

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
January 27, 2020

MEMBERS PRESENT

Jim Lidderdale, Chairman
Scott DeLay
John Thomas
Mitch Sanford
Jody McClurg

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Lynn Laughter; Chairperson, Harold Brooker, Greg Jones, Roger Crossen, and Barry Robbins

VISITORS PRESENT

Larry Staten, Shannon Kraiger, Nasseer Humayun, Jessica Hocker, Ricardo Salaises, Larry Ingle, Clark Smith, John and Lisa Stafford, and others

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley
Gary Brown

I. GENERAL

A. Call to Order: Chairman Laughter called the meeting to order at 5:58 p.m. and confirmed a quorum of commissioners was present with no absences. Chairman Lidderdale confirmed a quorum of members was present with David Pennington III absent.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the December 16, 2019 meeting minutes. Mr. Sanford made the motion to accept the minutes as written and his motion was seconded by Mr. DeLay which then passed unanimously 4-0.

Mr. Calhoun gave a brief overview of the meeting procedures and stated that final action would likely occur during the regular February meetings of the Whitfield County Board of Commissioners and City of Dalton Mayor and Council.

II. REZONING PUBLIC HEARINGS

A. Heard the request of Larry Staten to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.95 acres located at 161 and 173 Majestic Way, Dalton, Georgia. Parcel (13-012-52-000) (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. Some discussion occurred regarding the family access easement and accessory structure encroaching into the proposed setback. There were no further questions for Mr. Calhoun.

Larry Staten stated that the need for this rezoning was in order to be able to subdivide the subject property for his brother's residence to be on a separate tract. Chairman Lidderdale asked Mr. Staten if he understood the issue of the accessory building that encroached into the side-yard setback. Mr. Staten confirmed that he understood that he will be required to move the storage building and that it would be

a simple task since the structure was not built upon a permanent foundation. Further discussion occurred regarding the manufactured home's encroachment into the side-yard setback that resulted in the collective understanding that a minor revision to the proposed plat could solve this issue. With no other comments heard for or against this hearing closed at 6:15.

B. Heard the request of Verizon Wireless for a special use request a tract of land totaling 40.678 acres located at 1282 New Hope Church Road, Tunnel Hill, Georgia. Parcel (11-284-23-000) (County)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested special use permit for a telecommunications tower. Mr. Calhoun went on to clarify that the illustrations of the existing coverage for this area had not been included in the application, and the Planning Commission may choose to recommend approval of the tower contingent to the petitioner submitting the missing documentation if evidence is presented that may indicate opportunities for co-location. Mr. Thomas confirmed with Mr. Calhoun that the access to the proposed tower would be located along New Hope Church Rd. and then determined that there was a typo in the staff analysis mentioning Wheeler Dam Rd.

Shannon Kraiger represented the petitioner with power of attorney. Ms. Kraiger stated that there had been some miscommunication with the Whitfield County planning staff regarding the previously mentioned RF analysis illustrating the existing and proposed coverage area for this tower. She went on to state that she will work with the engineers at Verizon Wireless in order to produce those documents prior to the Board of Commissioner's meeting in February. Ms. Kraiger described the thorough process by which telecommunication providers select strategic locations for their tower infrastructure and that they had not been able to find any other viable towers in this area that satisfy their needs.

Nasseer Hamayun, an adjacent property owner and resident, opposed this rezoning based on his concerns with the height and proximity of the tower to his residence. He stated that the proposed tower would significantly obstruct his scenic view both during the day and nighttime. Dr. Hamayun also noted his fear of health-related issues alleged to be associated with telecommunication towers such as this one. Some discussion occurred regarding Dr. Hamayun's proximity to the tower as well as his dwelling's elevation compared to that of the tower's elevation. The discussion resulted in the understanding that his home would be approximately 1000-2000 feet from the proposed tower.

Ms. Kraiger stated that she could not speak on the concerns related to public health, but she did clarify that the requested RF documentation will be provided to Mr. Calhoun prior to the Board of Commissioner's meeting in February. She went on to state that she felt the proposed location of the tower is distant from any nearby development.

With no other comments heard for or against this hearing closed at 6:40

C. Heard the request of Ricardo Salaises to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land totaling .57 acres located at 207 S. Glenwood Avenue, Dalton, Georgia. Parcel (12-219-21-012) (City)

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 Lidderdale confirmed with Mr. Calhoun that there are no viable options to create a suitable buffer along the southeastern boundary of the subject property due to the existing building's placement. There were no further questions for Mr. Calhoun.

Ricardo Salaises noted the history of the structure may have formerly been a small textile manufacturing business based on some antiquated equipment found in the building. He went on to state that his interest in the property is to utilize the existing structure for a special event venue. Chairman Lidderdale asked if Mr. Salaises planned to develop a gravel or paved parking area, and Mr. Salaises stated that he intends on utilizing a gravel parking area until funds exist to invest in paving the parking area. Chairman Lidderdale then confirmed with Mr. Salaises that he understands the issue of the building lying within the setback as well as the required buffer along the remaining eastern boundary of the subject property. Mr. Salaises mentioned that he had been in conversation with the owner of the

undeveloped eastern adjacent tract, which may solve the long-standing buffer issue provided Mr. Salaises is able to purchase said tract of land.

Larry Ingle stated that while he had no specific opposition to the rezoning, he did have some concerns regarding his adjacent property across McCune St. Mr. Ingle noted his businesses location and his concerns that the proposed use of the subject property may create the need for additional parking beyond the capacity of the subject property. He went on to state that he was concerned with patrons of the subject property utilizing his property's parking area as overflow for after-hour events. Mr. Ingle clarified that his primary concern of his property being utilized for overflow parking was based mostly upon his concern with litter.

Jessica Hocker, accompanied by her husband, stated that she was concerned with the consumption of alcohol and after-hours noise generated from the proposed events. She was also concerned that the subject property would become a dance hall like business with regular hours and crowds.

Mr. Salaises stated that during his earlier conversations with the building department officials, that there would be enough parking area for the subject property to be able to meet the ordinance's minimum standards for parking spaces. He went on to state that the proposed event center is proposed only for special events such as birthday parties, rather than a business with regular hours opened to the general public.

With no other comments heard for or against this hearing closed at 7:05

D. Heard the request of Clark Smith to rezone from Light Manufacturing (M-1) to General Commercial (C-2) a tract of land totaling .57 acres located at 616 Glenwood Place, Dalton Georgia. Parcel (12-238-07-010) (City)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested C-2 rezoning. There were no further questions for Mr. Calhoun.

Clark Smith began by describing a history of the Glenwood Place corridor and associated development. He described his building and need for a conforming zone district in order to re-occupy vacant space within the building. Some discussion occurred regarding the longstanding use of the subject property for retail and office space.

With no other comments heard for or against this hearing closed at 7:13

E. Heard the request of John Stafford to rezone from General Commercial (C-2) to Medium Density Single Family Residential (R-3) a tract of land totaling .23 acres located at 445 N. Hamilton Street, Dalton, Georgia. Parcel (12-200-15-030) (City)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which was in favor of the requested R-3 rezoning. Mr. Calhoun then drew attention to the issue of the subject property's inability to meet the minimum square footage for the City of Dalton's dwelling unit requirements. Chairman Lidderdale noted that the structure is also undersized for the minimum unit size in the R-3 zone district as well. There were no further questions for Mr. Calhoun

John and Lisa Stafford began by stating their desire to lease the small dwelling as a source of income as they had done in the past. Ms. Stafford continued by noting their history renting the subject property's dwelling to various tenants since the previous structure was destroyed in a fire as well as a more-recent situation where the current dwelling had been severely damaged by a disgruntled tenant. She went on to state that both she and her husband were unaware of the change to the zoning ordinance that prohibited them from renting the subject property as a dwelling. Chairman Lidderdale confirmed with Mr. and Ms. Stafford that, even if the property is rezoned R-3, they would still be required to increase the size of the dwelling in order to meet current zoning and building codes. Some discussion occurred regarding whether or not the petitioners could lease the building for commercial use or residential use that resulted in the petitioners requesting to table the rezoning for one month until they are able to decide which zone district would be a better fit for their needs.

With no other comments heard for or against this hearing closed at 7:24

III. REGULAR MEETING

A. Recommendation regarding the request of Larry Staten to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.95 acres located at 161 and 173 Majestic Way, Dalton, Georgia. Parcel (13-012-52-000) (County)
Chairman Lidderdale sought a motion on the requested R-5 rezoning. Mr. DeLay then made a motion to recommend an approval for the R-5 rezoning based on his agreement with the content of the staff analysis. Mr. Thomas seconded the motion and a unanimous recommendation to approve the requested R-5 rezoning followed, 4-0.

B. Recommendation regarding the request of Verizon Wireless for a special use request a tract of land totaling 40.678 acres located at 1282 New Hope Church Road, Tunnel Hill, Georgia. Parcel (11-284-23-000) (County)
Chairman Lidderdale sought a motion on the proposed special use permit for a telecommunications tower. Mr. DeLay then made a motion to recommend an approval of the special use permit for a telecommunications tower based on his agreement with the content of the staff analysis, contingent upon the petitioner providing the RF documentation as discussed during the public hearing before the Board of Commissioner's meeting in February. Ms. McClurg seconded the motion and a recommendation to recommend an approval of the special use permit followed, 4-0.

C. Recommendation regarding the request of Ricardo Salaises to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land totaling .57 acres located at 207 S. Glenwood Avenue, Dalton, Georgia. Parcel (12-219-21-012) (City)
Chairman Lidderdale sought a motion on the requested C-2 rezoning. Mr. DeLay stated that the requested rezoning would be a significant reduction in intensity of potential uses for the subject property. Mr. Sanford then made a motion to recommend an approval for the C-2 rezoning based on his agreement with the content of the staff analysis. Mr. Thomas then seconded the motion and a unanimous recommendation to approve the requested C-2 rezoning followed, 4-0.

D. Recommendation regarding the request of Clark Smith to rezone from Light Manufacturing (M-1) to General Commercial (C-2) a tract of land totaling .57 acres located at 616 Glenwood Place, Dalton Georgia. Parcel (12-238-07-010) (City)
Chairman Lidderdale sought a motion on the requested C-2 rezoning. Mr. Thomas then made a motion to recommend an approval for the C-2 rezoning. Mr. Sanford seconded the motion and a unanimous recommendation to approve the requested C-2 rezoning followed, 4-0.

E. Recommendation regarding the request of John Stafford to rezone from General Commercial (C-2) to Medium Density Single Family Residential (R-3) a tract of land totaling .23 acres located at 445 N. Hamilton Street, Dalton, Georgia. Parcel (12-200-15-030) (City)
Chairman Lidderdale sought a motion on the requested R-3 rezoning. Mr. DeLay then made a motion to table the rezoning recommendation for one month. Mr. Sanford seconded the motion and a unanimous recommendation to table the requested R-3 rezoning followed, 4-0.

F. Other Business

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 7:34 p.m.

Respectfully submitted,

Ethan Calhoun
Secretary