

UNIFIED BOARD OF ZONING APPEALS
Meeting Minutes
September 8, 2021

I. Call to order

Chairman Mike Brown called to order the meeting of the Unified Board of Zoning Appeals at 12:02 PM on Wednesday, September 8, 2021 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 present at the meeting

Board members:

Mike Brown

Kenneth Harless

Austin King

Tracy Ward

Staff members:

Jean Price-Garland, Dalton-Whitfield Zoning

Robert Smalley, County Attorney

Ethan Calhoun, NWGRC

Others:

Barbara Adamson

Kim Woods

III. Approval of minutes from August 4, 2021 BZA meeting

Motion to approve the minutes of the Unified Board of Zoning Appeals meeting for August 4, 2021 made by Austin King and seconded by Tracy Ward. The motion passed 4-0.

IV. New Business

Appeal Hearing # 1

Applicant/Owner: Barbara Adamson

Property Address: 530 Central Avenue (city of Dalton jurisdiction)

The applicant was present at the hearing. Staff presented a GIS layout of the property, and explained the circumstances surrounding the case. The subject property is located on the north side of Central Avenue across from Brookwood Elementary School. The 0.18-acre site fronts public streets on three sides. A planned-for-demolition dwelling is located on the site, which is served by public water and sewer. The property is zoned R-2, Low Density Single Family Residential and is located within the city limits of Dalton.

Staff noted the existing dwelling scheduled to be demolished is considered a legal non-conforming use as it encroaches into the required building setback area on the north, east, and south sides. It is also non-conforming in the R-2 zoning district with respect to dwelling size at 800 square feet. The proposed new construction will be smaller in size and will encroach no further into the setback area than the existing home.

The applicant's builder, Kim Woods, stated Ms. Adamson first intended to remodel the existing dwelling as an investment. Mr. Woods explained he had determined it would be cost prohibitive to remodel and advised the applicant to demolish the house and build back new. Due to the small lot size and required street frontage building setbacks, the proposed construction will encroach 20 feet into the required 25-foot front building setback on Central Avenue, will encroach 3 feet in the required 25-foot front building setback on Bayberry Lane, and will encroach 2 feet into the required 10-foot side building setback on the north property line. Mr. Woods noted the new construction will be a one-bedroom, one bath home. He stated he had devised a building plan with as little building setback encroachment as possible.

The applicant requested a variance from Chart 3.7 of the Unified Zoning Ordinance to allow the construction of a residential dwelling which will encroach 20 feet into the required 25-foot front building setback on Central Avenue, will encroach 3 feet in the required 25-foot front building setback on Bayberry Lane, and will encroach 2 feet into the required 10-foot side building setback on the north property line. The applicant also requested a reduction in the 1200 square foot minimum dwelling size to 770 square feet.

After some discussion, Kenneth Harless made a motion, seconded by Tracy Ward, to approve the variances as requested.

The motion passed 4-0.

V. Other business

Staff reported there was no other business to discuss.

VI. Adjournment

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

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