

DAWSON COUNTY PLANNING COMMISSION
MEETING Agenda – Tuesday, August 15, 2023
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 September 19, 2023

F. APPROVAL OF MINUTES:

July 18th 2023

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 VR 23-10 Chief Construction Management, LLC

J. UPDATES BY PLANNING & DEVELOPMENT:

K. 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



VR 23-10

Chief Construction Management, LLC

Planning Commission Hearing August 15, 2023

VARIANCE STAFF REPORT

Proposal: The applicant requests a variance to the Dawson County Land Use Resolution to construct an accessory structure five feet off the left (west) property line.

Applicant	Chief Construction Management, LLC
The development standards and requirements to be varied	Land Use Code, Section 121-69 Table 3.2
Proposed Use	Construct an accessory structure five feet from the left (west) property line.
Zoning	Residential Agricultural
Acreage	7.76
Location	Kilough Church Road
Road Classification	Local
Right-of-Way	80 feet
Tax Parcel	113-100
Commission District	3

Direction	Zoning	Existing Use
North	RSR	Single Family Residential
South	RSR	Single Family Residential
East	R-A	Single Family Residential
West	R-A	Church

Residential, agricultural/residential exurban districts are either primarily agricultural in land use with residential or other use incidental to the farm use or areas not under intensive development pressures and in relatively large parcels. Agricultural services range from horticulture, animal husbandry, poultry, and forestry, including intensively managed tree farms to non-managed woodlands. The conservation of prime agricultural and forestry land use from intensive development into other services is a primary objective of this classification and is encouraged. Some prime agrarian land is geographically located on land with constraints on intensive residential or commercial development, such as steep forested slopes or river valley floor plains;

therefore, careful consideration should be given to changes in those areas.

Unless a variance is approved, the minimum requirements for the RA Land Use District are:

Minimum setbacks.

Front yard - 100 feet on parkways, 60 feet on state highways, 40 feet on others;

Side yard - 25 feet;

Rear yard – 35 feet.

Front yard setback applies to all frontages on publicly maintained streets.

A variance should be granted only after evidence is presented and accepted that enforcing 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 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.

Variations 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:

Environmental Health Department: “The owner of the subject locations plans to demo a garage and replace it in the same area. This area is not near the septic systems (permit #S-042-2007-00206, installed 10/16/2007; Permit #261, installed 5/2/1994) and will not encroach upon them. We do not see the need to make a site visit for this project.”

Emergency Services: No comments returned as of 8.8.23

Etowah Water & Sewer Authority: “Water is available at the site for domestic use. Contact EWSA if the existing water main is impacted. No sewer available at this site, septic only.”

Planning and Development: The proposed structure will expand upon the existing (to be demolished) accessory structure’s footprint. The (demolished) barn was constructed in 1993 before permitting was required. To accommodate the expansion as designed, a variance is needed.

Public Works Department: No comments necessary.

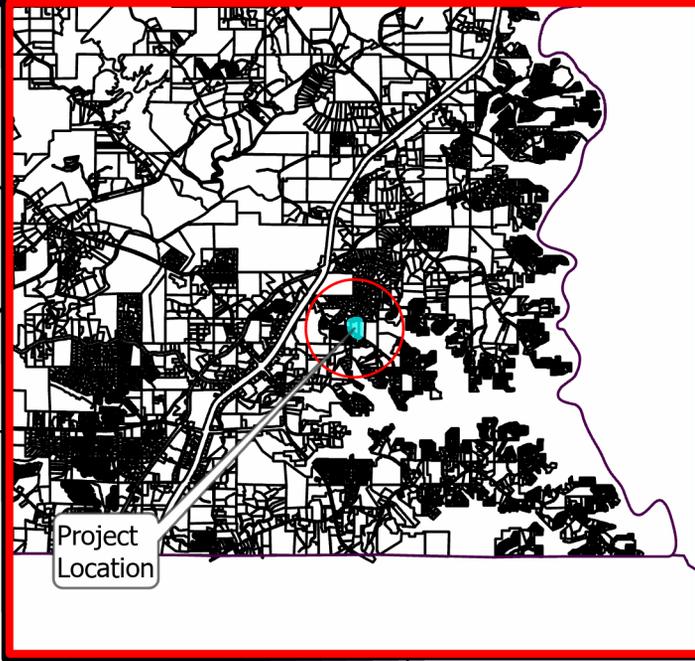
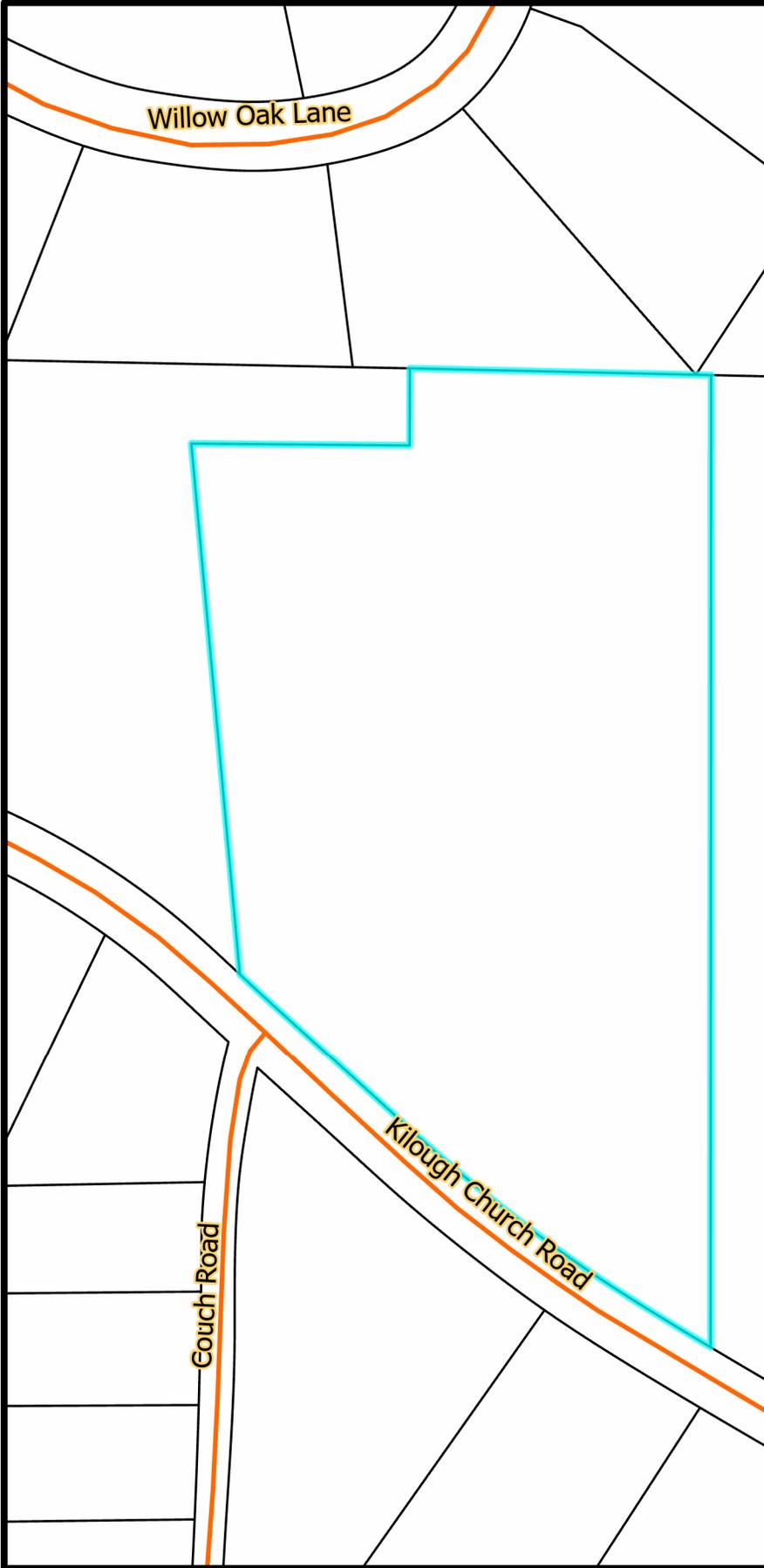
INSERT PHOTO -



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.



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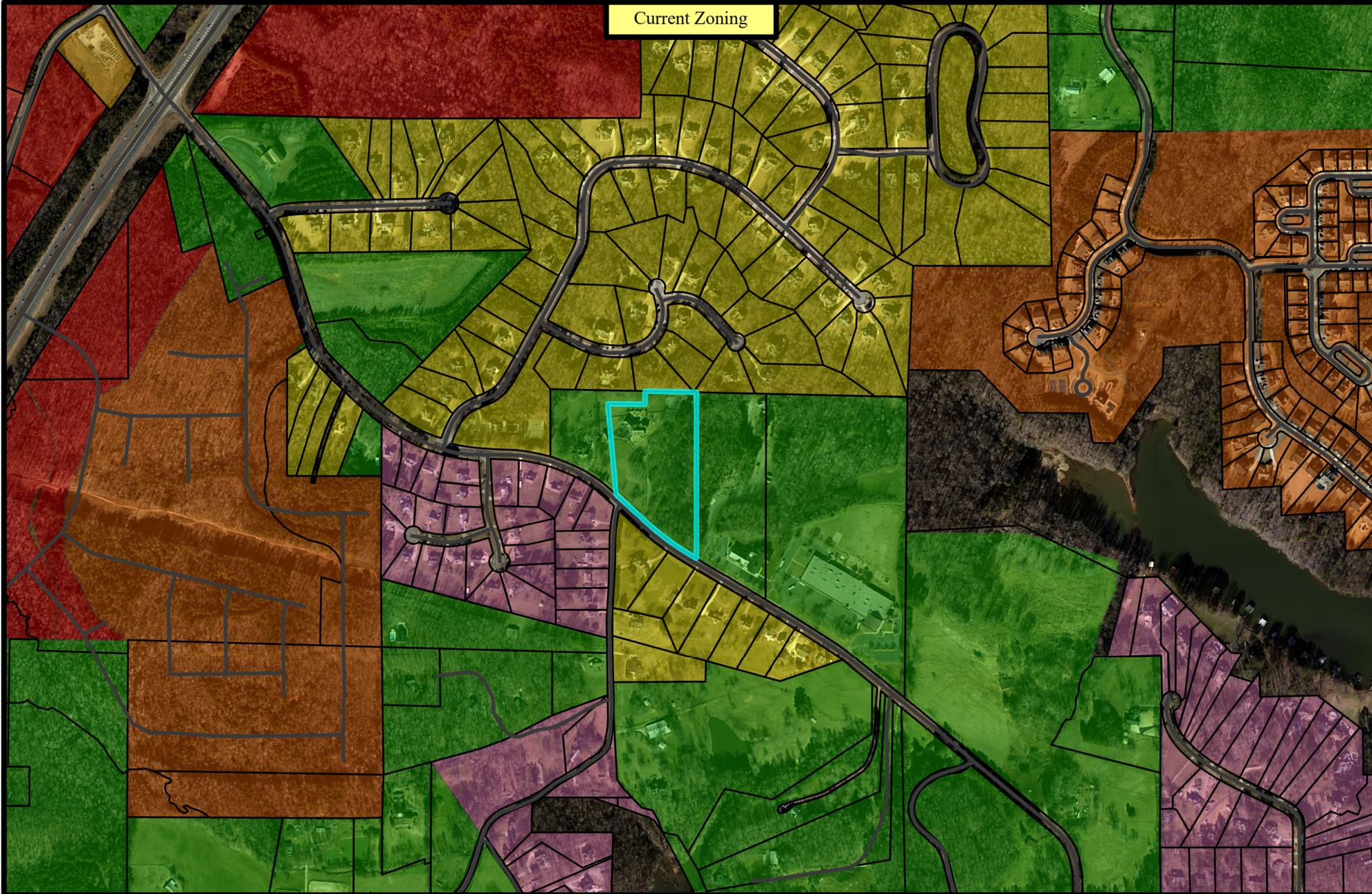


Dawson County
Planning and Development

Staff Report: Exhibit

Parcel#: 113-100
Current Zoning: RA
FLU: SRR
Application #: VR 23-10

Current Zoning



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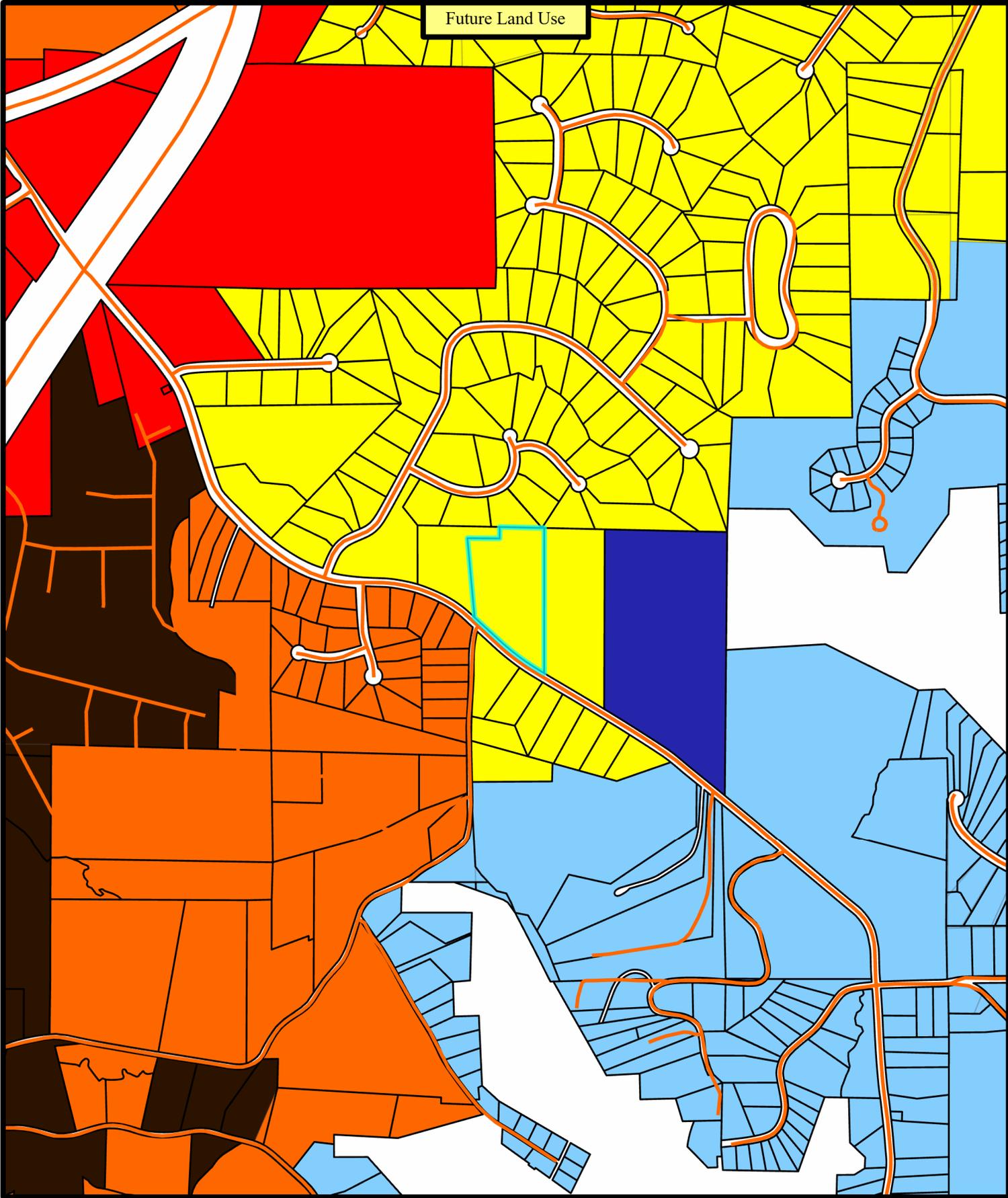
Dawson County
Planning and Development Department

Staff Report

Legend	
	RA
	RSR
	VCR
	C-HB
	RPC
	RMF
	C-HI
	Parcels

Parcel#: 113-100
Current Zoning: RA
FLU: SRR
Application #: VR 23-10

Future Land Use



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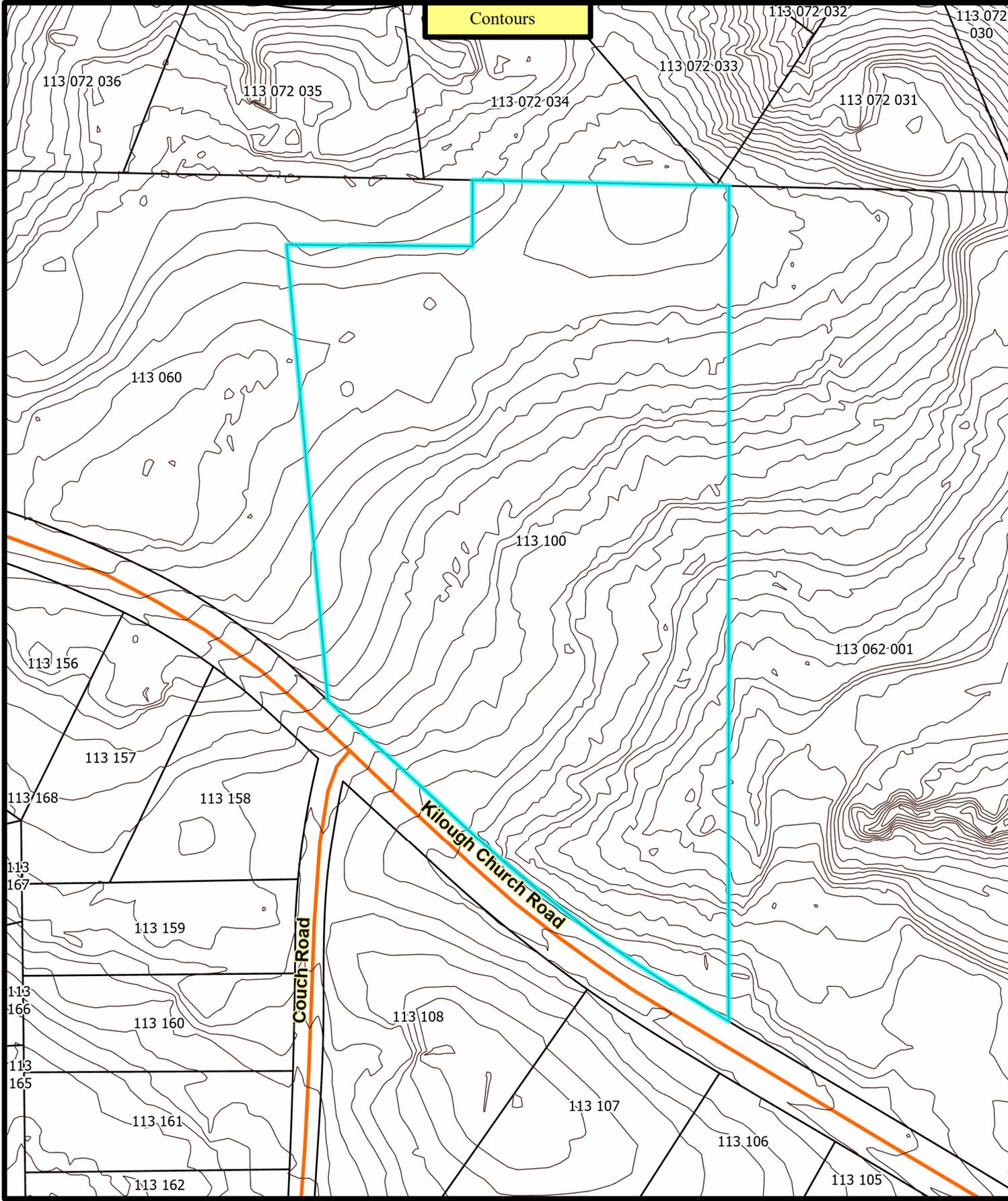
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Dawson County
Plan 9 and Development

Staff Report

Parcel#: 113-100
Current Zoning: RA
FLU: SRR
Application #: VR 23-10

Contours



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Scale: 1:1,922

Dawson County
Plan 10 and Development

Staff Report

Parcel#: 113-100
Current Zoning: RA
FLU: SRR
Application #: VR 23-09



DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Tim Satterfield Chief Construction Management, LLC

Address: 6

Contact Email: _____ Telephone # _____

Status: Owner Authorized Agent Lessee

PROPERTY INFORMATION

Street Address of Property: 869 KILOUGH Church Rd

Land Lot(s): 258 District: 13-5 Section: _____

Subdivision/Lot: _____ / _____

Building Permit #: _____ (if applicable)

REQUESTED ACTION

A Variance is requested from the requirements of Article # III Section # 12-69 of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other. TABLE 3.2

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

instead of the required distance of _____ 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:

2020
APR 23 10:00 AM
DAWSON COUNTY



DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

List of Adjacent Property Owners

It is the responsibility of the Applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property. Please note this information should be obtained using the Tax Map and Parcel Number listing of any parcel(s) adjoining or adjacent to parcel where variance or zoning is being requested. Please add additional sheets if necessary.

	Name	Address
TMP 113 060	1. Trivento Gary Bruce Sr + Judy	765 Kilough Church Road
TMP 113 062001	2. Archbishop of the Archdiocese of ATL	993 Kilough Ch Rd.
TMP 113 072035	3. Hanniger ERIC + DANIEL	76 WILLOW OAK LANE
TMP 113 072034	4. CAMPBELL Norman + Lynda	104 WILLOW OAK Lane
TMP 113 072033	5. POGUE Chang YUL	132 WILLOW OAK LANE
TMP 113 108	6. Downs Michael + Stephanie	896 Kilough Church Road
TMP 113 107	7. CARPENTER Natalie Rickett	944 Kilough Church Road
TMP 113 158	8. Lindsay J Howard	1249 Kilough Church Road
TMP _____	9. _____	_____

APPLICANT CERTIFICATION

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on the Planning Commission agenda for a public hearing.

I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I may seek the advice of a land use professional if I am not familiar with the zoning and land use requirements.

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DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

I understand that my request will be acted upon at the Planning Commission I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my special use or rezoning application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Dawson County.

I hereby certify that I have read the above and that the above information as well as the attached information is true and correct.

Signature of Applicant or Agent: *Jim Satterfield*
Date: 6/29/23

Withdrawals of any application may be accommodated within the Planning & Development office if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following that written request and publication the Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Commission. Further the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal.

THIS SECTION TO BE COMPLETED BY STAFF.

VR 22- _____ Tax Map & Parcel# _____

Zoning: _____ Commission District #: _____

Submittal Date: _____ Time: am/pm Received by: _____ (staff initials)

Fee Paid: _____ Planning Commission Meeting Date: ____/____/2022

14

Official Tax Receipt
Nicole Stewart
DAWSON COUNTY Tax Commissioner

25 Justice Way Suite 1222
Dawsonville, GA 30534

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
49541 Year-Bill No 2022 - 18121	113 100 / 001 LL 258 LD 13-S FMV: \$910,800.00	7,804.64	0.00 Fees 0.00	0.00	7,804.64	7,804.64	0.00
						Paid Date 10/27/2022 09:33:41	Current Due 0.00
Transactions:	49524 - 49554 Totals	7,804.64	0.00	0.00	7,804.64	7,804.64	0.00

Paid By :

Associated Credit Union

KELLAR TONY D & GWENDOLYN J

{
|

Check No
Charge Acct

Cash Amt:	0.00
Check Amt:	0.00
Charge Amt:	0.00
Change Amt:	0.00
Refund Amt:	0.00
Overpay Amt:	0.00

11/27/2022 09:33:41

From:
Subject: **Re: 869 Kilough Church Road**
Date: **Jun 29, 2023 at 11:11:18 AM**
To: **Ringle, Bill** Bill.Ringle@dph.ga.gov

**Thanks Bill,
Tim**

Sent from my iPhone

On Jun 29, 2023, at 9:54 AM, Ringle, Bill <Bill.Ringle@dph.ga.gov> wrote:

Jordan,

The owner of the subject location plans to demo a garage and replace it in the same area. This area is not near the septic systems (permit #S-042-2007-00206, installed 10/16/2007; and Permit # 261; installed 5/2/1994) and will not encroach upon them.

We do not see the need to make a site visit for this project.

Thank you,
Bill

George W. "Bill" Ringle

Environmental Health Manager

Dawson County Environmental Health

189 Hwy 53 West

Suite 102

Dawsonville, GA 30534

phone [706-265-2930](tel:706-265-2930)

fax [706-265-7529](tel:706-265-7529)



