

**MINUTES  
CRISP COUNTY ZONING BOARD OF APPEALS  
MEETING  
March 16, 2021**

The Crisp County Zoning Board of Appeals met at a regular meeting on the 16th day of March, 2021 at 9:00 a.m. in the Crisp County Government Center. The following members were present: Ray Cromer, J.C. Clark, Dale Mitchell and Wendy Peavy, absent was Lucky Taylor. Also present, Crisp County Planning Director, Connie Youngblood and Building Inspector Jimmy Mumphery.

Visitors present: James Garrett, Cara Hewitt, Frank & Frances Harris, Ed Collier, Whitney Brown, Wade Hill and Marcy Hill.

Chairman Ray Cromer called the meeting to order.

**MINUTES**

Chairman asked for a motion on the February 16, 2021 minutes. A motion to approve the minutes was made by Dale Mitchell with a second by J.C. Clark. 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 James Garrett for a variance to reduce both side yard setbacks (east & west) from the required 15' to 10' for the purpose of constructing a new residence. Property is located at 303 N. Cedar Creek Road and is zoned RS2 (Single Family Residential).

Mr. Garrett spoke on behalf of the request. Mr. Mitchell asked Mr. Garrett to give them some background of why you want these setbacks. Mr. Garrett stated that his dear sweet other has decided on a house that will not fit within the required 15' setback on each side. He stated they sat down and looked at plans and tried to make it work another way and it just would not work the way the plan is, and that is why they are requesting the variance for each side. Mr. Mitchell asked if he owned the lot when he bought the plans. Mr. Garrett stated they bought the lot and then they looked at plans. Mr. Mitchell stated so you were aware of the lot size and decided on a plan that is not going to fit within the setback requirements. Mr. Garrett replied that they did not know the setbacks were 15', they thought they were 10'. Mr. Mitchell asked if they had an alternative house plan. Mr. Garrett replied they do not. Mr. Mitchell stated that there seems to be a good bit of concern from the neighbors and asked if he had talked to any of them about the setbacks and changes. Mr. Garrett stated that he talked with both of the neighbors prior to this meeting about where the house would be on each side. He stated initially he did not get any comments and then a month later, they had opposition from the Harris'. Mr. Mitchell stated that it seems he has the biggest lot in that neighborhood. Mr. Cromer stated that it looks like most of the houses are well within the 15' setbacks, that he saw, this would be an exception to what he saw. Mr. Garrett stated that his house is not the only one that has buildings permanent or temporary that are over the 15' line. Mr. Clark asked if he could give them one. Mr. Garrett stated the Harris' has property that is over the 15' line. Mr. Cromer asked if these were a residence or outbuildings. Mr. Garrett replied outbuildings. Mr. Clark stated they are talking about a



residence not a building. Mr. Mitchell stated there are different rules for setbacks, depending on size and Crisp County has not always had 15' setbacks and a lot of these are historically grandfathered in. Mr. Mitchell asked Mr. Garrett if he had a footprint plan of the house in relation to the lot. Mr. Garrett replied no. Mr. Cromer asked Mr. Garrett if he had any more questions or comments. Mr. Garrett replied no. Mr. Cromer asked if the Harris' were there and did they want to speak to the request. Mr. Harris stated they complied to the setbacks when they built their house, and feel the Garretts' should also, he stated they have at least a lot and a half or maybe more, compared to others. He stated they feel it would devalue their property to have a house basically just sitting on the line. Ms. Harris stated they were located east of the Garrett's' property. she stated they did stake their house out at 10' and she told Cara that the setbacks were 15' when they built their house and she was not aware of the change, she stated that Cara was adamant that it was 10' and feels like they should adhere to it. Mr. Cromer asked if their main concern is that this is not consistent with their way of doing things. Ms. Harris replied yes and she feels like there won't be enough space in between them and she will feel closed in. Ms. Harris stated she didn't say anything to them when they spoke to them about the setbacks, she felt like when they found out they were 15', they would adhere to the rules. Ms. Youngblood stated that James Traylor at 297 N. Cedar Creek Road called with opposition to the request. At this time, Mr. Cromer asked if there were any further questions or comments. There were none.

### MEETING

After discussion, Mr. Cromer asked for a motion on the request. A motion was made by Dale Mitchell, with a second by J.C. Clark to deny the requests to reduce both side yard setbacks from the required 15' to 10' for the purpose of constructing a new residence. Property located at 303 N. Cedar Creek Road and is zoned RS2 (Single Family Residential). Vote carried 3-0 unanimously.

### PUBLIC HEARING

Request from Ed and Beth Collier for a variance to reduce the required 15' side yard setback to 2' on the east side property line for the purpose of adding a 24x14 (336 sq. ft.) bedroom/bathroom and a 23x8 (184 sq. ft.) porch addition to the existing structure. Property is located at 115 Smoak Bridge Circle and is zoned RS1 (Single Family Residential).

Mr. Collier was present and spoke on behalf of the request. Mr. Collier told the board that he and his wife purchased the property not quite 2 years ago. He stated it is the first road off of Arabi Warwick Road. He stated that when they purchased it, it had 2 bedrooms and a 2 car carport, metal roof, open air and they had approached Ms. Youngblood about enclosing it and making it a guest house with a bath. They were told, that under the current zoning regulations, they did not meet the criteria for a guest house and it has to be a minimum of one acre. He also stated it is not anything that he can even ask for a variance on, based on the regulations. Mr. Collier stated they are now going to plan B, and that is to add on to the east side of the home. He stated that his neighbor to the east is Mark Mobley, and they have known each other for at least 35 years. He stated he reached out to Mark and even though their homes are fairly close together, there is a lot of natural vegetation there and they don't even have good sight lines to each other's property as far as seeing each other's. He let Mark know about their game plan for adding on and he stated that he had no objection to the



request and he subsequently emailed him and asked him to put it in writing and he responded with an email saying he had no objection to it at all. He stated it is an unusual situation and he thought about adding on to an area that shows on the diagram of an open porch, but the more he looked, he kept seeing this capstone on his brick patio and they pulled it up and discovered it is his septic tank and the brick patio covers the septic tank. He stated they met with an architect and tried to come up with an alternative that would work, so the game plan is to actually add to the existing open air front porch, they want to bring it out a little bit and have it covered with screen and then add the addition of the bedroom and bathroom. Mr. Mitchell stated so that would bring you down to 2' from the property line and your neighbor is comfortable with that. Mr. Collier replied correct and he does have an email confirming that. He stated he did not anticipate problems like he mentioned earlier and he doesn't even know they are there, there is the vegetation and a lot of tall trees between the lots. Mr. Mitchell asked if he was going to have to take some of that down. Mr. Collier stated that he has already taken down a small dogwood that was on his side and that is it. At this time, Mr. Cromer asked if there were any further comments or questions. Ms. Peavy asked about the fire department, Mr. Collier stated that he does have a fire plug right there on the road, he stated that he guesses this would be a "grandfathered" lot or a nonconforming lot that doesn't meet the current code. At this time, Mr. Cromer asked if there was anyone present that wanted to speak on behalf of the request. There were none.

### MEETING

After discussion, Mr. Cromer asked for a motion. Mr. Mitchell stated that based on the cooperation of the next door neighbor, he would make a motion to **approve** the east side yard setback variance from the required 15' to 2', for the purpose of an addition, with a second by Wendy Peavy. Vote carried unanimously 3-0. Property is located at 115 Smoak Bridge Circle and is zoned RS1 (Single Family Residential).

### PUBLIC HEARING

Request from Blackshear Real Property, LLC for the following variances for the purpose of a liquor store: 1) variance from the required 14' wide drive-thru (one way traffic) to 10'; 2) variances from the required parking requirements; a) reduce the required number of parking spaces from 5 to 3; b) variance to reduce the required parking lot standards from an asphalt/concrete surface to a crush and run surface for the area of the drive-thru; 3) reduce the required 10' sign setback from the right of way of Ga. Hwy. 300 S. to 0' for the placement of the principal freestanding sign; 4) variance to increase the maximum sign face area of a mural (building sign) from the required 18 sq. ft. to 60 sq. ft. on the side of the building that faces Arabi-Warwick Road. Property is zoned GC (General Commercial) and is located at 2453 Ga. Hwy. 300. S.

Wade Hill was present and spoke on behalf of the request. He told the board that he grew up in Cordele and lived at the lake and had always wanted to put a liquor store in the area, he stated that overtime the lake has continued to get more people living there full time and there is not a liquor store within 15 miles. He told the board that in addition to that, on the other side you have a dry county - so you have a dry county, with no liquor store on this side and then the only liquor stores are in town. He stated they have been looking for years to find a building that would suit that and what came up was a building that used to be a liquor store, so this building that they purchased was a liquor store some decades ago. Mr. Cromer asked if this building



was currently a real estate office, Mr. Hill replied it was, but they moved across the street, north of Arabi-Warwick Road. Mr. Hill stated that what they found, is that a lot of things that allowed this to be a liquor store were grandfathered in and no longer in the code. He stated they found some of this out very late in the process and the main one was the row off of Arabi Warwick Road goes all the way to the building. So, the setback is literally in the middle of the building. Their first variance has to do with drive-thru – they feel a drive-thru is very important for the flow of traffic, for ease for people on the way home and so the initial drive-thru was going to be on Arabi Warwick Road side, to where it was when it was previously a liquor store. He stated they worked around to move it to the south side of the building, put in a window, and close the existing window to be able to do that, he stated the issue is, when they move to the south side, there is a small storage building out back that is 15' from the corner of the building to building, he stated they got their contractor out to look at it and based off of that – to make the drive-thru work on the south side, you would have to have a 10' drive-thru with about a 4' gradual run off for water drainage, and then they could put 2 poles up to protect both buildings that would be 15' apart, but the drive-thru itself (the flat part) would need to be about 10'. Whitney Brown, co-owner of the liquor store, stated that the storage building is a nice size storage shed. Mr. Hill stated they looked at knocking it down, based off the size of their building, and state liquor codes will not allow closets and areas inside of the store that you can't see, and to open things like that up they are losing spaces such as storage for vacuum cleaners and things like that, that they need for extra storage. Mr. Cromer asked the square footage of the building, Mr. Hill replied, right under a 1000 sq. ft. Mr. Clark asked if he was coming down 300 and took a left where would the drive-thru be. Mr. Hill told him that if you are looking at the building from 300 – it will be on the right side and it was traditionally on the left side, but that is now in the row. Mr. Hill stated that the new location for the drive-thru actually works out better as far as traffic in and out is concerned, and by exiting on Arabi Warwick Road feels like that is a safer alternative to exit. Mr. Hill stated the second variance is the sign, and by following code it would put the sign right in the middle of the parking lot. He stated they had DOT out to approve the location of where they are wanting to put the sign, he stated it was determined that the new location is not in the sight line of traffic, he stated there is a grassy spot right off of 300 where they want to place the sign, which is on the edge of the parking lot, not in the row and not in the sight line. Mr. Hill stated as far as the parking, there are actually 8-10 parking spaces now, but some of them are in the row, the entire left side of the building is in the setback. He stated that once they put the drive thru on the right side of the building and have legal parking spaces and to fit code and have a handicap parking, plus additional parking all of them will have to be on the right in the front of the middle of the building and the main amount that they can get it from is 5 to 3, he stated they think that a large consumer base is going to use the drive-thru. The only other place they could put a parking spot would be more towards 300, closer to the sign, or they would have to do some sort of asphalt, concrete, crush and run surface area in the back of the building and then you would have to walk around, again, the drive-thru is coming that way and in our opinion that would cause caution. Mr. Cromer asked where the employee parking would be. Mr. Hill stated there is space over to the right, which is further from the building. Ms. Peavy stated that the right side still looks like a tight area. Mr. Hill stated it feels tighter, but once you put the sign in the middle that takes away half of your parking lot, he stated there is not a sign there now so it looks wide open. Ms. Brown stated that she did park her Suburban in the far left space and you can still drive around it, so there seems to be plenty of room, she also stated that by coming off of 300, it is a straight shot from the turning lane, there is an existing driveway that you would pull straight in and go on that side of the building and circle back around easily. Mr. Hill told the board in reference to their proposed plan of signage,

they want to have the front freestanding sign; there will be a small sign on the front of the building that will match that sign; he stated they would like to get a local artist to paint their sign/mural on the wall where the previous drive thru was. They think it would aesthetically be neat to have something on that side, but when you look at the square foot of the wall, an 18' mural would be like a 4'x4' and their goal is to do a 10x6, which will increase that sign on that side of the wall. Ms. Brown stated that their liquor store will be called Blackshear Beverage and the mural would be their logo painted on the wall. She stated their logo is the locking double Bs. Mr. Cromer asked when did they plan to open. Mr. Hill replied within a month or month and a half. Ms. Hill stated the county's license were approved in December and they could not get the license until they made it through this hurdle, and they hope to be open by Memorial Day. Mr. Clark stated that Chief Postell sent a letter stating that the crush and run surface would be fine, Mr. Clark stated that he felt like over a period of time, you know you will probably have to resurface it. Mr. Hill replied that their goal long term is to asphalt it. At this time, Mr. Cromer asked if there were any further comments. There were none.

### MEETING

After discussion, Mr. Cromer asked for a motion. A motion was made by Dale Mitchell to approve all the variances as presented, with a second by J.C. Clark. Carried unanimously 3-0. Property is located at 2453 Ga. Hwy. 300 S and is zoned GC (General Commercial).

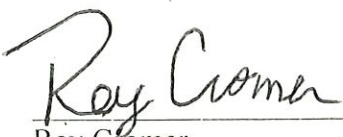
### NEW BUSINESS


Ms. Youngblood reminded the members of the called meeting on Thursday, March 25th at 10:00 a.m.

### OLD BUSINESS

None.

### Adjourn

  
Ray Cromer  
Chairman

  
Connie Youngblood  
Secretary