



Agenda
City of Clarkesville
Planning Commission
Regular Meeting
5:30 PM November 14,
2023

1. Call to Order
2. Approval of Minutes
 - 2.a Approval of September 20, 2023 Minutes.
3. Unfinished Business
4. Sign(s) for Consideration:
5. New Business
 - 5.a 988 Beaver Dam Rd - Zoning Map Amendment
 - 5.b W Louise St - Old Ingles Property Code Violations
6. Adjournment

OFFICIAL MINUTES
PLANNING COMMISSION REGULAR MEETING

September 20, 2023

Minutes

City of Clarkesville

Planning Commission Regular Meeting

The Planning Commission Regular Meeting of the Planning Commission was held on Wednesday, September 20, 2023 at 5:30 PM at Council Chambers. Those present were Zoning Administrator Caleb Gaines, Chair Bruce Haglund, Member Jennifer Tench, Member Leigh Johnston, Member Kevin McOmber. Member Zack Phillips was absent.

Agenda Item #1: *Call to Order*

Agenda Item #2: *Approval of Minutes*

Sub-Item #2.a: *Approval of July 11, 2023 Minutes.*

Member Jennifer Tench made a motion to approve

Seconded: Member Kevin McOmber

Passed (3 - 0)

Agenda Item #3: *Unfinished Business*

Agenda Item #4: *Sign(s) for Consideration:*

Sub-Item #4.a: *1404 Washington St - Scoops*

Member Kevin McOmber made a motion to approve

Seconded: Member Jennifer Tench

Passed (3 - 0)

Sub-Item #4.b: *132 E Water St - Shield Realty Amanda Stewart*

Member Jennifer Tench made a motion to approve

Seconded: Member Leigh Johnston

Passed (3 - 0)

Agenda Item #5: *New Business*

Sub-Item #5.a: *130 Grant St - S&J Homes Commercial Façade Renovation*

Mr. Shad Hill presented his facade request to the Planning Commission. After discussing the details of the project, it was decided that the request be tabled so Mr. Hill could resubmit the facade request with more detail.

Member Leigh Johnston made a motion to table

Seconded: Member Kevin McOmber

Passed (3 - 0)

Sub-Item #5.b: *607 Washington St - New Commercial Façade*

Mr. Lew Oliver presented his facade request for a new commercial building to be located at 607 Washington St. After reviewing the design plans and discussing how the building's mid 20th century facade would fit in with the current character in Downtown, the request was granted.

Member Kevin McOmber made a motion to approve

Seconded: Member Jennifer Tench

Passed (3 - 0)

Sub-Item #5.c: *Morningside Dr - Map Amendment*

Mr. Kyle Bochat presented his request for a map amendment for a parcel on Morningside Dr. The request is for a zoning change from R-1, Single Family to R-2, Multiple Family. The map amendment was granted upon the condition that a better site plan be submitted prior to submission to the Mayor and Council.

Member Leigh Johnston made a motion to approve

Seconded: Member Jennifer Tench

Passed (2 - 1)

Sub-Item #5.d: *Otter - Beaver Dam Road Project*

Mr. Danny Otter discussed some options for his property located at Beaverdam Rd. The purpose of the property would be to use it in an agricultural manner because it is located in a floodway and no permanent structures are permitted. For this type of use to be allowed, the property would have to be rezoned to Highway Business along with a conditional use. Mr. Otter will be submitting a formal request at a later time.

Sub-Item #5.e: *Architectural Code Proposal*

Mr. Lew Oliver discussed his idea for an architectural code manual for the city.

After discussing this idea, it was decided that the Planning Commission would take this up in a work session.

Agenda Item #6: *Adjournment*

Member Kevin McOmber made a motion to adjourn .

Seconded: Member Jennifer Tench

Passed (3 - 0)

Respectfully submitted,

Caleb Gaines, Zoning Administrator



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November 14, 2023

**RE: 988 Beaver Dam Rd / Map & Parcel 069 030A – Zoning Map Amendment
From R-2, Multiple Family Residential to HB, Highway Business**

Mr. Danny Otter, the property owner at 988 Beaver Dam Rd, is requesting to rezone the property from R-2, Multiple Family Residential to HB, Highway Business.

When the property was originally purchased, it was for the development of residential housing. Even though the property was in a floodplain, this would have been allowed as long as required construction guidelines were followed.

The purpose of rezoning the property to Highway Business is due to the flood mapping reclassification from being in a floodplain to being in a floodway. Clarkesville's ordinances do not allow for any permanent structures to be built in a floodway. This greatly limits the potential use of the property with its current zoning of R-2. Rezoning to HB would allow for more options for Mr. Otter. HB would allow for agricultural, recreational, and other similar uses for the property. Mr. Otter intends to return the use of the property back to agricultural use.

Considering that HB zoning is located on the outskirts of the city and this property abuts the county, this amendment would not create spot zoning.

I recommend approval of this request and submission to the Governing Body for consideration.

Respectfully,

Caleb Gaines
Zoning Administrator
City of Clarkesville



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November 14, 2023

To: Planning Commission

Subject: Request for a zoning amendment for 988 Beaver Dam Rd. Map 069 Parcel 030A.

1. Public notice was run in the Northeast Georgian in the October 27th, 2023 issue.
2. The required sign was posted in front of the property on October 27th, 2023.
3. The applicant is requesting rezoning from Multiple Family Residential (R-2) to Highway Business (HB).
4. The applicant has submitted all necessary paperwork and fees in regard to the application.
5. This request does not create spot zoning and fits with current zoning in the immediate area.
6. There have been public inquiries in regard to the zoning request. None of them has been against the request.

I recommend that the request be approved by the Planning Commission and forwarded to the Governing Body for consideration.

Caleb Gaines
Zoning Administrator

A Gentle-Friendly Place

Zoning Change Application

(Annexation, Map Amendment, Conditional Use and Variance)

for

988 Beaverdam Rd.

(address) 069 0304



City of Clarkesville, PO. Box 21 Clarkesville, GA 30523

Tel: 706-754-4216 Fax: 706-754-9316

	APPLICANT	REPRESENTATIVE	OWNER
PROPERTY OWNER/APPLICANT	Name: <u>Riverwalk Pines LLC</u>	Name: <u>Danny Otter</u>	Name: <u>Riverwalk Partners LLC</u>
	Address: <u>640 Hunters Run</u>	Address: <u>640 Hunters Run</u>	Address: <u>640 Hunters Run</u>
	City/State/Zip: <u>Demorest 30535</u>	City/State/Zip: <u>Demorest 30535</u>	City/State/Zip: <u>Demorest 30535</u>
	Telephone: <u>706-499-3790</u>	Telephone: <u>706-499-3790</u>	Telephone: <u>706-499-3790</u>
	Fax:	Fax:	Fax:
	Cell:	Cell:	Cell:
	Email: <u>danny@dannyotter.com</u>	Email: <u>danny@dannyotter.com</u>	Email:

Danny Otter
Applicant's Signature

Danny Otter
Representative's Signature

Danny Otter
Owner's Signature

	ACTION REQUESTED
ACTION REQUESTED	☐ Annexation: Request rezoning from county _____ to _____
	☒ Map Amendment: Request rezoning from <u>R2</u> (current) to <u>HB</u> (proposed)
	☐ Conditional Use: Zoning district: _____ Conditional Use Requested: _____
	☐ Variance: Zoning district: _____ Variance Requested: _____

	PROPERTY RECORDS
PROPERTY RECORDS	A recorded Legal Description of the property, reflecting current ownership, for which action is requested by one or more of the following:
	☐ Metes and Bounds (attach copy of recorded document)
	☒ Boundary Survey (attach copy of recorded survey, showing all easements, crossings or other appurtenances)
	☐ Tax Plat (attach certified copy of plat from Habersham County Tax Commissioner's office)

FOR OFFICE USE ONLY (DO NOT WRITE BELOW)			
General Zoning Change	Commercial Zoning Change	Disposition	
Signature(s) and form(s) ☐	Signature(s) and form(s) ☒	Application Filed: <u>10/24/23</u> Rcvd by: <u>C</u>	
Letter of Intent ☐	Letter of Intent ☐	Fee Paid \$ <u>650</u> on <u>10/24/23</u>	
Maps & Plats ☐	Maps & Plats ☐	Public Notice: <u>10/27/23</u> News Signs ☒	
Tax Records/Liens ☐	Tax Records/Liens ☐	Zoning Admin: <u>/</u> / <u>/</u> Action: _____	
Parking & Access ☐	Parking & Access ☐	Planning Comm: <u>/</u> / <u>/</u> Action: _____	
Floodplain Zone ☐	Floodplain Zone ☐	Governing Body: <u>/</u> / <u>/</u> Action: _____	
Landscaping ☐	Landscaping ☐	Letter of Determination: <u>/</u> / <u>/</u>	
Twelve-Month Rule ☐	Concept Plans ☐	Eligible Filing Date: <u>/</u> / <u>/</u>	

October 23 2023

To the Honorable Mayor, City Counsel, men and women of Clarkesville Planning Commission

We "Riverwalk partners LLC" are requesting to have the property designated as Tract #3 consisting of 4.89 acres as per plat prepared for Barry Blalock June 11, 1999 By Kenyon Miller Ga. Registered surveyor and recorded Dec. 22, 2003 in plat book 55 page 24 in Habersham County Deed Records from R2 to Hwy Business.

The property is currently vacant and was last used as agricultural land.

It was previously approved by the Clarkesville City Council for 48 townhomes that were never built. The flood classification changed from flood plain to flood way. This change in classification has limited the property use to have no permanent structures. Our goal is to use the property in a way that maximizes the value to the owner and the city as well as keeps the restrictions put on by the flood classification.

Our intent is to create a self sustaining possibly certified organic urban farm / homestead. The plan is to have cut flowers, blueberries, blackberries, muscadine, honey, vegetables, and fruit trees for commercial and home use.

The property is located in a flood way so all structures including power station and tiny home will be on movable trailers. In the event of a flood event the structures can be relocated to property located on Hwy 197 (The Artful Barn) by permission of owners until flood danger has passed.

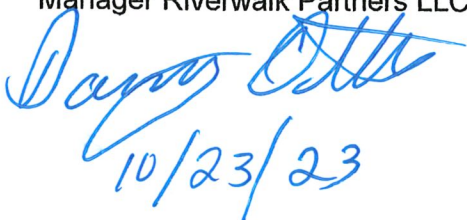
The owner or his guests may stay in the self contained solar powered tiny home.

The home may be rented or used by owner as a caretakers residence.

We anticipate having educational and farm market style events in the field in season.

It is our opinion that this use will not only be a benefit to owner and city but will continue to showcase Clarkesville as the unique and awesome city it is.

Thank you,
Danny Otter
Manager Riverwalk Partners LLC.



10/23/23

L-96	N 02°00'W	62.
L-97	N 15°21'W	66.
L-98	N 48°51'E	91.
L-99	S 39°31'E	97.
L-100	S 22°17'W	92.
L-101	S 22°17'W	93.
L-102	S 28°27'W	73.
L-103	N 75°50'W	20.
L-104	N 61°52'W	50.
L-105	N 54°29'W	95.
L-106	S 41°10'W	58.
L-107	S 58°27'W	34.
L-108	S 05°39'W	105.
L-109	S 12°33'E	34.
L-110	N 55°54'E	118.
L-111	N 71°07'W	77.
L-112	S 08°00'W	60.
L-113	S 73°04'W	73.
L-114	S 14°09'E	56.
L-115	S 11°04'E	93.
L-116	S 38°31'E	47.
L-117	S 74°55'W	31.



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Telephone:
706-754-4216

P.O. Box 21
Clarkesville, GA 30523

November 14, 2023

To: Planning Commission

RE: Old Ingles Property Update

Notice of code violations has been sent via certified letter to Ingles about the condition of the old Ingles property. This is the first step towards action with the property. Upon receipt, they will have thirty days to begin some sort of work to demo or fix up the property. If this time expires then official condemnation procedures will begin.

Respectfully,

Caleb Gaines
Zoning Administrator