

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
November 30, 2020

MEMBERS PRESENT

Jim Lidderdale, Chairman via video conference
John Thomas via video conference
Jody McClurg via video conference
David Pennington IV via video conference
Eric Barr via video conference

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

No commissioners present

VISITORS PRESENT

Anita Sammons, Chuck Dobbins, and others.

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley via videoconference

I. GENERAL

A. Call to Order: Chairman Lidderdale called the meeting to order at 6:00 p.m. and confirmed a quorum of planning commissioners was present with Scott DeLay Absent.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the October 26, 2020 meeting minutes. Mr. Thomas made the motion to accept the minutes as written and his motion was seconded by Ms. McClurg which then passed unanimously 4-0.

Mr. Calhoun requested to waive the procedures and standards overview since no visitors had indicated that they wished to speak in opposition to which Chairman Lidderdale agreed.

II. REZONING PUBLIC HEARINGS

A. Heard the request of Vicki Alexander to rezone from General Agriculture (GA) to Rural Residential (R-5) a tract of land totaling 5.84 acres located at 1932 Mill Creek Road, Rocky Face, Georgia. Parcel (12-342-34-000) (County)

Mr. Calhoun informed Chairman Lidderdale that staff had received an email from the petitioner earlier that day requesting the rezoning hearing be postponed until further notice. With no petitioner present at the public hearing Lidderdale stated that the item would be tabled.

B. Heard the request of Anita Sammons to rezone from Medium-Density Single-Family Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling .07 acres located at 830 McAfee Street, Dalton, Georgia. Parcel (12-218-02-011) (City)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was not in favor of the requested C-1 rezoning. Calhoun also noted that he had received feedback from multiple City department heads that expressed concerns with parking and fire code setbacks that could not be achieved on the subject property. There were no further questions for Calhoun.

Anita Sammons stated that her intent was to restore the structure on the subject property in order to

open and operate a convenient store and café-style restaurant to serve the surrounding neighborhood. Sammons stated that the subject property had formerly been used for similar purposes before it fell vacant some years ago. Sammons then stated that she had been given verbal permission to utilize the parking lot of the adjacent Mack Gaston Community Center as parking for her patrons. Sammons then delivered a signed petition to Calhoun and stated that those that signed said petition were in favor of the proposed use for the subject property. Jody McClurg confirmed with Sammons that the proposed use would be a store and café rather than a conventional restaurant or simply a convenient store. With no other comments heard for or against this hearing closed at approximately 6:20pm.

C. Heard the request of Hammond Creek Capital, LLC to annex parcels A and B totaling 91.745 acres into the City of Dalton as General Commercial (C-2) located at the North Bypass. Parcels (12-163-05-005) and (12-166-06-000) (City)

Mr. Calhoun summarized the staff analysis, which was in favor of the annexation into the City of Dalton. There were no further questions for Calhoun.

Chuck Dobbins represented the petitioner with Power of Attorney and stated that annexing the subject property into the City was the petitioner's first step towards the development of the subject property. Dobbins then stated that the long-term plan for the subject property is still in the preliminary design phase. Dobbins then described the current goals for the developer were to incorporate various residential components as well as some commercial development as part of a planned community on the subject property. Dobbins clarified that the current C-2 zoning of the subject property was sufficient at this time since the detailed site plan for the property was not yet completed, and he stated that the petitioner would likely return at a later time in order to seek a rezoning once a site plan is completed. With no other comments heard for or against this hearing closed at approximately 6:25pm.

III. REGULAR MEETING

A. Recommendation regarding the request of Vicki Alexander to rezone from General Agriculture (GA) to Rural Residential (R-5) a tract of land totaling 5.84 acres located at 1932 Mill Creek Road, Rocky Face, Georgia. Parcel (12-342-34-000) (County)

Chairman Lidderdale stated that this item would return at a later date and that no action need occur in the absence of the petitioner.

B. Recommendation regarding the request of Anita Sammons to rezone from Medium-Density Single-Family Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling .07 acres located at 830 McAfee Street, Dalton, Georgia. Parcel (12-218-02-011) (City)

Chairman Lidderdale sought a motion on the proposed C-1 rezoning. Ms. McClurg stated that the decision was a difficult one. **Ms. McClurg then made a motion to recommend a denial of the C-1 rezoning based on her agreement with the content of the staff analysis. Mr. Thomas seconded the motion and a unanimous recommendation to deny the C-1 rezoning followed, 4-0.**

C. Recommendation regarding the request of Hammond Creek Capital, LLC to annex parcels A and B totaling 91.745 acres into the City of Dalton as General Commercial (C-2) located at the North Bypass. Parcels (12-163-05-005) and (12-166-06-000) (City)

Chairman Lidderdale sought a motion on the requested annexation into the City of Dalton. **Mr. Pennington then made a motion to recommend the annexation into the City of Dalton based on his agreement with the content of the staff analysis. Ms. McClurg then seconded the motion and a unanimous recommendation to approve the annexation into the City of Dalton followed, 4-0.**

D. Flag Lot Review-Rosella Carter— Ms. Price-Garland oriented the Planning Commission to

the subject property along LaFayette Road that is zoned R-5. She stated that the request was prompted by the executor of the estate after the passing of the former owner. Price-Garland stated that the plat proposed three lots being subdivided from approximately 10 acres of land. She noted that tracts 1 and 2 meet all standards for approval, but Price-Garland points out that tract 3 would be considered a flag lot which would require Planning Commission approval. Price-Garland states that tract three exceeds the required lot size in R-5 and would have ample room for setbacks from tracts 1 and 2. Price Garland recommended that the Planning Commission approve the plat as drawn based on the fact that all department signatures had been obtained and that there was no concern for the adverse impacts generally associated with flag lots in this circumstance. **John Thomas made a motion to approve the plat as drawn and his motion was seconded by Eric Barr which then passed unanimously 4-0.**

F. Other Business- Flag Lot Review, Taylor Estate-- Ms. Price-Garland stated that the property in question is made up of two lots where one lot already has road frontage and another currently lacking road frontage. The proposed plat shows no additional lots to be created, but the proposed plat does show a road frontage of 50' that would grant access to the landlocked parcel. Price-Garland stated that both lots would have a minimum of 50' of road frontage and can meet the setback and lot size requirements in the UZO, but she stated that the proposed plat would create a flag lot and would, therefore, require Planning Commission approval. Price-Garland recommended that the plat be approved as drawn based on the fact that no adverse effects are expected to result from the proposed lots. Price-Garland also stated that the property was being divided among the heirs of an estate.

Mr. Pennington then made a motion to approve the plat as drawn based on the fact that no issues were identified by staff. His motion was seconded by Ms. McClurg which then passed unanimously, 4-0.

G. Other Business-Final Plat Review (City)--Ms. Price-Garland oriented the Planning Commission to the subject property at the intersection of Walnut Ave. and Airport Rd. The subject property currently exists as a single lot which contains a bank building and associated parking lot. The proposed plat would divide the subject property into two individual lots where each prospective lot would have street access. Price-Garland stated that the existing bank building would be planned to remain on the lot and that lot 2 would be the location for an auto-maintenance and oil change business. Price-Garland pointed out that all requirements could be met with the exception of the bank building's awning encroaching into the side lot setback of lot 1. Price-Garland stated that owners have petitioned a variance with the Board of Zoning Appeals regarding the awning setback variance. Price-Garland then stated that the staff recommendation is for the Planning Commission to approve the plat as drawn with the condition that the plat approval be contingent upon a favorable variance from the Board of Zoning Appeals in regard to the awning's setback variance on lot 1. Chairman Lidderdale then confirmed with Price-Garland if the bank building was planned to remain on lot 1. Price-Garland stated that she was unsure to the plans for the bank building other than that it is planned to remain on the lot in its current state.

Mr. Barr then made a motion to approve the plat as drawn based on the condition that the plat approval would be contingent upon an approval by the Board of Zoning Appeals regarding the variance for the awning on lot 1. His motion was seconded by Mr. Thomas which then passed unanimously, 4-0

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 6:40 p.m.

Respectfully submitted,

Ethan Calhoun

Secretary