

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
October 26, 2020

MEMBERS PRESENT

Jim Lidderdale, Chairman
John Thomas
Jody McClurg
David Pennington IV

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

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

VISITORS PRESENT

Michael Law, Rogelio Hernandez, Freda Adkins, Shane Tucker, Bryan Spence and others.

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley via videoconference

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 Crossen Absent. Chairman Lidderdale confirmed a quorum of members was present with Scott DeLay and Eric Barr absent.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the September 28, 2020 meeting minutes. Mr. Pennington made the motion to accept the minutes as written and his motion was seconded by Mr. Thomas which then passed unanimously 3-0.

Mr. Calhoun gave a brief overview of the meeting procedures and stated that final action would likely occur during the regular November meeting of the Whitfield County Board of Commissioners.

II. REZONING PUBLIC HEARINGS

A. Heard the request of Michael Law to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 1.38 acres located at Pinebrook Drive, Tunnel Hill, Georgia. Parcel (12-077-04-001) (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. Chairman Laughter confirmed with Calhoun the staff recommendation to prohibit multi-family dwellings on the subject property. There were no further questions for Calhoun.

Michael Law stated that his intentions for the subject property are to place a manufactured home on it in order for he and his wife to be a caretaker for the current owner of the subject property. Law noted that the subject property owner lives in the home on the eastern-adjacent tract. Chairman Lidderdale confirmed with Law the impact of the flood zone on the subject property.

Shane Tucker, an adjacent neighbor, stated that he was opposed to the rezoning due to his concern with the flood zone and noted that he had seen flood waters covering the entire property in the past. Tucker then stated that the he was concerned with the affect a manufactured home would have on his, and other neighbor's, property value. Tucker also stated that he did not believe the subject property would perk

well enough to support a septic system.

Freda Adkins, a nearby neighbor of the Pinebrook Dr. neighborhood, stated that she was opposed to the R-5 rezoning based on her belief that the introduction of a manufactured home on the subject property would have a devaluating effect on all of the properties of the Pinebrook neighborhood. Adkins then noted the tendency of several properties to flood so badly that water infiltrates the crawlspaces of more than one home on Pinebrook Dr. Adkins then hands a petition to Chairman Lidderdale with the names of several neighbors in the Pinebrook neighborhood that are opposed to the R-5 rezoning. Adkins then stated that the covenants of the Pinebrook Dr. neighborhood have since expired, but that the single-family detached site-built character of the housing along Pinebrook Dr. have remained very well maintained.

Law clarified that he intends to purchase a double-wide manufactured home for the subject property, and stated that he had not went forward with a soil perk test on the subject property since he wanted to first ensure the zoning would be changed to R-5.

With no further comments heard for or against this hearing closed at approximately 6:19pm.

B. Heard the request of Sarah L. Holcomb to rezone from Neighborhood Commercial (C-1) to General Commercial (C-2) a tract of land totaling .46 acres located at 600 Lafayette Road, Rocky Face, Georgia. Parcel (27-163-05-000) (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. Commissioner Brooker asked if there would be a buffer around any portion of the subject property to which Calhoun stated that there would not be since all adjacent property is zoned C-1. David Pennington asked Calhoun if it was known how long the commercial building on the subject property had been vacant to which Calhoun stated that he was unsure. There were no further questions for Calhoun.

Rogelio Hernandez, with power of attorney, stated that he is the prospective business owner wishing to lease the commercial building on the subject property from Ms. Holcomb for a used car lot. Commissioner Robbins asked Hernandez for the location of his current car lot to which Hernandez replied that he did not have a lot at this time.

With no other comments heard for or against this hearing closed at approximately 6:28pm.

C. Heard the request of Whitfield County BOC's petition for a special use permit for a recreation park on a tract of land totaling 57.275 acres zoned Rural Residential (R-5) located at Riverbend Park, Dalton, Georgia. Parcel (12-318-02-000) (County)

Mr. Calhoun summarized the staff analysis, which was in favor of the Special Use Permit for the recreation park. Chairman Laughter asked Calhoun if there would be an ideal zone district for a recreation park to which Calhoun stated that recreation parks are permitted via Special Use Permit in residential zone districts so that the underlying residential zone district does not change but does allow for zoning review. Calhoun stated that the existing R-5 zone district would be the best fit for this location based on the existing zoning of adjacent and surrounding properties. There were no further questions for Calhoun.

Calhoun represented the Board of Commissioners as the petitioner.

With no other comments heard for or against this hearing closed at approximately 6:35pm.

III. REGULAR MEETING

A. Recommendation regarding the request of Michael Law to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 1.38 acres located at Pinebrook Drive, Tunnel Hill, Georgia. Parcel (12-077-04-001) (County)

Chairman Lidderdale sought a motion on the proposed R-5 rezoning. Mr. Thomas stated that his knowledge of manufactured homes in the County is such that he did not feel concerned that there would be a devaluating effect on the surrounding properties. **Mr. Thomas then made a motion to**

recommend the R-5 rezoning 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 with the condition prohibiting multi-family housing followed, 3-0.

B. Recommendation regarding the request of Sarah L. Holcomb to rezone from Neighborhood Commercial (C-1) to General Commercial (C-2) a tract of land totaling .46 acres located at 600 Lafayette Road, Rocky Face, Georgia. Parcel (27-163-05-000) (County)
Chairman Lidderdale sought a motion on the proposed C-2 rezoning. Mr. Pennington noted the adjacent commercial properties including the Dollar General and gas station that give the area a commercial character and that it would better serve the community to have a viable business operating on the subject property rather than a vacant building. **Mr. Pennington then made a motion to recommend an approval of the C-2 rezoning based on his agreement with the staff analysis. Mr. Thomas seconded the motion and a recommendation to approve a C-2 rezoning followed, 3-0.**

C. Recommendation regarding the request of Whitfield County BOC's petition for a special use permit for a recreation park on a tract of land totaling 57.275 acres zoned Rural Residential (R-5) located at Riverbend Park, Dalton, Georgia. Parcel (12-318-02-000) (County)
Chairman Lidderdale sought a motion on the requested Special Use Permit for a recreation park. **Mr. Pennington then made a motion to recommend the Special use Permit based on his agreement with the content of the staff analysis. Ms. McClurg then seconded the motion and a unanimous recommendation to approve the Special Use Permit for a recreation park followed, 3-0.**

D. Final Plat Review- Little Prospect South, Prospect Rd.

Ms. Price-Garland oriented the Planning Commission to the subject property along Prospect Rd. and stated that the plat proposes 32 new tracts to be created from the subject property accessing Prospect Rd. She stated that the only issue with the plat is that tract 22 would be considered a flag lot by the subdivision regulations which requires Planning Commission approval. She went on to note that tract 22 is a large lot and that the buildable area would be far enough away from the property boundaries that the typical issue regarding flag lots would not be a concern. Price-Garland then stated that all required signatures had been obtained. **Mr. Thomas then made a motion to approve the plat as drawn based on the fact that no issues were identified by staff. His motion was seconded by Mr. Pennington which then passed unanimously, 3-0.**

E. Final Plat Review- Bryan Spence, Chattanooga Ave.

Ms. Price-Garland oriented the Planning Commission to the subject property along Chattanooga Ave. and stated that the property had been rezoned by the City of Dalton in recent months after receiving a positive recommendation from the Planning Commission. Price-Garland then stated that Mr. Spence, the developer, had agreed to donate right-of-way to the City in order to have proper access to the public alleyway rather than Chattanooga Ave. She noted that the plat met all the requirements of the subdivision regulations and that the plat had obtained all the required signatures, but she stated that all plats within the City of Dalton must be approved by the Planning Commission rather than the zoning administrator. **Ms. McClurg then made a motion to approve the plat as drawn based on the fact that it met all the requirements. Her motion was seconded by Mr. Pennington which then passed unanimously, 3-0**

F. Other Business

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 6:48 p.m.

Respectfully submitted,

Ethan Calhoun
Secretary