

UNIFIED BOARD OF ZONING APPEALS
Meeting Minutes
June 10, 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, June 10, 2020.

II. Roll call

The following persons were confirmed as present via the GoToMeeting video platform:

Board members:

Mike Brown

Kenneth Harless

Austin King

Tracy Ward

Staff members:

Jean Price-Garland, Dalton-Whitfield Zoning

Robert Smalley, County Attorney

Jake Bearden, Engineering

Others:

Robert Fouse

III. Approval of minutes from May 13, 2020 BZA meeting

Motion to approve the minutes of the Unified Board of Zoning Appeals meeting for May 13, 2020 made by Kenneth Harless and seconded by Austin King. The motion was approved 4-0.

IV. New Business

Applicant/Property Owner: Park Canyon Apartments

Property Address: 284 Park Canyon Drive (City of Dalton jurisdiction)

The applicant was represented by Robert Fouse, confirmed as present on the video call. Staff presented a GIS layout of the property, and explained the circumstances surrounding the case. The subject property is located along the west side of North Tibbs Road at the North Tibbs Road/College Drive intersection. The 11.86-acre lot is currently zoned R-7, High Density Residential and is located within the city limits of Dalton.

Staff explained an apartment complex with a clubhouse and nine (9) apartment buildings is currently located on the property. The applicant wishes to rebuild a 10th apartment building destroyed by fire in 2017. Staff further explained this project is occurring outside the 12-month “grandfather clause” period, and the proposed apartment unit sizes are less than the 900 square foot minimum currently required for new units constructed inside the city of Dalton. Staff noted the old Dalton Zoning Ordinance in place prior to August 2015 did not require a minimum apartment unit size. The applicant’s proposal is to replace the original building with a 4-story 29-unit structure with apartment unit sizes larger than those in the original building but less than the required minimum 900 square foot unit size.

Mr. Fouse noted the proposed apartment building would be comparable in unit size and unit number to the other nine apartment buildings in the complex. He described the limitations of the building site which include retaining walls, parking areas, and drives, resulting in the need to replicate the new building on the old building footprint. Mr. Fouse explained the use and function of the replacement apartment building is identical to that of the original building, and all new unit sizes are larger than originally provided in the structure destroyed in 2017. Mr. Fouse stated they were able to increase the unit size square footage from old to new because the new building design reduces the interior corridor width and moves the stairs from internal to external.

The applicant requested **a variance from Chart 3.7 of the Unified Zoning Ordinance to reduce the required minimum apartment unit size for a proposed multi-family residential structure in the R-7 zoning district.**

After some discussion, Tracy Ward made a motion, seconded by Austin King, to grant the variance to reduce the minimum apartment unit sizes in the proposed building to those shown in the building plan submitted to and approved by the county permitting/inspections office. The motion passed 4-0.

VI. Other business

Staff had no additional business to report.

VII. Adjournment

Chairman Mike Brown adjourned the meeting at 12:15 PM.

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