

**MINUTES**  
**CRISP COUNTY ZONING BOARD OF APPEALS**  
**MEETING**  
**March 17, 2015**

The Crisp County Zoning Board of Appeals met at a regular meeting on the 17<sup>th</sup> day of March, 2015 at 9:00 a.m. in the Crisp County Government Center. The following members were present: Jerry Carney, Dale Mitchell, J.C. Clark and Wendy Peavy. Absent was board member Lucky Taylor. Also present, Connie Sangster, Crisp County Planning Director and Jimmy Mumphery, County Building Inspector. Also present were the following visitors: James Rigdon and Kenneth Boswell.

**MINUTES**

Chairman Jerry Carney asked for a motion to approve the minutes of the February 17, 2015 meeting.

**VOTE:** Motion was made by J. C. Clark with a second by Dale Mitchell to **approve** the minutes of the February 17, 2015 meeting. Carried unanimously 3-0.

**PUBLIC HEARING**

Request from James W. Rigdon for a variance to locate a 20x24 (480 sq. ft.) enclosed garage in front of the principle building. Property zoned RS1 (Single Family Residential) and is located at 442 Swift Creek Road.

Chairman Jerry Carney called the hearing to order and read aloud the criteria in which the board handles requests. Mr. Rigdon was present and spoke on his own behalf. Mr. Rigdon told the board that he had just moved over to this location and tore down the house and rebuilt it and they miss their garage and they need some more storage and he has everything laid out for the garage the forms and all are there. He stated they had it designed to match the house and everything will be real neat and it will look good when they get through with it. Mr. Carney asked Ms. Sangster if they had received any information from the public on this request. She replied no. Mr. Mitchell asked Mr. Rigdon if he had room in the rear of the house to build this garage. Mr. Rigdon replied no, it goes down into the flood zone and his house is out of the flood zone now and the backyard kind of slopes and if he had any other place to put it he would do so, but the setback lines are too close to his neighbors to put it on the side. Mr. Clark asked if he had started the building and stopped. Mr. Rigdon replied no that he had some landscaping come in and he did the forms so the landscaping would conform with either his pad or garage. He stated they needed the storage area and had moved from a larger house to a smaller one and he did not want to keep the front yard junked up. He stated that everything would conform with the house as the same construction and would make it look good. Mr. Carney stated that he wished he had moved his house up a little bit closer and put the garage in the back. Mr. Rigdon then replied that the house had been there for years, he stated the old house was there and they basically tore it down except for 4 outside walls and it has all new plumbing and electrical. At this time, Mr. Carney asked if there were any further questions. There were none. Mr. Carney stated that this concludes the public portion of the hearing and now they would go into discussion and vote.

**MEETING**

After discussion, the chairman asked for a motion.

**VOTE:** A motion was made by Dale Mitchell, seconded by Wendy Peavy to **approve** the variance request

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to locate a 20x24 (480 sq. ft.) enclosed garage in front of the principle building. Property zoned RS1 (Single Family Residential) and is located at 442 Swift Creek Road unanimously 3-0.

**PUBLIC HEARING**

Request from Kenneth and Kelly Boswell for the following: 1) a variance to reduce the required front yard setback from 35' to 2'; and 2) a variance to reduce the required side yard setback from 15' to 8' for the purpose of locating an 18x36 (648 sq. ft.) open shelter in the front and side yard setbacks. Property zoned RS1 (Single Family Residential) and is located at 140 Swift Creek Road.

Chairman Jerry Carney called the hearing to order. Mr. Boswell was present and spoke on his own behalf. Mr. Boswell told the board that he purchased the property in October and plan and moving to that location after his son graduates from high school. Mr. Boswell stated they have a camper/fifth wheel and one of the things that was so attractive about this property is it is 2 lots and the house is big enough so when their kids come home – it is a 4 bedroom house, built well and they like the location on the lake. He stated he has pictures. Mr. Carney stated that the board has pictures but Mr. Boswell is welcome to show what he has. Mr. Boswell wanted to show the members that when he turns to back the fifth wheel he has to turn into Bryant Road and then back into lot because it has such a decline right there it is hard to go down the road any further and that is why he located it where it is. Mr. Boswell apologized to the board and to Crisp County, he should have done the due diligence and came to them before he did this and his inexperience with this process and everything and appreciates what they try to do. He stated immediately north of this building is a 40' easement into his neighbor's yard that will never be built on so he felt like it was a good location to put the carport/RV cover and he made sure that the tin or cover was the same color of the house and he wants to keep the yard as pristine and nice as he can. He stated the main reason it was located there was because of the safety of pulling the camper down the decline and be able to get it out and the location to Bryant Road. He stated he had tried to pull the truck and the fifth wheel as he is going from North to South on Swift Creek Road he takes a left into Bryant Road and then he can back the camper into this location. He stated that if he has to move it further down the road it would create a problem for him to back it. He told the board that to the East of where the open shelter is sitting now is a office/storage building the former owner put there and he can't go much further back down the hill and that is his argument of where it is located. Mr. Clark stated that he has a problem with the 35 to 2' setback. Mr. Mitchell said he looked at the building and he notices some trees had been cut to get it to where it is and is there any possibility of cutting anymore trees to move it back away from the road more and it is extremely close to the road. Mr. Boswell stated that if the board thought that was something he had to do he could but would have to move the shelter temporarily back out toward the road so he would have room to take the trees down and then move it back , it would be an expense, but it could be done and would have to get someone that knew what they were doing so they would miss the power lines. Mr. Mitchell stated the power lines were across the street from the building and it looks like it goes underground. Mr. Boswell replied there's a line you can see and does not know if it is close to his neighbor's house and runs along the tree lines. Mr. Mitchell said it looks like it feeds the house to the West. Mr. Boswell showed the members the 40' easement to his neighbors' house, the only way they can get into their property. Mr. Boswell stated they are some nice people, he has gotten to

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know them. Mr. Mitchell asked if that was the McCardell's. Mr. Boswell replied yes and there are some odd shaped properties in the area. Mr. Mitchell asked Mr. Mumphery if the setback along the side of the property, is that the side for the 8' or the 2'. Mr. Mumphery replied 2'. Mr. Carney stated that he recalled a fence being there and it was a 40' easement but the width of that area was a lot more than 40' but probably when it came to a survey issue it was probably close to 8'. Mr. Boswell told the board that he had gotten a survey done and was told by staff about the property closer to the lake that probably was never completed and he was going to get that properly recorded. Ms. Sangster stated that the total width of row is 32'. Mr. Carney asked Mr. Boswell if he had talked with his neighbors about this situation. Mr. Boswell stated that she was over at his house and was talking to his wife about her dog getting into some rat poison and thought someone in the neighborhood was mad because of the dogs running around and she was warning them about their dog. He stated that she and his wife talked about it and she did not seem to have any problems because of where it was located up the hill and away from her property and following that 40' easement they go through to get to their house. Mr. Carney stated that he had a letter dated March 13 from Ms. McCardell that basically says she is not in agreement to it. He stated that when she talked to his wife, she didn't bring it up. Mr. Mitchell asked if there were any plans to put a sewer system out there. Ms. Sangster not at this time. Mr. Carney stated that he did not think anything should be located that close to the easements due to the fact it could be damaged during any kind of construction and it would be nice if he could reach some kind of agreement with the neighbors and if that is enclosed you would not be able to see their house. Mr. Boswell stated that he was going to leave it open. Mr. Boswell stated that he did not mind sitting down with Ms. Peggy and trying to work out something and did not want to cause any problems and wanted to be a good neighbor. Mr. Clark stated that they were looking at it as more as a safety issue as far as being that close to the road. At this time, Mr. Carney asked if there were other questions or comments. There were none. Mr. Carney stated that this concludes the public portion of the hearing and now they would go into discussion and vote.

**MEETING**

After discussion, the chairman asked for a motion.

**VOTE:** A motion was made by Wendy Peavy, seconded by J.C. Clark to **table** the decision until the next meeting. Carried unanimously 3-0. It was the consensus of the board that the open shelter was too close to the row for safety issues and advised Mr. Boswell to get with his neighbors (McCardells') and try to work out an agreeable location of the shelter by the next scheduled meeting.

**NEW BUSINESS**

Ms. Sangster told the board there will be 1 hearing for the next meeting in reference to an accessory family care dwelling.

**OLD BUSINESS**

None.

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Jerry Carney  
Chairman

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Connie Sangster  
Secretary

