

# BOARD OF ZONING APPEALS

## Board Members:

Lamar Pendley, Chairman  
Linda Brunt  
John Clayton  
J.B. Hudson  
Kevin McElwee  
Malcom Cooley  
Patrick Murphy

## City Staff:

Meredith Ulmer, City Clerk  
Randy Mannino, Planning Director  
David Hardegree, City Planner  
Connor Hooper, Asst. City Planner

## Assistant City Attorney

Keith Lovell

**REGULAR SCHEDULED MEETING: August 12<sup>th</sup>, 2019. 5:30 PM**  
**3<sup>rd</sup> FLOOR, CITY HALL**

## AGENDA

1. **Call Meeting to Order**
2. **Roll Call**
3. **Approval of Minutes:** July 15th, 2019
4. **File V19-06 (Tabled):** Etowah Preserve, Phase 1 **Applicant:** Etowah Venture Partners I LLC
  - A. *Variance To allow front access parking for townhomes*
5. **File V19-09:** 102 Allison Cir. **Applicant:** Robert Poston
  - A. *Variance to reduce setbacks for an accessory structure*
6. **File V19-10:** 122 Leake St. **Applicant:** Todd Dittmer
  - A. *Variance to reduce lot size, width and setback requirements*
7. **File V19-12:** 1220 Hwy 113 **Applicant:** City of Cartersville
  - A. *Variance to reduce front and side yard setback requirements*
8. **Staff or Committee Comments**
9. **Adjourn**

Persons with disabilities needing assistance to participate in any of these proceedings should contact the human resources office, ADA coordinator, 48 hours in advance of the meeting at 770-387-5616.

The next scheduled meeting of the BZA is Monday, September 23rd, 2019. 5:30pm.

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

The Cartersville Board of Zoning Appeals met in a regularly scheduled meeting on July 16, 2019.

Board Members Present: Linda Brunt, Kevin McElwee, Malcolm Cooley, Lamar Pendley, JB Hudson, Patrick Murphy, and John Clayton

Staff Present: Randy Mannino, David Hardegree, Connor Hooper, Meredith Ulmer

**1. Call to Order**

Chairman Pendley called the meeting to order.

**2. Roll Call**

**3. Approval of Minutes: April 22, 2019**

Chairman Pendley called for a motion on the April 22, 2019 BZA meeting minutes. Board Member McElwee made a motion to approve the minutes. Motion was seconded by Board Member Brunt and carried unanimously. Vote: 6-0.

**4. File V19-06: Etowah Preserve, Phase 1 Applicant: Etowah Venture Partners I LLC  
The applicant requests a variance: To allow on street, side, and front yard parking**

Chairman Pendley called the next item.

Randy Mannino, Planning and Development Director, gave a summary of the application and history of the property. Mr. Mannino stated all adjacent property owners have been notified, and the required legal notices have been advertised.

Chairman Pendley opened the floor to a public hearing:

Steven Delonga of Atlanta, GA, applicant, came forward to represent and speak for the application.

Tim McGrath of Cartersville, GA came forward with questions in regards to privatization of roads, storm drains and who is responsible for the maintenance.

Ann Byrne, 15 Everest Drive, came forward to speak against the application.

Leslie Simmons of 1105 Tennessee Street, Cartersville, GA came forward to represent CAE LLC and stated she did not receive notice and spoke against the application.

Bill Mullin, 15 McKinley Court, Cartersville, GA came forward to speak against.

Public hearing was closed.

The Board went into discussion about the following: Private versus public streets, street and infrastructure long-term maintenance, HOA requirements and responsibilities, 2018 zoning conditions, specifically, Tilley property access to Center Road, and city department variance comments.

Board Member Clayton made a motion to table file V19-06 and the motion was seconded by Board Member Hudson. Motion carried. Vote: 4-3 (For- Lamar Pendley, John Clayton, JB Hudson, and Malcolm Cooley).

**5. File V19-08: 880 JFH Pkwy. Applicant: Horton Outdoor Advertising. The applicant requests a variance: To vary multiple billboard requirements**

Mr. Mannino gave a summary of the application and stated all adjacent property owners have been notified, and the required legal notices have been advertised.

Chairman Pendley opened the floor for a public hearing.

Deanna Berry, representing the application came forward to speak for V19-08.

Public hearing was closed.

The Board went into discussion and addressed the following: adjustable brightness of electronic billboard, billboard height, animation, all ads are static with no transition between ads.

Motion to approve File V19-08 as presented was made by Board Member Brunt and seconded by Board Member McElwee. Motion carried unanimously. Vote: 6-0.

**6. Staff or Commission Comments**

Mr. Mannino inquired about what specific information the Board needed in regards to the tabled item.

The Board stated: reasoning as to why the road needs to private, location of gas lines, the Board thinks more time is needed for the developer to work out all department comments. Board has a fear that the HOA will not be properly prepared to maintain the roads and eventually road maintenance will be a burden on the City. Tilley property access to Center Road not sufficiently addressed.

Mr. Mannino stated no comments from the school system have been submitted yet.

**6. Adjourn**

Motion to adjourn was made by Board Member Clayton and seconded by Board Member Brunt. Motion carried unanimously. Vote 6-0.

Meeting adjourned.

\_\_\_\_\_  
Date Approved

/s/ \_\_\_\_\_  
Chair