

MINUTES
DALTON-WHITFIELD COUNTY PLANNING COMMISSION
March 28, 2022

MEMBERS PRESENT

Chris Shiflett, *Acting Chairman*
Jody McClurg
Eric Barr
Octavio Perez

WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT

Jevin Jensen, Chairman
Barry Robbins, Vice Chairman
John Thomas
Greg Jones

VISITORS PRESENT VIA VIDEO CONFERENCE

Lowell Kirkman, Karen Roark, Chris James, Eric Azua, Walker Merit, John McDonald, and others.

STAFF PRESENT

Ethan Calhoun
Jean Price-Garland
Robert Smalley
Robert Sivick
Jacob Bearden

I. GENERAL

A. Call to Order: Chairman Jensen called the meeting to order at 6:02 p.m. and confirmed a quorum of commissioners was present with no absences, then turned the meeting over to Chris Shiflett who confirmed a quorum of planning commissioners was present with David Pennington IV and Jim Lidderdale absent. Shiflett agreed to serve as the acting chairman in the absence of the chairman and vice-chairman.

B. Minutes: Chairman Shiflett sought a motion to approve or correct the February 28, 2022 meeting minutes. Mr. Perez made the motion to accept the minutes as written and his motion was seconded by Mr. Barr which then passed unanimously 3-0.

Mr. Calhoun summarized the public hearing procedures and clarified that final action regarding the rezoning matters would likely occur during the April meetings of the Whitfield County Board of Commissioners and Mayor and Council of the City of Dalton.

II. REZONING PUBLIC HEARINGS

A. Heard the request of John Davis to rezone from General Commercial (C-2) and Low-Density Single-Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 26.31 acres located on Cleveland Highway, Dalton, GA. Parcel (12-102-11-000) (County)

Mr. Calhoun summarized the staff analysis which was in favor of the proposed R-3 rezoning. There were no further questions for Calhoun.

Chairman Shiflett tabled the hearing due to the absence of the petitioner or their legal representative.

B. Heard the request of Karen Roark to rezone from Low Density Single-Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 8.89 acres located on McGaughey Chapel Road, Dalton, GA. Parcel (11-193-02-022) (County)

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which recommended an SA rezoning rather than the requested R-5 rezoning. There were no further questions for Calhoun.

Karen Roark stated that the subject property and the adjacent tract across McGaughey Chapel Rd. had been in her family's ownership since the 1800's and the property has always maintained an agricultural character. Roark stated that she had recently had the property fenced in. Roark stated that her intent is to ensure that the subject property will be in conformance with the zoning regulations for keeping horses or livestock. Roark noted that she would have been in conformity without the UZO having been amended several months ago to exclude livestock for personal pleasure in the R-2 zone district. Jody McClurg asked Roark if she would be comfortable with the SA rezoning rather than the R-5. Roark was not comfortable with the SA rezoning at first, but some discussion between staff, Planning Commissioners, Commissioners, and Roark resulted in her being more confident that SA would, in fact, be a better fit for her needs.

Walker Meret, a neighbor, stated that he much preferred the recommended SA rezoning rather than the requested R-5 rezoning based on his concern for potential lot density increases on the subject property if it is rezoned R-5 and developed at a future date.

With no other comments heard for or against, this hearing closed at approximately 6:22pm.

C. Heard the request of Chris James to rezone from Transitional Commercial (C-4) to General Commercial (C-2) a tract of land totaling 0.17 acres located on 921 S. Hamilton Street, Dalton, GA. Parcel (12-257-02-019) (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. Calhoun noted that the UZO requires that all parking areas be cement or asphalt in the City of Dalton, which would affect the subject property since it is currently a grass lot. There were no further questions for Calhoun.

Chris James affirmed the content of the staff analysis and made no additional comment other than that he may now abandon the project due to the significance of the necessary property improvements. The Planning Commission encouraged Mr. James to reach out to City Public Works officials to discuss potential alternative surfaces in hopes of finding a viable solution for both parties.

With no other comments heard for or against, this hearing closed at approximately 6:32pm.

D. Heard the request of Thomas Durkan III to rezone from Light Manufacturing (M-1) to Central Business District (C-3) a tract of land totaling 0.26 acres located at 309 Flour Mill Drive, Dalton, GA. Parcel (12-219-28-015) (City)

Chairman Shiflett stated that the petition had been withdrawn prior to the meeting.

E. Heard the request of Luis and Maria Herrera to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.22 acres located at 500 Underwood Street, Dalton, GA. Parcels (12-201-10-001 and 12-201-10-017) (City)

Mr. Calhoun summarized the staff analysis which was in favor of the requested R-5 rezoning. There were no further questions for Calhoun.

Eric Azua represented the petitioner as their realtor and affirmed the basis of the staff analysis as well as the issue of his buyers obtaining a mortgage under the subject property's current zoning.

With no other comments heard for or against, this hearing closed at approximately 6:37pm.

F. Heard the request of John Isaac McDonald to annex as Zero Lot Line Residential (R-4) a tract of land totaling 0.1 acres located at 203 Roslyn Court, Dalton, GA. Parcel (12-147-17-010) (City)

Mr. Calhoun summarized the staff analysis which was in favor of the proposed annexation into the City of Dalton. Calhoun went on to note that he had received feedback from both the City of Dalton Fire Department and Public Works, and that both fire and public works found no objection to the property's annexation. There were issues identified in regard to the radius of the cul-de-sac of Roslyn Ct. pertaining to current City fire code. There were no further questions for Calhoun.

John McDonald stated that the primary intent of the annexation was simply to maintain his daughter's enrolment in the City school system since she had been there for some time now. McDonald also noted that he had discussed annexation with other property owners in this development and that there seems to be interest in annexing other tracts along Roslyn Ct.

With no other comments heard for or against, this hearing closed at approximately 6:51pm.

G. Heard the request of the City of Dalton Mayor and Counsel to amend the Unified Zoning Ordinance text in regard to dwelling unit size within the City of Dalton, and to add multi-family residential as a permitted use within the Mixed-Use zone district. (Dalton, Varnell, Whitfield)

Mr. Calhoun summarized the staff analysis which was in favor of the proposed text amendments. There were no further questions for Calhoun. Octavio Perez asked Calhoun why there was a minimum dwelling unit size for the City of Dalton that was different than the unincorporated County and Varnell since the three entities are part of the same Unified Zoning Ordinance. Calhoun stated that this provision of the ordinance was created prior to his tenure as the secretary of the Planning Commission and that he was unsure of the reason for the dwelling unit size provision. Perez went on to question the necessity of a minimum dwelling unit size within the City and stated that he felt strongly that it was prohibitive of housing development. Calhoun responded to Perez by noting that the proposed amendment would create more opportunity for one-bedroom units within multi-family developments than currently exists.

Lowell Kirkman did stated that it would be his recommendation that the use for urban dwellings and loft dwellings be stricken as permitted uses within the MU district altogether due to potential administrative confusion.

With no other comments heard for or against, this hearing closed at approximately 7:06pm.

III. REGULAR MEETING

A. Recommendation regarding the request of John Davis to rezone from General Commercial (C-2) and Low-Density Single-Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 26.31 acres located on Cleveland Highway, Dalton, GA. Parcel (12-102-11-000) (County)

Chairman Shiflett stated that this item would be tabled and return to the agenda of the April meeting.

B. Recommendation regarding the request of Karen Roark to rezone from Low Density Single-Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 8.89 acres located on McGaughey Chapel Road, Dalton, GA. Parcel (11-193-02-022) (County)

Chairman Shiflett sought a motion on the requested R-5 rezoning. **Jody McClurg then made a motion to recommend the SA rezoning based on her agreement with the content of the staff analysis. Octavio Perez then seconded the motion and a unanimous recommendation to**

approve the SA rezoning followed, 3-0.

C. Recommendation regarding the request of Chris James to rezone from Transitional Commercial (C-4) to General Commercial (C-2) a tract of land totaling 0.17 acres located on 921 S. Hamilton Street, Dalton, GA. Parcel (12-257-02-019) (City)

Chairman Shiflett sought a motion on the requested C-2 rezoning. Jody McClurg then made a motion to recommend a C-2 rezoning based on her agreement with the content of the staff analysis. Eric Barr then seconded the motion and a unanimous recommendation to approve the C-2 rezoning followed, 3-0.

D. Recommendation regarding the request of Thomas Durkan III to rezone from Light Manufacturing (M-1) to Central Business District (C-3) a tract of land totaling 0.26 acres located at 309 Flour Mill Drive, Dalton, GA. Parcel (12-219-28-015) (City)

Chairman Shiflett restated that this petition had been withdrawn and would therefore not require a vote.

E. Recommendation regarding the request of Luis and Maria Herrera to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.22 acres located at 500 Underwood Street, Dalton, GA. Parcels (12-201-10-001 and 12-201-10-017) (City)

Chairman Shiflett sought a motion on the requested R-5 rezoning. Octavio Perez then made a motion to recommend a R-5 rezoning based on his agreement with the content of the staff analysis. Eric Barr then seconded the motion and a unanimous recommendation to approve the R-5 rezoning followed, 3-0.

F. Recommendation regarding the request of John Isaac McDonald to annex as Zero Lot Line Residential (R-4) a tract of land totaling 0.1 acres located at 203 Roslyn Court, Dalton, GA. Parcel (12-147-17-010) (City)

Chairman Shiflett sought a motion on the requested annexation. Jody McClurg then made a motion to recommend the annexation based on her agreement with the content of the staff analysis. Octavio Perez then seconded the motion and a unanimous recommendation to approve the annexation followed, 3-0.

G. Recommendation regarding the request of the City of Dalton Mayor and Counsel to amend the Unified Zoning Ordinance text in regard to dwelling unit size within the City of Dalton, and to add multi-family residential as a permitted use within the Mixed-Use zone district. (Dalton, Varnell, Whitfield)

Chairman Shiflett sought a motion on the proposed Unified Zoning Ordinance text amendments. Octavio Perez then made a motion to recommend the dwelling unit minimum be removed from the zoning ordinance and to approve the multi-family amendment to the MU district. Mr. Perez's motion died for lack of a second. Eric Barr then made a motion to recommend the text amendments be approved as presented by the staff. Jody McClurg then seconded the motion and a recommendation to approve the text amendments are presented in the staff analysis followed, 2-1 with Octavio Perez voting nay.

H. Final Plat Review- Easement Width, Chavarria (County)

Ms. Price-Garland oriented the Planning Commission to the proposed plat

Chairman Shiflett sought a motion on the final plat for the Bradberry Subdivision. Jody McClurg then made a motion to deny the final plat as presented due to its inability to meet appropriate road frontage width. Her motion to deny was seconded by Chris Shiflett, which then passed unanimously, 4-0.

I. Flag lot Review- Schellack/Parks (County)

Ms. Price-Garland oriented the Planning Commission to the proposed plat and its location. Price-Garland stated that the petitioner is making the request in order to ensure her daughter's adjacent property has an easement for her driveway in the event of the mother's passing. Price-Garland stated that the proposed plat is the best way to meet the petitioner's need and that the proposed flag lot would meet the 50' R/W minimum.

Chairman Shiflett sought a motion on the Schellack/Parks flag lot. **Octavio Perez then made a motion to approve the flag lot as presented. His motion to approve was seconded by Jody McClurg, which then passed unanimously, 3-0.**

J. Flag Lot Review- Young (County)

Ms. Price-Garland oriented the Planning Commission to the proposed plat and its location. Price-Garland noted that the proposed plat was in regard to a family situation where the estate heirs would each get a separate tract of land. Price-Garland also noted that the Dept of Environmental Health stated that the mobile home must be removed once it is vacated. Chairman Shiflett sought a motion on the Young flag lot. **Jody McClurg then made a motion to approve the flag lot as presented. Her motion to approve was seconded by Octavio Perez, which then passed unanimously, 3-0.**

K. Final Plat Review- Stauf Real Estate (City)

Ms. Price-Garland oriented the Planning Commission to the proposed plat and its location. Price-Garland stated that the plat was within the City of Dalton and is required to have Planning Commission approval. Price Garland drew the attention of the Planning Commission to the commercial property and noted that the proposed plat would allow the owners to divide and sell the portions of the subject property individually. Price-Garland stated that the proposed plat would not change the character of the area since it is already built out. Chairman Shiflett sought a motion on the Stauf Real estate plat. **Eric Barr then made a motion to approve the flag lot as presented. His motion to approve was seconded by Jody McClurg, which then passed unanimously, 3-0.**

IV. ADJOURNMENT

With no other business scheduled, the meeting adjourned at approximately 7:37 p.m.

Respectfully submitted,
Ethan Calhoun
Secretary