October 21, 2025
DAWSON COUNTY PLANNING COMMISSION MEETING
DAWSON COUNTY GOVERNMENT CENTER

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

Neil Hornsby gave the invocation.

The Pledge of Allegiance was led by Chairman Jason Hamby.

Members present: Jason Hamby, District 1 Chairman; John Maloney, District 2; Shelton Townley, District 3; and Neil Hornsey, District 4 Vice Chairman.

Staff present: Leah Prichard (Zoning Administrator) and Richard Osborne (Director of Community Development

Chairman Jason Hamby states under announcements that the variance for Grizzle Road (Sage-wood setback reduction) has been withdrawn.

Chairman Jason Hamby requested a motion to approve the minutes from the September 16, 2025 minutes as prepared. Motion passed by a vote of 4-0. (Hornsey/Townley)

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

Chairman Jason 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:

Chairman Jason Hamby announced Chairman Jason Hamby and Vice Chairman Neil Hornsey have confirmed their intention to continue serving in their respective leadership roles for the 2026 term. Motion passed by a vote of 4-0. (Maloney/Townley)

Chairman Jason Hamby announced Dawson County Planning Commission Proposed Meeting Calendar 2026, will be on the third Tuesday of every month. Motion passed by a vote of 4-0. (Maloney/Hornsey)

VA 25-15: Kareem Hawthorne has filed an application with the appropriate authorities seeking relief from the requirements of the Dawson County Land Development Code, Article III Chapter 121-72(6)(c). The applicant is requesting a corrective variance to reclassify an existing accessory structure (Pool House), originally permitted as an accessory use (residential building – other), to be recognized as a Residential Dwelling. The subject property is located at 494 River Overlook Rd., Dawsonville, GA 30534. The property is zoned RPC residential planned community (Parcel Number: L02 033).

Chairman Jason Hamby asked if there was anyone present to speak on behalf of the application. Kareem Hawthorne, 494 River Overlook Rd., Dawsonville, GA 30534, spoke regarding the request. Mr. Hawthorne

stated that he had submitted building plans for a pool house in late 2019 and obtained a county building permit for a pool house in 2020. Mr. Hawthorne stated that the proposal was initially two addresses and two lots but that, during plan review, the property was combined into one lot and the two structures use the same address. Mr. Hawthorne stated that county staff in 2025 had notified him that a guest house or second residence was not allowed in the RPC district. Mr. Hawthorne had disagreed with the 2025 county staff determination and came before Planning Commission attempting to obtain a favorable decision. Mr. Hawthorne stated that the structure would be for his family and not for short-term rental or other purposes.

Chairman Hamby asked if Mr. Hawthorne was aware that the RPC district did not allow more than one main house (guest house or similar) on a property. Mr. Hawthorne stated that it had now been brought to his attention by the county.

Commissioner Hornsey asked if Mr. Hawthorne had received previous information from the Chestatee POA since the Planning Commission had recently received a POA letter stating that the guest house did not meet POA standards. Mr. Hawthorne stated that he had not received previous info from the POA.

Commissioner Hornsey asked if anyone was currently living in the structure. Mr. Hawthorne stated that his in-laws were currently living in the structure.

Chairman Hamby asked about the use of the property. Community Development Director Richard Osborne confirmed that the use of a structure as an accessory dwelling unit in the RPC zoning district was not allowed. Mr. Osborne also noted that the structure also did not have a passed final inspection.

Commissioner Maloney asked about a citation that had been issued for the property. Mr. Osborne stated that the pool house and pool did not have passed final inspections. Mr. Osborne noted that, based on ongoing work to improve the situation, the citation for the pool had been dropped by the county but that the citation for the pool house remained on the November 5, 2025 Magistrate Court calendar.

Mr. Osborne noted that, since the property had previously been two properties before 2020 (lots 13 and 14), the properties could become two lots for a code compliant situation by use of one residence per lot.

Commissioner Hornsey noted that, regardless of the outcome with the county, that the Hawthorne family would still need to work with the Chestatee POA.

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

Chairman Jason Hamby closed the public hearing for Board discussion. Chairman Hamby noted that the intent and standards of the county code related to the RPC district did not allow for residential use of an

accessory structure. Commissioner Maloney also stated that the Planning Commission needed to follow the RPC district standards and not allow the structure to be used as a residence. Commissioner Hornsey stated that the family has other options including returning the property to lots 13 and 14, in which there could be one residence per lot.

Chairman Jason Hamby asked for a motion.
Motion to deny the request was passed 2-1 (Maloney/Hornsey) with Commission members Maloney and Hornsey voting in the affirmative; Commission member Townley voting in the negative.

ZA 25-15: Howard Linder has filed an application with the appropriate authorities seeking relief from the requirements of the Dawson County Land Development Code, Article III Chapter 121-67 (3)(c), The applicant requests a 30-foot reduction from the required 35-foot front setback, to remain no less than 5 feet from front property lines, for the construction of a front porch extension. The subject property is currently zoned VCR (Vacation Cottage Restricted). The subject property is located at 386 Holly Circle, Dawsonville, GA 30534. (Parcel Number: L17 114)

Chairman Jason Hamby asked if there was anyone present to speak on behalf of the application. Howard Linder, 5433 Ashmoore Lane, Flowery Branch. Mr. Linder explained that he is doing an addition in the back of the home that is within the setbacks but while he was there, he was asked to create a larger front porch to update the home. He stated that the home was already encroaching on current setbacks for the last 40-some-odd years.

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

Chairman Jason Hamby closed the public hearing for Board discussion.

Chairman Jason Hamby asked for a motion.
Motion to approve the request was passed. Motion passed by a vote of 3-0. (Maloney/Townley)

VA 25-19: James Callas has filed an application with the appropriate authorities seeking relief from the requirements of the Dawson County Land Development Code, Article III, Chapter 121-67 (3)(c). The applicant is requesting a reduction of 15 feet from the required 20-foot rear setback, allowing a setback of no less than 5 feet from the rear property line, for the construction of an additional bathroom. The subject property is located at 15 Lake View Drive, Dawsonville, GA 30534. The Property is zoned VCR vacation cottage restricted. (Parcel Number: L17 163).

Chairman Jason Hamby asked if there was anyone present to speak on behalf of the application. James

Callas, 34 ABC Hickory Trail, Dawsonville, Georgia, 30534. Mr. Callas explained his clients are wanting to add a bathroom to the back of their home. He stated that the bathroom would not go past the preexisting home.

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

Chairman Jason Hamby closed the public hearing for Board discussion.

Chairman Jason Hamby asked for a motion.
Motion to approve the request was passed. Motion passed by a vote of 3-0. (Hornsey/Townley)

VA 25-20: Dennis Powell has filed an application with the appropriate authorities seeking relief from the requirements of the Dawson County Land Development Code, Article II Chapters 109-23, 109-24, 109-26, as well as Chapters 117-208 AND 117-210 to allow for an alternate landscaping plan for commercial development. The subject property is located at 54 Club Forest Rd., Dawsonville, GA 30534. (Parcel Number: 114 033 005) The property also has Dawson Forest Rd E frontage. The property is zoned RMF (residential multi-family)/C-HB (Commercial Highway Business) with conditions and is in the Georgia 400 Overlay District.

Chairman Jason Hamby asked if there was anyone present to speak on behalf of the application. Dennis Powell, with Powell Property Group, Cleveland, Georgia. Mr. Powell explained that the elevations of his product are too high quality to hide behind treescapes. Mr. Powell is wanting to introduce a new concept called fruit, fragrance, and flowers in place of treescapes.

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

Chairman Jason Hamby closed the public hearing for Board discussion.

Chairman Jason Hamby asked for a motion.
Motion to approve the request under the condition that a two-year Landscaping Bond or Letter of Credit be provided to Dawson County was passed. Motion passed by a vote of 3-0. (Maloney/Hornsey)

ZA 25-07: Ben Trail with Trail and Son, Inc. has submitted a request to the proper authorities on behalf of Charles Litton, Cheryl Litton, and Jean Webb for a Land Use Amendment to rezone 1.697 surveyed acres from C-HB (Commercial Highway Business) to RSR (Residential Sub-Rural). The proposed rezoning is consistent with the Lanier Future Land Use/Character Area Map. The subject property is located at 150

Elliott Road, Dawsonville, GA 30534 (Parcel Number: L13 090).

Chairman Jason Hamby asked if there was anyone present to speak on behalf of the application. Ben Trail, 3898 War Hill Park Road, Dawsonville, Georgia 30534. Ben explained that the history of the property was that when his client originally applied for the rezoning, it was with sole Commissioner Mr. Cox and that he had asked for a commercial zoning and a residential zoning and he was granted both parcels as commercial, they are trying to make sure all of the zoning information is correct and complaint for the new buyers.

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

Chairman Jason Hamby closed the public hearing for Board discussion.

Chairman Jason Hamby asked for a motion.
Motion to recommend the approval to the Board of Commissioners. Motion passed by a vote of 3-0. (Hornsey/Townley)

ZA 25-08: Sean Courtney has submitted a request to the appropriate authorities on behalf of Dawson Forest Owner LLC – Matthew Oppenheimer, to amend zoning conditions 2, 5, 6, and 9, as adopted in cases ZA 24-01 (reference ZA 14-08). The subject property is identified as Parcel Number 114 031 and is located east of Dawson 400, behind the Publix Shopping Center. The Property is zoned C-PCD (commercial planned comprehensive development district) with conditions.

Chairman Jason Hamby asked if there was anyone present to speak on behalf of the application. Steve West, explained the conditions from the original approval and how they no longer pertain to the proposed use, after meeting with staff (Public Works) and getting a better understand of what is required. He asked that Zoning condition #9 to be changed to allow for a main entrance for the townhome development come from the Publix shopping center.

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

Chairman Jason Hamby asked if there was anyone present to speak in opposition to the application. Lucy Martinez, residing at 1336 Hanging Dog Road, Dawsonville, Georgia 30534, spoke in opposition. Ms. Martinez expressed concerns regarding environmental impacts and the adequacy of existing vehicular infrastructure. She also voiced apprehension about the rapid pace of development in the area, noting that it could negatively affect surrounding green spaces and disrupt the natural filtration of pollutants from stormwater runoff.

Chairman Jason Hamby closed the public hearing for Board discussion.

Chairman Jason Hamby asked for a motion.

Motion to recommend the approval to the Board of Commissioners. Motion passed by a vote of 3-0. (Maloney/Townley)

There being no further business to discuss, the meeting was adjourned at 7:24p.m.

Jason Hamby, Chairman

Nov 18, 2025
Date

Attest:

11-18-25
Date