

AGENDA
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 13, 2023, 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
 - Regular Meeting held Monday, January 9, 2022
7. 2023 Co-Chairperson Election

PUBLIC HEARING

8. **ZA C2300078**: Sherry Phillips has petitioned a zoning amendment for TMP D02 013, Located at 129 Stegall Place from R-2 (Single-Family Residential District) to RMM (Residential Manufactured/Moved). Public Hearing Dates: Planning Commission on February 13, 2023, and City Council on March 6, 2023. City Council for a decision on March 20, 2023.
9. **VAR-C2300077**: Sherry Phillips has a variance request for a mobile home placement on less than the required 3-acre minimal lot size for TMP D02 013, Located at 129 Stegall Place. Public Hearing Date: Planning Commission on February 13, 2023.

PLANNING DIRECTOR REPORT

10. Comprehensive Plan Update

PLANNING COMMISSION REPORTS

ADJOURNMENT

The next scheduled Planning Commission meeting is Monday, March 13, 2023

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.

MINUTES
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, January 9, 2023

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, Anna Tobolski, Sandy Sawyer, Josh Nichols, Alexis Noggle, City Attorney Kevin Tallant, City Manager Bob Bolz, Councilmember John Walden, Director of Planning and Zoning Harmit Bedi, Zoning Administrative Assistant Stacy Harris.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by City Manager Bob Bolz.
4. **ANNOUNCEMENTS:** None
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda made by S. Sawyer; second by J. Nichols. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the regular meeting minutes held on Monday, December 12, 2022, made by S. Sawyer; second by J. Nichols. Vote carried unanimously in favor.

BUSINESS

7. **2023 CHAIRPERSON APPOINTMENT:** Motion to appointment Randy Davis as the 2023 Chairperson, made by J. Nichol; second by A. Tobolski. Vote carried unanimously in favor.
8. **HISTORIC RESOURCE SURVEY GRANT SUPPORT LETTER:** Director Bedi stated that the city is requesting a grant from Georgia Department of Community Affairs to do a historic resource survey. A survey needs to be done every 10-15 years. The Planning and Zoning Department is requesting a letter of support from the Planning Commission for a historic resource survey grant.

Planning Commission inadvertently opened and closed a public hearing at this time.

Motion to approve the Historic Resource Grant Support Letter made by A. Tobolski; second by J. Nichols. Vote carried unanimously in favor.

PLANNING DIRECTOR REPORT:

9. **APPROVAL OF ADMINISTRATIVE VARIANCE AVAR-C2300057:** As required per city code. Director Bedi notified the Planning Commission of an Administrative Variance approval for Hardeman Communities, Inc. for a reduced side setback of eight (8) inches from the required five (5) feet side setback; Located at 142 Timber Ridge.

PLANNING COMMISSION TRAINING:

City Attorney Kevin Tallant announced that the Planning Commission Members, along with city staff will be attending training in the Joe Lane Cox Room and will adjournment the regular meeting after the training.

ADJOURNMENT:

Motion to adjourn the meeting at 6:40 p.m. made by A. Tobolski; second by J. Nichols. Vote carried unanimously in favor.

MINUTES
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, January 9, 2023

Approved this 13th day of February 2023

Randy Davis, Commission Chairperson

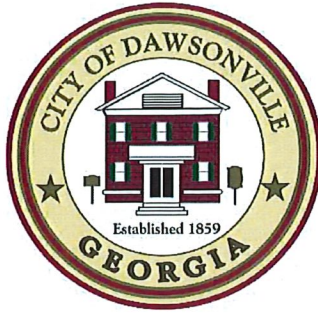
Alexis Noggle, Planning Commissioner Post 1

Josh Nichols, Planning Commissioner Post 2

Sandy Sawyer, Planning Commissioner Post 3

Anna Tobolski, Planning Commissioner Post 4

Attested: _____
Stacy Harris, Zoning Administrative Assistant



City of Dawsonville

DEPARTMENT OF PLANNING AND ZONING

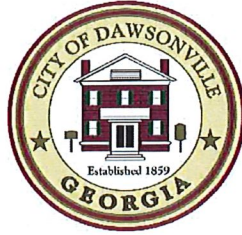
TO: The Chairperson and Planning Commission Members
DATE: February 13, 2023
FROM: Harmit Bedi, Director, Planning and Zoning
RE: Election of Co-Chairperson

This is to advise that at the Planning Commission Regular Meeting on Monday, February 13, 2023, an election for a co-chairperson is required to be held.

The city administration realized that in the absence of chairperson, for any reason(s), to conduct/preside over a meeting a co-chairperson is required. Thus, requesting the Planning Commission members to elect a co-chairperson for this year.

Now onwards, every year, a chairperson and a co-chairperson shall be elected at the first Planning Commission meeting of the year.

Thank you.



City of Dawsonville

DEPARTMENT OF PLANNING AND ZONING

PLANNING COMMISSION

CASE SUMMARY

February 13, 2023

Case Number: ZA-C2300078

Applicant: Sherry Phillips

Business Name: N/A

Property Address: 129 Stegall Place, Dawsonville

Parcel Number: D02 013

Project Name: N/A

Present Zoning: R-2 (Single Family Residential)

Request: Rezone to RMM (Residential Manufactured/Moved)

Staff Recommendation: The Planning Commission may consider **Approval** with stipulations.



CITY OF DAWSONVILLE
PLANNING COMMISSION
CASE ANALYSIS

TO: Chair and Planning Commission
DATE: February 13, 2023
FROM: Harmit Bedi, Director, Planning and Zoning
SUBJECT: Request for Rezoning
Case Number: ZA – C2300078

Findings of Fact:

Sherry Phillips of 293 Dawson Manor Drive, Dawsonville, GA, has applied for rezoning. The subject property is located at 129 Stegall Place. Tax parcel number is D02 013 with R-2 (Single Family District). The property is 0.53 acres.

The Request:

The applicant is requesting to rezone the property to RMM (Residential Manufactured/Moved District) from R-2 (Single Family District).

The request for rezone is to replace a dilapidated mobile home with a new mobile home at the subject property.

Background:

According to the City Code, Article XII, R-2, Single Family Residential District), mobile homes are not permitted. However, mobile homes are permitted under RMM (Residential Manufactured/Moved District) (Article XVI).

Attached is the intent letter from the applicant.

Staff Analysis:

The subject property is located at 129 Stegall Place. This street, on both sides, are zoned R-2 (Single Family District). The street has mix use of single-family homes and mobile homes.

The subject property has a residential structure. The structure is inhabitable and dilapidated. As a matter of fact, this structure is an eyesore for the neighborhood.

Staff Recommendation:

The Planning Commission may consider **Approval** of Rezoning with the following conditions:

1. The property owner must meet all requirements of the City Code, Section 1603 for installation of new mobile home.
2. If the rezoning request is approved by the Mayor and Council, it shall not be bound/attached with the property. The rezoning shall be with/for the present property owner. However, the present property owner shall be permitted to use as primary residence and live at the approved mobile home as long as she wishes.
3. If the present property owner relinquishes property ownership rights or sell the subject property to third party(s) then the approved rezoning will automatically reverse back to the original zoning, which is R-2 (Single-family District).
4. If the property is sold to third parties, the original zoning (R-2) is reinstated automatically. The new property owners shall not be allowed to live in the mobile home. The new owners shall have three (3) months to remove the mobile home from the property from the date of purchase. The Director, Planning and Zoning, may extend the duration to additional three months on the written request.
5. If the rezoning request is approved by the Mayor and Council, the family members and or kinship may live in with the present property owner. If the present property owner ceases to live, for any reason(s), at the subject property, then the family members and/or kinship shall not be permitted to live at the mobile home. In that event the condition #4 shall apply.
6. In the property is sold then the new owners must submit new recorded warranty deed with the Department of Planning and Zoning prior to occupying the premises.

Thank you.

RECEIVED
JAN 11 2023
BY: SK



City of Dawsonville

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

**Zoning Amendment
Application**

Application#: ZA-C2300078
Applicant Name(s): Sherry Phillips
Address: 293 Dawson Manor Drive City: Dawsonville Zip: 30534
Cell Phone: (706) 531-5333 Email: sherry100@windstream.net
Signature(s) Sherry Phillips Date 1/11/23
Property Address: 129 Stegall Place
Directions to Property from City Hall: Turn right onto Hwy 53 W, go 0.3 mile, turn left onto Academy Avenue, continue across Hwy 9, turn left onto Maple Street, turn right onto Stegall Place, 4th home on the left.
Tax Map Parcel #: D02 013 Current Zoning: R2
Land Lot(s): 30 District: 02 Section: 1st
Subdivision Name: Stegall Manor Subdivision Lot # 446, 447
Acres: _____ Current use of property: Inhabitable and dilapidated home
Has a past request of Rezone of this property been made before? No If yes, provide ZA # _____

The applicant request:

Rezoning to zoning category: Rmm Conditional Use permit for: _____
Proposed use of property if rezoned: Primary residence
Residential #of lots proposed: 1-2 Minimum lot size proposed: 1 (Include Conceptual Plan)
Amenity area proposed N/A, if yes, what _____
If Commercial: total building area proposed: _____ (Include Conceptual Plan)
Utilities:(utilities readily available at the road frontage): X Water Sewer X 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: Stegall Place 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.

Sherry L. Phillips
Signature of Applicant

1/11/23
Date

Office Use Only	
Date Completed Application Rec'd: <u>01.11.2023</u>	Amount Paid: \$ <u>350</u> <u>(CK)</u> Cash CC
Date of Planning Commission Meeting: <u>2.13.2023</u>	Dates Advertised: <u>2.1.2023</u>
Date of City Council Meeting: <u>03.06.2023</u>	Rescheduled for next Meeting: _____
Date of City Council Meeting: <u>03.20.2023</u>	Approved by City Council: YES NO
Approved by Planning Commission: YES NO	Postponed: YES NO Date: _____



City of Dawsonville

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

Zoning Amendment Authorization

Property Owner Authorization

I / We Sherry Phillips hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 129 Stegall Place, Tax Map Parcel # 130304 0125 A as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by the request.

I hereby authorize the person(s), or entity(ies) named below to act as the applicant or agent in pursuit of the rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The under signer below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 6 months from the date of the last action by the City Council.

Printed Name of Applicant or Agent Sherry Phillips
Signature of Applicant or Agent Sherry L. Phillips Date 1/11/23
Mailing Address 293 Dawson Manor Drive
City Dawsonville State GA Zip 30534

Sworn and subscribed before me on this

11 day of January 2023

Stanislav Zaverukha
Notary Public, State of Georgia



Stanislav Zaverukha
NOTARY PUBLIC
Dawson County, Georgia
My Commission Expires
March 21, 2023

My Commission Expires: March 21, 2023

Notary Seal

January 11, 2023

To: Mayor and City Council
Planning Commission
City of Dawsonville

RE: Letter of Intent

I respectfully submit this Letter of Intent which outlines the proposed rezoning of my property at 129 Stegall Place, as well as to grant a variance which would allow me to replace my dilapidated mobile home with a new one. I have not lived in the home for almost 20 years as I was a caregiver for my mom, and I lived with her. During that time, I allowed various family members to live in the home. After my mom's death, we sold her home, and I had every intention of renovating my current mobile home and moving back into it. However, I was unaware as to how extensive the damage was to my home and the fact that it wasn't salvageable.

I have found a brand-new mobile home with a little more than 1,500 sq. ft., which is larger than the current home, for around \$120,000. I have received a quote from a local builder, and it seems that a 1400 sq. ft. basic stick-built home would cost ~\$250,000.

As much as I would love to be able to build a home, which is now required by the City of Dawsonville for homes zoned R-2, it's just not financially viable. I'm on a very limited income and there's no way that I could afford payments on a stick-built home, nor could I qualify for a loan for one. Replacing my home with another mobile home is the only hope that I have of obtaining a home. It is important to note that this will be MY primary residence. I have been living with my daughter and her family for a little over six months as I do not have a home until this matter is settled. I have been a resident of the City of Dawsonville for more than 40 years. I'm not asking for any special privileges, merely to be able to replace what is there with a new mobile home. Such an approval would drastically improve the aesthetics of my property and allow a bigger footprint than currently exists; therefore, increasing the property value not only for myself, but for my surrounding neighbors as noted by their supporting petition.

I would also note that there are six (6) other mobile homes on this street (see attached pictures), and this proposed replacement (see attached pictures and floorplan) will be more aesthetically appealing than the ones currently in place. In addition, we plan to continue making improvements to the existing lot should the Council see fit to approve this request, as I plan to cut additional trees and clean the lot up as well as to nicely landscape the front yard once the new home is in place.

In closing, I would also request that the Commission and the City Council please consider a refund of the fees associated with the rezoning and variance applications that I have paid due to the financial hardship these costs have placed on me. Thank you in advance for granting me the time to plead my case and for your thorough consideration of this very important decision.

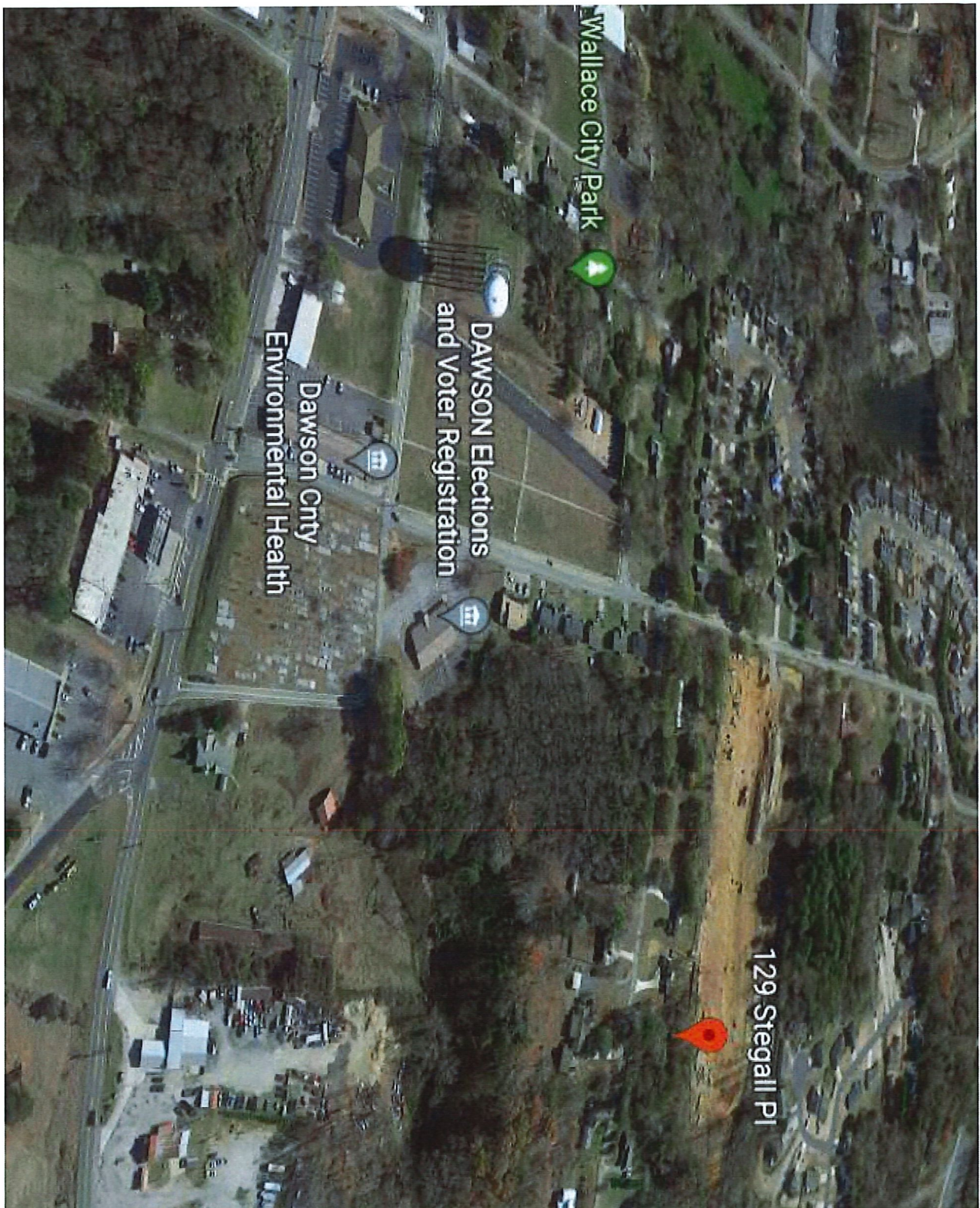
Sincerely,

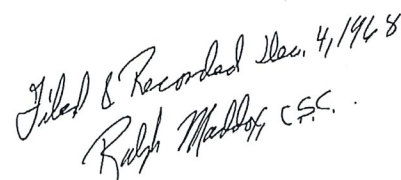
Sherry Phillips

PETITION IN SUPPORT OF REZONING REQUEST TO ALLOW REPLACEMENT OF MOBILE HOME AT

129 STEGALL PLACE

[illegible]





DAWSON COUNTY BANK
P.O. BOX 159
DAWSONVILLE, GA 30534

DAWSON COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX
PAID - 8.00
DATE - 8-26-94
Becky McCord
BECKY MCCORD, CLERK
SUPERIOR COURT

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DAWSON.

THIS INDENTURE, is made this 23rd day of August, in the Year of Our Lord One Thousand Nine Hundred and Ninety-four (1994) between KENNETH REED of Dawson County, Georgia, of the first part, and SHERRY L. PHILLIPS of Dawson County, Georgia, of the second part;

WITNESSETH: That the said party of the first part, for and in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns, the following described property:

All that tract or parcel of land lying and being in Land Lots 446 and 447 in the 4th District, 1st Section of Dawson County, Georgia, containing approximately one acre, and being more fully described and delineated as all of Lot 28 and the western half of Lot 29 of the Stegall Manor Subdivision according to a plat of survey of that subdivision dated November, 1968, prepared by B. Keith Rochester and Associates, Registered Surveyors, which is recorded in Plat Book 2, Page 96, Dawson County Records, which is incorporated by reference herein. This is the same property which was conveyed to Kenneth Reed under a Warranty Deed from Harold M. Hendrix which is recorded in Deed Book 39, Page 288, Dawson County Records.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of the said party of the second part, her heirs and assigns, forever, in fee simple.

AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, her heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered
this 23rd day of August, 1994,
in the presence of:

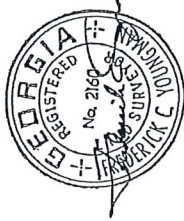
Connie C. Medlock
Notary Public
Commission Expires:
Notary Public, Dawson County, Georgia
My Commission Expires Aug. 15, 1995

Kenneth Reed (SEAL)
KENNETH REED

GEORGIA DAWSON COUNTY
CLERK'S OFFICE, SUPERIOR COURT
RECORDED
M 11:50 A.M. 8-26-94
Recorded in Deed Book 188 Page 444
This 26 day of August 19 94
Becky McCord

** Proposed placement of new home.*

REFERENCE:
STEGALL MANOR S/D
(PB. 2, PG. 96)



LEGEND

- IPS = IRON PIN SET
- IPF = IRON PIN FOUND
- PP = POWER POLE
- R/W = RIGHT OF WAY
- W- = WATER LINE
- G- = GAS LINE
- X- = FENCE LINE
- LLL = LAND LOT LINE
- LL = LAND LOT
- CT = CRIMP TOP
- OT = OPEN TOP
- CL = CENTER LINE
- R = PROPERTY LINE
- N/F = NOW OR FORMERLY
- R.C.P. = REINFORCED CONC. PIPE
- C.M.P. = CORRUGATED METAL PIPE
- N.T.S. = NOT TO SCALE
- 1/4" = 1' = POWER LINE

EQUIPMENT FOR MEASUREMENT
ANGULAR: TOPCON (GTS-303)
LINEAR: EDM. (TOTAL STATION)

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 05" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 210,761 FEET.

625.20' ALONG THE R/W OF
STEGALL PLACE FROM ITS
INTERSECTION WITH MAPLE ST.

STEGALL PLACE (40' R/W)



THIS PROPERTY IS NOT LOCATED
WITHIN THE 100 YEAR FLOOD AREA
PER OFFICIAL 'FIRM FLOOD HAZARD
MAPS' PANEL NUMBER 130304 0125 A.

N/F ANGELA HOWARD

<p>VEY 3' 150' 50'</p>	<p>SURVEY FOR SHERRY LYNN PHILLIPS LOTS 28, 29, 30 STEGALL MANOR S/D</p>	<p>LAND LOT: 446, 447 DISTRICT: 4TH COUNTY: DAWSON DATE: 5/06/98</p>	<p>SECTION: STATE: GEORGIA FILE NO: 98047</p>
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Youngman Surveying, Inc.
185 Clark Road
Dawsonville, Georgia 30534
(706) 216-8885

Existing Mobile Homes Located on Stegall Place



Existing Mobile Homes Located on Stegall Place



Existing Home – 129 Stegall Place

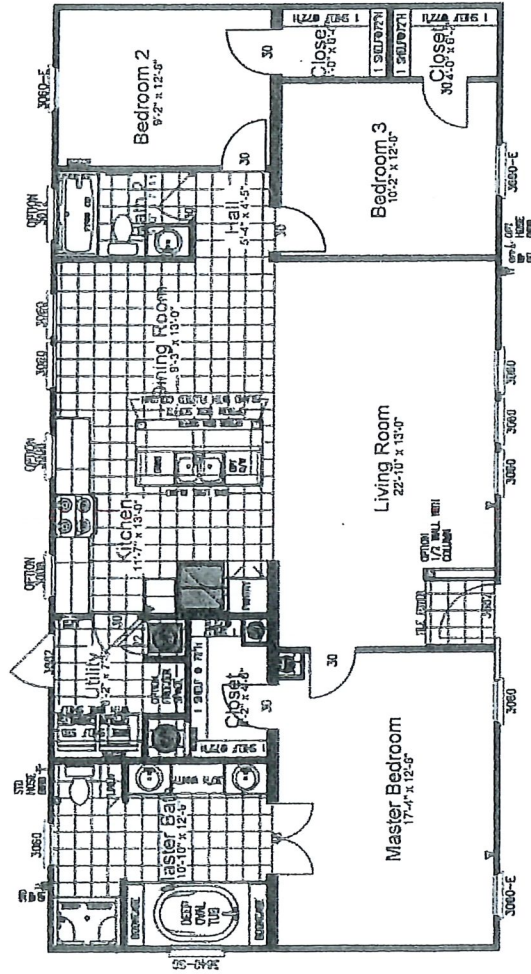


Proposed Replacement – 129 Stegall Place



Proposed Replacement – 129 Stegall Place





MODEL: 290TE28563F 3 BR. ~ 2 BA.
28'-0" X 56'-0" ~ 1493 SQ. FT.

RECEIVED
JAN 11 2023
BY: _____

City Council:

John Walden
Caleb Phillips
William Illg
Mark French



Mike Eason
Mayor

Robert Bolz
City Manager

Beverly Banister
City Clerk

Planning Commission:

Randy Davis, Chairperson
Alexis Noggle, Post 1
Josh Nichols, Post 2
Sandy Sawyer, Post 3
Anna Tobolski, Post 4

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
Office (706)265-3256
www.dawsonville-ga.gov

Harmit Bedi
Planning Director

Stacy Harris
Zoning Admin Assistant

PUBLIC NOTICE

The following public hearings will be conducted by the City of Dawsonville Planning Commission at 5:30 p.m. and/or the City Council beginning at 5:00 p.m. respectively on the dates indicated below. Public hearings are conducted 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 participate.

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ZA C2300078: Sherry Phillips has petitioned a zoning amendment for TMP D02 013, Located at 129 Stegall Place from R-2 (Single-Family Residential District) to RMM (Residential Manufactured/Moved). Public Hearing Dates: Planning Commission on February 13, 2023 and City Council on March 6, 2023. City Council for a decision on March 20, 2023.

VAR C2300077: Sherry Phillips has requested a variance for mobile home placement on less than the required 3-acre minimal lot size for TMP D02 013, Located at 129 Stegall Place. Public Hearing Date: Planning Commission on February 13, 2023.

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.***

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.

Public Hearings

Notice of Public Hearing

The following public hearing will be conducted by the City of Dawsonville Historic Preservation Commission at 6:30 p.m. respectively on the dates indicated below. Public hearing will be conducted 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.

OA-C2300079; Carter McEver as requested a Certificate of Appropriateness for new exterior signs on the front and side of the building. Located at TMP D03 043, Hwy 9 South within the Historic District of Dawsonville. Public Hearing Date: Historic Preservation Commission on Monday, February 7, 2023.

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.

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.

117802 2/1

Public Notice:

The Dawson County Board of Commissioners will hear public input in regard to the possible extension of the existing moratorium on the acceptance of residential zoning applications at the Board of Commissioners meeting at the February 16, 2023, Voting Session following the 4:00 Work Session in the Dawson County Government Center, Assembly Room 2303, located at 25 Justice Way, Dawsonville, Georgia.

If you have any questions or concerns regarding this or need special accommodations, please contact Kristen Cloud, County Clerk, at 706-4-3500, ext. 42235. All interested parties are invited to attend and be heard.

117476 1/25,2/1

Public Sales/Auctions

WDS Mini Storage Online Auction on Lockerfox.com for February 14 February 21st.

WSON 400
5. Katrina Lawrence
5. Kelly Mezick
3. Sierra Shelton
1. Joe Tinsley

1. K HEARD ROAD
1. Malinda Loggins
1. Derek Lawhorne
1. Justina Krause

117646 2/1,8

ALERS



City of Dawsonville

DEPARTMENT OF PLANNING AND ZONING

PLANNING COMMISSION

VARIANCE CASE SUMMARY

February 13, 2023

Case Number: VAR – C2300077

Applicant: Sherry Phillips

Business Name: N/A

Property Address: 129 Stegall Place, Dawsonville

Parcel Number: D02 -013

Project Name: N/A

Present Zoning: R2 (Single Family Residential District)

Request: Reduced lot size to 0.58 acres from required 3-acre lot

Staff Recommendation: The Planning Commission may consider **Approval** of the Variance.



CITY OF DAWSONVILLE
PLANNING COMMISSION
VARIANCE CASE ANALYSIS

TO: Chair and Planning Commission
DATE: February 13, 2023
FROM: Harmit Bedi, Director, Planning and Zoning
SUBJECT: Request for a Variance
Case Number: VAR – C2300077

Findings of Fact:

Sherry Phillips of 293 Dawson Manor Drive, Dawsonville, GA, has applied for a variance. The subject property is located at 129 Stegall Place. Tax parcel number is D02-013 with R-2 (Single Family District). The property is 0.53 acres.

The Request:

The applicant is requesting for a Variance for a reduced lot size to 0.53 acre from a required 3-acre lot in RMM (Residential Manufactures /Moved District) to install a mobile home at the subject property.

The applicant is requesting, simultaneously, to rezone the property to RMM (Residential Manufactured/Moved District) from R-2 (Single Family District).

The request for rezone is to replace a dilapidated mobile home with a new mobile home at the subject property.

Background:

According to the City Code, Article XII, R-2, Single Family Residential District), mobile homes are **not** permitted. However, mobile homes are permitted under RMM (Residential Manufactured/Moved District) (Article XVI).

According to City code, Article XVI, Sec. 1601

“Minimum Lot Size: 3 Acres”

Staff Analysis:

The subject property is located at 129 Stegall Place. This street, on both sides, are zoned R-2 (Single Family District). The street has use mix of single-family homes and mobile homes.

The subject property has a residential structure. The structure is inhabitable and dilapidated. As a matter of fact, an eyesore for the neighborhood.

Staff Recommendation:

The Planning Commission may consider **Approval** of Variance to permit a mobile home in 0.53 acre parcel from required 3-acres with the following conditions:

1. Planning Commission approval of requested variance is contingent upon the approval of rezoning (from R-2 to RMM) by the Mayor and Council. In other words, in the event, the requested rezoning (Application # ZA – C2300078) is denied by the Mayor and Council, then the variance approved by the Planning Commission shall be null and void.
2. The variance, if approved by the Planning Commission, shall not be tied to the parcel/property. The approved variance shall be associated with the property owner (Ms. Sherry Phillips) only as a right to install a mobile home for primary residence.
3. If the present property owner relinquishes property ownership rights or sell the subject property to third party(s) then the approved variance shall be automatically null and void. The new property owner shall not inherit rights of approved variance.

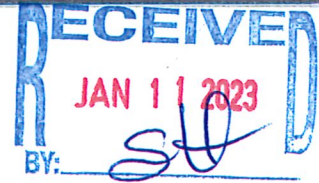
Thank you.



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

Variance Application

VAR- C23000077



Application for: ☐ Appeal ☐ Special Exception ☐ Adjustment

Variance Requested: Article XVI - RMM, Sec. 1601.4 (Letter of Intent must fully describe this request)

Applicant Name: Sherry Phillips Company: _____

Address: 129 Stegall Place City: Dawsonville Zip: 30534

Cell Phone: (706) 531-5333 Email: sherry100@windstream.net

Owner Name(s): Sherry Phillips

Address: same City: _____ Zip: _____

Cell Phone: _____ Email: _____

Exact Location and Description of Subject Property:

Address: 129 Stegall Place Lot # 446, 447

Present/Proposed Zoning: R2 Parcel # D02-013

District: 02 Land Lot: 30 Tax Map # 130304 0125 A

Present and/or Proposed Use of Property: Replace an inhabitable and dilapidated mobile home

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 Article IX. Sec. 907. Variances, conditional uses and map amendments (see page 2 & 3).
- Sign Variance authorized by City Council only per Chapter 105 Sec 105-8.

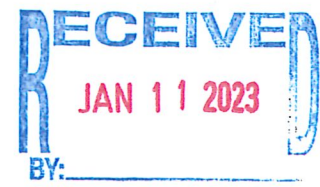
FEE SCHEDULE

Variance Per Ordinance Amendment	\$300.00
Administrative fee	\$100.00
Appeals and Change of Zoning Conditions	\$500.00
Public Notice Certified Mail	\$7.82 per adjacent property owner

Sherry L. Phillips
Signature of Applicant

1/11/23
Date

Office Use Only	
Date Completed Application Rec'd: <u>01.11.2023</u>	Amount Paid: \$ <u>431.28</u> <u>CK</u> Cash CK
Date of Planning Commission Meeting: <u>2.13.2023</u>	Dates Advertised: <u>02.01.2023</u>
Approved by Planning Commission: YES NO	Approved by City Council: YES NO
	Postponed: YES NO Date: _____



City of Dawsonville Land Use and Zoning Ordinance: Article IX Variances.

Does This Proposal Qualify For A Variance?

The purpose of a variance is to provide relief when a strict application of the district requirements would impose unusual practical difficulties or unnecessary physical hardships on the applicant. Practical difficulties and unnecessary hardships may result from the size, shape, or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other conditions on the site or in the immediate vicinity. No variance shall be granted to allow the use of property for a purpose not authorized within the district in which the proposed use would be located. A variance should be granted only after evidence is presented and accepted that enforcement of all of the required standards on the property in question would render the property useless. This Article establishes conditions; criteria for granting variances; public hearings on proposed variances; variances to road requirements; variance procedures; compliance with conditions of approval; vested interest in approved variances; investigations and reports; revocation; limitations on re-applications; and use variance. **A variance may be granted, upon specific findings that all of the following conditions exist. The absence of any one of the conditions shall be grounds for denial of the application for variance.**

Please Answer The Following In Addition to Providing A Letter Of Intent

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 or structures in the same district; and,

Answer:

Surrounding residential homes on my street and in my district that are also coded as R-2 are not required to have a 3-acre lot to build on. Also, a 3-acre lot was not required when I originally placed my mobile home on this lot. and,

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;

Answer:

While not ideal, I do have an additional lot that could be used if the Commission agrees to approve for the rezoning; however, even with lots, I still would fall short of the 3-acre requirement just to be able to replace my home.

and,

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;

Answer:

No, granting the variance will not provide any special privileges to the applicant. I'm simply asking to be able replace what is currently there. I would love to be able to replace with a stick built home but we have checked with builders and have received estimates of \$225k - \$250k for a 1300 sq. ft. and this is not in my budget as I am on a limited income. and,

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;

Answer:

The granting of the variance will only be beneficial for the neighborhood. I have already been trying to make improvements to my property and by cleaning the area up and replacing my home, it will dramatically improve the aesthetics of the neighborhood, the flow of water, and dead tree removal. _____ and,

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

Answer:

I have not lived in my current home for 20 years. I was the caregiver for my mom during this time and my brother lived in my home. After my mom passed away, I had plans to move back in to my home. We knew we would have some renovations to make but once we were able to get back in there, we realized it was beyond repair due to the extensive damages (see provided pictures). _____ and,

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

Answer:

Yes, I am not seeking anything more than what is currently there. _____

_____ and,

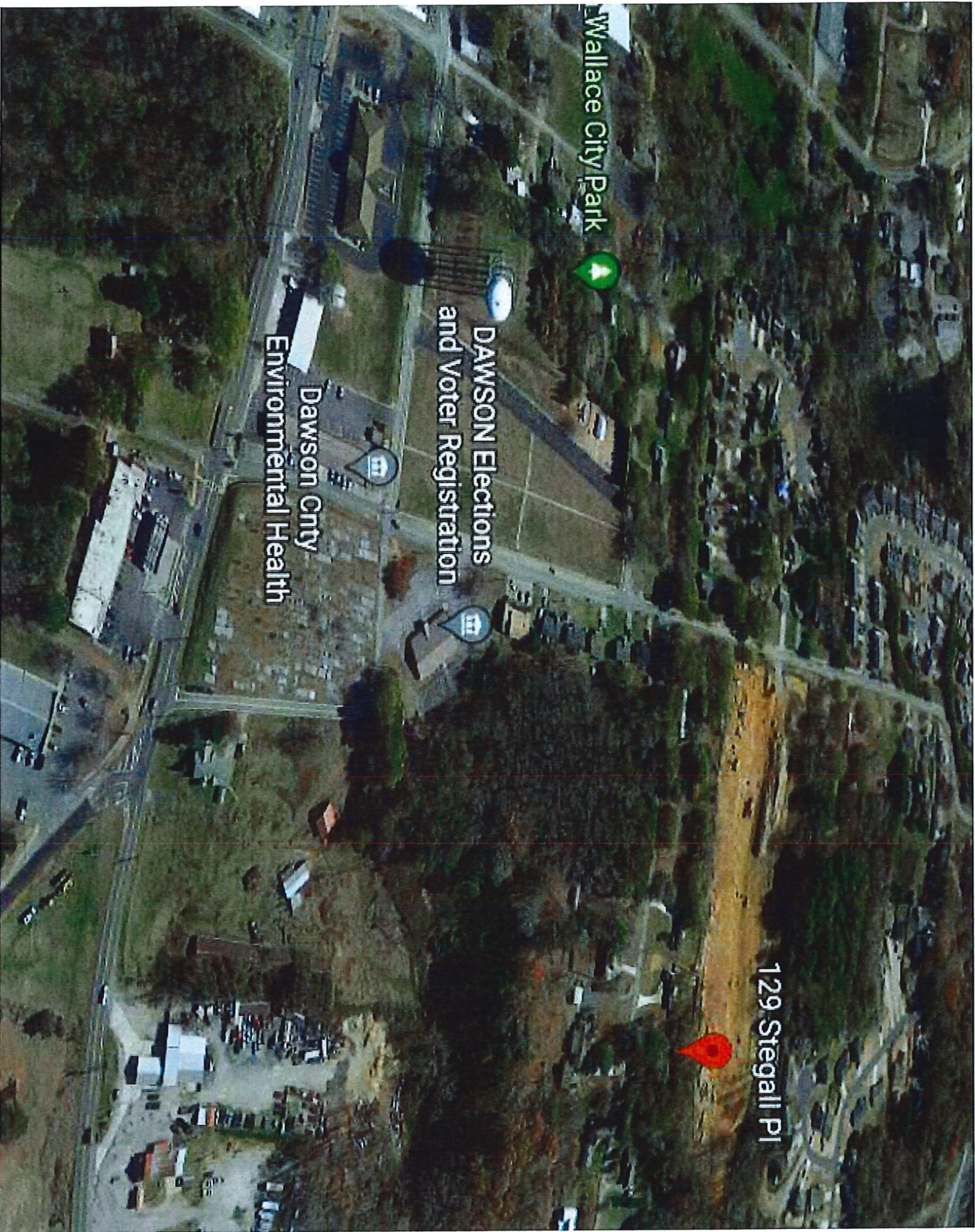
7. The variance is a request to permit a use of land, building or structures which is permitted by right in the district involved.

Answer:

Yes. _____

The applicant, or designated agent, **MUST*** attend the public hearings for the variance request to be considered.

***NOTE:** If the applicant of a petition before the Planning Commission fails to attend the public hearing, then the Planning Commission may deny the subject petition or may require re-advertisement of the subject petition at the expense of the applicant.



Proposed Replacement – 129 Stegall Place



Proposed Replacement – 129 Stegall Place



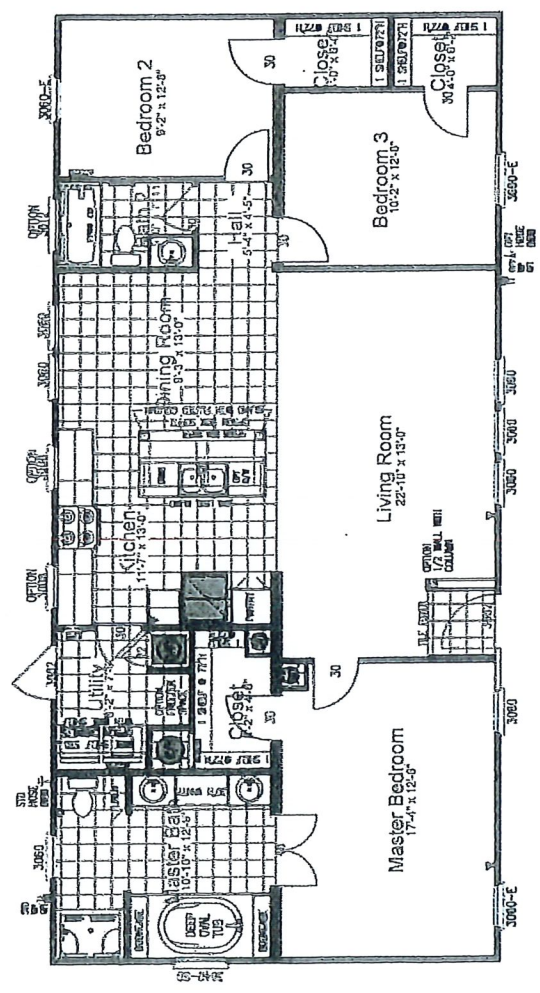
Existing Home – 129 Stegall Place





RECEIVED
JAN 11 2023
BY: _____

1/20



MODEL: 290TE28563F 3 BR. ~ 2 BA.
28'-0" X 56'-0" ~ 1493 SQ. FT.

Existing Home – 129 Stegall Place



Existing Home – 129 Stegall Place



Existing Home – 129 Stegall Place



Public Hearings

Notice of Public Hearing

The following public hearing will be conducted by the City of Dawsonville Historic Preservation Commission at 3:30 p.m. respectively on the dates indicated below. Public hearing will be conducted 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.

OA-C2300079: Carter McEver has requested a Certificate of Appropriateness for new exterior signs on the front and side of the building. Located at TMP D03 043, Hwy 9 South within the Historic District of Dawsonville. Public hearing Date: Historic Preservation Commission on Monday, February 7, 2023.

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.

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.

117802 2/1

Public Notice:

The Dawson County Board of Commissioners will hear public input in regard to the possible extension of the existing moratorium on the acceptance of residential zoning applications at the Board of Commissioners meeting at the February 16, 2023, Voting Session following the 4:00 Work Session in the Dawson County Government Center, Assembly Room 2303, located at 25 Justice Way, Dawsonville, Georgia. If you have any questions or concerns regarding this or need special accommodations, please contact Kristen Cloud, County Clerk, at 706-264-3500, ext. 42235. All interested parties are invited to attend and be heard.

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Public Sales/Auctions

Wards Mini Storage Online Auction through Lockerfox.com for February 14, February 21st.

WSON 400
15. Katrina Lawrence
16. Kelly Mezick
18. Sierra Shelton
10 Joe Tinsley

CK HEARD ROAD
3. Malinda Loggins
4. Derek Lawhorne
9 Justina Krause

117646 2/1,8

DEALERS