

Rome-Floyd Board of Adjustments Minutes

Location: City Hall Sam King Room and Zoom

Date: Thursday, May 19, 2022

Time: 2:30 PM

CALL TO ORDER

Meeting convened: 2:30 p.m. by Chair Abney.

Determination of Quorum (4 of 7 needed)

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

Public (from sign-in sheet):

Ted Goodwin, Jenaka Abral Wilson, Judy Minsheiw, Bill Jones, Daniel Bolt, Jamie Martin, Cooper Clotfelter, Chuck Hardin, Nevin Baker

Welcome and Introduction of Visitors

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

Approval of Minutes from April 2022 Meeting

Clonts made a motion to approve the April 2022 minutes, which was seconded by Johnson.

The motion passed by common consent.

Approval/Modification of Agenda

Williamson made a motion to approve the agenda, which was seconded by Johnson.

The motion passed by common consent.

ROME/FLOYD ZONING VARIANCE APPLICATIONS:

BOA22-05-07, For the property at 100 Davis Road, Cave Spring, GA 30124, Floyd County Tax Parcels F18027, F18025, F18026, zoned Agricultural Residential/Suburban Residential, Applicant/Owner Alan Reeves, requests variances to reduce activity buffer from property line in 4.1.16.1.c from 100’ to 0’, reduce music or amplified sound buffer from any residential zoning district or residence 4.1.16.d from 200’ to 0’, reduce the activities and buildings setback from property line from 200’ to 0’, remove prohibited use buffer from the property line of an adjacent residence from 500’ to 0’, eliminate the wall and fence requirement, reduce event activity buffer from 50’ to 0’, to allow events that exceed 14 days and may occur more often than twice in any calendar year, to be able to use central loudspeakers, to allow outdoor activities to go past 11:00 PM.

Assistant Director Wood presented the application, staff report, and staff recommendation of approval with conditions (see staff report). Chair Abney opened the public hearing. There was no one present to speak in favor or opposition to the application. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Multiple members had questions regarding the proposed requests and the possible implications of granting such requests. Senior Planner Griffin explained the requests and how the long, narrow parcel made the historic use of the property virtually impossible given the various requirements. Williamson made a motion to deny, which was seconded by Clonts. The motion passed 5-0.

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second				AB – Abstained
Y	Cameron Abney		Will Byington		Von Lambert
Y	Phil Burkhalter	S	David Clonts	M	Terry Williamson
		Y	Jarrold Johnson		

BOA22-05-03, For property at **600 W. 12th St.**, Rome, GA 30161, Floyd County Tax Parcel J13Y526, zoned Community Commercial, Applicant/Owner Bill Jones/Jenaka Abnal Wilson, request variance(s) to reduce the southern side setbacks from fifteen (15) feet to ten (10) feet, reduce the western front setback from twenty (20) feet to fifteen (15) feet, the eastern side setback from fifteen (15) feet to ten (10) feet, and reduce the use setback requirement from residential from 100' to zero (0) feet.

Assistant Director Wood presented the application, staff report, and staff recommendation of approval with a condition (see the staff report). Chair Abney opened the public hearing. Bill Jones was present to speak in favor of the application, along with his clients Abnal Wilson and Judy Minshew. Jones requested to have plans for the building entered into the record. The plans were accepted upon a motion from Johnson, a second from Clonts and common consent. There was no one present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Chair Williamson asked about staff's approval with the condition that a fence be installed. Senior Planner Griffin explained the condition. Burkhalter made a motion to approve with staff's condition, which was seconded by Clonts. The motion passed 5-0.

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second				AB – Abstained
Y	Cameron Abney		Will Byington		Von Lambert
M	Phil Burkhalter	S	David Clonts	Y	Terry Williamson
		Y	Jarrold Johnson		

BOA22-05-05, For property at 624 Wayside Road/1095 Moran Lake Road, Rome, Ga 30161, Floyd County Tax Parcel L13X105, zoned Suburban Residential, Applicant/Owner Nevin Baker, request variance(s) to reduce road frontage from 150 feet to zero (0) feet.

Assistant Director Wood presented the application, staff report and staff recommendation of denial. Chair Abney opened the public hearing. Nevin Baker was present to speak on behalf of the application. There was no one present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Multiple members wanted additional clarification on staff's decision to recommend denial. Wood explained that there is currently sufficient road frontage and width to be able to split the parcel without the need for a variance. Burkhalter questioned how the proposed parcel would be accessed. Wood showed on the proposed access through an adjacent parcel on Moran Lake Road on the parcel viewer. Burkhalter made a motion to deny, which was seconded by Clonts. The motion passed 5-0.

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second				AB – Abstained
Y	Cameron Abney		Will Byington		Von Lambert
M	Phil Burkhalter	S	David Clonts	Y	Terry Williamson
		Y	Jarrold Johnson		

BOA22-05-02, For property at 44 Carter Avenue, Rome, Ga 30161, Floyd County Tax Parcel I13Z199A, zoned Multi Family Residential, Applicant/Owner Mathis & Mathis Holding LLC, request variance(s) to reduce rear building setback from thirty (30) to ten (10).

Assistant Director Wood presented the application, staff report and staff recommendation of approval. Chair Abney opened the public hearing. Chuck Hardin was present to speak on behalf of the application. There was no one present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Williamson made a motion to approve, which was seconded by Johnson. The motion passed 5-0.

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second				AB – Abstained
Y	Cameron Abney		Will Byington		Von Lambert
Y	Phil Burkhalter	Y	David Clonts	M	Terry Williamson
		S	Jarrold Johnson		

BOA22-05-01, For property at 51 Barbara Lane, Adairsville, Ga 30103, Floyd County Tax Parcel O09002, zoned Suburban Residential, Applicant/Owner Jamie Martin/Daniel Bolt, request variance(s) to reduce road frontage to zero (0).

Assistant Director Wood presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Jaime Martin and Daniel Bolt were present to speak on behalf of the application as the seller of the land and the prospective buyer. There was no one present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. There was discussion amongst the group as to whether or not the proposed parcel would be buildable given its lack of accessibility. After much discussion it was determined that the approval or denial of a building permit would be at the discretion of the Chief Building Official. Burkhalter made a motion to approve, which was seconded by Williamson. The motion passed 5-0.

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second				AB – Abstained
Y	Cameron Abney		Will Byington		Von Lambert
M	Phil Burkhalter	Y	David Clonts	S	Terry Williamson
		Y	Jarrold Johnson		

Assistant Director Wood asked that the board vote to amend the agenda to add an application that was accidentally left off, BOA22-05-06. Johnson made a motion to amend the agenda, which was seconded by Burkhalter. The motion passed by common consent.

BOA22-05-06, For property at 34 Forest Meadow SW, Rome, Ga 30165, Floyd County Tax Parcel I14Y015, zoned Suburban Residential, Applicant/Owner Cooper Clotfelter/Ted Goodwin, request variance(s) to construct an eight (8) foot privacy feen along the rear yard of the parcel.

Assistant Director Wood presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Cooper Clotfelter and Ted Goodwin spoke on behalf of the application. There was no one present in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Members questioned whether the proposed fence would create a line of site issue. Wood confirmed that the fence is a replacement of an existing fence and that there have never been any reported issues. Williamson also questioned by staff would recommend approval of this fence but has recommended denial of others. Wood explained that unlike most parcels this one is adjacent to three roads. Burkhalter made a motion to approve, which was seconded by Clonts. The motion passed 5-0.

	<u>MEMBER</u>		<u>MEMBER</u>		<u>MEMBER</u>
	M - Motion S – Second				AB – Abstained
Y	Cameron Abney		Will Byington		Von Lambert
M	Phil Burkhalter	S	David Clonts	Y	Terry Williamson
		Y	Jarrold Johnson		

ADJOURNMENT:

Williamson made a motion to adjourn which was seconded by Johnson. The motion passed by common consent.

Staff Reports:

- https://ga-rome.civicplus.com/DocumentCenter/View/1976/BOA22-04-04_report
- https://ga-rome.civicplus.com/DocumentCenter/View/1977/BOA22-05-01_report

- https://ga-rome.civicplus.com/DocumentCenter/View/1978/BOA22-05-02_report
- https://ga-rome.civicplus.com/DocumentCenter/View/1979/BOA22-05-03_report
- https://ga-rome.civicplus.com/DocumentCenter/View/1980/BOA22-05-05_report
- https://ga-rome.civicplus.com/DocumentCenter/View/1981/BOA22-05-06_report
- https://ga-rome.civicplus.com/DocumentCenter/View/1982/BOA22-05-07_report