

**SPALDING COUNTY APPEALS BOARD**  
**Regular Meeting**  
**August 13, 2015**

The Spalding County Appeals Board held its regular monthly meeting on January 8, 2015 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Michelle Cannon, Chair, presiding; Ed Brown; Curtis Keys; Robert Lattimore and Bill Slaughter.

Also present were: Chad Jacobs, Community Development Director; Newton Galloway, Zoning Attorney and Yvonne Langford to record the minutes.

Ms. Cannon 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.

**Application #15-06V:** Allen Burks and Lisa Burks, Owners – 439 Tallulah Drive (0.1956 acres located in Land Lots 185 and 200 of the 3<sup>rd</sup> Land District) – requesting a Variance from minimum rear yard setback in the AAR District.

Allen Burks – Lisa Burks – 439 Tallulah Drive

Mr. Burks provide the members papers showing the project for adding a 400 SF open air patio to his home. He noted the patio already exists and they want to add a roof. The design will be the same design as the house. Their initial design would have infringed on a drainage field at the rear of their property but they have altered the design so that it will no longer infringe on the drainage field. They need a variance from the 20' setback requirement.

Chad Jacobs reported that the staff recommendation is for approval provided they use the current plan that does not infringing on the drain field. He requested a copy of the revised plan for the files.

**MOTION**

Mr. Lattimore made a motion to approve Application #15-06V conditioned on the staff recommendation that the revised plans be used. The motion passed on a second by Mr. Keys with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

**Application #15-07S:** Thomas Lance Abercrombie and Allysha Abercrombie, Owners – 351 Teamon Road (8 acres located in Land Lot 118 of the 3<sup>rd</sup> Land District) – requesting a Special Exception to allow a general home occupation in the R-2 District.

Thomas Abercrombie – Allysha Abercrombie – 351 Teamon Road

Mr. Abercrombie said they want to enclose a portion of their existing garage to be used as a beauty shop for his wife. They have three small children and she would like to work from home. They own 34 acres and have ample space so as not to impact the neighborhood.

Mr. Jacobs said both the building official and the fire marshal visited the site and said they found no issues to cause concern. They find the application satisfies all requirements and recommend approval.

**MOTION**

Mr. Brown made a motion to approve Application #15-07V. The motion passed on a second by Mr. Lattimore with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

**Application #15-08V:** Rudy Mendias, Jr. and Tara Lynn Mendias, Owners – 50 Edgewater Drive (1.25 acres located in Land Lot 230 of the 3<sup>rd</sup> Land District) – requesting a Variance from front yard setback in the AR-1 District.

Rudy Mendias, Jr. – 50 Edgewater Drive

Mr. Mendias said he wants to put a garage on this property and needs a 25' setback rather than a 100' setback.

Mr. Jacobs said when you look at the property the proposed location of the garage has the appearance of being a side yard. This is an older subdivision and his tract is two separate parcels with this structure being located on a separate parcel. Since this is a separate parcel, the 100' setback applies. When you look at the site, this has the appearance of being a side yard. The staff recommendation is for approval.

#### **MOTION**

Mr. Lattimore made a motion to approve Application #15-08V. The motion passed on a second by Mr. Brown with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

**Application #15-10S:** Ray A Brown, Owner – Kiersten Lurer for Skyway Towers, Agent – 260 Yamacraw Road (27 acres location in Land Lot 13 of the 2<sup>nd</sup> Land District) – requesting a Special Exception to allow a telecommunications tower in the AR-1 and R-2 Districts.

Kiersten Lurer – 807 South Candler Street – Decatur, Georgia

Ms. Lurer said this application is for a 145' monopole communications tower. There will be a lightning rod on top that will bring the total height to 150'. There will additionally be a 75' x 75' compound. The required landscape buffers will be added. It allows for multiple carriers. This is a 27-acre parcel. They have a determination from the FAA that there are no hazards. It meets all state and federal requirements.

Mr. Jacobs said this is a 145 foot monopole with the 5-foot lightning rod on the top. It allows for additional carriers as required by the ordinance. The property is wooded and the tower will be set back a distance on the property. The topo of the property drops at the tower site. The major concern was the issue with respect to the proposed location of the new airport. They have received information from the consultants that the top of this tower is well below the threshold of the airport requirements. They have received information from the FAA that it will not be an obstruction. The recommendation is for approval.

#### **MOTION**

Mr. Keys made a motion, seconded by Mr. Brown, to approve Application #156-10S. The motion passed with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

#### **MINUTES**

Mr. Keys made a motion, seconded by Mr. Lattimore, to approve the minutes of the June 11, 2015 meeting. The motion passed with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

#### **ADJOURN**

The meeting was adjourned on a motion by Mr. Brown and a second by Ms. Cannon with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

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Michelle Cannon – Chair

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Yvonne M. Langford - Recorder