



Whitfield County Board of Commissioners Planning and Zoning Department

201 South Hamilton Street, Dalton, GA 30720
(706) 876-2592

Public Hearing: February 8, 2023 – Board of Zoning Appeals Meeting Minutes

Location: 201 South Hamilton Street, Dalton, Georgia – 5th Floor Conference Room

Call to Order: 12:00 P.M.

Adjournment: 12:08 P.M.

I. Roll Call

The following Board of Zoning Members were present:

Chair:	Kenneth Harless
Vice-Chair:	Austin King
Board Member:	Tracy Ward
Board Member:	Mike Brown
Board Member:	Debby Peppers

The following staff members were present:

Dalton-Whitfield Planning:	Jake Bearden
County Attorney:	Robert Smalley
Chief Building Official:	Michael Fowler
Stormwater Coordinator:	Chris Hester

Others present:

Applicant/Owner:	Jose Fernandez
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II. Approval of Minutes from January 11, 2023 BZA Meeting

Motion to approve the minutes as presented was made by Austin King and seconded by Mike Brown. The motion passed 4-0.

III. Appeal Hearings

Applicant/Owner: Jose Fernandez

Property Address: 906 Croy Drive, Dalton, Georgia 30720

Discussion: Mr. Fernandez was present at the hearing. Staff presented the GIS layout of the property, and explained the circumstances of the variance request. The subject property is located at 906 Croy Drive. The 0.21-acre lot is currently zoned R-3, Medium Density Single-Family Residential and is located within the incorporated limits of the City of Dalton. The parcel is served by public water and public sewer.

The current single-family residence was built in 1959 with a heated area of 1,162 square feet. The site maps below show the existing structure's proximity to the property lines. The residence is approximately 10 feet from eastern property line, and 4-6 feet from the southern line. Topography, a retaining wall, and the existing driveway prevents an addition on the west side of the home.

The requested variance is:

A variance to Section 3-7 to allow a side yard setback encroachment of 2 feet in an R-3 Zoning District.

Staff Recommendation: Approval with conditions, as the existing structure and others in the area were historically built within the current setbacks.

Conditions:

- 1) The variance is only for the proposed addition, and no other encroachments may occur without prior approval from the Board of Zoning Appeals.
- 2) Gutters are installed and directed away from the adjacent home.

The applicant requested a variance from **Section 3-7 of the Dalton-Whitfield County Unified Zoning Ordinance** to allow an encroachment of the side yard building setback.

Decision: After noting that conditions for the variance had been met, Austin King made a motion, seconded by Debby Peppers, to approve the variance requested by Mr. Fernandez with conditions stated. The Motion passed 4-0.

IV. Other Business

No other business was reported.

V. Adjournment

Chair Kenneth Harless adjourned the meeting at 12:08 PM.

Minutes submitted by: Jacob Bearden