



**CITY OF DAHLONEGA
PUBLIC HEARING PLANNING COMMISSION -
RESCHEDULED AGENDA
THURSDAY, JULY 15, 2021 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 Kevin Herrit at the Community Development Department.

Call to Order

Pledge of Allegiance

Approval of Minutes:

NEW BUSINESS

Zoning Cases:

1. Notice of Public Hearing - Zoning Map Amendment
2. REZ 21-5 - Staff Report

Adjournment

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE THAT THE CITY OF DAHLONEGA PLANNING COMMISSION WILL HOLD A PUBLIC HEARING ON **THURSDAY, JULY 15, 2021, AT 6:00 P.M.** REGARDING CERTAIN MATTERS ITEMIZED IN THIS NOTICE. THE RECOMMENDATIONS OF THE PLANNING COMMISSION REGARDING THESE MATTERS WILL THEN BE FORWARDED TO THE CITY OF DAHLONEGA CITY COUNCIL. THE CITY COUNCIL WILL THEN HOLD A PUBLIC HEARING ON **MONDAY, JULY 19, 2021, AT 4:00 P.M.**

1. Public Hearing for zoning map amendment – Peacock Partnership, Inc. and Kevin Franklin have requested to change the zoning district of a certain parcel located on Morrison Moore Parkway (parcel D12-036) owned by James Leonard Kinnard and Bobby Tritt, from B-2 (Highway Business District) zoning district to B-1 (Neighborhood Business District) zoning district with the following requests: (1) the removal of the prior zoning stipulation that this property be used only for a bank facility; and (2) the 30 foot rear buffer requirement be reduced to 10 feet. The parcel consists of +/- 1.206 acres and the applicants are requesting the change in use to build a dental office.

THE MEETING WILL BE HELD IN THE **CITY HALL COUNCIL CHAMBERS LOCATED AT 465 RILEY ROAD**. APPLICATIONS SUBMITTED ARE AVAILABLE FOR REVIEW AT THE COMMUNITY DEVELOPMENT OFFICE.



Community Development Department

STAFF REPORT

REZ-21-5

Applicant:	Kevin Franklin for Peacock Partnership
Owner:	James L Kinnard and Bobby Tritt
Location:	Frontage along Morrison Moore Parkway (Parcel D-12-036)
Acreage:	1.21 Acres
Current Zoning Classification:	B-2 Business Highway with Conditions
Current Use of Property:	Undeveloped small parcel
Proposed Zoning:	B-1 with concurrent variance
Proposed Use:	Dental office and parking
City Services:	All city services are available in proximity to the site.

Please see material provided by the applicant incorporated herein by reference.

Application packet with Boundary Survey, Site Plan and Letter of Intent

The applicant is seeking to rezone the property from B-2 Conditional to B-1 with a concurrent variance. Please see the site plan for “Gold Hills Bank” for comparison. Staff analysis and recommendations for approval follow.

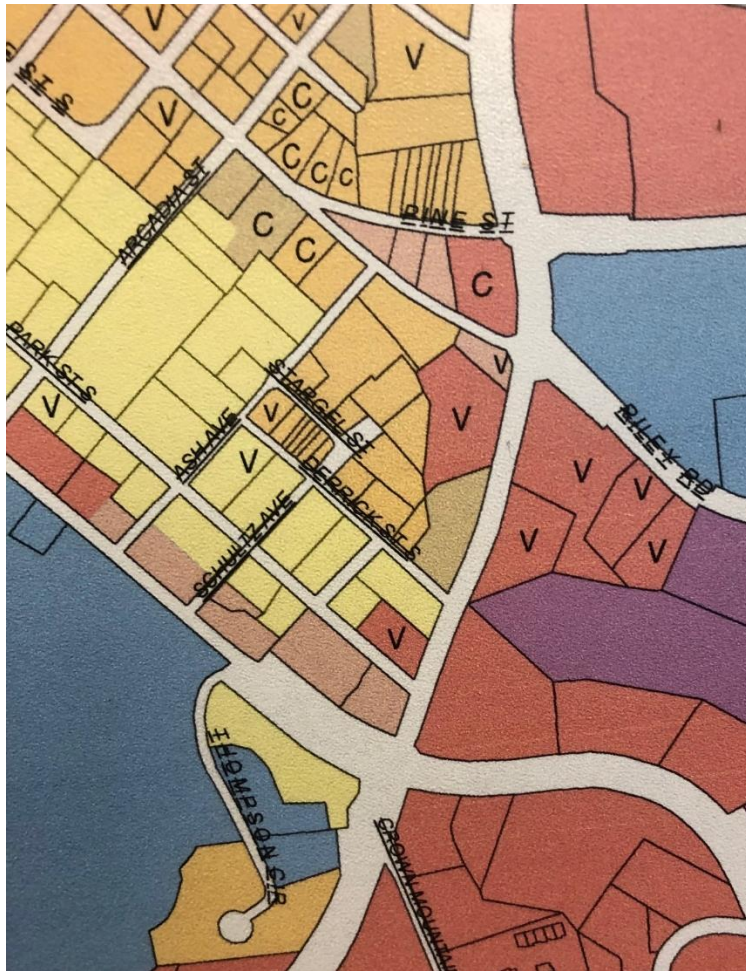
Zoning History

This parcel was zoned R-2 from 1984 (if not earlier) until May 1, 2006. Action of approval at that time for zoning change from R-2 to B-2 was made by the Dahlongega City Council conditioned upon the property being “used for a bank facility and conditional upon lighting being shielded down light only.” Variance approval was also granted the same day by the Council sitting as the Board of Zoning Appeals to reduce buffers from 50 feet to 10 feet and reduce all setbacks from 60 feet to 40 feet in order to construct a new Community Bank (referenced in the notice of public hearing as “to allow construction of a commercial/office building”). The site plan submitted with the B-2 rezoning anticipated 10,309 square feet of building and 57 parking spaces with two drive-through lanes and ATM lane. Since May 2, 1994, the B-1 zoning district has allowed banks and financial institutions, including drive-throughs and ATMs, but restricted their

size not to exceed 10,000 square feet, whereas B-2 allows banks and financial institutions without limitation as to size. This may have been a factor in the original zoning change.

Zoning

Existing zoning is B-2 although it is conditioned to use for a bank only. B-2 zoning is the dominant zoning district along the south and east edge of Morrison Moore Parkway. The parcel is bordered to the north by property zoned B-1 (zoned B-1 since 1990, if not earlier), to the west by properties zoned R-2 (likely since 1984, if not earlier) and to the south by property zoned R-3. The property is irregular in shape, is wider than it is deep and feasible development options are limited.



Setbacks/Buffer

The approved B-2 conditioned bank use building setback lines are 40' front, sides and rear. Buffers were reduced to 10 feet for a use roughly twice as intensive. The standard B-1 building setbacks are 60 feet front, 15 feet side and 15 feet rear. When a B-1 use abuts a R-1 or R-2 district, as this parcel does along its western side, a building setback of forty (40) feet, including a thirty (30) feet buffer, is typically required (Section 2102 of the Zoning Ordinance). The

applicant is requesting the front, side and rear setbacks be maintained as required by the location for the district (60', 15' and 40', but that the otherwise required buffer along R-2 properties be reduced to 10 feet. This is consistent with the B-2 zoning approval. The currently approved zoning depicts only a 10 feet wide landscape strip between the parking lot and the western property line, whereas the applicant's request would maintain 10 feet in natural condition and allow the replanting of a slope which needs to be graded to make the site feasibly developable.

The definition of a buffer in the Dahunega Zoning Ordinance is:

Buffer: A landscaped open space and/or screen located between incompatible land uses for the purpose of visibly separating uses through distance and to shield or block noise, light, glare, or visual or other nuisances; that portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established for the purpose of screening and separating properties with incompatible land uses, the width of which is measured from the common property line and extending the developed portion of the common property line. A buffer consists of trees, shrubs and other natural vegetation undisturbed by grading or site development and replanted where sparsely vegetated or where disturbed for approved access and utility crossings.

Where quality stands of trees exist in a buffer that does not require grading to make it feasibly developable, those trees should remain. In situations where trees are not high quality or an otherwise required buffer needs to be impacted to make a site work, trees and other natural vegetation should be planted as a mixture of hardwoods and evergreens so as to create a virtual visual screen. Many jurisdictions also encourage or allow the use of a fence within a buffer as an equivalent means to reduce the otherwise required minimum distance separation.

Recommendation as to the Rezoning

Staff hereby recommends approval of the requested change from B-2 to B1 with granting of the concurrent buffer variance as provided below. The proposed building is less than half the size already approved, the parking spaces are less than half and the three drive through lanes have been eliminated. Potential negative impacts from the site to the adjoining and nearby property owners will be substantially reduced. Approval of the zoning in conjunction or in combination with approval of the concurrent variance requested by the applicant would allow a viable business to make use of currently undeveloped property along our main commercial corridor.

Variance Conditions of Hardship:

1. Are there 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.

Staff – Yes – the parcel's shape and topography are challenging and limit feasible development options.

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.

Staff – Yes – The adjacent B-1 zoned property is not subject to as stringent standards because it was developed before the 1991 buffer standards were adopted.

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.

Staff - Approval of these recommendations will not confer special privileges denied to others. The reduction in buffer to 10 feet has already been approved by the Council for a use of roughly twice the impact.

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.

Staff –Yes – Relief is appropriate and in harmony with the purpose and intent of the City’s regulations without being injurious to the area or general welfare. Substantial replanting of the graded slope area at the rear should allow a permanent natural vegetative screen to be well established in just a few years.

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

Staff – The parcel is well located for the applicant’s purposes; however, its shape has been configured by land transactions by others.

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

Staff – Yes - The variance recommended is the minimum that would make possible the legal use of the land, building, or structure. A steeper slope could be created at further distance from the western property line, but an expensive retaining wall would be required that jeopardizes project feasibility and attractiveness.

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

Staff – No - This variance is not a request to permit a use of land, building or structure which is not permitted by right in the district involved. This use is specifically listed as a Permitted Use in the B-1 Neighborhood Business District as: 31. Offices, business, medical, professional, insurance and real estate, and general. (Section 1402). It is also a use by right in the B-2 district.

Recommendation as to the Variance

Staff hereby recommends approval of the requested variance from 40 feet to 10 feet as a revegetated buffer consisting of ten (10) feet natural landscape strip along the property lines common with R-2 zoned properties and thirty (30) feet of replanted trees and shrubs common to

the area so as to provide a substantially opaque screen between the western property line and the parking lot curb. This accommodation seems appropriate to allow reasonable development of the site and is consistent with prior Council action for this property. The proposed building is less than half the size already approved, the parking spaces are less than half in number and the three drive-through lanes have been eliminated. Potential negative impacts from the site to the adjoining and nearby property owners will be substantially reduced. Approval of the variance in conjunction with the zoning approval would allow a viable business to make use of currently undeveloped property along our main commercial corridor.

Prepared by:

Bill Schmid, AICP, Acting Community Development Director and City Manager

Planning Commission Recommendations:

TBD – scheduled for July 15, 2021

Board of Zoning Appeals Action:

TBD – scheduled for July 19, 2021

City Council Action:

TBD – scheduled for July 19, 2021



**PEACOCK
PARTNERSHIP**

June 10th, 2021

Mr. Tim Martin
City of Dahlonega – Community Development Department
465 Riley Road
Dahlonega, GA 30533

RE: Rezoning & Variance Application for property along Morrison Moore Parkway (Parcel No. D 12 036)

Dear Mr. Martin,

We are pleased to submit the attached rezoning application, variance application, and supporting documentation on behalf of BGW Dental Group regarding the above-referenced property. As the Architect, we are working on behalf of BGW Dental Group to design a new dental office at this location, which is zoned B-2. Per a recommendation approved during the Dahlonega City Council Meeting on May 1st, 2006, there exists a special condition that requires this property be used for a bank facility. We are requesting that:

- 1.) the stipulation that this property be used for a bank facility be removed,
- 2.) this property be rezoned from B-2 to B-1, and
- 3.) the 30' rear buffer requirement be reduced to 10'.

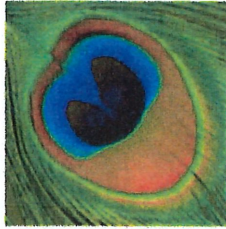
The B-1 zoning is more appropriate for this location than the B-2 zoning. It allows for the proposed dental office while restricting more intensive commercial activities such as automotive or other highway-oriented uses that would not be compatible with the adjacent residential zoning.

Per Section 2102 of the Zoning Ordinance, a rear buffer of 30' is required when a B-1 district abuts an R-2 District, as this property does. We request that this rear buffer be reduced from 30' to 10'. Due to the steep slopes present, the reduction to 10' will be needed to grade the slopes in accordance with our Geotechnical Engineer's recommendations.

The site plan in Exhibit C illustrates the proposed development. The new dental office will be one story and approximately 5,000 SF. Approximately 28 parking spaces and their associated drives will be located on this property. All site improvements will be designed to meet state and local codes.

Based on the projected patient load, the number of vehicular trips generated by this project will be less than 100 per day at full capacity. There will be a maximum of 10 dental chairs in this office, with 2 of those chairs being utilized as surgery suites. Therefore only 8 chairs can be occupied at any given time. Based on BGW's current office in Dahlonega, each chair would see no more than 4½ patients per day. With 6 dentists & staff members, this brings the total occupant count to 42. Assuming each occupant generates 2 trips, the total projected vehicular trips per day at full capacity is 84.

The architectural style of the building will be similar to BGW Dental Group's other office locations in Gainesville and Braselton. Pictures are included for reference below. We believe that this style will be in keeping with the character of the surrounding area and suitable for this prominent location along US-19. As such we propose the following design standards:



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- Building is to be limited to one story in height.
- Façade materials will consist of the following:
 - Stone
 - Brick
 - Stucco
 - Wood or Fiber Cement Siding
 - Glass
 - Metal is to be limited to trim and window frames
- Colors will be limited to warm, neutral, and earth tones.
- Roof is to be pitched with a minimum slope of 3:12, with architectural shingles or standing seam metal panels.
- All exterior lighting fixtures will be shielded so as not to cast excessive light on neighboring properties.



BGW Dental – Gainesville Office



BGW Dental – Braselton Office





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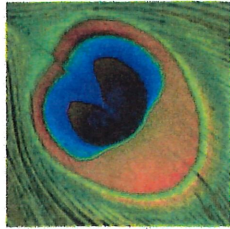
Gainesville Office Lobby



Braselton Office Lobby

Below are responses to the statements posed in the rezoning 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 property in question is bounded by both residential and business zoning districts. None of the adjacent properties will be adversely affected by a dental office on this site.
- 2.) *The extent to which property values are diminished by the particular zoning restrictions.*
Property values will not be negatively impacted.
- 3.) *The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.*
Property values will not be negatively impacted. The proposed dental office will be in compliance with all local and state codes, and will transform a currently unused tract of land into a use that is beneficial to the entire community.
- 4.) *The relative gain to the public as compared to the hardship imposed upon the individual property owner.*
Both the public and property owner will benefit from this site being used as a dental office.
- 5.) *The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.*
As currently zoned, the subject property can only be developed into a bank. Since the previous developers who were granted the bank zoning are no longer involved, rezoning is required in order to develop this property.
- 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.*
There is no evidence that the property has ever been previously developed.



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7.) *The zoning history of the subject property.*

The property was rezoned from R2 to B2 in 2006, with the condition that the property be used for a bank facility only.

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.*

In terms of traffic, a dental office will not generate nearly as many car trips as would a bank, per the projected occupant load noted above. Therefore this rezoning would ensure a lesser burden on the surrounding streets. The burden on public utilities will be minimal.

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

This proposal is in conformance with the City's 2017 Comprehensive Plan. The site is within a 'Gateway Corridor' district in which commercial and office development is encouraged. The design of the building will complement the character of the City.

Below are responses to the statements posed in the variance application:

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 structures in the same district.*
Based on the shape of this property and the hill that exists along the rear property line, it is not possible to develop a dental office that is 5,000 SF within the standard 30' buffer of a B-1 district abutting R-2 residential.

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.*
The 60' front setback along Morrison Moore Parkway (an arterial street) and 40' rear setback abutting an R-2 district limit the location of the building such that it is not possible to avoid grading the hill. The 10' buffer is requested in order to allow room for grading the hill per the Geotechnical Engineer's recommendations.

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.*
The applicant will not be granted any special privileges. All other regulations in the Zoning Ordinance will be followed.

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 unreasonably affect their value.*
This proposal is in conformance with the City's 2017 Comprehensive Plan. Property values will not be negatively impacted.

5.) *The special circumstances are not the result of the actions of the applicant.*
The unique shape and topography of this site are existing and not a result of any prior modifications by the applicant.



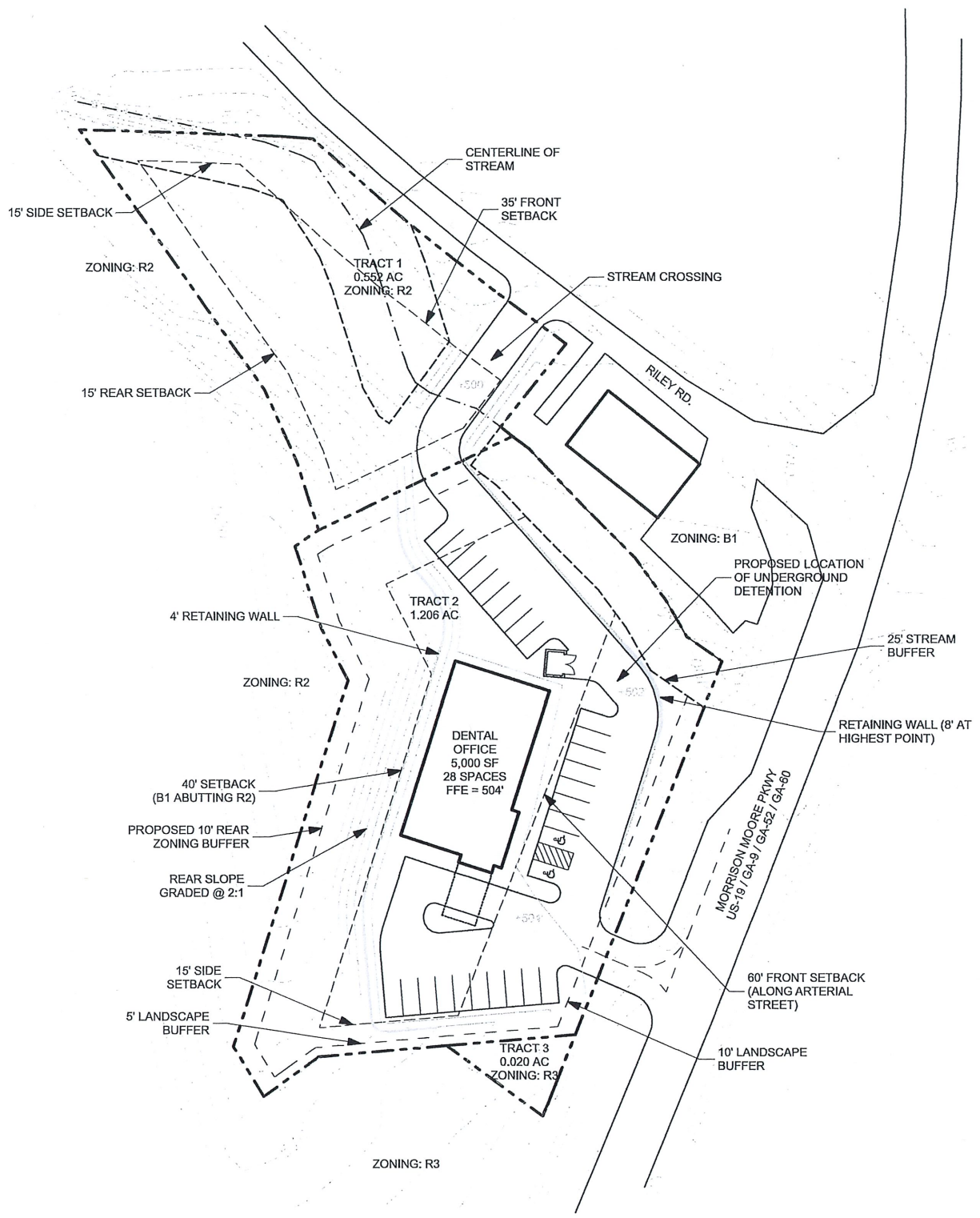
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PARTNERSHIP**

- 6.) *The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.*
The 10' setback is needed to allow for proper grading of the slope in order to fit the proposed building.
- 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.*
Stamped construction drawings will be submitted to all appropriate Authorities Having Jurisdiction before any construction commences.

For the reasons listed above, we ask that this rezoning application and variance application be approved. This project will turn a currently unused site into a business that will benefit the local community. Please let us know if you need anything else to facilitate approval of this application.

Sincerely,

Kevin Franklin
Peacock Partnership
5525 Interstate North Parkway
Atlanta, GA 30328
kevin@peacockpartnership.com
(404)214-5200



PROPOSED SITE PLAN

CURRENT OWNER:
 JAMES LEONARD KINNARD AND BOBBY TRITT
 P.O. BOX 2012, DAHLONEGA, GA 30533

ARCHITECT:
 PEACOCK PARTNERSHIP
 5525 INTERSTATE NORTH PARKWAY, ATLANTA, GA 30328
 404-214-5200

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**BGW DENTAL GROUP - DAHLONEGA OFFICE
 MORRISON MOORE SITE STUDY**

SCALE: 1" = 50'
 6/9/2021

DAHLONEGA, GA



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LEGAL DESCRIPTION
TRACT 2 – 1.206 ACRES
MORRISON MOORE PARKWAY – LUMPKIN COUNTY, GA

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 986 & 997; 12th District; 1st Section; Lumpkin County, Georgia, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE on a 5/8-inch rebar found at the land lot corner common to Land Lots 985, 986, 997, and 998, THENCE along the land lot line common to Land Lots 997 & 998 South 84 degrees 27 minutes 50 seconds East, a distance of 17.41 feet to a point on the southwesterly right-of-way line for Riley Road (32-foot right-of-way); THENCE along said right-of-way line, in a southeasterly direction and following the curvature thereof, a distance of 168.57 feet to a 3/8-inch rebar found; THENCE leaving said right-of-way line South 39 degrees 17 minutes 33 seconds West, a distance of 54.21 feet to a point on the centerline of creek; THENCE meandering along the centerline of said creek the following calls and distances: South 51 degrees 20 minutes 55 seconds East, a distance of 7.75 feet to a point, said point being the POINT OF BEGINNING; South 51 degrees 20 minutes 55 seconds East, a distance of 10.75 feet to a point; South 42 degrees 29 minutes 24 seconds East, a distance of 39.21 feet to a point; South 44 degrees 12 minutes 35 seconds East, a distance of 39.28 feet to a point; South 35 degrees 29 minutes 52 seconds East, a distance of 26.82 feet to a point; South 29 degrees 20 minutes 51 seconds East, a distance of 21.77 feet to a point; South 54 degrees 08 minutes 39 seconds East, a distance of 21.45 feet to a point on the northwesterly right-of-way line for Morrison Moore Parkway (right-of-way varies); THENCE leaving said centerline of creek along said right-of-way line South 22 degrees 31 minutes 48 seconds West, a distance of 206.49 feet to a 3/8-inch rebar found; THENCE leaving said right-of-way line South 86 degrees 03 minutes 42 seconds West, a distance of 187.51 feet to a 3/4-inch pipe found; THENCE South 55 degrees 57 minutes 53 seconds West, a distance of 35.31 feet to a 5/8-inch rebar found; THENCE North 30 degrees 32 minutes 12 seconds West, a distance of 30.16 feet to a 5/8-inch rebar found; THENCE North 18 degrees 45 minutes 11 seconds East, a distance of 197.23 feet to a 5/8-inch rebar set; THENCE North 26 degrees 02 minutes 17 seconds West, a distance of 30.04 feet to a 1/2-inch rebar found; THENCE North 17 degrees 24 minutes 55 seconds West, a distance of 44.57 feet to a 5/8-inch rebar set; THENCE North 57 degrees 26 minutes 47 seconds East, a distance of 15.03 feet to a 5/8-inch rebar set; THENCE North 55 degrees 20 minutes 27 seconds East, a distance of 111.39 feet to an aforementioned point on the centerline of creek, said point being the POINT OF BEGINNING.

Said tract or parcel of land contains 1.206 acres, more or less, as shown on that particular "Plat of Survey for Gold Hills Bank" as Tract 2; prepared by Geomage, LLC, dated 07/07/06.

LINE	BEARINGS	DISTANCE
L1	N 17° 17' 41" W	37.20
L2	N 29° 24' 29" W	20.85
L3	S 24° 27' 50" E	10.77
L4	S 44° 30' 22" E	52.05
L5	S 49° 45' 14" E	48.20
L6	S 50° 32' 27" E	55.65
L7	N 52° 06' 22" W	48.20
L8	N 22° 17' 33" E	39.37
L9	S 51° 30' 55" E	7.75
L10	S 51° 20' 55" E	10.75
L11	S 42° 55' 24" E	39.21
L12	S 44° 16' 25" E	39.26
L13	S 29° 29' 20" E	25.82
L14	S 29° 29' 51" E	21.77
L15	S 54° 08' 35" E	21.45
L16	S 35° 09' 42" W	133.20
L17	S 35° 37' 23" W	39.31
L18	N 30° 32' 12" W	39.16
L19	N 35° 03' 17" W	30.04
L20	N 17° 12' 52" W	14.97
L21	N 27° 55' 27" E	15.09
L22	S 23° 37' 28" W	59.17
L23	N 43° 41' 27" W	29.91
L24	N 56° 03' 42" E	54.81
L25	S 33° 17' 33" W	4.94
L26	S 34° 27' 50" E	6.64
L27	N 47° 45' 13" E	47.34
L28	S 45° 25' 23" E	23.84
L29	S 51° 10' 07" E	49.82
L30	S 52° 16' 22" E	47.97
L31	N 55° 20' 27" E	111.32

LINE	CHORD BEARINGS	RADIUS	CHORD	ARC
C1	S 52° 16' 07" W	1145.94	30.62	10.65

NOTE:
THIS SURVEYOR DOES NOT GUARANTEE THAT ALL ENCUMBRANCES AFFECTING THIS PROPERTY ARE SHOWN.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN _____ FEET, AND WAS ADJUSTED USING THE _____ RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN _____ FEET.

EQUIPMENT USED: _____ TOTAL STATION.

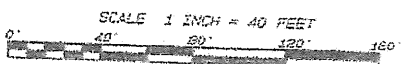
IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

THIS SURVEY WAS PREPARED WITHOUT THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL ENCLUMBRANCES THAT A TITLE SEARCH MAY REVEAL.

THIS SURVEY IS CERTIFIED SOLELY TO THE PARTY OR PARTIES NAMED HEREON.

- REFERENCES:
1. PLAT OF SURVEY FOR WELSO D. AND JUNE E. HORNE, JR. BY MICHAEL L. SCUPIN DATED OCTOBER 25, 1990
 2. PLAT OF SURVEY FOR LINDA JOHAN MARRELL BY MICHAEL L. SCUPIN DATED AUGUST 4, 1997
 3. PLAT OF SURVEY FOR LLOYD AND SELVYN COCHRAN DATED AUGUST 22, 1997
 4. PLAT OF SURVEY FOR ALAN D. ROACH AND ALLISON L. KING BY PRECISION LAND SERVICES DATED MAY 27, 1995
 5. PLAT OF SURVEY FOR LLOYD AND JOHNNIE SUE COCHRAN BY PRECISION LAND SERVICES DATED AUGUST 22, 1997
 6. PLAT OF SURVEY FOR DANLONISA EAST BYPASS BY GEORGIA DEPARTMENT OF TRANSPORTATION DATED MARCH 15, 1998
 7. PLAT OF SURVEY FOR TONY ANDERSON AND NORMAN ADAMS BY PRECISION LAND SERVICES DATED MARCH 31, 1998
 8. PLAT OF SURVEY FOR LLOYD AND SELVYN COCHRAN BY PRECISION LAND SERVICES DATED AUGUST 22, 1997

- LL = LAND LOT
- LLL = LAND LOT LINE
- IRP = IRON PIN FOUND
- IRS = 5/8" REBAR SET
- C/L = CENTER LINE
- N/F = NON OR FORMERLY
- R/W = RIGHT OF WAY
- U/P = UTILITY POLE
- OP = OVERHEAD POWER
- B-SL = BUILDING SETBACK LINE



GEOIMAGE LLC
 LAND SURVEYING, LAND PLANNING & DESIGN
 395-B N. GROVE ST., DALHONESA, GEORGIA 30833
 PHONE: (706) 854-7298 FAX: (706) 854-1014



JULY 7, 2006
 FIELD CREW: BS/EL
 DRAFT BY: CM/EL
 REV FILE: P250.DWG
 DRAWING FILE: 2006.DWG
 DRAWING #0169705

PLAT OF SURVEY FOR
GOLD HILLS BANK

LAND LOTS 986 AND 997, 12TH DISTRICT, 191 SECTION
 LUMPKIN COUNTY, GEORGIA

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

Property Owner: Name: James Leonard Kinnard and Bobby Tritt
 Address: P.O. Box 2012
 Dahlonega, GA 30533
 Phone: _____

Applicant: Name: Peacock Partnership
(if different from Owner) Address: 5525 Interstate North Parkway
 Atlanta, GA 30328
 Phone: 404-214-5200

Agent: Name: N/A
(if applicable) Address: _____

 Phone: _____

Existing Zoning: B-2 (with condition to be used for a bank facility)
Proposed Zoning: B-1
Existing Use: Not Developed
Proposed Use: Dental Office
Acreage of Site: 1.206 Acres
Location of Property: Morrison Moore Parkway
(Street address) Morrison Moore Parkway
 Dahlonega, GA 30533
Tax Plat and parcel: D 12 036

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

- 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.

See attached letter of intent.

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

See attached letter of intent.

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

See attached letter of intent.

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

See attached letter of intent.

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

See attached letter of intent.

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.

See attached letter of intent.

7. The zoning history of the subject property.

See attached letter of intent.

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.

See attached letter of intent.

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

See attached letter of intent.

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 Dahlongea.

I herby 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: Bobby Tritt by Peggy Liggett as Attorney-in-fact

Printed name of Property Owner : BOBBY TRITT by PEGGY LIGGETT as ATTORNEY IN FACT

Date of Signature: 3/31/2021

Signature of Witness: J L Kinnard

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:

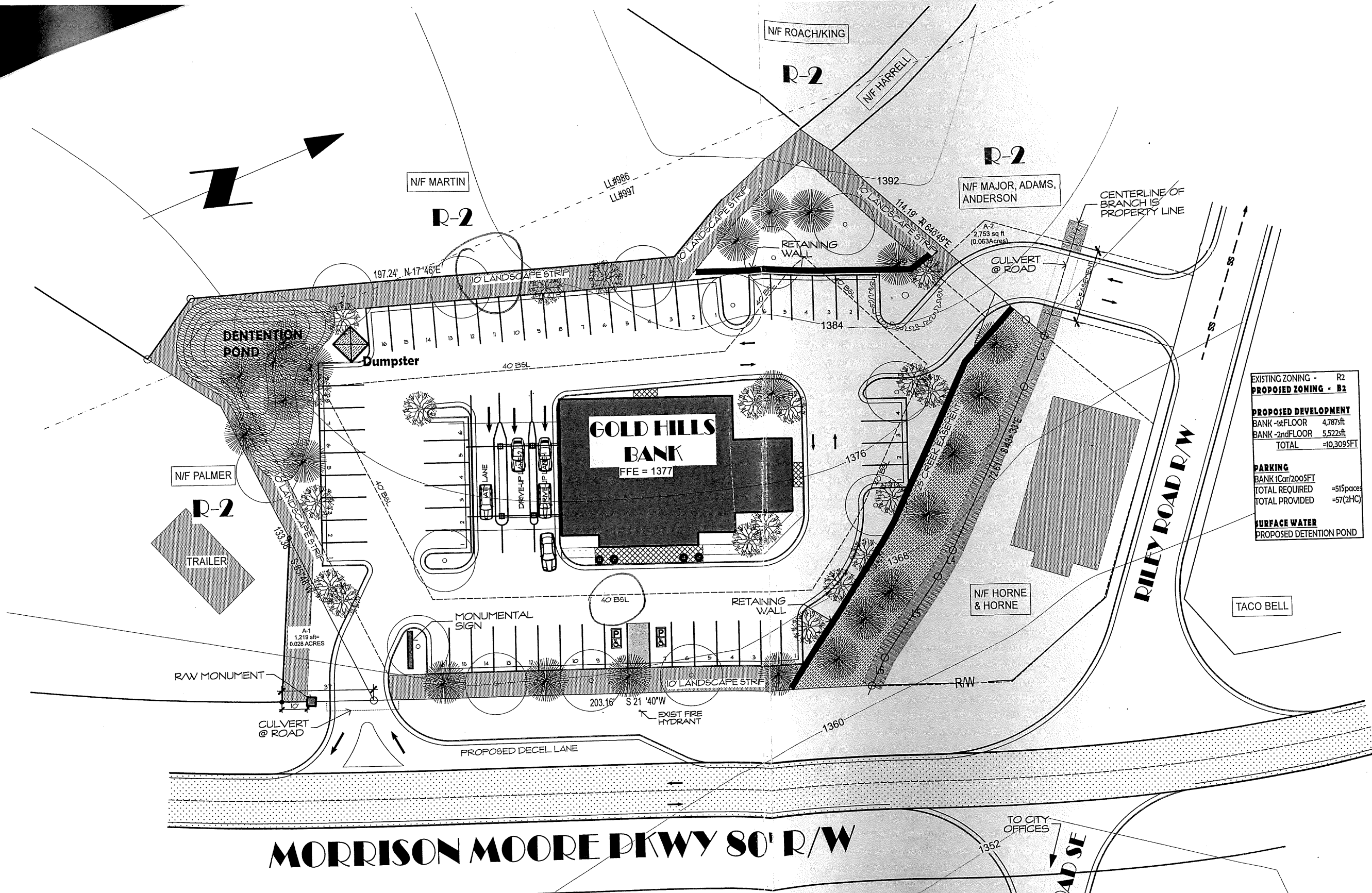
Amount \$ _____
Date: _____

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.



SCALE: 1" = 40'-0"

PROPOSED SITE PLAN

DEVELOPERS:
GOLD HILLS BANK,
 CONTACT PERSON: **RANDY HARVEY**
 TEL: 706-252-0925

GOLD HILLS BANK

MORRISON MOORE PKWY
 DAHLONEGA, LUMPKIN COUNTY, GA

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presentations
 3/31/2006 -K8

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