

DALTON-WHITFIELD BOARD OF ZONING APPEALS
Meeting Minutes
April 13, 2016

I. Call to order

Chairman Kenneth Harless called to order the meeting of the unified Dalton-Whitfield Board of Zoning Appeals at 12:00 PM on Wednesday, April 13, 2016 in the council chambers at Dalton City Hall.

II. Roll call

The following persons were present:

Board members:

Mike Brown
Kenneth Harless
Austin King
Tracy Ward

Others:

Jean Price-Garland, Dalton-Whitfield Zoning
Robert Smalley, County Attorney
Phillip Bradshaw *Gail Stanley*
Chuck Dobbins *Larry Stocks*
Randy Elias *Lawrence Stocks*

III. Approval of minutes from last BZA meeting

Motion to approve the minutes of the March 9, 2016 Dalton-Whitfield Board of Zoning Appeals meeting was made by Tracy Ward and seconded by Austin King. The motion was approved 4-0.

IV. New Business

Appeal Hearing #1:

Applicant: A1 Signs; 609 S Thornton Avenue (city of Dalton)

Owner: M.B.D. Properties LLC

Phillip Bradshaw was present at the hearing representing A1 Signs. Staff presented a GIS layout of the property, and explained the circumstances surrounding the case. The subject property is located along the east right-of-way of South Thornton Avenue between West Emery Street and West Franklin Streets in downtown Dalton. The 3.25-acre lot contains a business locally referred to as the Downtowner Motel. The property is zoned C-1A, Limited Commercial and is located within the city limits of Dalton. A free-standing pylon sign is located in the northwest corner of the property adjacent to South Thornton Avenue.

The current existing pylon sign is a non-conforming sign with respect to the required ten (10) foot setback from the front property line. The building inspector advised the applicant to obtain a variance before the inspections office would issue a permit to replace the current reader board with an electronic message board. The proposed remodeled sign will be no larger in height and no larger in size than the current existing pylon sign.

Mr. Bradshaw explained the existing reader board in the center of the sign is in very poor shape and must be replaced. As the property owner is refurbishing the existing pylon sign, the owner also wishes to re-modernize the reader board with a new electronic message board. Mr. Bradshaw also noted the new electronic message board will be slightly smaller in size than the current reader board.

The applicant requested a variance from Section 6.1(a) of the Dalton City Sign Ordinance to replace a non-conforming sign with another non-conforming sign.

Noting the conditions for granting a variance had been met, Tracy Ward made a motion, seconded by Mike Brown, to grant the variance as requested.

The motion passed 3-1 with Austin King voting against the motion.

Appeal Hearing #2:

Applicant: Randy Elias; Holiday Inn Drive (city of Dalton)

Owner: S&S Property Holdings LLLP

Staff presented a GIS layout of the property, and explained the circumstances surrounding the case. The subject property is located along the east right-of-way of Holiday Inn Drive at the intersection of College Drive, I-75, and West Walnut Avenue. The 0.78-acre vacant lot is zoned C-2, General Commercial and is located within the city limits of Dalton.

Staff explained the applicant had submitted construction plans for a 2400 square foot Moe's fast food restaurant at the site. The Unified Zoning Ordinance requires fourteen (14) parking spaces per 1000 square feet of gross floor area for this type of restaurant. Using this formula, thirty-four parking spaces would be required. The applicant's site plan shows only 20 parking spaces.

Mr. Elias provided the Board with a letter from the Moe's corporate office which stated Mr. Elias, as the franchise lessee, had their approval to provide only twenty customer parking spaces. Mr. Elias further noted that he was working with the city of Dalton to obtain permission to add eleven (11) more spaces for employee parking in what will become the old College Drive road bed once the new road re-alignment construction for College Drive is completed.

The applicant requested a variance from Chart 5-4 of the Unified Zoning Ordinance to reduce the number of required parking spaces from thirty-four (34) to twenty (20).

Noting the conditions for granting a variance had been met, Tracy Ward made a motion, seconded by Austin King, to grant the variance as requested.

The motion passed 4-0.

V. Other business

Staff reported there was no other business to discuss.

VI. Adjournment

Chairman Kenneth Harless adjourned the meeting at 12:25 PM.

Minutes respectfully submitted by: **Jean Price-Garland**