Lots 7 through 28 of Deer Creek Subdivision, located in Land Lots 181 & 204 of the 2nd Land District – requesting a Variance from front setback requirements on cul-de-sac lots from 25 feet to 15 feet.

It was noted that the applicant had requested this application be tabled.

MOTION

Ms. Callaway made a motion to table Application #00-54V. The motion was approved on a second by Ms. Fuller with Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voting for the motion.

Application #00-55S: Grady and Inez H. Strickland, Owner – GeoTrans Wireless, Agent – 2371 Highway 16 West – requesting a Special Exception to add additional height to existing tower.

Mr. Allen Richardson with GeoTrans Wireless was present to address the Board regarding this application. He came forward, was sworn, stated his name, and gave his address as Suite 175, Building 100, 1080 Holcomb Bridge Road, Roswell, Georgia.

Mr. Richardson said they are requesting approval to put an additional 40 feet on the tower located at 2371 Highway 16 West. This addition is being made for SPRINT. This is a

100' monopole tower at the present time. Sprint does not have coverage in Spalding County and want to locate on this tower. This addition will not require lighting. This tower is not very visible from the road.

Ms. Palmer said her understanding is that when the application was first considered for a tower in this location a trial balloon was set off due to the fact that a school had property with plans for construction adjacent to this property. The owners of the school property wanted to make certain they could not see the tower and they were in agreement that the height was all right. She asked if the same people had been in touch with him regarding the additional height.

Mr. Richardson said no one had been in touch with them regarding this issue.

Ms. Palmer said the tower is unobtrusive at the present time.

Mark Peek came forward to address the Board regarding this application. He was sworn, stated his name, and gave his address as 546 South Hill Street, Griffin, Georgia.

Mr. Peek said he was the Chairman of the Board of St. George's Episcopal School, which is the owner of the property adjacent to this land. He said the school has concerns because they have plans to develop this property and they do not want a tower staring down at their school. They prefer not to have an intrusive tower. He has not seen the present tower.

Mr. Harris said this is one of the towers that you have to look for.

Ms. Palmer said it is one of the least obtrusive towers, in her opinion, and you do have to look for it.

Mr. Bryant said there does not seem to be any danger. It is 180' to one piece of property and another 100+' to St. George's property. If it should fall there does not appear to be any way it would hit the school anywhere on the property.

MOTION

Mr. Bryant made a motion, seconded by Ms. Fuller, to approve Application #00-55S. The motion passed with Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voting for the motion.

MINUTES

Ms. Callaway said on page 6 of the minutes it has Mr. Callaway and should read Ms. Callaway. Ms. Fuller said on page 8 it states "Mr. Harris advised Ms. Fuller," and it should state Ms. Finney.

MOTION

Approval was given the minutes of the September 14, 2000 meeting with these corrections, on a motion by Mr. Bryant and a second by Ms. Callaway with Bill Bryant,

Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer, voting for the motion.

Mr. Sabine said the Board of Appeals needed to go into closed session for the purpose of discussing potential litigation. In order to do this a motion will need to be made to amend the agenda.

MOTION

Ms. Callaway made a motion to amend the agenda to include a closed session. The motion passed on a second by Mr. Bryant with Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voting for the motion.

MOTION

Mr. Bryant made a motion to go into closed session for the purpose of discussing potential litigation. The motion passed on a second by Ms. Fuller with Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voting for the motion. (Closed meeting affidavit is attached.)

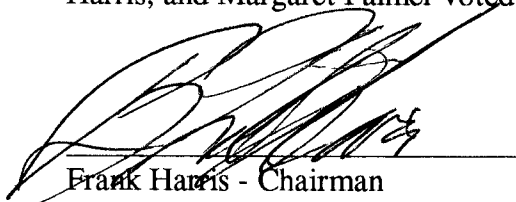
MOTION

Approval was given to return to open session on a motion by Ms. Callaway and a second by Ms. Fuller. Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voted for the motion.

At the end of the closed session the Appeals Board reconvened in open session with Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer present.

MOTION

Unanimous approval was given to adjourn the meeting on a motion by Ms. Callaway and a second by Ms. Fuller. Bill Bryant, Rosa Callaway, Keith Dryden, Tangela Fuller, Frank Harris, and Margaret Palmer voted for the motion.



Frank Harris - Chairman



Yvonne M. Langford - Recorder

CLOSED MEETING AFFIDAVIT

[A copy of the affidavit must be filed with the minutes of the meeting]

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

B Frank Harris, Chairman, of the Spalding County Board of Appeals, being duly sworn, states under oath that the following is true and accurate to the best of his knowledge and belief:

1.

The Spalding County Board of Appeals met in a duly advertised meeting on October 12, 2000.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 7:33 p.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Yes Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and
(insert the citation to the legal authority making the tax matter confidential) _____;

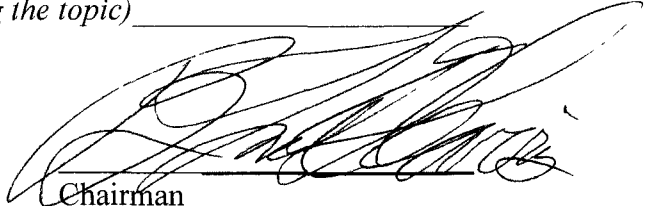
No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

No Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other (describe the exemption to the open meetings law):

_____ as provided in (insert the citation to the legal authority exempting the topic) _____

This the 12th day of October 2000.



Chairman

Spalding County Board of Appeals

Sworn to and subscribed
Before me this 12th day of
October 2000.

Cynthia L. McDaniel

Notary Public

Notary Public Spalding County, Georgia

My commission expires:

My Commission Expires July 2, 2004