

DALTON-WHITFIELD BOARD OF ZONING APPEALS
Meeting Minutes
May 13, 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, May 13, 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

Debby Peppers

Others:

Jean Price-Garland, Dalton-Whitfield Zoning

Robert Smalley, County Attorney

Ron Haynes

Melanie Haynes

Tim Maxwell

Brooke Scalf

John Tate

III. Approval of minutes from last BZA meeting

Motion to approve the minutes of the April 8, 2015 Dalton-Whitfield Board of Zoning Appeals meeting was made by Tracy Ward and seconded by Debby Peppers. The motion was approved 4-0.

IV. New Business

Applicant: T&R Properties, Inc. – Ronald Haynes

Owner: T&R Properties, Inc. – 3981 Lake Kathy Road (county property)

The applicant and his partners were present at the hearing. 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 Lake Kathy Road at the Whitfield County/Catoosa County line. A conventional built house and two (2) manufactured homes are occupied and located on the 3.41-acre lot. The subject of this variance is a third manufactured home which has been recently pulled onto the property. A third manufactured home was properly permitted for the property at one time but has been absent from the property for many years. The property is zoned GA, General Agriculture and is served by city water and on-site septic systems. The property cannot be subdivided further as the minimum lot size in the GA zoning district is three (3) acres.

Brooke Scalf, stepdaughter of the applicant, explained the applicant had invested all his retirement income in the property. She noted there were four (4) approved septic systems on the property. She explained there was a MH shell on the property when the applicant purchased the property in 2014. She stated he removed the shell with the expectation another manufactured home could be placed back in the same location.

Ronald Haynes described the general Lake Kathy Road area as containing a large amount of manufactured homes. He also noted there is a used car lot across from his property on the east

side of Lake Kathy Road. Mr. Haynes asked why his property would not be considered a manufactured home park. John Didier explained that issue was not one the Board of Zoning Appeals could approve, but instead would require a zoning change approved by the Board of Commissioners.

John Tate explained to the Board that he was the adjacent property owner to the north, and the neighborhood had experienced over the years multiple nuisance problems with the occupants of the rental property. He presented the Board with a petition signed by nine (9) nearby neighbors opposing the variance.

Melanie Haynes addressed the Board and explained she was the manager of T&R Properties. She said she was aware of garbage and property maintenance problems when they purchased the property. She explained she has installed a dumpster which is emptied weekly, and had engaged bi-weekly lawn service. She stated she was unaware of the barking dog situation described by Mr. Tate, but assured the Board she would take care of it.

The applicant requested a **variance from the Whitfield County Zoning Ordinance to allow a fourth dwelling on a property in the GA, General Agriculture zoning district.**

Debby Peppers made a motion, seconded by Tracy Ward, to deny the variance request based on a failure to satisfy all the conditions required for granting a variance.
The motion passed 3-0 with Michael Williams abstaining.

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**