

SPALDING COUNTY APPEALS BOARD
Regular Meeting
May 14, 2015

The Spalding County Appeals Board held its regular monthly meeting on May 14, 2015 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Michelle Cannon, Chair, presiding; Ed Brown; Robert Lattimore and Bill Slaughter. Curtis Keys was not present.

Also present were: Chad Jacobs, Community Development Director and Yvonne Langford to record the minutes. Zoning Attorney Newton Galloway was not present.

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 #15-03V: Douglas R. Gilbert and Valarie Gilbert, Owners – 453 County Line Church Road (1.79 acres located in Land Lot 145 of the 4th Land District) – requesting a Variance from minimum lot area in the AR-1 District.

Douglas Ray Gilbert – 453 County Line Church Road

Mr. Gilbert said they want to build a new garage and need additional property. The church has agreed to sell them ½ acre if it can be approved. The church is willing to sell them additional property but they use this tract for parking and it is also the location used by the cub scouts for their activities. If he acquired additional property, the scouts would not be able to use the land due to liability which he does not want to assume.

James Wesley Blalock – 465 County Line Church Road

Mr. Blalock said he has been living at his house for approximately 33 year and has known Mr. Gilbert a long time. He supports this application.

Edgar A. Swehla – 481 County Line Church Road

Mr. Swehla said he is the minister of the County Line United Methodist Church which is the church selling this property to Mr. Gilbert. As a pastor of the church, they do not feel having an additional structure will impede anything they are doing. This tract is used for parking and recreational activities. They do not feel this will have a negative impact on the neighborhood. The church supports this application.

Mr. Jacobs said they did an extensive review of this application. Over the course of the last ten years, the County has had 5 applications similar to this, and on all five, the staff recommendation has been for denial. During the course of the procedure by the Appeals Board, two applications were withdrawn, two were denied and one was approved. The primary difference in the other applications was that their applications were to subdivide a parcel into two smaller, non-conforming tracts and build on each tract. The requirement for a buildable lot is for three acres and this tract is approximately 1.25 acres and is grandfathered. With the purchase of this additional land, the lot will be 1.79 acres. To make a change from the existing tract will negate the grandfathering, thus the variance is required. This will actually increase the size of the non-conforming tract. In this instance, they will be getting closer to the required size. The church needs to be aware that if they sell a portion of their tract, that tract will become a non-buildable lot and will lose any grandfathering they might have. Mr. Swehla said they are aware of this and do not intend to build on the tract but continue to use the balance of the site for parking and recreation. Mr. Jacobs said the County has had requests to combine lots to form a one-acre tract and build a house on one acre. They have denied those applications but consider this to be different than those applications because this is increasing the size. He does not feel this will be setting a negative precedent. The staff recommendation is for approval.

MOTION

Mr. Slaughter made a motion to approve Application #15-03V. The motion passed on a second by Mr. Brown with Mr. Brown, Ms. Cannon, Mr. Lattimore and Mr. Slaughter voting for the motion.

Application #15-04S: Dana J. Gilow and Jennifer B. Gilow, Owners – 120 Jewel Drive (0.73 acres located in Land Lot 138 & 139 of the 2nd Land District) – requesting a Special Exception to allow a Home Occupation, General, excluding public garage, repair garage and kennel, in the R-1 District.

Jennifer Gilow – 120 Jewel Drive

Ms. Gilow said this application is to operate a small engraving operation from their home. They will be engraving jewelry, plaques, nameplates, etc. The engraving machine is a table-top machine. They want to test whether or not they will be able to have a successful operation prior to investing in a business location. It will not affect their neighbors. They will be hand-delivering or shipping. They do not want a lot of people coming to their house. There will not be any parking issues. Ms. Gilow said she is the treasurer for the homeowner’s association in Lake Louise Subdivision and she sent a letter to all of the neighbors advising them regarding her plans and no one had any objections.

Mr. Jacobs said everything appears to be in compliance and the staff recommends approval.

MOTION

Mr. Brown made a motion to approve Application #15-04S. The motion passed on a second by Mr. Lattimore with Mr. Brown, Ms. Cannon, Mr. Lattimore and Mr. Slaughter voting for the motion.

MINUTES

Mr. Brown made a motion, seconded by Mr. Lattimore, to approve the minutes of the April 9, 2015 meeting. The motion passed with Mr. Brown, Ms. Cannon, Mr. Lattimore and Mr. Slaughter voting for the motion.

Mr. Jacobs advised the members of the Appeals Board that they are going totally electronic and have five I-pads for the members to use during the meetings unless a member requests paper documents. None of the members requested paper documents. Most of the information is public information. If anything should require confidentiality, they will handle that in a different manner.

ADJOURN

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

Michelle Cannon – Chair

Yvonne M. Langford - Recorder