

**MINUTES**  
**DALTON-WHITFIELD COUNTY PLANNING COMMISSION**  
**July 22, 2019**

**MEMBERS PRESENT**

Jim Lidderdale, Chairman  
Tom Minor  
John Thomas  
Jody McClurg  
Mitch Sanford

**WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT**

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

**VISITORS PRESENT**

David Stansell, Maria Amaya, Bryan Spence, 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 6:01 p.m. and confirmed a quorum of commissioners was present with Vice-Chairman Brooker absent. Chairman Lidderdale confirmed a quorum of members was present with Scott DeLay absent.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the June 24, 2019 meeting minutes. Mr. Minor made the motion to accept the minutes as written and his motion was seconded by Mr. Sanford which then passed unanimously 4-0.

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

**II. REZONING PUBLIC HEARINGS**

**A. Heard the request of David Stansell to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 0.64 acres located at 1301 Dawnville Road. Parcel (09-108-03-000)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-5 rezoning. The Board of Commissioners nor the Planning Commission had any further questions for Mr. Calhoun.

David Stansell stated that he had hearing impairment and was not able to hear the staff analysis. He then stated that his intent for the rezoning is to subdivide the subject property in order to give the lot with the single-family home to his grandchildren. Commissioner Crossen asked Mr. Stansell if he had driveway access to the manufactured home from the adjacent parcel and Mr. Stansell confirmed that there is an access to that parcel.

With no other comments heard for or against this hearing closed at 6:14. Mr. Calhoun requested the Chairman Lidderdale amend the agenda to hear the Maria Amaya rezoning as the first City item since multiple County employees volunteered to translate for Ms. Amaya if needed. Chairman Lidderdale agreed to make the proposed amendment to the agenda.

**B. Heard the request of Maria Amaya to rezone from Medium Density Single Family Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling 0.17 acres located at 900 Riverbend Road. Parcel (12-255-02-024) (Dalton)**

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. There were no further questions for Mr. Calhoun from the Planning Commission. Mr. Sanford asked Mr. Calhoun what the leading reason for the recommendation to deny was based upon and Mr. Calhoun stated that the proposed expansion would create a situation where the required number of parking spaces would be more than double the number of spaces that could be created on the subject property. There were no further questions for Mr. Calhoun from the Planning Commission.

Maria Amaya accompanied by a local real estate broker Manuel Mesa as her translator, began by stating that she would like to expand her existing restaurant business in order to seat her patrons in the single family detached dwelling structure on the property while they wait for their orders so they would not have to wait in their cars. Chairman Lidderdale asked Ms. Amaya if she was okay with not being able to live in the dwelling if it is utilized for restaurant purposes and she confirmed that she understood and was okay with that. Chairman Lidderdale asked Ms. Amaya if she intended to cook or prepare food inside the dwelling structure to which she stated that no food preparation would occur in the house. She re-stated that it would only be used for a temporary waiting area and for some food storage since the food truck was limited in storage capacity. Mr. Thomas asked Ms. Amaya if she had experienced parking issues in the past and she stated that there had not been any issues since she had been in business. She continued by mentioning that up to six cars can fit on the subject property at a time without parking on the street. Mr. Minor asked Ms. Amaya if she intended to remove the food truck from the property as part of her expansion and she stated that it would remain part of her business. She stated that she had purchased the property from a man around five years ago with the intention of only using the property for her restaurant business based from the food truck and that she had not used nor did she intend to ever use the dwelling as a residence.

With no other comments heard for or against this hearing closed at 6:29

**C. Heard the request of Greg Sims and John Forshner to rezone from High Density Residential (R-7) to Rural Residential (R-5) a tract of land totaling 3 acres located along Lance and Richardson Streets. Parcel (12-199-25-001)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-5 rezoning. There were no further questions for Mr. Calhoun from the Planning Commission.

Bryan Spence represented the petitioner with staff-confirmed power of attorney. Mr. Spence stated that the staff analysis accurately explained his proposed plan for the subject property and that he would be the developer if the requested rezoning is approved. Chairman Lidderdale asked Mr. Spence if these lots were fifty feet wide and Mr. Spence affirmed that they were. Mr. Spence stated that the single-family detached dwellings proposed would each be approximately 1,500-1,600 square feet in size.

With no other comments heard for or against this hearing closed at 6:36

**D. Heard the request of Crutchfield Properties to rezone from Light Manufacturing (M-1) to Rural Residential (R-5) a tract of land totaling 1.91 acres located along Conway Street. Parcel (12-275-05-063)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-5 rezoning.

Bryan Spence represented the petitioner with staff-confirmed power of attorney. Mr. Spence stated that

the staff analysis covered the details of this proposal accurately and that he would be the developer of this property if this rezoning is approved. Mr. Sanford asked Mr. Spence if he planned to build the same type of housing as he described in Item C to which Mr. Spence affirmed that it would be. Chairman Lidderdale asked Mr. Spence about the southern portion of the subject property that appears to not be included in the proposed sub-division attached to the staff analysis. Mr. Spence stated that the subject property's current owner also owns the southern tract and plans to only sell Mr. Spence the portion of the subject property shown in the proposed plat in the staff analysis and merge the leftover portion of the subject property with the rest of the southern tract. Mr. Spence went on to state that he would like to purchase and develop the southern tract at a future date, but it would not be part of the proposed rezoning.

Jeff Crevier, owner of the eastern adjacent M-2 tract, stated that he had recently purchased the adjacent manufacturing property and has begun remodeling the blighted structure. He stated that his intentions are to bring the structure back into manufacturing status and better appearance as well. Mr. Crevier went on to state his intentions to develop new manufacturing structures on the currently undeveloped western portion of his property. Mr. Crevier asked what type of impact he R-5 rezoning of the subject property might have on his property, and Chairman Lidderdale stated that he would be required to create a buffer along his western boundary if the subject property is rezoned R-5. Mr. Crevier stated that he is concerned with potential buffer requirements that may burden his future plans if the subject property is rezoned to R-5. Some discussion occurred among the Planning Commission and staff members that resulted in the understanding that the impact of the subject property's R- rezoning would require an additional fifteen feet of setback and a buffer along his property's entire western boundary. Mr. Calhoun stated that a buffer could consist of either a sight impervious fence, earthen berm or sight impervious vegetation somewhere within the thirty-foot setback on the western boundary. Mr. Calhoun went on to state that if new development should occur on Mr. Crevier's tract that simply leaving the existing vegetation in the thirty-foot buffer area should satisfy the ordinance requirements, and he went on to clarify that the majority of Mr. Crevier's tract's western boundary would already be required to create a thirty-foot buffer since one of the western adjacent tracts is already zoned R-5. Mr. Crevier stated that he thought the proposed single-family residential design for the subject property would be a great fit for this area, but he went on to state that he was concerned about his being required to bear the burden of creating a thirty-foot buffer and losing developable area upon his property. Mr. Crevier then stated that he was concerned with the property boundary with his property and tract eight of the proposed subdivision on the subject property. This discussion ended after Mr. Minor suggested that Mr. Crevier have his property surveyed to compare to Mr. Spence's survey. Mr. Crevier stated that he had issues in regard to the FEMA flood plain on his property as well as stormwater issues caused by adjacent property. Chairman Lidderdale explained to Mr. Crevier that the Planning Commission is not an authority in flood plains or stormwater regulations and suggested that he speak with staff regarding those matters at a later time.

With no other comments heard for or against this hearing closed at 7:00

**E. Heard the request of George Mosley annex a tract of land totaling 1.7 acres located at 1707 Dug Gap Road into the City of Dalton. Parcel (12-273-05-002)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested annexation into the City of Dalton.

With no other comments heard for or against this hearing closed at 7:03

### **III. REGULAR MEETING**

**A. Recommendation regarding the request of David Stansell to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 0.64 acres located at 1301 Dawnville Road. Parcel (09-108-03-000)**

Chairman Lidderdale sought a motion on the requested R-5 rezoning. **Mr. Sanford 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.

**B. Recommendation regarding the request of Maria Amaya to rezone from Medium Density Single Family Residential (R-3) to Neighborhood Commercial (C-1) a tract of land totaling 0.17 acres located at 900 Riverbend Road. Parcel (12-255-02-024) (Dalton)**

Chairman Lidderdale sought a motion on the proposed C-1 rezoning. Mr. Minor then made a motion to deny the C-1 rezoning based on his agreement with the content of the staff analysis.

Mr. Sanford asked Ms. Price-Garland if Ms. Amaya could use the house to store food inside if the rezoning is denied and Ms. Price-Garland stated that it could not be utilized in any conjunction with the restaurant operation unless the property is rezoned commercially. She re-stated that the food truck operation may continue indefinitely as a non-conforming use if this request is denied. Ms. McClurg seconded the motion and a unanimous recommendation to deny the C-1 rezoning followed, 4-0.

**C. Recommendation regarding the request of Greg Sims and John Forshner to rezone from High Density Residential (R-7) to Rural Residential (R-5) a tract of land totaling 3 acres located along Lance and Richardson Streets. Parcel (12-199-25-001)**

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

**D. Recommendation regarding the request of Crutchfield Properties to rezone from Light Manufacturing (M-1) to Rural Residential (R-5) a tract of land totaling 1.91 acres located along Conway Street. Parcel (12-275-05-063)**

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

**E. Recommendation regarding the request of George Mosley annex a tract of land totaling 1.7 acres located at 1707 Dug Gap Road into the City of Dalton. Parcel (12-273-05-002)**

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

**F. Final Plat Review—Whitfield Center**

Ms. Price-Garland oriented the Planning Commission to the subject property and explained that all standards had been met as well as all required signatures were gathered. She stated that it requires Planning Commission approval since it is within the City of Dalton. Mr. Minor made a motion to approve the plat as drawn and his motion was seconded by Mr. Sanford which then passed unanimously, 4-0.

**G. Final Plat Review—Bryan Spence**

Ms. Price-Garland oriented the Planning Commission to the subject property and explained that the petitioner has requested that the Planning Commission approve the plat contingent to the Mayor and Council of the City of Dalton approving the R-3 rezoning. She stated that the plat would meet all the requirements in R-3 if the rezoning is approved. Mr. Minor made a motion to approve this plat as drawn contingent to the pending R-3 rezoning request being approved. His motion was seconded by

Ms. McClurg which then passed unanimously, 4-0.

**H. Preliminary Plat Review—Brass Holdings, LLC**

Ms. Price-Garland oriented the Planning Commission to the subject property and reminded them of the recent rezoning action. She continued to state that all standards had been satisfied and that all the required signatures had been obtained. Mr. Sanford made a motion to approve the plat as drawn based on the fact that all standards were met and all signatures were obtained. His motion was seconded by Ms. McClurg which then passed unanimously, 4-0.

**I. Annual Officer's Election for Chairman and Vice-Chairman**

Mr. Calhoun explained that as part of the Planning Commission bylaws an annual election for Chairman and Vice-Chairman must occur during the regular meeting in July. He went on to state that Mr. DeLay agreed both to serve another four-year term as a member of the Planning Commission as well as another year as Vice-Chairman. Mr. Minor made a motion to re-elect Mr. Lidderdale as chairman and Mr. DeLay as Vice-Chairman for the next year. His motion was seconded by Mr. Sanford which then passed unanimously, 4-0.

**J. Term expiration for Scott DeLay**

Mr. Calhoun stated that Mr. DeLay had agreed to serve another four-year term on the Planning Commission and that his re-appointment would be acted upon by the City Council of Dalton rather than the Planning Commission.

**K. Other Business**

**IV. ADJOURNMENT**

With no other business scheduled, the meeting adjourned at approximately 7:16 p.m.

Respectfully submitted,

Ethan Calhoun  
Secretary