

AGENDA
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, March 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, February 13, 2023

PUBLIC HEARING

7. **ZA C2300085**: Kevin Lalani has petitioned a zoning amendment for TMP D03 056, Located at 514 Academy Ave from CBD (Central Business District) to TB (Town Business District). Public Hearing Dates: Planning Commission on March 13, 2023, and City Council on March 20, 2023. City Council for a decision on April 17, 2023.

PLANNING COMMISSION REPORTS

ADJOURNMENT

The next scheduled Planning Commission meeting is Monday, April 10, 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, February 13, 2023

1. **CALL TO ORDER:** Chairperson Randy Davis called the meeting to order at 5:30 p.m. Mr. Davis announced that City Manager Bob Bolz has an announcement. Mr. Bolz stated it is with great sadness that he shared the news of the sudden passing of Harmit Bedi, Director of Planning and Zoning, and asked that you keep Harmit's family in your thoughts and prayers.
2. **ROLL CALL:** Present were Planning Commission Members, Anna Tobolski, Sandy Sawyer, Josh Nichols, Alexis Noggle, City Attorney Kevin Tallant, Councilmember Liaison Caleb Phillips, Zoning Administrative Assistant Stacy Harris, Building Inspector Clay Moss.
3. **INVOCATION AND PLEDGE:** City Manager Bob Bolz led Invocation and Pledge.
4. **ANNOUNCEMENTS:** None
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda made by J. Nichols; second by S. Sawyer. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the regular meeting minutes held on Monday, January 9, 2023, made by A. Tobolski; second by S. Sawyer. Vote carried unanimously in favor.
7. **2023 CO-CHAIRPERSON ELECTION:** Planning Commission inadvertently opened and closed a public hearing at this time. Motion to elect Anna Tobolski as the 2023 Co-Chairperson made by A. Noggle; second by J. Nichols. Vote carried three in favor (Nichols, Noggle, Sawyer) with one abstained (Tobolski).

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.

Chairperson Davis read the zoning amendment and conducted the public hearing. Motion to open the public hearing made by J. Nichols; second by A. Tobolski. Vote carried unanimously in favor.

The following spoke in favor of the zoning request:

- Sherry Phillips, 129 Stegall Place, Dawsonville, GA – Ms. Phillips stated that she moved in with her sick mother and her son moved in the mobile home on the property. He is an over the road driver and the mobile home has been vacant for a couple of years. When her mother passed away, her plans were to move back to her home. She stated that the home is dilapidated and would cost from \$90k to \$100k to restore. She stated her plans are to buy a new manufactured home that would cost around \$120k. Ms. Phillips stated she cannot afford to build, the cost of building a home the size of the new manufactured home would be double the cost. There are several mobile homes located on Stegall Place and her surrounding neighbors have signed a petition in favor of her request.

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Monday, February 13, 2023

- Kevin Sheriff, 293 Dawson Manor Drive, Dawsonville, GA – Mr. Sheriff stated that he is a builder, and he has tried to look at ways to restore the home. He stated that the walls of the home are not structurally sound. His plans are to landscape the lot, install a new septic tank, and add front and rear decks.

No one spoke in opposition of the request.

City Attorney K. Tallant provided the Planning Commission with pertinent information on the zoning and variance request.

Motion to close the public hearing made by J. Nichols; second by A. Noggle. Vote carried unanimously in favor.

Motion to approve ZA-C2300078 zoning amendment as presented made by A. Tobolski; second by A. Noggle. Vote carried unanimously in favor.

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

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

- Sherry Phillips, 129 Stegall Place, Dawsonville, GA – Ms. Phillips stated that she does not understand the variance request and the mobile home has been there for years. She has an adjoining half acre lot and does not want to combine the lots.

No one spoke in opposition of the request.

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

Motion to approve VAR-C2300077 variance request as presented made by J. Nichols; second by A. Tobolski. Vote carried unanimously in favor.

PLANNING DIRECTOR REPORT:

10. **COMPREHENSIVE PLAN UPDATE:** City Manager Bob Bolz provided an update on the “Kick off Meeting” on Thursday, February 9th. Mr. Bolz stated he appreciated everyone attending the meeting and 16 of the 25 stakeholders were present. He stated the city is excited about this process and really looking forward to completing this very important project for the City of Dawsonville. The next meeting is scheduled for Thursday, March 9, 2023.

PLANNING COMMISSION REPORTS: Next Planning Commission Meeting is Monday, March 13, 2023.

ADJOURNMENT: Motion to adjourn the meeting at 5:49 p.m. made by A. Tobolski; second by S. Sawyer. Vote carried unanimously in favor.

MINUTES
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 13, 2023

Approved this 13th day of March 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

DRAFT



City of Dawsonville

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

**Zoning Amendment
Application**

Application#: 2A-C2300085

Applicant Name(s): Lalani, Kevin

Address: 131 Prominence Court, Suite 140 City: Dawsonville Zip: 30534

Cell Phone: [REDACTED] Email: [REDACTED]

Signature(s) Kevin Lalani Date _____

Property Address: 514 Academy Ave Dawsonville, GA 30534

Directions to Property from City Hall: North on Shoal Creek 0.1 miles, East on Hwy 9 0.1 miles
Right on Hwy 53 0.08 miles to SW corner of Hwy 53 + Academy intersection.

Tax Map Parcel #: D03 056 Current Zoning: CBD

Land Lot(s): LL 441 District: 04 Section: 1

Subdivision Name: NA Lot# _____

Acres: 1.023 Current use of property: Residential Abandoned

Has a past request of Rezone of this property been made before? NO If yes, provide ZA# _____

The applicant request:

Rezoning to Zoning category: TB Conditional Use permit for: NA

Proposed use of property if rezoned: Commercial

Residential # of lots proposed: NA Minimum lot size proposed NA (Include Conceptual Plan)

Amenity area proposed NA, if yes, what _____

If Commercial: total building area proposed: _____ (Include Conceptual Plan)

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)

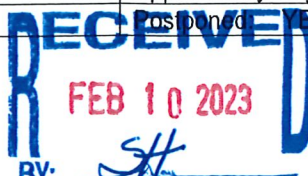
Road name: Academy Ave Type of Surface: Asphalt

- ◆ 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.

Kevin Lalani
Signature of Applicant

2/10/23
Date

Office Use Only	
Date Completed Application Rec'd:	Amount Paid: \$ <u>600.00</u> ^{90.50 685 671} <u>CK</u> Cash CC <u>Total \$690.50</u>
Date of Planning Commission Meeting: <u>3.13.23</u>	Dates Advertised: <u>2.22.2023</u>
Date of City Council Meeting: <u>03.20.23</u>	Rescheduled for next Meeting:
Date of City Council Meeting: <u>4.17.23</u>	Approved by City Council: YES NO
Approved by Planning Commission: YES NO	Approved: YES NO Date:



2A-C2300085

Property Owner Authorization

I/We Vicki Looper / Pamela Haseton hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 514 Academy Ave. Dawsonville, Ga. 30534 Parcel # D03-036 as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by the request.

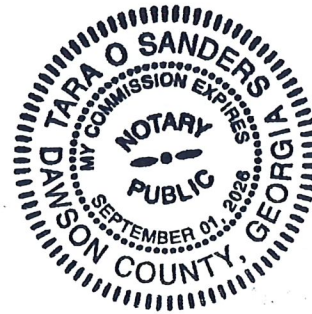
I hereby authorize the person(s), or entity(ies) named below to act as the applicant or agent in pursuit of the rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. 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 Vicki Looper / Pamela Haseton
Signature of Applicant or Agent Vicki Looper / Pamela Haseton Date 2/10/23
Mailing Address 379 Pigeon Creek Drive
City Dawsonville State Ga. Zip 30534

Sworn and subscribed before me on this

10th day of FEB 2023

[Signature]
Notary Public, State of Georgia



My Commission Expires: 9-1-2026



131 Prominence Court
Suite 140
Dawsonville, Georgia 30534
706.525.9496 (Phone)
706.300.7178 (Cell)
info@LDPofga.com
www.LDPofga.com

Surveying - Land Planning - Consulting

Feb 10th 2023

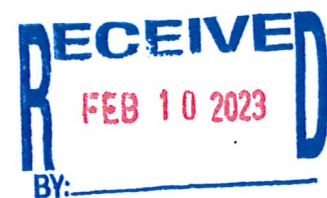
CLIENT: Kevin Lalani

Council and Mayor:

We are writing to formally request a zoning amendment change to tax parcel D03 050 located at the corner of HWY 53 and Academy Street in the city of Dawsonville. It is the intent of our client to construct a mixed use development consisting of a proposed stand alone donut shop as well as a stand alone office/retail strip center. The proposed development will be accessed through the adjacent property to the west. We will tie into existing sewer, water, gas, and electric. We look forward to working with the City of Dawsonville to create a mutually beneficial development that is consistent with the future land use plan of the city.

Respectfully,

Doug Sherrill, PLS



Document prepared by and when
recorded return to:

Polatty & Sullivan
P.O. Box 56
Dawsonville, Georgia 30534

POLATTY & SULLIVAN
Attorneys at Law

965 Canton Street
Roswell, Georgia 30075
(770) 992-3480

Public Square
Dawsonville, Ga. 30534
(706) 265-3281

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF DAWSON

THIS INDENTURE, made the *17th* day of *March* in the year
two thousand seventeen (2017), between

MELODY LOOPER McELROY COLLINS

as party or parties of the first part, hereinafter called Grantor, and

VICKI LOOPER and PAMELA LOOPER HASELTON

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, her one-third (1/3) undivided interest in the following-described property:

All that tract or parcel of land lying and being in the 4th District and 1st Section of Dawson County, Georgia, being within the city limits of Dawsonville, Georgia, and being composed of all of Town Lot Number Thirty (30), being better known as the Ida Mincey property in the southeast division of the town of Dawsonville. Also one-half (1/2) acre, more or less, of Lot of Land Number 441, being described as follows: Beginning at the forks of the road near the Lingerfelt shop place at an iron stake; thence in a northwesterly direction to the border street on the northeast corner of Town Lot No. 32; thence the border street south to Academy Street; thence up Academy Street to the starting point or iron stake, being a triangle-shaped piece of property joining Town Lot No. 30 above described, or border street separates said properties. All above lands lying and being in the 4th District and 1st Section of Dawson County, Georgia, and Town Lot No. 30 is part of original land lot number 441. Also that tract or parcel of land lying and being in the town of Dawsonville, being a part of lot of land number 441 in the 4th District and 1st Section of Dawson County, Georgia, as follows: Beginning at a red oak tree on the south side of Academy Street; thence south 16 rods to an iron stake corner; thence east 13 rods to an iron stake corner; thence north to the Gainesville public road; thence a westerly direction to the beginning point containing about one acre, more or less.

The above-described property was conveyed in a warranty deed from Mrs. Lizzie Reece to Sylvia Looper dated March 12, 1927 and recorded in Deed Book S, Page 63, Dawson County, Georgia Records.

LESS AND EXCEPT: All that tract or parcel of land lying and being in the 4th District and 1st Section of Dawson County, Georgia, and being in original Lot of Land Number 440, and being all of Town Lot Number Thirty (30) in the Southeast division of the town of Dawsonville, Georgia, and known as the Ida Mincey property, together with all improvements situated thereon. This property was conveyed in a warranty deed from Sylvia Looper to Lucile Porter Chastain dated October 15, 1951 and recorded in Deed Book W, Page 250, Dawson County, Georgia Records.

ALSO LESS AND EXCEPT: All that tract or parcel of land lying and being in the town of Dawsonville and in Land Lot 441 of the 4th District and 1st Section of Dawson County, Georgia, being described as follows: Beginning at the forks of the road near the Lingerfelt shop place at an iron stake; thence in a northwesterly direction to the border street on the Northeast corner of Town Lot No. 32; thence the border street south to Academy Street; thence up Academy to the starting point, an iron stake; being a triangle-shaped piece of property joining Town Lot No. 30 above as described. This property was conveyed in a warranty deed from Sylvia Looper to Max R. Looper dated June 16, 1942 and recorded in Deed Book U, Page 407, Dawson County, Georgia Records.

This warranty deed is intended to transfer Grantor's one-third (1/3) undivided interest in the above-described property to Grantees herein, resulting in each of the Grantees owning a one-half (1/2) undivided interest in the above-described property.

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 Grantee forever in FEE SIMPLE.

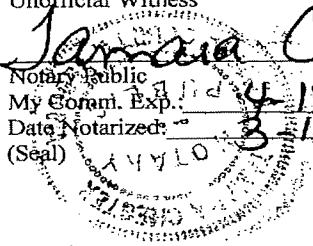
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

Beth Hill
Unofficial Witness

Melody Looper McElroy Collins
MELODY LOOPER McELROY COLLINS (SEAL)

Jamaria Chester
Notary Public
My Comm. Exp. 4-17-2018
Date Notarized: 3-17-2019
(Seal) 

RESERVED FOR RECORDING INFORMATION

SURVEY NOTES

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 600.04 FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 259,654 FEET.
3. EQUIPMENT USED: TOPCON GPT 3002W 2" FOR ANGULAR AND LINEAR MEASUREMENTS.
4. THIS SURVEY WAS PREPARED WITHOUT THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES THAT A TITLE SEARCH MAY PRODUCE.
5. IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED HEREIN, AND I AM NOT PROVIDING ANY GUARANTEE OF MINIMUM STANDARDS AND REQUIREMENTS OF THE GEORGIA PLAT ACT OCSA 15-6-87.
6. BY GENERALLY BEARING, THIS PROPERTY IS NOT LOCATED IN 100 YEAR FLOOD ZONE. REFER TO THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER: 338550111C, DATED 04/04/2018.

SURVEYOR CERTIFICATIONS

This plat is a representation of an existing parcel or parcels, and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL, REGULATION OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the act with in O.C.G.A. Section 18-6-41.

Douglas R. Sherrill



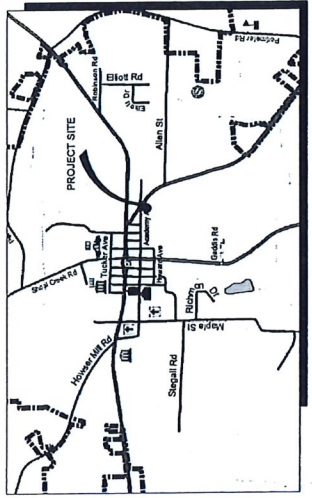
LAND SURVEYING AND PLANNING
 GA #2985
 131 Prominence Court
 Dawsonville, GA 30534
 Office: 705.300.7178
 www.LDPofga.com
 dou@ldpofga.com
 LSF001192



Revision Number	Date:	Description:

Date:	November 22, 2022
Field Date:	November, 2022
DRAWN BY:	JW
DWG FILE:	KEVIN LALANI
FIELD CREW:	LDP
Job #:	5168.001
Checked By:	DRS
Field Book:	Carlson Surveyor 2

Boundary Survey for:
ANITA LALANI
 Located In:
 Land Lot 441-4th District - 1st Section
 City of Dawsonville
 Dawson County, Georgia

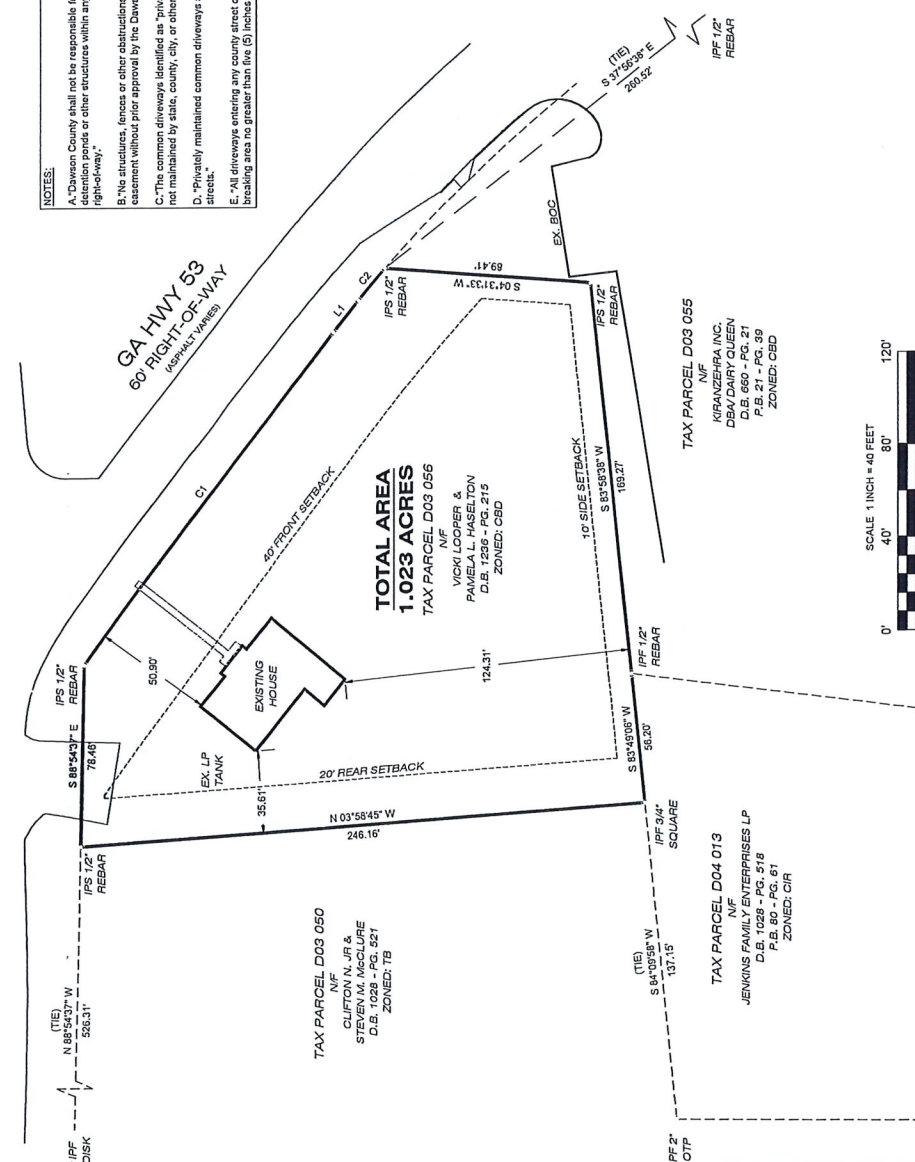


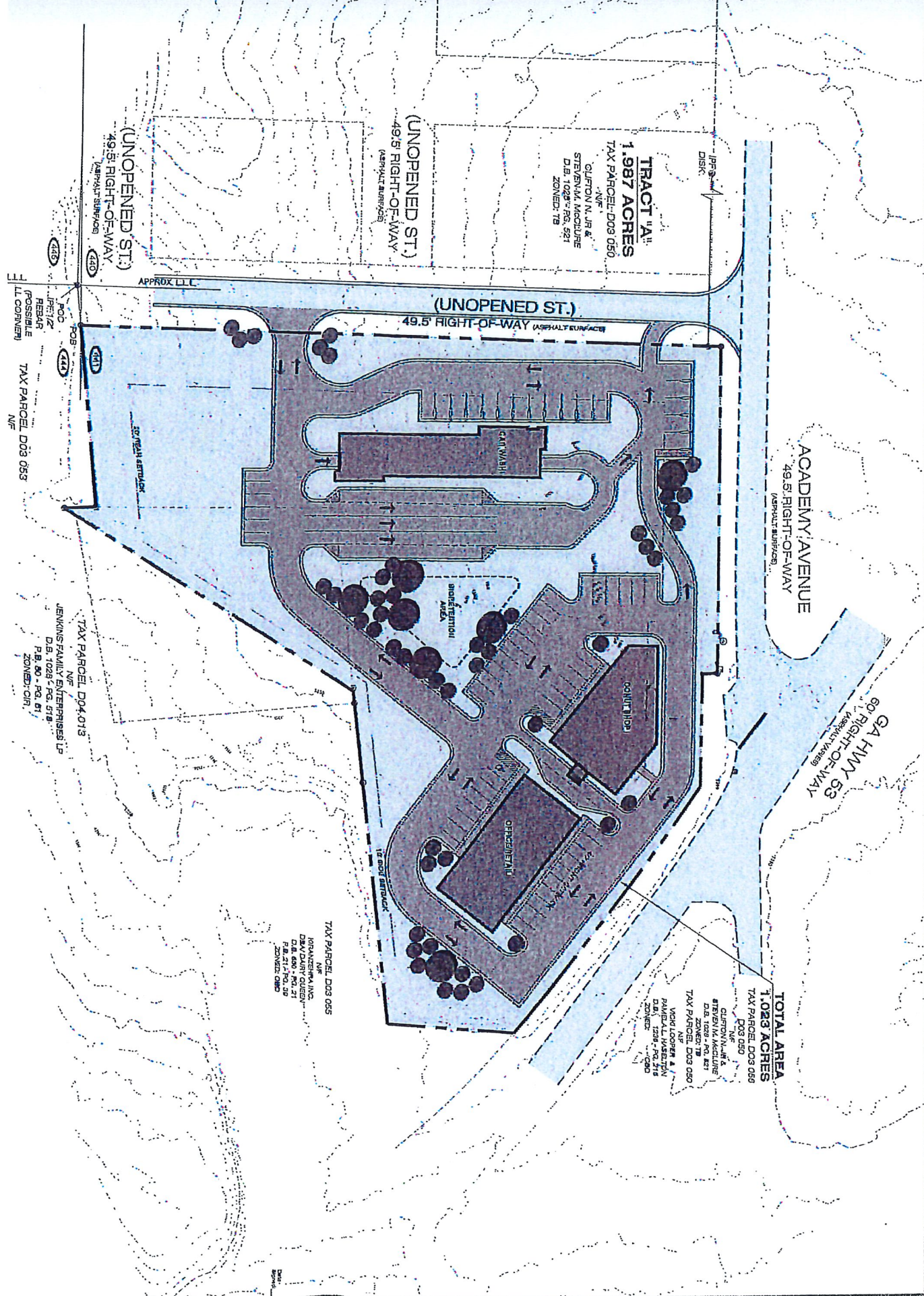
Vicinity Map

- NOTES:**
- A: Dawson County shall not be responsible for maintenance of any pipes, ditches, detention ponds or other structures within any drainage easement beyond the County right-of-way.
 - B: No structures, fences or other obstructions may be located within a drainage or access easement without prior approval by the Dawson County Department of Engineering.
 - C: The common driveways identified as "privately maintained" are private ways and are not maintained by state, county, city, or other public agencies.
 - D: Privately maintained common driveways are ineligible for adoption as public roads or streets.
 - E: All driveways entering any county street or road shall have a minimum of ten (10) foot planting area no greater than five (5) feet above the crown of the street or road.

LEGEND

AF	ANGLE IRON FOUND
BS	BUILDING SETBACK LINE
CMF	CONCRETE MONUMENT
FO	FOUND
CP	CORRUGATED METAL PIPE
DL	DROP INLET
DB.PG	DEED BOOK, PAGE
EW	ELECTRIC WIRE
HW	HEAD WALL
IP	IRON PIN FOUND
IPF	IRON PIN SET (5/8" REBAR)
LL	LAND LOT LINE
MH	MAN-HOLE
NF	NOW OR FORMERLY
OP	OPEN DITCH
PC	PROPERTY CORNER
PL	PROPERTY LINE
PP	POWER POLE
PPB	POWER POLE BEGINNING
PSL	REAR SETBACK LINE
PSL	RIGHT-OF-WAY
SSL	SIDE SETBACK LINE
WM	WATER METER
WW	WATER VALVE
Ⓜ	PROPOSED WELL
Ⓜ	EXISTING WELL





TRACT "A"
1.987 ACRES
 TAX PARCEL D03 050
 CLAYTON N. JR. &
 STEPHANIA MACHUNE
 D.E. 1028-2-PC 521
 ZONED: T8

TOTAL AREA
1.083 ACRES
 TAX PARCEL D03 059
 D03 050
 N/P
 CLAYTON N. JR. &
 STEPHANIA MACHUNE
 D.E. 1028-2-PC 521
 ZONED: T8

TAX PARCEL D03 055
 IRONANSEN P&A INC.
 D&W DAVID QUENZEN
 D.E. 600-1-PC 21
 P&A 1028-2-PC 521
 ZONED: OMB

TAX PARCEL D04 013
 JENKINS FAMILY ENTERPRISES LP
 D.E. 1028-2-PC 518
 P&A 80-PC 81
 ZONED: OMB

TAX PARCEL D03 053
 POSSIBLE
 LL CONVEY
 N/P

OWNER: ANITA LALANI
PROPOSED REZONING PLAN
 Located In:
 Land Lot 441 - 4th District - 1st Section
 City of Dawsonville - Dawson County, Georgia



Revision No.	Date:	Description:

LDP
 LAND DEVELOPMENT PROFESSIONALS

LAND SURVEYING AND PLANNING
 GA #2935 &
 131 From Office Court
 Dawsonville, GA 30634
 Office: 706.300.7178
 www.LDPofga.com
 doug@ldpofga.com

RECEIVED
 FEB 13 2010

City Council:

John Walden
Caleb Phillips
William Illg
Mark French



Mike Eason
Mayor

Robert Bolz
City Manager

Beverly Banister
City Clerk

Harmit Bedi
Planning Director

Stacy Harris
Zoning Admin Assistant

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

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.

ZA C2300085: Kevin Lalani has petitioned a zoning amendment for TMP D03 056, Located at 514 Academy Ave from CBD (Central Business District) to TB (Town Business District). Public Hearing Dates: Planning Commission on March 13, 2023, and City Council on March 20, 2023. City Council for a decision on April 17, 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.