

MINUTES
CRISP COUNTY ZONING BOARD OF APPEALS
MEETING
April 21, 2015
9:00 A.M.

The Crisp County Zoning Board of Appeals met at their regular scheduled meeting on the 21st day of April at 9:00 a.m. in the Crisp County Government Center.

The following members were present: Jerry Carney, Dale Mitchell, J.C. Clark and lucky Taylor. Absent was board member Wendy Peavy. Also present, Connie Youngblood, Crisp County Planning Director and Jimmy Mumphery, County Building Inspector. Also present were the following visitors: Kenny and Brenda Booth.

MINUTES

Chairman Jerry Carney asked for a motion to approve the minutes of the March 17, 2015 meeting. **VOTE:** Motion was made by J.C. Clark with a second by Dale Mitchell to **approve** the minutes of the March 17, 2015 meeting. Carried unanimously 3-0.

PUBLIC HEARING

Request from Kenny and Brenda Booth for a variance to reduce the required 15' sideyard setback to 5' for the purpose of erecting a 14x20 (280 sq. ft.) enclosed shelter. Property zoned RS2 (Single Family Residential) and is located at 264 Hurt Drive.

Chairman Jerry Carney called the hearing to order and read aloud the criteria in which the board handles requests. Mr. and Mrs. Booth were present and spoke on their own behalf. Mr. Booth told the board that the building would be used for storing of garden tools and lawn mowers to keep them out of the rain. Mr. Booth stated that where he wanted to place it seems to be the best area to keep it out of the way in his yard and you can barely see it from the street, he stated that before he ever applied for the variance he talked with his neighbor, Donald McEwing, he owns the land that is adjacent to where the shed will be located, he also stated that he had a letter from him stating that he had no problem with it. Mr. Carney asked to have a copy of the letter for the record. He stated there was no other person close to this location and that Tony Ragans' property is through the woods – probably 60-80' from where he proposes to put the shed and the other property owner on the other side is approximately 125-130' away – all the way across the yard from him. Mr. Booth showed the members pictures of the property and pictures of his house with the layout of his proposal. Mr. Carney stated that they had all visited the property. At this point, Mr. Carney asked the board if they had any questions. Mr. Mitchell replied that it looked pretty straight forward to him. Mr. Clark stated that he had received an email from someone else. Mr. Carney asked to clarify that, he said that they had received an email from the person that has property adjacent to the other side objecting to this request, however, they also received a backup email that basically said to disregard the letter from Ms. Reynolds and that her property was on the other side and she will not be affected, so therefore, that letter was withdrawn. Mr. Taylor asked if the structure was going to be above ground. Mr. Booth replied yes, post in the ground and would not have a floor in it – just a simple place to get lawn tractors out of the rain. He stated the exterior would be hardi plank and would be 3 sided and no plans to put electricity out there, so

he would have to leave one side open so he could see. Mr. Carney stated that the variance was more for convenience purposes because if he moved it over 15' it would be kinda out of line. Mr. Booth replied yes, that would put it out I the yard. 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 Lucky Taylor to **approve** the variance request to locate a 14x20 enclosed (3 sides) shelter for the purpose of garden tools and lawn equipment. Carried unanimously 3-1. Mr. Clark voted no.

MAGROGAN REQUEST

Chairman Carney stated that he understands that the variance request from Joan Magrogan has been withdrawn. Ms. Youngblood replied yes.

TABLED DECISION ON CHRIS BOSWELL

Chairman Jerry Carney asked the members if they all had a copy of the letter from Mr. Boswell, basically saying that he and the neighbors, the McCardell's had basically worked something out. Ms. Youngblood replied that Ms. McCardell had called on Monday and spoke with the receptionist and stated that she had no problem since he was going to move the shelter back from the original request. At this point, Mr. Carney asked the Board if they wanted to address the decision since Mr. Boswell was not present or did they want to wait. Ms. Youngblood told the members that Mr. Boswell was in Atlanta with his son who was in the hospital. Ms. Youngblood told the members since the public hearing had already been held they could go ahead and make a decision. Mr. Mitchell asked Mr. Mumphery if he had met with Mr. Boswell and if they worked something out in reference to the location. Mr. Mumphery stated that basically he would be going from the required 35' down to about 7 or 8 which will be moving it back about 28' from the edge of the row and as far as the side setbacks that was ok. Mr. Mitchell stated that he did not have a problem with letting him proceed since the main issues they had – had been addressed. Mr. Carney stated that it would be an amended request from the last meeting. At this time, Chairman Carney stated they needed a vote to take it off the table in order to bring it back in to discuss.

MOTION – Mr. Mitchell made a motion to bring the matter back for discussion, seconded by J.C. Clark. Carried unanimously.

After discussion, the chairman asked for a motion.

VOTE: A motion was made by Lucky Taylor, seconded by J.C. Clark to **deny** the original variance request to reduce the required front yard setback from 35' to 8' and **approve** the following variances:

1) reduce the required 35' front yard setback to 28'; and

2)reduce the required side yard setback from 15' to 8' for the placement of an 18x36 (648 sq. ft.) open shelter with approved documentation from the McCardells'. Carried unanimously 4-0.

NEW BUSINESS

Ms. Youngblood told the board there will be 1 hearing for the next meeting in reference to a side yard setback from Elijah Waters on Cork Ferry Road.

OLD BUSINESS

None.

Jerry Carney
Chairman

Connie Youngblood
Secretary

