

MINUTES
CRISP COUNTY ZONING BOARD OF APPEALS
June 18, 2002
9:00 A.M.

The Crisp County Zoning Board of Appeals met at their regular scheduled meeting on the 18th day of June, 2002 at 9:00 a.m. at the Crisp County Courthouse.

The following members were present: Kirby Wood; Jerome Outlaw; Kenneth Carter and Robert Powell; also present, Connie Sangster, Assistant Planning Director; Jimmy Mumphery, County Building Inspector. Absent was board member Bob McCadams. Also present were the following visitors: **Safer hearing:** Eugene Bailey. **Peavy hearing:** Tony Peavy.

PUBLIC HEARING

Requests from Leslie & Kathryn Safer for: 1) a variance to reduce the front yard setback from the required 35' to 17', also; 2) a variance to reduce the side yard setback from the required 15' to 5' for the purpose of erecting an 18x20 (360 sq ft) open carport. Property located at 898 Scenic Route and being located in an RS2 (Single Family Residential) zone district.

Mr. Wood called the hearing to order. Eugene Bailey (building contractor for the Safers') stated that he was present on behalf of the Safers', Mr. Bailey stated they were out of town and unable to attend. Mr. Wood stated that normal procedure was that the person requesting the variance be present because of information that another individual may not be able to answer for this board. At this time, Mr. Wood asked the board members if they wished to proceed or reschedule when the property owner could be present. Mr. Carter stated that personally he would rather not continue without the property owners present. Mr. Outlaw stated that the Safers' put in for this request and are aware of this meeting and realizes if they do have questions for the Safers' they will not be able to address them, but as a board, their duties are to look at the request, and would like to see the hearing go forward and their job is to abide by the rules and regulations set by the Board of Commissioners. Mr. Powell also stated that he did not have any objections to going forward with the request. Mr. Wood noted for the record that a letter was mailed to the Safers' on May 17 stating the date and time of the hearing. Mr. Wood then asked Ms. Sangster if she had been contacted by the Safers' stating they would not be able to attend. Ms. Sangster replied no, she stated that she had talked with Mr. Safer last week and he did not indicate that he would not be attending the meeting.

Mr. Wood asked for a motion from the board whether to proceed with the hearing or reschedule. **VOTE:** A motion was made by Jerome Outlaw that the board proceed without the property owners presence, seconded by Robert Powell. Carried unanimously 3-0.

At this time Mr. Wood called the public hearing to order and asked that Mr. Bailey come forward on the Safers' behalf. Mr. Bailey stated that he had gone to the property and measured for a 20x24 carport/shelter. Ms. Sangster replied that the request was for an

18x20. Mr. Bailey showed the members photos of a carport similar to what they are wanting. Mr. Bailey stated that in between the trees was 20' and that's why he stated the 20', he also stated that he measured off the road to the existing gate which is 57' (from gate to the road). Mr. Wood then asked Mr. Bailey if he was actually going to build an 18x20 or a 20x24. Mr. Bailey replied that there are two trees on each side of the driveway and whatever he could squeeze in there and how ever far he could go with the length of it. Mr. Wood stated that was why he asked that question because the request is for an 18x20 and if he was contemplating building a 20x24, this board would need to know that because the setbacks would change. Mr. Bailey asked how far it would have to be off the road. Jimmy Mumphery replied 35', and a 20x24 would go from a variance of a 17' front yard setback to 13'. Ms. Sangster gave the members a copy of the application signed by Mr. Safer requesting the 18x20. Mr. Bailey stated that was fine, if that is what they requested. Mr. Powell stated that he felt like the board should proceed on with the 18x20. Mr. Outlaw asked Mr. Bailey if the carport would be constructed in front of the existing gate. Mr. Bailey replied yes and it is 57' from the gate to the edge of the road. Mr. Mumphery stated to the board that the edge of the road is not the r-o-w. Mr. Powell asked Mr. Mumphery what the r-o-w is. Mr. Mumphery replied 40' from the centerline of the road and it starts approximately behind the mailbox. Mr. Powell asked if they could not go a little further back toward the house and move the existing fence back a little. Mr. Bailey replied it probably could, but that would be up to Mr. Safer if he wanted to do that, because they have a little dog they let out in the yard. Mr. Outlaw said that he thought maybe they could move the fence back and maintain more of a setback from the front. Mr. Powell asked if the structure was going to be built on site and not a pre-fab carport. Mr. Bailey replied that it would be built on site with treated 6x6's with wood siding. Mr. Outlaw asked what were they wanting to store there. Mr. Bailey replied their vehicles, they just wanted something to park up under to keep the limbs from falling on them. Mr. Wood asked if there were other questions or comments from the board. There were none. At this time, Mr. Wood concluded the public hearing portion of the meeting.

MEETING

Mr. Outlaw stated that he could understand the Safer's wanting a carport and he was not that familiar with the location of the house, but why could they not attach the carport to the house. Mr. Powell stated that he was familiar with the property and that it would not be possible to do that because of side setbacks, the pool and existing septic system, and the front is probably the only place on the lot that would be feasible. Mr. Outlaw stated he felt like 17' is a little too close to the road and he did not have too much of a concern with the sideyard setback. Mr. Outlaw asked if the front was the only access to the structure, and if so, what would happen if a firetruck had to get closer, would you have to go through the carport to get to it. Mr. Powell stated there is a solid board 6' or 8' fence there already and is not sure if the carport would extend out past the fence now. Mr. Outlaw asked if the gate opened, or is it solid, and if it is large enough to drive a car thru. Mr. Bailey replied it is open and you can drive through. Mr. Outlaw stated his concern is, if a firetruck or ambulance had to get to the house, and this proposed carport is there, would it be able to get through, and what is the height of this carport. Mr. Bailey replied the structure would be approximately 10' high. Mr. Outlaw stated that an ambulance could pass through but not a firetruck. Mr. Carter stated that if the vehicles were parked there, neither one could pass through unless they were moved. Mr. Bailey stated that if that were the case, you

would be better off to go in the neighbors yard and back all the way down. Mr. Wood stated the neighbors can't grant you a r-o-w to go across property. Mr. Outlaw stated that he understood the need for the carport and feels it would be nice but his concern, if granted, is not sure if they would be helping or hurting them in case something happens. Mr. Wood stated that traditionally when they look at requests, the public safety issue is a concern and he feels this one is a little more complicated and thinks they really need input from the property owners. After discussion, Mr. Wood asked for a motion.

VOTE: A motion was made by Mr. Powell to **table** the request for 15 days (July 3, 2002), seconded by Mr. Outlaw. Carried unanimously, 3-0. It was the consensus of the board that the Safers' be present to answer any concerns or questions from this board before making a final decision on the requests.

PUBLIC HEARING

Request from Tony Peavy for a variance to reduce the front yard setback from the required 35' to 10'. Property located at 430 Lakeshore Way and being zoned RS2 (Single Family Residential).

Mr. Wood called the hearing to order. Mr. Peavy was present and spoke on his own behalf. Mr. Peavy showed the members a plat of the property showing the location of his house and location of the 20x24 proposed open carport. Mr. Outlaw asked Mr. Peavy what would his carport be constructed of. Mr. Peavy replied 6x6 post with a masonite type material and a gable roof. Mr. Outlaw asked Mr. Peavy if the proposed carport will be located directly in front of the existing house. Mr. Peavy replied that it would be offset a little, which hopefully will make the house more appealing. Mr. Peavy also stated to the board that there is an existing storage building which is located in the r-o-w, and if approved for the open carport, he is willing to remove that structure. Mr. Powell asked if he would still have access for emergency vehicles. Mr. Peavy replied yes and that the parking pad would allow an ambulance to come around and go to where there are double doors, which will allow easier access. At this point, Mr. Wood asked if there were any comments from the public. There were none. Mr. Wood concluded the public hearing portion of the meeting.

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Mr. Wood asked for a motion.

VOTE: A motion was made by Robert Powell to **approve** the variance to reduce the front yard setback from the required 35' to 10' with the stipulation that the existing accessory structure located in the r-o-w be removed from the property, and that the new carport be constructed of materials that are aesthetically compatible with the existing residence. Carried unanimously 3-1.

MINUTES

A motion was made by Jerome Outlaw, seconded by Kenneth Carter to **approve** the Minutes of April 16, 2002. Carried unanimously 3-0.

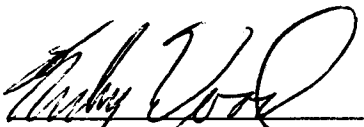
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OLD BUSINESS

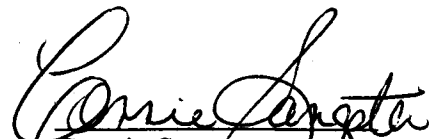
None.

NEW BUSINESS

None.



Kirby Wood
Chairman



Connie Sangster
Assistant Planning Director