

SPALDING COUNTY APPEALS BOARD
Regular Meeting
March 14, 2013

The Spalding County Appeals Board held its regular monthly meeting on March 14, 2013 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Michelle Cannon, Chairman, presiding; Ed Brown; Curtis Keys; Robert Lattimore; Allan McCallum and Bill Slaughter. Charles Perdue was not present.

Also present were: Chad Jacobs, Community Development Director; Newton Galloway, 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 #13-01S: Theresa Foster, Owner – 18 Habersham Circle (1.07 acres located in Land Lot 10 of the 3rd Land District) – requesting a Special Exception to allow a general home occupation excluding garage, repair garage and kennel in the AR-1 District

Theresa Foster – 18 Habersham Circle

Ms. Foster said she wants to have a one-person nail business in her home. She worked for 25-years at Dundee Mills. When they closed, she had to find a source of income and she went to school to train for a year. She has her state board license. She then found a job working for Caterpillar and was laid off on January 2, 2013. She wants to have this operation in her home. She will continue to look for employment but would still like to have this as a second income.

Chad Jacobs said the recommendation is for conditional approval. Due to the fumes related to the operation of a nail business, they would like to require that an exhaust fan be installed prior to the issuance of a business license.

MOTION

Mr. McCallum made a motion to approve Application #13-10S with the condition that an exhaust fan be installed prior to the issuance of a business license. The motion passed on a second by Mr. Lattimore with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore, Mr. McCallum and Mr. Slaughter voting for the motion.

Application #13-02S: Alice N. Beale and George Edwin Beale, Owners – Amanda Skeet, Agent – 1849 Teamon Road (1.4 acres located in Land Lot 201 of the 3rd Land District) – requesting a Special Exception to allow a general home occupation excluding garage, repair garage and kennel in the AR-1 District.

Amanda Skeet – 1849 Teamon Road

Ms. Skeet said that she would like to establish a home-based cake decorating business in her home under the Georgia Department of Agriculture Cottage Food regulations. The regulations allow her to bake from her home kitchen. She will be the owner and only employee. All of the products will be delivered so there will be no increased traffic. The business will comply with all federal and government requirements. She has been doing this for family and friends and she would like to do this on a more commercial basis. She is certified but cannot get her license until she has this approval. She is aware of the regulations associated with this type operation.

Alice Beale – 724 Chehaw Road

Ms. Beale said she and her husband, George Beale, own this property. She fully supports Ms. Skeet's application. Ms. Skeet has leased this home from her for some time. She is very neat and is a person of value and she would like to see her receive this license.

Mr. Jacobs said the staff recommendation is for approval.

MOTION

Mr. McCallum made a motion, seconded by Mr. Lattimore, to approve Application #13-02S. The motion passed with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore, Mr. McCallum and Mr. Slaughter voting for the motion.

Application #13-03S: Asor A. Rodriguez, Owner – 2115 Old Atlanta Road (0.44 acre located in Land Lot 125 of the 3rd Land District) – requesting a Special Exception to allow a general home occupation excluding garage, repair garage and kennel in the R-1 District.

Asor A. Rodriguez – 2115 Old Atlanta Road

Ms. Rodriguez said this application for a special exception is for a home baking business for cakes and cookies. She is aware of the regulations required for this type business.

Mr. Jacobs said the staff recommendation is for conditional approval. The condition is:

1. Pursuant to the inspection conducted by the Building Official, receptacle in the kitchen shall be replaced with ground fault protection and an exhaust hood installed for cover for exposed cabinet with 28 gauge metal on side and underside affected by heat.

MOTION

Mr. McCallum made a motion to approve Application #13-03S with the condition as recommended by the staff. The motion passed on a second by Mr. Brown with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore, Mr. McCallum and Mr. Slaughter voting for the motion.

Application #13-04V: CF MH II South Hampton, LLC, Owner – Bloom Sugarman Everett, LLP, Agent – 5291 Old Atlanta Road (30.9082 acres located in Land Lot 108 of the 3rd Land District) – requesting a Variance from Planned Manufactured Home Communities development standards for R-3 District.

Stephanie Averett – 977 Ponce de Leon Avenue – Atlanta, Georgia

Ms. Averett said she was an attorney representing the applicant. This is being made in conjunction with a zoning request for the South Hampton Mobile Home Community Park. That park currently exists and the site plan furnished is based on the current conditions. The community is currently a legal non-conforming community which existed prior to the zoning that now applies to the property. The property is currently zoned commercial, and they are requesting a rezoning to the R-3 district which governs mobile home parks. The variance request is being made because, as currently built, the community does not comply with the R-3 zoning as written. The staff has recommended approval with conditions. One of the conditions of the R-3 zoning is a minimum square footage of 1,000 SF. A few of the mobile homes are significantly under that square footage at 600 SF. They would like to leave those homes in place. They are also requesting that any new homes be allowed at 960 SF and/or 980 SF. Mobile homes are built on standard sizes and one of the sizes is a 16 by 60 SF which would be 960 SF and a 14 x 70 which would be 980 SF. Both of those models are single-wide, but they are two bedroom/two bath units which make them significantly larger than the 600 SF that is currently on site. They would like to be able to have these size units as part of the community.

Mr. Jacobs said the recommendation is for conditional approval. The conditions are:

- a. The variance approval is subject to the successful rezoning of the property to R-3.
- b. Variance from 905:A(1) is applicable for only existing homes currently in the park. New homes installed after the variance approval will be subject to minimum square footage requirements in R-3 zoning.
- c. Variance from 905:BB(5) is applicable only for existing pads that are under the minimum 6,000 square footage requirement. Any reconfiguration of pads or new pads shall be in conformity with current R-3 zoning.

The recommendation is to ensure that what is there is there but any changes or additions will be in conformity with the R-3 zoning.

MOTION

Mr. McCallum made a motion to approve application #13-04V with the conditions as recommended by staff. The motion passed on a second by Mr. Keys with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore, Mr. McCallum and Mr. Slaughter voting for the motion.

MINUTES

Mr. Keys made a motion, seconded by Mr. Lattimore, to approve the minutes of the January 10, 2013 meeting. The motion passed with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore, Mr. McCallum and Mr. Slaughter voting for the motion.

Mr. Jacobs announced that it is with regret that he has received a resignation from Mr. McCallum. He expressed appreciation for his many years of service to Spalding County as a representative to the Appeals Board.

ADJOURN

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

Michelle Cannon – Chairman

Yvonne M. Langford - Recorder