



**Carroll County
Department of Community Development**

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PLANNING COMMISSION SYNOPSIS
May 17, 2022

C-22-04-04: Conditional Use for Special Event Facility at 1578 Bonner Goldmine Road, Carrollton. Parcel #081-0174, Land Lot 126 of the 11th District. Owner/Applicant: Elisabeth Cobb. Commission District 5.

Mrs. Cobb spoke on behalf of her application. She stated that she is there again on behalf of her application for a wedding venue. She stated that they had purchased their property in 2017 and used the same real estate agent as her neighbors, the Duncans, who had voiced their opposition at the previous meeting.

She said that they had built the barn gradually as they had the money. She said they have passed the state fire marshal inspection. They have developed a contract with a clause for zero tolerance for loud music. She said the barn is in their back yard and they don't want loud music at their house, either. She said she is removing the trees along the front of the house and moving them closer to the barn to also provide a buffer. She said their property meets the requirements for the Carroll County Zoning Ordinance with regard to parking. The barn is 6,400 sf and they have 34 spaces, enough for about 100 people. They do not want to have events with more people than that. She pointed out that Brad Robinson of the Carroll County Sheriff's Department has submitted a letter of support and numerous other people have submitted letters of support for her. She said that if they have events involving alcohol, they will have an off-duty deputy present. She said they are 590 yards from the nearest church. She said they only have a catering kitchen and they will end events by 10 p.m. She said she was raised in the city, but she knows that farming is not that lucrative, so they wanted to supplement their chickens, goats, and hogs with this wedding venue.

Phyllis Head of 1212 Bethesda Church Road spoke in support. She stated that she lives across the road from the applicants and has a picture window that looks out to their property. She stated that the applicant's property is immaculate. She said she wrote a letter of concern (in packet) last month, but that Elisabeth had reached out to her and invited her over to tour the property. She said that Elisabeth addressed every concern and she feels that she would take great care to make sure she is not disturbing the neighbors. Ms. Head stated that she is a professional musician and has sensitive ears, and she has never heard any noise from events on the property. She said the only evidence of any events has been some balloons on the mailbox. She said she has no issue with a wedding venue across the road from her. She said she has only heard fireworks on the 4th of July and New Year's. Ms. Head said that she thinks Mrs. Cobb is sincere and will not impact the neighborhood.

Nick Carnes of 1507 Bethesda Church Road spoke in support of the venue. He said he has nothing but good things to say about the Cobbs. He said that he lives only a few yards away. He said the Cobbs have bent over backwards to mitigate the noise problem that was complained about previously. He said the venue will be subject to the noise ordinance. He asked why the noise was only brought up when it got to this commission, and never a neighborly phone call.

There was no opposition.

Commissioner Dement said this is not an easy situation and he fully appreciated all that the Cobbs have done to appease their neighbors. He said that there have been adverse events in the neighborhood and this use is not compatible with the neighborhood. He said there were no unique circumstances that should cause him to vote for this venue and he felt like it would continue to be a nuisance to the neighborhood. He said that what they are proposing is not in the spirit of the ordinance and they are in violation of permits.

At this point, Community Development Director Ben Skipper said that normally permits would not be addressed by this board, and that his office would make sure that the barn has met all of the permits and requirements before the business license is issued.

Commissioner Hagen stated that Mrs. Cobb had stated at the previous meeting that the plan the whole time was to build the venue. He said their case is that they are going to do good now, even though they didn't in the past.

Commissioner Dement said he is tired of people asking for forgiveness rather than permission.

Commissioner Huddleston stated that he is a full-time farmer and he said all farms do not look like his. This farm is 39 acres with a barn so it is a farm. He said that many venues we have seen have NOT looked like farms. He said he wanted to thank the Cobb family for the invitation to visit their farm. He said he does have farm equipment in the barn. He said they have done much to support the community. He thinks the issues can be corrected. He said sometimes we need to do some due diligence before just saying no.

Commissioner Dement said he appreciated Commissioner Huddleston's personal experience, but he thinks we are setting a precedent if we approve this case.

Commissioner Hagen said he had voted against every venue that has come before the board. He said just because you have a barn does not make you a farmer.

Commissioner Marshall pointed out that the ordinance says you can have a venue in Agricultural zoning.

The county attorney pointed out that there is an ordinance change on the agenda for tonight to no longer allow venues in Agricultural zoning.

Commissioner Huddleston pointed out that as of tonight, the ordinance still stands.

Commissioner Huddleston made a motion to approve and Commissioner Marshall seconded. The vote to recommend approval was passed by a 3-2 vote.

Commissioners Doyal, Huddleston and Marshall voted to approve.
Commissioners Hagen and Dement voted against approval.

PLANNING COMMISSION SYNOPSIS

May 17, 2022

C-22-05-01: Request for Conditional Use Permit for Secondary Detached Dwelling, 400 Kuglar Road, Bowdon. Parcel #042-0128, Land Lot 111 of the 10th District. Owner/Applicant: Amanda Revell. Commission District 6.

Amanda Revell spoke in favor of her request. She said that they recently purchased the property and they were looking for some place where they could place an additional home for her in-laws. She said they wanted to build a stick-built home, approximately 1300 sf, similar to the existing home on the property. She said they would share a driveway but the new home would have its own septic system. The mother-in-law was also present in support. There was no opposition, but one neighbor was there who wanted more information, Kelly Lowery. She was concerned about where the new house is going. She had heard there was a business going on the property. Ms. Revell stated that her husband would have a home business there, but it would meet the guidelines of the county. The vote was unanimous to recommend approval.

PLANNING COMMISSION SYNOPSIS

May 17, 2022

Z-22-05-01: Request to Rezone 10.412 acres from Agricultural and R3 to Residential, 2653 W. Highway 166, Carrollton. Parcel #077-0115 and 077-0116, Land Lot 91 of the 10h District. Owner/Applicant: Look Into the Future Properties 1, LLC. Commission District 4.

Mike Mashburn, realtor, spoke in favor of the request. He stated his client wants to divide the property into approximately seven lots which are about an acre and a half each. He said there is already a lot of residential around the area, and this would be comparable, and would most likely raise property values. The houses that are planned would be 1800-2500 sf, in the \$310,000 to \$350,000. He said they have people lined up wanting houses in this price range. There was no opposition. The vote to recommend approval was passed 5-1 with Commissioner Dement the dissenting vote.

PLANNING COMMISSION SYNOPSIS

May 17, 2022

Ordinance Revision: RESOLUTION AND ORDINANCE OF THE BOARD OF COMMISSIONERS OF CARROLL COUNTY AMENDING AND RESTATING SECTION 8.1.2 OF THE CARROLL COUNTY ZONING REGULATIONS TO DELETE “SPECIAL EVENTS FACILITY” AS A CONDITIONAL USE IN THE AGRICULTURAL ZONING DISTRICT; AMENDING SECTION 8.8.2 TO ADD “SPECIAL EVENTS FACILITY” AS CONDITIONAL USES IN THE COMMERCIAL ZONING DISTRICT; AMENDING SECTION 4.0 TO AMEND THE DEFINITION OF “SPECIAL EVENTS FACILITY”; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Ben Skipper presented the ordinance change. He went over the changes and said that the venues applied for have started to go in a direction we did not intend. He stated that this ordinance change would not affect the venue that the Board had considered previously tonight, but would take effect for any new applications.

Commissioner Huddleston said he would like to discuss this more before making any changes. He said he feels like this is a knee-jerk reaction. He suggested that the Board of Commissioners enact a 30-day moratorium to give this board time to craft a revision to the ordinance that did not completely shut farmers out from using their farms for venues.

Commissioner Dement agreed, but said he felt like they needed more than 30 days.

Commissioner Huddleston motioned to table the ordinance revision until the August 16 Planning Commission meeting in order to give this board time to come up with a better ordinance. Commissioner Dement seconded. The motion to table was unanimous.

Then, Commissioner Huddleston made a motion to ask the Board of Commissioners to enact a moratorium on any special event venues for 90 days so that the Planning Commission could revise the existing ordinance. The motion to recommend a moratorium was unanimous.