

WALTON COUNTY BOARD OF APPEALS

April 15, 2025

Members Present: Henry Kines, William Malcom, Mariellen Barnes, Jim Cleveland, Billy Mitchell, Chris Lammey and Harold Moon, Jr.

Members Absent: All members were present.

Planning and Development officials: Charna Parker, Kristi Parr & Tracie Malcom

Chairman Henry Kines called the meeting to order.

Invocation: Henry Kines

"The Pledge of Allegiance" to the flag.

Roll Call: All the members were present.

The minutes to the March 18, 2025, meeting. Jim Cleveland made a motion to approve the minutes with a second by William Malcom. The minutes were approved unanimously.

Old Business: None

New Business:

- 1. V25-0069- Appeal to have a 3:12 roof pitch on manufactured home in lieu of the required 5:12-Applciant: Cory Ferguson/Owner: Shirley Ann Ferguson-Property located at Guthrie Cemetery Rd-Map/Parcel C0520083A00-District 3**

Presentation: Cory Ferguson represented the case. He is wanting to put a manufactured home on his mother's land. He is asking for a 3:12 roof pitch because the manufactured homes with a 5:12 roof pitch cost more and they can't afford that but can afford one with a 3:12 roof pitch. Henry Kines asked if he had looked at ones with a 5:12 roof pitch and he said that he had. Jim Cleveland asked what would be the cost difference between a 3:12 to a 5:12 roof pitch and Mr. Ferguson said around \$15,000.00.

Billy Mitchell said that the county has guidelines for a purpose and that unless the Board can see that the Department read the code wrong that they don't have the authority to grant this.

Harold Moon, Jr. said that the Board has approved them in the past.

Charna Parker, Director of Walton County Planning & Development, stated that this is in an old subdivision Wagon Trail, and it would be grandfathered in so it would be allowed, and this would be a Variance and not an appeal.

Billy Mitchell then asked about the 2 pictures that was provided, and which home he was looking at. He said that the white one is the one they are looking at and the black one is his mother's house. Mr. Ferguson then read a letter from a neighbor from 4416 Scout Hill Drive that was not opposed to them having a 3:12 roof pitch.

Speaking: No one

Motion: Billy Mitchell made a motion to approve the request with a second by Jim Cleveland. The motion carried unanimously.

2. SP25-0070- Request to have extension to live in camper while building house-Applicant: Patrick Bentley/Owners: Debra, Patrick & Peyton Bentley-Property located at 1587 Gratis Rd-Map/Parcel N121C002-District 6

Presentation: Patrick Bentley represented the case. He is asking for an extension to live in the camper while building his home. When they applied for this initially there was a delay in getting started because they changed their mind about the home and the engineer took about 14 months to get this changed. Mr. Bentley stated that he is about 85 to 95% finished. He has moved the camper behind the house and put up an 8 ft. privacy fence. He said that the building process slowed down after a month because his hip went out. He wants to get the house completed before he has hip surgery. He now has a man who has 25 years' experience in framing, and they are about 90% complete with that. He said he has the electrical in but is working on the plumbing, HVAC and the kitchen. He said he has been working on it for 9 months now and hopefully he will be completed in about 4 months or so.

Henry Kines asked if he thought he would be finished in 6 months and Mr. Bentley stated yes hopefully because he does not like living in the camper.

Speaking: Non one

Motion: Jim Cleveland made a motion to approved with the following conditions:

1. House to be completed by April 15, 2026, and if not completed then Applicant will need to come back and get an extension on the building permit.
2. If house is not completed, Applicant will need to come back before the Board to get an extension to live in the camper.
3. Sixty days from the date of the CO then the camper shall cease to be used as a residence. with a second by Billy Mitchell. The motion carried unanimously.

3. SP25-0075- Request to live in camper while completing addition to the house-Applicant/Owner: Anthony Sheridan-Property located at 5344 Forest Ridge Dr-Map/Parcel N037A012-District 1

Presentation: Anthony Sheridan represented the case. He stated that his dad passed away and his mom needed a place to live. He is adding a 1-bedroom house to his house. He has gotten approval for her to move into the house. She has been staying in the camper and hopefully will she will be moved into the house in 2 weeks max. He went on to say that he got clearance Friday and the only thing that needs to be done is painting the outside. He said that in about a week or 2 she will move out of the camper. Jim Cleveland stated that the permit is good until September 2025.

Speaking: No one

Motion: William Malcom made a motion to approve the request with the following conditions:

1. Addition to be completed by September 17, 2025, as long as the building permit is still good.
2. If addition is not completed, then Applicant will need to come back and get an extension on the building permit.
3. If addition is not completed, Applicant will need to come back before the Board to get an extension to live in the camper.
4. Sixty days from the date of the CO then the camper shall cease to be used as a residence. with a second by Jim Cleveland. The motion carried unanimously.

4. V25-0080- Variance to have an open-air carport in lieu of required enclosed garage due to the architectural design of the home-Applicant: John Taylor Sisk/Owners: John & Mary Joanna Sisk-Property located at 81 Browning Shoals Rd-Map/Parcel C1860014-District 4

Presentation: John Sisk represented the case. He is building a new house and is asking for an open-air carport instead of an enclosed garage due to the architectural design of the home. The house is 2,500 sq. ft. 4-sided brick. He said that he will have an open-air carport to match the house, and he is going to attach it to the house with a breezeway.

Billy Mitchell asked how long he thinks he will be finished on the house and carport, and he said he may be finished by August 2025.

William Malcom just wanted to clarify that he is going to match the house and Mr. Sisk said that they are wanting a certain look.

Speaking: No one

Motion: Billy Mitchell made a motion to approve the request with the following conditions:

1. The carport will be attached to the home with a breezeway.
2. All gables will have matching Hardie shake just like the gables on the home.
3. The carport posts will be bricked up approximately 3 ft. to match the columns on the house (front & rear).
4. Construction of the carport will be identical to the house in all of its finishes. with a second by William Malcom. The motion carried unanimously.

5. V25-0101- Variance to have an existing guest house and an existing garage apartment in the front yard-Applicant: Craig Cook/Owners: Neil & Steven Schultz-Property located at 4625 Bullock Bridge Rd-Map/Parcel C0590022-District 1

Presentation: Craig Cook represented the case. He stated he is 73 years old and he has no family except his niece. His niece and her husband have allowed him to build a 16x20 guest house at the front of their property, He stated he was under the understanding that he needed no inspections, and he would be fine to build this but later found out it is not. He stated it has a kitchen, bathroom and 1 bedroom and it has a brand-new sewer system that was installed about a month ago.

Billy Mitchell asked why he didn't get a permit, and he stated that he understood he didn't need one.

Jim Cleveland asked if somebody from the county told him that and he stated no.

Mr. Cook stated that Mr. Schultz is his niece's husband, and they have been gracious about letting him do this.

Jim Cleveland stated that it was built in the front yard.

He was asked how many inspections have been done and Mr. Cook stated none but did go on to say that he had a 3rd party to inspection. They asked Mr. Cook who was the inspector, and he could not recall.

Charna Parker, Director Walton County Planning & Development, stated that the county gave him a list of approved 3rd party inspectors for him to contact.

William Malcom asked would it be okay to approve this without an inspection and Ms. Parker stated it would be okay.

Jim Cleveland stated he rode by, and you can't see the building from the road, and it matches the other building.

Charna Parker stated that there are 2 guest houses on the property and only one is allowed but these already exist and both will require a 3rd party inspection. The niece then advised that Scott Webb who is a 3rd party inspector have done the inspections.

William Malcom asked Mr. Cook if he lives in the guest house and the garage apartment is vacant and Mr. Cook stated both are occupied.

Charna Parker stated that a guest house or garage apartment cannot be rented.

Billy Mitchell asked are they rented, and the niece said that the garage apartment is rented. The niece was asked so you let the uncle live there and you get no income, and she stated that it was correct.

The niece stated that when her husband bought the property it was already there and does that matter that it was already there, and she was advised that it does not that you cannot rent this out.

Jim Cleveland asked was it their intent for this guest house to be seen from the road and Mr. Cook stated no. Mr. Cleveland asked Mr. Cook, is this guest house yours and are you renting it and Mr. Cook stated he was not renting it.

The niece said she had a rental person in the garage apartment, and she was advised by Charna Parker that this had to be stopped.

Mariellen Barnes asked what the solution was.

They were advised only 1 guest house is allowed on a property and neither of these can be rented for income but both of these structures are already existing.

Speaking: No one

Motion: Jim Cleveland made a motion to approve the request with the following conditions:

1. The existing guest house and existing garage apartment are approved only upon final inspection by a 3rd party inspector and a report provided to the Walton County Planning & Development Department.
 2. The guest house and existing garage need to be permitted.
 3. The guest house and garage apartment cannot be rented. The owner has six months for the renter to vacate the garage apartment.
- with a second by Chris Lammey. The motion carried unanimously.

6. V25-0113- Variance to reduce rear setback from 15' to 10.2 for an inground pool-Applicant: Sherri McKelvey (Premier Pools & Spas)/Owners: Peter & Tonya Booth-Property located at 2208 Golf View Ct-Map/Parcel N076A281-District 3

Presentation: Sherry McKelvey represented the case. She is from Premier Pools & Spas. She is requesting a Variance because one corner of the pool is encroaching in the building setback line on the golf course golf path. She stated that they had inadvertently placed the pool there. She went on to say that they had to move the pool as per directions from Environmental Health and they did not realize that the pool was in the 15 ft. setback.

Jim Cleveland verified that she was asking for a Variance, and she stated that was correct. Ms. McKelvey stated that the Variance is not for the whole pool but just a part of it. Jim Cleveland asked what golf course was behind this and she stated Bear Creek Golf Course.

Billy Mitchell asked about a fence around the pool, and he was advised that there is an existing fence. She said that the septic lines run parallel, and they had to fit the pool in.

Chris Lammey said that the septic lines are in the middle of the property.

William Malcom stated he understands that you cannot encroach in the septic lines.

Speaking: No one

Motion: William Malcom made a motion to approve the request with a second by Jim Cleveland. The motion carried unanimously.

7. V25-0114- Appeal guidelines for a manufactured home for roof pitch, garage and siding-Applicant: Johnathan Henson/Owner: Global Real Estate Equity Inc-Property located at Hancock Dr-Map/Parcel C1580044-District 4

Presentation: Charna Parker, Director of Walton County Planning & Development, advised the Board that this is in an old subdivision so this would be a Variance and not an appeal. William Malcom stated that this would be grandfathered in, and Ms. Parker stated that was correct.

Annie Henson represented the case. She stated that they did not have the extra money for the 5:12 roof pitch or garage because they are maxed out. She stated that they want to move here because this is in the DHH District, and their son is deaf and hard of hearing, and he will be able to ride the bus.

William Malcom asked if the Variance was for the roof pitch, garage and vinyl siding and she stated that it was correct, and he was told that with vinyl siding it is about 8 to 10,000.00 cheaper.

Speaking: Zack Jones with Clayton Homes of Athens spoke. He stated that he is the Applicants consultant. He stated that he has done some research and there are 2 new manufactured homes going up less than ¼ mile away that has the 3:12 roof pitch. He stated that they can match those along with the stucco underpinning. He stated those are basically the same manufactured home except a different manufacturer.

Billy Mitchell asked how come the higher roof pitch cost so much and Mr. Jones stated that it has a lot to do with labor for transportation and set up because the 3:12 roof pitch is already in position and the higher ones are not. The 5:12 roof has a hinged roof, and it has to be cranked out and add to the roof to secure.

Jim Cleveland said it probably also has to do with power lines and Mr. Jones stated that the 3:12 roof pitch is already low enough. Mr. Jones stated that properties around in the same subdivision have no garages and they have vinyl siding.

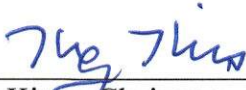
Motion: William Malcom made a motion to approve the request due to this being an existing subdivision and it being grandfathered in with a second by Chris Lammey. The motion carried unanimously.

PUBLIC COMMENT – None

ADJOURNMENT

With no further business, the meeting was adjourned.

Respectfully Submitted,



Henry Kines, Chairman
Walton County Board of Appeals



Tracie Malcom, Executive Secretary
Walton County Board of Appeals