

1. Call To Order
2. Roll Call
3. Approval Of Minutes
4. Business Session
5. Hearing Procedures
6. Requests

- 6.I. V-22-02-01: Aaron And Laura Kight, 505 Lovvorn Mill Road  
Driveway Variance, zoned Agricultural, add an additional residence to existing driveway. The property is located at 505 Lovvorn Mill Road, Bowdon, Parcel #029-0010, Land Lot 121 of the 9<sup>th</sup> District. Owner/Applicant: Aaron and Laura Kight. Commission District 6.

Documents:

[STAFF ANALYSIS V-22-01-01 AARON AND LAURA KIGHT 505 LOVVORN MILL ROAD DRIVEWAY VARIANCE.DOCX](#)

- 6.II. V-22-02-02: Russell Dean Gerstman, 86 Taylors Gin Road  
Intrafamily Transfer Variance, zoned Agricultural, to split an approximately one acre tract out of a 12 acre tract for family. The property is located at 86 Taylors Gin Road, Temple, Parcel #123-0007, Land Lot 183 of the 6<sup>th</sup> District. Owner: Marvin and Theresa Radcliff. Applicant: Russell Dean Gerstman. Commission District 3.
- 6.III. V-22-02-03: Harvey Herrin, 190 Hardy Road  
V-22-02-03: Intrafamily Transfer Variance, zoned Agricultural, to split two approximately 2.6 acre tracts out of a five acre tract. The property is located at 190 Hardy Road, Whitesburg, Parcel #160-00217, Land Lot 66 of the 5<sup>th</sup> District. Owner/Applicant: Harvey Herrin, Jr. Commission District 5.

7. Adjournment



Carroll County  
Department of Community Development

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Janet Hyde  
County Planner

**V-22-02-01**

**COMMISSION DISTRICT:** 6  
**COUNTY COMMISSIONER:** George Chambers  
**BOARD OF APPEALS MEMBER:** Steve  
Hightower  
**PUBLIC HEARING DATE**

**BOARD OF APPEALS:** February 1, 2022  
**REQUEST:** Driveway variance

**OWNER/APPLICANT:** Aaron and Laura Kight  
**ACRES:** 8.85 acres

**Current Land Use:** Agricultural/Residential  
**Future Land Use:** Agricultural

**PARCEL NUMBER(S):** 029-0010  
**LOCATION:** 505 Lovvorn Mill Road

**PROJECT DESCRIPTION:** The applicant is requesting a variance to add another residence to an existing driveway (easement). The property consists of two legal parcels which have been combined into one tax parcel. The legal parcel in which the variance is requested is the parcel to the north and is approximately four acres.

**SURROUNDING PROPERTIES:**

	<b>Current Zoning</b>	<b>Land Use</b>
<b>North</b>	Agricultural	Residential
<b>East</b>	Agricultural	Residential
<b>South</b>	Agricultural	Residential
<b>West</b>	Agricultural	Residential

**REVIEW CRITERIA AND STANDARDS FOR CONSIDERING AREA VARIANCES:**

**A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property.**

There are physical circumstances or conditions peculiar to the particular property in that the property does not have adequate road frontage to support an additional driveway.

**B. That denying the variance would impose an unnecessary hardship due to such conditions.**

Denying the variance would impose a hardship due to the inability of the applicant to obtain a building permit on the property. The property has been combined on the tax assessor records in order for the applicant to receive one tax bill; however, the property is actually two separate pieces of property.

**C. That the variance, if authorized, will not alter the essential character of the neighborhood or locality in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent properties, nor be detrimental to the public welfare.**

The variance would not alter the essential character of the neighborhood nor substantially impair the appropriate use or development of adjacent properties. The surrounding neighborhood is predominantly residential.

**D. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.**

The variance, if authorized, represents the minimum variance that will afford relief.

**STAFF COMMENTS:** Applicant owns approximately 8.5 acres in two parcels of land. The property consists of two legal parcels which have been combined into one tax parcel. The legal parcel in which the variance is requested is the parcel to the north and is approximately four acres. The Carroll County Zoning Ordinance only allows one driveway to serve two dwellings. The property in question is currently served by a driveway that serves two other homes.

There will be no impact to the school system or utility infrastructure by the granting of this variance. 1.3 acres of the property is in flood plain (see attached map). There are also "state waters" on the property. Surface runoff eventually enters Indian Creek and the water supply watershed serving this area is Turkey Creek. The property is inside the seven mile upstream radius. The County Engineer has provided soil maps which are also attached.

Anticipated traffic generation for an additional home is 10 trips per day average.

**STAFF RECOMMENDATION:** Approval with the condition that a maintenance agreement is executed for maintenance of the driveway.

**PUBLIC NOTIFICATIONS:** As required by Sections 14.3 and 14.4 of the Carroll County Zoning Ordinance, the public has been notified in the *Times-Georgian* on January 14, 2022; a sign was posted on the subject property, and all abutting property owners were notified the rezoning request via U.S. mail.

Respectfully submitted,

Janet Hyde, County Planner