

UNIFIED BOARD OF ZONING APPEALS
Meeting Minutes
May 12, 2021

I. Call to order

Chairman Mike Brown called to order the meeting of the Unified Board of Zoning Appeals at 12:01 PM on Wednesday, May 12, 2021 in the 5th floor conference room of the Wells Fargo building located at 201 South Hamilton Street, Dalton, Georgia.

II. Roll call

The following persons were confirmed as present at the meeting either in person or via the GoToMeeting video platform:

Board members:

Mike Brown

Kenneth Harless (via GoToMeeting)

Austin King (via GoToMeeting)

Tracy Ward (via GoToMeeting)

Staff members:

Jean Price-Garland, Dalton-Whitfield Zoning

Jake Bearden, Whitfield County Engineering

Robert Smalley, County Attorney (via GoToMeeting)

Others:

Issac Holbert (via GoToMeeting)

Sean Hickman (via GoToMeeting)

Greg Newkirk (via GoToMeeting)

Rex Powell (via GoToMeeting)

Eileen Graf (via GoToMeeting)

III. Approval of minutes from April 14, 2021 BZA meeting

Motion to approve the minutes of the Unified Board of Zoning Appeals meeting for April 14, 2021 made by Kenneth Harless and seconded by Tracy Ward. The motion passed 4-0.

V. New Business

Appeal Hearing

Applicant/Property Owner: Chick-Fila

Property Address: 1517 W Walnut Avenue (city of Dalton jurisdiction)

Five Chick-Fila team members represented the applicant at the hearing via the GoToMeeting platform. Staff presented a GIS layout of the property, and explained the circumstances surrounding the case. The subject property is located along the south side of West Walnut Avenue and east of the I-75 interchange. The site is home to a drive-thru/dine-in fast food restaurant planned for demolition and complete rebuild. The owner recently purchased an additional 0.559 acres adjacent to the south in order to incorporate the new site design layout. The 1.5-acre lot is currently zoned C-2, General Commercial, and is located within the city limits of Dalton.

Sean Hickman explained the redevelopment of the site will allow the owner to address significant pedestrian safety and traffic congestion issues. Mr. Hickman stated the new design reduces the West Walnut Avenue access driveways from two to one, and relocates the private drive entrance further south. The additional property purchase provided the opportunity to create an isolated drive-thru lane. This means parking customers will no longer need to cross the drive-thru to walk to the building. The multi-lane drive-thru and canopy system over the ordering points and delivery/pick up area will assist in expediting the flow of traffic. He explained in order to utilize the existing topography and accommodate the additional parking and isolated drive thru lanes, the OMD canopy along the east property line would have to extend 12.5 feet into the building setback area.

Issac Holbert, Dalton Chick-Fila operator, explained the improved layout design includes Outside Meal Delivery canopies that provide shade and protection from the elements for outside team members. Mr. Holbert stated the new design would create three ordering points and two lanes of delivery. He claimed drive-thru stacking would increase four-fold.

The applicant requested a **variance from Chart 3.7 of the Unified Zoning Ordinance to reduce the required fifteen-foot side building setback to 2.5 feet.**

After some discussion, Austin King made a motion, seconded by Tracy Ward, to grant the variance as requested.

The motion passed 4-0.

VI. Other business

Staff noted there have been applications already filed for the June BZA meeting. Board members agreed to hold the next meeting in person at the Wells Fargo building.

VII. Adjournment

Chairman Mike Brown adjourned the meeting at 12:23 PM.

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