

**MINUTES**  
**PLANNING COMMISSION REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, December 13, 2021**

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1. **CALL TO ORDER:** Chairperson Randy Davis called the meeting to order at 5:30 p.m.
2. **ROLL CALL:** Present were Planning Commission Members Sandy Sawyer, Matt Fallstrom, Anna Tobolski, City Attorney Kevin Tallant, City Manager Bob Bolz, Mayor Mike Eason, Planning Director David Picklesimer, Zoning Administrative Assistant Stacy Harris.
3. **INVOCATION AND PLEDGE:** David Picklesimer led Invocation and Pledge.
4. **ANNOUNCEMENTS:** None
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by S. Sawyer; second by M. Fallstrom. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the Regular Meeting minutes on Monday, November 8, 2021, made by A. Tobolski; second by S. Sawyer. Vote carried unanimously in favor.

**PUBLIC HEARING**

7. **VAR-C2200057:** William Elliott has petitioned side and rear property setbacks and zoning buffers be reduced to 0' ft for TMP 069 006, 068 063 001 and 068 063 002; Land Lot 4 Located at 2367 Elliott Family Parkway. **Variance Request # 1.** Zoning Article VIII Sec 802 (2). The applicant is requesting to eliminate the rear 60' ft setback and the rear 50' ft zoning buffer along parcel TMP 068 063 001 and 068 060. Proposed setback and buffer are zero. **Variance Request # 2** Zoning Article XXIX Sec 2904. The applicant is requesting to eliminate the 20' ft side setback along the property abutting TMP 069 006, 068 063 001, and 068 063 002. Public Hearing: Planning Commission on November 8, 2021, tabled until Monday, December 13, 2021.

Motion to open the public hearing made by M. Fallstrom; second by A. Tobolski. Vote carried unanimously in favor.

Chairperson Davis read the **Variance Request #1 & #2** and conducted the public hearing.

The following persons spoke in favor of the request:

- William Elliott, 109 Ruby Lane, Dawsonville, GA – Mr. Elliott stated that he and Ed Myers (engineer) had met with Dan Elliott a couple of times and had not come up with a resolution. Mr. Elliott proposes a 5' ft variance. He further stated that the aircraft hangers cannot be moved forward toward the air strip in case Elliott Field becomes a regional airport.
- Ed Myers, 752 Chattahoochee Place, Gainesville, GA – Mr. Myers provided a map of the current property and discussed why there is a need for the reduction of setbacks and buffer. He further stated that no vegetation can be planted near the air strip according to rules that are in place per FAA (Federal Aviation Administration).

The following person spoke in opposition of the request:

- Dan Elliott, 351 Mildred Elliott Rd, Dawsonville, GA – He voiced his concerns about liability of someone accessing his property by having zero setbacks and of the unknown financial impact it may have.

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

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Commissioner Fallstrom and Commissioner Tobolski requested William Elliott and Ed Myers return to the podium for additional questions. Mr. Elliott stated that he could work with a 10' ft setback and buffer.

Commissioner Tobolski requested Dan Elliott return to the podium for additional questions.

After a discussion amongst the commissioners, A. Tobolski made a motion to approve **Variance Request #1** a reduced setback and buffer to 10' ft along parcel TMP 068 063 001 and TMP 068 060 with a condition to install a fence to the extent allowed by FAA regulations along parcel TMP 068 063 001 and TMP 068 060.

Motion to approve **Variance Request #2** a reduced setback to 10' ft along parcel TMP 068 001, and 068 063 002 and TMP 069 006 made by A. Tobolski; second by M. Fallstrom. Vote carried unanimously in favor.

8. **ZA-C2200058:** Everett Management, LLC has petitioned a zoning amendment for TMP D03 010, Located at 239 HWY 9 North from HB (High Business) to CBD (Central Business District). Public Hearing Dates: Planning Commission on December 13, 2021, and City Council on January 6, 2022. City Council for a decision on January 20, 2022.

Planning Commission Member S. Sawyer recused herself due to being adjoining property owner to TMP D03 010.

Motion to open the public hearing made by A. Tobolski; second by M. Fallstrom. Vote carried two in favor (Tobolski, Fallstrom) with one recused (Sawyer).

Chairperson Davis read the zoning amendment and conducted the public hearing.

The following persons spoke in favor of the request:

- Evan Gravitt, 8930 Bay Lane, Gainesville, GA – He stated that the property zoning is incorrect and non-conforming. Mr. Gravitt is asking the commission to approve the zoning to CBD (Central Business District) in accordance with the City's Zoning Ordinance.
- Julie Morgan, 91 Maple Hill Drive, Dawsonville, GA – Ms. Morgan stated that she does not have an issue with the zoning or setbacks, however the conditions of the rear apartments are in desperate need of clean up. Tents/tarps are covering the structure of the building. Brush and debris are coming over the fence line. Some conditions need to be set for this zoning and variance. She suggested the following:
  - Remove tents/tarps from the structure
  - Remove brush and debris from the fence line.
  - Install a 6' ft privacy fence on the property

No one spoke in opposition of the request.

Motion to close the public hearing made by A. Tobolski; second by M. Fallstrom. Vote carried two in favor (Tobolski, Fallstrom) with one recused (Sawyer).

Motion to approve the zoning amendment made by A. Tobolski; second by M. Fallstrom. Vote carried two in favor (Tobolski, Fallstrom) with one recused (Sawyer).

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9. **VAR-C2200060:** Everett Management, LLC has petitioned to eliminate the 30' ft buffer along the rear and east property lines and reduce the 40' ft setback to 17' ft along the east property line and 20' ft along the rear property line for TMP D03 010, Located at 239 HWY 9 North. Public Hearing: Planning Commission on December 13, 2021, and City Council on January 6, 2022. City Council for decision on January 20, 2022.

Motion to open the public hearing made by A. Tobolski; second by M. Fallstrom. Vote carried two in favor (Tobolski, Fallstrom) with one recused (Sawyer).

Chairperson Davis read the variance request and conducted the public hearing.

No one spoke in favor of the request.

No one spoke in opposition of the request.

Motion to close the public hearing made by M. Fallstrom; second by A. Tobolski. Vote carried two in favor (Tobolski, Fallstrom) with one recused (Sawyer).

Chairperson Davis requested Evan Gravitt return to the podium for additional questions.

Motion by A. Tobolski to table the variance until Monday, February 14, 2022, Planning Commission Meeting for the following conditions to be made:

- ❖ Remove tents and traps that are overhanging on the structures
- ❖ Remove debris and brush
- ❖ 6' ft privacy fence along the east and rear property line

Second by M. Fallstrom. Vote carried two in favor (Tobolski, Fallstrom) with one recused (Sawyer).

10. **VAR-C2200069:** Adams Homes AEC, LLC has requested a rear setback from 20' ft to 16' ft for TMP 084 003 003, Located at 28 Thunder Valley. Public Hearing: Planning Commission on December 13, 2021.

Motion to open the public hearing made by A. Tobolski; second by S. Sawyer. Vote carried unanimously in favor.

Chairperson Davis read the variance request and conducted the public hearing.

The following person spoke in favor of the request:

- Keith Ferguson, 6025 Providence Lane, Cumming, GA – He requested the setback for the house plan to fit the lot.

No one spoke in opposition of the request.

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

Motion to approve the variance made by M. Fallstrom; second by S. Sawyer. Vote carried unanimously in favor.

11. **ZA-C2200079:** Crawford West Properties, LLC has petitioned a zoning amendment for TMP 091 010, Located at 2279 HWY 9 North from R1 (Restricted Single-Family Residential) to HB (Highway Business). Planning Commission on December 13, 2021, and City Council on January 6, 2022. City Council for a decision on January 20, 2022.

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The following persons spoke in favor of the request:

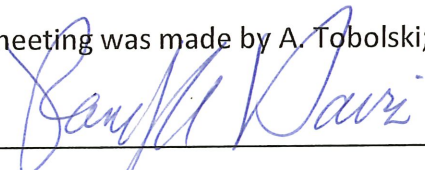
- Natila Copeland, 106 HWY 136 E, Dawsonville, GA – She stated that the property has been used historically in the past for chicken houses and a trucking company . When the property was annexed into the city year ago it was never rezoned HB and was converted back to R1 (Restricted Single-Family Residential). Mrs. Copeland is requesting the property be zoned HB (Highway Business) as the property is at the intersection of two state highways (136 and 9).
- Sandy Reece, 86 Clifton Drive, Dawsonville GA – He stated that he is wanting to set up a new business at this location and it would be a wrecker service for commercial vehicles.

Motion to close the public hearing made by S. Sawyer; second by A. Tobolski. Vote carried unanimously in favor.

Motion to approve the zoning amendment made by A. Tobolski; second by M. Fallstrom. Vote carried unanimously in favor.

**11. PLANNING COMMISSION REPORTS:** Chairperson R. Davis announced that the next Planning Commission Meeting is February 14, 2022, at 5:30 pm.

**ADJOURNMENT:** At 6:37 p.m., a motion to adjourn the meeting was made by A. Tobolski; second by S. Sawyer. Vote carried unanimously in favor.

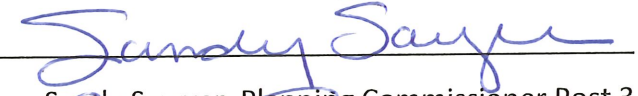


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Randy Davis, Commission Chairperson

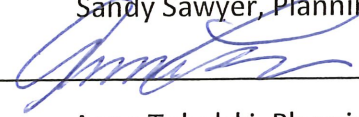


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Matt Fallstrom, Planning Commissioner Post 1

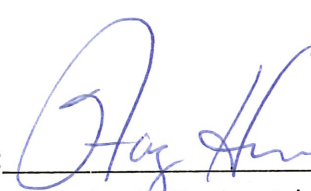
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Vacant Planning Commissioner Post 2



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Sandy Sawyer, Planning Commissioner Post 3



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Anna Tobolski, Planning Commissioner Post 4

Attested:   
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Stacy Harris, Zoning Administrative Assistant