

DAWSON COUNTY PLANNING COMMISSION
MEETING HELD OCTOBER 20, 2020
DAWSON COUNTY GOVERNMENT CENTER – ASSEMBLY ROOM 2303
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534

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

Emory Dooley gave the invocation.

The Pledge of Allegiance was led by Chairman Hamby.

Members present: Chairman Jason Hamby, District 1; John Maloney, District 2; Neil Hornsey, District 4; Vice Chairman Emory Dooley, Chairman Appointee.

Staff present: Harmony Gee, Zoning Administrator and Jameson Kinley, Planning Director

There will be a Planning Commission meeting will be held on November 2017, 2020.

Chairman Hamby asked for a motion to approve the minutes from the September 15th, 2020 minutes as prepared. Motion passed by a vote of 4-0. Maloney/Dooley

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

Chairman Hamby made an announcement of the required statement of disclosure of campaign contributions of \$250 or more in order to speak in favor or opposition to any application.

Old Business:

Chairman Hamby read an emailed request from Fox Creek Properties requesting that their application be tabled for an additional 30 days and be heard at the November Planning Commission Meeting. Motion Passed to table for 30 days 4-0. Dooley/Hornsey

New Business:

Application for Variance:

VR 20-19 – Ken Powalowski is requesting to vary from the Dawson County Land Use Resolution Article III, Section 309.C.3 front and rear setback reductions from required 40' & 20' for the construction of a primary residence. TMP L17-063 (88 Sunrise Drive Athens Boat Club).

Chairman Hamby asked if the applicant was present to speak to the application. Mr. Ken Powalowski of Cumming, GA presented his request. He stated that the parcel is located within Athens Boat Club and he is seeking to build a 2-bedroom room home so that he can move there permanently. Chairman Hamby asked if there was an existing residence on the parcel. The applicant stated that there was a mobile home that would be removed for the new home to be built.

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

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

Chairman Hamby closed the board and asked for discussion by the Planning Commission.

Motion passed by a 3-0 to approve of the request. Dooley/Maloney

VR 20-20 – Greg Scott is requesting to vary from the Dawson County Land Use Resolution Article III, Section 309.C.3 front setback reduction from required 40' to 20' for the construction of a primary residence. TMP L21-008 (Lakewood Drive).

Chairman Hamby asked if the applicant was present to speak to the application. Mr. Greg Scott of Dawsonville, GA presented the request on behalf of the owners. He stated there was a home that was built during the 60's that had deteriorated over the years. The previous home also had septic lines that had crossed over onto the Corps of Engineers property and when a new perk test was done, the previous location no longer supported the septic lines and they needed to be moved. To accomplish this the house needed to be shifted towards the front property line to accommodate them. Mr. Scott also stated that variances had also been granted to other residences along the same street for similar situations.

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.

Motion passed 3-0 to approve the request. Hornsey

VR 20-21 Dawson Forest Partners GA, LLC is requesting to vary from the Dawson County Land Use Resolution Article III, Section 314.L.1, 2, 3 regarding roads and utilities in residential planned communities. TMP 087-001 (Dawson Forest Rd).

Chairman Hamby asked if the applicant was present to speak to the application. Mr. Ryan Walker of Cumming, GA spoke on behalf of the applicant. He stated that his company is in the process of developing the parcel and as they have seen in previous developments that the strain on the Homeowners Association to maintain the private roads was difficult along with the financial strain. He stated that they had seen in previous developments that the roads eventually end up turned over to the county and that they wanted to take care of the matter on the front end. Chairman Hamby then stated that generally where variances are concerned there needed to be a hardship, and he asked the applicant what hardship they faced. Mr. Walker replied the financial hardship on the homeowner's association.

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. Bruce Duncil and Ken Ruffner both of Dawsonville, GA spoke in opposition stating concerns of tax payers paying for private streets and strains on county resources.

Chairman Hamby closed the board for discussion. John Maloney asked staff if there were other instances where Planned Communities had turned over their roads to the county. Director Kinley stated that there were but he could only guess that they were done so before the language was added to the Residential Planned Community Zoning classification language. Director Kinley also stated that by granting the variance would only allow them to apply for the roads to be taken over by the county that the Board of Commissioners would still have the final say on if they would be accepted as county roads or not.

Motion passed 3-0 to deny the request. Dooley/Hornsey

Application for Rezoning:

ZA 20-15 Arquim Velasquez is requesting to rezone TMP L15-116-009 from R-A to Commercial Highway Intensive for the purpose of opening a landscape supply. (GA 53 East)

Chairman Hamby asked if the applicant was present to speak to the application. Joe Anderson of Dawsonville, GA presented the application on behalf of the applicant. He stated the applicant has an existing landscaping business that has been for the past 6-8 years and has recently purchased the parcel for the purpose of moving from the location he currently rents.

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.

Motion passed by a 4-0 vote to recommend approval of the request. Maloney/Hornsey

ZA 20-16 Jim King obo Debra Barnaby is requesting to rezone .8 acres of TMP L08-115-004 from R-A to R-L (Residential Lakefront). (Nix Bridge Road)

Chairman Hamby asked if the applicant was present to speak to the application. Director Kinley stated that Jim King could not be at the meeting and he would make the presentation and Ms. Debra Barnaby of Dawsonville, GA would be available to answer any questions. She would be building her primary residence on the parcel that she has closed on.

Chairman Hamby ask if there was anyone to speak in favor of the application. Danny Thompson of Dawsonville, GA stated that Ms. Barnaby purchased the property from him and would love to have her as his neighbor.

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

Chairman Hamby then closed the board for discussion.

Motion passed by a 3-0 vote to approve the request. Dooley/Hornsey

ZA 20-17 JC Jones is requesting to rezone TMP 110-025 from RSR to RSRMM (Residential Sub-Rural Manufactured Moved) for the purpose of moving in a stick-built home (Cothran Road)

Chairman Hamby asked if the applicant was present to speak on behalf of the application. Mr. JC Jones of Dawsonville, GA spoke on his own behalf. He stated that he is purchasing a stick-built home that would be moved in. There is an existing mobile home that would be demolished to make way for the home.

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 board for discussion.

Motion passed by a 3-0 vote to recommend approval of the request. Maloney/Dooley

ZA 20-18 The Pacific Group, Inc. is requesting to rezone TMP 106-053 & 106-052 from RS (Residential Suburban) to RS3 (Residential Suburban 3) for the purpose of developing 183 residential lot subdivision (Dawson Forest Road)

Chairman Hamby asked if the applicant was present to speak to the application. Ray Cunliffe of Roswell, GA spoke on behalf of the Pacific Group. He stated the Future Land Use Map called the parcel out as Residential Sub-Urban due to the access of water and sewer. An emergency only exit would be established on the Northern part of the parcel near Huckleberry Ford. He also listed the following stipulations for the request:

1. Limit total number of homes to 153 lots.
2. Add amenities of a pool, cabana and playground to the development
3. Increase undisturbed buffer on the tract that adjoins Country Crossing from 100' to 150'
4. Construct a 4' fence with barbed wire along the property line the adjoins Country Crossing.
5. A contribution of \$500 per lot at the time of building permit to help with strains of the county's infrastructure.
6. Any recommendations made by the GMRC in the DRI shall be the responsibility of the developer.

In addition to the zoning stipulations that were submitted with the application.

Chairman Hamby asked if there was anyone there to speak in favor of the application. Gary Wildeboer of Dawsonville, GA stated that he is selling his parcel to the applicant and is in favor of the request.

Chairman Hamby asked if there was anyone there to speak in opposition of the application. Bruce Duncil, Taylor Atkins, Doug Hughes, Ken Ruffner, Beth Martin, Bob Michaelson all of Dawsonville, GA stated concerns of: traffic concerns on Dawson Forest, lack of buffers around surrounding properties, the diminishment of quality of life for residents, lack of pedestrian friendly amenities, and the urging of tabling the request until the DRI was returned.

Chairman Hamby then closed the board to discussion.

Neil Hornsey stated that he believes that additional information is needed to make a decision.

Motion passed by a 3-0 vote to table the decision until the November Planning Commission Meeting.
Hornsey/Dooley

2021 Submittal and Meeting Dates:

2021 Rezoning/Variance Submittal Dates and Meeting Schedule

Motion passed to accept the schedule as presented 4-0 Maloney/Dooley

Chairman Hamby then asked for an update from Planning and Development Director Jameson Kinley. There were none.

There being no further business to discuss, the meeting was adjourned at 7:13 p.m.

Jason Hamby, Chairman

Date

Attest: Harmony Gee

Date