

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

The Cartersville Board of Zoning Appeals met in a regularly scheduled meeting on August 10, 2023, in the Council Chambers.

**ROLL CALL**

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

Absent: Malcolm Cooley and John Clayton

Staff Present: Randy Mannino, David Hardegree, Zack Arnold, and Julia Drake

**APPROVAL OF MINUTES**

**1. June 8, 2023**

Board Member Hudson made a motion to approve the minutes from June 8, 2023. Board Member McElwee seconded the motion. Motion carried unanimously. Vote: 4-0

**VARIANCE CASES**

**2. V23-16: 115 Mayflower St.                      Applicant: Monique Frazier**  
***Variance: To allow a privacy fence in the 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 stating this variance application by applicant, Monique Frazier, for property located at 115 Mayflower Street, zoned R-7 Residential. Setbacks are Front- 25ft (Ohio St), 20ft (Alley) and Side- 8ft. Said property contains approximately 0.23 acres. The lot is a corner lot with road frontages along Mayflower St., Ohio St. and an alley.

The applicant proposes to build a privacy fence to enclose the west and north sides of the property that include the front yards along the Ohio St. Right-of-Way and the alley. The property has been surveyed and the property lines have been marked with pink flags. The fence ordinance for corner lots, Sec. 4.16, requires privacy fences to be installed behind the front yard setback, and to the rear of the house. A fence segment is proposed to the side of the house, but in the front yard along Ohio St. the fence segment along the eastern property line is compliant with the ordinance but will enclose the gas and electric meters. 24/7 access to the meters and service lines is required by the utility departments. A double locking gate is required.

The property line is approx. 10ft, from the edge of payment along the alley. This fence section is not expected to interfere with trash service. A double gate will be installed for vehicular access to the property.

Chairman Pendley opened the public hearing.

Monique Frazier, 115 Mayflower St., came forward to represent the application and to answer any questions from the Board Members.

With no questions from the Board Members and no one else to come forward to speak for or against the application, the public hearing was closed.

Mr. Hardegree stated that in the write up for this application, there was a typo stating the request was for an 8-foot tall fence but wanted to state for the record that the request was for a 6-foot fence.

Board Member McElwee made a motion to approve V23-16. Board Member Brunt seconded the motion. Motion carried unanimously. Vote: 4-0

**3. V23-17: 138 Luckie St. Applicant: Joyce Huskins**  
***Variance: To reduce side and rear yard setbacks for construction of accessory structure.***

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 stating this was a variance application by owner/applicant Joyce Huskins for property located at 138 Luckie St, zoned R-7 Residential. Setbacks are Front and Rear- 20ft and Side- 8ft. Said property contains approximately 0.24 acres.

The applicant proposes to build a detached garage at the end of her driveway and in the rear yard. The ordinance pertaining to accessory structures on residential lots, Sec. 4.9, requires all accessory structures be in the rear yard and 5ft off all property lines. The proposed garage will encroach into the required 5ft setback in the side and rear yard. The proposed encroachment is approximately 3.5ft in the side yard and 1.2ft in the rear yard.

The house is approximately 1800sf. The 16' x 28' garage is 448 sf. The proposed garage is compliant with the square footage requirement. Also, the garage may not be taller than the house. There is no indication that the garage will exceed the height of the house.

Chairman Pendley opened the public hearing.

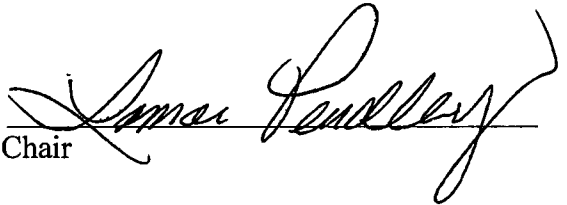
Joyce Huskins, 138 Luckie St., came forward to represent the application and to answer any questions from the Board Members.

With no questions from the Board Members and no one else to come forward to speak for or against the application, the public hearing was closed.

Board Member Hudson made a motion to approve V23-17. Board Member Brunt seconded the motion. Motion carried unanimously. Vote: 4-0

With no other business to discuss, Board Member McElwee made a motion to adjourn at 5:40 P.M.

September 14, 2023  
Date Approved

/s/   
Chair