

SPALDING COUNTY APPEALS BOARD
Regular Meeting
July 14, 2011

The Spalding County Appeals Board held its regular monthly meeting on July 14, 2011 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Doug Hardwick, Chairman, presiding; Michelle Cannon; Gail Hackbart; Charles Perdue; Allan McCallum and Bill Slaughter. Bryan Clanton was not present.

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

Mr. Hardwick called the meeting to order and 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.

Mr. Hardwick said, regarding Application #11-09S, there have been some issues that have arisen recently. Rather than cloud the issue tonight they would like to resolve some of the issues prior to consideration by the Board. They anticipate being able to consider the application at the next meeting.

MOTION

Mr. Hardwick made a motion to table Application #11-09S. The motion passed on a second by Mr. McCallum with Ms. Cannon, Mr. Hardwick, Mr. Perdue, Mr. McCallum and Mr. Slaughter voting for the motion and Ms. Hackbart abstaining.

Application #11-07V: Barbara M. Hansell and William C. Hansell, Owners – Pete Mitchell, Agent – 102 Dahlia Drive (.14 acres located in Land Lot 185 of the 3rd Land District) – requesting a Variance from minimum rear yard setback in the AAR District.

William Hansell – 102 Dahlia Drive – Sun City Peachtree

Mr. Hansell said they are re-doing the patio and putting in a roof. It is 14' x 14' and need this variance to complete the project.

Mr. McCallum raised the issue that the application states it is 10' x 10'.

Pete Mitchell – 26 River View Road – Brooks, Georgia

Mr. Mitchell said he is the contractor for this project. Currently, the set-back is approximately 1 foot beyond the rear drip line. From the rear drip line, the roof will extend 10'. It is a 14' structure.

Mr. Taylor said there are a number of residents that are adding covered porches to the rear of their houses. On the side of Dahlia Drive that Mr. Hansell's house is on, there is an additional problem. These lots are extremely short because there is a 30' drop off at the rear. That bank is not part of the property but is part of the common space for the development. There is not a lot of room between the house and the slope. The staff recommendation is for approval.

MOTION

Mr. McCallum made a motion to approve Application #11-07V. The motion was approved on a second by Ms. Cannon with Ms. Cannon, Ms. Hackbart, Mr. Hardwick, Mr. Perdue, Mr. McCallum and Mr. Slaughter voting for the motion.

Application #11-08S: Marrian L. Washburn, Owner – Ideal Homes of Griffin, Agent – 46 Bend View Road (1 acre, more or less, located in Land Lot 52 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Tom Ross – 101 Moreland Road

Mr. Ross said he is with Ideal Homes of Griffin. He presented information regarding the home composition within a ½ mile radius of this location. The vast majority of the homes are typically less than 1500 SF. A great many of the homes were built prior to the 1960's and 1970's and some were even built in the 1920's. On April 28, when the hurricane came through town, the home owned by Ms. Washburn was severely damaged. It was not totally destroyed, but it is barely habitable. The home she wants to replace is being occupied by a man and his wife who are essentially the caregivers for Ms. Washburn who lives at 108 Bend View Road. She is on a tight budget, and Ideal Homes has been able to prepare a floor plan that will fit her needs. This home will be approximately \$44 per SF and will comply with all of the zoning, foundation, decks, air conditioning, etc. The staff recommends denial due to the trend in the area. What he noticed is that in the last 11 years five new homes have been built. Not one is a manufactured home but there are approximately 81 site built homes and 12 manufactured homes. In his view, it is a mixed area. His position is that a new manufactured home in the area would be compatible with what is out there. Further, the property just to the north of Ms. Washburn at 108 Bend View Road has two manufactured homes. Manufactured homes in this area are not new. One resident in the area is present to state that she has no objection to the manufacture home. Ms. Washburn is 89 years old.

During questions, the current location was identified and the intended location of the replacement home was noted. One home on the adjacent property was completely destroyed, and the home they want to replace was heavily damaged. They are taking the insurance from both properties and combining them to purchase the manufactured home.

Ms. Washburn – 108 Bend View Road

Ms. Washburn gave a history of the property.

A lengthy discussion was held regarding the property. The house has been condemned and to make the necessary repair would be more costly and would not be as nice as the new manufactured home they are considering.

Ms. Wanza Hall – 128 Bend View Road

Ms. Hall said she is Ms. Washburn's neighbor. She has lived in this area for 40 years. She has no problem with a manufactured home on this property. She fully supports this application.

Mr. Taylor said this area is overwhelming site-built homes. After the storm on April 28, many of the homes no longer exist. The challenge is how the area will be rebuilt. What character will it take and what will be the outcome of the rebuilding? Mr. Taylor said the recommendation is to maintain the criteria that is in the ordinance. Clearly the county had an intent of compatibility of homogenous construction within this area. In rebuilding tornado damage, the harmony of the area should be maintained. For that reason, the recommendation is for denial. There is currently a house on the lot that has been damaged by the storm. If the special exception is approved, it will be required that the house be removed.

Discussion was held regarding whether or not other applications have been made for this area requesting manufactured homes. Mr. Taylor said there is one application that is in process to replace a manufactured home with a larger manufactured home. At the current time, applications for reconstruction have been received for only approximately one-third of the homes that were destroyed.

Ms. Cannon said she feels that needs to be a consideration regarding this application because whatever standard is issued tonight will be setting a precedent.

Discussion was held regarding whether or not this could be considered under the care giver ordinance. It was noted that under that criteria when the condition no longer exists the manufactured home would have

to be removed. Mr. Galloway said if this was considered under the care giver ordinance, it would have to be on the same tract of land that Ms. Washburn's home is on.

The house that is currently there is a three-room house that is very old. They discovered the house was full of termites.

The cost of the manufactured home is \$75,000, installed.

MOTION

Mr. Hardwick made a motion to deny Application #11-08S. The motion passed on a second by Ms. Cannon with Ms. Cannon, Ms. Hackbart, Mr. Hardwick, Mr. McCallum and Mr. Slaughter voting for the motion and Mr. Perdue abstaining.

Application #11-09S: Wat Phramahajanaka, Inc., Owner – Michael Goode, ESQ. Agent – 498 Steele Road (17.563 acres located in Land Lot 39 of the 3rd Land District) – requesting a Special Exception to expand an existing Church, synagogue, chapel, or other place of religious worship in the AR-1 District.

This application was tabled earlier in the meeting.

MINUTES

Approval of the minutes was deferred until the next meeting to correct an error.

A lengthy discussion was held regarding the implementation of the ordinances that apply to the Application #11-08S and the long-term impact these decisions have. Some of the members inquired regarding the appropriateness of certain questions when trying to make a decision.

ADJOURN

The meeting was adjourned on a motion by Mr. McCallum and a second by Ms. Hackbart with Ms. Cannon, Ms. Hackbart, Mr. Hardwick, Mr. Perdue, Mr. McCallum and Mr. Slaughter voting for the motion.

Doug Hardwick – Chairman

Virginia. Langford - Recorder