

MINUTES
CRISP COUNTY ZONING BOARD OF APPEALS
MEETING
November 15, 2016

The Crisp County Zoning Board of Appeals met at a regular meeting on the 15th day of November 2016 at 9:00 a.m. in the Crisp County Government Center. The following members were present: Dale Mitchell, J.C. Clark, Lucky Taylor, Wendy Peavy and Ray Cromer. Also present, Jimmy Mumphery, County Building Inspector.

Visitors: Jerry and Lisa McLendon, Spencer Windham and Jule Windham.

Chairman, Dale Mitchell called the meeting to order.

MINUTES

Chairman Dale Mitchell asked for a motion to approve the minutes of the October 18, 2016 meeting.

VOTE: Motion was made by Lucky Taylor with a second by Ray Cromer to **approve** the minutes of the October 18, 2016 meeting with amendment on vote. Carried unanimously 4-0.

PUBLIC HEARING

Request from Jerry & Lisa McLendon for a variance to locate an accessory structure 24x48 (1152 sq. ft.) on a parcel of property in lieu of a principal dwelling on the property. Property is located across from 532 Lakeshore Way and is zoned RS2 (Single Family Residential).

Chairman Dale Mitchell called the hearing to order and read aloud the criteria in which the board handles requests. Mr. and Mrs. McClendon were present and spoke on behalf of the request. Mr. McLendon stated that the original lot was 1 tract of land through there and then the county road came through and halved it up and they would like to build a utility building 24x48 on that 1.7-acre property on the opposite side of the street. Mr. Mitchell asked how far back from the street did he intend to build. Mr. McLendon replied that the part of the lot on the east side of Lakeshore Way at least 500' off the road. Mr. Mitchell asked if he intended to build a house there sometime. Mr. McLendon replied no plans at this time to build one. Mr. Cromer asked what the principal activity of the utility building. Mr. McLendon replied storage and he has a couple of little tractors he needs to shelter, tools and that sort of thing. He stated he wanted to put it there for storage instead of at the lake house. Mr. Clark replied that you have a couple of small tractors. Mr. McLendon stated that he has one little antique tractor and then he has a Kubota that he utilizes. Mr. Mitchell asked if he had any intentions of operating a commercial business out of this building. Mr. McLendon replied no – that is his tractor and his toys. Mr. Cromer asked if there were other storage facilities like this on other properties. Mr. McLendon stated there was one about 50' from this site across the fence. Ms. Peavy stated that she didn't think it was large as this one. Mr. McLendon stated that it was pretty large and there is a pretty good size one on the south side. Ms. Peavy asked if he also owned the property across the street where you are doing renovations. Mr. McLendon replied yes. Ms. Peavy asked what his occupation was. He stated he was retired. Ms. McLendon stated she works for a Dr. in Cairo but they are moving up here full time – she stated they have a weekend lake house now but since they bought this property they will be moving here full time. Ms. McLendon also stated that in the future they may decide to build a house on the property, they have a daughter that is in school and at some point they may

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Build her a house there. Mr. Clark asked if this building was more like a barn or a building. Mr. McLendon showed the board a picture of the building that shows all sides enclosed. Mr. Cromer stated that the Board had received several letters from property owners that are concerned that they are concerned that this is going to be a landscaping/excavation business. Ms. McLendon replied no and they are clearing their own property but they do not have a commercial business. Mr. Mitchell read aloud the letter that was received in regards to opposition of the request (attached and made a permanent part of these minutes). Mr. Taylor asked how wide was the lot. Mr. McLendon replied 110' along the roadway and 117' at back. Ms. McLendon stated that the main purpose of this is for a place to put their lawnmowers and equipment and they didn't want to clutter up their nice lake lot. Mr. Mitchell asked which way are they going to orient the front view – will you see the end from the highway or will you see all the way across the front of it. Ms. McLendon replied the end but you should not be able to see any of it because it is on a wooded lot, they want it to stay natural and not visible to the neighborhood. Mr. Cromer asked Mr. Mumphery is it typical that letters such as this are not signed. Mr. Mumphery replied that usually letters are signed. Mr. McLendon stated that he talked with both the neighbors on each side and they didn't seem to have a problem with what they were asking for. Mr. Mitchell asked if there had been any comments from the public. There were none he then 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 Lucky Taylor, seconded by Wendy Peavy to **approve** the variance request to locate an accessory structure on a parcel of property in lieu of a principal dwelling on the property and would allow up to a 100-amp electrical service to the building. Carried 3-0. Property is located across from 532 Lakeshore Way and is zoned RS2 (Single Family Residential).

PUBLIC HEARING

Request from Spencer Windham (with the property owner's authorization) for a variance to reduce the required lot width of 100' at the building set back line to 43'. Property is zoned RS2 (Single Family Residential) and is located at 118 Scenic Route.

Spencer Windham and his father, Jule Windham was present and spoke on behalf of the request. Jule Windham told the board that he, his wife and Spencer own the property together. Mr. Windham told the board that the property currently contains two houses, two driveways, two septic tanks, two wells, two docks and is occupied by two different households and has two different addresses. He stated it has been this way for approximately 36 years. He stated that Spencer is getting married in May and they now want to divide the property and Spencer will remain in the house at 118 Scenic Route. Mr. Windham stated that the houses are not side by side and if the land was raw land they would be able to just split the lot in half. He stated this land has 235' of river frontage and 245' of road frontage and is over 2.2 acres. Mr. Windham

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told the Board they had a meeting October 19th with Planning and Zoning, Power Commission and Health Department and there were no issues with Power Commission and Planning and Zoning had a map that had all the county requirements which represents how the land is divided, unfortunately, the interpretation of useable land makes this a portion not allowable by the Health Department because of the septic tank and drainage system. Mr. Windham stated that in order to comply with the Health Department they had to configure the lot with a new design which makes the lot larger than the required .75, it is .856 because of the portion deemed not useable. Mr. Mitchell asked if that reconfigured strip was 3' wide, Mr. Windham replied 10' wide, 10x40 at the lake. Mr. Cromer asked if there was a boat house there at the end of the strip. Mr. Windham stated it is an open dock with a boat house on the other property. Mr. Windham stated one dock goes with 118 which is a concrete dock and the small dock goes with the other property. Mr. Mitchell asked if that would be used as egress to the dock. Mr. Windham replied versus an easement, it will be deeded. Mr. Windham stated that the problem is they actually have 75' of road frontage because of the curve and get easily get 100' and would not affect the neighbors but the requirements call for 100' all the way. He stated the road is paved and an existing driveway and there is not a problem with getting emergency vehicles in there. Mr. Mitchell stated they have a letter from the Health Department saying they have approved it per hooking up to county water because of reducing the lot size. Mr. Windham clarified that by saying they met the lot size but they factored in that useable lot of 50' from the river an acre and half lot is no longer adequate size to keep a well. He stated the Board of Health gave them a variance on the lot size so they can maintain the well regarding irrigation – one well, they will have to cap one. He also stated they gave them the ability to do that by June 30 of next year because Spencer is getting married in the yard of that property. Mr. Mitchell asked if there was anything else they would like to address. There were none, he then 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 Lucky Taylor, seconded by Wendy Peavy to **approve** the variance request from Spencer Windham (with the property owner's authorization) for a variance to reduce the required lot width of 100' at the building set back line to 43'. Carried unanimously 4-0. Property is zoned RS2 (Single Family Residential) and is located at 118 Scenic Route.

VOTE AMENDED: A motion was made by J.C. Clark, seconded by Lucky Taylor to amend the previous motion to comply with the Health Departments letter (attached and made a permanent part of these minutes). Carried unanimously 4-0.

NEW BUSINESS

None.

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OLD BUSINESS

None.

Dale Mitchell
Chairman

Connie Youngblood
Secretary/Planning Director

