



# Whitfield County Board of Commissioners Planning and Zoning Department

201 South Hamilton Street, Dalton, GA 30720  
(706) 876-2592

**Public Hearing:** June 14, 2023 – Board of Zoning Appeals Meeting Minutes

**Location:** 201 South Hamilton Street, Dalton, Georgia – 5<sup>th</sup> Floor Conference Room

**Call to Order:** 12:00 P.M.

**Adjournment:** 12:37 P.M.

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## I. Roll Call

The following Board of Zoning Members were present:

Chair:	Kenneth Harless
Vice-Chair:	Austin King
Board Member:	Mike Brown
Board Member:	Debby Peppers

The following staff members were present:

Dalton-Whitfield Planning:	Jake Bearden
County Attorney:	Robert Smalley
Chief Building Official:	Michael Fowler

Others present:

Applicant/Owner:	Genaro fraire
Applicant/Owner:	Sabrina Roberts
Applicant/Owner:	Kobayashi American Manufacturing, LLC
Applicant/Owner:	Augustin Jacobo

## II. Approval of Minutes from May 10, 2023 BZA Meeting

Motion to approve the minutes as presented was made by Austin King and seconded by Debby Peppers. The motion passed 4-0.

### III. Appeal Hearings

**Applicant/Owner:** Genaro Fraire

**Property Address:** 807 Judd Terrace, Dalton, Georgia 30720

**Discussion:** Mr. Fraire was present at the hearing. Staff presented the GIS layout of the property, and explained the circumstances of the variance request. The subject property is located at 807 Judd Terrace. The 0.32-acre lot is currently zoned R-1, Estate Residential and is located within the city limits of Dalton. The parcel is served by public water and sewer.

The applicant is requesting a variance to encroach the side setbacks defined under Section 3-7 of the Unified Zoning Ordinance for a new house on the subject property.

The requested variance is:

A variance to Section 3-7 to allow a 10' encroachment on sides and 5' in front setback in an R-1 Zoning District.

Staff Recommendation: Approve the variance with conditions.

Conditions:

- 1) Up to 10' encroachment into each side.
- 2) Up to 5' encroachment into front setback.
- 3) All stormwater runoff must be directed away from neighbors.

The applicant requested a variance from **Section 3-7 of the Dalton-Whitfield County Unified Zoning Ordinance** to front and side setback encroachments in an R-1 Zoning District.

**Decision:** After noting that conditions for the variance had been met, Debby Peppers made a motion, seconded by Mike Brown, to approve the variance requested with conditions stated. The Motion passed 4-0.

**Applicant/Owner:** Sabrina Roberts

**Property Address:** 607 Murray Hill, Dalton, Georgia 30720

**Discussion:** Ms. Roberts was present at the hearing. Staff presented the GIS layout of the property, and explained the circumstances of the variance request. The property is located on the south side of Murray Hill Drive, approximately 465 feet west of the intersection with Valley Drive, in the City of Dalton. The 0.30-acre lot is currently zoned R-2, Low Density Single-Family Residential. The parcel is served by public water and public sewer.

The applicant is requesting a variance to encroach the front and side setbacks defined under Section 3-7 of the Unified Zoning Ordinance for a double carport on the subject property.

The requested variance is:

A variance to Section 3-7 to allow a front yard setback encroachment of 10 feet and an encroachment of 10 feet in an R-2 Zoning District.

Staff Recommendation: Approve the variance with conditions.

Conditions:

- 1) The property line must be located by a surveyor.
- 2) Stormwater runoff must be directed away from neighboring property.

The applicant requested a variance from **Section 3-7 of the Unified Zoning Ordinance, to build a double carport on the subject property.**

**Decision:** After noting that conditions for the variance had been met, Austin King made a motion, seconded by Debby Peppers, to approve the variance requested with conditions stated. The Motion passed 4-0.

**Applicant/Owner:** Kobayashi American Manufacturing, LLC

**Property Address:** 245 Kraft Drive, Dalton, Georgia 30721

**Discussion:** Kobayashi American Manufacturing, LLC was present at the hearing. Staff presented the GIS layout of the property, and explained the circumstances of the variance request. The property is located on the north side of Kraft Drive, approximately 125 feet north of the intersection with the south bypass, in unincorporated Whitfield County. The parcel is served by public water and public sewer.

The applicant is requesting a variance to reduce the minimum required number of parking spaces for a manufacturing facility, defined under Section 5-4 of the Unified Zoning Ordinance, on the subject property.

The requested variance is:

A variance to Section 5-4 to allow a 182 parking spaces, where 259 are required.

Staff Recommendation: Approve the variance as requested.

Conditions:

- 1) The variance is only for the proposed expansion.
- 2) The reduction is from 259 required to 182 spaces.

The applicant requested a variance from **Section 5-4 of the Unified Zoning Ordinance, to reduce required parking on the subject property.**

**Decision:** After noting that conditions for the variance had been met, Austin King made a motion, seconded by Mike Brown, to approve the variance requested with conditions stated. The Motion passed 4-0.

**Applicant/Owner:** Augustin Jacobo

**Property Address:** 542 Richardson Road, Dalton, Georgia 30721

**Discussion:** Mr. Jacobo was present at the hearing. Staff presented the GIS layout of the property, and explained the circumstances of the variance request. The property is located on the east side of Richardson Road, approximately 1 mile south of the intersection with Lower Dawnville Road (SR 286), in unincorporated Whitfield County.

The applicant is requesting a variance to allow a 2<sup>nd</sup> dwelling, defined under Section 9-1-2 of the Unified Zoning Ordinance, on the subject property.

The requested variance is:

A variance to Section 9-1-2 to allow a 2<sup>nd</sup> dwelling in an R-5 Zoning District.

Staff Recommendation: Approve with conditions.

Conditions:

- 1) The variance is only for the 2<sup>nd</sup> dwelling onsite.
- 2) The dwelling must meet all applicable building codes.

The applicant requested a variance from **Section 9-1-2 of the Unified Zoning Ordinance, to allow a 2<sup>nd</sup> dwelling in an R-5 Zone.**

**Decision:** After noting that conditions for the variance had been met, Austin King made a motion, seconded by Debby Peppers, to approve a variance with the conditions stated. The Motion passed 4-0.

#### **IV. Other Business**

No other business was reported.

#### **V. Adjournment**

Chair Kenneth Harless adjourned the meeting at 12:37 PM.

Minutes submitted by: Jacob Bearden