

# Rome – Floyd Planning Commission

## Rezoning Application

### STAFF REPORT AND RECOMMENDATION



*Hearing Date* 06/05/2025  
*Case No.:* Z25-06-06 (City)  
*Project Address:* 0 Cedar Ave., 406 E 20th St., 408 E 20th St., 0 E 20th St., 8 E 19th St., 512 Cedar Ave., and 510 Cedar Ave.  
*Current Zoning:* High Density Traditional Residential (H-T-R)  
*Requested Zoning:* Heavy Industrial (H-I)  
*Current Use:* Residential  
*Proposed Use:* Truck/Container Parking  
*Parcel ID:* J15X077, J15X080, J15X081, J15X082, J15X085, J15X086 and J15X087  
*Acreage:* ~0.32, ~0.57, ~0.30, ~2.10, ~0.91, ~0.20, ~0.25

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#### **Summary:**

for the property at 0 Cedar Ave., 406 E 20th St., 408 E 20th St., 0 E 20th St., 8 E 19th St., 512 Cedar Ave., and 510 Cedar Ave., Rome, GA 30161, Floyd County Tax Parcels J15X077, J15X080, J15X081, J15X082, J15X085, J15X086 and J15X087, requests to rezone from High Density Traditional Residential (H-T-R) to Heavy Industrial (H-I).

**Project Description:** The applicant would like to rezone the properties to Heavy Industrial (H-I) so they can crush concrete on the parcels. They would also like to expand to include office space and additional truck and container parking and demolish the house on Floyd County Tax Parcel J15X087.

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**Environmental Review:** No comment

**Is the parcel in the FIRM (2010) floodplain?** No

**Is public water available?** Yes

**Is public sewer available?** Yes

**Fire Marshal Review:** No comment

**Building Official Review:** No comment

**Engineering Review:** No comment

**Housing Impact Statement:** There will be no net gain in housing units.

**Historical Review:** Is this parcel located in a Locally Designated Historic District? No.

**Comprehensive Plan Analysis:** The Comprehensive Plan has this parcel labeled as “low density residential”.

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#### **STANDARDS FOR ZONING CHANGES per section 2.2.4a:**

1. **Is the proposed use or development consistent with the stated purpose of the zoning district?** The use is consistent for the proposed Heavy Industrial (H-I) zoning district.
2. **Is the proposed use suitable given the zoning and development of an adjacent and nearby property?** The parcels are surrounded by mostly residential properties including those that are zoned High Density Traditional Residential (H-T-R), Low Density Traditional Residential (L-T-R) and Office Institutional (O-I). The proposed zoning represents additional Heavy Industrial (H-I) encroachment into the existing residential neighborhood.
3. **Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?** Many Heavy Industrial (H-I) uses would not be appropriate in the area as they are surrounded by residential properties and many H-I uses have the potential to affect adjacent properties. The applicant is requesting to rezone H-T-R properties therefore rendering them unusable as the required buffer needed to separate H-I from the remaining H-T-R properties will take up the majority of the parcels.
4. **Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?** This conflicts with the Comprehensive Plan and Future Land Use Map as these parcels are labeled as low density residential. The Comprehensive plan also discusses the need to protect established neighborhoods.
5. **Are there substantial reasons why the property cannot or should not be used as currently zoned?** The planned use of this property is not aligned with what is allowed in the current zoning so the zoning would need to be changed to reflect the use. The planned use includes crushing concrete on the property which is not appropriate in a residential area.
6. **Will the proposed use not cause excessive or burdensome use of public sites or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?** No, most, if not all, of the necessary infrastructure is already in place.
7. **Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties?** No, the parcels in the area are mostly High Density Traditional Residential (H-T-R).
8. **Does the proposed use reflect a reasonable balance between promoting public health, safety, morality, or general welfare and the right to unrestricted use of the property?** No.

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### PLANNING STAFF COMMENTS/ RECOMMENDATION:

Staff is concerned about the future potential uses and encroachment on the surrounding properties if the property is zoned Heavy Industrial (H-I). Heavy Industrial (H-I) allows for many uses that aren't conducive to the environment. Many Heavy Industrial (H-I) uses do emit less air pollution, noxious odors, loud noise, etc. but this cannot be guaranteed for the future. This zoning district is intended for the location of primarily heavy manufacturing uses. Staff is concerned about what future development could be and protecting the surrounding residential area.

Staff recommends denial. However, if the Commission chooses to approve, staff recommends the following conditions:

1. That exterior lighting be limited to dark sky lighting. Exterior illumination shall be shielded, downcast and of a luminosity designed to maintain the existing night sky darkness and to prevent light trespass onto adjacent properties. In order to achieve this objective, the following criteria shall be met:
  - a. All fixtures shall be full cut-off type fixtures,
  - b. Light poles shall be no taller than 25-feet in height,
  - c. All light poles must be setback a minimum of 10-feet from any exterior property line,
  - d. Maximum foot-candles at the property line shall be 0.5.
  
2. That applicant maintains 100' undisturbed buffer to include planting of trees every 20' in overlapping rows to shield surrounding residential properties.



Case Number: 225-06-06

Meeting Date: \_\_\_\_\_

**Property Information**

Property Address: 51 E 20th St SW

City: Rome Zip Code: 30161

REQUESTED ACTION:  Zoning Map Amendment  Special Use Permit

Is this application in response to a code violation?  YES  NO

**Parcel Identification Number (PIN) or Tax Map Number:**

Map #: \_\_\_\_\_ Parcel #: J15X086 Map #: \_\_\_\_\_ Parcel #: J15X080 Parcel #: J15X082

Map #: \_\_\_\_\_ Parcel #: J15X087 Map #: \_\_\_\_\_ Parcel #: J15X081

Map #: \_\_\_\_\_ Parcel #: J15X085 Map #: \_\_\_\_\_ Parcel #: J15X077

Size of Lot: \_\_\_\_\_

Existing Zoning: H-T-R Proposed Zoning: H-1

Existing Land Use: N/A Proposed Use of Property: H-1

**Services Provided:**

Public Water:  City  County  Not Provided  
Public Sewer:  City  County  Not Provided

Purposed for Request: Rezoning for H-1 use.

**Property Owner**

Name: Danny Mulkey Telephone: 706-506-2020

Mailing Address: 51 E 20th St SW <sup>Rome</sup> 30161 Email: Mulkeyinc@gmail.com

**\*A pre-submittal meeting with Planning staff is REQUIRED prior to submitting an Application.\***

The undersign authorizes the Planning Commission, City of Rome, and Floyd County to take such action as requested in this application. In consideration for the Planning Commission' review of this application for a proposed variance to zoning ordinance for the specified property, the applicant agrees to hereby indemnify and hold harmless the City, County, and Planning Commission' and their agents and employees from and against any and all claims, damages, and/or liability arising from or related to this application or any issuance of a permit hereunder. By signing this application, the owner hereby grants authorization to the Commission members, and its professional staff to enter the property in question for inspection purposes. I also understand that all the required information must be supplied for this application to be considered complete and valid.  
*(Signatures must be original and of current property owner.)*

[Signature]  
Owner Signature

4/10/25  
Date

**Applicant / Case Contact**

<b>Name:</b> Daniel Mulvey	<b>Affiliation:</b> Manager
<b>Address:</b> 7 Talleguade St NE	<b>Telephone:</b> 706-844-2244
<b>City/State/ZIP:</b> Rome, GA 30161	<b>Email:</b> daniel@mullydumpsterrental.com

**Tracking Information (Staff Only)**

<b>Hearing Date:</b>	<b>Date Received:</b>	<b>Sign Placement:</b>
<b>Legal Ad:</b>	<b>Neighbor Notification:</b>	<b>Fee:</b> Refer to Fee Schedule Form Make all checks payable to <b>CITY of ROME</b>
<b>Property Tax Certification:</b>		<b>Date:</b>

**Application for Zoning Map Amendment or Special Use Permit**

**PROPERTY TAX CERTIFICATION - REQUIRED**

All Floyd County and City of Rome Rezoning and SUP cases require that taxes are current for the parcel or parcels being considered for zoning consideration.

Tax Commissioner or Appointee Signature: \_\_\_\_\_

**APPEARANCE / REPRESENTATION AT COMMISSION MEETINGS IS REQUIRED**

To process the application for Special Use Permits, Annexations, or Rezoning, Owner, Applicant, or a Representative thereof **MUST** be present to personally request said Special Use Permit, Annexation, or Rezoning before **BOTH** the Planning Commission **AND** (based on the location of the property) the Rome City Commission **OR** the Floyd County Commission.

Failure to personally appear before either required Commission may result in denial of request, or an extended waiting period before the next available meeting.

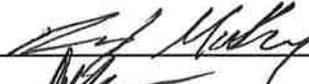
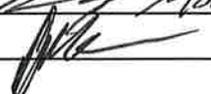
Unless otherwise indicated:

- Planning Commission Meetings are held 2:30pm in the Sam King Room in the City Auditorium at 601 Broad Street.
- City Commission meetings are held 6:30pm in the City Commission Chambers located on the top floor of the City Auditorium at 601 Broad Street.
- Floyd County Commission meetings are held 6:00pm in the County Commission Chambers located on the top floor of the Floyd Administrative building at 12 E. 4th Ave.

A Rezoning Pending Action sign stake shall be placed on the subject property until the Variance is either approved or denied. It is the sole responsibility of the owner/applicant to maintain its placement until after the scheduled County or City Commission meetings. Owner/applicant shall notify the Planning Department immediately if the sign is removed, defaced, incorrect etc. A staff member of the Planning Department shall place the sign within five business days after the filing deadline.

**Due to the possibility that a meeting may be postponed for various reasons, please call 706.236.5025 the day before any Planning, City, or County meeting to confirm its status.**

By signing below, the applicant/owner declares that the information presented herein is true & correct. The signer also acknowledges understanding the information provided herein & agrees to be present or have a representative at **BOTH** meetings on the dates specified above.

Applicant Signature:  Date: 4/10/25  
 Owner(s) Signature:  Date: 4/10/25



Case Number: \_\_\_\_\_

City  County

Please answer the following questions as completely and accurately as possible. This zoning application will be submitted for review to various departments; therefore, any incomplete answers may delay the review process. Attach additional sheets as necessary.

1. Has the landowner or any person undertaken or initiated any efforts to develop the property in its existing zoning classification? Please provide a complete statement of the efforts for such development.

*Clean up only.*

2. Is development under the present zoning classification infeasible?  Yes  No  
If yes, please provide a complete statement describing why development is infeasible.

*Until rezoned to H-1, we are unable to crush concrete on parcels.*

3. Is the subject property a portion of a larger tract?  Yes  No  
If yes, please describe the original tract size, and what portion you are requesting to rezone:

*The sum is 77 acres, the majority are H-1.*

4. Are there any houses, barns, mobile homes, commercial buildings, or structures presently located on the subject property? If so, please identify the number of structures and their type:

*J15X087 - House*

*J15X088 - House*

5. List the type of structures you propose to construct if the subject property is re-zoned. If proposing the development of a subdivision, please describe the style, minimum square footage, proposed number of homes, number of phases, and price range of the homes:

*No buildings.*

6. Please state any pertinent facts, circumstances, events, and or documents that should be considered to support a decision to rezone the property to the proposed zoning classification and use.

*We are looking to expand for additional truck & container parking.  
Also, convert J15X088 to an office space. Demolish J15X097.*

7. Will your proposed use add additional residents to the property? If so, how many new residents do you anticipate will eventually move onto the property? How many households during the first year?

*No.*

8. Has the applicant conducted any studies in connection with the proposed rezoning?  Yes  No  
If yes, please provide.

9. Please identify any public utility (including water, sewer, gas, electricity, and other public utilities) which would be required for the proposed development of the property and are not available at the time of this application.

*N/A*

**Disclosure Requirements per O.C.G.A. Section 36-67A**

Has the owner and/or the applicant (or any person or attorney representing such in the re-zoning process) made campaign contributions totaling more than \$250 to any local government official who will consider this application?  Yes  No

If yes, please state the name of the official(s) and the position held by each official, and the dollar amount and description of each campaign contribution made to each official within two years preceding the filing of this application.

*N/A*



Case Number: \_\_\_\_\_

City  County

**EASEMENT INFORMATION** - Please answer the following questions as completely and accurately as possible. This zoning application will be submitted for review to various departments; therefore, any incomplete answers may delay the review process. *Attach additional sheets as necessary.*

1. Do you have documented access to an easement that you are not owner of?  Yes  No  N/A

2. Please provide a complete statement explaining your answer above. If you are an easement owner or this question does not apply to you, please mark N/A

*I own both sides.*

3. If you are not the owner of the easement and are expanding the use, conformity, or non-conformity, do you have written permission from the easement owner showing that they are in agreement with this request?

4. Please provide a copy of all documents or permissions relating to the easement.

**CAMPAIGN CONTRIBUTIONS DISCLOSURE REPORT**

The following disclosure is required of the applicant(s) by Section 36-67A-3 of the O.C.G.A. This information is for disclosure purposes only and does not disqualify the petition.

Within the past two years, have you made either campaign contributions totaling \$250 or more and/or given gifts having a value of \$250 or more to a local government official, which will be responsible for making a decision on this application?  Yes  No. If yes, then on a separate page, please furnish the following information:

- A) The name(s) of the local government official(s) to whom a cash contribution or gift was made;
- B) The dollar amount(s) and date(s) of each campaign contribution made by the applicant or property owner to each local government official during the two years immediately preceding the filing of the application; and
- C) An enumeration and description of each gift having a value of \$250 or more made by the applicant to each local government official within the past two years.

**Signature of Applicant/Owner**

Applicant:  Date: 4/10/25

Owner(s): \_\_\_\_\_ Date: 4/10/25













