

AGENDA
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, December 14, 2020
5:30 P.M.

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Announcements
5. Approval of the Agenda
6. Approval of the Minutes: Planning Commission Regular Meeting held November 9, 2020

OLD BUSINESS:

None

NEW BUSINESS:

7. **ZA-C2100085**: Tanco Investments, LLC has requested a zoning amendment for TMP D03 012 Located at 315 Highway 9 North and consisting of 2.50 acres from HB (Highway Business District) to R6 (Multiple-Family Residential District). Public Hearing Dates: Planning Commission on December 14, 2020 and City Council on December 21, 2020. City Council for a decision on January 4, 2021. **Applicant has submitted request to withdraw application. The application has been approved without prejudice.**
8. **VA-C2100085**: Tanco Investments, LLC has requested the following variances for TMP D03 012 Located at 315 Highway 9 North for lots 2,5,8,11 and 14. The lot width on 2,5,8,11 and 14 would be reduced from 28' feet to 22' wide. The lot depth on lot 11 would be reduced from 100' to 95' in length. Public Hearing Dates: Planning Commission on December 14, 2020 and City Council on December 21, 2020. City Council for a decision on January 4, 2021. **Applicant has submitted request to withdraw application. The application has been approved without prejudice.**

PLANNING DIRECTOR REPORT: NONE

PLANNING COMMISSION REPORTS:

ADJOURNMENT

The next scheduled Planning Commission meeting is January 11, 2020

If you wish to speak on the requests, please contact City Hall for a CAMPAIGN DISCLOSURE form. This form is only needed if you have made campaign contributions in the amount of \$250.00 or more within 2 years prior to this date. All speakers must sign up to speak at the public hearing itself. There will be a sign-up sheet for speakers located at the entrance to the Council Chambers meeting room.

Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.



PLANNING COMMISSION EXECUTIVE SUMMARY FOR AGENDA ITEM # 6

SUBJECT: Approve or amend the minutes of the City of Dawsonville Planning Commission regular meeting held on 11/09/2020

DATE(s): **12/14/2020**

PURPOSE FOR REQUEST:

Approve or amend the minutes

HISTORY/ FACTS / ISSUES

OPTIONS:

Vote

REQUESTED BY: Stanislav Zaverukha - Permit Technician

MINUTES
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers, City Hall 2nd Floor
Monday, November 9, 2020
5:30 P.M.

1. **CALL TO ORDER:** Chairperson Sue Theisen called the meeting to order at 5:32 p.m.
2. **ROLL CALL:** Present were Planning Commission Members Chairperson Sue Theisen, Anna Tobolski, Matt Fallstrom, Randy Davis, Planning Director David Picklesimer, City Attorney Kevin Tallant, Councilmember Caleb Phillips, City Manager Bob Bolz, Zoning Administrative Assistant Stacy Harris. Absent from the meeting Clint Harper.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Planning Director David Picklesimer.
4. **ANNOUNCEMENT: NONE**
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by A. Tobolski; second by R. Davis. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the Regular Meeting on October 12, 2020 made by M. Fallstrom; second by R. Davis. Vote carried unanimously in favor.

OLD BUSINESS

7. **ANX C2100043 and ZA C2100043:** Allen Street Properties LLC and B & K Turner Family LLP have petitioned to annex into the city limits of Dawsonville the 74.865 acre tract known as a portion of TMP 090 004 001, located at Perimeter Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) and RA (Restricted Agriculture) to City Zoning of R3 (Single Family Residential). Public Hearing Dates: Planning Commission on September 14, 2020 and City Council on September 21, 2020. City Council for a decision on October 5, 2020. **Postponed from September 14th, 2020 until November 9th, 2020.**

Planning Director Picklesimer read the annexation and zoning request. He shared the planning department summary regarding ANX C2100043 and ZA C2100043.

PUBLIC HEARING

Motion to open a public hearing made by R. Davis; second by A. Tobolski. Vote carried unanimously in favor.

The following people spoke in favor of the request:

- Michael Turner, 1090 Oakhaven Drive, Roswell – He spoke in favor and asked the Planning Commission for the annexation and rezone request for approval. He stated that this development would be a quality, affordable and walkable community. Mr. Turner shared a traffic study summary with the Planning Commission.

The following people spoke in opposition to the request:

- Liz Murdock, 15 Turner Drive, Dawsonville - She spoke against the annexation and rezone request stating she opposes this project because of the traffic issues on Perimeter Road and due to Turner Drive being used as a secondary entrance for this project.
- Michelle Hout, 61 Turner Drive, Dawsonville - She spoke against the annexation and rezone request stating she opposes this project for safety reasons. Turner Drive is a private drive and making a secondary entrance will take away some of her property.

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Motion to extend the public hearing by 10 minutes made by A. Tobolski; second by R. Davis. Vote carried unanimously.

- Gabriel Ochu, 81 Turner Drive, Dawsonville - He spoke against the annexation and rezone stating he opposes this project for traffic concerns and safety concerns for secondary entrance.
- Joan Jones, 81 Turner Drive, Dawsonville - She spoke against the annexations and rezoning. Mrs. Jones stating that this project does not follow the Dawson County Planning Project or the City Comprehensive Plan.

Chairperson Theisen allowed Mr. Turner and Doug Flint, with Flint Connolly and Walker LLP representing the B. K. Turner Family the remaining minutes in the public hearing for concerns by the opposition side. Mr. Turner would provide a gate for Turner Drive.

Motion to extend the public hearing by 5 minutes made by A. Tobolski; second by R. Davis. Vote carried unanimously.

The following people spoke again in opposition to the request:

- Michelle Hout, 61 Turner Drive, Dawsonville – She stated she does not want a gate or the road fixed.
- Timothy and Liz Murdock, 15 Turner Drive, Dawsonville – They stated they do not want a gate.

Michael Turner addressed their concerns. Mr. Turner offered a meeting with the residents of Turner Drive.

Motion to close the public hearing made by M. Fallstrom; second by A. Tobolski. Voted carried unanimously.

City Attorney Tallant stated that the annexation request cannot go forward legally because it would create an unincorporated island, and this does not comply with the Annexation Procedures Act prohibits a creation of an unincorporated island.

Motion to recommend denial of ANX C2100043 and ZA C2100043 due to the creation of an unincorporated island and not following the City's Comprehensive Plan made by A. Tobolski; second by R. Davis. Voted carried unanimously.

David Picklesimer reminded the applicant that the annexation and rezone request would go before City Council on November 16, 2020 at 5:00 p.m.

Chairperson Theisen announced that the next Planning Commission Meeting is December 14, 2020 at 5:30 pm.

ADJOURNMENT:

At 6:50 p.m. a motion to adjourn the meeting was made by R. Davis; second by A. Tobolski. Vote carried unanimously in favor.

MINUTES
PLANNING COMMISSION REGULAR MEETING
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Sue Theisen, Commission Chair

Anna Tabloski, Planning Commissioner

Matt Fallstrom, Planning Commissioner

Randy Davis, Planning Commissioner

Clint Harper, Planning Commissioner

Attested: _____
Stacy Harris, Zoning Administrative Assistant



PLANNING COMMISSION EXECUTIVE SUMMARY FOR AGENDA ITEM # 7

SUBJECT: Public Hearing ZA-C2100085

DATE(s): **12/14/2020**

PURPOSE FOR REQUEST:

Hold a Public Hearing for

ZA-C2100085: Tanco Investments, LLC has requested a zoning amendment for TMP D03 012 Located at 315 Highway 9 North and consisting of 2.50 acres from HB (Highway Business District) to R6 (Multiple-Family Residential District). Public Hearing Dates: Planning Commission on December 14, 2020 and City Council on December 21, 2020. City Council for a decision on January 4, 2021. **Applicant has submitted request to withdraw application. The application has been approved without prejudice.**

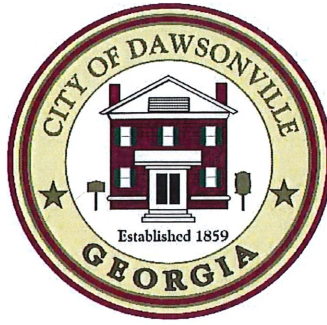
HISTORY/ FACTS / ISSUES

OPTIONS:

To approve, deny, table or defer

REQUESTED BY: Stanislav Zaverukha - Permit Technician

415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



(706) 265-3256
Fax (706) 265-4214
www.dawsonville-ga.gov

December 4, 2020

Mrs. Rachel Burton, PLA
133 Prominence Court, Suite 210
Dawsonville, GA 30534

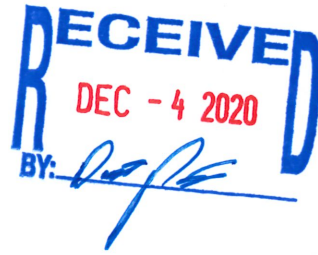
RE: **ZA-C2100085 and VA-C2100085**: Tanco Investments, LLC. TMP D03 012 located at 315 Highway 9 North.

Dear Mrs. Burton,

Your request to withdraw the rezoning and variance application scheduled to be heard by the City of Dawsonville Planning Commission has been received. The Planning Department has reviewed and approved your request to withdraw the application. In pursuant to City Code Sec 910.1.1b.I the withdrawal request is approved without prejudice and a new application can be submitted at your earliest convenience.

Respectfully,


David R Picklesimer
Planning and Zoning Director



December 3, 2020

City of Dawsonville Planning & Zoning Department
Attn: David Picklesimer
415 Highway 53 East, Suite 100
Dawsonville, GA 30534

RE: Withdrawal of ZA-C2100085 and VA-C2100085 for TMP D03 012

David:

On behalf of our client, Tanco Investments, LLC we wish to withdraw the rezoning and variance applications submitted on November 6, 2020 for the December 2020 Planning Commission meeting. Since the applications were submitted our Client has the adjacent parcel TMP D03 013 under contract to purchase. The parcel submitted does not have adequate sight distance for the development without purchasing adjacent property due to the position of the existing residence in proximity to Highway 9.

We would like to resubmit applications to include parcels TMP D03 012 and D03 013. The Conceptual Site Plan will be revised to make for a better transition into the development from Highway 9.

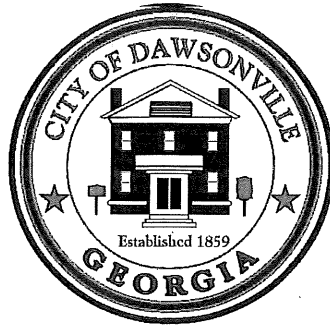
If you have any questions regarding this project, please contact me at 706-265-1234.

Thank you,

A handwritten signature in black ink that reads 'Rachel G. Burton'.

Rachel Burton, PLA

City Council:
John Walden
Caleb Phillips
Stephen Tolson
Mark French



Michael Eason
Mayor

Robert Bolz
City Manager

Beverly Banister
City Clerk

Planning Commission:

Matt Fallstrom
Randy Davis
Clint Harper
Sue Theisen
Anna Tobolski

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David Picklesimer
Planning Director

Stanislav Zaverukha
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PUBLIC NOTICE

The following public hearings will be heard by the City of Dawsonville Planning Commission at 5:30 pm and/or the City Council beginning at 5:00 pm respectively on the dates indicated below. Public hearings are heard in the Council Chambers on the second floor at City Hall located at 415 Hwy. 53 East, Dawsonville Georgia 30534. The public is invited to attend.

ZA-C2100085: Tanco Investments, LLC has requested a zoning amendment for TMP D03 012 Located at 315 Highway 9 North and consisting of 2.50 acres from HB (Highway Business District) to R6 (Multiple-Family Residential District). Public Hearing Dates: Planning Commission on December 14, 2020 and City Council on December 21, 2020. City Council for a decision on January 4, 2021.

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City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534 Phone:
 (706) 265-3256

Zoning Amendment Application

Request # ZA- C2100085 Condition/Stipulation Change

Original ZA # _____

Applicant Name(s): Tanco Investments, LLC

Address: PO Box 1885 City: Dawsonville Zip: 30534

Phone: 678-776-5059 Cell Phone: 678-776-5059

Signature(s) [Signature] Date 11/6/20

Property Address: 315 Highway 9 N

Directions to Property from City Hall: Hwy 53 N, right on Hwy 9 N, property is on left approx. 1,100'

Tax Map # _____ Parcel # D03 012 Current Zoning*: HB

Land Lot(s): 441 District: 4th Section: 1st

Subdivision Name: N/A Lot # _____

Acres: 2.50 Current Use of Property: Vacant

Has a past Request of Rezone of this property been made before? _____ If yes, provide ZA # _____

The applicant request:

Rezoning to zoning category: R-6 Special Use permit for: _____

Proposed use of property if rezoned is: Townhouse Development

If Residential: # of lots proposed 15 Minimum lot size proposed 2,036 s.f. (Include Conceptual Plan)

Is an Amenity area proposed no, if yes, what _____

If Commercial: Total Building area proposed _____ (Include Conceptual Plan)

Existing Utilities: (utilities readily available at the road frontage) Water Sewer Electric Natural Gas

Proposed Utilities: (utilities developer intends to provide) Water Sewer Electric Natural Gas

Road Access/Proposed Access: (Access to the development/area will be provided from)

Road name: Highway 9 Type of Surface: Asphalt

- ◆ Failure to complete all sections will result in rejection of application and unnecessary delays.
- ◆ I understand that failure to appear at a public hearing may result in the postponement or denial of this application.

[Signature]
 Signature of Applicant

11/6/20
 Date

Office Use Only:

Date Completed Application Rec'd Not Received Amount Paid \$ 650 Check # 14957 /Cash

Date of Planning Commission Meeting: 12/14/2020 Dates Advertised: 11/18/2020

Date of City Council Meeting: 12/21/2020 - 1/4/2021 Dates Advertised: 11/18/2020

Postponed: YES NO Date: _____ Rescheduled for next Meeting: _____

Approved by Planning Commission: YES NO Approved by City Council: YES NO



PLANNING COMMISSION EXECUTIVE SUMMARY FOR AGENDA ITEM # 8

SUBJECT: Public Hearing VA-C2100085

DATE(s): **12/14/2020**

PURPOSE FOR REQUEST:

Hold a Public Hearing for

VA-C2100085: Tanco Investments, LLC has requested the following variances for TMP D03 012 Located at 315 Highway 9 North for lots 2,5,8,11 and 14. The lot width on 2,5,8,11 and 14 would be reduced from 28' feet to 22' wide. The lot depth on lot 11 would be reduced from 100' to 95' in length. Public Hearing Dates: Planning Commission on December 14, 2020 and City Council on December 21, 2020. City Council for a decision on January 4, 2021. **Applicant has submitted request to withdraw application. The application has been approved without prejudice.**

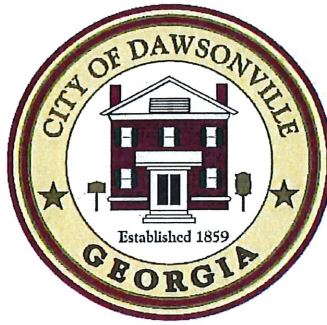
HISTORY/ FACTS / ISSUES

OPTIONS:

To approve, deny, table or defer

REQUESTED BY: Stanislav Zaverukha - Permit Technician

415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



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December 4, 2020

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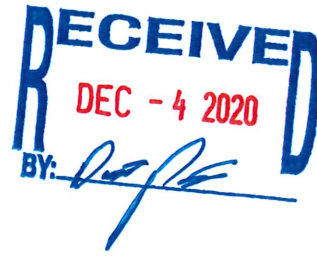
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December 3, 2020

City of Dawsonville Planning & Zoning Department
Attn: David Picklesimer
415 Highway 53 East, Suite 100
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Thank you,

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Rachel Burton, PLA

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Stephen Tolson
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Michael Eason
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David Picklesimer
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City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

Variance Application

Fee: \$300.00

VAR-_____

Application for: Appeal Special Exception Adjustment

Variance Requested: Lot Width, Lot Depth, _____ (Letter of Intent must fully describe this request)

Applicant Name: Kevin Tanner Company: Tanco Investments, LLC
 Address: PO Box 1885 City: Dawsonville Zip: 30534
 Phone: 678-776-5059 Cell Phone: 678-776-5059 Fax #: _____

Owner Name(s): Kathy Finley
 Address: 225 Finley Road / 118 SHAL CREEK COURT City: Dawsonville Zip: 30534
 Phone: 706-974-9860 Cell Phone: _____ Fax #: _____

Exact Location and Description of Subject Property:

Address: 315 Highway 9 N. Lot # _____
 Present/Proposed Zoning: HB/R-6 Parcel # D03 012
 District: 4th Land Lot: 441 Tax Map # D03
 Present and/or Proposed Use of Property: Townhouses

Required Items:

- A completed signed application.
- A detailed Letter of Intent of your request along with any supporting maps, survey's and/or documents requested by the Planning Director.
- The Letter of Intent shall address the criteria specified in Section 907. (see pg. 2 & 3)
- The applicant is responsible to pay the certified mail postage to adjacent property owners.
- Variance fee of \$300.00

 Signature of Applicant

11/6/20
 Date