



CITY OF DAHLONEGA HISTORIC PRESERVATION COMMITTEE AGENDA

**MONDAY, JANUARY 23, 2023 AT 6:00 PM
CITY HALL - MAYOR MCCULLOUGH COUNCIL
CHAMBER**

In compliance with the Americans with Disabilities Act, those requiring accommodation for the Historic Preservation Commission meetings please contact Jameson Kinley at jkimley@dahlonega.gov or (706) 701-0736.

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

Minutes for Approval:

1. Historic Preservation Committee Minutes - December 14, 2022

NEW BUSINESS

2. Appointment of Chairman

The voting members of the Historic Preservation Commission shall elect a chairman. He/She will have a one-year term, and may serve no more than three consecutive terms. The chairman shall decide the points of order and procedure, subject to the rules, unless directed by the majority of the Commission at that time. The chairman shall appoint committees that are necessary to investigate matters before the Commission. The Chairman shall only vote in the event of a tie.

3. Appointment of Vice-Chairman

A vice-chairman shall be elected by the Commission from among its members in the same matter as the chairman and shall be eligible for reelection. He/she shall serve as acting chairman in the absence of the chairman, and at such times will have the same powers and duties as the chairman.

TRAINING AND INFORMATION

4. 2022 Historic Preservation Commission Recap
Jameson Kinley, Planning and Zoning Administrator
5. Presentation of Rules and Procedures
Jameson Kinley, Planning and Zoning Administrator

Adjournment

The public is invited to attend.



CITY OF DAHLONEGA HISTORIC PRESERVATION COMMITTEE MINUTES

**WEDNESDAY, DECEMBER 14, 2022 AT 6:00 PM
CITY HALL - MAYOR MCCULLOUGH COUNCIL
CHAMBER**

In compliance with the Americans with Disabilities Act, those requiring accommodation for the Historic Preservation Commission meetings please contact Jameson Kinley at jkinley@dahlonega.gov or (706) 701-0736.

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

PRESENT

Commission Member Sharon Thomason
Commission Member Ellen Mirakovits
Commission Member Ivana Pelnar-Zaiko
Commission Member Jim Bergen
Commission Member Janet Barger

ABSENT

Commission Member Doby McCluskey

Minutes for Approval:

1. Historic Preservation Committee Minutes - October 24, 2022

Motion made by Commission Member Pelnar-Zaiko to approve, Seconded by Commission Member Thomason.

Voting Yea: Commission Member Thomason, Commission Member Mirakovits, Commission Member Pelnar-Zaiko, Commission Member Bergen, Commission Member Barger

NEW BUSINESS

COA Cases for Appropriateness:

2. COA 22-4 Downtown Dahlonega

Downtown Dahlonega has applied for a certificate for the painting of the northeastern facing wall at 40 Public Square South Dahlonega, GA 30533 (D11-093).

Applicant spoke to the intention on the request.

Chairman Mirakovits opened public hearing.

No-one to speak in favor or against

Chairman Mirakovits closed public hearing and opened for discussion

Motion made by Commission Member Bergen to approve, Seconded by Commission Member Barger.

Voting Yea: Commission Member Thomason, Commission Member Pelnar-Zaiko, Commission Member Barger, Commission Member Bergen

TRAINING AND INFORMATION

Adjournment

The public is invited to attend.

Motion to adjourn made by Commission Member Bergen, Seconded by Commission Member Pelnar-Zaiko.

Voting Yea: Commission Member Thomason, Commission Member Mirakovits, Commission Member Pelnar-Zaiko, Commission Member Bergen, Commission Member Bergen

RULES OF PROCEDURE
DAHLONEGA HISTORIC PRESERVATION COMMISSION
ADOPTED JULY 8, 1998; AMENDED MARCH 06, 2018

Section I. PURPOSE

To establish general rules and procedures for considering and processing applications for Certificates of Appropriateness within designated historic districts; for conducting Historic Commission meetings; and, for administration within the Historic Preservation Commission.

Section II. GENERAL RULES

The Dahlonega Historic Preservation Commission (the "Commission") shall be governed by the terms of the Dahlonega Historic Preservation Ordinance as contained in the Code of Ordinances of the City of Dahlonega, as it may be amended or revised from time to time.

Section III. JURISDICTION

The jurisdiction for requiring certificates of appropriateness as required by the Dahlonega Historic Preservation Ordinance shall be those historic districts and historic properties designated by the Dahlonega City Council as such from time to time, and as delineated on the official zoning map on file in the Community Development Department for the City of Dahlonega.

Section IV. MEMBERS, OFFICERS, AND DUTIES

A. General. The Commission shall be composed of seven members, the majority of whom shall have demonstrated special interest, experience, or education in history, architecture, or other design related professions.

B. Chairman. The voting members of the Historic Preservation Commission shall elect a chairman. He/She will have a one-year term, and may serve no more than three consecutive terms. The chairman shall decide the points of order and procedure, subject to the rules, unless directed by the majority of the Commission at that time. The chairman shall appoint committees that are necessary to investigate matters before the Commission. The Chairman shall only vote in the event of a tie.

C. Vice-Chairman. A vice-chairman shall be elected by the Commission from among its members in the same matter as the chairman and shall be eligible for reelection. He/she shall serve as acting chairman in the absence of the chairman, and at such times will have the same powers and duties as the chairman.

D. Secretary. A member of the Community Development Department, or another employee designated by the Mayor, shall serve as secretary to the Commission. Under the Chairman's direction,

the secretary shall keep all records, conduct all correspondence, and generally supervise the clerical work of the Commission. The secretary shall not be eligible to vote.

E. Elections. Terms for officers begin in January. Members shall receive a written notification of the election of officers at least (30) days prior to the regular January meeting.

F. Terms of Appointments. Terms of appointments shall be three years from the date of appointments.

G. Meeting Attendance. Should a member fail to attend three consecutive meetings of the Commission with no adequate excuse, the chairman, with the concurrence of the majority of the entire Commission, shall recommend a vacancy and request that the vacancy position be filled by the City Council.

H. Applications Involving Members. No Commission member shall take part in the hearing, consideration, or determination of any matter before the Commission in which he/she has a personal or financial interest.

I. Incorporation of New Commissioners. When a new Commissioner is appointed, the following actions shall be taken:

1. Within a week of an appointment, the Secretary shall provide a new Commissioner with copies of:

- i. the Historic Preservation Ordinance,
- ii. the Dahlonega Historic District Design Guidelines,
- iii. the Dahlonega Historic Preservation Commission Rules of Procedure,
- iv. the Georgia Historic Preservation Act.

2. Within a month of an appointment, the Chairman shall appoint a subcommittee which shall be selected from the current Commissioners, previous Commissioners, the city Attorney and the Commission Secretary. The subcommittee shall meet with the new Commissioner to review:

- vi. the Commissioner's duties,
- vii. responsibilities of the Historic Commission,
- viii. the Rules of Procedure,
- ix. and the procedure for the processing, review and evaluation of an application for a Certificate of Appropriateness.

Section V. MEETINGS

A. Regular Commission meetings shall be on the fourth Monday of each month at 6:00 pm at the Dahlonega City Hall; the meetings may be held in another place of convenience if directed by the Chairman in advance of the meeting and such change in venue is posted in accordance with the Georgia Open Meetings Act.

B. Special Meetings. The chairman may call Special Commission Meetings at any time. At least twenty-four (24) hours notice of the time and place of special meetings shall be given, by the secretary or the chairman, to each member of the Commission and notice of such meeting shall be posted in accordance with the Georgia Open Meetings Act

C. Cancellation of Meetings. Whenever there is no business, the chairman may cancel a meeting with twenty-four (24) advance notice to each member of the Commission.

D. Quorum. A quorum shall consist of a majority of the voting members of the Commission.

E. Conduct of Meetings. All meetings are open to the public.

F. Review Criteria. When reviewing an application for a certificate of appropriateness (COA), the Commission shall take into account maps and other available data showing the historic and architectural significance of the subject property or structure and nearby structures that would potentially be affected. The Secretary of the Interior Guidelines will be used in all rehabilitation projects. In its review the Commission shall consider the recommendations and applicability of any design guidelines that the Commission may have adopted and take into account the following elements as the Commission may deem appropriate to ensure that the exterior form and appearance of the structure is consistent with the historical or visual character of the District:

1. The height of the building in relation to the average height of the nearest and adjacent and opposite buildings.
2. The setback and placement on the lot of the building in relation to the average setback and placement of the surrounding buildings.
3. Exterior construction materials, including textures and patterns but not to include color.
4. Architectural detailing, such as lintels, cornices, brick bond, and foundation materials.
5. Roof shapes, forms and materials.
6. Proportions, shapes, positioning and locations, patterns and sizes of any elements of fenestration.
7. General form and proportions of buildings and structures.
8. Appurtenant fixtures and other features such as lighting.
9. Structural condition and soundness.

The Commission may designate more explicit design criteria as it deems necessary

G. Consideration of COA Applications. Any party may appear in person or by agent or attorney at the meeting. The order of business for consideration of applications for COAs shall be as follows:

1. The chairman or another directed person shall give a preliminary statement summarizing the application;
2. The applicant shall present arguments in support of his/her application;
3. Other persons in support of the application shall be allowed to speak;
4. Persons opposed to granting the application shall present their arguments;
5. Statements or arguments submitted by any official, commission, state agency, preservation association, etc shall be presented as directed by the chairman;
6. The chairman, or another directed person, shall summarize the evidence which has been presented, giving all parties the opportunity to make objections or corrections;
7. The Commission shall thereafter deliberate whether to deny, approve, approve with modifications the Commission deems necessary, or table the application;
8. Testimony shall be sworn unless all parties agree to waive the oath;
9. Procedures may be modified by concurrence of all parties and the Commission itself. The Commission, with discretion, can view the premises and obtain additional facts concerning any application before arriving at a decision. All decisions shall be supported by appropriate findings of fact, and any objections may be supported with recommendations that are supported within the ordinance.
10. Tabled applications shall be scheduled for consideration at the next regularly scheduled public hearing, at which time the application must be denied, approved or approved with modifications the Commission deems necessary. No further public notice regarding the application shall be required, and no further public comment is required to be, but may be, allowed by the Commission.

H. Vote. The vote of a majority of those members present shall be sufficient to decide matters before the Commission, if a quorum is present. The Chairman shall only vote in the event of a tie.

Section VI. APPLICATION PROCEDURES

A. An application for a COA must be filed with the Secretary to the Commission thirty (30) calendar days prior to the Commission meeting at which the request will be considered, accompanied by all relevant details of the proposed project. Applications transmitted to the Commission's Secretary earlier than the thirty (30) day deadline shall be considered informational and shall not be considered as filed until the thirty (30) day deadline.

B. Public Notice.

1. Public Notice by Mail. Using stamped, self-addressed envelopes supplied by the applicant, the secretary to the Commission shall notify by regular U.S. mail, not less than one business week prior to the meeting at which the matter is to be heard, the property owners of each property located, in whole or in part, adjacent to the subject property and directly across any street from the subject property. Such owners shall be those as listed in the most recent tax digest for the City of Dahlongega.

2. Public Notice by Publication. The secretary to the Commission shall place a legal notice in the newspaper designated by the City of Dahlongega as the legal organ of the City, during the week preceding the week in which the Commission will hold its public hearing. The notice shall state the location of the property to which the application applies, generally the nature of the request, and the time and place of the Commission's public hearing.

3. Public Notice by Signage. The secretary to the Commission shall provide a sign to be placed by the owner on the property, on the building or in a window. The sign is to be placed by the owner not less than one week prior to the meeting at which the matter is to be heard, in a location clearly visible and legible from the street frontage, and the owner shall maintain the sign on the property until the application has been heard by the Commission. The notice shall state, generally, the nature of the request and, specifically, the time and place of the Commission's public hearing.

C. In all cases the Commission shall hold a public hearing concerning the COA application, notice of which shall be given in accordance with paragraph B of this Section VI. The applicant, affected property owners and other interested parties shall be given an opportunity to be heard at the public hearing at which the application is presented.

D. The Commission must issue or deny a COA within 45 days after the filing deadline of the application, except when the time limit has been extended by mutual agreement. Failure of the Commission to act within the 45-day (or mutually extended) period shall constitute approval, and no other evidence of approval shall be needed.

E. On the tenth working day following action on a COA application by the Commission, the secretary to the Commission shall prepare, sign and mail an Issuance of Determination to the applicant or the applicant's representative of record, in accordance with the requirements of the Historic Preservation Ordinance of the City of Dahlongega.

F. If the application is approved, the following shall apply:

1. The secretary shall transmit a COA in letter form, clearly describing the nature of the work that has been approved. The secretary shall attach a copy of the minutes concerning the said application and placard form of a COA to be displayed on the project. A copy of this information shall be forwarded to the Community Development Department or other City official that is responsible for its enforcement.

2. No building permit shall be issued within less than fifteen (15) days from the date of Issuance of Determination. An appeal of the Commission's determination to the City Council shall suspend issuance of any building permit until the appeal is decided by the City Council.

G. If an application is denied, a copy of the minutes of the meeting and a written statement of reasons of denial shall be made available to the applicant. The commission may but is not required to suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he/she so desires, may make modifications to the plans and may re- submit the application at any subsequent filing deadline after doing so.

Section VII. AMENDMENTS

These rules may, within the limits allowed by the law, be amended at any time by an affirmative vote of not less than five (5) of the members of the Commission, provided that such amendment shall have first been presented to the members of the Commission in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Section VIII. EFFECTIVE DATE

These Rules of Procedure, as amended, shall become effective upon their adoption by the Dahlonega Historic Preservation Commission.

THEREFORE, BE IT RESOLVED, that the Dahlonega Historic Preservation Commission does hereby adopt the foregoing Rules of Procedure as amended herein and hereby.

Adopted this 06th day of March, 2018.

APPROVED:

DAHLONEGA HISTORIC PRESERVATION COMMISSION BY:

Steve Ratzel, Chairman of the Commission

ATTEST: Kevin L. Herrit, AICP, EDFP, Secretary to the Commission