

Rome-Floyd Board of Adjustments Minutes

Location: City Hall Sam King Room and Zoom

Date: Thursday, **March 16, 2023**

Time: 2:30 PM

CALL TO ORDER

Meeting convened: 2:36 p.m. led 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	Chris Jackson – County Atty
A	Will Byington		P	Bruce Ivey – County Mgr
P	David Clonts	Vice Chair	P	Meredith Ulmer – Asst City Mgr
P	Jarrold Johnson		P	Mike Hebert – Bldg Official
P	Von Lambert – arrived at 2:40 pm		P	Art Newell – Director - Planning Dept
P	Terry Williamson		P	Brice Wood – Asst Director - Planning Dept
			P	Michelle Kite – Planning & Zoning Coordinator

Public (from sign-in sheet):

Jerry J Daniel, Gary Daniel, Dwayne Alford, Greg Dutton

Welcome and Introduction of Visitors

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

Approval of Minutes from December 2022 Meeting

Johnson made a motion to approve the December 2022 minutes, which was seconded by Burkhalter. The motion passed by common consent.

Approval/Modification of Agenda

Clonts made a motion to approve the agenda, which was seconded by Johnson. The motion passed by common consent.

ROME/FLOYD ZONING VARIANCE APPLICATIONS:

BOA23-03-01, for the property at 0 Fosters Mill Rd, Rome, GA 30131, Floyd County Tax Parcel E17034, being zoned Community Commercial, requests to reduce the required number of 55 parking spaces to 35 parking spaces.

Assistant Director Wood presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Bobby Howard was present to speak in favor of the application. He advised that since the application has been submitted, FEMA confirmed that the parcel is not in flood plain. Bobby spoke to the peak hours for business and that more than likely no more than 20 cars in parking lot at a time. They are focusing the money that will be saved on parking to put into the structure. 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 6-0.

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

BOA23-03-02, for the property at 0 Blacks Bluff Rd, Rome, GA 30161, Floyd County Tax Parcel E17035, being zoned Community Commercial, requests to reduce the required number of 55 parking spaces to 35 parking spaces.

Assistant Director Wood presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. Bobby Howard was present to speak in favor of the application. He had no additional information to add, all input was provided on BOA23-03-01 and applies to this application as well. No one was 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 6-0.

	<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	Y	David Clonts	M	Terry Williamson
		S	Jarrold Johnson		

BOA23-03-07, for the property at 2 Belle Meade Dr., Rome, GA 30165, Floyd County Tax Parcel I15X067, being zoned High Density Traditional Residential, requests to reduce rear setback from 25 feet to 5 feet.

Assistant Director Wood presented the application, staff report, and staff recommendation of approval on condition that the reduction be limited to the proposed structure. Chair Abney opened the public hearing. Dwayne Alford was present to speak in favor of the application. They would like to add an outdoor entertainment area to the backyard in addition to the pool. 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 with condition that the reduction be limited to the proposed structure, which was seconded by Clonts. The motion passed 6-0.

	<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	S	David Clonts	Y	Terry Williamson
		Y	Jarrold Johnson		

BOA23-03-03, for the property at 6 Windsor Rd SW, Rome, GA 30165, Floyd County Tax Parcel H15W010, being zoned Suburban Residential, requests to place solar panels that face a public right-of-way.

Assistant Director Wood presented the application, staff report, and staff recommendation of approval. Chair Abney opened the public hearing. No one 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. Johnson made a motion to approve, which was seconded by Clonts. The motion passed 6-0.

	<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	S	David Clonts	Y	Terry Williamson
		M	Jarrold Johnson		

BOA23-03-04, for the property at 311 E. 7th St., Rome, GA 30161, Floyd County Tax Parcel J14G073, being zoned High Density Traditional Residential, requests to maintain fence over 6 feet in height and closer to the public right-of-way than the principal structure.

Assistant Director Wood presented the application, staff report, and staff recommendation of denial. Chair Abney opened the public hearing. Gary and Jerry Daniels were present to speak in favor of the application. They discussed the foot traffic by Domino's, people sleeping in the yard, as well as, vandalism in the past. The taller fence provides better for security reasons. Greg Dutton was present to speak in opposition. He noted that the fence is in the way when backing out of the driveway and causes a tunnel effect in the front and that it is too tall coming down the road, like a retaining wall. He noted the issues being no curb appeal and his daughter's safety when backing out of the driveway. Jerry Daniels said that 10 yards to back out should be plenty. Gary Daniels: dropping the fence 11 inches isn't going to change anything and it is still lower than Greg Dutton's fence. A neighbor letter was provided right before meeting. Burkhalter made a motion to accept letter for review by voting members, which was seconded by Williamson. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Johnson made a motion to deny, which was seconded by Burkhalter. The motion passed 6-0.

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

BOA23-03-06, for the property at 315 E. 7th St., Rome, GA 30161, Floyd County Tax Parcel J14G071, being zoned High Density Traditional Residential, requests to maintain fence over 6 feet in height.

Assistant Director Wood presented the application, staff report, and staff recommendation of denial. Chair Abney opened the public hearing. Greg Dutton was present to speak in favor of the application. Foot traffic is constant, and the fence keeps people from being able to see into yard. Gary and Jerry Daniels were present to speak in opposition, it wouldn't be right to approve this fence since theirs was denied and want to be treated the same. Chair Abney closed the public hearing and opened the floor for discussion amongst the voting members. Clonts made a motion to deny, which was seconded by Burkhalter. The motion passed 6-0.

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

ADJOURNMENT:

Burkhalter made a motion to adjourn, which was seconded by Johnson. Meeting was adjourned at 3:43 pm by common consent.

STAFF REPORTS:

- <https://www.rome.ga.us/DocumentCenter/View/2462/BOA23-03-01>
- <https://www.rome.ga.us/DocumentCenter/View/2463/BOA23-03-02>
- <https://www.rome.ga.us/DocumentCenter/View/2464/BOA23-03-03>
- <https://www.rome.ga.us/DocumentCenter/View/2465/BOA23-03-04>
- <https://www.rome.ga.us/DocumentCenter/View/2466/BOA23-03-06>
- <https://www.rome.ga.us/DocumentCenter/View/2467/BOA23-03-07>