

UNIFIED BOARD OF ZONING APPEALS
Meeting Minutes
November 11, 2020

I. Call to order

Chairman Mike Brown called to order the meeting of the Unified Board of Zoning Appeals at 12:00 PM on Wednesday, November 11, 2020 in the 5th floor conference room of the Wells Fargo building located at 201 South Hamilton Street, Dalton, Georgia.

II. Roll call

The following persons were confirmed as present at the meeting either in person or via the GoToMeeting video platform:

Board members:

Mike Brown

Kenneth Harless (via GoToMeeting)

Austin King (via GoToMeeting)

Tracy Ward (via GoToMeeting)

Staff members:

Jean Price-Garland, Dalton-Whitfield Zoning

Jake Bearden (Whitfield County Engineering)

Robert Smalley, County Attorney (via GoToMeeting)

Others:

Larry & Jane Meeks (via GoToMeeting)

III. Approval of minutes from October 14, 2020 BZA meeting

Motion to approve the minutes of the Unified Board of Zoning Appeals meeting for October 14, 2020 made by Tracy Ward and seconded by Austin King. The motion was approved 4-0.

IV. New Business

Appeal Hearing

Applicant/Property Owner: Larry & Jane Meeks

Property Address: 1718 Brighton Way (City of Dalton jurisdiction)

The applicants were present at the hearing via the GoToMeeting platform. Staff presented a GIS layout of the property, and explained the circumstances surrounding the case. The subject property consists of approximately 4500 square feet and is designated as Lot 29 of the North Oaks Crossing townhouse complex on the west side of Cleveland Highway approximately 1/2 mile north of the North Bypass. The applicant's townhouse is located on the property which is served by public water and sewer. The property is zoned R-5, Rural Residential and is located within the city limits of Dalton.

Staff explained at least eight other residents on the same road in the complex have been granted a variance to construct an addition or outbuilding which encroaches into the required rear setback area. The rear yards in the townhouse complex are quite small. There is no other space outside the setback area for any accessory structure. Each townhouse in the area is completely surrounded

by an 8-foot high wooden fence providing some privacy to the residents and also to their adjacent neighbors. The rear of the property is adjacent to a manufacturing plant.

Mr. Meeks explained his rear property line is actually ten (10) feet behind his fence. It is his intention to move the fence back to the property line and construct a freestanding 10'x10' screened building in the vacated area. Mr. Meeks noted the new construction would then be situated two (2) feet from the rear property line but would still be contained within the relocated 8-foot high solid fence surrounding the rear of the property.

The applicant requested **a variance from Chart 3.7 of the Unified Zoning Ordinance to allow the construction of a residential accessory structure within the required minimum 15-foot building setback from the rear property line for a parcel in the R-5, Rural Residential zoning district.**

After some discussion, Tracy Ward made a motion, seconded by Austin King, to grant the variance to allow a thirteen (13) foot encroachment into the rear building setback area. The motion passed 4-0.

V. Other business

Staff had no additional business to report.

VI. Adjournment

Chairman Mike Brown adjourned the meeting at 12:12 PM.

Minutes respectfully submitted by: **Jean Price-Garland**