



DALTON-WHITFIELD ZONING

November 12, 2019

To Whom It May Concern,

This letter is in reference to the non-conforming commercial structure located on the property addressed as 1301 E Walnut Avenue, Dalton, Georgia (Tax Parcel Number 12-240-07-033). The property is currently zoned C-2, General Commercial and is located within the incorporated area of the city of Dalton. According to information provided by the chief building official and others, the commercial building on the property was constructed sometime around 1990 and built in compliance with setback requirements in force at that time. The structure is now considered a legal non-conforming use with respect to side property line building setbacks and as such, is not required to be brought into compliance with current setback requirements for the C-2 zoning district.

The Unified Zoning Ordinance allows any use of land legally established at the time of enactment of the ordinance, which would not be permitted as a new use in the zone district in which it is located, to continue with the following limitations:

- (1) The non-conforming use may not be changed, altered, or amended to any other non-conforming use;
- (2) A non-conforming use may not be re-established after discontinuance of such use for a period of twelve (12) months.
- (3) A non-conforming structure may be rebuilt, altered without enlargement or expansion in any sense, repaired, or replaced at a size, use, or impact not larger than the original size and in substantially the same location for the same use within twelve (12) months following damage or loss to such structure. This provision, however, shall not apply to condemnation or voluntary demolition, the effect of which shall be immediate forfeiture of the non-conforming use upon the affected lot or parcel or portion thereof.

If there are any further questions regarding this matter, please feel free to contact me by email or by phone at (706)876-2533.

Sincerely,

A handwritten signature in blue ink that reads "Jean Price-Garland".

Jean Price-Garland
Dalton-Whitfield Zoning Administrator
jgarland@whitfieldcountyga.com