

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

The Cartersville Board of Zoning Appeals met in a regularly scheduled meeting on March 9, 2023, in the Council Chambers.

ROLL CALL

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

APPROVAL OF MINUTES

1. Approval of Minutes: February 9, 2023

Board Member Hudson made a motion to approve the February 9, 2023, Minutes. Board Member Clayton seconded the motion. Motion carried unanimously. Vote: 4-0

VARIANCE CASES

2. V23-03: 6 Woodland Dr.

Applicant: Jonathan Pressley

Variance:

- *To allow a pool (accessory structure) in the Woodview Drive front yard (Sec. 4.9)*
- *To allow a pool cabana (accessory structure) in the Woodview Drive and Pine Street front yards (Sec. 4.9)*
- *To allow a detached carport (accessory structure) in the Woodland Drive front yard (Sec. 4.9)*

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 a detailed overview stating Variance application by applicant Jonathan Pressley for property located at 6 Woodland Dr. Zoning is R-20, Single Family Residential. Setbacks are Front- 20ft and Side- 10ft. Said property contains approximately 3.98 acres. This is a corner lot with street frontages along Woodland Dr, Woodview Dr, and Pine St.

The applicant proposes to build a pool, approx. 20ft x 40ft, to the rear of the home which is in the front yard of Woodview Dr. The pool cabana, approx. 20ft. x 20ft, is proposed to the rear and side of the home, but in the front yards of Woodview Dr. and Pine St. The structures will meet all building setbacks for accessory structures. Despite having multiple stormwater pipes in this area. The pool can be located to avoid conflicts with the stormwater pipes.

A detached carport (covered parking) is proposed to the west side of the house and in the front yard of Woodland Dr. This encroachment is due primarily to the curvature of the driveway. The proposed location can meet the front and side yard setbacks for the zoning district. However, there is a conflict with the 24” storm pipe as shown on the site plan. The

separation distance from the centerline of the stormwater pipe to the carport should be 5-10ft. This is to avoid damaging the carport structure or its support footing if heavy equipment is used for maintenance or replacement of the pipe.

The city zoning ordinance requires that all accessory structures be located in a side or rear yard and that certain building setbacks be met.

Chairman Pendley opened the public hearing.

Jonathan Pressley, applicant, came forward to represent the application and to answer questions from the Board Members. Continuing, Mr. Pressley stated that he would adhere to the request to stay 6' off of the storm pipe for the detached carport.

With no one else to come forward, Chairman Pendley closed the public hearing.

Board Member McElwee clarified that voting would be separated for each item.

Board Member Clayton made a motion to approve the installation of the cabana. Board Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

Board Member McElwee made a motion to allow the detached carport with the stipulation to remain 6' off storm pipe. Board Member Clayton seconded the motion. Motion carried unanimously. Vote: 4-0

Board Member Hudson made a motion to approve the pool. Board Member McElwee seconded the motion. Motion carried unanimously. Vote: 4-0

3. V23-04: 12 Euharlee Rd.

Applicant: 12 Euharlee Rd., LLC

Variance: To allow an accessory structure (Ice Machine) in the front yard of a commercial corner lot.

Mr. Hardegree stated that all adjacent property owners had been notified and the property had been properly posted and advertised. Continuing, he gave an overview stating the Variance application by applicant 12 Euharlee Rd, LLC, for property located on 12 Euharlee Rd. It is a corner lot at the intersection of Euharlee Rd and the old Euharlee Rd. Zoning is O-C, Office- Commercial. Setbacks are Front - 20ft and Side- 10ft. Said property contains approximately 1.08 acres.

The applicant proposes to install an ice machine (accessory structure) along the outer drive-thru lane on the western edge of the property. Due to the unusual shape of the property located at the split of the old Euharlee Rd and Euharlee Rd intersection, the accessory structure is proposed in a front yard. The property has three (3) front yards. Accessory structures are to be located in the side and rear yards per Zoning Ordinance Sec. 4.9, *Accessory uses, buildings or structures*.

Furthermore, Mr. Hardegree reviewed department comments from the Building Department saying that the structure would need to be permanently anchored to have power connection.

Chairman Pendley opened the public hearing.

Hunter Horton, 16 Stratford Lane, came forward to represent the application and stated that the proposed ice machine would be on a concrete pad in the grass area.

With no one to come forward to speak for or against the application, Chairman Pendley closed the public hearing.

Board Member Clayton made a motion to approve V23-04. Board Member Hudson seconded the motion. Motion carried unanimously. Vote: 4-0

With no other business to discuss, Board Member McElwee made a motion to adjourn at 5:47 P.M.

April 13, 2023
Date Approved

/s/ _____
Chair