

Rome-Floyd Board of Adjustments Agenda

Location: City Hall Sam King Room and Zoom

Date: Thursday, **September 16, 2021**

Time: 2:30 PM

CALL TO ORDER

Determination of Quorum (4 of 6 needed)

P – Present Z – Zoom	MEMBER	Notes		STAFF
P	Cameron Abney	V. Chair	P	Frank Beacham - City Atty
P	Phil Burkhalter		P	Brittany Griffin – HP Planning Dept
P	Will Byington			Bruce Ivey – County Mgr
	Jerrold Johnson		P	Chris Jackson – County Atty
P	Von Lambert		P	James Martin – Bldg Official
	Terry Williamson	Chair	P	Art Newell – Dir Planning Dept
			P	Meredith Ulmer – Asst City Mgr
			P	Brice Wood – Sr Planner – Planning Dept

Public (from sign-in sheet):

Tommy Cannon, Corey Wilhoite, John Tudor, Lamar Ashley, Casey Tuggle, Buchanan, Hardman Knox, Phillip Hight, Kyle Sharpe, Bobby Howard, Matt Sirmans, Mike Burkhalter, Charlie Ables, Lisa Drummond.

Welcome and Introduction of Visitors

V. Chair Abney welcomed the public to the meeting and requested that all visitors sign in.

Approval/Modification of Agenda

Staff requested that the agenda be amended to remove application **BoA21-09-03, 1811 Pleasant Valley**, at the applicant’s request.

Byington made a motion to approve the **amended** agenda, which was seconded by Burkhalter. The motion passed by common consent.

Approval of Minutes from August Meeting

Burkhalter made a motion to approve the August 2021 minutes, which was seconded by Byington. The motion passed by common consent.

ROME/FLOYD ZONING VARIANCE APPLICATIONS:

BOA21-07-01, requests variances to eliminate the vehicle inventory parking requirement found in Article 4.1.2(e), reduce the landscape strip requirement from 20 feet to 10 feet, as well as a variance to do away with Article 4.1.2(e), for the property located at 1954 Shorter Ave, Rome, GA 30165, Floyd County Tax Parcels H13W353. Applicant/Owner: Shane Gibson.

V. Chair Abney opened the public hearing.

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

Staff Recommendation: Denial

In Favor: Applicant representative – Asking forgiveness instead of permission; trying to avoid tearing up pavers; ramp – not possible, will sink; hardship – road frontage & vehicle inventory visibility; willing to place a stop block; looking for some consideration of neighbors. At a competitive disadvantage with neighbors; not asking for universal exception

All neighbors are grandfathered in

Martin – Agrees with Engineering to deny.

Wood – Setback is 20’ from right of way & is typical;

Against: 0

V. Chair Abney closed the public hearing and opened it up for commission comments.

Lambert – Can there be an exception like big truck; can it be left with guideline? All those are grandfathered.

Abney –

Martin – Signs have to be 25 feet from right of way If we treat it as a sign, if you were...it is a display; I agree with engineering to deny; 20' from right of way is typical

Wood – Set back is 20', so it's not giving him anything

Lambert – would be 100% against blocking traffic view

Abney – so 20' would be....

Motion Carried/Denied: 4-0 motion to deny carried

	MEMBER		MEMBER		MEMBER
	M - Motion S – Second		F – For A - Against		AB – Abstained
	Cameron Abney	M	Will Byington		Von Lambert
S	Phil Burkhalter		Jerrold Johnson		Terry Williamson

BOA21-08-02, requests a variance to reduce the rear setback from 20 feet to 4.5 feet for the property located at 7 Butler Street, Rome, GA 30161, Floyd County Tax Parcel J14E176. Applicant/Owner: Jeremias Vazquez.

Lambert opened the public hearing.

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

Staff Recommendation: Approve

In Favor: Charlie Ables (Church Agent representative)

Against: 0

Ables – rain is excavating dirt from under parking lot; propose build “flume” with rip-rap to slow water; will be 4.5 feet from corner of house.

Abney closed the public hearing and opened it up for commission comments.

Wood – Staff heard from neighbors; none opposed

Motion Carried/Denied: 4-0 carried to approve

	MEMBER		MEMBER		MEMBER
	M - Motion S – Second		F – For A - Against		AB – Abstained
	Cameron Abney	M	Will Byington		Von Lambert
S	Phil Burkhalter		Jerrold Johnson		Terry Williamson

BOA21-08-03 – requests a variance to reduce the northern side setback from 7 feet to 2 feet for the property located at 21 Bridgview Drive, Rome, GA 30161, Floyd County Tax Parcel K14Z010. Applicant/Owner: Matt Sirmans.

Lambert opened the public hearing.

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

Staff Recommendation: Approve

In Favor: Sirmans

Against: 0

Sirmans – neighbor expressed they were ok with his plan; may not need that much; described challenges managing getting; provided email supporting project; daughter has to come into elements to load her in-out of vehicle in bad weather & the extra spaces needed to maneuver for her care.

V. Chair Abney closed the public hearing and opened it up for commission comments.
 Attorney Jackson – discussed fire rating
 Martin – OK, it needs one hour fire rating

Motion Carried/Denied: 4-0 motion to approve carried

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second		F – For A - Against		AB – Abstained
	Cameron Abney	S	Will Byington		Von Lambert
M	Phil Burkhalter		Jerrod Johnson		Terry Williamson

BOA21-09-01, requests a parking reduction from 54 to 35 for the property located at 2000 Old Calhoun Rd N.E, Rome, GA 30161, Floyd County Tax Parcel K13W022, zoned Community Commercial. Applicant/Owner: Hibbymo Properties-NE Rome, LLC/Beverly Emerson.

Lambert opened the public hearing.
 Senior Planner Brice Wood presented the facts and the application to the commission and the public.
 Staff Recommendation:
 In Favor: Developer representative/Bobby Howard , owner/Ms. Emerson
 Against: 0

Howard – Already studied possibilities for parking spaces; telephone line drape at issue; parking would end up on side; no one would park there; 15' height required because of trucker’s issue; ATT groups issue; Dollar General has conducted many studies; Dollar General’s parking spaces are wider & the parking lot is wider.

V. Chair Abney closed the public hearing and opened it up for commission comments.

Motion Carried/Denied: 4-0 motion to approve

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second		F – For A - Against		AB – Abstained
F	Cameron Abney	F	Will Byington	S	Von Lambert
M	Phil Burkhalter		Jerrod Johnson		Terry Williamson

BOA21-09-05, requests to reduce the required 200-foot buffer and setback to 40 feet for the property located at 6739 New Calhoun Hwy, NE, Rome, GA 30161, Floyd County Tax Parcel M10W039, zoned Heavy Industrial. Applicant/Owner: HK Shannon LLC

Lambert opened the public hearing.
 Senior Planner Brice Wood presented the facts and the application to the commission and the public.
 Staff Recommendation: Approval with specified conditions
 In Favor: Hardin Knox, Kyle Sharpe (Duluth), Missy Kendrick (Rome Development Authority)
 Knox - Road entrance will not be changed
 Kendrick – spoke with neighbor, who said they were fine with plan (Mr. Burrels)
 Sharpe – We’re not planning to disturb buffer and will restore it before project finished
 Attorney – Applicant can rebut.

Against: John Tudor
 Tudor – has repair garage; wants to know whats going on & how it impacts him;

V. Chair Abney closed the public hearing and opened it up for commission comments.

Motion Carried/Denied: 4-0 motion to approve with Staff-specified conditions (see respective Staff Report listing Conditions).

	MEMBER		MEMBER		MEMBER
	M - Motion S – Second		F – For A - Against		AB – Abstained
F	Cameron Abney	M	Will Byington	F	Von Lambert
S	Phil Burkhalter		Jerrold Johnson		Terry Williamson

BOA21-09-02, requests to reduce the road frontage requirement from 60 feet to 30 feet for three new parcels at 316 Reeceburg Road, Silver Creek, GA 30173, Floyd County Tax Parcel J17X245. Applicant/Owner: Lamar Ashley/Diane Ashley

Lambert opened the public hearing.

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

Staff recommendation: Denial

In Favor: Lamar Ashley

Ashley – Bulk of property is at back; will be putting in steel & concrete road on fourth property; said was trying to clean it up; plan to build \$250,000 houses;

Against: Mike Burkhalter (neighbor), Lisa Drummond (neighbor), Corey Wilhoite (neighbor)

Burkhalter – owns half that driveway; doesn't want 40-50 mph traveling on that property road; move road to other side of lot; I'm saying no;

Drummond – There have been drugs; fires set on her property, trash on her property, and her windshield broken; burned other part of her lot; they walk through her property; mobile homes disaster

Wilhoite – against, but move driveway to other side of property

Martin -

V. Chair Abney closed the public hearing and opened it up for commission comments.

Ashley – Neighbor is mistaken; there is an easement deed; he said he signed easement with neighbor's dad almost 50 years ago.

Martin – Reminded that driveway is not part of request.

Attorney – led easement discussion

Martin – no comment

Lambert – I'd like to hear what applicant has to say about driveway & easement

Attorney -

Motion Carried/Denied: 4-0 Motion carried to deny

	MEMBER		MEMBER		MEMBER
	M - Motion S – Second		F – For A - Against		AB – Abstained
	Cameron Abney	M	Will Byington		Von Lambert
S	Phil Burkhalter		Jerrold Johnson		Terry Williamson

BOA21-09-03, requests to place an accessory structure prior the construction of a principal structure, thus waiving Article 4.2.2(a) for the property located at 1811 Pleasant Valley Road, Silver Creek, GA 30173, Floyd County Tax Parcel L17138.

Applicant/Owner: Janice Gribble Hopkins/Estate of James Gribble.

Lambert opened the public hearing.

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

Staff Recommendation: Applicant requested withdrawal of application

Motion Carried/Denied: No motion; applicant withdrew application

	MEMBER		MEMBER		MEMBER
	M - Motion S – Second		F – For A - Against		AB – Abstained
	Cameron Abney		Will Byington		Von Lambert
	Phil Burkhalter		Jerrold Johnson		Terry Williamson

STAFF REPORTS & UPDATES:

ADJOURNMENT:

The next meeting is Thursday, **October 21, 2021**, in the Sam King Room.

Burkhalter motioned to adjourn

Lambert seconded

Time adjourned: 3:58pm