



# CITY OF DAHLONEGA

## City Council Public Hearing Agenda

January 18, 2022 4:00 PM

Gary McCullough Chambers, Dahlonega City Hall

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In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

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CALL TO ORDER

NEW BUSINESS:

*Public Hearing:*

1. REZN 21-6 Don and Chris Head  
Jameson Kinley - Planning and Zoning Administrator

ADJOURNMENT

**REZONING APPLICATION FORM  
CITY OF DAHLONEGA, GEORGIA**

\*\*\*\*\*

\*\*\*\*\*

Property Owner:

Name:

Don and Chris Head

Address:

Phone:

Applicant:

Name:

(if different from Owner)

Address:

Phone:

Agent:

Name:

(if applicable)

Address:

Phone:

Existing Zoning:

R1 Single Family Residential

Proposed Zoning:

B1 Neighborhood Business District

Existing Use:

Residential

Proposed Use:

Office / Business

Acreage of Site:

1.19 acre

Location of Property:

60 Skyline Drive / North Grove St.

(Street address)

60 Skyline Drive

Tax Plat and parcel:

D05-028

A metes and bounds legal description is required. Also attach a boundary survey of the property if available.

**Questions 1-9 from application.**

**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.** The proposed zoning will not adversely affect the nearby properties uses and development potential. The adjoining property to the north and west is zoned R1. The adjoining property on the south fronts Skyline Drive. The property on opposite side of Skyline Drive is zoned R1, R2 and B2. The property on the east fronts US Hwy 19 and on opposite side of US Hwy 19 is the Lumpkin County Middle and Elementary Schools.

**2. The extent to which property values are diminished by the particular zoning restrictions.** Property values will not be impacted.

**3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.** There will be no effect to property values.

**4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** If approved, the City/Public would gain new compatible growth along the Gateway Corridor without having to make changes to the City's existing utility services. This would also create new job opportunities and additional revenue for the City.

**5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.** The property is physically suitable for many uses. However, this property with existing structure, highway access and available public utilities is better suited for office/business.

**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.** Existing structure is currently vacant. There are always existing or changing conditions that affect property. Several adjoining properties have changed from residential owner occupied to rental properties. Lumpkin County Middle School and Lumpkin County Elementary School are located across the street. The property has road frontage on US Hwy 19 North, a major traffic corridor. There is existing structure and utilities that can be utilized with minor change to property. The property lies within the Gateway Corridor which allows office/business. The conditions noted give supporting grounds for approval.

**7. The zoning history of the subject property.** Not aware of any previous zoning changes.

**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.** There would be no burden or negative effect on streets, utilities, schools etc...

**9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan or other adopted plans.** Yes, The property is part of the Gateway Corridor Character Area designated in the City's 2017 Comprehensive Land Use Plan which encourages commercial and office development along this traffic corridor. The Plan also encourages the use of existing structures.

\*\*\*\*\*

### 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.

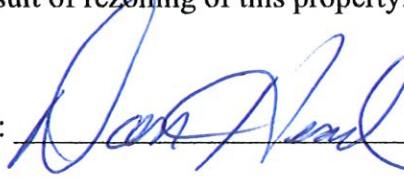
I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and City council to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

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:

 Chris Head

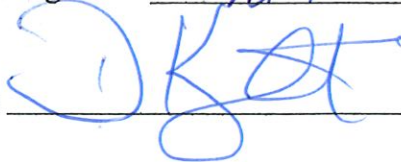
Printed name of Property Owner :

Don Head - Chris Head

Date of Signature:

12-1-2021

Signature of Witness:



## 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/

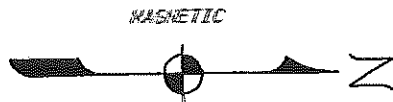
Representative of Applicant: \_\_\_\_\_

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.

| CURVE | CHORD | ARC     | INDICES |
|-------|-------|---------|---------|
| C1    | 5.11  | 154.35° | 124.57° |
| C2    | 5.24  | 93.28°  | 33.53°  |
| C3    | 5.04  | 41.89°  | 31.63°  |
| C4    | 5.00  | 52.91°  | 27.39°  |
| C5    | 5.08  | 194.98° | 159.02° |



NOTE: STATEMENT DOES NOT GUARANTEE THAT ALL ELEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

IN AN OPENING THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA, RETENTION AND FLOOD INSURANCE RATE 120, GUARANTY FLOOD NUMBER 1991

THE FIELD DATA USED WHEN THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN A HUNDRED FEET AND WAS OBTAINED BY USING THE QUANTAL H.E. TOTAL STATION HAS BEEN CALIBRATED FOR THIS PLAT AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN A HUNDRED FEET.

EQUIPMENT USED: TOPCON 615 231B.

IN AN OPENING THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

LL \* L AND LOT  
LLS S L AND LOT LINE  
IP3 S L AND LOT SET  
C/L S L AND LOT  
R/N S L AND LOT  
U/D S L AND LOT  
N/R S L AND LOT

REFERENCE PLAT. FOR MARK B.  
PLAT. BE SURVEY DAINLE & KIM F. DATE ESTE  
OCTOBER 30, 1902. BY NORTH  
GEORGIA SURVEYING, INC.

TRACT 2  
0.014 ACRES  
(588 S.F.)

~~Handwritten:~~  
Baptist  
pastor  
01/11/01  
~~By~~ Pen  
Clyde Murray

PLAY OF SURVEY FOR  
WILLIAM B. FRY, JANE FRY MOHLEY  
& FRANCES FRY PATTERSON

LAND LOT 925, 12TH DISTRICT, 1ST SECTION  
CITY OF GAINES, LUMPKIN COUNTY, GEORGIA

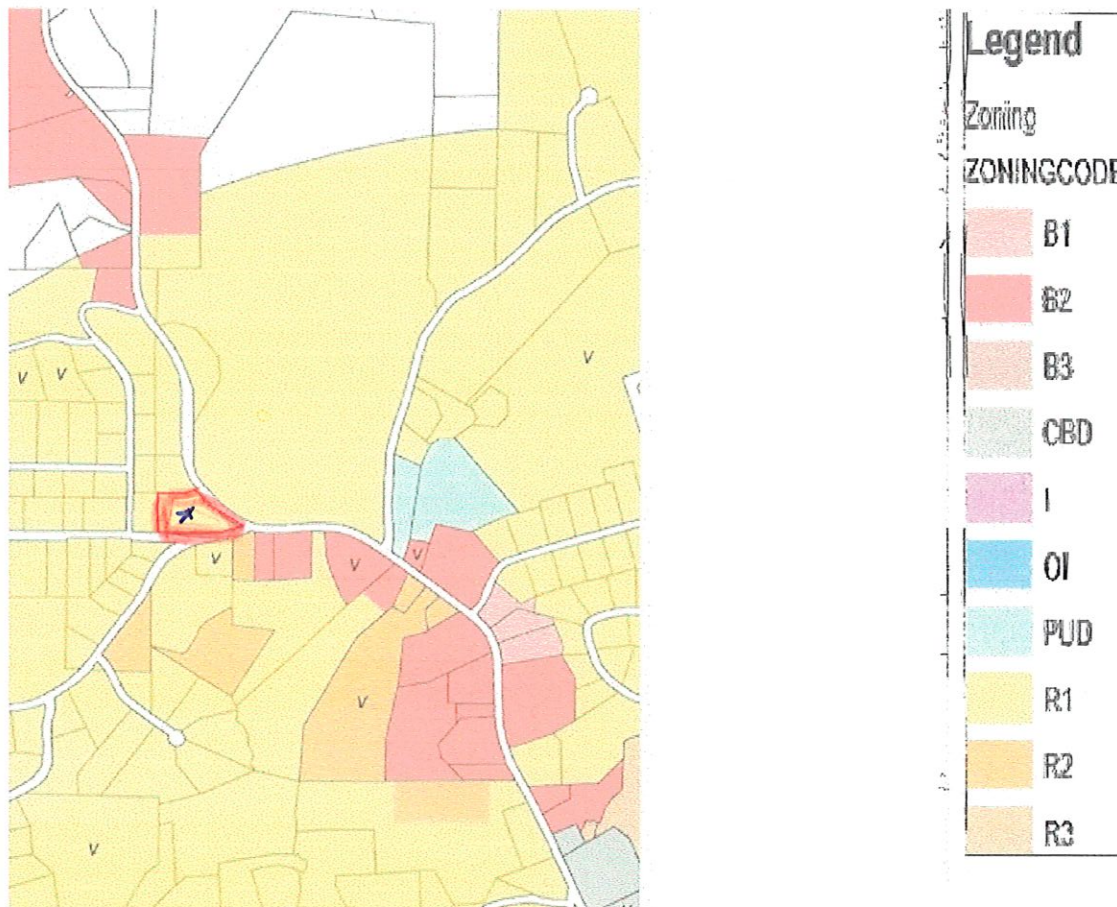
# GEOMAGNETIC

**LAND SURVEYING, LAND PLANNING & DESIGN**  
3835-AAR N. GARDEN ST., DALLAS, TEXAS 75235  
PHONE: (706) 864-7228 FAX: (706) 864-1014  
COSO FILE: 448-CITY  
DRMS FILE: 448-CITY  
DRAWING #337841-118



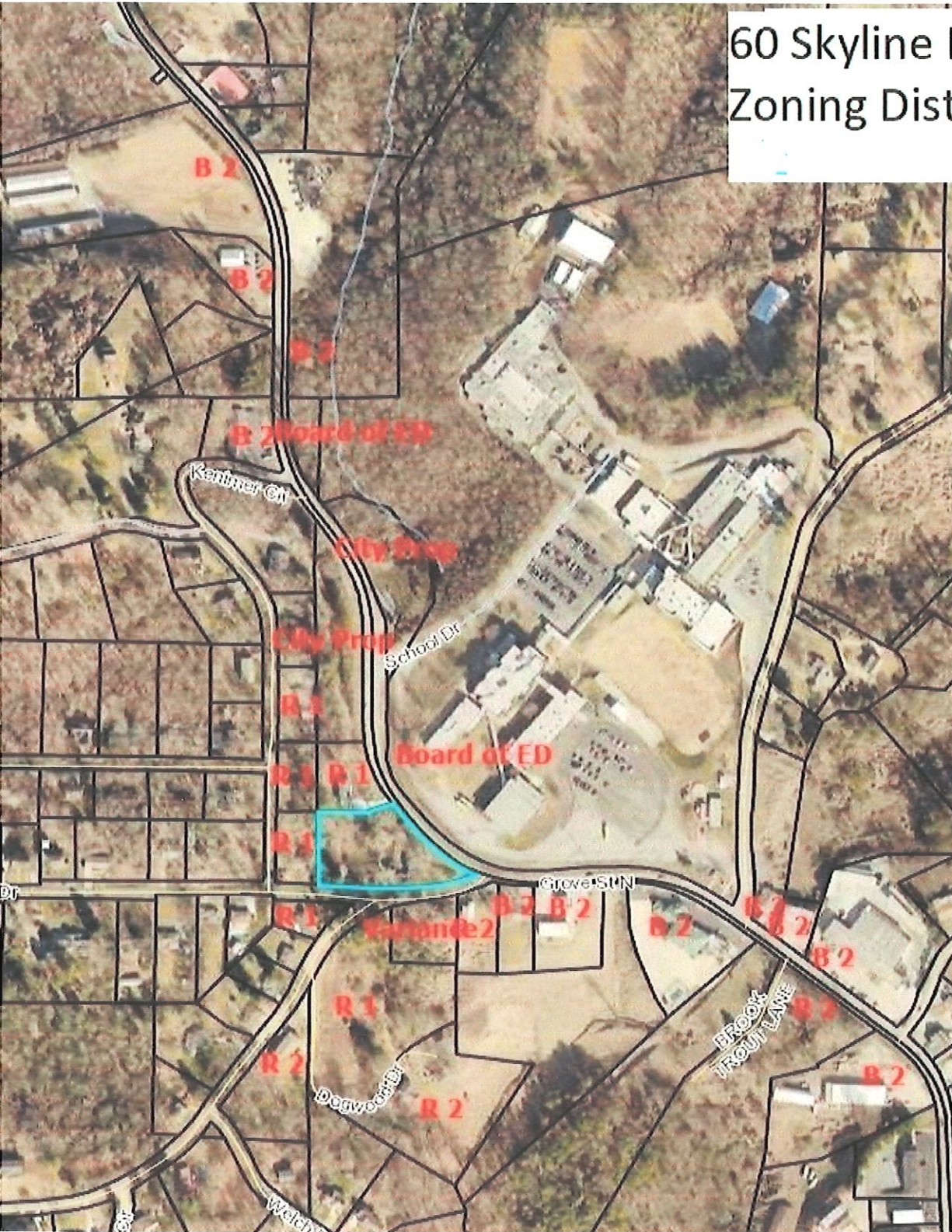
# Section of City Zoning Map


Property location is highlighted in red.





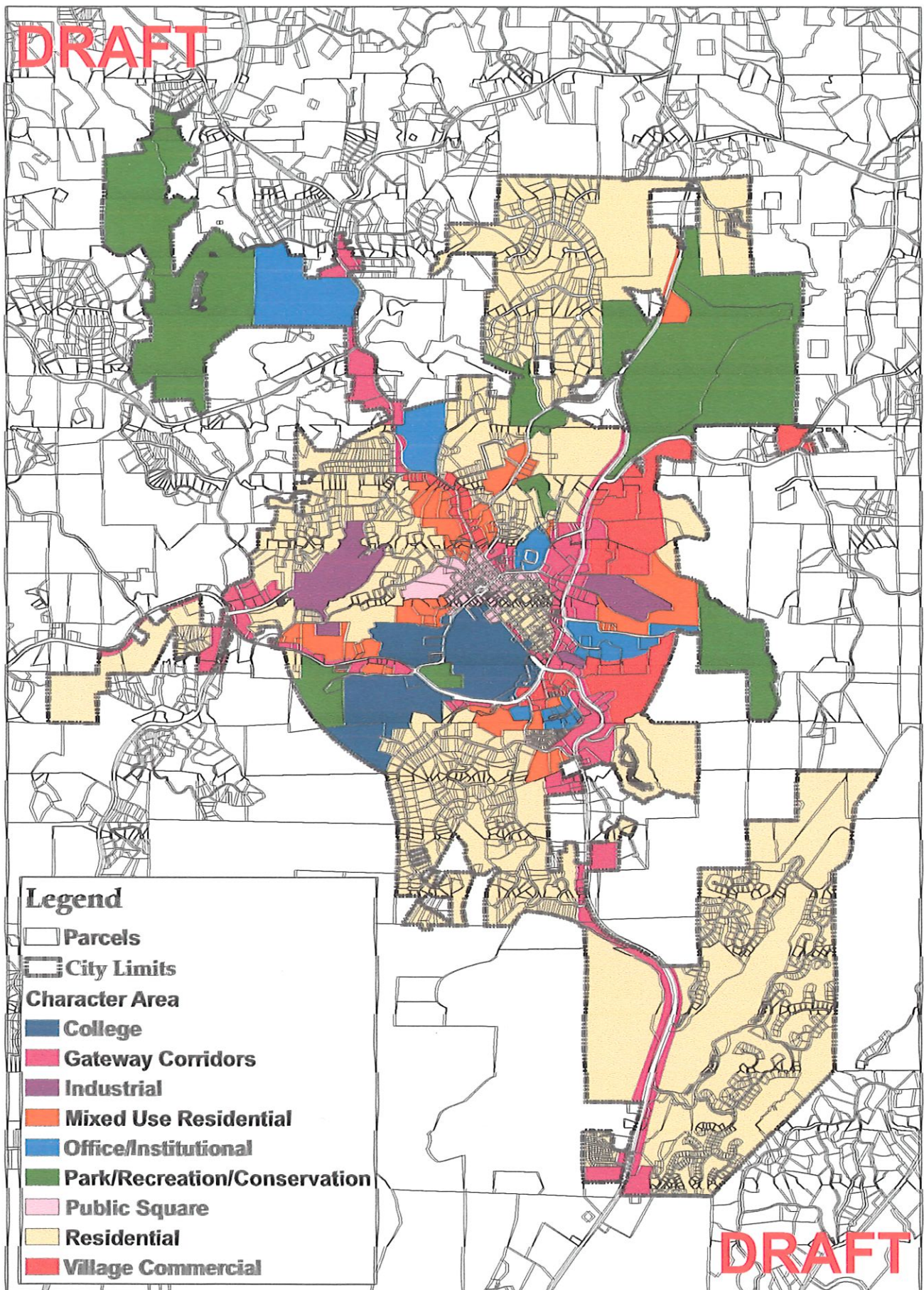
## 60 Skyline Drive Adjoining Zoning Districts



 60 Skyline Dr



**DRAFT**



**Legend**

Parcels

City Limits

Character Area

College

Gateway Corridors

Industrial

Mixed Use Residential

Office/Institutional

Park/Recreation/Conservation

Public Square

Residential

Village Commercial

**City of Dahlonega**  
**Character Areas**

*Comprehensive Plan*

**DRAFT**





## Development Encouraged – General Overview

| Categories                             | Residential | Commercial | Office  | Industrial | Design guidelines | Landscape guidelines |
|--|-------------|------------|---------|------------|-------------------|----------------------|
| Public Square                          | x           | x          | x       |            | x                 | x                    |
| Residential                            | primarily   |            | limited |            |                   | x                    |
| Village Commercial                     | x           | primarily  |         |            | x                 |                      |
| Mixed Use Residential                  | primarily   | limited    | x       |            | x                 | x                    |
| University of North Georgia            |             |            |         |            |                   |                      |
| Gateway Corridors                      | x           | x          | x       |            | x                 | x                    |
| Park/Recreation/Conservation           |             |            |         |            |                   | x                    |
| Office/Institutional/Conference Center |             |            | x       |            | x                 | x                    |
| Industrial                             |             |            | x       | x          |                   | x                    |

## Development Encouraged – Character Area Distinctions

### Public Square

- All development to be compatible with design guidelines
- Preservation of existing structures where possible, or context sensitive infill development
- 1-3 story structures oriented on Public Square and approaching streets close to the street front, with minimal on-site parking and full pedestrian accessibility
- Careful evaluation of sites on the ridge north of Hawkins Street offering possible mountain views above treeline
- Landscaping and decorative elements encouraged
- Mixed use structures or variety of residential, commercial and institutional uses
- No drive-through uses permitted

### Residential

- 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 office 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

### Village Commercial

- Land for neighborhood-scale commercial, office or institutional uses
- Primarily commercial, but Residential uses permitted
- 1-2 story structures oriented close to the street front, with minimal on-site parking and pedestrian accessibility where possible
- Careful evaluation of ridge top sites offering possible mountain views above treeline
- Landscaping and decorative elements encouraged
- Rural/ Mountain themed design elements preferred, such as steeply pitched roofs with deep overhangs, wood or masonry siding, and front porches

- Preservation of existing structures where possible, or context sensitive infill development
- Variety of residential, parks and institutional uses, with some office possible adjacent to downtown

#### **Mixed Use Residential**

- Development encouraged to be compatible with design guidelines
- Landscaping and decorative elements encouraged
- Primarily residential but neighborhood commercial uses allowed
- 1-2-story structures oriented close to the street front, with on-site parking and pedestrian accessibility where possible
- Rural / Mountain themed design elements preferred, such as steeply pitched roofs with deep overhangs, wood or masonry siding, and front porches

#### **University of North Georgia**

- Development encouraged to be compatible with design guidelines
- Preservation of existing structures where possible, or context sensitive infill development
- 1-4 story structures oriented close to the street front, with minimal on-site parking and full pedestrian accessibility
- Landscaping and decorative elements encouraged
- Mixed use structures or variety of campus residential, commercial and institutional uses. Specialty structures as required by the University permitted
- No drive-through uses permitted
- Parking decks permitted with context sensitive design
- Park space and trails permitted

#### **\* Gateway Corridor**

- ✓ Regional to sub-regional scale industrial, retail, office or institutional uses
- Rural/ Mountain themed design elements preferred, such as steeply pitched roofs with deep (1" or greater) overhangs, wood or masonry siding
- Careful evaluation of ridge top sites offering possible mountain views above treeline
- Landscaping and decorative elements encouraged
- Sited along 2-3 lane arterials
- Concentrated at nodal intersections or key stretches
- Development encouraged to be compatible with design guidelines
- ✓ Preservation of existing structures where possible, or context sensitive infill development
- Landscaping and decorative elements encouraged
- ✓ Mixed use structures or variety of residential, commercial and institutional uses

#### **Parks/ Recreation/ Conservation**

- Parks, recreation areas, trails or other accessible lands with minimal amount of impervious surfaces (parking, roadways or structures)
- Preservation of existing hardwoods and deciduous trees encouraged
- Conference Centers with recreation emphasis allowed

#### **Office/ Institutional**

- Land is for neighborhood to sub-regional scale office, commercial and institutional uses, with preferences for low/no-impact research centers and no-impact industrial operations
- 1-3 story structures oriented close to the street front, with minimal on-site parking and full pedestrian accessibility
- Minimal parking on front; Attached units permitted



November 30, 2021

Mr. Jameson Kinley, Planning & Zoning Administrator  
Bill Schmid, City Manager  
Planning Commission Members  
Mayor and City Council Members

RE: Rezoning Application for property located at 60 Skyline Drive

We are requesting a rezoning for our property located at 60 Skyline Drive from R1 Single Family Residential to B1 Neighborhood Business. Our intent is to use the existing structure for office/business. The lot size is 1.19 acres and has road frontage on Skyline Drive and US 19 a major traffic corridor. City water, sewer and natural gas are available. The proposed use would not change the character of the area, cause adverse impacts, or detract from the adjoining properties. The City and Public would gain new compatible growth along the Gateway Corridor. This would also create new job opportunities and additional revenue for the City with no burden on existing streets or utilities. Information regarding the nine questions noted in the rezoning application is attached and will provide further details for the request.

This property is located within the Gateway Corridor as designated in the City's Comprehensive Land Use Plan. This Plan encourages office, commercial and residential use in this area. It also encourages the preservation of existing structures if possible.

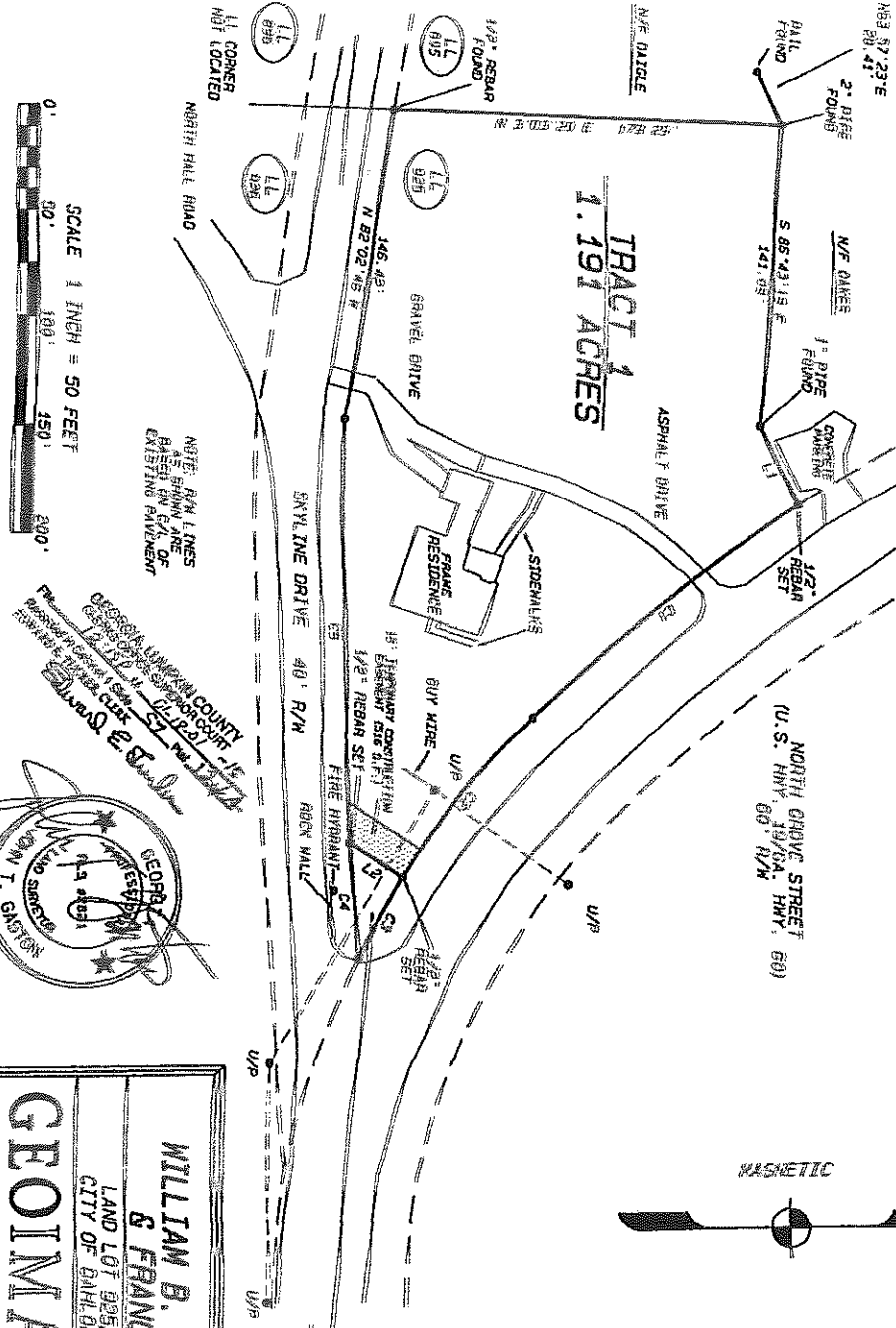
The proposed use is consistent with the goals, policy and objectives of the City's plans and we believe the information provided supports approval for rezoning to B1 Neighborhood District would be appropriate for this property.

Chris Head Don Head

Attachments:      Application  
                            Survey  
                            Zoning Map Insert  
                            Tax Map of Area  
                            Comprehensive Plan Map/Info

| LINE | BEARING         | DISTANCE |
|------|-----------------|----------|
| 1    | N 83° 20' 58.6" | 41.10'   |
| 2    | S 53° 42' 18.1" | 20.04'   |

| CURVE | CHORD BEARING   | CHORD   | ARC     | AREA  | ADJUST |
|-------|-----------------|---------|---------|-------|--------|
| C1    | S 51° 31' 10.6" | 154.35' | 154.57' | 0.35' | 0.35'  |
| C2    | S 51° 31' 10.6" | 93.29'  | 93.29'  | 0.35' | 0.35'  |
| C3    | S 51° 31' 10.6" | 41.83'  | 41.83'  | 0.35' | 0.35'  |
| C4    | S 51° 31' 10.6" | 52.91'  | 52.91'  | 0.35' | 0.35'  |
| C5    | S 51° 31' 10.6" | 194.98' | 194.98' | 0.35' | 0.35'  |



**WILLIAM B. FRY, JANE FRY MOHLEY & FRANCES FRY PATTERSON**

LAND LOT 925, 12TH DISTRICT, 1ST SECTION  
CITY OF DAHLGREN, LUMPKIN COUNTY, GEORGIA

**GEOIMAGE LLC**

LAND SURVEYING, LAND PLANNING & DESIGN  
3805 AND N. GROVE ST., DAHLGREN, GEORGIA 30633  
PHONE: (706) 864-7288 FAX: (706) 864-1014

**DATE OF SURVEY FOR**  
JANUARY 3, 2001

**FIELD BOOK** OF/ET  
DRAWM BY: MD

**COGO FILE** 448-CITY  
ORNG FILE 448-CITY

**DRAWING** #037901-ET6

**NOTE:** SURVEYOR DOES NOT GUARANTEE THAT ALL ENCUMBRANCES WHICH MAY AFFECT THIS PROPERTY ARE SHOWN. IN MY OPINION THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA. MAP, COMMUNITY PLANNING AND HAZARD MAP, DATED SEPTEMBER 18, 1991.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSE PRECISION OF ONE FOOT IN A 100 FEET MEASUREMENT. THIS PLAT HAS BEEN CALIBRATED FOR THE CLOSEST AND MOST ACCURATE REPRESENTATION OF THE LAND PLATTO AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

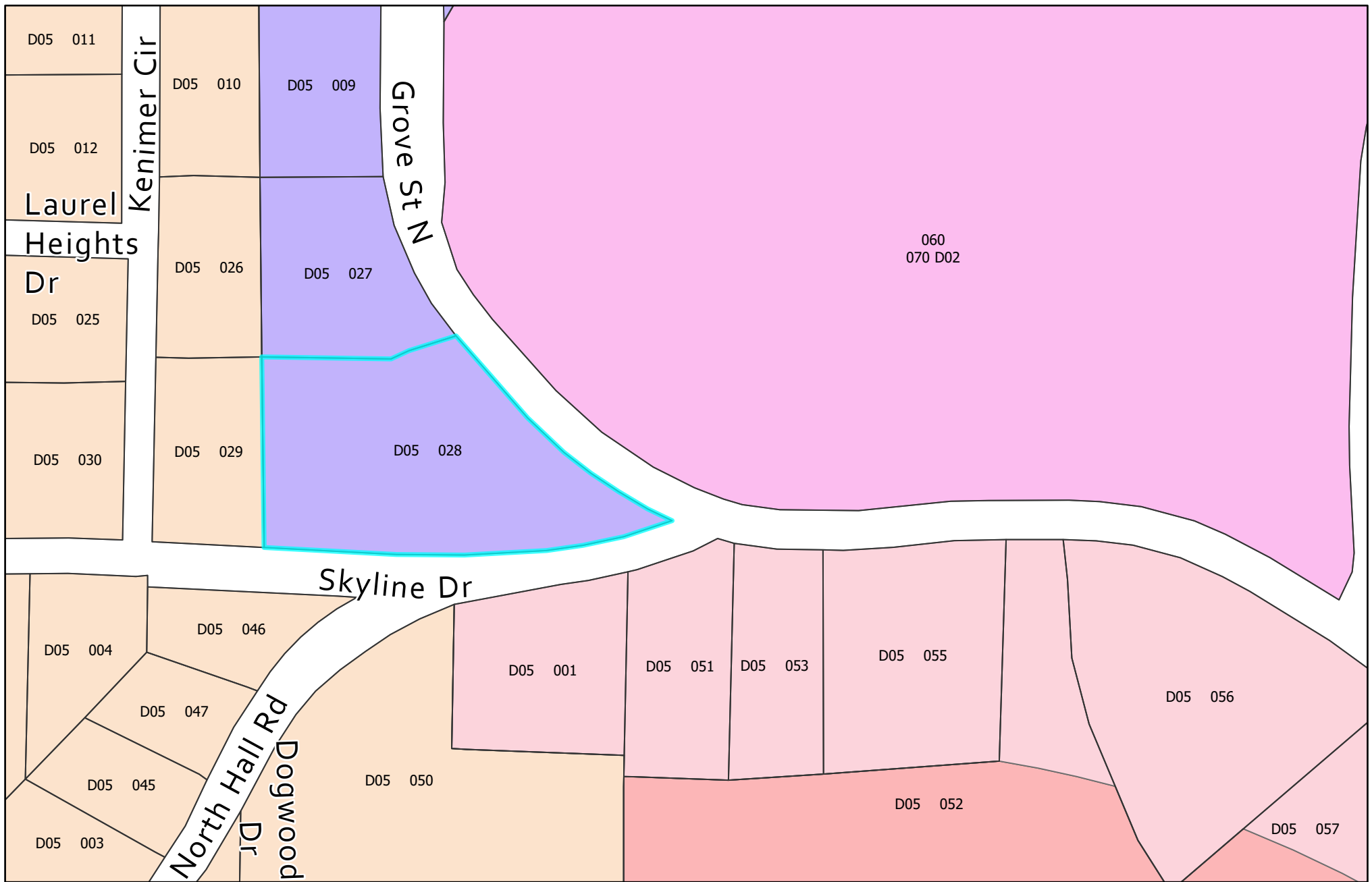
**LEGEND:**  
LL = LAND LOT  
LPS = LAND PLANNING & SURVEYING  
C/L = CENTER LINE  
R/W = RIGHT OF WAY  
U/P = UTILITY POLE  
N/P = NEW OR FORMERLY

**REFERENCE PLAT**  
PLAT OF SURVEY FOR MARK B. FRY  
DATED OCTOBER 19, 1992 BY  
GEOIMAGE SURVEYING, INC.

*Handwritten notes:*  
11/11/01  
City Attorney







0 100 200 400 Feet



### Dahlonge Character Areas

- College
- Gateway Corridors
- Industrial
- Mixed Use Residential
- Office/Institutional
- Park/Recreation/Conservation
- Public Square
- Residential
- Village Corridor



## STAFF REPORT

### REZN 21-6

|                                |   |
|--------------------------------|---|
| Applicant:                     | Don and Chris Head                            |
| Owner:                         | Don and Chris Head                            |
| Location:                      | 61 Skyline Drive (D 05-028)                   |
| Acreage:                       | +/- 1.19 Acres                                |
| Current Zoning Classification: | R-1   |
| Current Use of Property:       | Residential                                   |
| Proposed Land Use:             | B-1 Neighborhood Business District            |
| City Services:                 | All city services are available at this site. |

#### **Applicant Proposal**

The applicant intends to use the existing structure as an office.

#### **History and Surrounding Uses**

This property currently has a 1900 square foot single-family home built in in 1941. There have been no previous zoning actions taken that were found to be associated with this property.

This property is not directly adjacent to anything zoned other than R-1. However, the school is directly adjacent across Grove Street North, and the property across Skyline Drive is zoned R-2.

#### **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 proposal appears to be suitable for this corridor.



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

The application indicates converting the existing structure into an office, and this should have little adverse effect on adjacent properties' existing use or usability.

**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 proposal should not cause a significant burden.

**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 Gateway Corridor. The following are encouraged distinctions of this area.

- Regional to sub-regional scale industrial, retail, office, or institutional uses
- Rural/ Mountain themed design elements preferred, such as steeply pitched roofs with deep (1' or greater) overhangs, wood or masonry siding
- Careful evaluation of ridge-top sites offering possible mountain views above tree line
- Landscaping and decorative elements encouraged
- Sited along 2-3 lane arterials
- Concentrated at nodal intersections or key stretches
- Development encouraged be compatible with design guidelines
- Preservation of existing structures where possible, or context-sensitive infill development
- Landscaping and decorative elements encouraged
- Mixed-use structures or a variety of residential, commercial, and institutional uses

**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.**

The location of this property supports the approval of this request. It is located along a significant arterial road and in a transitional point between commercial and residential.





### **Staff Analysis**

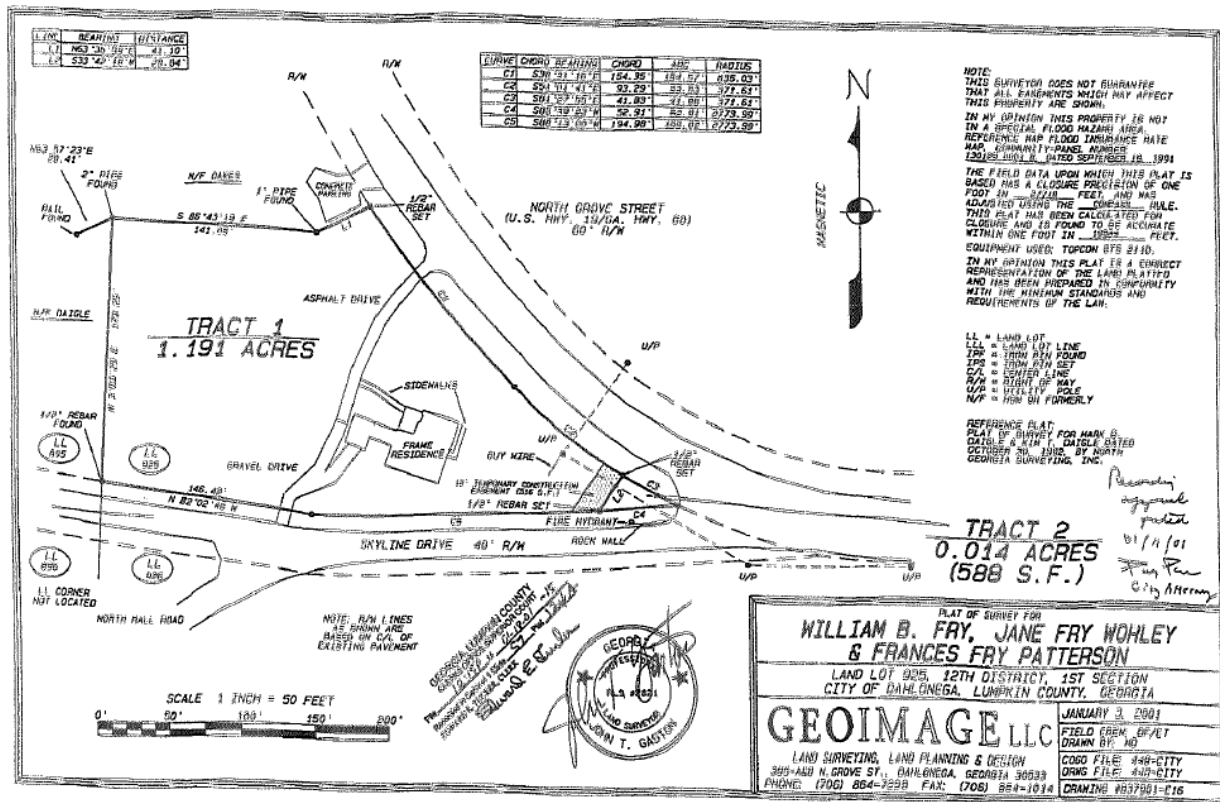
Converting the property's existing use to an office/business would have minimal impact on the surrounding area. It would comply with the Gateway Corridor character area of Dahlonega's comprehensive plan.

#### **B-1 Neighborhood Business**

Section 1401- "The Neighborhood Business District is intended to provide areas for limited small-scale commercial uses of a convenient nature serving nearby residential neighborhoods as opposed to a regional market. The district is not intended to accommodate automotive or other types of more intensive commercial activities that are of such magnitude or type that would result in the generation of excessive traffic, noise, odors, pollution, safety hazards, or other adverse impacts which would detract from the desirability of adjacent properties for residential use. In general, the neighborhood business district includes offices and retail and service establishments but excludes those highway-oriented uses which involve use of chemicals and outside sales, storage or display."

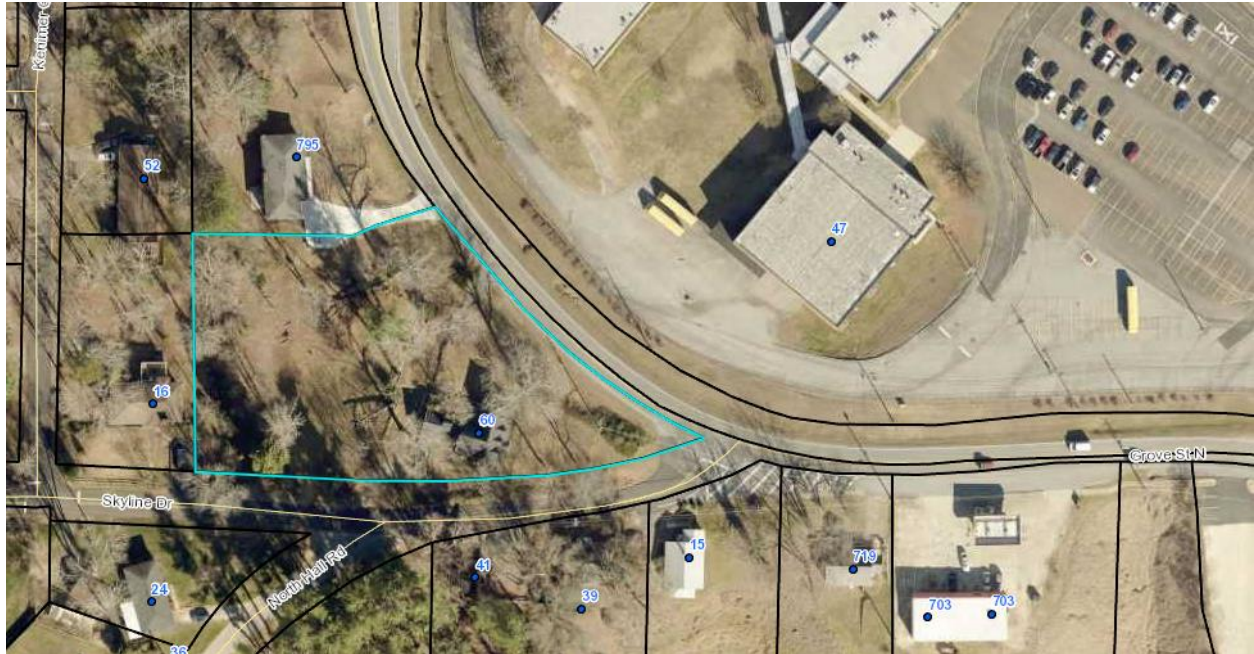


Site Plan:





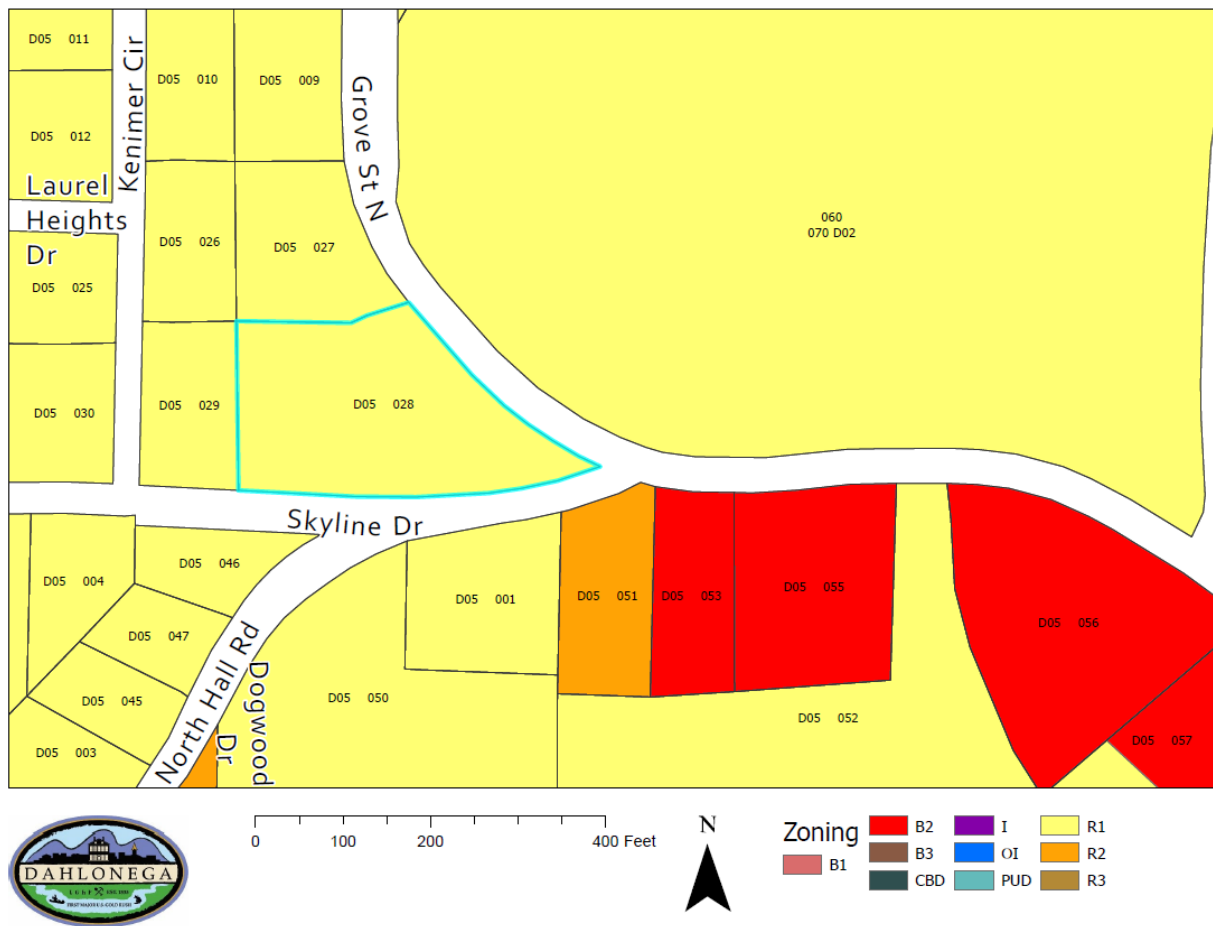
Aerial:





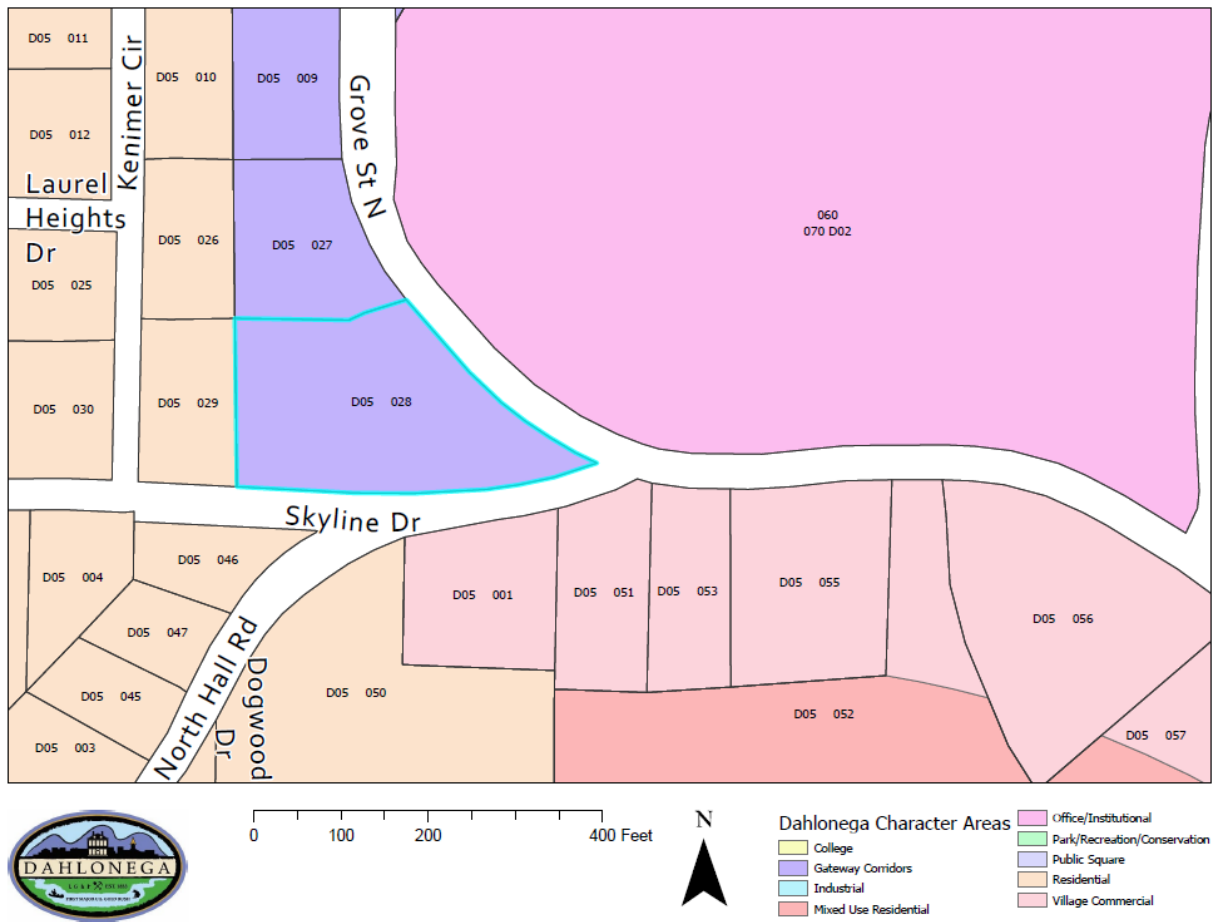


Current Zoning:





# Comprehensive Plan:





Staff Recommended Motion:

Motion/Recommendation to approve REZN 21-6 to utilize the existing structure for office or business use.

Planning Commission Recommendation

Commissioner Carroll made a motion to approve REZN 21-6 to utilize the existing structure for office or business use

Second by Commissioner Westmoreland

Motion passed Unanimously