



LUMPKIN COUNTY
Board of Commissioners
Appeal Hearing Minutes
99 Courthouse Hill
Dahlonega, GA 30533

April 7, 2026
3:15 PM

CALL TO ORDER

The meeting was called to order at 3:15 pm. Present were Vice Chairman Jeff Moran and Commissioners Tucker Greene and Bobby Mayfield.

CONSIDERATION OF AGENDA

***Motion:** Commissioner Greene moved to approve the agenda, and was seconded by Commissioner Mayfield. The motion was approved unanimously.*

APPEAL HEARING

1. Appeal of Planning Commission Denial of Variance Request for 3 Homes at 1779 Cleveland Highway

Vice Chairman Moran read aloud a summary of the appeal hearing, followed by Community Development Director Vanessa McGrath reading a summary of the project and the Planning Commission minutes from the meeting where this request was initially denied. Vice Chairman Moran then read aloud the procedural rules for the hearing. There was a brief break from 3:24 pm to 3:29 pm.

Anita Anderson Spangler, 1937 Cleveland Highway, spoke to represent the appellant, her father James Michael Anderson. She said they want to build a third home on their family land without having to subdivide it, and they would like for everything to remain under Mr. Anderson's name. Ms. Spangler said she would like to see the code of ordinances changed to allow this because it would benefit a lot of families in Lumpkin County. Ms. Spangler said they want to keep everything together so they can pass it down from generation to generation.

Robin Hall, 5764 Porter Springs Road, spoke in opposition to the variance as a citizen, not as a member of the Planning Commission. He stated there has to be a unique justification for granting a variance, and there has to be no other way to solve the problem. In this case, there is a simple solution to the problem of how to build a third house, and that is to subdivide the property, said Mr. Hall. He said the property can continue to remain in Mr. Anderson's name, so there will be no issue passing it down. He asserted there are no special conditions, such as topography, that would prevent the appellant from subdividing. A number of people have spoken up in favor of Ms. Spangler, saying you can do what you want with your plot of land; however, that is a dangerous precedent. Mr. Hall clarified that any developer could use the same logic, and having a large tract should not entitle you to

build whatever you want. He said the only financial hardship in this case would be the cost to resurvey, and he claimed that Ms. Spangler will have to pay for a survey whether or not the variance is granted. Mr. Hall continued, saying that there is also the issue of how a third house within the same parcel will be able to get its own address for emergency services and utilities.

Anita Spangler then used her remaining time to give a brief rebuttal. She said she understands the Commissioners have a difficult decision here, and her ultimate goal is to get a code change. She understands why the code is the way it is, but it does not allow people with decent-sized tracts of land to build how they want. Regarding an address, Ms. Spangler said the existing two homes have separate addresses, so she does not foresee any problems with getting an address or utilities for the third home. She said there should be an allowance in the code for multi-generational families.

Vice Chairman Moran said he does not doubt Ms. Spangler's sincerity or intentions, but there could be the potential for future problems. The problem is, where do we draw the line? Should we allow someone to build three homes, five homes, or ten homes on a single parcel, he asked? Future problems could arise if there is a death in the family, or other significant changes like divorce.

Commissioner Greene said we have to be diligent when it comes to changing the ordinance to make sure we are not opening up something that will haunt us later. He is not dead set against this particular request, but he said it isn't something he feels comfortable with right now. There are some things, like loans or loss of property due to seizure, that could become complicated later on. There is also the issue of the developer loophole. He noted that they had previously discussed something like a genealogy affidavit, but we want to ensure we are not causing more issues.

Commissioner Mayfield said he has always tried to support the Planning Commission. We asked them several years ago to be more stringent with variance requests, so we have been getting more appeal hearings lately. He said he is not opposed to looking at changes in the future, but he does not want to open the doors for abuse from a bad developer. There is also no financial hardship because you will have to get a survey done either way, he added. Vice Chairman Moran said it might be a different story if there wasn't a way forward, but there is a way forward, and that is to parcel it out.

Motion: Commissioner Greene moved to deny the variance request and was seconded by Commissioner Mayfield. The motion was approved unanimously, and the decision of the Planning Commission was upheld.

Ms. Spangler was afforded the opportunity to give a closing remark. She said she respects the BOC's decision, but it is unfortunate that our code makes it difficult for landowners to do what they want with their land. She hopes the BOC will consider changing the code in the future to allow for some kind of exception for families.

ADJOURNMENT

Motion: *Commissioner Mayfield moved to adjourn the meeting at 3:46 pm and was seconded by Commissioner Greene. The motion was approved unanimously.*

Date

Jeff Moran, Vice Chairman
Lumpkin County Board of Commissioners

Attest:

Melissa Witcher
Clerk, Lumpkin County