

DALTON-WHITFIELD BOARD OF ZONING APPEALS
Meeting Minutes
April 8, 2015

I. Call to order

Chairman John Didier called to order the meeting of the Dalton-Whitfield Board of Zoning Appeals at 12:00 PM on Wednesday, April 8, 2015 in the council chambers at the Dalton City Hall.

II. Roll call

The following persons were present:

Board members:

John Didier
Tracy Ward
Michael Williams
Austin King
Kenneth Harless
Debby Peppers

Others:

Jean Price-Garland, Dalton-Whitfield Zoning
Robert Smalley, County Attorney
Chris Hester, County Engineer
Kirk Satterfield

III. Approval of minutes from last BZA meeting

Motion to approve the minutes of the March 11, 2015 Dalton-Whitfield Board of Zoning Appeals meeting was made by Austin King and seconded by Kenneth Harless. The motion was approved 6-0.

IV. New Business

Applicant: Dalton Civitan Club (Paul Belk)

Owner: City of Dalton – 1405 Chattanooga Avenue (city property)

The applicant was represented at the hearing by Kirk Satterfield. Staff presented a GIS layout of the property area, and explained the circumstances surrounding the case. The subject property is located along the west right-of-way of Chattanooga Avenue south of the North Bypass. The property is currently occupied by one of the Dalton Utilities water treatment plants. The property is zoned M-2, General Industrial in the city of Dalton. The property is in the designated floodway area of Mill Creek.

The property owner is the City of Dalton. While the city has no plans to commit any funding to the project, the city is allowing the Dalton Civitan Club and Paul Belk to develop a greenspace park and recreational facility on the property. Board members were provided a letter of support from the City of Dalton, and letters of review from Dalton Utilities.

Mr. Satterfield explained the Civitan Club would like to copycat the greenspace park at the corner of Shugart Road and Tibbs Road. It is their plan to install a ½ mile pervious concrete sidewalk, unlighted gravel parking area, and covered pavilion. Mr. Satterfield stated only a minimal amount of undergrowth would be removed in order to build the park. He further explained there would be no bathroom facilities at the site.

According to the Dalton Floodplain Management Ordinance, a variance shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge

would result. Whitfield County Engineer Chris Hester explained a floodplain was an area where flood waters extended out and then receded. He described the floodway as an area typically where flood water would flow during a 100 year flood event. Mr. Hester explained a walking trail or similar use is the only use that would ever be allowed in the floodway area.

Mr. Hester stated there while no additional fill would be allowed in the floodway, there would be additional harder surfaces resulting from the constructed park. Mr. Hester told the Board the flood ordinance variance is only the first hurdle in the process of obtaining approval for the proposed park. Mr. Hester stated storm water management and Dalton Utilities requirements for clean drinking water would also have to be considered in the final park design. He further explained the proposed parking area could be a significant storm water control issue to overcome.

The applicant requested a **variance from the Dalton Flood Management Ordinance to allow construction of a greenspace park in the flood way area of Mill Creek.**

Kenneth Harless made a motion, seconded by Tracy Ward, to grant the variance conditioned upon submittal of a final site design which meets the requirements and approval of Dalton Utilities, and any other federal or state regulation with respect to flood management control. The motion passed 6-0.

V. Other business

Staff reported there was no other business to discuss.

VI. Adjournment

Chairman John Didier adjourned the meeting at 12:21 PM.

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