

**MINUTES**  
**CRISP COUNTY ZONING BOARD OF APPEALS**  
**MEETING**  
**March 21, 2017**

The Crisp County Zoning Board of Appeals met at a regular meeting on the 21st day of March 2017 at 9:00 a.m. in the Crisp County Government Center. The following members were present: Dale Mitchell, Wendy Peavy, J.C. Clark, Lucky Taylor and Ray Cromer. Also present, Connie Youngblood, Planning Director and Jimmy Mumphery, County Building Inspector.

Visitors: Eddie Helms, Linda Helms Moody, Louise Veal, Wayne Rohbaugh, Elizabeth Brown, Ronnie and Sandra Cape.

Chairman Dale Mitchell called the hearing to order and read aloud the criteria in which the board handles requests.

**MINUTES**

Chairman Dale Mitchell asked for a motion to approve the minutes of the February 21, 2017 meeting.

**VOTE:** Motion was made by J.C. Clark with a second by Lucky Taylor to **approve** the minutes of the February 17, 2016 meeting. Carried unanimously 4-0.

**PUBLIC HEARING**

Request from Eddie Helms for a variance to reduce the required 50' front yard setback to 22' for the purpose of locating a single family residence (mobile home) on a parcel of property. Property is located at 409 Sirmons Road and is zoned RR (Rural Residential).

Mr. Helms and Linda Helms Moody were present and spoke on behalf of the request. Mr. Helms told the board that he bought the land and bought the doublewide from Sinclair Homes in Byron and the land clearing was a package deal and where they have placed the mobile home they don't have any property for a backyard, he also stated that Mr. Mumphery had given them the information as to where the house is supposed to sit and for some reason or another it is not there. Mr. Mitchell asked if they had his money? Ms. Moody replied yes. Mr. Clark asked if they were going to relocate it for them. Mr. Helms stated that they needed to because they don't have a front yard and they have 600' going back to the back and 20' from the highway in the front yard. Mr. Cromer asked if they decline the request does it give him leverage to go back to the company to get it moved. Mr. Wayne Rohbaugh was present and represented Sinclair Homes, he told the board that the problem is that is swampland behind the house and they are the ones actually asking for the variance, he stated that 5' his backhoe just sank down. Mr. Helms asked Mr. Rohbaugh if he had been out there lately. He replied not in the last 3-4 days. Mr. Helms said that he hired someone to clear off the back and now there is plenty of room to move the home. Mr. Rohbaugh stated 30' behind the house there was water standing out there and whoever sold them that lot knew that was wet area. Mr. Helms stated there was plenty of land there now to move the house. Mr. Mitchell asked if the septic tank was put in yet. Mr. Helms replied no and it goes in the front yard. Ms. Moody asked why they were not notified the home could not be placed in the correct place. Ms. Youngblood stated the dealer was told the required

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setback when they obtained the permit which is 50' from the row and they measured from the centerline of the road. Mr. Mitchell asked if there was anyone else that wanted to address this matter. Ms. Louise Veal was present and was representing Veal Farms and Tremont Community Club, she stated they are concerned about the location of the home and there is a lot of farm equipment going up and down that road and concerned for safety. She also stated that anytime a mobile home is placed in the community it depreciates their land value and stated this was no reflection on the Helms but your man concern is safety and for those people who have houses on either side of Mr. Helms property – 2 nice homes and if home was located farther off the road it would not distract from those homes that are there. Ms. Elizabeth Brown (adjacent neighbor to the Helms) stated that she also represented the neighborhood and her concern is that the house is too close to the road and that when she turns into her driveway it is like she is right there at the house. She stated that it has been wet but Mr. Bennett did come and clear out a lot of property behind the home and it does look a lot better and it does not look nice in the location it is in now and is too close to the road. Mr. Cromer asked if there was an issue with putting the mobile home back further. Mr. Rohbaugh stated it could but it was going to need something because that house is going to sink if they put it back – possibly fill dirt or poured footers to move it back. Mr. Taylor asked the Helms' if it would be better if the board gave them time to resolve this problem. Ms. Moody responded they really need to do something because they are having to get out because the State bought their property and they have already been given 2 extensions and she is supposed to call them after this hearing and let them know what is going on. At this time Mr. Mitchell asked if there were other comments. 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**

The chairman asked if there were other comments. There were none. The chairman asked for a motion.

**VOTE:** A motion was made by Ray Cromer, seconded by J.C. Clark to **deny** the variance request to reduce the required 50' front yard setback to 22' for the purpose of locating a single family residence (mobile home) on the property. Carried unanimously 4-0. Property is located at 409 Sirmons Road and is zoned RR (Rural Residential).

**PUBLIC HEARING**

Request from Ronnie and Sandra Cape for a variance to locate a 12x16 (192 sq. ft.) screen porch on a parcel of property prior to or in lieu of a principal use on the property. Property is zoned RS2 (Single Family Residential) and is located at 534 Scenic Route.

Chairman Dale Mitchell called the hearing to order. Ronnie and Sandra Cape were present and spoke on

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behalf of the request. Mr. Cape told the board they built a dock on the property in 2015, he stated they called Marcus Waters and got a permit with an approved drawing and during the process of building he contacted Marcus on a regular basis at each stage and asked him to come out – he stated they made one minor change – they went from a 16x16 to a 12x16 portion of a screened porch and that the dock has 3 tiers to it and after they got started building they decided that it would be best to swing that 3<sup>rd</sup> tier (screened area) back around and put it in line with the walking section of the dock and that brought it in and not taking up so much water space and that Marcus agreed with that. Mr. Cape stated they continued on and got through and a month later they got a letter in the mail that they needed to come to the Crisp County Power Commission. He stated they went and Mr. Steve Rentfrow informed them that Marcus Waters didn't have the authority to permit the dock they built and he wanted a portion of it torn down (the screened in area). Mr. Cape stated that if you look on line Marcus Waters has been the man to give that authority for some 40 years or so and that Marcus Waters has also given somewhere between 15-20% verbal permits. Ms. Cape stated it was 50% verbal permits. Mr. Cape said that after this process he said they were given permission to build this and Mr. Rentfrow told him he wanted that portion removed and Mr. Cape said that 12 men would have to tell him that. He stated they started the legal process and so did the power commission. Mr. Cape stated that after talking to some of the power commission and county commission board members they wanted to come up with something, they may possibly resolve it, and what they have come up with was their attorney wanted to push forward and he wanted to make the Corps of Engineers come in and have Crisp County Power measure every dock on that lake and that would cost several hundreds or thousands of dollars and he and Sandra decided that folks are not going to blame their attorney or the Corps of Engineers – they would blame them. He stated they just wanted to build a house on the lake and be good neighbors and just want to work it out. He stated that he has talked with someone that can pick it up and move it on the land with the proper setback from the water. Mr. Mitchell asked if they were able to get anything in writing from Marcus. Mr. Cape replied yes they have a sworn statement from Marcus, Ms. Cape read a portion out loud. Mr. Mitchell stated that really what he said is not material to your request from this board so we will stick to that. Mr. Mitchell said that his biggest question is how are you going to pick it up and move it. Mr. Cape has found someone that says he can move it. Mr. Cromer asked when did they intend to build the home. Mr. Cape replied as soon as they get this cleared up and wants this moved before they start building the house. Mr. Cape stated that if they could not get this worked out he is not sure he wants to move down here. Mr. Cromer stated that he is a neighbor to this property and it has a beautiful view and very nice boat house, does not block anyone's view and hates this has happened. Ms. Peavy asked if this was the issue with the power commission. Mr. Cromer replied that they are operating on a basis of a 1983 permitting guideline which states you cannot have a dock space more than 600 sq. ft. or something like that. Mr. Mitchell asked if there was anyone else that wanted to speak on behalf of the request. Slade Ellis, adjacent neighbor stated the he did not have a problem with the dock and personally he like it. Mr. Mitchell asked if they thought this was the last location the building will be in. Ms. Cape replied she hopes that would be it. Mr. Taylor asked if they would have power at the building. Mr. Cape replied yes. At this time Mr. Mitchell asked if there were further comments. There were none, he then stated this concludes the public portion of the hearing.

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**MEETING**

After discussion, the chairman asked for a motion.

**VOTE:** A motion was made by Lucky Taylor, seconded by Wendy Peavy to **approve** the request to locate a 12x16 (192 sq. ft.) screen porch on a parcel of property prior to or in lieu of a principal use on the property. Property is zoned RS2 (Single Family Residential) and is located at 534 Scenic Route.

**NEW BUSINESS**

None.

**OLD BUSINESS**

None.

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Dale Mitchell  
Chairman

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Connie Youngblood  
Secretary/Planning Director

