



CITY OF DAHLONEGA
PLANNING COMMISSION AGENDA
TUESDAY, JUNE 07, 2022 AT 6:00 PM
CITY HALL - MAYOR MCCULLOUGH COUNCIL
CHAMBER

In compliance with the Americans with Disabilities Act, those requiring accommodation for Planning Commission meetings please contact Bill Schmid, City Manager.

Vision - To be an open, honest, and responsive city, balancing preservation, and growth, and delivering quality services fairly and equitably by being good stewards of Dahlonega's resources.

Call to Order

Pledge of Allegiance

Approval of Minutes:

- [1.](#) Planning Commission Meeting Minutes April 05, 2022

OLD BUSINESS

Zoning Cases:

NEW BUSINESS

Conditional Uses:

Zoning Cases:

- [2.](#) ANNEX 22-1 and REZN 22-2 Dennis Ford

Dennis Ford is requesting to annex parcel 062B-086 and zone R-1 Single Family Residential for the purpose of building an accessory structure to his neighboring residence.

Conditional Uses:

INFORMATION & TRAINING

Adjournment



CITY OF DAHLONEGA
PLANNING COMMISSION MINUTES
TUESDAY, APRIL 05, 2022 AT 6:00 PM
CITY HALL - MAYOR MCCULLOUGH COUNCIL
CHAMBER

In compliance with the Americans with Disabilities Act, those requiring accommodation for Planning Commission meetings please contact Bill Schmid, City Manager.

Call to Order

PRESENT

Chairman Robert Conaway
Commission Member Joyce Westmoreland
Commission Member Win Crannell
Commission Member Michael Feagin
Commission Member James Guy
Commission Member James Spivey
Commission Member James Carroll

Pledge of Allegiance

Approval of Minutes:

1. Planning Commission Meeting Minutes March 01, 2022

Motion made by Commission Member Feagin to approve the Planning Commission Meeting Minutes March 01, 2022, Seconded by Commission Member Guy.

Voting Yea: Commission Member Westmoreland, Commission Member Crannell, Commission Member Feagin, Commission Member Guy, Commission Member Spivey, Commission Member Carroll

Voting Abstaining: Chairman Conaway

Motion Passed

OLD BUSINESS

Zoning Cases:

Conditional Uses:

NEW BUSINESS

2. Appointment of Co-Chair

Chairman Conaway

Motion made by Commission Member Westmoreland to appoint Commissioner Feagin as Planning Commission Co-Chair, Seconded by Commission Member Carroll.

Voting Yea: Commission Member Westmoreland, Commission Member Crannell, Commission Member Guy, Commission Member Spivey,

Commission Member Carroll
Voting Abstaining: Chairman Conaway, Commission Member Feagin
Motion Passed

3. Ordinances 2022-05, 2022-06 & 2022-07: Package sale of distilled spirits permitted in B-1 & B-2 districts

Jameson Kinley, Planning and Zoning Administrator

Public Comment:

Tom Gordon - North Chestatee Street - Spoke in favor of allowing package stores within city limits.

Discussion

Motion made by Commission Member Feagin to recommend approval of Ordinances 2022-05, 2022-06 & 2022-07, Seconded by Commission Member Crannell.

Voting Yea: Commission Member Westmoreland, Commission Member Crannell, Commission Member Feagin, Commission Member Carroll

Voting Nay: Commission Member Spivey

Voting Abstaining: Chairman Conaway, Commission Member Guy

Motion Passed

Zoning Cases:

Conditional Uses:

INFORMATION & TRAINING

Adjournment

- 1) The applicant is bound by the submitted site plan and letter of intent if this application is approved and development must be initiated within twenty-four months or the approved zoning is subject to reversion to its previous zoning by the Governing Body.
- 2) It is the policy (but not a legal requirement) that adjacent property owners and those owners within 150 feet of the subject property are notified by certified mail of the application.
- 3) The following nine questions can be answered within a letter of intent, but failure to answer any one can result in denial of the application.

Complete the following information. (This section may be addressed in the letter of intent.)

1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.

COMBINED the 2 lot into from lot.
ONE IS COUNTY & ONE IS CITY AS NOW.
TO BE able to build A GARAGE on the lot.

2. The extent to which property values are diminished by the particular zoning restrictions.

NONE

3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.

NONE

4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.

N/A

5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.

N/A

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

ONE LOT HAS A HOUSE ON IT SINCE 1997 WHICH IS CITY THE 2ND LOT HAS BEEN VACANT SINCE 2003, IN WHICH THE NEIGHBOR BUILT A GARAGE ON THE PROPERTY WITHOUT PERMIT

7. The zoning history of the subject property.

1-city

1-county

8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

WE JUST WANT TO BUILD A GARAGE ON THE LOT

9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.

BUILD A GARAGE ON PROPERTY AND ALSO REMOVE THE EXISTING GARAGE.

Property Owner's Certification

I hereby request the action contained with this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and City Council's agenda(s) for a public hearing.

I understand that the Planning and 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 City council to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and City Council hearings and that I am required to be present or to be represented by someone able to present all the facts. I understand that failure to appear at the public hearing may result in the postponement or denial of my application. I further understand that it is my responsibility to be aware of relevant public hearing dates and time regardless of notification from the City of Dahlonga.

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

I certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of rezoning of this property.

Signature of Property Owner: Dennis E. Ford

Printed name of Property Owner: DENNIS E FORD

Date of Signature: 5-9-22

Signature of Witness: Miki Mullin

DISCLOSURE OF CAMPAIGN CONTRIBUTION
(Applicant(s) and Representative(s) of rezoning)

Pursuant to OCGA Section 36-37 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for re-zoning & campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government showing the following information:

1. The name of the local official to whom the campaign contribution was made:

2. The dollar amount and/or description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution:

Amount \$ _____
Date: _____

Amount \$ _____
Date: _____

3. Enumeration and description of each gift when the total value of all gifts is \$250.00 or more made to the local government official during the 2 years immediately preceding the filing application for rezoning:

Signature of Applicant/
Representative of Applicant: _____
Date: _____

By not completing this form you are making a statement that no disclosure is required because no contributions have been made.

This form may be copied and additional pages attached if necessary.

NONE



STAFF REPORT
REZN 22-2
Annexation Accompanied

Applicant:	Dennis Ford
Owner:	Dennis Ford
Location:	Calhoun Road (062B-086)
Acreage:	+/- 1.2 Acres
Current Zoning Classification:	County
Current Use of Property:	Garage only
General Land Use:	Single Family Residential
City Services:	City water is available in the area.

Applicant Proposal

The applicant requests the annexation and zoning of Tract 5 of Crown Mountain Estates development. The applicant purchased both this property and the neighboring property (1089 Calhoun Road) last year. Ultimately, the applicant is looking to combine the lots for the purpose of building a garage. This annexation comes with the proposal of the R-1 Single Family Residential.

History and Surrounding Uses

Crown Mountain Estates was originally subdivided in unincorporated Lumpkin County in the early 1970's. This particular tract was part of the second phase of the development. In the 1990's there were petitions within this development to annex into the city. From 1991 to 1999, the city has annexed 60+ parcels into the city along Calhoun Road. All of these were given the R-1 zoning designation.

This property is surrounded on both sides of Calhoun Road by R-1 zoning classifications. The rear of the property is adjacent to the Crown Mountain Swim and Tennis area and is currently being developed as a single family residential lot.



The Following are questions from Article XXVI Section 2607 of Zoning Code

- 1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The zoning of this property would match all surrounding properties.

- 2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

This development does not appear to adversely affect the existing use nor the usability of adjacent property.

- 3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

This development should not cause a significant burden on existing facilities.

- 4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonega.**

The character area of this parcel is referred to in our Comprehensive Plan as Residential. The following are encouraged distinctions of this area.

- Preservation of existing structures where possible, or context-sensitive infill development
- 1-2 story structures oriented close to the street front, with minimal on-site parking and pedestrian accessibility where possible
- Landscaping and decorative elements encouraged
- Variety of residential, parks and institutional uses, with some offices possible adjacent to downtown
- Rural/ Mountain themed design elements preferred, such as steeply pitched roofs with deep overhangs, wood or masonry siding, and front porches

- 5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.**

There is an existing issue that effects this property. There is an existing garage that encroaches on the property line between lots 4 and 5. This structure was build prior to the applicant purchasing the property and was later found to be not only on the property line, but also on the city boundary line. Several discussions have been had as to the removal and/or property



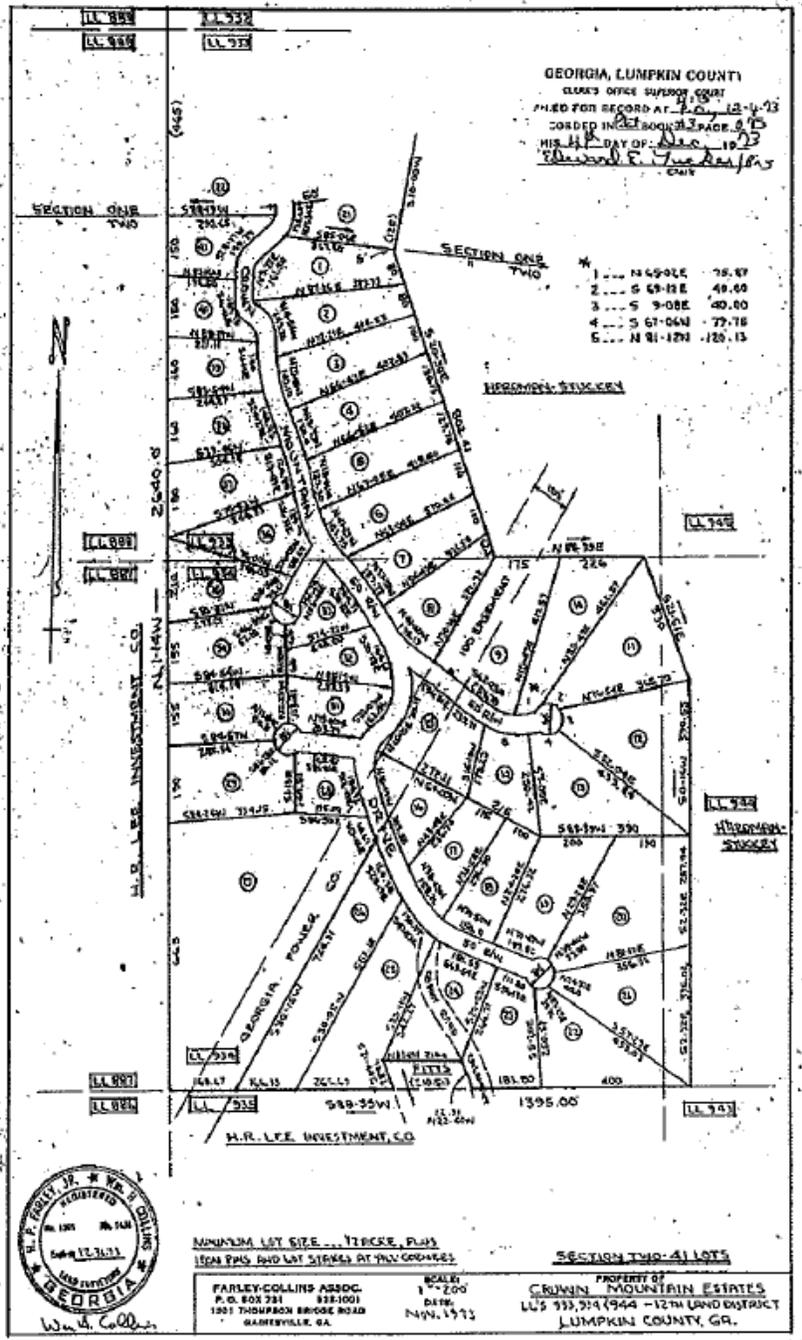
exchange to bring this into compliance. Either way, the annexation of this property will make that process a smoother transition.

Staff Analysis

Currently, this parcel is an unincorporated island within the city limits. Cleaning up these islands is good for enforcement of jurisdictional codes and calls for service. The zoning of this property to R-1 Single Family Residential aligns it with the rest of the incorporated Crown Mountain Estates development. Staff is in support of both the annexation and the zoning request.

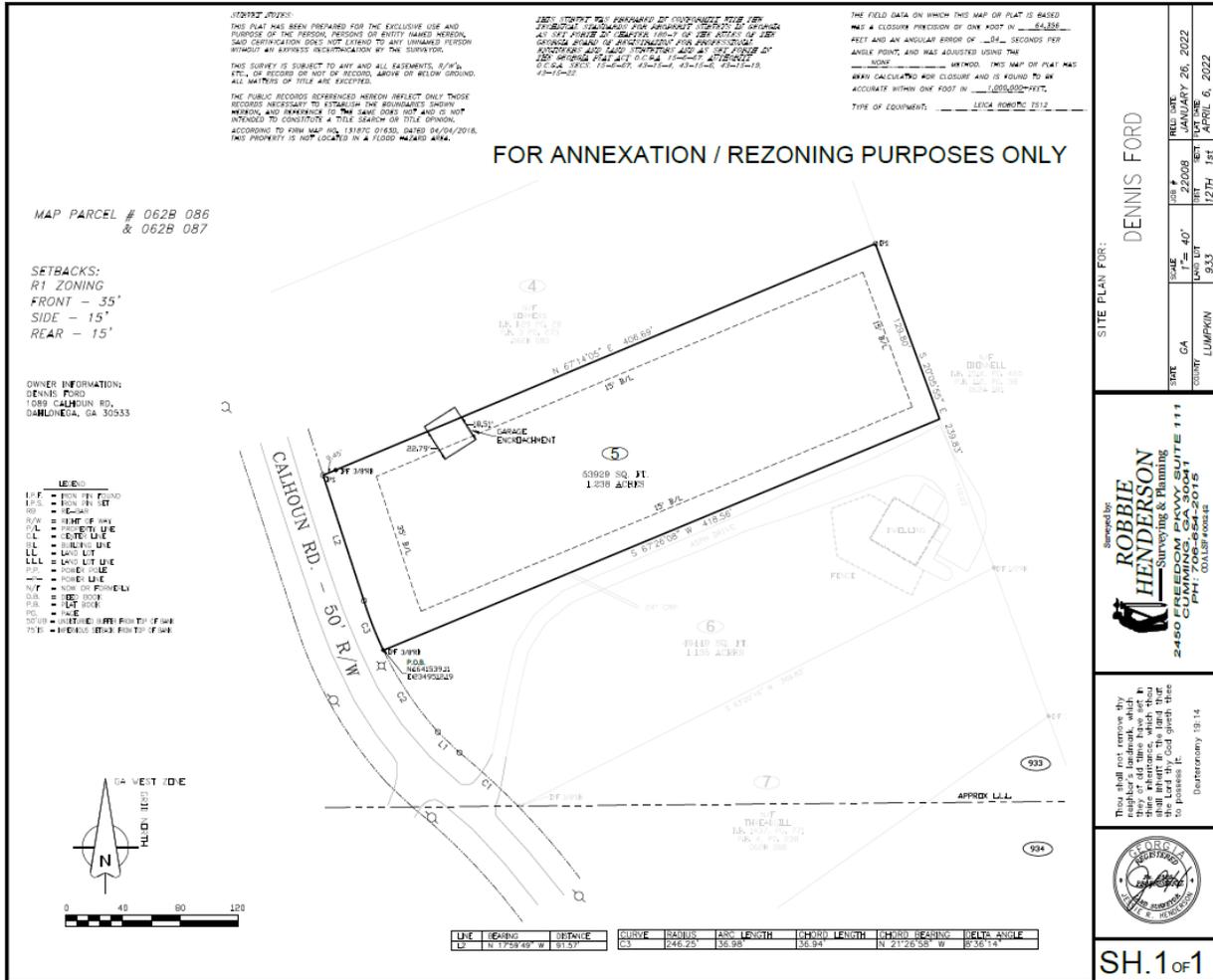


Original Subdivision Plat: (1973)





Current Site Plan:





Current Zoning:



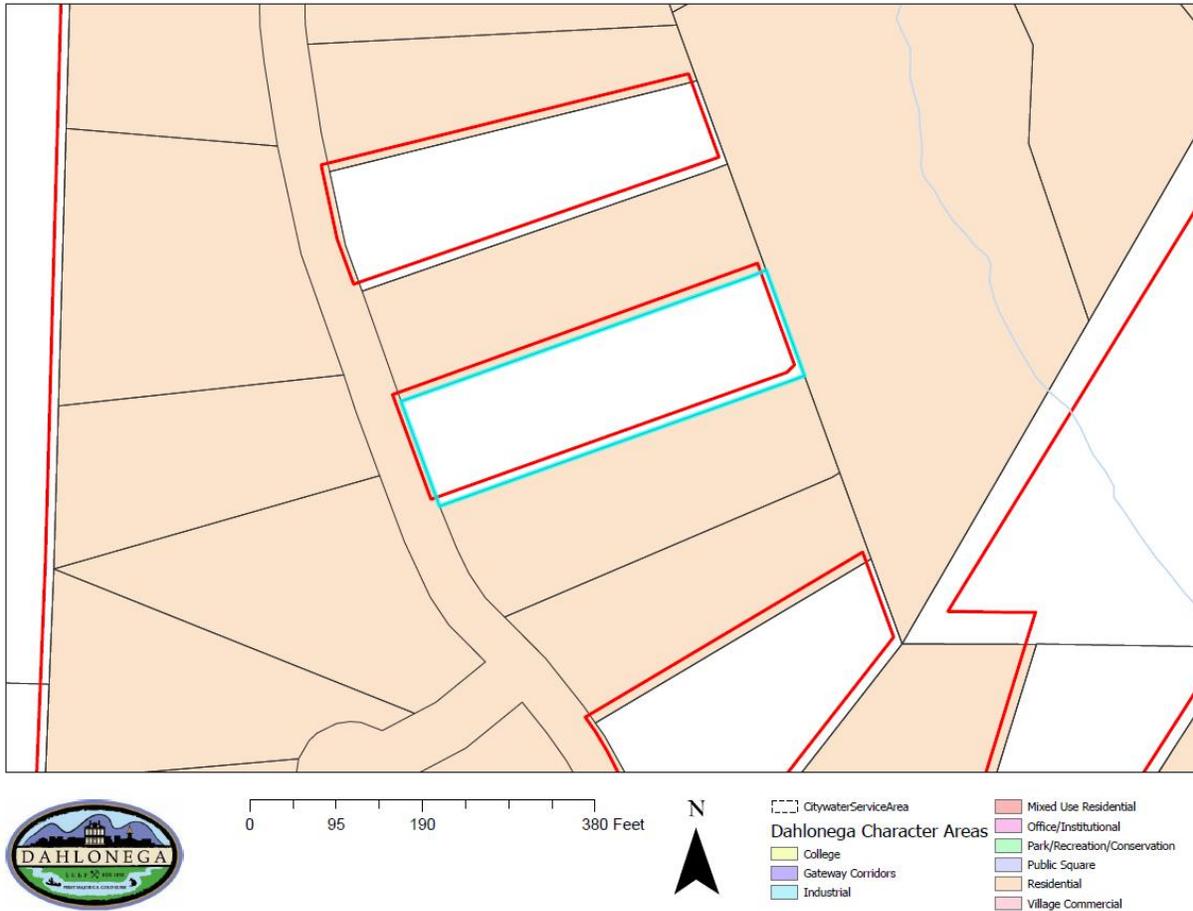
0 95 190 380 Feet



Zoning		
B1	I	PUD
B2	OI	R1
B3	CBD	R2
CitywaterServiceArea		R3



Comprehensive Plan:



Staff Recommended Motion:

Motion to recommend the annexation of Tax Map Parcel 062B-086 with the zoning designation of R-1 Single Family Residential.

SURVEY NOTES:

THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE AND PURPOSE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR.

THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, R/W's, ETC., OF RECORD OR NOT OF RECORD, ABOVE OR BELOW GROUND. ALL MATTERS OF TITLE ARE EXCEPTED.

THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR TITLE OPINION.

ACCORDING TO FIRM MAP NO. 13187C 0163D, DATED 04/04/2018, THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.

MAP PARCEL # 062B 086 & 062B 087

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 64,356 FEET AND AN ANGULAR ERROR OF .04 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE NONE METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,000,000+ FEET.

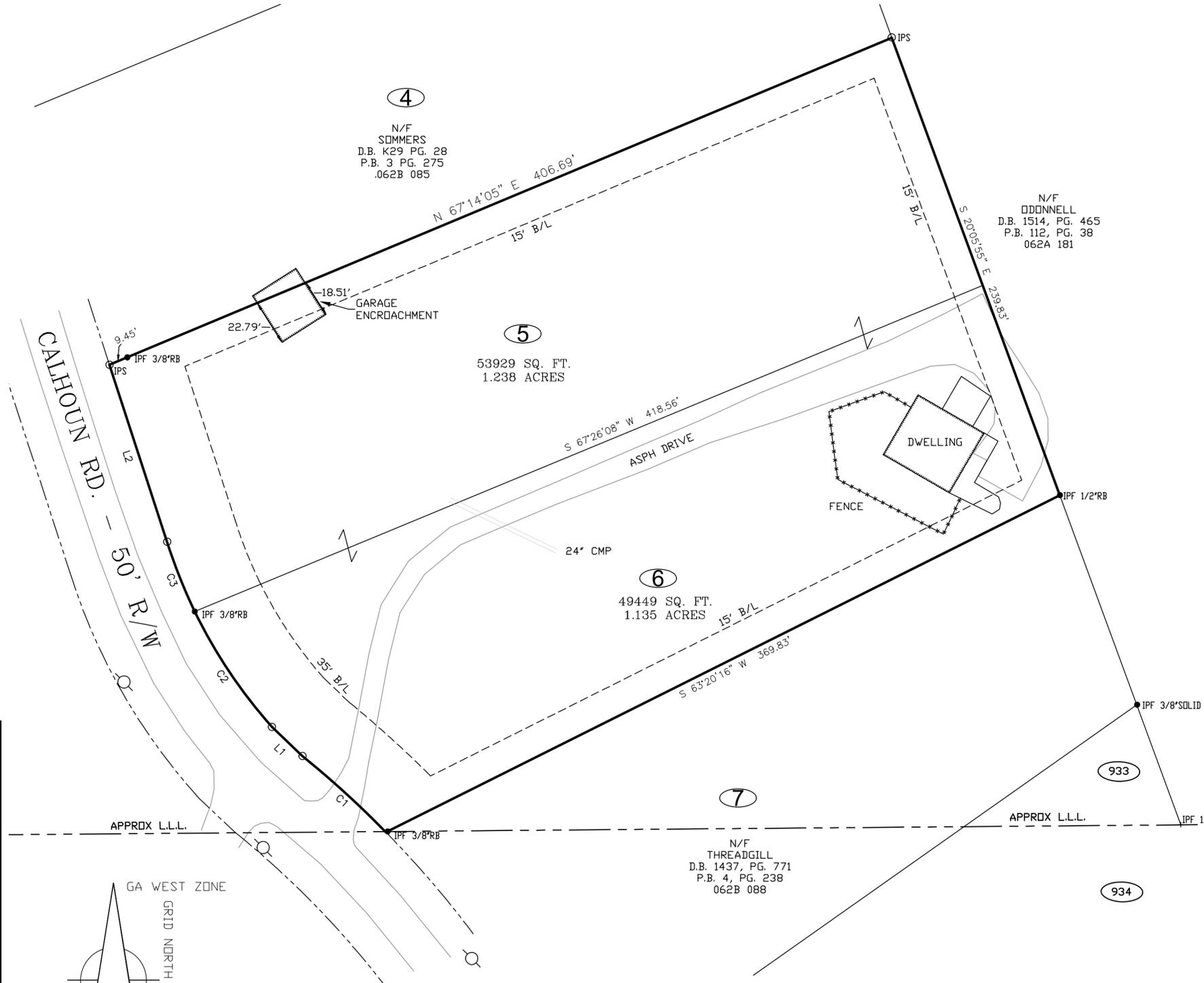
TYPE OF EQUIPMENT: LEICA ROBOTIC TS12

TOTAL AREA = 2.373 ACRES

- LEGEND**
- I.P.F. = IRON PIN FOUND
 - I.P.S. = IRON PIN SET
 - RB = RE-BAR
 - R/W = RIGHT OF WAY
 - P/L = PROPERTY LINE
 - C.L. = CENTER LINE
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 - 50'UB = UNDISTURBED BUFFER FROM TOP OF BANK
 - 75'IS = IMPERVIOUS SETBACK FROM TOP OF BANK

REFERENCES:

- 1) PLAT BOOK 3, PAGE 275
- 2) PLAT BOOK 4, PAGE 238
- 3) PLAT BOOK 112, PAGE 33



SURVEYOR'S CERTIFICATE

As required by subsection (c) of O.C.G.A. Section 15-6-67, this map or plat has been prepared and issued for submittal and approval by the local jurisdiction as is evidenced by the approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of the survey or map as to intended use of any parcel. Further, the undersigned land surveyor certifies that this map, plat or plan complies with the minimum technical standards for property surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67. It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated, and that their location, size, type and material are correctly shown.

Registered Georgia Land Surveyor No.:



LINE	BEARING	DISTANCE
L1	N 46°19'22" W	20.75'
L2	N 17°59'49" W	91.57'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	500.97'	55.60'	55.57'	S 47°30'37" E	6°21'31"
C2	246.70'	68.48'	68.26'	S 33°40'04" E	15°54'12"
C3	246.25'	36.98'	36.94'	N 21°26'58" W	8°36'14"

COMBINATION PLAT FOR:

DENNIS FORD

STATE	GA	SCALE	1" = 40'	JOB #	22008	FIELD DATE:	JANUARY 26, 2022
COUNTY	LUMPKIN	LAND LOT	933	DIST	12TH	PLAT DATE:	APRIL 6, 2022
				SECT.	1st		

Surveyed by:

ROBBIE HENDERSON
Surveying & Planning

2450 FREEDOM PKWY SUITE 111
CUMMING, GA 30041
PH: 706-654-2015
COA.LSF #001242

Thou shall not remove thy neighbor's landmark, which they of old time have set in thine inheritance, which thou shall inherit in the land that the Lord thy God giveth thee to possess it.

Deuteronomy 19:14

SH.1 of 1

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TYPE OF EQUIPMENT: LEICA ROBOTIC TS12

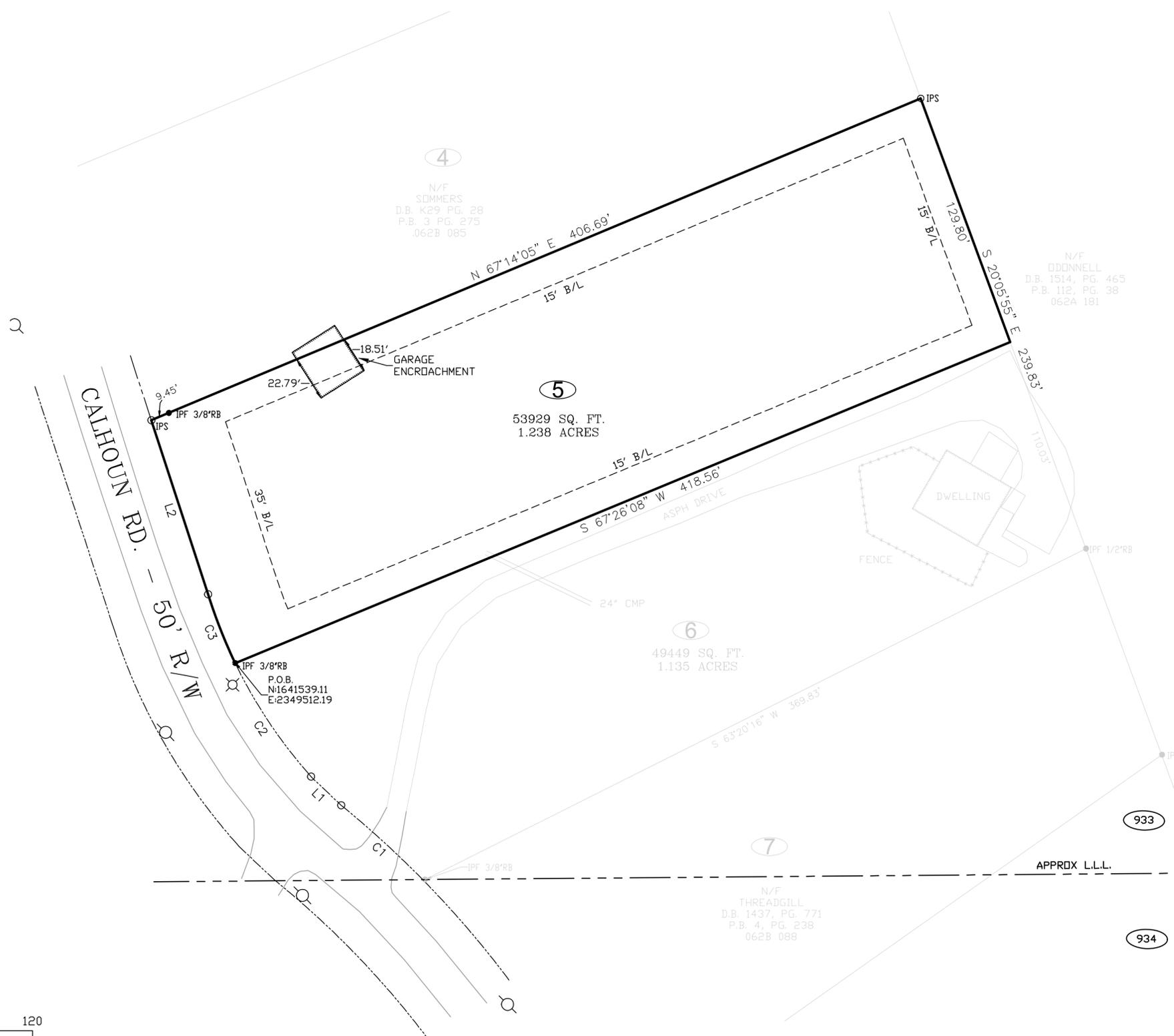
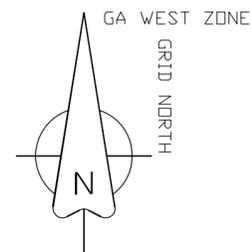
FOR ANNEXATION / REZONING PURPOSES ONLY

MAP PARCEL # 062B 086
& 062B 087

SETBACKS:
R1 ZONING
FRONT - 35'
SIDE - 15'
REAR - 15'

OWNER INFORMATION:
DENNIS FORD
1089 CALHOUN RD.
DAHLONEGA, GA 30533

- LEGEND**
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SITE PLAN FOR:

DENNIS FORD

FIELD DATE:	JANUARY 26, 2022
JOB #	22008
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