

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
June 22, 2020

MEMBERS PRESENT

Jim Lidderdale, Chairman
Scott DeLay
David Pennington IV
Jody McClurg

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Lynn Laughter; Chairperson, Harold Brooker, Greg Jones, Roger Crossen, and Barry Robbins

VISITORS PRESENT

Brandon Harrison, Alltoona and Anita Holland, Anthony Tackett, and others

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley

I. GENERAL

A. Call to Order: Chairman Laughter called the meeting to order at 5:56 p.m. and confirmed a quorum of commissioners was present with no absences. Chairman Lidderdale confirmed a quorum of members was present with John Thomas and David Pennington absent, and Lidderdale introduced Eric Barr as the newest Planning Commission member filling the unexpired term of Mitch Sanford.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the April 27, 2020 special called meeting minutes. Mr. DeLay made the motion to accept the minutes as written and his motion was seconded by Ms. McClurg which then passed unanimously 3-0.

Mr. Calhoun gave a brief overview of the meeting procedures and stated that final action would likely occur during the regular July meetings of the Whitfield County Board of Commissioners and City of Dalton and Varnell Mayor and Councils.

II. REZONING PUBLIC HEARINGS

A. Heard the request of David Rogers to rezone from General Commercial (C-2) to Light Manufacturing (M-1) a tract of land totaling 1.01 acres located at 4248 South Dixie Highway, Resaca, Georgia. Parcel (13-153-04-000) (County)

Chairman Lidderdale stated that the petitioner had requested to table the rezoning hearing for one month and that there would be no public hearing for this item during the current meeting. Although Lidderdale did not open the public hearing for this item, Mr. Alltoona Holland, accompanied by his wife Anita, voiced that they were opposed to the rezoning. Holland continued to speak out of turn for several minutes in disagreement with the zoning procedures.

B. Heard the request of Anthony Tackett to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling .59 acres located at 120 Dycus Road, Dalton, Georgia. Parcel (12-205-01-028) (County)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was

in favor of the requested R-5 Rezoning. Chairman Laughter asked Mr. Calhoun to elaborate on the reason for there being a significant R-2 zone district in this location. Calhoun stated that he speculates that zoning this area R-2 was likely an oversight by staff in years past based on the age and number of existing manufactured homes in this area. Mr. DeLay asked Calhoun to clarify if the proposed rezoning would qualify as a "spot zone," and Calhoun noted that due to the residential nature of R-2 and R-5, there would be no grounds for spot zoning. Calhoun went on to state that the type and condition of existing housing stock in this area are actually more indicative of the proposed R-5 zone district. Laughter also referred to the Comprehensive Plan's map and the significant size of the Community Activity Center at this location. Calhoun stated that the nature of character areas can often times be a broad stroke of the brush and that areas such as this would need greater attention during the next update of the comprehensive plan.

Anthony Tackett represented the request and simply stated that the need for the rezoning was in order to replace the existing dwelling with a manufactured home due to the number of repairs to the dwelling exceeds the cost of a manufactured home.

With no other comments heard for or against this hearing closed.

C. Heard the request of the City of Dalton Mayor and Council to amend the Unified Zoning Ordinance to create clearer definitions, make inserts or omissions (including definitions as well as permitted uses), and otherwise improve the context and readability of the zoning text. The proposed amendments will affect Group Homes, Personal Care Homes, and Boutique Hotels, but other definitions and permitted uses may also be added/amended in this process.

Mr. Calhoun summarized the staff analysis which proposed several amendments to the UZO. Chairman Laughter asked several questions in regard to the existing senior care facilities in the community and stated that she wanted to ensure that none of those facilities would be impacted negatively. Unable to pinpoint those facilities and confirm their zoning, Calhoun and Price-Garland stated that they would confirm and report prior to any final action to ensure that the existing facilities were zoned appropriately. Price-Garland stated that even in the case that the existing uses weren't zoned accordingly, those properties would be able to continue their operations unphased by way of the UZO's non-conformity clause. Laughter also pointed out that some facilities offered care to both minors and seniors and pointed out that none of the proposed definitions described such a combination. Price-Garland stated that there are instances where one facility may obtain licenses for multiple programs through the state and operate multiple programs on a single property. Ms. McClurg requested an existing example of some of the proposed definitions, but Calhoun and Price-Garland were unable to give certain examples of facilities already established in the community.

With no other comments heard for or against this hearing closed.

III. REGULAR MEETING

A. Recommendation regarding the request of David Rogers to rezone from General Commercial (C-2) to Light Manufacturing (M-1) a tract of land totaling 1.01 acres located at 4248 South Dixie Highway, Resaca, Georgia. Parcel (13-153-04-000) (County)

Chairman Lidderdale restated that this item would be tabled and would likely appear on the July agenda.

B. Recommendation regarding the request of Anthony Tackett to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling .59 acres located at 120 Dycus Road, Dalton, Georgia. Parcel (12-205-01-028) (County)

Chairman Lidderdale sought a motion on the proposed R-5 rezoning. **Mr. DeLay then made a motion to recommend an approval of the R-5 rezoning based on his agreement with the content of the staff analysis. Ms. McClurg seconded the motion and a recommendation to recommend an approval of the R-5 rezoning followed, 3-0.**

C. Recommendation regarding the request of the City of Dalton Mayor and Council to amend the Unified Zoning Ordinance to create clearer definitions, make inserts or omissions (including definitions as well as permitted uses), and otherwise improve the context and readability of the zoning text. The proposed amendments will affect Group Homes, Personal Care Homes, and Boutique Hotels, but other definitions and permitted uses may also be added/amended in this process.

Chairman Lidderdale sought a motion on the requested text amendments. **Mr. DeLay then made a motion to recommend the proposed text amendments based on his agreement with the content of the staff analysis. Ms. McClurg then seconded the motion and a unanimous recommendation to approve the proposed text amendments followed, 3-0.**

D. Preliminary Plat Review- Stave Ridge

Ms. Price-Garland oriented the Planning Commission members to the subject property along Old Babb and Quarles Roads, and Price-Garland drew attention to the need for flag lot review on three of the 32 proposed lots. Price-Garland stated that tracts 4, 16, and 17 meet the criteria for flag lots. Chairman Lidderdale asked Brandon Harrison, the developer, why he was proposing the three flag lots, and Harrison stated that the three flag lots were needed simply to maximize the number of lots in this development without creating a new road. Some discussion in regard to storm water requirements was prompted by Chairman Laughter that resulted in the understanding that this property would not be required to create retention ponds. Price-Garland noted that the issue with many flag lots is due to the fact that the view from the flag lots is often of the backs of other nearby estates, but Price-Garland went on to state that views from the three proposed flag lots would be blocked by existing tree cover if those trees are not harvested. Harrison stated that he was not intending on logging this property prior to developing. Some discussion prompted by Ms. McClurg occurred in regard to the types of dwellings proposed for this development that resulted in a generalized understanding that price points will vary from upper 100's to 250,000 dollars with the opportunity for more elaborate estates on the larger flag lots such as lot 4.

Mr. DeLay made a motion to approve the final plat as drawn, including with the variances for the three flag lots as drawn. His motion was seconded by Ms. McClurg, which then passed unanimously 3-0.

E. 4:1 Lot Ratio Review- Stephen & Alice Jones

Ms. Price-Garland oriented the Planning Commission members to the subject property along King's Bridge Road, and Price-Garland drew attention to the need for 4:1 lot ratio review on the proposed plat.

Price-Garland stated that this property is proposed to be subdivided in order to create an opportunity for a gentleman to deed a tract of land to his brother in order for his brother to construct a dwelling. She went on to state that the need for a separate parcel in this case is in order for the brother to be able to use the new property as collateral for a mortgage as well as have the benefit of homestead exemption on property taxes. Chairman Lidderdale asked if there are issues expected with shared access easements in regard to long-term maintenance. Price-Garland stated that shared access easements almost always result in issues with shared maintenance. Mr. DeLay confirmed that the proposed tracts would each be eleven acres in size.

Ms. McClurg made a motion to approve the final plat as drawn, including the variances for the 4:1 lot ratio. Her motion was seconded by Mr. DeLay, which then passed unanimously 3-0.

F. Other Business

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 7:15 p.m.

Respectfully submitted,

Ethan Calhoun
Secretary