

**MINUTES
OF
THE CARTERSVILLE BOARD OF ZONING APPEALS**

The Cartersville Board of Zoning Appeals met in a regularly scheduled meeting on March 10, 2022 in the Council Chambers.

Board Members Present: Lamar Pendley, JB Hudson, Malcolm Cooley, Kevin McElwee,
John Clayton, Patrick Murphy
Absent: Linda Brunt
Staff Present: Randy Mannino, David Hardegree, Julia Drake

CALL TO ORDER

Chairman Pendley called the meeting to order at 5:30 PM

ROLL CALL

APPROVAL OF MINUTES

1. Approval of Minutes: February 10, 2022

Chairman Lamar Pendley called for a motion on the February 10, 2022 BZA meeting minutes. Board Member McElwee made a motion to approve the minutes. Motion was seconded by Board Member Hudson and carried unanimously. Vote: 5-0.

VARIANCE CASES

**2. V22-05: 101 McCanless St. Applicant: Jennifer Hagaman & Stephanie Harbour
Variances for accessory structure to be used for a home based business, to increase
floor area of an accessory structure, and to allow fence in front yard of a corner lot.**

David Hardegree, Planning and Development Assistant Director, stated that all adjacent property owners had been notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree gave an overview of the case. In the overview, Mr. Hardegree stated that the applicants had three (3) parts to their variance.

1. To allow an accessory structure be used for a home-based business (Sec. 4.23 (8));
2. To increase the allowed floor area of an accessory structure from 50% to approx. 88% of the principal structures' floor area (Sec. 4.9, parag. 3);
3. To allow a portion of a 6ft. privacy fence be installed in the front yard of a corner lot (Sec. 4.16 (B) (1), (2) & (4)).

All City departments take no exception to the variance requests. One public comment was received from Pam McMicken, of which was a general inquiry.

Public hearing was opened.

Jennifer Hagaman, Clearmont, Florida, and Stephanie Harbour, 40 Galway Dr., came forward to represent the variance request and answer any questions from the board.

Ms. Hagaman and Ms. Harbour explained that the proposed accessory structure would be like a conservatory and provided pictures of what they had in mind to construct.

Examples of plant conservatory additions.



Furthermore, they explained that shipping would be provided for customers via UPS and USPS but no more than one (1) shipment daily. Their projected business hours would be early morning to 3pm and no excessive lighting would be used to disturb neighbors.

With no other comments from the board or public, the public hearing was closed.

Board Member McElwee made a motion to approve V22-05 – To allow an accessory structure be used for a home-based business with the condition that the space resembles the conservatory examples shared. Board Member Murphy seconded the motion. Motion carried unanimously. Vote: 5-0

Board Member Hudson made a motion to approve V22-05 – To increase the allowed floor area of an accessory structure from 50% to approx. 88% of the principal structures’

floor area. Board Member McElwee seconded the motion. Motion carried unanimously. Vote: 5-0

Board Member McElwee made a motion to approve V22-05 – To allow a portion of a 6ft. privacy fence be installed in the front yard of a corner lot. Board Member Clayton seconded the motion. Motion carried unanimously. Vote: 5-0

**3. V22-06: 950 West Ave. Applicant: Trailhead Media
Variance to reduce setbacks for a billboard relocation.**

Mr. Hardegree stated that all adjacent property owners had been notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree gave an overview of the case. In his overview he reviewed the department comments stating no departments take exception.

Public hearing was opened.

Mark Harris, applicant, Taylorsville, Ga., came forward to represent the application and answer any questions from the board. .

With no one to speak for or against the variance request, the public hearing was closed.

Board Member Clayton made a motion to approve V22-06. Board Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

**4. V22-07: 4 Grove Point Way Applicant: Chelsea Townsend
Variance to allow a 6ft. privacy fence be installed in the front yard of a corner lot.**

Mr. Hardegree stated that all adjacent property owners had been notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree gave an overview of the request and stated that there were no exceptions from departments and one public comment was made. See Exhibit A – Email from Deanna Foster.

Public hearing was opened.

Chelsea and Shelby Townsend, applicants, 4 Grove Point Way, came forward to represent the application and answer questions from the board.

Public hearing was closed.

Board Member Clayton made a motion to approve V22-07 with the condition that the fence will follow the red line of document (see below). Board Member Cooley seconded the motion. Motion carried unanimously. Vote: 5 -0

EXHIBIT A

David Hardegree

From: Deanna Foster <dfoster0509@gmail.com>
Sent: Tuesday, March 8, 2022 10:50 AM
To: David Hardegree
Subject: Re: [EXTERNAL] Re: Variance- V22-07. 4 Grove Point Way privacy fence

CAUTION! : This email originated from outside the City of Cartersville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sender: dfoster0509@gmail.com

Hi David,

I'm writing to express my concerns regarding variance V22-07 to allow for a privacy fence at 4 Grove Point Way.

My husband (Kevin Foster) and I are the property owners at 215 Belmont Dr, Cartersville, GA which is adjacent to 4 Grove Point Way in which the rear of their property lines up to the side and front yard of our home. Currently, we have limited visibility in pulling out of our driveway to access Belmont Drive due to the curvature of Belmont Drive and the HOA landscape/shrubbery along Belmont Drive that is adjacent to 4 Grove Point Way. We are concerned the installation of a 6ft privacy fence at the back corner of 4 Grove Point Way (from the end of the HOA landscape to the property line) will further impede our visibility to oncoming traffic as well as oncoming traffic's visibility of our driveway. As parents of 3 children under the age of 6 years old living on a busy street within the neighborhood this is very important for the safety of our family.

We would like the property owners to consider adhering to the 20ft setback line at the end of the HOA landscape or installing a shorter fence that is not opaque in the back corner. We have no issues with their plans to fence the rear and right side of their property or the fence line on the left prior to the end of the HOA landscape. Please let us know if you have any further questions and thank you for your consideration.

Thanks,
Deanna Foster

On Mon, Mar 7, 2022 at 11:16 AM David Hardegree <dhardegree@cityofcartersville.org> wrote:

Yes. You can send them to me and I'll print and distribute copies to the Board for the meeting. They can be incorporated into the meeting minutes.

From: Deanna Foster <dfoster0509@gmail.com>
Sent: Monday, March 7, 2022 11:05 AM
To: David Hardegree <dhardegree@cityofcartersville.org>
Subject: [EXTERNAL] Re: Variance- V22-07. 4 Grove Point Way privacy fence

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