

Criteria for a Zoning Map Amendment

The governing body should review an application for zoning map amendment with regard to the following criteria:

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

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

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

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

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.

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

Consequences of Illegal Zoning Map Amendment

Unconstitutional Application of
Zoning Power














Nuisance

Inconsistent with Comprehensive Plan

November 3, 2008 Dawsonville
approved the Community Agenda
Future Land Use Map shows area
as Rural Residential/Agricultural
CIR rezoning is completely
inconsistent and will create an
island of industrial clamor in a
peaceful residential area

Future Development Plan Dawsonville, GA

Legend

-  Artist Nodes
-  Bur. Creek Road
-  Perimeter Road
-  Perimeter Road Extension
-  Wetlands
-  Dawsonville City Boundary
-  Airport Park
-  Central Dawsonville
-  Potential Growth Area
-  Faithorn Catholic College/Village Center
-  Urban Neighborhood
-  Rural Residential/Agricultural
-  Suburban Residential



GA Mountains RDC
JGD, Rev. Sept. 2008

Rural Residential/Agricultural

Inconsistent with Comprehensive Development Ordinance

Section 3.7 Conformance to the Comprehensive Plan – “All proposed [developments] shall conform to the City of Dawsonville Comprehensive Plan at the time of submission of the Preliminary Plat to the Planning and Zoning Commission.”

Will Result in Diminution of Property Values

Property Owners Must Disclose
Presence of Nuisance

Incessant Roaring of Engines and
Squealing of Tires

Burden on City Resources

Mr. Porter has Claimed that EMTs
and Fire Protection Will be Present
at All Times

Who owns these Ambulances and
Fire Trucks?

Circumvents DRI Process

City's responsibility to prepare the Developments of Regional Impact Study Application was abruptly altered at last minute to remove mixed-use components

Website still indicates that home sites will be sold after Phase One

"We will be selling these after phase one is completed and will not have official pricing until then. We will take refundable deposits on the home sites due to the aggressive interest from the members."
FAQs AMP website – February 15, 2008

AMP Has Failed to Provide a Proper Sound Study or Site Plan

Planning Commission Requested:

- ◆ Comprehensive Sound Study
- ◆ All Site Plans Available for Review at Least One Week Prior to Council Meeting
- ◆ Not Available as of Friday, February 13, 2009

Components of a Proper Noise Model

Sound Power Level Of Source(s): Vehicle Noise Emissions; Variable

Attenuation Versus Distance (Geometric Divergence)

Attenuation Due To Terrain (Barriers, Berms)

Ground Effects For Short Range & Long Range Propagation

Meteorological Effects (Air Absorption); Not considerable at short distances.

Attenuation Or Amplification Due To Buildings Or Other Reflecting Surfaces

Attenuation By Trees / Foliage (Very Poor Attenuation)