



CITY OF DAHLONEGA

PLANNING COMMISSION AGENDA

TUESDAY, OCTOBER 03, 2023 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 Allison Martin at amartin@dahlonega.gov or (706) 482-2706.

Vision – Dahlonega will be the most welcoming, thriving, and inspiring community in North Georgia

Mission Statement - Dahlonega, a City of Excellence, will provide quality services through ethical leadership and fiscal stability, in full partnership with the people who choose to live, work, and visit. Through this commitment, we respect and uphold our rural Appalachian setting to honor our thriving community of historical significance, academic excellence, and military renown.

Call to Order

Pledge of Allegiance

Approval of Minutes:

1. Planning Commission Meeting Minutes - August 1, 2023
Miki Mullis, Administrative Assistant

NEW BUSINESS

Zoning Cases:

2. BZA 23-3 Fuerstenberg
Allison Martin, City Manager
3. REZN 23-4 Mikell
Allison Martin, City Manager

Conditional Uses:

INFORMATION & TRAINING

Adjournment



CITY OF DAHLONEGA

PLANNING COMMISSION MINUTES

TUESDAY, AUGUST 01, 2023 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 Allison Martin at amartin@dahlonega.gov or (706) 482-2706.

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

Call to Order

Chairman Conaway called the meeting to order at 6:00 p.m.

PRESENT

Chairman Robert Conaway
Commission Member Michael Feagin
Commission Member James Guy
Commission Member James Spivey
Commission Member James Carroll

ABSENT

Commission Member Joyce Westmoreland

Pledge of Allegiance

Chairman Conaway led the pledge of allegiance.

Approval of Minutes:

1. Meeting Minutes - Planning Commission Meeting June 7, 2023
Miki Mullis, Administrative Assistant
Chairman Conaway requested a motion to approve the Planning Commission Meeting Minutes of June 7, 2023.
Motion made by Commission Member Feagin, Seconded by Commission Member Carroll.
Voting Yea: Commission Member Feagin, Commission Member Guy, Commission Member Spivey, Commission Member Carroll

OLD BUSINESS

2. REZN 23-2: Squaretail, LLC - Alicia Lane (062A 075)
Presented by: Allison Martin, City Manager
Attorney Ethan Underwood spoke on behalf of the applicant, JR Johnson, requesting to defer this rezoning request until the next planning meeting on 9/6/2023. Chairman Conaway opened the floor to the Public; no comments

were had.

Chairman Conaway requested a motion to defer the REZN 23-2 rezoning request.

Motion made by Commission Member Guy, Seconded by Commission Member Feagin.

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

3. Zoning Map Amendment - (Parcel No. D11-033)

Allison Martin, City Manager

City Manager Martin informed the Commission that the zoning map amendment request did not meet the City of Dahlonega's comprehensive plan for short-term rentals.

The floor is opened to the Applicant by Chairman Conaway

Attorney Joney Hamans spoke on behalf of applicants Chelsea & Scott Mikell

Dr. Scott Mikell, the Applicant, explained the family's reasons for the zoning amendment.

The floor is open to the Public by Chairman Conaway:

Tom Gordineer spoke in favor of passing the zoning amendment

Chairman Conaway requests a motion on this zoning map amendment for Parcel No D11-033.

Motion made by Commission Member Feagin, Seconded by Commission Member Spivey.

Voting Yea: Commission Member Feagin, Commission Member Spivey, Commission Member Carroll

Voting Nay: Commission Member Guy

Rezoning Amendment Request Denied

Commission Member Feagin explained to the Applicant/Attorney the process for a Board of Zoning Appeals.

NEW BUSINESS

Adjournment

Chairman Conaway called for a motion to adjourn the meeting.

Motion made by Commission Member Feagin, Seconded by Commission Member Guy.

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



STAFF REPORT

BZA 23-3

Applicant: Patrick and Samantha Fuerstenberg
Owner: Patrick and Samantha Fuerstenberg
Location: 151 Skyline Drive (Tax Parcel D05 043)
Acreage: +/- 0.677 Acres
Current Zoning Classification: R-1: Single-Family Residential District
Requested Variance: Left side yard from 15 feet to 3 feet
Current Use of Property: Developed / Single-family residence
Proposed Land Use: Developed / Single-family residence with attached garage
City Services: The property is in the Dahlonega Water Service Area

Applicant Proposal

The applicants are requesting a left side yard setback variance on a 0.577± acre (29,490 square feet) parcel located on Skyline Drive (Tax Parcel D05 043). The applicants are requesting a reduction in the required 15-foot side yard setback to 3 feet for the purpose of constructing an attached garage.

The Letter of Intent submitted by the applicants states that the purpose of the request is to replace an existing open-sided carport, which was placed on the property by a previous owner. The site plan shows proposed garage located in the approximately same location as the existing carport, which encroaches into the side yard setback. The garage is located to the rear of the residence and is connected via a small breezeway.

History and Surrounding Uses

The subject property is zoned R-1: Single-Family Residential District. It is lot 5 of the H.H. Lancaster Subdivision, recorded in Plat Book 76, Page 119B of the Lumpkin County Records. The property tax records show that the property has been in the ownership of the current property owners since April 26, 2019. It is developed with a 1,433 square foot residence, constructed in 1949, and a shed.



North: Directly north of the subject property, across Skyline Drive, are other R-1: Single-Family Residential District zoned parcels.

South: The parcels directly south of the subject property are also zoned R-1: Single-Family Residential District.

East and West: To the east and west of the subject parcel are other parcel zoned R-1: Single-Family Residential District parcel and developed with single-family residences.

Staff Analysis

The applicants are requesting a reduction in the required 15-foot side yard setback to 3 feet for the purpose of constructing an attached garage.

The below table summarizes the zoning standards of the R-1: Single-Family Residential and the proposal:

Lot Dimensions	Current: R-1: Single-Family Residential	Subject Property
Minimum Lot Area	30,000 sq. ft.	29,490 sq. ft.*
Minimum Lot Width	100 ft.	103.38 ft.
Minimum Floor Area	1,200 sq. ft.	1,433 sq. ft.
Maximum Density	1.5 du/a	NA
Front Setback (Arterial Streets)	60 ft.	NA
Front Setback (Other Streets)	35 ft.	90± ft,
Side Setback (Right)	15 ft.	17.4 ft. (Residence)
Side Setback (Left)	15 ft.	33± ft. (Residence)
<i>Side Setback (Left, proposed)</i>	<i>15 ft.</i>	<i>3 ft. (Proposed Garage)</i>
Rear Setback	15 ft.	155± ft.
Accessory Structure Setback (detached)	5 ft.	0 ft. (Shed – encroaches 1.3 ft. into adjacent parcel)
*Per Sec. 502, non-conforming lots of record, the subject parcel qualifies as a lot of record, having been recorded Plat Book 76, Page 119B of the Lumpkin County Records.		

The subject property is developed with a 1,433 square foot single-family residence, constructed in 1949 per the Lumpkin County Tax Assessors records. The property falls below the minimum lot size requirement of the R-1 district and as a result is considered a non-conforming lot a record. Sec. 301 defines a lot of record as “a lot which is part of a subdivision, a plat of which has been recorded in the records of the County Superior Court Clerk; or a parcel of land, the deed of which has been recorded in the same office as of November 6, 1979.” A survey of the subject property was approved for recording as a lot of record by the City of Dahlonega and subsequently recorded with the Lumpkin County Clerk of Court on August 29, 2002, in Cabinet 1, Slide 76, Page 119B.



Per Sec. 502, non-conforming lots of record, a single-family dwelling and customary accessory buildings may be erected on a lot of record which fails to meet the district requirements for area or width, providing the yard dimensions conform. The proposed garage addition is 3 feet from the left side property line, which does not conform to the yard dimensions for the R-1 district, resulting in the current request.

Sec. 711. - Accessory buildings and uses.

Accessory buildings and uses shall be permitted only in side or rear yards, except as otherwise provided by these regulations. Accessory buildings, structures and uses shall be permitted only if they meet the following:

<u>Standard</u>	<u>Compliance?</u>	<u>Notes</u>
Sec. 711(1) – No accessory building shall be erected on a lot prior to the time of construction of the principal building to which it is accessory	Compliant	The property is developed with a single-family residence constructed in 1949.
Sec. 711(2) – Only two (2) accessory buildings shall be permitted on a residential lot.	Compliant	The property contains a non-compliant shed (encroaches 1.3 feet into the adjoining property). The proposed garage appears to be attached to the residence via a breezeway, making it part of the primary structure.
Sec. 711(3) – Accessory buildings and uses shall be setback a minimum of five (5) feet from any lot line.	NA to current request.	Note: the existing shed is deficient to this standard.
Sec. 711(4) – Where an accessory building or structure is structurally attached to a principal building, it shall be subject to and must conform to all regulations applicable to the principal building.	Deficient	The proposed garage is 3 feet from the left side property line, requiring a 12 foot reduction in the required setback.
Sec. 711(5) – In the case of double frontage lots, accessory buildings and structures shall observe front yard requirements on both streets.	NA to current request.	Not applicable to current request.
Sec. 711(6) – Accessory buildings and structures in residential districts shall not be used for any type of commercial operation, whether permanent, part-time or as part of a home occupation	NA to current request.	Not applicable to current request.
Sec. 711(7) – No accessory building or structure on a residential lot shall exceed a height of twenty (20) feet.	Likely	The height of the proposed addition is unknown, but will be confirmed at time of permitting, if approved.
Sec. 711(8) – Detached accessory buildings and structures shall be	NA to current request.	The proposed structure is attached to the primary structure.



located a minimum of ten (10) feet from the principal building on a lot, except for ground-level structures such as patios and walkways.		
Sec. 711(9) - In no instance shall an accessory building exceed the gross ground floor area of the principal building.	Likely	The square footage of the proposed garage is unknown, but it appears to be smaller than that of the primary residence per the submitted site plan.

Article XXIV Sec. 2406. - Variances.

The Board of Zoning Appeals is hereby empowered to authorize upon application in specific cases such variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will in an individual case, result in unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done. The existence of a non-conforming use of neighboring land, buildings or structures in the same zoning district or of permitted or non-conforming uses in other districts shall not constitute a reason for the requested variance. A variance may be granted in an individual case of unnecessary hardship, after appropriate application in accordance with Article XXVI, upon specific findings that all of the following conditions exist. The absence of any one (1) of the conditions shall be grounds for denial of the application for variance.

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other land or structures in the same district; and**

The need for a variance is the result of the current property and proposed development. More specifically, the location of the residence, driveway, and carport have led to the request for the variance, not the size, shape, or topography of the land.

2. **A literal interpretation of the provisions of these zoning regulations would create an unnecessary hardship and would deprive the applicant of rights commonly enjoyed by other property owners within the district in which the property is located; and**

The application of the setback requirement will not create an unnecessary hardship for the applicant. The applicant's current residence has a 1 car garage and it is likely that the size of the garage can be reduced so not to encroach into the setback or relocated to another place on the property.



3. **Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located; and**

The applicants would be permitted to construct a structure within the side yard setback, which other R-1 zoned properties are not allowed to do by-right.

4. **Relief, if granted, will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or general welfare in such a manner as will interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonable affect their value; and**

If granted, the relief would be consistent with the intent of the regulations and the proposed structure would not be injurious to the neighborhood or general welfare of the adjacent land.

5. **The special circumstances are not the result of the actions of the applicant; and**

The variance is needed to accommodate the proposed site plan, as submitted by the applicants.

6. **The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure; and**

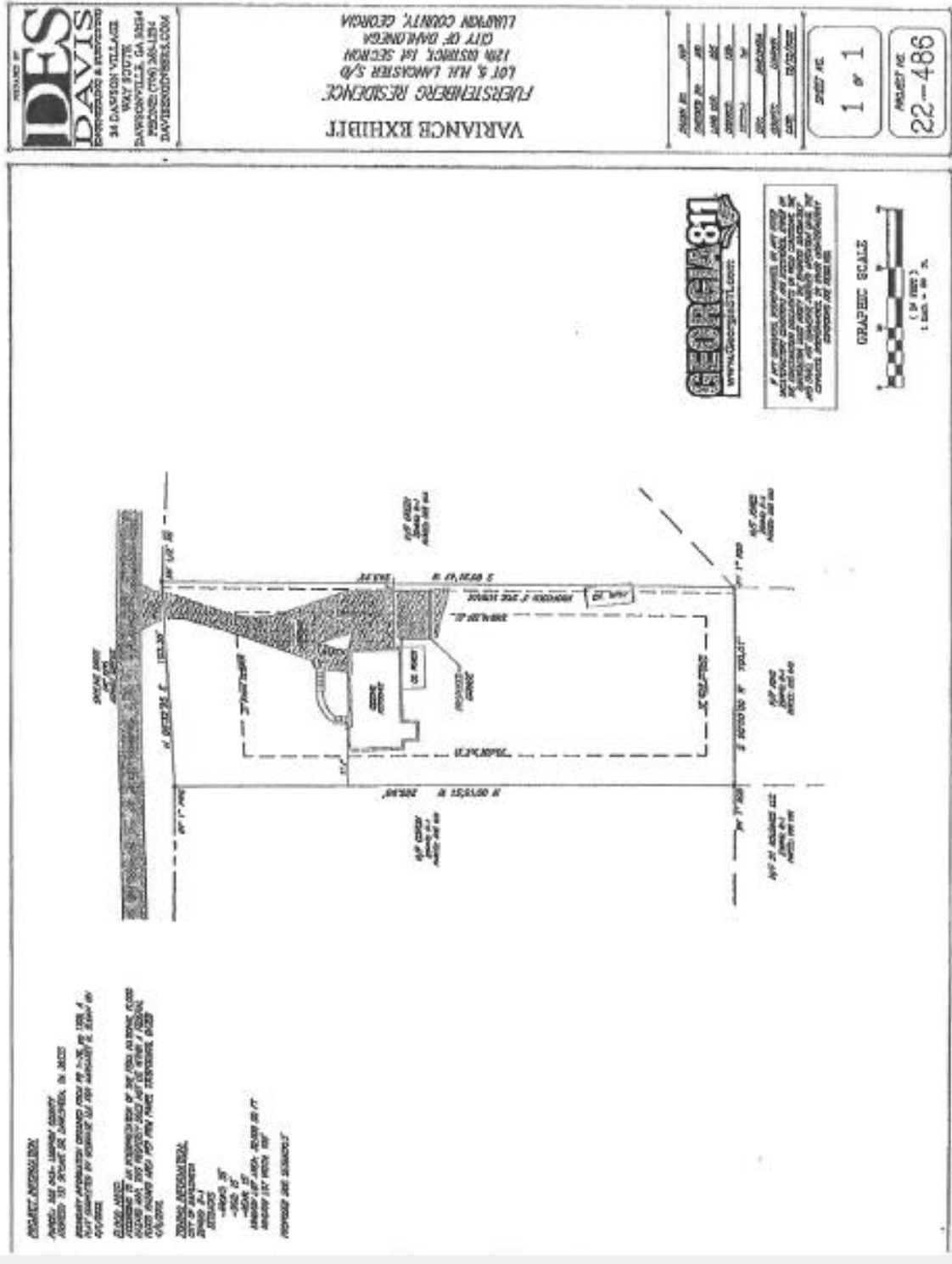
The requested variance is the minimum variance needed to make possible the legal use of the land as proposed.

7. **The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.**

The variance is not a request to permit a use of a building that is not already permitted by right in the R-1 district. The proposed accessory structure is an attached garage with a finished second level. The plans for the second story are unknown, but it should be noted within the R-1 district only a single residence is permitted. If the second story is intended to contain a bedroom, it cannot be rented or otherwise occupied as a second residence on the property.



Site Plan:





Subject Property Images (Pictures from the Lumpkin County Tax Assessor):





Aerial:

Results:

Parcel ID - D05 043
 Real Key / Acct - 8495
 Address - 151 SKYLINE DRIVE
 Owner - FUERSTENBERG PATRICK & SAMANTHA
 Acres - 0.68
[View Report](#) | [Distometry](#)
[Imagery](#) | [Apply for Permit](#) | [Google Maps](#)

Parcel ID: D05 043
 Real Key / Acct: 8495
 Class Code: Residential
 Taxing District: Dahlonega
 Acres: 0.68
 (Note: Not to be used on legal documents)

Owner: FUERSTENBERG PATRICK & SAMANTHA
 Physical Address: 151 SKYLINE DRIVE
 Assessed Value: \$239235

Last 2 Sales	Price	Reason	Qual
Date			
4/26/2019	\$185000	FM	Q
7/6/2015	\$144000	FM	Q

2348637.73, 1651911.85

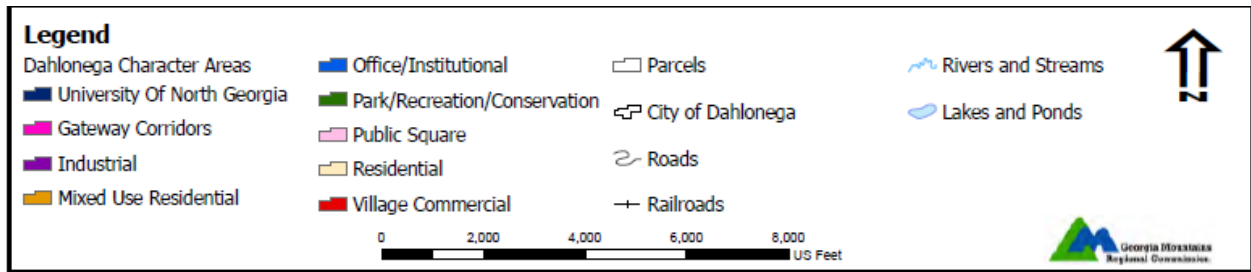
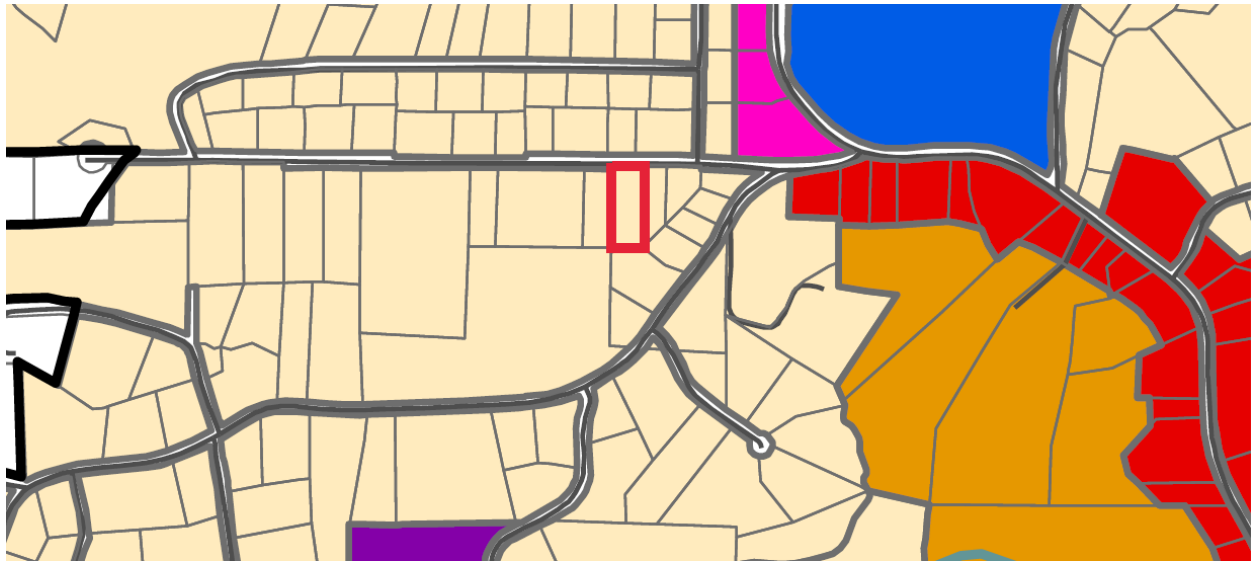


Current Zoning:





Comprehensive Plan:





Staff Recommended Motion:

Per the requirements of Sec. 2610. - Recommendation by zoning administrative officer, Staff recommends disapproval of application BZA 23-3, request to reduce the left side yard setback from 15 feet to 3 feet based on the finding that no hardship exists pursuant to the criteria of Sec. 2406.



STAFF REPORT

REZN 23-4

Applicant:	Scott Mikell
Owner:	Chelsea Mikell
Location:	115 N. Meaders Street (Tax Parcel D11 033)
Acreage:	+/- 0.261 Acres
Current Zoning Classification:	R-1 (V): Single-Family Residential District
Requested Zoning Classification:	R-3: Multiple-Family Residential District
Current Use of Property:	Developed / Single-family residence
Proposed Land Use:	Developed / Single-family residence & short-term rental
City Services:	The property is in the Dahlonega Water Service Area

Applicant Proposal

The applicant is requesting to rezone a 0.261± acre (11,369 square feet) property on Meaders Street (Tax Parcel D11 033) from R-1: Single-Family Residential District, with conditions, to R-3: Multiple-Family Residential District for the purpose of utilizing the existing single-family residence as a personal vacation home and short-term rental property. Within the R-1 zoning district, short-term rentals, as defined in Article VIII (Short-Term Rentals) are not a permitted use, resulting in this rezoning request.

In Sec. 802 of Article VIII – Short-Term Rentals, the regulations applicable to short-term rentals outline the requirements to operate a short-term rental on a property. Those requirements include standards related to parking, trash, occupancy numbers, life safety standards, and property management.

History and Surrounding Uses

The subject property is zoned R-1: Single-Family Residential District. The property tax records show that the property has been in the ownership of the current property owners since October 25, 2022. Previously, a request for a variance was heard by the Zoning Board of Appeals in 1987 to permit the construction of a second residence on the property. In 1991 the former property owner appeared before the City Council to determine if the



second residence could still be constructed. The minutes from the meeting indicate that it could be constructed if it met city regulations. It is unclear if a second residence was ever constructed. Currently, there is only a single residence on the property.

North: Directly north of the subject property are other R-1: Single-Family Residential District zoned parcels.

South: The property directly south across Hawkings Street is Hancock Park and is zoned CBD: Central Business District.

East: To the east of the subject parcel is a 1.12± acre parcel zoned R-2 (C): Multiple-Family Residential (Conditions) zoned parcel developed with a condominium rental development.

West: Adjacent to the west is a 0.51± acre parcel zoned R-1: Single-Family Residential District parcel developed with single-family residence.

Staff Analysis

The applicant is requesting to rezone the subject property from R-1: Single-Family Residential District to R-3: Multiple-Family Residential District for the purpose of using the existing single-family residence as both a personal vacation rental and a short-term rental.

The below table summarizes the zoning standards of the R-1: Single-Family Residential and R-3: Multiple-Family Residential Districts, and the proposed development:

Lot Dimensions	Current: R-1: Single-Family Residential	Proposed: R-3: Multiple-Family Residential	Subject Property
Minimum Lot Area	30,000 sq. ft.	10,000 sq. ft.*	11,369 sq. ft.
Minimum Lot Width	100 ft.	60 ft.	104.57 ft. (Meaders St.) 109.25 ft. (Hawkings St.)
Minimum Floor Area	1,200 sq. ft.	700 sq. ft.	1,184 sq. ft.
Maximum Density	1.5 du/a	8.0 du/a (multi-family)	NA
Front Setback (Arterial Streets)	60 ft.	60 ft.	NA
Front Setback (Other Streets)	35 ft.	35 ft.	34.1 ft. (Meaders St.) 43.0 ft. (Hawkings St.)
Side Setback	15 ft.	10 ft.	18.5 ft. (Residence)
Rear Setback	15 ft.	10 ft.	24.6 ft.
Accessory Structure Setback	5 ft.	5 ft.	13.5 ft. (Shed)
** 20,000 square feet is required for a two-family dwelling (duplex).			

The subject property is developed with a 1,184 square foot single-family residence, constructed in 1885 per the Lumpkin County Tax Assessors records. The property falls



below the minimum lot size requirement of the R-1 district and as a result is considered a non-conforming lot a record. Sec. 301 defines a lot of record as “a lot which is part of a subdivision, a plat of which has been recorded in the records of the County Superior Court Clerk; or a parcel of land, the deed of which has been recorded in the same office as of November 6, 1979.” A survey of the subject property was approved for recording as a lot of record by the City of Dahlonega and subsequently recorded with the Lumpkin County Clerk of Court on August 4, 2014.

Finally, Sec. 702. – Minimum requirements states “within each district, the regulations set forth shall be minimum requirements and shall apply uniformly to each class or kind of building, structure or land.”

The request to rezone the subject property (11,369 square feet) from R-1: Single-Family Residential District to R-3: Multiple-Family Residential District meets the minimum lot size requirement of the R-3 district (10,000 square feet) and is consistent with the requirements of Sec. 702.

Sec. 802. - Regulations applicable to short-term rentals.

- a. In addition to the licensing requirements and other requirements set forth herein, the following regulations apply to Short-Term Rentals:

<u>Standard</u>	<u>Compliance?</u>	<u>Notes</u>
Sec. 802(a)(I) - Inspection	At time of licensing	A code compliance verification form must be signed by the owner stating that the property complies with or exceeds current zoning, building, health and life safety code standards
Sec. 802(a)(II) - Parking (1 space per bedroom)	Unknown	The number of bedrooms within the residence is unknown and as a result compliance cannot be determined. It is likely that there is sufficient parking, as there is a paved driveway which appears to be able to accommodate at least 2 vehicles.
Sec. 802(a)(III) - Trash	Unknown	The submitted application does not discuss how trash will be managed.
Sec. 802(a)(IV) - Demarcation of Boundaries	Likely Deficient	The applicant will need to have the property boundaries marked per this code requirement prior to the issuance of any licenses related to the short-term rental license.
Sec. 802(a)(V) - Number of Occupants	Unknown	The number of occupants shall be limited to (four) 4 per bedroom. The maximum number of occupants cannot be determined without more information
Sec. 802(a)(VI) - Fire Extinguishers	Unknown	It is unknown if there are fire extinguishers located within the residence.



Sec. 802(a)(VII) - Smoke Detectors and Carbon Monoxide Detectors	Unknown	It is unknown if there are smoke detectors and carbon monoxide detectors located within the residence.
Sec. 802(a)(VIII)	Unknown	It is unknown who the local property manager will be.

Article XXVI Section 2607 - Criteria to consider for map amendments (rezonings).

In exercising the zoning powers granted to the Mayor and City Council by State Law, the City Council shall apply the following standards in making zoning decisions, weighing each standard to the extent appropriate or relevant to each zoning decision. The standards are analyzed below.

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 subject property is a corner lot and across the right-of-way is bordered by a condominium development to the east and a city park to the south. Otherwise the subject property is in a single-family residential district. The Single-Family Residential District is intended to establish and preserve quiet, stable single-family residential neighborhoods at low densities (up to approximately one and one-half units per acre) free from other uses except those which are compatible with and convenient to the residents of such a district. Rezoning the property to permit a short-term rental could have an impact on the adjacent single-family residential uses. While like the residential occupancy of a single-family residence, the short-term nature of vacation rentals may have an impact on the adjacent single-family residential uses.

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

The R-3, Multiple-Family Residential District is intended to provide suitable land for a variety of dwelling types at medium to high densities (up to eight units per acre) in areas served by public water and sanitary sewer. Rezoning the property to R-3 for the purpose of permitting a short-term rental could have an impact on the adjacent R-1, single-family residential properties if the property were to be redeveloped in the future.

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.

The proposed development is unlikely to result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools so long as it is rented in accordance with Sec. 802



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 the Comprehensive Plan as Public Square. The land use and development strategy for the core area and South Chestatee corridor heavily focus on preservation of eligible properties with physical upgrades to market expectations; and small-scale (two- to three-story maximum above street grade) new infill construction on suitable sites with historically compatible designs. Primary focus for renovation and redevelopment should be on East and West Main, and South Chestatee near Arcadia Street, Ash Avenue, and Maple Street.

The following are encouraged development standards of this area:

- 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

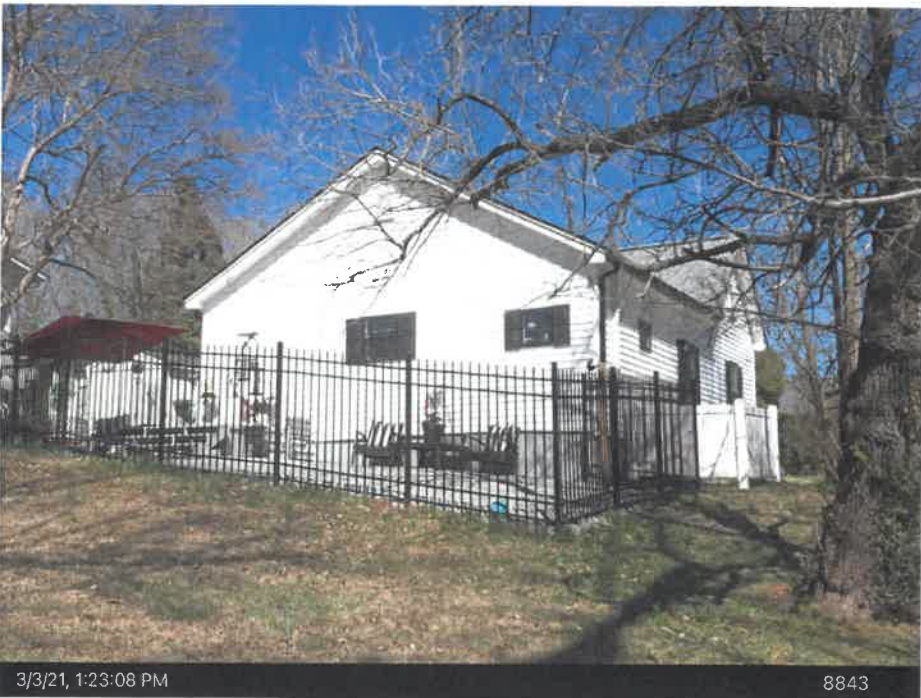
The current proposal can be interpreted as in-line with the goals of the character area though careful thought should be given to whether the introduction of short-term rental properties in the R-1 district could change the character of the neighborhood.

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 are no known existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.



Subject Property Images (Pictures from the Lumpkin County Tax Assessor):





Aerial:

Results:

Parcel ID - D11033
 Real Key / Acct - 8843
 Address - 115 MEADERS STREET NORTH
 Owner - MIKELL CHELSEA J & SCOTT L
 Acres - 0.25

[View: Basemap](#) | [Pictureometry](#)
[Satellite](#) | [Aerial](#) | [Color](#) | [Thematic](#) | [Copies](#)

Last 2 Sales	Price	Reason	Qual
Date	\$434000	FF	U
10/25/2022	\$150000	FM	Q
8/1/2014			

Parcel ID D11033
 Real Key / Acct 8843
 Class Code Residential
 Taxing District Dahlonega
 Acres 0.25

(Note: Not to be used on legal documents)

Owner MIKELL CHELSEA J & SCOTT L
 115 MEADERS STREET NORTH
 DAHLONEGA, GA 30533

Physical Address 115 MEADERS STREET NORTH
 Assessed Value \$262341

Parcel ID D11033
 Real Key / Acct 8843
 Class Code Residential
 Taxing District Dahlonega
 Acres 0.25

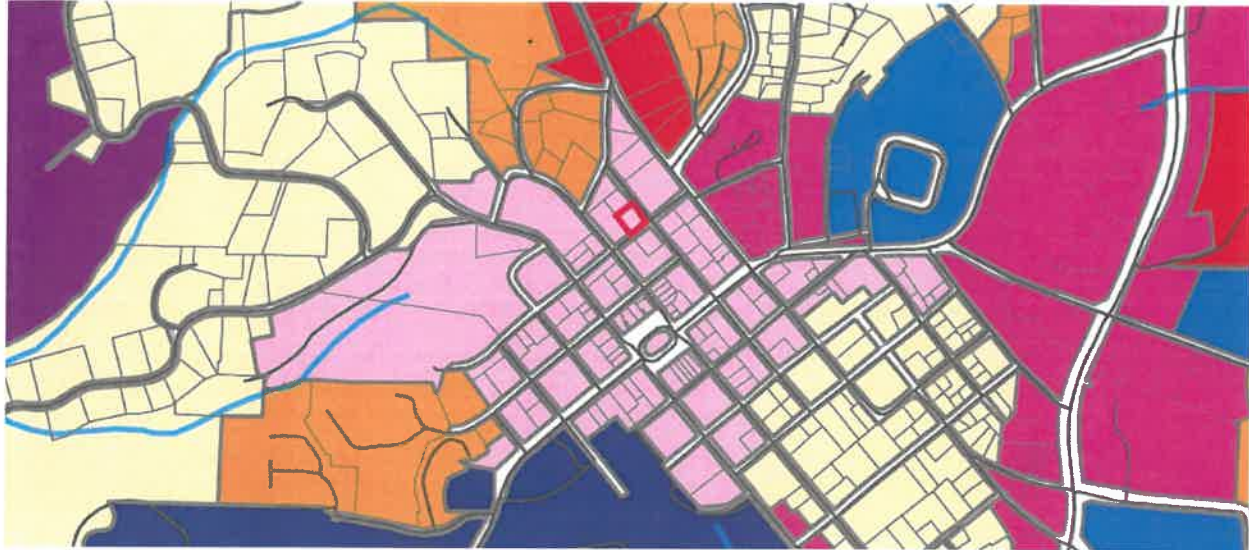


Current Zoning:





Comprehensive Plan:



Legend			
Dahlonega Character Areas	Office/Institutional	Parcels	Rivers and Streams
University Of North Georgia	Park/Recreation/Conservation	City of Dahlonega	Lakes and Ponds
Gateway Corridors	Public Square	Roads	
Industrial	Residential	Railroads	
Mixed Use Residential	Village Commercial		



Staff Comments:

Staff finds application REZN 23-4 meets the minimal dimensional requirements of the R-3: Multiple-Family Residential District but feels that careful consideration should be given as to whether the introduction of an isolated R-3: Multiple-Family Residential District in an established R-1: Single-Family Residential District neighborhood is consistent with the existing development pattern and whether the short-term rental use is compatible with the adjacent neighborhood. Given that the City must address issues of consistency and compatibility as well as its public policy objectives for short-term rentals in order to review this application the staff does not offer a recommendation.

Should the City find that short-term rental uses are compatible with the neighborhood and consistent with existing development, we recommend that the following conditions based upon your existing regulatory policy be included in any adoption ordinance:

1. The property shall be compliant with the requirements of Article VIII – Short-Term Rentals prior to the issuance of a short-term rental license.
2. The approval of the property as a short-term rental shall be approved for the currently property owners only. At the time the applicants no longer are the property owners, the short-term rental of the property shall cease, and the new property owners shall be required to apply for continuation of the short-term rental use.
3. The use of the property as a short-term rental shall be revoked under the provisions found in Sec. 805 regulation and violation procedures until Article VIII.