

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
March 25, 2019

MEMBERS PRESENT

Jim Lidderdale, Chairman
Scott DeLay, Vice Chairman
Tom Minor
John Thomas
Jody McClurg

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Lynn Laughter; Chairman, Greg Jones, Roger Crossen, Barry Robbins

VISITORS PRESENT

Tony and Michelle Burnecke, John Davis, Jennifer Jones, Darrel Starkey, and others

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Tracey Crawley
Robert Smalley
Gary Brown

I. GENERAL

A. Call to Order: Chairman Laughter called the meeting to order at 6:00 p.m. and confirmed a quorum of commissioners was present with Commissioner Brooker absent. Chairman Lidderdale confirmed a quorum of members was present with the addition of Jody McClurg the Planning Commission's newest member.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the February 25, 2019 meeting minutes. Mr. Minor made the motion to accept the minutes as written and his motion was seconded by Mr. DeLay which then passed unanimously 3-0. Ms. McClurg did not cast a vote to approve the February meeting minutes due to her not having not been present for the February meeting.

Mr. Calhoun summarized the procedures and standards for the public hearing at the request of Chairman Lidderdale. He also informed the audience than final action would likely occur during the regular meetings of the Board of Commissioners as well as the Dalton and Varnell City Councils in April.

II. REZONING PUBLIC HEARINGS

A. **Heard the request of Tony Burnecke to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 2.0 acres located at 3834 Chattanooga Road (Parcel 27-018-05-000) (County)**

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

not in favor of the requested C-2 rezoning.

Michelle Burnecke stated that the specific use of the subject property is proposed to be a tractor trailer repair shop. She went on to state that their plans are to utilize the existing structure as an office and construct a new commercial structure for the trailer repair shop approximately 60'x80' in size. Ms. Burnecke stated that she and her husband had approached most all of the adjacent residents and explained to them their proposal to which most neighbors signed a petition stating that they would not be opposed. Ms. Burnecke requested to pass the petition to Chairman Lidderdale who then shared it with the rest of the Planning Commission. Ms. Burnecke did state that not all adjoining neighbors had been contacted to date. She then stated that they owned an adjacent property as well as a family member owning another adjacent tract. Chairman Lidderdale asked Ms. Burnecke how long they had owned the property and Ms. Burnecke answered eight months. Mr. Minor asked if they were aware of the zoning restrictions on the property prior to purchasing the property to which Ms. Burnecke affirmed that they were aware of the residential zoning at purchase, but she also stated that they were aware the property had been used commercially in the past. Commissioner Robbins confirmed with Mr. Calhoun that there would be both a 20' rear yard buffer as well as a 25' front yard setback and stated that he was concerned that their proposed structure would not be large enough for the proposed use and that ingress and egress would be difficult for tractor trailers. Mr. Burnecke stated that the building may be narrower than originally planned, but that they would utilize the property's north to south land area to bring trucks in from the south and out to the north of the subject property. He also stated that the existing access easement has been considered in their plans and that the southern portion of the subject property was planned to be utilized for trailer parking area such that the access easement is never blocked or impeded. George McKinney stated that he was concerned with anything that would result in impeding or blocking the access easement to his adjacent landlocked parcel of land. He went on to state that a relative was residing in the dwelling on his property but that he was the property owner. Stacey Hewitt stated that he is opposed to the C-2 rezoning due to sight, sound, and other commercial associated nuisances. He then stated that although a buffer would help reduce the impact that he remains opposed to the proposed development. The petitioner rebutted by stating that they would not block the access easement and that they would construct a buffer.

With no other comments heard for or against this hearing closed at 6:32

B. Heard the request of John Davis to rezone from Rural Residential (R-5) and Low-Density Single-Family Residential (R-2) to General Commercial (C-2) two tracts of land totaling 1.03 and 12.68 acres located at 2310 and 2318 Cleveland Highway (Parcels 12-102-01-000 and 12-103-19-000) (County)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested C-2 rezoning. Chairman Laughter asked Mr. Calhoun if the trees for the recommended buffer would be required to be mature trees. Mr. Calhoun affirmed with Ms. Price-Garland that the trees would be required to be a minimum of six vertical feet within three years of planting.

Mr. John Davis stated that the reason the residential subdivision was not furthered was due to low profit speculation based on the amount of undevelopable land due to multiple infrastructural easements on the larger of the two tracts of the subject property. Mr. Davis pointed these easements out on the plat which was included in the staff analysis. Mr. Davis also pointed out the GDOT approved entrance along Cleveland Highway that has been recently constructed. Chairman Lidderdale asked Mr. Davis what type of storage would be created on the subject property and Mr. Davis stated that it would not be mini-warehouses or large industrial warehouses but rather an intermediate of these storage types. Mr. Minor asked Mr. Davis if he would be willing to plant the vegetative buffer as recommended by the staff analysis to which Mr. Davis assured the Planning Commission that he would. Joseph Barragan, the son of an adjacent property owner along Thistle Drive, stated that he was concerned with the negative sight and sound impacts of commercial development adjacent to his father's home. He stated that a buffer would help but that he would like more information regarding the distance of the proposed development from his father's home.

Mr. Davis rebutted by stating that due to the gas line easement (seen in staff analysis) along the southeastern boundary of the subject property's larger tract there would be a significant distance and buffer between the proposed commercial development and Thistle Drive where Mr. Barragon's father resides.

With no other comments heard for or against this hearing closed at 6:54

C. Heard the request of Georgia Cumberland Association of Seventh Day Adventists to rezone from Rural Residential (R-5) and Transitional Residential (R-6) to General Commercial (C-2) two tracts of land totaling 3.11 acres located at 2395 Maddox Chapel Road (Parcels 12-175-35-000 and 12-175-39-000) (County)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was not in favor of the requested C-2 rezoning but did recommend a consideration of a C-1 rezoning.

Darrel Starkey stated that he was aware that C-1 would allow the desired use of the subject property and would be acceptable to the staff recommendation to rezone C-1.

With no other comments heard for or against this hearing closed at 7:11

D. Heard the request of Jennifer Jones to rezone from Low-Density Single-Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 11.96 acres located at 1358 Mt. Vernon Rd. (Parcel 27-125-27-000) (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.

Ms. Jones stated that the reason for this request was to create a three-acre tract on the northeastern corner of the subject property to access Mt. Vernon Road in order to place a manufactured home on the proposed tract as her residence. She went on to state that this new manufactured home would allow her to live on the subject property in order to care for her elderly mother in the existing manufactured home on the subject property. Chairman Lidderdale confirmed with Ms. Jones that the proposed manufactured home would be placed on a permanent foundation.

With no other comments heard for or against this hearing closed at 7:21

E. Heard the request of staff to amend the Dalton, Varnell and Whitfield County Unified Zoning Ordinance to allow warehouse distribution within the Transitional Commercial (C-4) zone district under certain conditions.

Mr. Calhoun summarized the staff analysis which was in favor of the recommended text amendment and stated that the reason for this amendment was sparked by a request within the City of Dalton that prompted staff to consider the proposed text amendment as a viable solution.

With no other comments heard for or against this hearing closed at 7:27

III. REGULAR MEETING

A. Recommendation regarding the request of Tony Burnecke to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 2.0 acres located at 3834 Chattanooga Road (Parcel 27-018-05-000) (County)

Chairman Lidderdale sought a motion on the requested C-2 rezoning. **Mr. DeLay then made a motion to recommend denial of the C-2 rezoning based on his agreement with the content of the staff analysis. Mr. Minor seconded the motion and a unanimous recommendation to deny the requested C-2 rezoning followed, 4-0.**

B. Recommendation regarding the request of John Davis to rezone from Rural Residential (R-5) and Low-Density Single-Family Residential (R-2) to General Commercial (C-2) two tracts of land totaling 1.03 and 12.68 acres located at 2310 and 2318 Cleveland Highway (Parcels 12-

102-01-000 and 12-103-19-000) (County)

Chairman Lidderdale sought a motion on the proposed C-2 rezoning. **Mr. Thomas then made a motion to recommend the C-2 rezoning based on his agreement with the content of the staff analysis contingent to the recommended vegetative buffer. Mr. Minor seconded the motion and a unanimous recommendation to approve the C-2 rezoning followed, 4-0.**

C. Recommendation regarding the request of Georgia Cumberland Association of Seventh Day Adventists to rezone from Rural Residential (R-5) and Transitional Residential (R-6) to General Commercial (C-2) two tracts of land totaling 3.11 acres located at 2395 Maddox Chapel Road (Parcels 12-175-35-000 and 12-175-39-000) (County)

Chairman Lidderdale sought a motion on the requested C-2 rezoning. **Mr. Minor then made a motion to recommend a C-1 rezoning based on his agreement with the content of the staff analysis. Mr. DeLay seconded the motion and a unanimous recommendation to approve the recommended C-1 rezoning followed, 4-0.**

D. Recommendation regarding the request of Jennifer Jones to rezone from Low-Density Single-Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 11.96 acres located at 1358 Mt. Vernon Rd. (Parcel 27-125-27-000) (County)

Chairman Lidderdale sought a motion on the requested R-5 rezoning. **Mr. DeLay then made a motion to recommend the R-5 rezoning based on his agreement with the content of the staff analysis. Mr. Minor seconded the motion and a unanimous recommendation to approve the requested R-5 rezoning followed, 4-0.**

E. Recommendation regarding the request of staff to amend the Dalton, Varnell and Whitfield County Unified Zoning Ordinance to allow warehouse distribution within the Transitional Commercial (C-4) zone district under certain conditions.

Chairman Lidderdale sought a motion on the requested text amendments. **Mr. Minor then made a motion to recommend the text amendments based on his agreement with the content of the staff analysis. Mr. Thomas seconded the motion and a unanimous recommendation to approve the requested text amendments followed, 4-0.**

F. Other Business

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 7:33 p.m.

Respectfully submitted,

Ethan Calhoun
Secretary