

ZBOA MINUTES
CRISP COUNTY ZONING BOARD OF APPEALS
MEETING
August 17, 2021

The Crisp County Zoning Board of Appeals met at a regular meeting on the 17th day of August, 2021 at 9:00 a.m. in the Crisp County Government Center. The following members were present: Ray Cromer, J.C. Clark, Dale Mitchell, Lucky Taylor and Wendy Peavy. Also present, Crisp County Planning Director, Connie Youngblood and Building Inspector Jimmy Mumphery.

Visitors present: Dr. Hewatt Sims, Frank & Frances Harris, Cara Hewett and James Garrett.

Chairman Ray Cromer called the meeting to order.

MINUTES

Chairman asked for a motion on the minutes of July 20, 2021. A motion to approve the minutes was made by Lucky Taylor with a second by J.C. Clark. Motion carried 4-0 unanimously.

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

PUBLIC HEARING

Request from Hewatt McGraw Sims for a variance to locate an 18x24 (432 sq. ft.) storage building in the front yard. Property is zoned RS2 (Single Family Residential) and is located at 548 Lakeshore Drive.

Dr. Sims was present and spoke on behalf of the request. Dr. Sims told the Board that he had inherited the cabin in January from his father. He told the board that there is an existing storage facility there now that is middle of the yard, and is bright red and sticks out as a sore thumb and the wood is beginning to rot, so that is why he is asking for this request.

If approved, he wants to remove the existing building and build a small garage up in the top corner of the lot by the house. He told the board that the corner of the lot is very shaded and covered by growth which provides a barrier for the proposed garage and it would be the color of camouflage green and brown, he told the board that by reading the guidelines for the flood area, he would satisfy all the criteria, provided the request is approved by this board. He stated that from the lake side you would not be able to even see the garage as you do the existing one, nor would it be visible from the road, and he can maintain the 15' side yard setback from the side property line and be out of the floodplain area.

Dr. Sims showed the board pictures of the shed he is removing and pictures of the location of where he wants to place the new one.

Mr. Cromer asked if the neighbors were ok with this request. Dr. Sims replied that they had not talked with the neighbors about it and they knew the neighbors real well, and would make the piece of property that faces their house better, and they are in the process of planting ligustrums on the side of the property which will make a nice border.

Ms. Youngblood stated there had been no objection to the request.

At this time, Mr. Cromer asked if there were any further comments. There were none.

DISCUSSION & VOTE: A motion was made by Wendy Peavy, with a second by Dale Mitchell to approve the request for a variance to locate an 18x24 (432 sq. ft.) storage building in the front yard as presented by Dr. Sims. Mr. Cromer stated that by looking at the guidelines they go by when making decisions, they are all favorable in support of the request. Vote carried 4-0 unanimously.

PUBLIC HEARING

Request from James Garrett for a variance to reduce the required 15' side yard property line setbacks to 11' on the east and west side (both sides) for the purpose of constructing a new residence. Property is zoned RS2 (Single Family Residential) and is located at 303 N. Cedar Creek Road.

Mr. Garrett was present and spoke on behalf of the request. Mr. Garrett showed the board photos of the property when he first purchased it that showed a run down, dilapidated house. They talked about trying to rehab the structure and the deeper they got in to the renovations, the worse it got, and that's when they made the decision to demolish the house.

Mr. Garrett told the board that the house they wanted to build is 74' wide, so they are asking for a variance of 4' on each side (15' to 11'). Mr. Garrett stated they also had a letter from their adjacent neighbors, the Dowdy's with no objection to the request and stated they did not think it would have a negative impact on their property, but would increase the value. Mr. Garrett also had a letter from Cheryl Mason, local realtor, which states in her opinion, that the requested 11' variance, for their proposed house, would not negatively impact any other property in the area.

Mr. Garrett stated that Cara had done a lot of research on the planning and zoning board of the last many years and the most notable one was approved in 2017 on a lot that is even wider than their lot, and they requested a variance on each side from 15' to 10', and was approved. She stated they went through all of the process they needed to and were incorrect on the required setbacks of 15'. She stated there were 20 other similar requests that were approved with opposition from adjoining neighbors.

Mr. Garrett showed the members photos of the Harris' property from his property line to a concrete barrier on their property which is only 11' among other items that did not meet the required setbacks, which in his opinion, the view is degrading from their property.

Mr. Garrett stated when they cleared their property, they cleared out everything, so everyone has a view of the lake.

Mr. Garrett also told the board that the Harris' well was too close to their property line, they are having to locate their septic tank in the front yard. He stated this is on and on, where they are infringed because of what the neighbors have done in the past.

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Mr. Taylor asked Mr. Garrett if any of the stuff shown in the pictures are yours. Mr. Garrett replied no.

Mr. Mitchell asked if the Harris' were on county water. Ms. Harris replied no, there was a well on the property when they purchased it and that is what they use and their septic tank is in the front yard and they have a pump to pump up hill.

Mr. Garrett showed the members a photo of the house they plan to build on the property and would like to complete the house all at one time and not come back and ask for additional variances.

Mr. Cromer asked if there were others that wanted to speak on the request. Mr. and Mrs. Frank Harris were present and are adjacent property owners. Ms. Harris told the board that they had been on the property since 1991 and they do have a lot of junk back there and they are in the process of cleaning it up. Ms. Harris stated that she thought they were in compliance with everything they had done on their lot. She stated there was 16 or 17' between their house and the property line. Mr. Cromer asked if their lot was wider than the Garrett's. She stated their lot is 80' wide and the Garrett's lot is 95'. Ms. Harris stated that Cara had shown her picture of the house they plan to build and it is a fantastic house. She stated if there is a 15' setback for houses, then she thinks they should maintain the 15' on her side, if they want to take the 15' on the Dowdy's side that is fine with her, but she would like for them to maintain the 15' between her house and their house.

Mr. Taylor stated so, I heard you to say that is was a nice looking house and you think it would improve the value of the area. Ms. Harris stated, she said it was a nice looking house but did not say it would improve the value of the area. She stated it would improve their lot.

Mr. Clark asked the Harris' if any of the pictures that were presented is part of your junk. Mr. Harris replied yes. Ms. Harris stated that she was looking forward to having good neighbors and they did start out as good neighbors and they welcomed them into the neighborhood, she stated they had a camper parked on their property and they had to move it according to the county, and since they were going to use it for the office while they were building, they allowed them to put it in their yard for about 3-4 months, and after she told Cara that she was opposed to the variance, they moved it one morning about 9:00 and never said a word to them about it. She further stated, that as far as she is concerned, they have a right to build the house, but it should adhere to the setbacks. She stated that she could live with or ignore any neighbor, but they just needed to leave her alone.

Mr. Cromer stated that this board is not family court, so they will just need to work that out among yourselves.

At this point, Mr. Cromer asked if there were any additional comments.

Mr. Taylor asked Mr. Garrett if the enclosed garage he mentioned is already shown in the plan. Mr. Garrett replied yes.

Mr. Cromer stated that the hearing portion of the meeting was adjourned and now they would go into discussion.

DISCUSSION

Mr. Taylor stated that the Garrett's' had previously asked for a variance to 10' and that was denied and now they have come back and asked for 11', and he feels that is a little give and take on their part, he stated that his discussion part of it is that they meet the criteria guidelines for a special exception and he doesn't see where their request would violate any of those rules.

Mr. Cromer read aloud the criteria in which the board considers when making decisions, and if there were no more discussion he would ask for a motion.

VOTE: A motion was made by Dale Mitchell, with a second by J.C. Clark to allow the variance request from Mr. James Garrett to reduce the required 15' side yard setback to 11' on both sides of the property lines. Property is located at 303 N. Cedar Creek Road and is zoned RS2 (Single Family Residential).


Old Business

None.

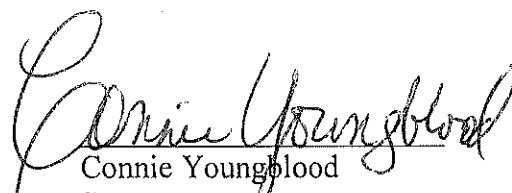
New Business

None.

Adjourn



Ray Cromer
Chairman



Connie Youngblood
Secretary