

Rome-Floyd Planning Commission Minutes (Draft)

Location: Sam King Room and Zoom

Date: July 1, 2021

Time: 2:30PM



CALL TO ORDER

Determination of Quorum

Present

Logan Boss
Ivy Lowery – exited at 4:49pm
Tom Bennett
Steve Miller
Anthony McClain

Melissa Eldridge
Frank Brown
Terry Jones
Charles Love

Absent

Ghee Wilson

Staff

Chris Jackson Brice Wood
Art Newell Brittany Griffin
Meredith Ulmer Randy Quick
Larry Maxxey Bruce Ivey
John Hawkins

Public

Olivia Morley, John Husser, Robert L. Moss, John Husser, Mark Wall, David Easterman, Roger Barnes, Brenda Langham, Danny Tracson, Living Proof Recovery, John Moss, Julie Fisher, K. Fisher, Richard Riggs, Aaron Shoemaker, Jack & Leslie Pearson, Bennie Smith, Linda Rhodes, Tony Lane Jr, Josh Agan, Jessica Agan, Barry Beckers, Justin Chambers, Greg Thompson, Doris Fowler, Dorothy Thacker

Welcome and Introduction of Visitors – Chairman Bennett welcomed all visitors and requested all visitors to sign in.

Approval/Modification of Agenda – Senior Planner Brice Wood stated that application Z21-07-06 has been moved to the August Agenda. Motion by Boss to approve amended agenda. Second by ????. Motion Carries.

Approval of Minutes from June Meetings – Motion by Miller to approve all minutes from meetings in June. Second by Lowery. Motion carries unanimously.

FLOYD COUNTY REZONING & SPECIAL USE PERMIT APPLICATIONS:

Z21-07-06 – Requests rezoning from Agricultural Residential to Heavy Industrial for the property located at 0 Huffaker Road, Rome, GA 30165, Floyd County Tax Parcel F12040. Applicant/Owner: Jeff Gant. – **POSTPONED**

SUP21-06-01 – Requests a special use permit for multi-family housing for the property located at 3840 Martha Berry Blvd, Rome, GA 30165, Floyd County Tax Parcel J11X017. Applicant/Owner: Catherine Lovvorn/Tonya Shepard –

Chairman Bennett opened the public hearing. Senior Planner Wood presented the application to the public and the commission. Wood stated that this property is to be leased and renovated by LivingProof recovery as an apartment complex for their clientele. Wood stated that the multifamily use is allowed and appropriate for the current zoning category if LivingProof acquires a state license for a group home. However, LivingProof will be using this location as an apartment complex only and will not be providing their services on site.

John Husser, local attorney started to question the board. Husser was interrupted by County Attorney, Chris Jackson, and was informed that he will have a chance for questions at a later point.

Tanya Shepard, property owner and applicant, spoke in favor of the application. Ms. Shepard stated that she was in favor of the application. Catherine Lovvorn, applicant on behalf of LivingProof Recovery, spoke to the application and in favor of the application. Lovvorn stated that this will be a recovery residence for individuals within the community that need a safe place to go and is looking to prevent recidivism. Lovvorn stated that she believed the services that LivingProof Recovery is currently providing is making a difference within the community. Lovvorn stated they are looking to keep these individuals off Martha Berry and into a safe space.

14 individuals stood in opposition to the application – these individuals were adjacent property owners. John Husser spoke on behalf of the adjacent property owners in opposition to the application. Husser questioned who would be residing at the residence.

Robert Moss spoke in opposition. Moss is an adjacent property owner who owns two duplexes that are adjacent to this property. Moss stated that the ULDC states that no adverse effect should come to adjacent property owners.

Mark Wall spoke in opposition of the application. Wall owns the Piggly Wiggly that is adjacent to this property. Wall stated that he believed that this would adversely affect his property values. Wall stated that he believed this would be a safety issue for his adjacent properties and tenants. Wall read an email from a tenant of one of his property's – the tenant was in opposition.

Doris Fowler, a neighbor within the vicinity, spoke in opposition of the application. Ms. Fowler stated that she believed that this would be a safety issue for her grandchildren. Fowler stated that she has had issue with that property in the past. Fowler stated that she believed that this is a good service, but a bad location. _____

Thacker spoke in opposition of the application.

John Husser state that individual who come on this property suffer from drug and alcohol abuse and these individuals may present a danger to the adjacent neighbors.

Robert Moss state that he was an engineer - Moss reviewed the buildings and stated that the structures do not have proper ingress and egress. Moss stated that he believed these buildings are in horrible structural shape and electrical shape.

Catherine Lovvorn, the applicant on behalf of LivingProof Recovery, had 5 mins for rebuttal. Lovvorn stated that she has turned her life around as an addict and is looking to provide the same opportunities for others. Lovvorn has state that their current location has had no issues with police or theft. Lovvorn stated that a privacy fence will be installed. Lovvorn stated that the structural issues are currently being addressed with the Fire Marshal and those plans have been provided to the planning commission and have been approved by the Fire Marshal. Chairman Bennett closed the public hearing.

Charles Love, Planning Commissioner, stated that the community needs to be more forgiving to their neighbor.

Steve Miller, Planning Commissioner, questioned Lovvorn regarding full-time supervision. Lovvorn stated that there will be 2 full-time live-in supervisors within this facility. Miller questioned Lovvorn on the individuals who will live there. Lovvorn stated that all individuals are required to be enrolled in fulltime monitoring. Lovvorn stated that curfew is at 7:30 with lights out at 10:30. Miller questioned the length of stay. Lovvorn stated that they normally stay 9-12 months unless they acquire permanent, stable housing sooner. Logan Boss, Planning Commissioner, questioned the history of the property and zoning. Brice Wood, Senior Planner, stated that there was a previous request for Multi-Family zoning that was withdrawn. Terry Jones, Planning Commissioner, questioned if the property was for men or women. Lovvorn stated that it would be for men. Miller questioned the potential future uses of the property. Lowery questioned if a building permit had been pulled. Shepard stated that she has not pulled a building permit for the work that had been done. Miller questioned Moss regarding what he was stating regarding electrical. Moss stated that he had inspected the property from his property and did not see the proper electrical. Chris Jackson, County Attorney, stated that he believed the property was a non-conforming structure. Atty Jackson stated that an 8-foot-tall fence is only permissible via variance. Anthony McClain, Planning Commissioner, questioned Lovvorn regarding the buildings – McClain stated that the condition of the buildings was extremely dilapidated. Lovvorn stated that she believes that she can make the location work for their needs. Motion to approve by Steve Miller. Second by Charles Love. Motion carried with a 5-4 vote.
For: Eldridge Love Jones Lowery Bennett
Against: Boss Brown McClain Miller

Z21-06-03 – Requests to rezone from Suburban Residential to Multi-Family Residential for the properties located at 0 Chateau Drive, Rome, GA 30161, Floyd County Tax Parcels J15Z234 and J15Z178. Applicant/Owner: Pearson Properties LLC –

Senior Planner Brice Wood introduced the application to the commission and the public. Jack Pearson, the applicant, developer, and property owner, spoke in favor of the application and regarding the application. Pearson stated that he believed condensing the devolvement on the property and building smaller and denser. Robert Moss, surveyor and engineer, spoke in favor of the application. Moss is an adjacent property owner. Moss stated that Pearson produces good products. Justin Chamber, an adjacent property owner, spoke in opposition of the development. Chambers stated that his concerns are what will happen to the property if Pearson does not development the parcel, then what will happen to the parcel and development in the future. Chambers stated that he believes density would be negatively impactful to his neighborhood if done incorrectly. Chambers questioned the Commission regarding the future use of the property and if the properties would be owner occupied or rentals. Chambers had a petition with 54 signatures on it. The petition was accepted into the record. Motion by _____. Second by Love. Pearson had 9 minutes for rebuttal. Pearson state that he sold Woodfin 280 feet of buffer land 20 years ago. Pearson stated that there are rental properties much closer to Woodfin than what he is recommending developing. Chambers stated that the community is concerned that Pearson will not be the developer. Pearson

stated that he is putting time and energy into this property to change the zoning, then he will be developing the town homes on this property.

Chairman Bennett closed the public hearing.

Terry Jones, Planning Commissioner, questioned the occupation of the properties.

Pearson stated that they will be high rent – rental townhomes.

Miller questioned Pearson regarding the separation of the parcels.

Pearson stated that they have been surveyed as a whole parcel despite being two separate parcels. Pearson state that there would be no future development on the property.

Motion to approve by Lowery.

Second by Boss. Motion carried with a 9-0 vote.

Z21-07-01 – Requests rezoning from Suburban Residential to High Density Traditional Residential for the property located 0 Eden Valley Road, Rome, GA 30161, Floyd County Tax Parcel I16W014. Applicant/Owner: Manor Restorations LLC/Robert Ingram –

Senior Planner Brice Wood presented the application and the facts to the commission.

Bernie Smith, the applicant, spoke in favor of the application. Smith state that the plan was originally for manufactured homes; however, they have changed their development plan and are now installing single family detached homes.

There was no opposition to the application.

Chairman Bennett closed the public hearing.

Terry Jones asked the sizing on the homes.

Smith stated that that the sizing will be between 1300sqft and 2000sqft.

Lowery questioned the width of the parcels.

Smith stated that the parcels width will remain 80 feet and will not change.

Atty Chris Jackson states that he had been in contact with public safety and that the sight distance regarding the entrance to the development.

McClain stated that the Planning Commission should make approval contingent on fixing the line-of-sight issue.

McClain state that the issue is fixable.

Motion to approve by Lowery.

Second by Love. Motion carries with a 7-2 vote.

Boss and McClain voted against the motion.

Z21-07-02 – Requests rezoning from Community Commercial to Suburban Residential for the property located at 3547 Martha Berry Hwy, Rome, GA 30165, Floyd County Tax Parcel J11Y253. Applicant/Owner: Richard & Gesta Riggs –

Senior Planner- Brice Wood present the application and facts to the commission and the public.

Richard and Gesta Riggs, the applicant and property owner, spoke in favor of the application. Mrs. Riggs stated that they have lived in this location since zoning was installed. Mrs. Riggs state that they have always lived in this property and the property has been in the family since 1962. The house was built in 1948. Mr. Riggs state that the DOT easement is 100 feet from the center of the middle of the property. There is also a large floodplain taking up most of the property. Mr. Riggs stated that because the house is zoned commercial, the banks cannot appraise the house due to the current zoning.

There was no opposition to the application.

Motion to approve by Terry Jones.

Second by Love. Motion carried with a 9-0 vote.

Z21-07-03 – Requests rezoning from Suburban Residential to Agricultural Residential for the property located at 0 Billy Pyle Road, Rome, GA 30165, Floyd County Tax Parcel G14W003A. Applicant/Owner: Josh & Jessica Agan – Senior Planner Brice Wood presented the facts and the application to the commission and the public.

Josh Agan, the applicant and property owner, spoke in favor of the application. Agan stated that he was surprised to find out that the parcel was zoned Suburban Residential – Agan has a conservation easement on the property and the land is listed for agricultural use. Agan stated that he is looking to build their house on this location and install a small hobby farm.

There was no opposition to the application.

Chairman Bennett closed the public hearing.

Motion to approve by Love.

Second by Boss.

Miller requested discussion. Miller stated that the Planning Commission was not granting permission for approval of additional buildings on the parcel.

Motion carried with a 9-0 vote.

Z21-07-04 – Requests rezoning from Suburban Residential to Agricultural Residential for the properties located at 545, 547 and 555 Burnett Ferry Road, Rome, GA 30165, Floyd County Tax Parcels H13Y588, H13Y574, H13Y572 and H13Y575. Applicant/Owner: Aaron & Kiesha Shoemaker –

Senior Planner Brice Wood introduced the application and presented the facts to the planning commission and the public. Senior Planner Wood stated that staff recommends denial of the application – the FLUM does not have the property listed as agricultural.

Aaron & Kiesha Shoemaker, the applicants, spoke in favor of the application.

Aaron & Kiesha Shoemaker stated that they are looking to have a small hobby farm.

Motion to approve by Miller.

Second by Love.

There was discussion amongst the commission regarding the hobby farm.

Motion carried with a 9-0 vote.

SUP21-07-01 – Requests a special use permit for mixed use (residential & commercial) for the property located at 3478 Martha Berry Hwy, Rome, GA 30165, Floyd County Tax Parcel J11Y029. Applicant/Owner: Josh Jenkins – Senior Planner Brice Wood presented the facts and the application to the planning commission and the public.

Tony Lang Jr, on behalf of the application, spoke in favor of the application. Lang Jr stated that they are looking to retrofit the current units to be used residentially.

There was no opposition.

Chairman Bennett closed the public hearing.

Terry Jones had questions regarding the mixed-use nature of the property.

Lang Jr stated that the parcels will switch between commercial and residential uses depending on community need.

McClain questioned the staff regarding the special use permit. McClain questioned the limitations on the density of the occupancy placed on the buildings.

Motion to approve by Love.

No second.

Motion to deny by Miller.

Second by McClain. Motion carried with a 9-0.

Z21-06-04 – Requests to rezoned from Suburban Residential to Light Industrial for the property located on 31 June Street, Rome, GA 30161, Floyd County Tax Parcel L12Y124. Applicant/Owner: D.I.D. Investments, LLC.
Motion to approve by Miller.
Second by Boss. Motion carried with a 8-0 vote.

Motion to close public hearing by Jones. Second by Miller. Motion carried by common consent. Motion to approve by Miller. Second by Boss. Motion carried with a 8-0 vote.

STAFF REPORTS & UPDATES:

Hwy 411 Annexation
Grady Avenue Duplex SUP
S. Broad Street rezoning from C-C to L-T-R
ULDC Omnibus Amendment to Eliminate Red Tape
ULDC Craft or Micro Distillery, Brewery or Winery

ADJOURNMENT

The next meeting is a called meeting which will be August 5, 2021, at 2:30 PM, in the Sam King Room.

Staff Reports:

- <https://ga-rome.civicplus.com/DocumentCenter/View/1666/Z21-07-06---Huffaker-Road-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1667/SUP21-06-01---Living-Proof-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1668/SUP21-07-01---Martha-Berry-Hwy-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1669/Z21-06-03---Chateau-Drive-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1670/Z21-06-04---June-Street-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1671/Z21-07-01---Eden-Valley-Road-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1672/Z21-07-02---Martha-Berry-Hwy-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1673/Z21-07-03---Billy-Pyle-Road-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1674/Z21-07-04---Burnett-Ferry-Road-County>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1675/Z21-07-05---Dodd-Blvd-City>
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