



**Carroll County
Department of Community Development**

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PLANNING COMMISSION SYNOPSIS
February 23, 2021

C-21-02-01: Conditional Use for a Large Special Event Facility at 5316 Smithfield Road, Bowdon. Parcel #028-0019, Land Lot 96 of the 9th District, consisting of 62.89 acres, zoned Agricultural. Owner/Applicant: Jacklyn S. and Kurt M. Ross. Commission District 6.

Mr. and Mrs. Ross spoke in favor of the application. Mrs. Ross stated that the property had been in her family since 1935 and had been abandoned for a decade. She said her grandfather's estate was settled and she has begun to clean up the property. She said she has spoken with several of her neighbors who want them to do something with the property. She said they want to clean up the place and then have weddings and other events there. There was no opposition.

Commissioner Marshall asked if they lived on the property and Mrs. Ross answered that they do live there. She said there are currently three barns and the house, but they are planning to tear one of the barns down. She said this would allow them to supervise events.

Commissioner Lackey asked about the driveway. Mrs. Ross stated that they were planning to repave the driveway and make other repairs to the property to make it look better. She said she is 38 years old and plans to be there until she dies.

Chairman Doyal asked staff if this qualified for a "large" special events facility and staff answered that yes it does.

Staff explained that they were adding restrooms to the site and this would require a septic tank permit.

Commissioner Lackey motioned to approve and Commissioner Hagen seconded. The vote to recommend approval was unanimous.

C-21-02-02: Conditional Use for a Secondary Detached Residence at 1748 N. Highway 113, Carrollton. Parcel #106-0186, Land Lot 209 of the 5th District, consisting of 5.57 acres, zoned Agricultural. Owner/Applicant: Tobin Hart. Commission District 3.

Dr. Hart spoke in favor of his application. He stated that he had purchased the property about 11 years ago and at that time there was a concrete pad measuring 24' x 55.' He stated that he then placed a metal Quonset building there. He said about five years ago, he built a home office in the building and then added guest quarters. He said he has had a structural engineer inspect the building, but does not have the report yet. He said the primary house on the property is a three bedroom house, and he and his wife plan to retire into that home. They currently reside on the property next door. He said they have two daughters and they frequently had out of town guests, so they need the extra space in the second dwelling. He said the driveway is long and the house is about ¼ mile off of Highway 113.

Commissioner Hagen inquired as to whether the applicant would be renting out the second dwelling. The applicant said that he had not planned to do that.

A long discussion then ensued regarding the ordinance requiring a Conditional Use Permit for a Secondary Dwelling. Commissioner Lackey inquired as to whether they could place a condition on the approval that he could not rent the second dwelling. Staff stated that they could indeed do that, but that it would be difficult to enforce. Commissioner Hagen stated that he had a problem with that, because what had been a single family parcel then becomes multifamily. He said that when the property is sold, it then becomes income producing. Staff indicated that this could also result in the property being split in the future because some banks would not finance a property with two dwellings, and then you have an agriculturally zoned property that is less than four acres.

The board asked why Dr. Hart was coming forward now and making this request. Staff stated that the neighbor had called about adding another dwelling to their property and was told that they would need to obtain a Conditional Use Permit for a Secondary Dwelling. The neighbor then said that her neighbor (Dr. Hart) had a second house and had not had to go through that process. A formal complaint was then filed with Code Enforcement, and after a visit was made, Dr. Hart called staff to inquire as to how to become compliant.

Commissioner Hagen made a motion to approve the request for the current owner only, and Commissioner Lackey seconded. The vote to approve was unanimous.