

SPALDING COUNTY APPEALS BOARD
Regular Meeting
August 9, 2012

The Spalding County Appeals Board held its regular monthly meeting on August 9, 2012 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Michelle Cannon, Vice-Chairman, presiding; Curtis Keys; Robert Lattimore; Charles Perdue; Allan McCallum and Bill Slaughter. Doug Hardwick 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 sign the request form.

Application #12-05V: H K Logistics, LLC, Owner – Paragon Consulting Group, Agent – 375 Green Valley Road (10.76 acres located in Land Lot 212 of the 2nd Land District) – requesting a Variance from freestanding signs setback in the C-2 District.

Bob Kregel – 375 Green Valley Road

Mr. Kregel said he was vice-president of H K Logistics. This application was discussed at the last meeting. He reviewed the application identifying the proposed location. He displayed a picture of the sign as they would like to have it constructed with a solid brick base. It is a 10' x 3 ½' tall x 11 3/4" deep sign. The reason they would like to have the variance is so it can be located in a safer area. If they have to meet the set-back requirements, they will have to place the sign in an area that will create erosion and storm water issues. It is possible that the sign could be placed on steel poles and that would mitigate the erosion problems but aesthetically it would not fit in with the industrial park. Mr. McCallum asked if it would be possible to place the sign on the corner of the building. Mr. Kregel said they already have a sign on the building over the office area, but they would like this sign to help drivers locate the driveway to the facility.

David Luckie – 924 Mockingbird Lane

Mr. Luckie stated that he is the executive director of the Griffin-Spalding Development Authority. He was present to support the request for this variance. This industry represents an investment of \$30,000,000 and 75 jobs. This project represented a challenge for the Development Authority because the site was almost too small for this industry. The site plan was reviewed by the Authority and several recommendations were made. They were cooperative on all of the recommendations. Some variances were requested from the County that were approved. Their proposed sign is consistent with the other monument signs in the Green Valley Industrial Park. This requested location is the only remaining flat area that would accommodate a brick sign of this caliber.

Mr. Jacobs said the sign ordinance gives the staff limited variance authority, and therefore, the recommendation denial. However, granting the variance will not be detrimental to the public good. The Board may take into account the aesthetics when making a decision.

MOTION

Mr. McCallum made a motion to approve Application #12-05V. The motion passed on a second by Mr. Perdue with Ms. Cannon, Mr. Keys, Mr. Lattimore, Mr. Perdue and Mr. McCallum voting for the motion and Mr. Slaughter voting against.

Applications #12-06V: Amjad A. Abuzaidieh, Owner – Steve Moore, Agent – 1251 North Hill Street (0.43 acres located in Land Lot 159 of the 3rd Land District) – requesting a Variance from minimum side yard setback in the C-2 District.

Ms. Cannon said this application had been withdrawn.

Application # 12-07V: Mary D. Crowley, Owner – 2255 Old Atlanta Road (2.64 acres located in Land Lots 101 & 124 of the 3rd Land District) – requesting a Variance to allow extension of a non-conforming use in the R-1 District.

Mary Crowley – 209 Larcom Lane

Ms. Crowley read a prepared statement regarding her need for this variance.

She stated that her husband had purchased this 16 unit mobile home park in 1980. For 30 + years, he managed this park and handled all of the renting, maintenance and upkeep at the park. He died in October of 2011 and the park became hers. They have no children and she has no family of her own living in this area. Her husband always told her that the park was “grandfathered”. He could not expand the park but could put a mobile home on all of the 16 sites. In 2007, Mr. Crowley was diagnosed with prostate cancer. He was not able to maintain the mobile home park very well during that time, particularly the last two years of his life. They were able to keep up the basic and emergency repairs. They were not able to replace the tenants that were lost during that time. At the current time, there are 7 vacant sites. They were unaware of the issues regarding the “grandfathering” until May 2012. She was contacted by an investor interested in purchasing the mobile home park. In his research, he found that the vacant lots could not be used for mobile homes because the ordinance provides that if the lots remain vacant for more than one year they can no longer be used for a non-conforming use. The buyer made her aware of this issue and she talked with Mr. Jacobs, Mr. Wilson and Mr. Galloway. Mr. Galloway advised her that she could request a variance but was not hopeful the variance would be approved. To her personal knowledge, this site has been a mobile home park continuously for 40 years. They have never had any problems with the location and no complaints from neighbors. If these spaces cannot be used for mobile homes, there is no other use for the sites. She is not able to maintain the park without help. She would like to sell the park. No investor will be interested when they realize they cannot fill the 7 vacancies. The interested party is still interested in purchasing the park but only if he can use all of the 16 sites. At the current time, the value of a mobile home park is \$13,500 per pad. Last week she received an increased assessed value on this property. She is attempting to keep the park going with help from her brother-in-law and with some hired help when she can. If she is unable to sell the park, she will need to rent the empty lots to be able to maintain the property. She did not request any change in the property or its use. She just wants to operate the mobile home park at full capacity as it has always operated since it was “grandfathered” prior to the 1994 ordinance. At the current time, they have 3 mobile homes that are rented and one pad is rented. They are currently renovating one that is almost ready to be rented, and they will be renovating another to be rented. She has to do the renovations as she has income to make the improvements.

Mr. Jacobs said the staff recommendation is for denial. The sites have been vacant since 2010.

The Board discussed this application and had questions regarding the precedent this would be setting if the variance is approved. There was also concern regarding the quality of the mobile homes that could be placed on the property if the application is approved. There was some statistical information the Board wanted that was not available. The Board wanted some additional information prior to making a decision.

MOTION

Mr. McCallum made a motion to table Application #12-07V until such time as the staff can compile the data requested. The motion passed on a second by Mr. Lattimore with Ms. Cannon, Mr. Keys, Mr. Lattimore, Mr. Perdue, Mr. McCallum and Mr. Slaughter voting for the motion.

Mr. Keys was welcomed as a new member of the Board of Appeals. He is filling the vacancy created by the resignation of Bryan Clanton.

MINUTES

Mr. Perdue made a motion, seconded by Mr. Slaughter, to approve the minutes of the July 12, 2012 meeting. The motion passed with Ms. Cannon, Mr. Lattimore, Mr. Perdue and Mr. Slaughter voting for the motion and Mr. Keys and Mr. McCallum abstaining because they were not present.

ADJOURN

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

Doug Hardwick – Chairman

Yvonne M. Langford - Recorder