

Unified Board of Zoning Appeals

Current Agenda

Wednesday – April 10, 2024
Regular Meeting 12:00 Noon

BZA Members:

- ☐ Mickey Brock (*Varnell*)
 - ☐ Kenneth Harless, Chair (*Dalton*)
 - ☐ Austin King, Vice-Chair (*Dalton*)
 - ☐ Tracy Ward (*Whitfield County*)
 - ☐ Talli Williams (*Whitfield County*)
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1. Call meeting to order by the Chair.
2. Approval of minutes from BZA meeting of March 13, 2024

NEW BUSINESS:

3. Applicant/Owner: Betty Pippin
Stirling Way, Dalton GA (unincorporated county)
A request for a variance to allow a 3rd manufactured home on a parcel in the R-5, Rural Residential zoning district.
Unified Zoning Ordinance Section 4-1-7
4. Applicant/Owner: Juan Miranda
3030 Crow Road, Dalton GA (unincorporated county)
A request for a variance to allow a reduction in the minimum required side building setback for a parcel in the R-2, Low Density Single Family Residential zoning district.
Unified Zoning Ordinance Chart 3.7
5. Applicant: Austin Memmer/Artistic Pools
Property Owner: Mary Jane Gregory Estate
923 Atkinson Drive, Dalton GA (city of Dalton)
A request for variance to allow a reduction in the minimum required side building setback for a parcel in the R-1, Estate Residential zoning district.
Unified Zoning Ordinance Chart 3.7

OTHER BUSINESS:

6. Other information from staff and/or BZA members.
Adjourn Meeting.

MEETING PROCEDURES:

Board of Zoning Appeals meetings follow the procedures outlined below. In the spirit of fairness to all parties, any of these procedures may be modified for a particular item at the discretion of the Chairman.

1. Introduction of the item by the Chairman
 2. Presentation by staff
 3. Presentation by the petitioner
 4. Questions and requests for clarification – Board to petitioner and/or staff
 5. Public testimony
 6. Final questions from Board to petitioner and/or staff
 7. Board discussion and comment
 8. Board action
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CONDITIONS FOR GRANTING A STANDARD VARIANCE:

A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board that every one of the foregoing conditions is met:

- (a) *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.*
- (b) *The application of the applicable ordinance to the particular piece of property would create an unnecessary hardship.*
- (c) *Such conditions are peculiar to the particular piece of property involved.*
- (d) *Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the applicable ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by the applicable ordinance.*
- (e) *The applicant provides either formal or informal written evidence that the intended use, if a variance were granted, would be allowed, either by the Whitfield County Health Department or Dalton Utilities, as applicable, with respect to wastewater treatment.*