

1. Call To Order

2. Roll Call

3. Approval Of Minutes

3.I. 5:30 PM BOA Minutes May 2020

Documents:

[BOA MINUTES MAY 2020.PDF](#)

4. Business Session

5. Hearing Procedures

6. Requests

6.I. 5:30 PM V-20-06-01 Amanda Lloyd Variance Five Points Road

Documents:

[V-20-06-01 AMANDA LLOYD VARIANCE STAFF REPORT.PDF](#)
[V-20-06-01 AMANDA LLOYD VARIANCE APPLICATION.PDF](#)

7. Adjournment

Carroll County Community Development Board of Appeals
Minutes of Meeting
Thursday, May 7, 2020
423 College Street, Carrollton, GA 30117

I. Call to Order. Chairperson Patricia Whatley called the meeting to order at 5:30 p.m.

II. Roll Call. The County Planner called the roll. Present: Chairperson Patricia Whatley, Vice Chairman Lee Sundberg, Commissioners Karen Curtis, Peggy Irwin, Ryan Sammon, and Bruce Kirby. Absent: Commissioner Steve Hightower.

III. Minutes (February 6, 2020). Unanimously approved on a motion by Commissioner Curtis and seconded by Commissioner Irwin.

IV. Business Session. The County Planner reviewed procedures for Administrative Variances and stated that these would be brought to the Board periodically.

V. Hearing Procedure. Chairperson Sundberg read the Hearing Procedures, copies of which were available and made part of the Minutes by reference.

VI. Requests:

V-20-04-02: Intra-Family Transfer Variance, zoned Agricultural, to split approximately one acre from a 2.66 acre tract. The property is located at 597 Tyus Carrollton Road, Parcel #078-0029, Land Lot 59 of the 10th District. Owner/Applicant: Jane N. Taylor. Commission District 4.

The applicant spoke in favor of the request. She stated that they wanted to give their daughter one acre of land. The daughter is a single mom. The driveway would be off of Old Camp Church Road. It is already a circular driveway. There is plenty of room for a separate driveway if needed. The daughter plans to build a 1,500 sf home. Motion to approve was made by Commissioner Irwin and seconded by Vice Chairman Sundberg and approved unanimously.

V-20-04-03: Intra-Family Transfer Variance, zoned Agricultural, to split approximately 1.5 acres from a 7.87 acre tract. The property is located at 1550 Oak Grove Road, Parcel #105-0217, Land Lot 20 of the 6th District. Owner/Applicant: Stephen R. Blalock. Commission District 3.

The applicant spoke in favor of the request. He stated that he had had cancer and wanted to split 1.5 acres for his son to live nearby. Commissioner Irwin asked if it would be a traditional home or a mobile home and the applicant stated he was unsure at this time. Commissioner Curtis asked if there had ever been a home on the property and applicant stated that there had previously been a home at that site which burned in about 1980. Commissioner Curtis motioned to approve and Commission Sammon seconded. The vote to approve was unanimous.

V-20-04-04: Intra-Family Transfer Variance, zoned Agricultural, to split approximately 1.4 acres from a 76.44 acre tract. The property is located at 911 Ledbetter Road, Parcel #186-0136, Land Lot 240 of the 2nd District. Owner: Juanita and Richard Matthews. Applicant: Cynthia Matthews Daley. Commission District 2.

Cynthia Dailey spoke in favor of the request. She stated that the property was split by a deed under a Will and has been occupied by a renter in the past. The property is 1.2 acres. However, now the nephew wishes to purchase the property and remodel it. In order to obtain a building permit, a variance is required.

Commissioner Kirby inquired about what work would be done and Ms. Daley stated that it would just be remodeling to bring it up to current building code. Commissioner Curtis asked if there were other homes on this property and the applicant stated there is not. Commissioner Curtis also asked about the septic tank and Ms. Daley stated that the septic tank is already there. The motion to approve was made by Commissioner Irwin and the second was made by Commissioner Curtis. The vote to approve was unanimous.

V-20-04-05: Variance, zoned Agricultural, to allow a home to be constructed on less than four acres of property. The property is 0.92 acres and is located on Wayside Road, Parcel #156-0058, Land Lot 106 of the 5th District. Owner: Garland Capps. Applicant: Crystal Marshall. Commission District 4.

The applicant spoke in favor of her request. She stated that she wants to get a building permit for land under contract and the property is less than four acres. Commissioner Kirby asked what size of dwelling and the applicant stated it would be 1,200 sf.

Walter Ray Tucker of 57 1 Wayside Road spoke in opposition. He stated that he lives adjacent and purchased his property from the same owner. He stated that he was able to build his house because he kept it in the same footprint of the original home on the property. He stated he knew about the four acre rule and that is what was appealing to him about his property. He felt he would have some privacy because no one would be allowed to build there.

Richard Walton of 619 Wayside Road also spoke in opposition. He stated that when he bought his property, he did not want to live in a subdivision. He said had heard that the applicant was going to run a business out of the property.

Ms. Marshall spoke in rebuttal and said she currently operates a home-based business in which she makes soap and bath bombs. She is an artist and sells on the internet. She wants a beautiful and quiet setting and her mom and younger sister will be moving with her. She currently lives in the city and wants to have a quiet life.

Commissioner Irwin made a motion to deny and Commissioner Sundberg seconded. The vote to deny was 5-0 with one Commissioner abstaining.

V-20-04-06: Intra-Family Transfer Variance, zoned Agricultural, to split approximately one area from a 4.05 acre tract. The property is located at 258 Bear Creek Road, Parcel #074-0282, Land Lot 187 of the 10th District. Owner/Applicant: Loyce and Robin Meadows. Commission District 6.

Robin Meadows spoke in favor of the request. She stated that her husband's sister is 83 years old. They want to build her a home that is comparable and will blend in with theirs. She said the sister's 60 year old daughter is blind and will also live with her and they are in need.

Commissioner Curtis asked about the location of the home. The applicant stated that their property is on the corner and they would have a side driveway on Virginia Trail for the proposed

home. She said there are three chicken houses across the road so she is not sure why this home would diminish property values. She said one acre of land is in the water and the land itself is pretty open. She said they moved there February of 2019. They had water issues so they had to spend a lot of money on redoing the landscaping.

Commissioner Sundberg asked about the size of the lake and how many houses are on the lake. The applicant stated that the lake is about seven acres and there are four houses on it. She said her husband is 1 of 3 children and the sister is the only relative remaining.

Sheila and Steve Moore of 348 Bear Creek Road spoke in opposition. They stated that the ordinance required four acres and they do not want to see the property split up. They presented a copy of deed restrictions that prohibit the properties in this area from being subdivided.

Bobby Reeves spoke in opposition and stated that he does not want to change the character of the neighborhood, which is that of large lots.

Steven Gregory Vick spoke in opposition and stated that the applicants already had a suite in their home for the sister and did not understand why they needed another home.

In rebuttal, Robin Meadows stated that they would be building an 1,800 sf home and it would look good. She stated they had done a lot of work since they purchased the home.

Commissioner Sundberg made a motion to deny and Commissioner Curtis seconded. The vote to deny was 5-0 with 1 abstaining.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Patricia Whatley, Chairperson



Carroll County
Department of Community Development

423 College Street – P.O. Box 338
Carrollton, Georgia 30117
(770) 830-5861

Janet Hyde
County Planner

V-20-06-01

COMMISSION DISTRICT: 3
COUNTY COMMISSIONER:

PUBLIC HEARING DATES

BOARD OF APPEALS: May 7, 2020

REQUEST: Variance in order to obtain a building permit on property that was previously split by a deed.

Owner/Applicant: Amanda Lloyd
Acres: 3.15
Location: Five Points Road
Parcel Number(s): 037-0011

Current Land Use: Residential
Future Land Use: Agricultural

PROJECT DESCRIPTION: The applicant is requesting a variance to obtain a building permit for a residence. The applicant has owned the property since 2018, but it was split in 2013 by a previous owner. The property was split by a deed and does not meet the minimum of four acres required by agricultural zoning, so a building permit could not be obtained without a variance being granted.

Surrounding Properties:

	Current Zoning	Land Use
North	Agricultural	Residential
East	Agricultural	Residential
South	Agricultural	Residential
West	Agricultural	Residential

REVIEW CRITERIA AND STANDARDS FOR CONSIDERING AREA VARIANCES:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property.

There are no physical circumstances or conditions peculiar to the particular property.

B. That denying the variance would impose an unnecessary hardship due to such conditions.

Denying the variance would impose a hardship due to the inability of the applicant to obtain a building permit.

C. That the variance, if authorized, will not alter the essential character of the neighborhood or locality in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent properties, nor be detrimental to the public welfare.

The variance would not alter the essential character of the neighborhood nor substantially impair the appropriate use or development of adjacent properties.

D. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The variance, if authorized, represents the minimum variance that will afford relief.

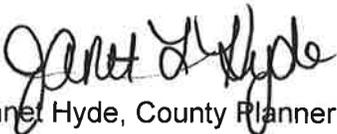
STAFF COMMENTS: The applicant is requesting a variance to obtain a building permit for a residence. The applicant has owned the property since 2018, but it was split in 2013 by a previous owner. The property was split by a deed and does not meet the minimum of four acres required by agricultural zoning, so a building permit could not be obtained without a variance being granted. The applicant is planning to construct a 1,831 sf single family home.

The property is not within the 100-year flood plain or within probable wetland. Traffic generation for single family residences is 10 trips per day average. There are several other small tracts of land (less than four acres) in close proximity to the subject property.

STAFF RECOMMENDATION: Approval.

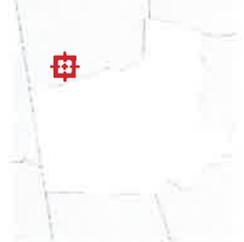
PUBLIC NOTIFICATIONS: As required by Sections 14.3 and 14.4 of the Carroll County Zoning Ordinance, the public has been notified in the *Times-Georgian* on May 19, 2020; a sign was posted on the subject property, and all abutting property owners were notified the rezoning request via U.S. mail.

Respectfully submitted,


Janet Hyde, County Planner



Overview



Legend

-  Parcels
-  Address Numbers
-  Roads
-  Streams and River (Large)
-  Lakes
-  Parcels Split 2020

Parcel ID	037 0011	Owner	LLOYD AMANDA HOPE	Last 2 Sales			
Class Code	Residential		2510 BREMEN MT ZION RD	Date	Price	Reason	Qual
Taxing District	COUNTY		BREMEN GA 30110	5/23/2018	0	PB	U
	COUNTY	Physical Address	FIVE POINTS RD	1/16/2018	\$15000	SX	U
Acres	3.15	Assessed Value	Value \$15000				

(Note: Not to be used on legal documents)

Date created: 6/2/2020
 Last Data Uploaded: 6/2/2020 12:17:43 AM

Developed by  Schneider
 GEOSPATIAL

Application: V-20-06-01

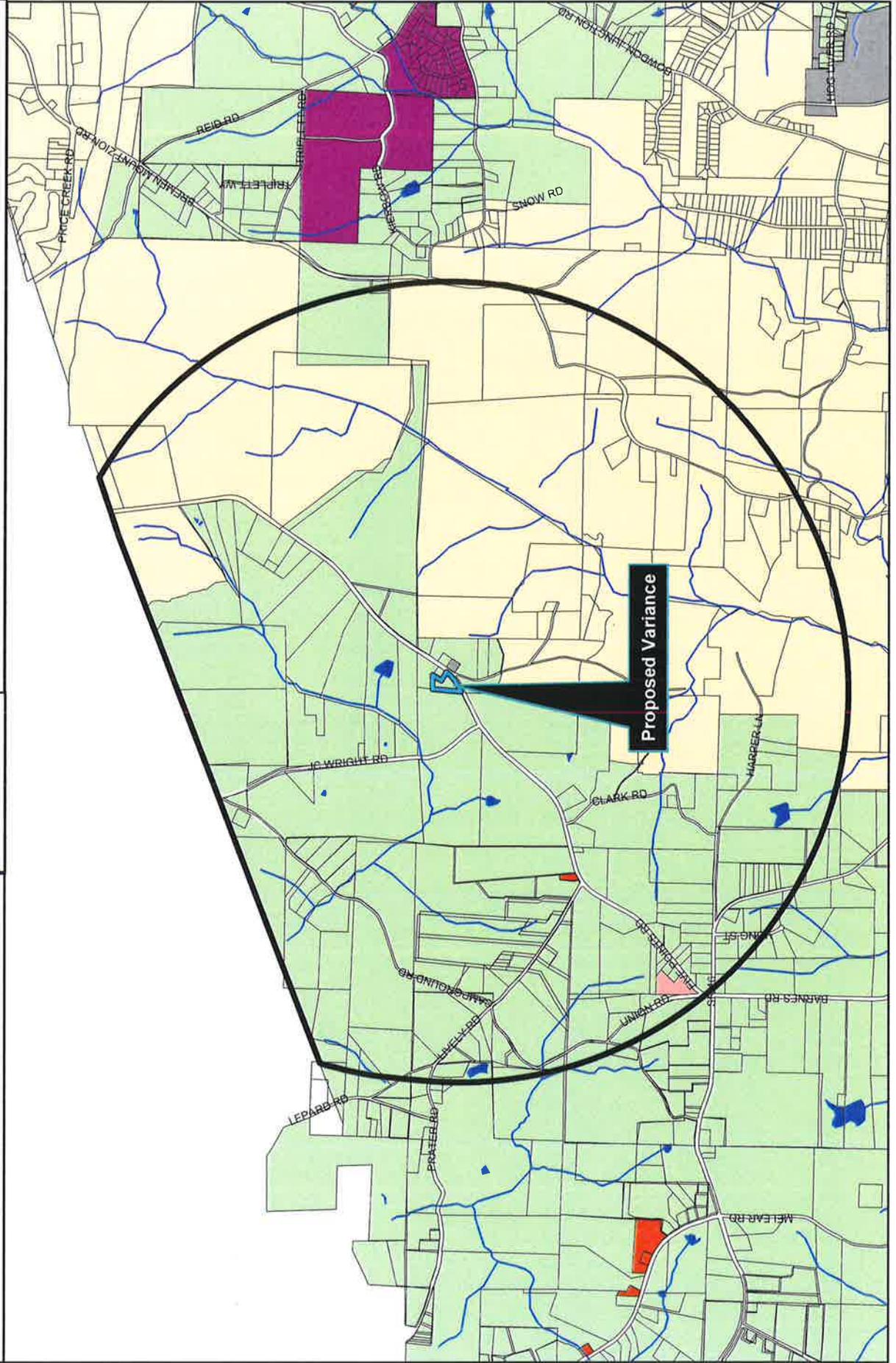
Owner/Applicant: Amanda Lloyd.
 Variance for Single Family Home
 Five Points Road,
 Parcel #037-0011,



- 1.5 Mile Radius
- Municipal
- Bodies of Water
- A - Agriculture (4 ac min.)
- C - Commercial

- I - Industrial
- TP - Technology Park
- OI - Office and Institutional
- HDDR - High Density Detached Residential
- MFR - Multi-Family Residential

- MHS - Manufactured Home Subdivision
- PUD - Planned Unit Development
- R1 - Single Family Home (3 ac min.)
- R2 - Single Family Home (1 ac min.)
- R3 - Single Family Home (0.5 ac min.)
- R30 - Single Family Home (0.75 ac min.)

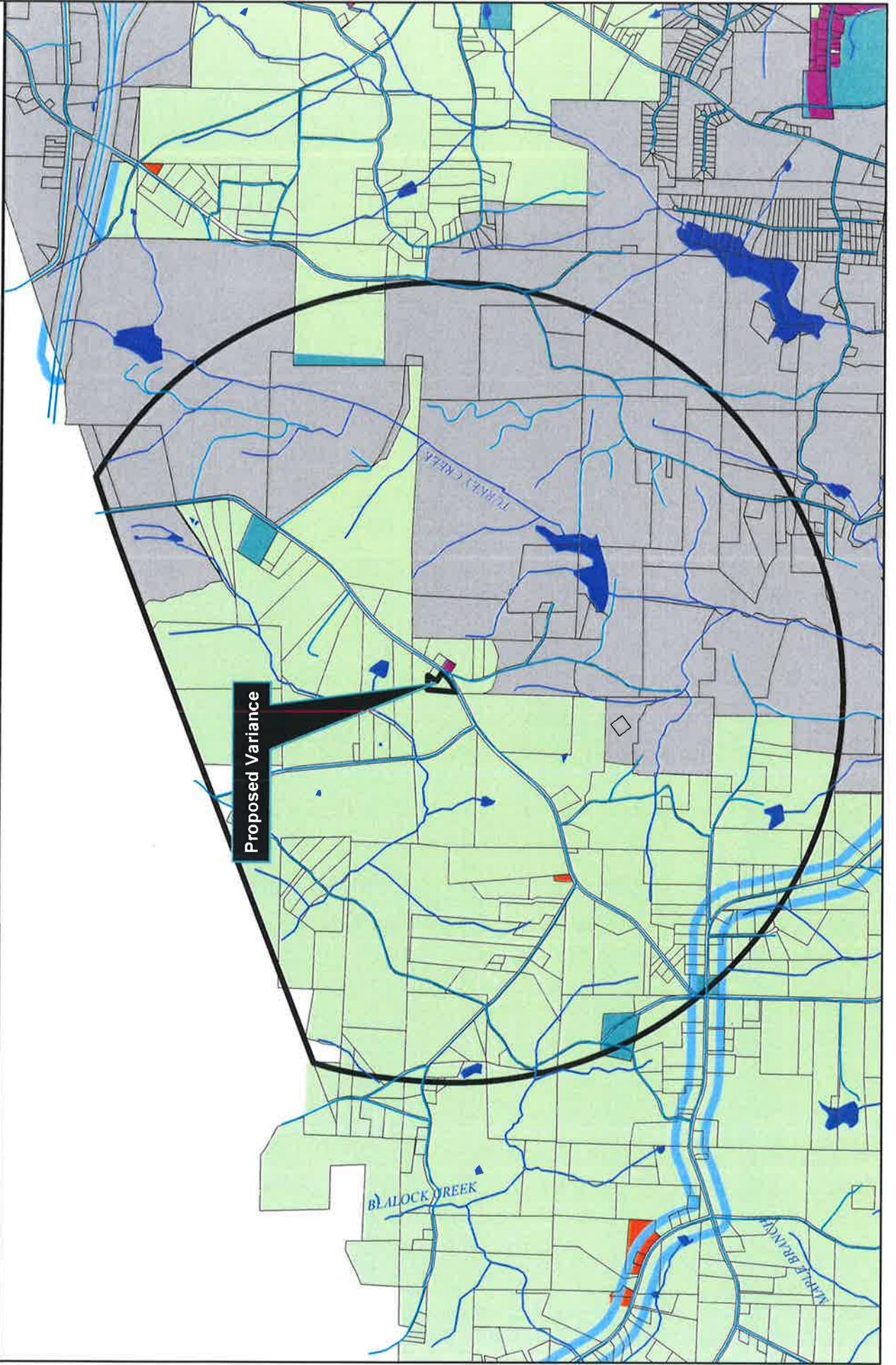


V-20-06-01

Future Land Use : Agriculture

CDP: No

- Primary
- Secondary
- Agriculture
- Commercial
- Industrial
- Park/Rec/Con
- Public/Instituti
- Residential
- Trans/Comm/Util



jhylde@carrollcountyga.com



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

APPLICATION FOR A VARIANCE

Date Received: 5-15-20
Received by: jlh

Application must be filed by noon on the 1st Thursday of the month to go on the next month's agenda. No exceptions.

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed.

APPLICANT

Applicant Name: Amanda Lloyd
Address: 2510 Bremen mountain zion Rd. City: Bremen State: GA Zip: 30110
Phone: (770) 639-5682 Fax: () - - Email: lloydshabie@yahoo.com

Agent Name: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: () - - Fax: () - - Email: _____

Owner Name (If different from applicant): _____
Address: _____
Phone: () - - Fax: () - -

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

VARIANCE

Project Name: Building an 1831 square ft home
Variance Location (attach location map): Five Points Rd

Proposed Use: (If residential, residence must be at least 1,230 square feet) 1831 square ft.

Total acreage: 3.15, parcel number 0370011

Describe Proposed Variance:

Deeded owner to land with parcel number 0370011, asking for permission to build an 1831 square ft single family home.

Staff Use Only

Land Lot 329 of the 7th District, Carroll County

Tax Map 037 Parcel 0011



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Describe how the proposed Variance will affect:

Traffic: no added traffic issue.
will be a drive way

Parking: NA

Availability of Public Facilities/Utilities:

will be county water and septic tank

Other Relevant Impacts of the Proposal:

NA

Describe how the proposed Variance will be a benefit to the public.

Increase property value

Required materials to accompany the application:

1. Completed application and the fee.
2. Copy of deed, lease, option agreement, or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
3. All required items listed in the **Submitted Requirements** checklist.

Return form to:

Janet Hyde, County Planner
423 College Street, Room 503
Carrollton, GA 30117

For Department Use Only

Application No.: V-20-06-01
Filing Fee: \$ 6150
Pre-application Conf.: 5-12-20
Date advertised: 5-19-20
Date Notices Sent: 5-19-20
BOA Public Hearing Date: 6-4-20
Disposition: _____
Decision Letter Sent: _____



Carroll County Department of Community Development

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Variance Application

Submittal Requirements

Case No: _____

Date of Application: 5/12/20

A pre-application conference with staff must take place prior to the submittal of a variance application.

An application **MUST** have the following to be accepted:

1. Copy of the deed of the property.
2. Names and addresses of all property owner(s) who have property adjoining the tract which has been petitioned to be rezoned.
3. If the property owner and applicant is not the same person, complete the authorization of property owner form.
4. Copy of the proposed development plan (subdivision layout, site plans etc.)
5. Pay non-refundable \$150 filing fee, which has been established by the Board of Commissioners.
6. Completed Parcel Information Sheet filled out by Staff or an official in the Map Room.
7. Current Boundary Survey.

APPLICATION WILL NOT BE PROCESSED IF ANY OF THE ABOVE REQUIREMENTS ARE MISSING.

Return Form to:

*Janet Hyde, County Planner
Department of Community Development
423 College Street
Carrollton, Georgia 30117*



Carroll County Department of Community Development

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PARCEL INFORMATION SHEET
APPLICATION FOR ZONING COMPLIANCE CERTIFICATE
To be filled out by Map Room Personnel in Room #414

DEPARTMENT STAFF/MAP ROOM OFFICIAL:			
MAP:	037	LAND LOT:	
PARCEL:	0011	DISTRICT:	
CURRENT PROPERTY OWNER:			
PROPERTY OWNER AS OF JANUARY 1 ST :		Amanda Lloyd	
APPLICANT (IF DIFFERENT FROM OWNER):			
PROJECT ADDRESS:			
CITY:			
TELEPHONE NUMBER:			
SUBDIVISION:		LOT #:	
ACREAGE:	3.13	PARCEL SPLIT FROM:	
CURRENT ZONING CLASSIFICATION		A	
REQUIRED SETBACKS		FRONT	100'
		SIDE	15'
		REAR	15'
CERTIFICATE OF ZONING COMPLIANCE – CHECKLIST			
<input type="checkbox"/> Owner(s) & Agent (if applicable) <input type="checkbox"/> Legal Description or Adequate Description of Property <input type="checkbox"/> Complete Inventory of Existing Structures (noting uses & non-conforming structures) <input type="checkbox"/> Complete Inventory of Proposed Structures <input type="checkbox"/> Complete Inventory of Existing Uses and/or Activities <input type="checkbox"/> Applicant's Certification			
Signature of County Planner or Designee: Janet L. Hyde		Date: 5-12-20	
Comments: _____			
CDP COMPLIANCE	<input type="checkbox"/> YES	Signature of CDP Administrator or Designee: _____	
	<input type="checkbox"/> NO	Date: _____	
Comments: _____			
PLAT APPROVED	<input type="checkbox"/> YES	Signature of County Engineer or Designee: _____	
	<input type="checkbox"/> NO	Date: _____	
Comments: _____			
APPROVED FOR NEW ADDRESS	<input type="checkbox"/> YES	Signature of County Planner or Designee: _____	
	<input type="checkbox"/> NO	Date: _____	
Comments: _____			



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SKETCH OF PROPERTY

Please check: COMMERCIAL OTHER: Residential

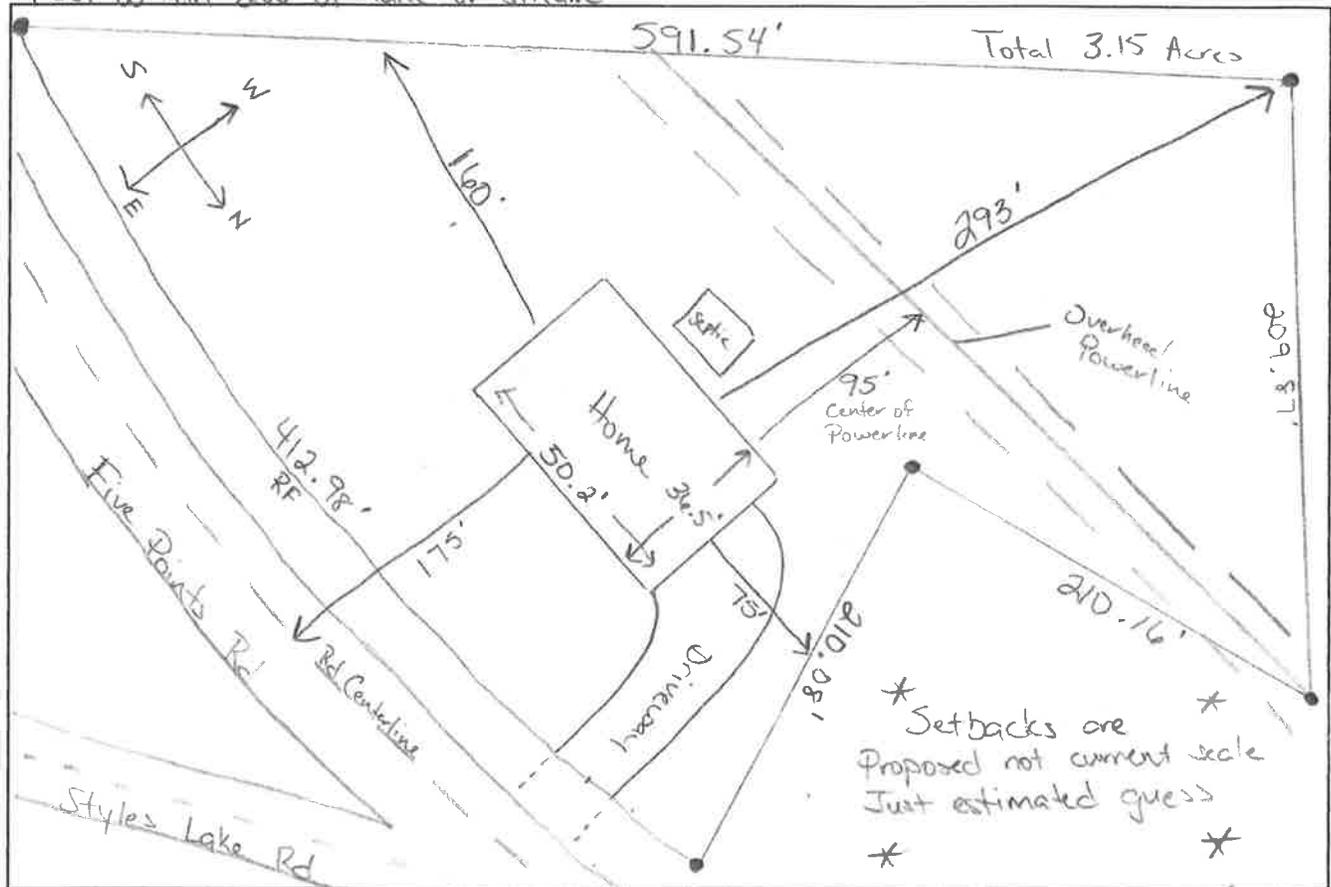
- Provide a sketch of the proposed building location, driveway, septic tank location, and all other structures.
- Show the **dimensions** of the lot and all setbacks from the house and other structures to all property lines.
- The front setback shall always be measured from the centerline of the frontage road(s).
- Show location of any wells, trash pits, and all easements (drainage or utility) located on the property.
- Show distance to nearest stream or lake on property. If not within 200 feet of a stream or lake, please note.

Provide a complete listing of all existing structures that are now on the property: no existing structures

Describe the type of structure that you plan to build: (If residence, must be at least 1,230 sf) 1831 square ft. home
Single family home

Is this a multiple road frontage lot? no

Not within 200' of lake or stream



No Current Structures



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STATE OF GEORGIA
COUNTY OF CARROLL

AFFIDAVIT FOR A VARIANCE APPLICATION

_____, personally appeared before me, the undersigned officer, duly authorized to administer oaths in the State of Georgia and, having been duly sworn, sets forth the following statements for the purpose of being granted approval for a **VARIANCE APPLICATION** under the Ordinances of Carroll County:

The information contained within the application attached hereto and filed in the Department of Community Development consists of facts within my personal knowledge that I know are true and correct, and will be relied upon by officials of Carroll County in making a decision whether to issue this Application, License, Permit, or other Department approval.

On behalf of the Applicant, I declare that the Applicant, regardless if a partnership, corporation, or other organization or entity that is receiving a benefit under this Application, License, Permit, or other Department approval (whichever is applicable) is not delinquent in the payment of any taxes or fees due Carroll County.

FURTHER AFFIANT SAYETH NOT.

I declare under penalty of false swearing that the above is true and correct.

This 12 day of May, 2020.

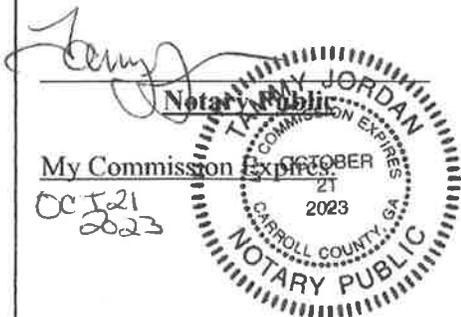
Amanda H. Floyd
AFFIANT (signature)

Address: 2510 Bremen mount zion Rd.
Bremen, GA 30110

Sworn to and subscribed
before me this 12 day
of may, 2020.

If Affiant is authorized to sign on behalf of a partnership, corporation, or other organization or entity, please set forth the entity and address

Entity:
Address:



417340

BK PG

5604 776

PT-61-022-20 18-000127
CARROLL COUNTY, GEORGIA
REAL ESTATE
TRANSFER TAX PAID \$ 15.00
INTANGIBLE TAX PAID \$ —
DATE 1-16-2018

FILED
GA. CARROLL COUNTY
CLERK OF SUPERIOR COURT

18 JAN 16 PM 4: 54

William J. Lee
CLERK OF SUPERIOR COURT
CARROLL COUNTY, GEORGIA

William J. Lee, Clerk of Court

2

PREPARED BY:
PRICE & PYLES, P.C.
Attorneys at Law
120 Dixie Street
Carrollton, Georgia 30117
NTO/NTR- Document Preparation Only

WARRANTY DEED

STATE OF GEORGIA, COUNTY OF CARROLL

THIS INDENTURE, Made this 16th day of **January** in the year **Two Thousand Eighteen (2018)**, between,

JAMES DUPREE

of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called "Grantor", and

AMANDA HOPE LLOYD

as party or parties of the second part, hereinafter called "Grantee" (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns and to include the masculine, feminine or neuter gender where the context requires or permits).

WITNESSETH, that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following:

All that tract or parcel of land lying and being in Land Lot 329 of the 7th District of Carroll County, Georgia and being more particularly described as follows: Beginning on a point of the northwesterly side of Five Points Road at the southeast corner of other property of Grantor herein, said property having been acquired from Jerry Walton by a deed recorded in Deed Book 5251, Page 471, Carroll County, Georgia, Public Records; thence northwesterly along the southwesterly border of Grantor's property 210.00 feet to a point; thence northwesterly 210.00 feet to an iron pin at the northwesterly corner of Grantor's property; thence north 86 degrees 19 minutes 36 seconds west 285.82 feet to an iron pin; thence south 6 degrees 57 minutes 25 seconds west to a point on the northwesterly right of way of Five Points Road; thence northeasterly along said right of way to the POINT OF BEGINNING.

In the year 2018, said property is bears the tax identification number 0370011. This conveyance is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this General Warranty Deed, the day and year above written.

Signed, sealed and delivered
in the presence of:


Unofficial Witness

 (seal)
JAMES DUPREE


Notary Public
My Commission Expires:
(SEAL)



RECORDED

JAN 17 2018

Alan J. Lee, Clerk