

**MINUTES**  
**DALTON-WHITFIELD COUNTY PLANNING COMMISSION**  
**April 25, 2022**

**MEMBERS PRESENT**

Jim Lidderdale, *Chairman*  
Jody McClurg  
Eric Barr  
Octavio Perez  
David Pennington IV

**WHITFIELD COUNTY BOARD OF COMMISSIONERS PRESENT**

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

**VISITORS PRESENT VIA VIDEO CONFERENCE**

Rolando Luna, Brandon Harrison, Barnett Chitwood, Lane Lewis, Bill Kenny, Robert Ingram, Perry Smith, David Wilkins, 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 6:00 p.m. and confirmed a quorum of commissioners was present with no Robby Staten absent, then turned the meeting over to Chairman Lidderdale who confirmed a quorum of planning commissioners was present with Chris Shiflett absent.

B. Minutes: Chairman Lidderdale sought a motion to approve or correct the March 28, 2022 meeting minutes. Mr. Pennington made the motion to accept the minutes as written and his motion was seconded by Mr. Perez which then passed unanimously 4-0.

Mr. Calhoun summarized the public hearing procedures and clarified that final action regarding the rezoning matters would likely occur during the May 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)**

Chairman Lidderdale stated that the petitioner had withdrawn the rezoning request prior to the meeting and that there would be no public hearing for this agenda item.

**B. Heard the request of Rolanda Luna to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 0.39 acres located at 332 Ponders Drive, SE, Dalton, GA. Parcel (13-011-06-021)**

Mr. Calhoun oriented the audience to the subject property and summarized the staff analysis which recommended an approval of the requested R-5 rezoning. There were no further questions for Calhoun. Rolando Luna stated that they discovered the need for a rezoning after being unable to get a power source for the manufactured home.

With no other comments heard for or against, this hearing closed at approximately 6:09pm.

**C. Heard the request of Crow Road Holdings to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 3.04 acres located at 3424 Chattanooga Road, Dalton, GA. Parcels (12-076-05-000, 12-076-30-000, 12-076-38-000, 12-076-39-000)**

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

Brandon Harrison stated that he determined his desire was to develop the subject property for residential use rather than commercial. Octavio Perez confirmed with Harrison that the subject property would only be accessed by Chattanooga Road. A neighbor concerned with stormwater runoff related to the small pond toward the rear lot of the subject property stated his concern and made no opposition to the rezoning. Harrison stated that he had no plans to develop the rear portion of the subject property where the pond was located.

With no other comments heard for or against, this hearing closed at approximately 6:21pm.

**D. Heard the request of Jeffrey Lea and Brandon Harrison to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 2.24 acres located on Mill Creek Road, Dalton, GA. Parcel (12-189-02-000)**

Mr. Calhoun summarized the staff analysis which was not in favor of the requested R-3 rezoning. Chairman Jensen confirmed with staff that the minimum dwelling size in R-3 is 1,000SF with a 7,500SF minimum lot size. There were no further questions for Calhoun.

Bill Kenny, the owner of the subject property, represented the petition by first giving a detailed history of his work developing the adjacent Mill Creek Estates subdivision. Kenny then noted his involvement in the extension of public sewer to this area which included a pump station on the northern portion of the subject property. Kenny went on to describe some of the issues with the subject property regarding the 100yr flood plain along with the blighted non-conforming properties across Mill Creek Road. Kenny stated that, in his opinion, the blighted properties and adjacent sewer pump station do not create an environment for homes of the value of those in the existing Mill Creek Estates development. Kenny stated his failed attempt to obtain variances under the existing R-2 zoning for additional lots a month prior which prompted his rezoning request. Kenny stated that his current plan would be to create 5 new lots along Mill Creek Road that would each contain a single-family detached dwelling approximately 1,200SF in size.

Robert Ingram, a neighbor within the nearby Paradise Ridge neighborhood, stated that he was opposed to the R-3 rezoning and presented a petition with approximately 100 signatures which opposed the rezoning as well. Ingram stated that his concerns were based on his concern with the introduction of smaller houses and lots in this area that would be significantly smaller than the established zoning and development in the area.

Lane Lewis, a neighbor in the nearby Farm development, stated that he was in agreement with the issues noted within the staff analysis regarding an entering wedge affect this rezoning could introduce to the area which has a notable low-density and large home character.

Brandon Harrison, the petitioner's developer, stated that he is already working to develop 7 additional

lots along Amanda Way that are adjacent to the subject property. Harrison stated that a meeting had been held with the Mill Creek Estates HOA where he presented the plans for the proposed development. Harrison stated that the Amanda Way lots would meet the standards of the R-2 zone district and each contain single-family detached dwellings each approximately 1,800SF in size. Harrison noted their intention to fill the flood zone and that the filling expense necessitated the need for more lots in order to recoup their investment.

Kenny then stated that if the R-3 rezoning is not approved that he would develop more lots along Amanda Way with 1,200SF single-family detached dwellings.

Commissioner Thomas suggested that the developer and Mill Creek Estates HOA meet to propose a compromise for the proposed development that would be acceptable to both parties.

Some discussion occurred out of turn by members of the public audience and the petitioner.

Kenny then stated that the County would change the regulations within the R-2 zone district to permit the proposed development without the need to rezone to R-3. Kenny then noted a former attempt of his to rezone the subject property for 26 lots that was not approved.

With no other comments heard for or against, this hearing closed at approximately 7:02pm.

**E. Heard the request of Perry Smith to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 1.26 acres located at 138 Bloomfield Way, Dalton, GA. Parcel (12-205-26-000)**

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

Perry Smith made no additional comments.

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

**F. Heard the request of David and Lucretia Wilkins to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 0.88 acres located on Sosebee Drive, Dalton, GA. Parcels (12-051-38-000 and 12-051-57-000)**

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

David Wilkins stated that their desire to rezone the subject property was prompted by their discovering that their property was zoned for commercial use and that they had no intent to use their property for commercial purposes.

With no other comments heard for or against, this hearing closed at approximately 7:08pm.

**G. Heard the request of Jose Gomez to rezone from Rural Residential (R-5) to Neighborhood Commercial (C-1) a tract of land totaling 0.16 acres located at 517 Straight Street, Dalton, GA. Parcel (12-218-01-018)**

Mr. Calhoun summarized the staff analysis which was not in favor of the requested C-1 rezoning. Octavio Perez asked Calhoun if the existing block building could be converted into a single-family detached dwelling to which Calhoun stated would not likely be possible due to the non-conforming state of the existing building that encroached so far into the side and front setbacks. There were no further questions for Calhoun.

Jose Gomez was accompanied by his daughter who served as a Spanish to English translator for Gomez.

Gomez stated his intent to use the existing building to house their food truck that they use to serve food at off-site events. Perez asked Gomez what they had used the building for up to this point after confirming that Gomez has owned the building for some time now. Gomez stated that they use the existing building as storage for an existing cleaning business they also operate. Discussion occurred that resulted in the understanding that the existing building would simply be used to house a food truck and supplies, and the proposed food truck operation would not require any on-site cooking or serving.

With no other comments heard for or against, this hearing closed at approximately 7:27pm.

### **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)**

Chairman Lidderdale stated that there would be no recommendation for this item since it had been withdrawn.

**B. Recommendation regarding the request of Rolanda Luna to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 0.39 acres located at 332 Ponders Drive, SE, Dalton, GA. Parcel (13-011-06-021)**

Chairman Lidderdale sought a motion on the requested R-5 rezoning. **David Pennington then made a motion to recommend the 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, 4-0.**

**C. Recommendation regarding the request of Crow Road Holdings to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 3.04 acres located at 3424 Chattanooga Road, Dalton, GA. Parcels (12-076-05-000, 12-076-30-000, 12-076-38-000, 12-076-39-000)**

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

**D. Recommendation regarding the request of Jeffrey Lea and Brandon Harrison to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 2.24 acres located on Mill Creek Road, Dalton, GA. Parcel (12-189-02-000)**

Chairman Lidderdale sought a motion on the requested R-3 rezoning. Jody McClurg confirmed that the subject property could have 5 lots with single-family detached dwellings at 1,200SF in size. McClurg recalled the plat from the previous month was denied which proposed an additional lot. Bill Kenny stated that he was requesting 8 lots along Mill Creek Road that would share only two driveways. **Jody McClurg then made a motion to recommend a denial of the R-3 rezoning based on her agreement with the content of the staff analysis. Eric Barr then seconded the motion and a unanimous recommendation to deny the R-3 rezoning followed, 4-0.**

**E. Recommendation regarding the request of Perry Smith to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 1.26 acres located at 138 Bloomfield Way, Dalton, GA. Parcel (12-205-26-000)**

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

**F. Recommendation regarding the request of David and Lucretia Wilkins to rezone from**

**General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 0.88 acres located on Sosebee Drive, Dalton, GA. Parcels (12-051-38-000 and 12-051-57-000)**

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

**G. Recommendation regarding the request of Jose Gomez to rezone from Rural Residential (R-5) to Neighborhood Commercial (C-1) a tract of land totaling 0.16 acres located at 517 Straight Street, Dalton, GA. Parcel (12-218-01-018)**

Chairman Lidderdale sought a motion on the proposed C-1 rezoning. Some discussion occurred between the Planning Commission and the petitioner that resulted in the understanding that the petitioner would need a grease trap on the subject property in order to serve as a base for the food truck. Staff recommended tabling the rezoning in order to determine if the petitioner could get a grease trap without the need for a building permit in order to avoid rezoning the subject property.

**Octavio Perez then made a motion to table the rezoning in order to get more information in regard to the grease trap. Eric Barr then seconded the motion and a recommendation to table the C-1 rezoning followed, 4-0.**

#### **IV. ADJOURNMENT**

With no other business scheduled, the meeting adjourned at approximately 7:45 p.m.

Respectfully submitted,  
Ethan Calhoun  
Secretary