

**Rome-Floyd Board of Adjustments Minutes**

**Location:** City Hall Sam King Room and Zoom

**Date:** Thursday, April 20, 2023

**Time:** 2:30 PM

**PLEASE REFER TO THE VIDEO RECORDING FOR FULL DETAIL OF THE MEETING**

**CALL TO ORDER**

Meeting convened: 2:31 p.m. led by Chair Abney.

**Determination of Quorum (4 of 7 needed)**

<b>P – Present Z – Zoom</b>	<b>MEMBER</b>	<b>Notes</b>		<b>STAFF</b>
P	Cameron Abney	Chair	Z	Frank Beacham - City Atty
P	Phil Burkhalter		P	Chris Jackson – County Atty
A	Will Byington		P	Bruce Ivey – County Mgr.
P	David Clonts	Vice Chair	P	Meredith Ulmer – Asst City Mgr.
P	Jarrod Johnson		P	James Martin – Bldg. Official
P	Von Lambert – arrived at 2:43 pm		P	Art Newell – Director - Planning Dept
A	Terry Williamson		P	Brice Wood – Asst Director - Planning Dept
			P	Michelle Kite – Planning & Zoning Coordinator
			P	Brittany Griffin – Senior Planner

**Public (from sign-in sheet):**

Teresa Burge, Leonard Burge, Mary A Cunningham, Jacquelyn Taylor, Richard Shedd, Gwin Booker, Robert E Owens, Rob Hosack, Phillip G Dalsing, Janice Whatley, Shirley Couch, Lashon Berry, Brett Ford, Lary C Klein, Takisa Dalle, Satoya Hartfield, Ceola Hartfield, Lainie Jasper, Sachin “Sam” Patel, Chuck Hardin, Derrick Whatley, Desmond Whatley, Carol Binger, Esther Vaughn, Louise Adams, Larry Adams, Joel Lawler, Mary Anderson Jones, William Anderson, Adrienne Askew, Darrel Ridley, Faith Collins, Tim Wilson

**Welcome and Introduction of Visitors**

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

**Approval of Minutes from March 2023 Meeting**

Burkhalter made a motion to approve the March 2023 minutes, which was seconded by Clonts.

The motion passed by common consent.

**Approval/Modification of Agenda**

Assistant Director Wood requested to modify the agenda to hear BOA23-04-07 first. Johnson made a motion to approve the agenda with the modification, which was seconded by Clonts. The motion passed by common consent.

**ROME/FLOYD ZONING VARIANCE APPLICATIONS:**

**BOA23-04-07**, for the property at 0 East 1<sup>st</sup> St., Rome, GA 30161, Floyd County Tax Parcel J130058, being zoned Community Commercial, requests to reduce front setbacks from 20’ to 5’, to reduce front landscape strips from 20’ to 5’, to reduce parking from 106 spaces to 103 spaces and to increase the maximum structure height from 45’ to 64’.

Assistant Director Wood presented the application, staff report, and staff recommendation of denial of all the requests but encourages the Board to add a condition allowing the applicant to immediately refile after revising their plans. Chair Abney opened the public hearing. Sam Patel and Chuck Hardin were present to speak in favor of the application. Mr. Patel wants to develop a second hotel here so there are more viable options here. Chuck Hardin noted that the location of the building would need to be shifted to fit within the parcel and that front building setback and landscaping would need to be moved to accommodate the dumpster. The layout presented would be the best layout to accommodate many of the setbacks. Bonny Askew, Robert Owens, Betty Ford, Gwin Booker were present to speak in opposition. Bonny Askew noted that Thankful Baptist

Church has no opposition to development, but no one has considered the church regarding parking. If a funeral, wedding, or afternoon service occurs, there will be an issue of enough parking between the church and hotel. They want to ensure that the development will not encroach on the church as they do not have enough room to expand the church parking. Robert Owens spoke and knows that they can build a hotel there but is concerned about this going outside of what is allowed in the ULDC. Betty Ford spoke as well in regard to once development started that this would impact the church and questioned where the heavy equipment would go during the development process. Gwin Booker noted that going up in height for the building will block the view of the church and that will be taller than the steeple of the church. She noted that there is a lot of land, outside of this area, that could be used and doesn't want anything to take away from the established community. Robert Owens asked that the decision be made to support the heart of the church and its people. Chuck Hardin spoke to this being a hardship variance and that drainage easements and restrictions would make it difficult. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Johnson made a motion to deny without prejudice, 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	Y	Von Lambert
Y	Phil Burkhalter	M	David Clonts		Terry Williamson
		S	Jarrold Johnson		

**BOA23-04-02**, for the property at 0 Eden Valley Rd., Rome, GA 30161, Floyd County Tax Parcel I16W014A, being zoned High Density Traditional Residential, requests to reduce the front setbacks for lot 36 from 20 feet to 16 feet, for lot 52 from 20 feet to 13 feet, for lot 54 from 20 feet to 12 feet, for lot 55 from 20 feet to 18 feet, for lot 67 from 20 feet to 18 feet, and lot 78 from 20 feet to 12 feet.

Senior Planner Griffin presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Rob Hosack was present to speak in favor of the application. He had no additional information to add, all input was provided by staff, and he is able to answer any questions. No one was present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Burkhalter 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	Y	Von Lambert
M	Phil Burkhalter	Y	David Clonts		Terry Williamson
		S	Jarrold Johnson		

**BOA23-04-04**, for the property at 19 ½ E Main St. (listed as 19 E Main St on the Parcel Viewer) and 20 Morningside Dr., Rome, GA 30161, Floyd County Tax Parcels J14L231 and J14L246, being zoned Community Commercial and Low Density Traditional Residential, requests to reduce the required buffer from 30' to 15', to reduce the rear setback from 30' to 10', to reduce access from 60' to 0' and to reduce parking from one to zero.

Senior Planner Griffin presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Derrick Whatley was present to speak in favor of the application. He doesn't think it would cause any hardships for others but would like access to be able to store his lawn care equipment. No one was present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Clonts made a motion to approve with the condition that there will be no ingress/egress from residential address at 20 Morningside Dr., which was seconded by Burkhalter. 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	Y	Von Lambert

<b>S</b>	Phil Burkhalter	<b>M</b>	David Clonts		Terry Williamson
		<b>Y</b>	Jarrold Johnson		

**BOA23-04-05**, for the property at 402 Melson Rd., Cave Spring, GA 30124, Floyd County Tax Parcel D18060, being zoned Suburban Residential, requests to place a secondary structure closer to the public right-of-way than the principal structure.

Senior Planner Griffin presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Phillip Dalsing was present to speak in favor of the application. No one was present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Burkhalter made a motion to approve, which was seconded by Johnson. The motion passed 5-0.

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

**BOA23-04-06**, for the property at 395 Powell Rd., Rome, GA 30161, Floyd County Tax Parcel M16071, being zoned Agricultural Residential, requests to reduce road frontage to 58’.

Senior Planner Griffin presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Faith Collins was present to speak in favor of the application. No one was present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Burkhalter and Johnson simultaneously made a motion to approve, which was seconded by Clonts. The motion passed 5-0.

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

**BOA23-04-08**, for the property at 1393 Old Rockmart Rd., Silver Creek, GA 30173, Floyd County Tax Parcel K17058, being zoned Suburban Residential, requests to reduce the rear setback from 25’ to 7’.

Senior Planner Griffin presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Richard Shedd was present to speak in favor of the application to have carport for his motorhome. No one was present to speak in opposition. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Johnson made a motion to approve, which was seconded by Burkhalter. The motion passed 5-0.

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

**BOA23-04-09**, for the property at 1871 Kingstown Hwy., Rome, GA 30161, Floyd County Tax Parcel L13Y088, being zoned Suburban Residential, requests to reduce road frontage to 0’.

Senior Planner Griffin presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Mary Jones was present to speak in favor 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. Burkhalter 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
<b>Y</b>	Cameron Abney		Will Byington	<b>Y</b>	Von Lambert
<b>M</b>	Phil Burkhalter	<b>Y</b>	David Clonts		Terry Williamson
		<b>S</b>	Jarrod Johnson		

**BOA23-04-010**, for the property at 6 McCrary Dr., Rome, GA 30165, Floyd County Tax Parcel I13N080, being zoned Suburban Residential, requests to reduce the rear setback from 25’ to 5’ and to reduce the side setback from 7’ to 5’.

Senior Planner Griffin presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Esther Vaughn was present to speak in favor of the application. She would like to put the shed right back where it was originally since the concrete pad is already there and the original shed was damaged by the recent storm. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Lambert 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
<b>Y</b>	Cameron Abney		Will Byington	<b>M</b>	Von Lambert
<b>Y</b>	Phil Burkhalter	<b>Y</b>	David Clonts		Terry Williamson
		<b>S</b>	Jarrod Johnson		

**ADJOURNMENT:**

Meeting was adjourned at 4:09 pm by common consent.