

DAWSON COUNTY PLANNING COMMISSION
MEETING Agenda – Tuesday, May 21, 2024
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE GEORGIA 30534
6:00 PM

A. MEETING CALLED TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ANNOUNCEMENTS:

There will be a Planning Commission Meeting June 18, 2024

F. APPROVAL OF MINUTES:

April 16th, 2024

G. APPROVAL OF THE AGENDA

H. STATEMENT OF DISCLOSURE:

For speakers in favor or opposition to any application who have made contributions more than \$250.00 to any local official campaign.

I. NEW BUSINESS:

Application for Variance:

1. Presentation of ZA 24-06 Jim King obo Georgia 400 Industrial Park

J. ADJOURNMENT

Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 706-344-3666, extension 44514. The county will make reasonable accommodations for those persons



DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King

Address: 131 Prominence Court, Suite 230, Dawsonville GA 30534

Contact Email: _____ Telephone # _____

Status: Owner Authorized Agent Lessee

PROPERTY INFORMATION

Street Address of Property:

SW corner of SR 53 & Dawson Forest Rd (across from Advenir at Dawson Hills Apts)

Land Lot(s): 375 District: 13th South Section: 1st

Subdivision/Lot: _____ / _____

Building Permit #: _____ (if applicable)

121-102(3)b

REQUESTED ACTION

A Variance is requested from the requirements of Article # IV Section # 121-102(3) of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other.

Front Yard setback Side Yard setback Rear Yard setback variance of 5 feet to allow the structure to: be constructed; remain a distance of 20 feet from the property line, or other: _____

instead of the required distance of 25 feet as required by the regulations.

Home Occupation Variance: _____

Other (explain request): _____

If there are other variance requests for this site in past, please list case # and nature of variance:

24 MAR 28 4:49 PM



DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

Variations to standards and requirements of the Regulations, with respect to setbacks, lot coverage, height, and other quantitative requirements may be granted if, on the basis of the application, investigation, and other evidence submitted **by the applicant, all four** (4) expressly written findings below are made:

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship:

The Proposed Building is 60ft in depth. This is the
minimum that will work for the proposed business'. The additional 5' requested is
needed in order to fit the building and required parking in. See LOI for additional Info

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district:

The property is very narrow at this point and the site is restricted by both 2-dimesional
and 3-dimensional challenges. The variance will bring new business to Dawson County
by allowing the proposed building to be constructed..

3. Describe why granting a variance would not be detrimental to the public health, safety, morals or welfare and not be materially injurious to properties in the near vicinity:

See Letter of Intent for full information of proposed setback variance

ZA 21-11 requires a 25' Rear Setback for this property

4. Describe why granting this variance would support the general objectives within the Regulation:

The owner has agreed to enhance the size and quantity of plants & trees required of
a 20' Landscape Strip and install a solid/opaque fence

Add extra sheets if necessary.

24 MAR 28 4:49 PM

TOTAL = 53.591 ACRES
2,384,410.980 SQUARE FEET

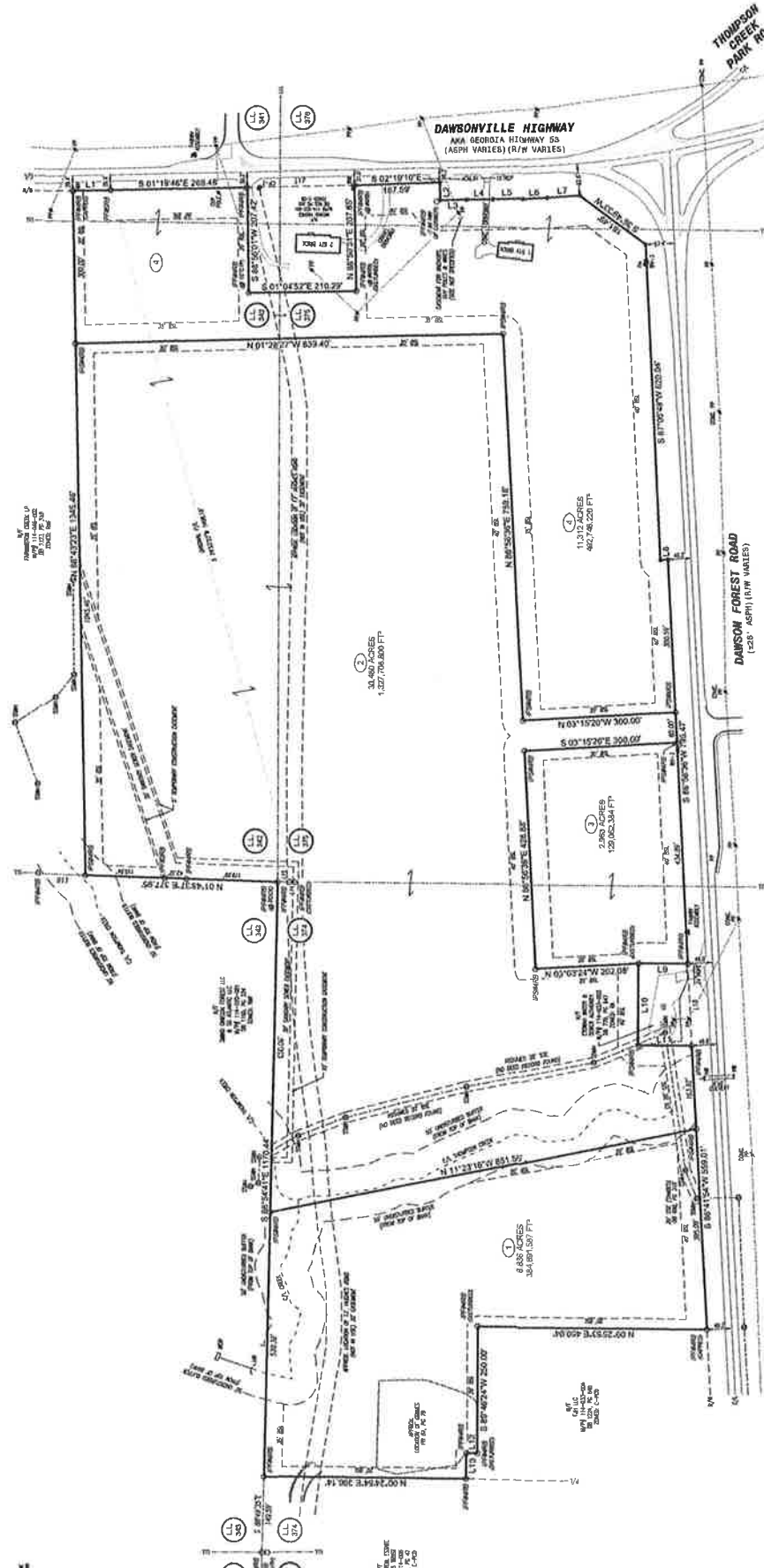


THE SURVEY IS BASED UPON THE FOLLOWING DATA:
1. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THE SAME ACCURATELY REPRESENTS THE ACTUAL CONDITIONS ON THE GROUND.
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JOB NO. 20487



Course	Bearing	Distance
L1	S 01° 01' 30" E	72.77'
L2	S 80° 30' 18" W	25.00'
L3	S 89° 59' 51" W	10.00'
L4	S 01° 17' 50" E	51.72'
L5	S 02° 20' 03" E	57.81'
L6	S 03° 03' 37" E	48.98'
L7	S 03° 30' 13" E	31.00'
L8	S 03° 30' 13" E	31.00'
L9	S 03° 30' 13" E	31.00'
L10	S 89° 59' 51" W	10.00'
L11	S 89° 59' 51" W	10.00'
L12	S 89° 59' 51" W	10.00'
L13	S 89° 59' 51" W	10.00'
L14	S 89° 59' 51" W	10.00'
L15	S 89° 59' 51" W	10.00'
L16	S 89° 59' 51" W	10.00'
L17	S 89° 59' 51" W	10.00'
L18	S 89° 59' 51" W	10.00'

McCLURE SURVEYING, P.C.
255 JOHNSON DRIVE - SUITE D
DAWSONVILLE, GA 30701
PHONE: (770) 287-8532 FAX: (770) 288-0281
WWW.McCLURESURVEYING.COM

Surveyor's Certificate
I, the undersigned, do hereby certify that the measurements and calculations shown herein were made by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Georgia.
[Signature]
Registered Georgia Land Surveyor No. 308

SUBDIVISION SURVEY FOR:
GEORGIA 400 INDUSTRIAL PARK INC.
LAND LOTS 341, 342, 374, 375, & 376
SOUTH HALF LITTLEDALE TRACT
1ST SECTION
DAWSON COUNTY, GEORGIA
PLAT DATE: NOVEMBER 17, 2020
REVISIONS:

REVISIONS:
1. CORRECTED BEARING AND DISTANCE FOR COURSE L1 TO L2.
2. CORRECTED BEARING AND DISTANCE FOR COURSE L2 TO L3.
3. CORRECTED BEARING AND DISTANCE FOR COURSE L3 TO L4.
4. CORRECTED BEARING AND DISTANCE FOR COURSE L4 TO L5.
5. CORRECTED BEARING AND DISTANCE FOR COURSE L5 TO L6.
6. CORRECTED BEARING AND DISTANCE FOR COURSE L6 TO L7.
7. CORRECTED BEARING AND DISTANCE FOR COURSE L7 TO L8.
8. CORRECTED BEARING AND DISTANCE FOR COURSE L8 TO L9.
9. CORRECTED BEARING AND DISTANCE FOR COURSE L9 TO L10.
10. CORRECTED BEARING AND DISTANCE FOR COURSE L10 TO L11.
11. CORRECTED BEARING AND DISTANCE FOR COURSE L11 TO L12.
12. CORRECTED BEARING AND DISTANCE FOR COURSE L12 TO L13.
13. CORRECTED BEARING AND DISTANCE FOR COURSE L13 TO L14.
14. CORRECTED BEARING AND DISTANCE FOR COURSE L14 TO L15.
15. CORRECTED BEARING AND DISTANCE FOR COURSE L15 TO L16.
16. CORRECTED BEARING AND DISTANCE FOR COURSE L16 TO L17.
17. CORRECTED BEARING AND DISTANCE FOR COURSE L17 TO L18.



VR 24-06

Jim King obo Georgia 400 Industrial Park, Inc.
 Planning Commission Hearing May 21, 2024

VARIANCE STAFF REPORT

Proposal: The applicant is requesting a variance to the Dawson County Land Use Resolution regarding a rear setback reduction. The residential and commercial development has been developed as one land disturbance project under two zoning applications approved in 2021.

Applicant	Jim King obo Georgia 400 Industrial Park, Inc.
The development standards and requirements vary from	Land Use Code, Article IV Section 121-102 (3) b
Alternative standards and requirements proposed	The applicant is requesting a rear setback reduction of 5'
Proposed Use	Retail space
Zoning	C-HB (Commercial Highway Business) ZA21-11
Acreage	11.312 acres
Location	Dawson Forest Road and Hwy 53
Commercial Square footage	17,069 square feet
Road Classification	Internally: Private
Tax Parcel	114-003-005
Commission District	4

Direction	Zoning	Existing Use
North	RMF	Residential
South	RMF	Apartments
East	R-A	Vacant Land
West	CPCD	Retail

Development in this area includes developed or undeveloped land on both sides of lands designated along Georgia 9 and 400. This area includes retail centers, office, and employment areas usually located on large tracts of land with campus or unified development, mixed-use activity centers, multi-family development, light industrial, and other associated uses. The desired development pattern should seek to:

- Create a network of interconnected streets and parking lots
- Incorporate sidewalks, crosswalks, and bike paths
- Require dedicated right-of-way
- Limit driveway spacing along the highway frontage and align driveways where needed to improve traffic flow
- Encourage shared driveways and inter-parcel access for adjacent commercial uses
- Encourage shared parking lots between uses

A variance should be granted only after evidence is presented and accepted that enforcement of all of the required standards on the property in question would render the property useless.

Reasonable conditions may be imposed in connection with a variance as deemed necessary to protect the best interests of the surrounding property or neighborhood and otherwise secure the purpose and requirements of this article. Guarantees and evidence may be required that such conditions will be and are being complied with.

Variances in accordance with this article should not ordinarily be granted if the special circumstances on which the applicant relies are a result of the actions of the applicant or owner or previous owners.



County Agency Comments:

Emergency Services: The Dawson County Fire Prevention and Protection Ordinance requires the construction of exterior walls within 25 feet of a property line to be non-combustible or 1-hour rated.

Sec. 22-22. - Fire resistance rating of structures near lot lines.

(a) *Structures designed for occupancy by humans 25 feet or less from the lot line and 20 feet or less from another structure for occupancy by humans.* Any structure designed for human occupancy that is located 25 feet or less from the lot line and/or 20 feet or less from another structure for occupancy by humans shall meet the following requirements:

- (1) Any exterior wall parallel to, or less than 90 degrees to, and within 25 feet of a property line shall be constructed of noncombustible material within the 25 feet; or
- (2) Shall have a UL-approved fire-resistant rating of not less than one hour within 25 feet and
- (3) Any such structure shall be constructed in a manner and with materials that will ensure that the structure shall be in compliance with the fire rating standards for proposed spacing and shall be constructed in accordance with plans and conditions approved by the building official's and the fire marshal's office of Dawson County in accord with the terms of this article and the currently adopted International Fire Code; and
- (4) The exterior wall shall be constructed of noncombustible or fire-resistant rating as set forth herein, which shall include masonry veneer, rock, stone, concrete, or noncombustible siding. Vinyl siding may be approved with a one-hour rated fire-resistant sheathing applied under the vinyl siding.

Etowah Water & Sewer Authority: "Minor extensions of water and sewer may be necessary to provide full-service design and install per EWSA specs at the developer's expense."

Planning and Development: If the planning commission determines this to be a unique situation deserving of a variance, staff recommends:

1. The rear exit doors must have an audible and/or visual alarm indicating that they have been opened. The door shall allow unfettered egress in an emergency without the need for special tools or knowledge to operate from the inside. The door shall be installed so that when it closes, it does not permit re-entry.
2. The planted 20-foot landscape (rear) buffer does not contain a wooden fence.

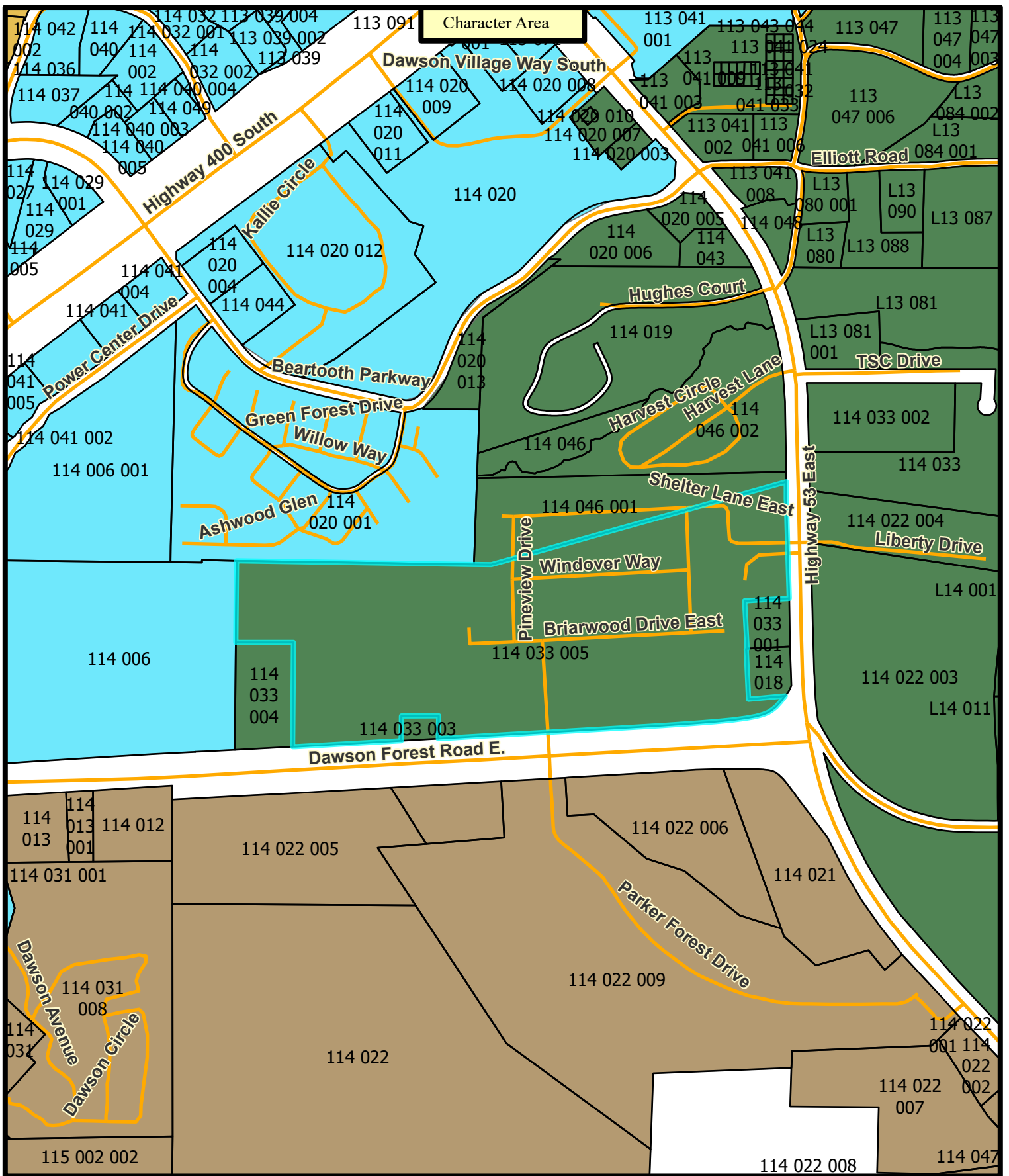
Public Works Department: No comment.



Criteria for granting variances.

THE PLANNING COMMISSION SHALL MAKE ITS RECOMMENDATIONS BASED ON ALL FOUR EXPRESSLY WRITTEN FINDINGS:

- (1) That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and**
- (2) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district; and**
- (3) That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and**
- (4) That the granting of the variance would support general objectives contained within the Land Use Chapter of the code.**



Character Area

Parcel #: 114 033 005
 Current Zoning: RMF
 Application #: VR 24-06
 Character Area: Lanier

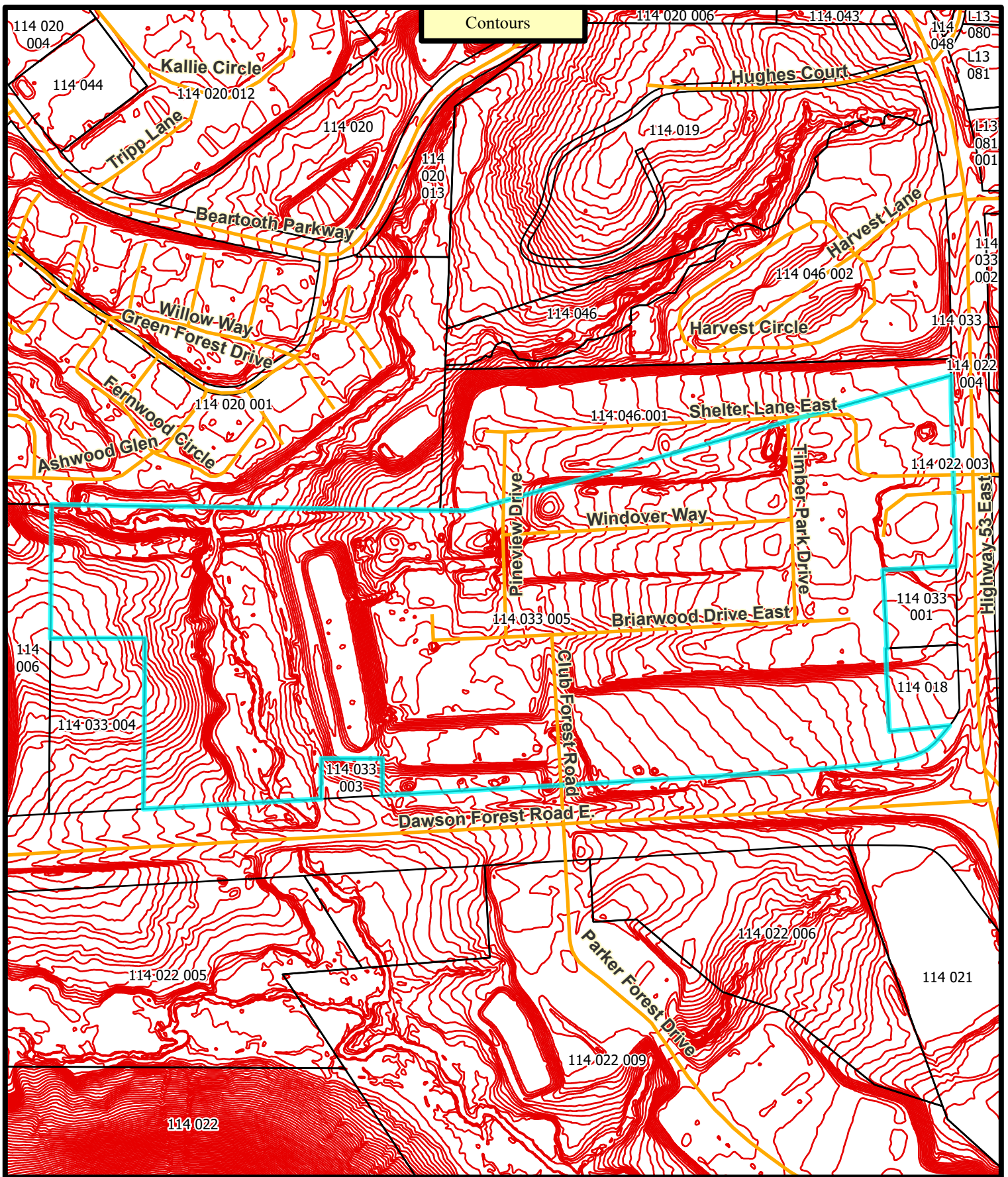


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Scale: 1:8,000

Dawson County
 Planning and Development
 11
 Staff Report



Contours



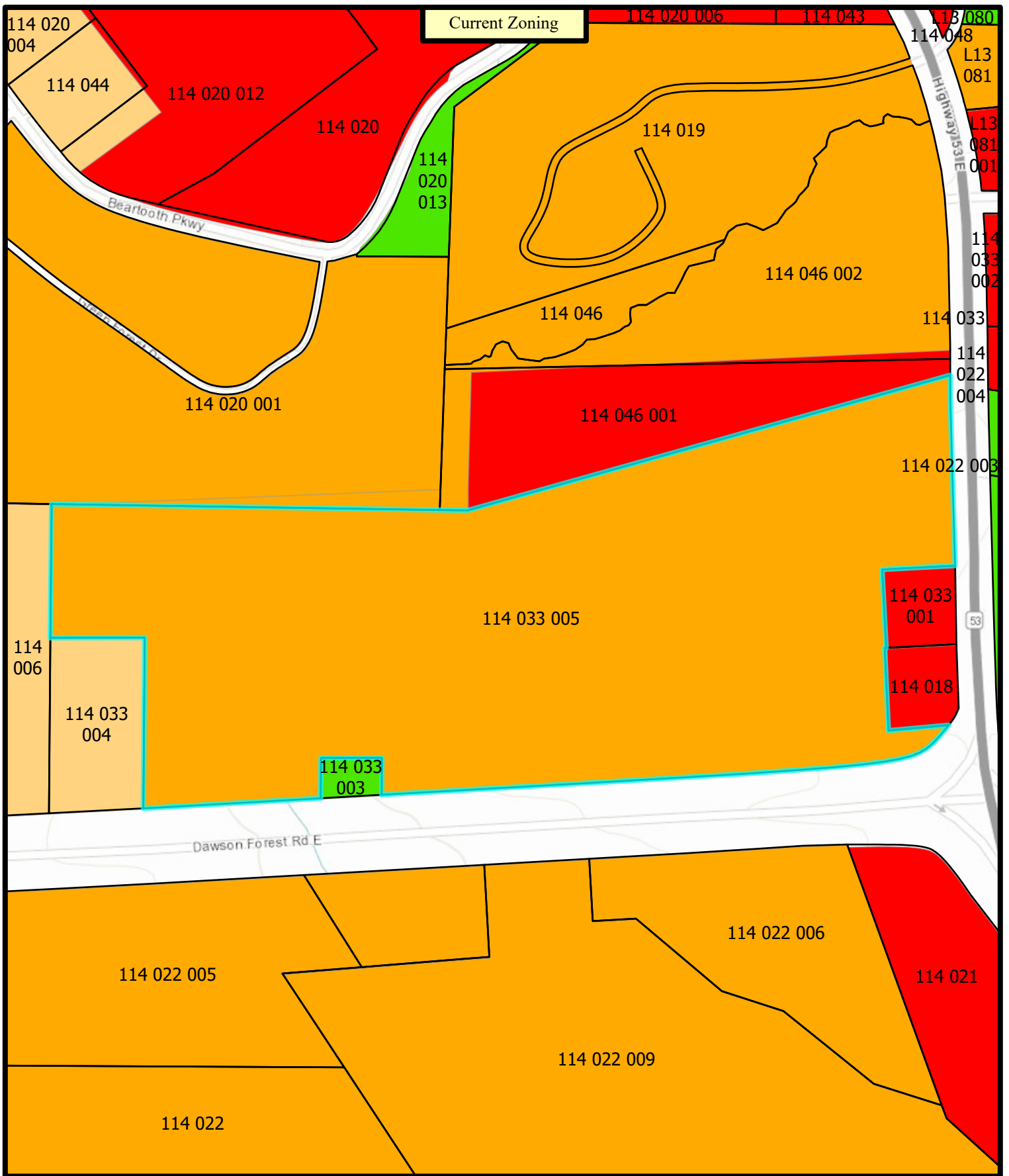
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Dawson County
Planning and Development
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Staff Report

Parcel #: 114 033 005
Current Zoning: RMF
Application #: VR 24-06
Character Area: Lanier

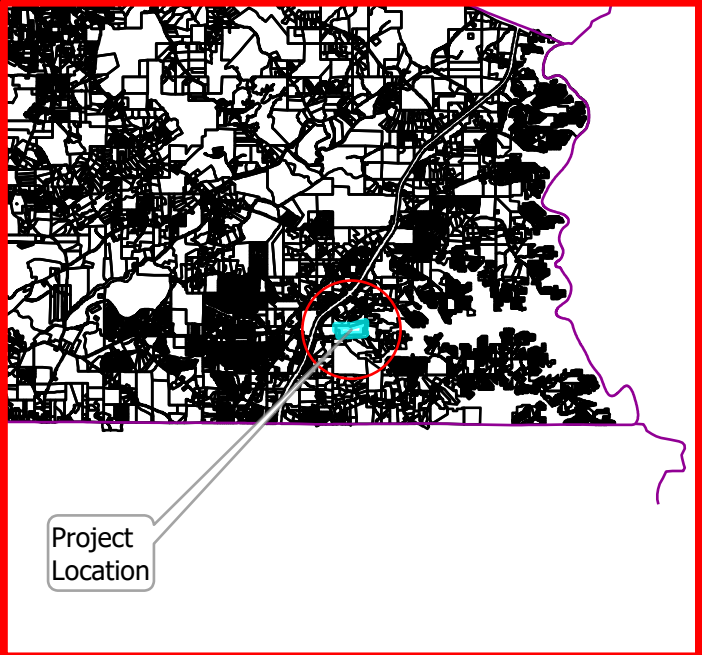
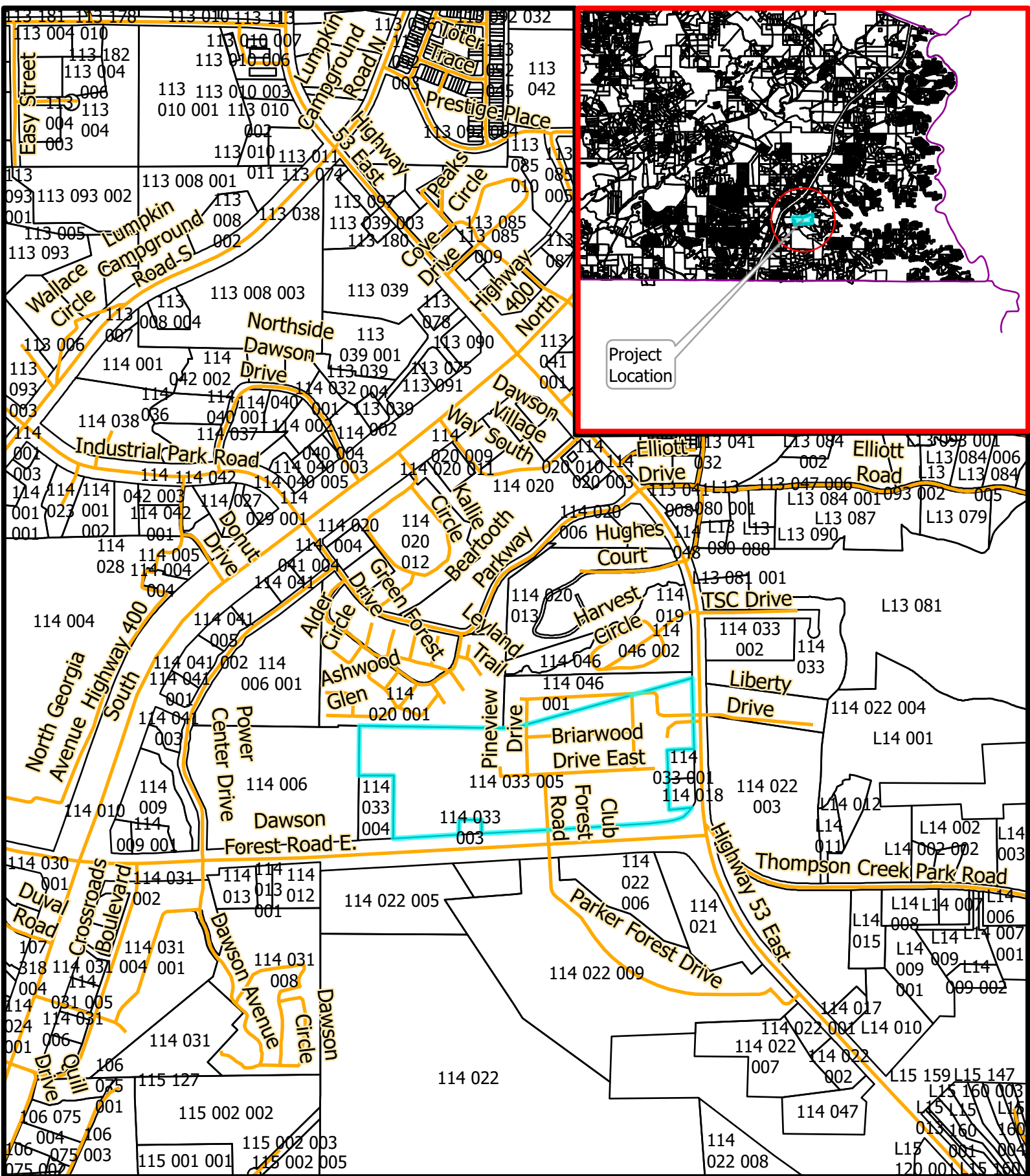


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Dawson County
Planning and Development
13
Staff Report

Parcel #: 114 033 005
Current Zoning: RMF
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Dawson County
Planning and Development
14
Staff Report: Exhibit

Parcel #: 114 033 005
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Application #: VR 24-06
Character Area: Lanier