

**Dalton-Whitfield Board of Zoning Appeals
Current Agenda**

Wednesday, February 9, 2011

Regular Meeting 12:00 Noon

BZA Members:

- John Didier, Chairman* *Kenneth Harless, Vice-Chairman*
- Beverly Clayton* *Chris Gregg*
- Austin King* *Jessica Oliva-Calderin* *Pat McCoy*
- Tracy Ward*

- 1. Call meeting to order by the Chairman.
- 2. Approval of minutes from BZA meeting of January 9, 2011.

NEW BUSINESS:

- 3. Adoption of By-laws for the Dalton – Whitfield Board of Zoning Appeals

OTHER BUSINESS:

MEETING PROCEDURES:

Board of Zoning Appeals meetings follow the procedures outlined below. In the spirit of fairness to all parties, any of these procedures may be modified for a particular item at the discretion of the Chairman.

- 1. Introduction of the item by the Chairman
- 2. Presentation by Planning staff
- 3. Presentation by the petitioner
- 4. Questions and requests for clarification – Board to petitioner or staff
- 5. Public testimony
- 6. Final questions from Board to petitioner or staff
- 7. Board discussion and comment
- 8. Board action

- 7. Other information from staff and/or BZA members.

Adjourn Meeting.

A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board that every one of the foregoing conditions is met:

- (a) *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.*
- (b) *The application of the applicable zoning ordinance to the particular piece of property would create an unnecessary hardship.*
- (c) *Such conditions are peculiar to the particular piece of property involved.*
- (d) *Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the applicable zoning ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by the applicable zoning ordinance.*
- (e) *If a County resident, the applicant provides either formal or informal written evidence that the intended use, if a variance were granted, would be allowed, either by the Whitfield County Health Department or Dalton Utilities, as applicable, with respect to wastewater treatment.*