

The Dawson County Planning Commission meeting was called to order at 6:00 p.m. by Chairman Jason Hamby.

Tim Bennett gave the invocation.

The Pledge of Allegiance was led by Chairman Hamby.

Members present: Jason Hamby, Chairman, District 1; John Maloney, District 2; Tim Bennett, District 3; Neil Hornsey, District 4.

Staff present: Harmony Gee, Zoning Specialist and Sharon O. Farrell, Planning Director.

Chairman Hamby asked for a motion to approve the minutes from the July 19th, 2022 minutes as prepared. Motion passed by a vote of 3-0. Hornsey/ 1 abstention Maloney

Chairman Hamby asked for a motion to approve the agenda as presented by staff. Motion passed by a vote of 4-0. Maloney/Hornsey

Chairman Hamby announced the requirement that a *statement of disclosure of campaign contributions* of \$250 or more must be completed by anyone who wishes to speak in favor or opposition to any application.

New Business:

Application for Variance.

VR 22-17 Wade Phillips is requesting to vary from the Dawson County Land Use Resolution Article III Section 309 C.3 front setback reductions. TMP L17-146 Charles Drive.

Chairman Hamby asked if there was anyone to speak on behalf of the application. Wade Phillips of Gainesville, Georgia, spoke on behalf of the application. He stated that his client was in need of a front setback reduction for the construction of a garage/office space.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. There were none.

Chairman Hamby then closed the public hearing for Board discussion.

Chairman Hamby asked for a motion. The Motion was made to approve the request as presented 3-0 Maloney/Bennett 1 abstention Hamby

VR 22-18 Mark & Gretchen Weischedel is requesting to vary from the Dawson County Land Use Resolution Article III Section 319 Table 3.2 rear setback reductions. TMP 052-039 Elliott Family Parkway.

Chairman Hamby asked if there was anyone present to speak to the application. Mark & Gretchen Weischedel of Dawsonville, Georgia spoke on behalf of the application. Mr. Weischedel stated that the current home will be demolished upon completion of a new residence and he is seeking a reduction of the setback for the construction.

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Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. There were none.

Chairman Hamby then closed the public hearing for Board discussion.

Chairman Hamby asked for a motion. The motion was made to approve the request as presented 3-0
Hornsey/Bennett 1 abstention Hamby

VR 22-19 Archie Wanamaker is requesting to vary from the Dawson County Land Use Resolution Article
IV Section 407 C.2 rear setback reductions. TMP 114-032 Northside Dawson Drive

Chairman Hamby asked if there was anyone to speak to the application. Archie Wanamaker of Atlanta,
Georgia spoke on behalf of the application. He stated that the applicant is seeking a rear setback
reduction to accommodate parking for the proposed doctor's office. Mr. Wanamaker also stated that a
variance for the same setback reduction had been granted this year for the parcel directly beside his.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. There were none.

Chairman Hamby then closed the public hearing for Board discussion.

Chairman Hamby asked for a motion. The motion was made to approve the request as presented 3-0
Maloney/Hornsey 1 abstention Hamby

VR 22-20 Richard Gawlik is requesting to vary from the Dawson County Land Use Resolution Article III
Section 309.C.3 Front setback reductions. TMP L21-100-002 Crestline Drive

Chairman Hamby asked if there was anyone to speak to the application. Richard Gawlik of Gainesville,
Georgia spoke on behalf of the application. Mr. Gawlik stated that a reduction of the front setback was
needed to accommodate a new residence due to the topography of the lot.

Chairman Hamby asked if there was anyone to speak in favor of the application. There was none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. Heather Dally of
Dawsonville, Georgia stated that she was not opposed or in favor of the application but had a question of
the Board as to what the applicant was requesting. Chairman Hamby explained to Ms. Dally that the
applicant needed approval of the Board to build his home closer to the road because of the zoning
classification.

Chairman Hamby then closed the public hearing for Board discussion.

Chairman Hamby then asked for a motion. The motion was made to approve the request as presented
3-0 Maloney/Bennett 1 abstention Hamby

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Application for Rezoning

ZA 22-15 Jim King is requesting to rezone TMP 097-017 from RSR (Residential Sub-Rural) to RPC (Residential Planned Community) for purposes of developing a 332-lot subdivision with amenities area. Grizzle Road

Chairman Hamby asked if there was anyone to speak on behalf of the application. Jim King of Dawsonville, Georgia spoke on behalf of the applicant.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. Daniel Brownlow, Myron Padgett, Carol Weathers, Joann Hauss, Heather Dally, Lydia Gonzalez, Tonya Bagwell, Jane Gilbertson, Matthew Green, Tony Wilson, Candida Castleberry, Lamar Rucker, Lucy Martinez and Larry Staton all of Dawsonville, Georgia spoke of concerns of: increase of traffic on Dawson Forest Road and Grizzle Road, lack of utilities/infrastructure, lot size in comparison to surrounding parcels, noise concerns, well water depreciation, concerns of river run off into the Etowah, the number of developing neighborhoods along Dawson Forest Road, stress on emergency services, increase of population, school crowding, price point of the homes in comparison to existing homes in the area, the size of the development, being "no benefits to this development but to the property owner", and fear of a recession.

Chairman Hamby then closed the public hearing for Board discussion.

A motion to recommend denial of the request was passed 3-0 Maloney/Bennett 1 abstention Hamby

ZA 22-19 Jim King is requesting to rezone TMP 107-053 & 107-272 from R-A (Residential Agriculture) to RMF (Residential Multi-Family) for purposes of developing a 152 multi-family dwellings Lee Castleberry Road

VR 22-14 Jim King is requesting to vary from the Dawson County Land Use Resolution Article III Section 308.C.6.B vary from the width of driveways in RMF. TMP 107-053 & 107-272 Lee Castleberry Rd.

Chairman Hamby asked if there was anyone to speak on behalf of the application. Jim King of Dawsonville, Georgia spoke on behalf of the application. Mr. King stated that his client had been before the Board earlier this year with a request for the corner of Lee Castleberry Road and Stacey Lane for the a 48-lot townhome development and he has recently acquired another 25 acres adjacent that he would like to develop as well. Chairman Hamby asked for the breakdown on the number of units within the development. Mr. King stated that there would be 40 single family semi-detached homes and 160 units of apartments. Mr. King stated that his client has agreed to make road improvements to Lee Castleberry Road per the Planning Staff's recommendation.

Billy Stark of Flowery Branch, Georgia also spoke to the application as the developer. That the developer would prefer to widen Lee Castleberry to 24' with no curb and gutter and that they would also be installing a sidewalk along Lee Castleberry Road from Lumpkin Campground Road to Georgia Highway 400.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. Carol Weathers and Nerlene Elliott of Dawsonville, Georgia spoke to concerns of the need of widening Lee Castleberry, traffic not only on Lee Castleberry but traffic at the intersection of Lee Castleberry and Georgia 400, concerns of the animals being displaced and Dawson County losing the rural feel.

Chairman Hamby then closed the Public Hearing for Board discussion.

Chairman Hamby asked for a motion. A motion to recommend approval of the request with the staff proposed stipulations

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1. Owner/Developer shall dedicate 20' of right-of-way along Lee Castleberry Road and make improvements from GA 400 to Lumpkin Campground Road and as recommended by the county engineer.
2. Owner/developer shall be responsible for all improvements required to include the widening of Lee Castleberry and turning lanes off Lee Castleberry Road.
3. An eastbound left-turn deceleration lane along Lee Castleberry Road shall be provided for driveway one.
4. The community shall include a Passive or Active recreation use that is a minimum of five percent of the acreage and shall be under construction prior to the issuance of the first certificate of occupancy.
5. A replanted buffer of at least fifteen feet in width shall be provided and maintained around the entire exterior perimeter of the development.
6. Buffers in which vegetation is nonexistent or is inadequate to meet the screening requirements shall be planted with supplemental plantings to provide a year-round effective visual screen.
7. All landscape design shall incorporate a minimum of forty percent (40%) evergreen plantings (trees, shrubs, and groundcovers).
8. All plant material must be Georgia native.
9. There shall be no vinyl siding.
10. All homes shall have a two-car garage.
11. There shall be a minimum separation of 20-feet between townhome buildings.
12. There shall be a 24-foot separation between the face of the structure's garage and the curb or sidewalk
13. A maximum of 1/3 of the lots shall be 22' in lot width with the remaining 2/3 of the lots being a minimum lot width for townhouses shall be 24-feet. *(the typical lot lay out on the site plan does not depict this – or the 24-foot front setback for driveway)*

passed 3-0 Maloney/Hornsey 1 abstention Hamby

ZA 22-20 Miles, Hansford & Tallant, LLC obo Dawson Yards, LLC is requesting to rezone TMP 113-017, 113-018 & 113-096 from RSRMM (Residential Sub-Rural Manufactured Moved) and C-HB (Commercial Highway Business) to C-IR (Commercial Industrial Restricted) for purposes of developing office/warehouse space. Hwy 53 East

Chairman Hamby asked if there was anyone to speak on behalf of the application. Jonathan Beard of Miles, Hansford & Tallant, LLC located in Cumming, Georgia spoke on behalf of the application. Mr. Beard stated that he represented the applicant of Dawson Yards, LLC. The request consists of 3 parcels that are located off of Highway 53 and the current zoning of the parcels are Commercial Highway Business and Residential Sub Rural Manufactured Moved. Mr. Beard gave a power point presentation highlighting the parcels as they are currently zoned and the proposed site plan. Mr. Beard stated that some of the existing buildings located behind Dawsonville Gun and Pawn would remain but remodeled.

Greg Paulzbery of Atlanta, Georgia spoke to his application as he is the owner of Dawson Yards, LLC. He stated that he has been in this industry for 25 years. That they specialize in small office spaces with warehouses in the back and that they retain ownership of the structures.

Nathan Fuss of Atlanta, Georgia spoke to the question of any necessary turn lanes into the development. He is with the engineering firm representing Dawson Yards, LLC and stated that they would comply with whatever GDOT required due to the development coming off of a state route.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. Sherry Greer of Dawsonville, Georgia stated that she was an adjacent property owner and she had concerns of the clearing of the large trees between her parcel and the parcel being rezoned.

Chairman Hamby then closed the Public Hearing for Board discussion.

A motion to recommend approval with the following stipulations:

1. Land Use.

The property shall be developed as office warehouse units for non-retail uses; and those uses allowed in the C-HB zoning district as established by the land use resolution.

Prohibited Uses:

- (a) Fuel tank lease and sales establishments.
- (b) Vehicle sales and dealerships.
- (c) Tire Dealers
- (d) General Rental Centers
- (e) The keeping of any goods, material, or merchandise outside of a business, building or establishment or in an area visible from a public right-of-way, for display, advertisement.

2. Site Elements.

- (a) All activities, mechanical equipment, outdoor storage, and refuse areas for parcels with frontage along Highway 53, and those parcels with visibility to Highway to 53, shall be within an enclosed building, or screened by a solid wall at least six (6) feet in height.
- (b) Retaining walls shall be faced with stone and brick when visible from the right-of-way.
- (c) The setback when abutting a residential district shall be 50-feet.

3. Landscape.

- (a) A minimum 20-foot-wide landscape strip shall be installed along existing or proposed rights of way along Highway 53. Landscape strips shall be located behind utility easements so plant material will not be disturbed after installment.
- (b) Due to the adjacency to overhead utility lines, the tree replacement/landscape plan for the Highway 53 plantings shall incorporate Understory trees; and which shall have a minimum two-inch caliper and at least eight-foot height at time of installation.
- (c) A minimum of 40 percent of all trees and shrubs shall be evergreen plant material. The percentage shall be based on the total number of installed trees and shrubs.
- (d) Tree preservation and/or replacement plans shall be prepared by a registered landscape architect, urban forester, or arborist, in accordance with *Buffers, Landscaping and Trees* of the Dawson County Code.
- (e) All proposed shrubs shall be a minimum of two feet high at the time of planting.
- (f) Landscaping may be informal with multiple species arrayed in naturalistic clusters.

4. Architectural design.

- (a) All sides of a building visible from Highway 53 shall have an architectural finish of brick and stone. The front facades shall be a minimum of 75 percent brick and stone, and the side facades

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shall be at least fifty percent brick and stone. Rear facades do not have a minimum requirement for primary materials.

(b) Exterior building materials on any structure shall not include smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels.

5. Lighting.

(a) A freestanding pole-mounted light utilizing LED fixtures shall not exceed 30 feet in height and shall have a black metal finish.

(b) The use of LED garland or string lights to outline windows, buildings, signs, and similar features is prohibited.

(c) Building-mounted lighting shall highlight architectural features and not illuminate the entire building façade.

6. A landscape screening between the commercial development and the adjacent residential parcels.

Passed 3-0 Maloney/Hornsey 1 abstention Hamby

Chairman Hamby asked if there were any updates by Planning and Development. Director Sharon Farrell shared that the County is currently under a residential rezoning moratorium.

There being no further business to discuss, the meeting was adjourned at 7:36 p.m.

Jason Hamby, Chairman

Date

Attest: Harmony Gee

Date