

MINUTES OF THE CARTERSVILLE BOARD OF ZONING APPEALS

The Cartersville Board of Zoning Appeals met in a regularly scheduled meeting on October 10, 2024, in the Council Chambers.

ROLL CALL

Board Members Present: Lamar Pendley, JB Hudson, Kevin McElwee, Patrick Murphy, Linda Brunt, Hoyt Hatfield and Jacqueline Hendricks
Staff Present: David Hardegree, Zack Arnold and Julia Drake

APPROVAL OF MINUTES

1. September 12, 2024

Board Member Hudson made a motion to approve the minutes from August 8, 2024. Board Member McElwee seconded the motion. Motion carried unanimously. Vote: 6-0

VARIANCE CASES

2. V24-21: 111 Remington Dr

Applicant: Jason & Melissa Stringer

Variance: Variance to allow accessory structures, pool/pool deck, in the front yard of a corner lot.

David Hardegree, Planning and Development Assistant Director stated that all adjacent property owners had been properly notified and property had been posted and advertised. Then, Mr. Hardegree turned the case over to Zack Arnold.

Zack Arnold, Assistant City Planner, gave an overview of the case stating this variance application was by applicant, Melissa Stringer, for property located at 111 Remington Drive, zoned R-20 Residential. Setbacks are Front- 20ft and Side- 10ft. Said property contains approximately 0.65 acres. The lot is a corner lot with road frontage along Road No. 1 South and Remington Drive.

Ms. Stringer was approved for a variance to install a privacy fence in a front yard along Road No. 1 South on 4-13-2023 (V23-06). One of the conditions of that variance approval required the applicant to remove the partially constructed fence out of the Public ROW (Right-of-Way) of Road No.1 South and rebuild the fence on her property.

On 6/10/2024, Erick Sturges, Code Enforcement Officer, conducted an inspection of the property to ensure compliance with the variance approval conditions. During that inspection Officer Sturges noted multiple unrelated code violations, one of them being an unpermitted deck around a swimming pool. This deck was also constructed in the front yard, along Road No. 1 South right-of-way, requiring a variance to be compliant with the City Zoning Ordinance. The City Zoning Ordinance (Sec. 4.9) requires all accessory structures to be built in the rear yard only and be a minimum of 5ft. from all property lines.

It should be noted that the pool that is used in conjunction with the deck in question is also in the front yard and should have been added to variance case V23-06. Due to this, staff has decided to add the pool to this variance application to prevent the owner from further issues regarding the pool location in relation to City Zoning Standards.

Brandon Bowen, 15 S. Public Square, came forward to represent Old Castle APG South, Inc. Continuing, he stated that Old Castle was looking to expand their production. However, zoning regulations allow a 55ft. max building height. With the variance request of 65' max building

height, the new building would be placed behind the existing silo as to not create a nuisance. Additionally, the new building would not create any more noise or dust.

Karl Lutjens, 114 Old Mill Rd., came forward to answer any questions from the Board Members.

Lisa D. Ellis, 122 Cassville Rd., came forward to speak against the application due to the amount of noise and dust that is created from this site and fears that with the expansion, more will be created.

Mr. Bowen came forward to address the noise issues and stated the City of Cartersville had notified Old Castle of the noise complaints.

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

Board Member Hatfield made a motion to approve V24-22. Board Member Hudson seconded the motion. Motion carried unanimously. Vote: 6-0

With no other business to discuss, Board Member McElwee made a motion to adjourn at 5:54 P.M.

November 14, 2024
Date Approved

/s/ _____
Chairman