

Carroll County Community Development Board of Appeals
Minutes of Meeting
Thursday, August 6, 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: Vice Chairman Lee Sundberg, Commissioners Karen Curtis, Peggy Irwin, Ryan Sammon, and Steve Hightower. Absent: Commissioners Patricia Whatley and Bruce Kirby.
- III. Minutes (June 4, 2020). Unanimously approved on a motion by Commissioner Curtis and seconded by Commissioner Sammon.
- IV. Business Session. There was no business and no administrative variances granted in the past month.
- V. Hearing Procedure. The County Planner read the Hearing Procedures, copies of which were available and made part of the Minutes by reference.
- VI. Requests:

(The Vice Chairman inadvertently called the cases out of sequence.)

V-20-08-01: Intra-Family Transfer Variance, zoned Agricultural, to split approximately one acre from a four acre tract. The property is located at 488 Harlan Lane Road, Parcel #167-0043, Land Lot 227 of the 6th District. Owner/Applicant: David and Elizabeth Bass. Commission District 3.

David Bass spoke in favor of his request. He stated there is a house currently on the property occupied by his father, who has leukemia. He said he wants to build a new home close to his father. He stated they would use the same driveway, but would have a separate septic system.

The variance was approved on a motion by Commissioner Sammon and seconded by Commissioner Irwin. The vote was unanimous.

V-20-06-01: Variance to Construct Single Family Home on 3.15 acres, zoned Agricultural. The property is located on Five Points Road, Parcel #037-0011, Land Lot 329 of the 7th District. Owner/Applicant: Amanda Lloyd. Commission District 6.

The County Planner recapped the case from the June meeting, where it was tabled. She stated that she had spoken to the person who had sold the property to Mrs. Lloyd, who said that a former employee of the County told him that he could build on the property. Staff reached out to that employee, who did not remember the conversation.

Staff stated that since that June meeting, it had been discovered that the property was split by a lawsuit between the Eidson family in which an order was rendered that the property must be split, leaving the 3.15 acre remnant.

The applicant spoke in favor of her request. She stated that the man she bought the property from, Mr. Dupree, was told that the property could be built upon. She said he still owns the trailer beside the property. She said she has tried to purchase more property from a neighbor, but was unsuccessful. She said she does not want to change the zoning. She only wants permission to build on the property.

Chris Eidson of 1550 Five Points Road spoke in opposition. He stated that in the 1930s, his grandfather bought 40 acres and gave his kids one acre each, 1580, 1540, etc. Five Points Road. He stated that in 2000, his grandmother had a stroke. In 2008, his mom and dad bought 1596 Five Points. He said that Jim Wallis was over the finances of the estate. There was indeed an order that left 3.1 acres. He said his aunt would not split it. The aunt sold to Mr. Dupree and he also bought the mobile home. He said when the 8 acres was split, five went to his mom and dad and the 3.1 was left. He said they are an agricultural community and they've had new people in the community who shoot guns and night and they don't want any more bad activity.

Dennis Love of 1349 Five Points Road said he would prefer that they not build on less than four acres. He was told that you needed five acres.

Mary Williams of 1667 Five points Road said that the county made the rule four acres. She doesn't want a precedent to be set. She said they already have a lot of crazy stuff, like people living in RVs. She said this is a well kept neighborhood and they have absolutely nothing against the applicant, but that the county should not allow a precedent to be set.

Kerry Stevens of 1450 Five Points Road asked why Mr. Dupree is not present. He said it is hearsay. He said, can I split my 15 acres and build 5 houses? He thought the rule was five acres.

Jason Lloyd spoke in rebuttal and said they bought the property and did not know they could not build on it. He said they know it is their mistake. He said the property cannot get any bigger. He said there are many other properties around the area that are less than four acres. The said the property was separated by a court order. He said we are all here because the variance is available. He said they are not going to change the zoning, but that they can't change the size of the parcel. He asked how many more people come before the Board with cases like this. He does not want to make a drastic change in the county.

Amanda Lloyd spoke in rebuttal and said that they have gone through all of the rules and are trying to do the right thing.

Commission Irwin made a motion to approve with the condition that the applicants construct a minimum 1800 sf home. Commissioner Hightower seconded. The vote to approve was unanimous.

The meeting was adjourned at 6:15 p.m.