

**ZBOA MINUTES
CRISP COUNTY ZONING BOARD OF APPEALS
MEETING
October 19, 2021**

The Crisp County Zoning Board of Appeals met at a regular meeting on the 19th day of October, 2021 at 9:00 a.m. in the Crisp County Government Center. The following members were present: Ray Cromer, J.C. Clark, Lucky Taylor and Wendy Peavy. Absent was board member Dale Mitchell. Also present, Crisp County Planning Director, Connie Youngblood and Building Inspector Jimmy Mumphery.

Visitors present: Stacy Greenhill, Charles Willis, Jack Maffett, Aubrey Halstead and Sheila Thorne.

Chairman Ray Cromer called the meeting to order.

MINUTES

Chairman asked for a motion on the minutes of September 21, 2021. A motion to approve the minutes was made by J.C. Clark with a second by Lucky Taylor. Motion carried 3-0 unanimously.

Mr. Cromer opened the Public Hearing and read aloud the criteria in which the board handles requests.

PUBLIC HEARING

Request from Stacy & Kimberly Greenhill (with the property owner's authorization) for a variance to reduce the required 15' side yard property line setback to 5' (on the right side) for the purpose of building a new house and pool. Property is located at 484 Lakeshore Way and is zoned RS2 (Single Family Residential).

Mr. Greenhill was present and spoke on behalf of the request. He told the board that the property he is buying is 75' wide and on the left hand side of the property there is an old artesian well and septic tank right where the foundation would be and he stated as a builder, he would prefer to move it over some and that will also allow him to have another septic field in the front yard. He stated it is a real tight property and in order to have the adequate septic field and a replacement field, moving it over would be beneficial. Mr. Cromer asked if there was a house to the left. Mr. Greenhill replied yes, there is a house on both sides. He stated that the house to the right is about 30' off the line and the one to the left is at least 20-25' from the line. Mr. Taylor asked if he could make it work if you moved it over 5 additional feet, and if it would affect him that bad by doing so. Mr. Greenhill stated that he didn't know if it would devastate him, but as of right now the county has not come out and told him how much septic lines that he is going to need. He stated he has had a soil scientist come out and do a Level III soil survey and has had Warwick septic tank come out and based on what he was telling them what he wanted to do, they said he would have enough if he were allowed this variance. He stated it is just a real tight area at the top of the property. He stated that everything would have to be pumped up to the top of the property and that doesn't leave any area to park extra vehicles.

Mr. Greenhill stated that he searched for weeks for a home plan that would fit but could not find anything, he had to have the outside outline drawn to work with the dimensions because of it being a narrow lot. Mr. Taylor stated that he was not real comfortable with the 5' off the line, but would feel much more comfortable with 10'.

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Mr. Greenhill stated that until he knows exactly about the placement of the septic tank and lines, he really does not know how devastating it would be and until he knows what kind of variance he can get, he really will not know how it all will work. Mr. Clark asked the size of the pool. Mr. Greenhill replied a 20x40 and then it will have decking around all sides. Mr. Cromer asked if all the parking is going to be in the front. Mr. Greenhill replied yes, that basically by the time he puts the septic tank in, you can't drive all over it and he would not have access to the back by vehicle, because the lot is so narrow, which leaves him 51' of driveway. Mr. Cromer asked at 5' if he knew the distance from the corner to the house on the right side of his lot. Mr. Greenhill stated if you are looking down the hill, he is guessing at least 25-30'. Mr. Cromer asked if he had a discussion about the request with the neighbor on the right. Mr. Greenhill stated he had and they have no objection with the request, and that is the house he is going closer to.

Mr. Cromer did say they received a letter from the neighbor to the left of this property and felt like 5' was too close and asked that the board considered a compromise.

At this time, Mr. Cromer asked if there were any further comments. There were none. Mr. Cromer stated that the public portion of the hearing was adjourned and now they would go into discussion.

DISCUSSION & VOTE: A motion was made by Wendy Peavy to approve the side yard setback from the required 15' to 5', motion died for the lack of a second. Mr. Cromer asked if there was another motion. Lucky Taylor made a motion to **deny** the request for the 5' variance, but **approve** a setback variance from the required 15' to 8', with a second by J.C. Clark. Carried unanimously 3-0. The property is located at 484 Lakeshore Way and is zoned RS2 (Single Family Residential). The consensus of the board was that their decision was in keeping with the intent of the Land Development Code, and Mr. Greenhill was making an improvement on the property.

PUBLIC HEARING

Request from Charles Warren Willis for the following variances: 1) variance to locate a 24x24 (576 sq. ft.) open carport in front of the principle dwelling; 2) variance to reduce the required 15' side yard property line setback to 10' on the left side of the main dwelling. Property is zoned RS2 (Single Family Residential) and is located at 2119 Lakeshore Court.

Mr. Willis was present and spoke on behalf of the request. Mr. Willis told the board that the home was constructed in the late 50's and it has become a permanent residence for his family.

Mr. Willis told the board that they had recently replaced the septic system on the north side of the property and are attempting to construct a very appealing carport that will sit over the existing driveway on the south edge of the property.

Mr. Taylor asked so this will be constructed over the current driveway. Mr. Willis replied yes and even with the 10' setback he would have to abandon some of the rock driveway on the left and move to the north just a little bit.

Mr. Cromer asked if there were any more questions. There were none. Mr. Cromer stated that the hearing portion of the meeting was adjourned and now they would go into discussion.

DISCUSSION & VOTE A motion was made by Lucky Taylor to **approve** the request to locate a 24x24 (576 sq. ft.) open carport in front of the principle dwelling and to also reduce the required 15' side yard property line setback to 10' on the left side of the main dwelling, with a second by Wendy Peavy. Vote carried unanimously 3-0. Property is zoned RS2 (Single Family Residential) and is located at 2119 Lakeshore Court. The board agreed that the requests met the standards in granting an approval for the special exception request.

PUBLIC HEARING

Request from Jack Maffett to reduce the required 15' side yard setback to 6' (on the right side) for the purpose of adding an 8x27.5 (220 sq. ft.) storage closet to the existing residence. Property is zoned RS2 (Single Family Residential) and is located at 132 N. Valhalla Lane.

Mr. Maffett was present and spoke on behalf of the request. Mr. Maffett told the board that he wanted to add 8' onto the existing structure. He stated that he was a good ways from his neighbor next door, Mitchell and Ame Gibbs, they both said it was fine with them. He stated that he had the floodplain shot by Mr. Faircloth. He stated they wanted to do it so it would look like it was part of the house, but it is not. He stated his wife did not want a storage building sitting out in the front yard. He stated they did not have any room in the back yard to put one.

At this time, Mr. Cromer asked if there were any more questions. There were none. Mr. Cromer stated that the hearing portion of the meeting was adjourned and now they would go into discussion.

DISCUSSION & VOTE: A motion was made by Lucky Taylor to **approve** the request to reduce the required 15' side yard setback to 6' for the purpose of adding an 8x27.5 (220 sq. ft.) storage closet to the existing structure, with a second by Wendy Peavy. Carried unanimously 3-1. J.C. Clark voting no. Property is located at 132 N. Valhalla Lane and being zoned RS2 (Single Family Residential). The board stated that they felt like the approval did not go against the standards because of the amount of space between the residential structures and did not feel like it would impair the purpose and intent of the development code.

PUBLIC HEARING

Request from Aubrey Halstead for a variance to reduce both side yard setbacks (east and west) from the required 15' to 10' for the purpose of constructing a new residence. Property is zoned RS2 (Single Family Residential) and is located at 118 Valhalla Road.

Mr. Halstead was present and spoke on behalf of the request. He told the board that their plans were to start

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this past January. He stated that he had the house plans shrunk to fit the setbacks. He stated that the last 12 years they have had to clean the A/C drain lines on their last home every 4 months, and when they sold that house and moved into a rental house in January, it has caught on fire since they have been there and twice the ceiling has had to be replaced and repainted, and he does not want any mechanicals in the attic. He stated that his primary reason for being here is that he wants to do a package unit on the side of the house and that he is setback to setback on the sides, so he needs room to set the A/C system on the right hand side and that way all the mechanical is outside of the main house. He stated the unit would be sitting on an elevated concrete pad at 3'. He stated that he had previously shrunk the garage to fit the lot and it is a 25' width, which is going to be impossible to put 2 cars in, so on the other side he is asking for that variance so he can stretch back out to a 24' garage so he would have room for 2 cars there versus 1.

He stated the side that the A/C unit will be are 2 empty lots to his east, so there is plenty of wide open field and he knows the owner, Mr. Derrell, and he has allowed him to maintain the adjacent property by keeping it mowed, he stated that on the left hand side, that Mr. Cook's house sits further back then where they plan to put theirs and will be a little more forward, so they won't be in direct line of each other, and there will be about 40' between the structures.

Mr. Cromer stated that you are basically needing the variances to be able to stretch out the garage on one side and the other side will be for the A/C unit. Mr. Halstead replied that is correct.

At this time, Mr. Cromer asked if there were any more questions. There were none. Mr. Cromer stated that the hearing portion of the meeting was adjourned and now they would go into discussion.

DISCUSSION & VOTE: A motion was made by J.C. Clark to **approve** the request to reduce both side yard setbacks (east and west) from the required 15' to 10' for the purpose of constructing a new residence, with a second by Lucky Taylor. Property is zoned RS2 (Single Family Residential) and is located at 118 Valhalla Road. Carried unanimously 3-0. The board felt like the approval would not impair the purpose and intent of the development code.

PUBLIC HEARING

Request from Sheila Thorne for the following variances: 1) variance to locate an 18x20 (360 sq. ft.) accessory building in front and to the right side of principle dwelling; and 2) variance to reduce the required 35' front yard setback to 26' for the placement of the proposed accessory building. Property is zoned RS2 (Single Family Residential) and is located at 472 Lakeshore Way.

Ms. Thorne spoke on behalf of the request. She told the board that she has a standalone shelter area that has boat trailers and a golf cart under it. She told the board that she would like to put a storage building right next to that, but it would be further into the yard and further away from the property line.

She told the board that she is not a permanent resident right now, but plans to be soon and she will need some storage area. She stated that if there is a problem with that storage building being there, she could just close

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in the existing shelter that is there. Ms. Peavy asked her if her plans were to keep the shelter there. Ms. Thorne replied yes for her boat trailers and golf cart, she stated she did not have to have it, so if there is a problem with the storage building, she could remove it.

Mr. Taylor asked if the proposed building you are wanting will be inside or outside of your property. Ms. Thorne replied inside. She stated that the shelter building was pre-existing before she moved there. She stated that she could close that in or put in a shelter building. Mr. Clark asked what she would put there if she enclosed it. She replied if she enclosed it in and possibly put a lean to on one side, the side furthest away which would be ideal, or she could put a storage building there. Ideally, she thinks closing it in would be best, because it already has a floor.

Mr. Taylor asked Ms. Thorne which one you are asking for. She stated that she did not know where they might stand with the shelter building being brought in, which will be no larger than an 18x20, she stated if she could have the approval for one or the other she would go with whichever. Mr. Taylor stated that since you already have the existing shelter and you close it in and put the lean to off the side of it that is less of a big deal to him. Ms. Thorne stated that it sounded ideal to her.

At this time, Mr. Cromer asked if there were any more questions. There were none. Mr. Cromer stated the hearing portion of the meeting was adjourned and now they would go into discussion and vote.

DISCUSSION & VOTE

A motion was made by Lucky Taylor to amend the variance request from adding an additional building and to allow the existing 18x20 structure to be enclosed and add a 20x20 (400 sq. ft.) lean to and reduce the required 35' front yard setback no closer than 26', with a second by J.C. Clark. Carried unanimously 3-0. The consensus of the board was that by amending the variance request it remained within the standards for approval.

PUBLIC HEARING

Request from James Kilgore for a variance to reduce the required lot width of 150' to 47' for the purpose of locating a second mobile home on the property. Property is zoned RR (Rural Residential) and is located at 192 Mud Road.

There was no one present for the hearing.

VOTE: A motion was made by Lucky Taylor, with a second by J.C. Clark to continue the public hearing for Mr. Kilgore until the next scheduled meeting. Vote carried unanimously 3-0.

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Old Business

None.

New Business

None.

Adjourn

Ray Cromer
Chairman

Connie Youngblood
Secretary