



CITY OF DAHLONEGA
Planning Commission Meeting Agenda
August 05, 2025, 6:00 PM
Gary McCullough Chambers, Dahlonega City Hall

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

Vision - Dahlonega will be the most welcoming, thriving, and inspiring community in North Georgia

Mission Statement - Dahlonega, a City of Excellence, will provide quality services through ethical leadership and fiscal stability, in full partnership with the people who choose to live, work, and visit. Through this commitment, we respect and uphold our rural Appalachian setting to honor our thriving community of historical significance, academic excellence, and military renown.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- a. Public Hearing of July 1, 2025
Rhonda Hansard, City Clerk

- b. Regular Meeting of July 1, 2025
Rhonda Hansard, City Clerk

RECESS REGULAR MEETING FOR PUBLIC HEARING

PUBLIC HEARING

1. BZA 25-3: Applicant and homeowners, Randy Hampton (Barbara E. and Clark Randall Hampton), are requesting a variance from the City's setback regulations for the R-1 District. The request is to reduce the side setback to ten feet from the required fifteen feet and the rear setback to zero feet for Tax Parcel D11 109. Allison Martin, Cinty Manager / Prepared by Doug Parks, City Attorney

RECONVENE REGULAR MEETING

OLD BUSINESS

NEW BUSINESS

1. BZA 25-3: Applicant and homeowners, Randy Hampton (Barbara E. and Clark Randall Hampton), are requesting a variance from the City's setback regulations for the R-1 District. The request is to reduce the side setback to ten feet from the required fifteen feet and the rear setback to zero feet for Tax Parcel D11 109. Allison Martin, Cinty Manager / Prepared by Doug Parks, City Attorney

ADJOURNMENT

Guideline Principles - The City of Dahlonega will be an open, honest, and responsive city that balances preservation and growth and delivers quality services fairly and equitably by being good stewards of its resources. To ensure the vibrancy of our community, Dahlonega commits to Transparency and Honesty, Dedication and Responsibility, Preservation and Sustainability, Safety and Welfare...for ALL!



Agenda Memo

DATE: 8/5/2025
TITLE: BZA 25-3
PRESENTED BY: Doug Parks, City Attorney
PRIORITY: Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

Applicant and homeowners, Randy Hampton (Barbara E. and Clark Randall Hampton) are requesting a variance from the City's setback regulations for the R-1 district. The request is to reduce the side setback to ten feet from the required fifteen feet and the rear setback to zero feet for Tax Parcel D11 109.

HISTORY/PAST ACTION

None.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval.

SUGGESTED MOTIONS

Motion to approve when action is to be taken.

ATTACHMENTS

Application for variance.



BZA-25-3

Variance Application

Status: Active

Submitted On: 5/29/2025

Primary Location

130 PARK ST S
DAHLONEGA, GA 30533

Owner

No owner information

Applicant

Randy Hampton
 770-862-7364
 randy.hampton61@gmail.com
 130 South Park Street
Dahlonega, GA 30533

Variance Information

Describe Variance Request * ?

Set back variance to add garage.

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.*

House was built prior to existing zoning and setbacks.

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.*

There are other properties nearby with garage with similar setbacks variance.

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.*

None I'm aware of.

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.*

Will increase value.

The special circumstances are not the result of the actions of the applicant.*

No.

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

Yes.

The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.*

NO.

A legal description of the property to be considered in the application. The legal description shall be by metes and bounds.*



Boundary Survey* ②



Site Plan* ②



Parcel Number or Numbers*

D11 109 LL985 LD12-1

Total Acreage of Site Requesting Variance*

.26

Property Owner's Certification

I hereby request the action contained with this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and City Council's agenda(s) for a public hearing.

I understand that the Community Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I must present all data necessary and required by statute to enable the Planning Commission and City council to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and City Council hearings and that I am required to be present or to be represented by someone able to present all the facts.

I understand that failure to appear at the public hearing may result in the postponement or denial of my application. I further understand that it is my responsibility to be aware of relevant public hearing dates and time regardless of notification from the City of Dahlonega.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and accurate.

I certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of rezoning of this property.

Property Owner Signature

✓ Randell Clark Hampton
May 29, 2025

BZA Information

🔒 BZA Case #

🔒 Status

—

🔒 BZA Determination Date

🔒 Vote Tally

—

🔒 Primary Variance

🔒 Variance Request

🔒 Variance Granted

🔒 BZA Conditions

Attachments

	Site Plan 20250529105246260.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:54 AM	REQUIRED
	Legal Description By Metes And Bounds 20250529105253514.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:51 AM	REQUIRED
	Boundary Survey 20250529105246260.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:54 AM	REQUIRED
	20250529105309294.pdf 20250529105309294.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:52 AM	

Record Activity

Timothy Martin started a draft Record	05/29/2025 at 10:19 am
Timothy Martin added file 20250529105253514.pdf	05/29/2025 at 10:51 am
Timothy Martin added file 20250529105309294.pdf	05/29/2025 at 10:52 am
Timothy Martin added file 20250529105246260.pdf	05/29/2025 at 10:54 am
Timothy Martin added file 20250529105246260.pdf	05/29/2025 at 10:54 am
Timothy Martin submitted Record BZA-25-3	05/29/2025 at 10:54 am
OpenGov system altered approval step Application Review, changed status from Inactive to Active on Record BZA-25-3	05/29/2025 at 10:54 am

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
✓ Application Review	5/29/2025, 10:54:30 AM	-	-	-	Active

Label	Activated	Completed	Assignee	Due Date	Status
 Variance Fee	-	-	Randy Hampton	-	Inactive
 Variance Approval	-	-	-	-	Inactive
 Approval Notice	-	-	-	-	Inactive

Variance Application

BZA-25-3

Submitted On: May 29, 2025

Applicant

 Randy Hampton
 770-862-7364
@ randy.hampton61@gmail.com

Primary Location

130 PARK ST S
DAHLONEGA, GA 30533

Variance Information

Describe Variance Request

Set back variance to add garage.

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.

House was built prior to existing zoning and setbacks.

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.

There are other properties nearby with garage with similar setbacks variance.

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.

None I'm aware of.

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.

Will increase value.

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

No.

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

Yes.

The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.?

NO.

A legal description of the property to be considered in the application. The legal description shall be by metes and bounds.

true

Boundary Survey

true

Site Plan

true

Parcel Number or Numbers

D11 109 LL985 LD12-1

Total Acreage of Site Requesting Variance

.26

Property Owner's Certification

Property Owner Signature

true

I hereby request the action contained with this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and City Council's agenda(s) for a public hearing.

I understand that the Community Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I must present all data necessary and required by statute to enable the Planning Commission and City council to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and City Council hearings and that I am required to be present or to be represented by someone able to present all the facts.

I understand that failure to appear at the public hearing may result in the postponement or denial of my application. I further understand that it is my responsibility to be aware of relevant public hearing dates and time regardless of notification from the City of Dahlonega.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and accurate.

I certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of rezoning of this property.



CITY OF DAHLONEGA

IA-25-3

COMMUNITY DEVELOPMENT DEPARTMENT

Variance Application

Application Fee \$200.00

Property Owner:

Name: Randy Hampton *randy.hampton61@gmail.com*
Address: 130 South Park St.
Phone: 770-862-7364

Applicant:

Name: Same
Address: _____
Phone: _____

Agent:

Name: N/A
Address: _____
Phone: _____

Existing Zoning: R-1
Existing Use: Residential
Proposed Use: Residential (add garage)
Acreage of Site: .25 acre

Variance Request: Set back variance to add garage

Location of Physical Property: 130 South Park St.

Tax Plat and Parcel D11-109

The following questions are the variance criteria that will be looked at to determine whether or not it is approved or denied.

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. *House was built prior to existing zoning and setbacks.*
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. *There are other properties nearby with garage with similar setback variances.*
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. *None I'm aware of.*
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. *Will increase value.*
5. The special circumstances are not the result of the actions of the applicant. *No*
6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. *Yes*
7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved. *No*

Property Owner's Certification

I hereby request the action contained with this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and City Council's agenda(s) for a public hearing.

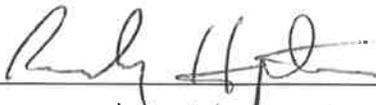
I understand that the Community Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

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I hereby certify that I have read the above and that the above information as well as the attached information is true and accurate.

I certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of rezoning of this property.

Signature of Property Owner: 

Printed name of Property Owner: Randy Hampton

Date of Signature: 5-29-25

Signature of Witness: 

DISCLOSURE OF CAMPAIGN CONTRIBUTION

Pursuant to OCGA Section 36-37 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for re-zoning & campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government showing the following information:

1. The name of the local official(s) to whom the campaign contribution was made: N/A
2. The dollar amount and/or description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution:

Amount \$ _____ Date: _____

Amount \$ _____ Date: _____

3. Enumeration and description of each gift when the total value of all gifts is \$250.00 or more made to the local government official during the 2 years immediately preceding the filing application for rezoning:

Amount and Description:

Signature of Applicant: _____

Representative of Applicant: _____

Date: 5-29-25

Lumpkin County, GA

Summary

Parcel Number D11 109
Location Address 130 PARK STREET SOUTH
Legal Description LOT PARK ST LL 985 LD 12-1
(Note: Not to be used on legal documents)
Class R3-Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
Character Area R1
Tax District Dahlonega (District 02)
Millage Rate 28.825
Acres 0.26
Neighborhood *CITY@750/FF (00259)
Homestead Exemption No (S0)
Landlot/District 985 / 12

[View Map](#)



Map



Owner

HAMPTON BARBARA E & CLARK RANDALL
 360 KENT ROAD
 ROSWELL, GA 30075

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	*CITY@750/FF	Front Feet	11,449	107	107	0.26	0

Residential Improvement Information

Style One Family
Heated Square Feet 1832
Interior Walls Pine
Exterior Walls Hardle Plank
Foundation Masonry
Attic Square Feet 0
Basement Square Feet 0
Year Built 1934
Roof Type Metal
Flooring Type Hardwood/Tile
Heating Type Central Heat/AC
Number Of Rooms 0
Number Of Bedrooms 0
Number Of Full Bathrooms 4
Number Of Half Bathrooms 1
Number Of Plumbing Extras 12
Value \$473,169
Condition Average
House Address 130 PARK STREET SOUTH

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Fireplace Brk or Stone	2023	0x0 / 1	1	\$4,850
Gazebo	2018	1x90 / 0	0	\$1,638

Permits

Permit Date	Permit Number	Type	Description
02/10/2023	BRES 23-7	RENOVATIONS	
12/18/2015	2845	ELECTRIC	NO VALUE GIVEN
09/30/2015	2823	RENOVATIONS	NO VALUE GIVEN
07/22/2009	1859	STORAGE SHED	NO ESTIMATED VALUE GIVEN:

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
1/18/2019	1413 133	M B	\$494,000	Fair Market	POWELL FRED A JR & BRENDA C	HAMPTON BARBARA E & CLARK RANDALL
9/28/2015	1309 489		\$110,000	Fair Market	WIMPY KATHLEEN BILLIE	POWELL, JR. FRED A & BRENDA C.

Area Sales Report

Sale date range:

From:

To:

Distance:

Units:

Valuation

	2025	2024	2023	2022	2021
Previous Value	\$517,606	\$471,848	\$415,510	\$345,657	\$337,948
Land Value	\$69,874	\$69,874	\$69,874	\$69,874	\$69,874
+ Improvement Value	\$473,169	\$441,244	\$400,336	\$343,998	\$274,037
+ Accessory Value	\$6,488	\$6,488	\$1,638	\$1,638	\$1,746
= Current Value	\$549,531	\$517,606	\$471,848	\$415,510	\$345,657

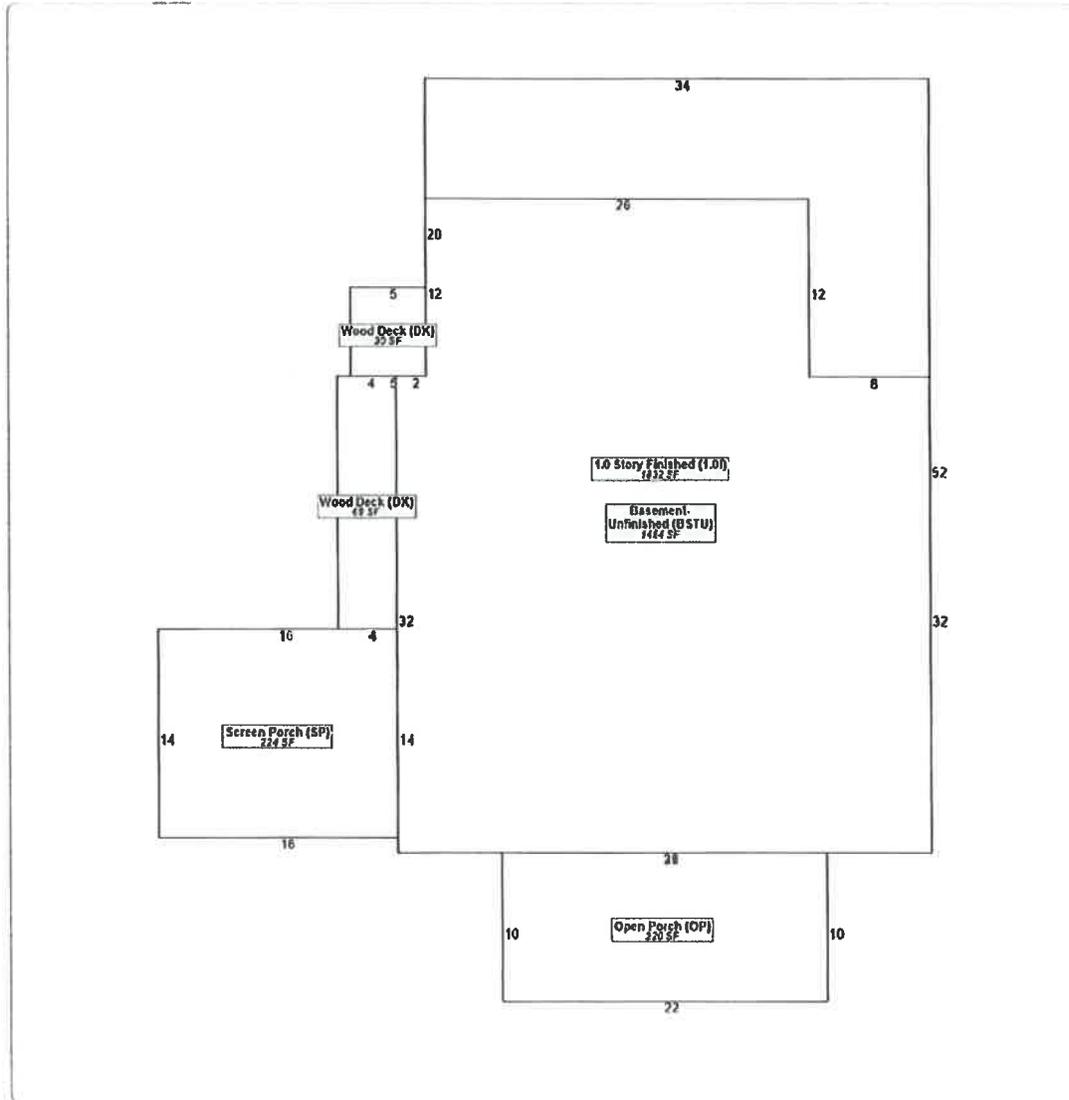
Tax Collector

Photos





Sketches



Mailing Labels

Distance:

100 Feet ▼

Use Address From:

Owner Property

Select export file format:

Address labels (5160) ▼

Show All Owners
 Show Parcel ID on Label

Skip Labels 0

International mailing labels that exceed 5 lines are not supported on the Address labels (5160). For international addresses, please use the xlsx, csv or tab download formats.

No data available for the following modules: Rural Land, Conservation Use Rural Land, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes.

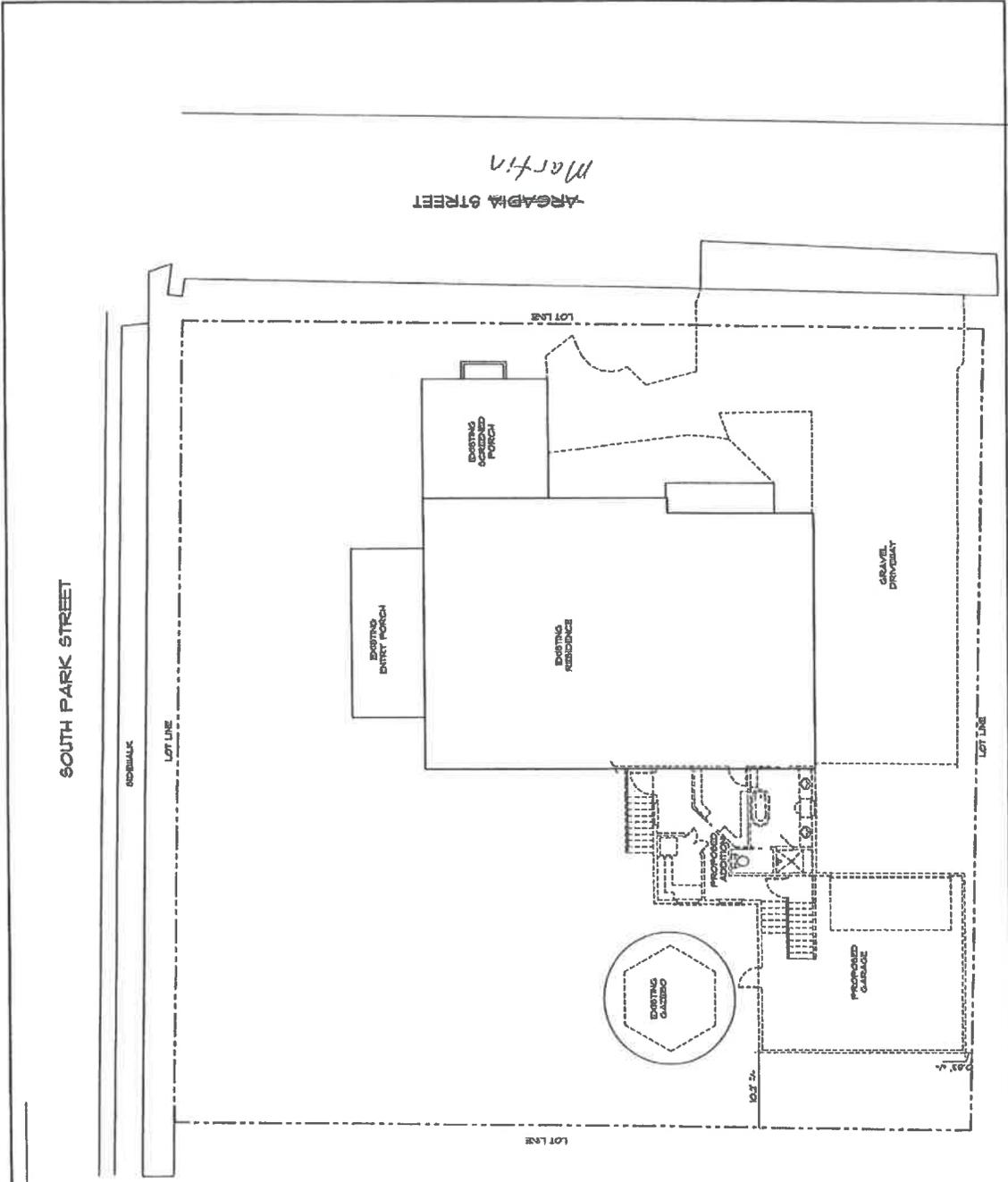


[User Privacy Policy](#) [GDPR Privacy Notice](#)
 Last Data Upload: 5/28/2025, 5:32:01 PM

a REMODEL/ADDITION PROJECT for:
MR. & MRS. RANDY HAMPTON

130 SOUTH PARK ST., DAHLONEGA, GA 30533

SITE SKETCH
 11-10-09



JOB INFORMATION
 JOB ADDRESS:
 130 S. PARK ST.
 DAHLONEGA, GA 30533
 PROPERTY INFO:
 PARCEL ID: D11 029
 ACREAGE: 0.26
 BUILDING PERMIT #: NOT YET APPLIED FOR

DESIGNER:
 PRO VISION DESIGN LLC
 1000 TUNER ROAD
 4549 TUNER ROAD
 DAHLONEGA, GA 30533
 PHONE: 770-281-1100
 WWW: PROVISIONDESIGN.COM

CONTRACTOR:
 TO BE DETERMINED

OWNER:
 MR. & MRS. RANDALL HAMPTON
 340 NEST ROAD
 ROSWELL, GA 30075
 PHONE: 770-281-1100
 FAX: 770-281-1104

SHEET INDEX
 C - COVER SHEET / SITE PLAN
 1 - FLOOR PLAN (EXISTING MAIN)
 2 - FLOOR PLAN (PROPOSED MAIN)
 3 - FLOOR PLAN (PROPOSED UPPER)
 4A - ELEVATIONS
 4B - ELEVATIONS
 5 - SECTION AT GARAGE

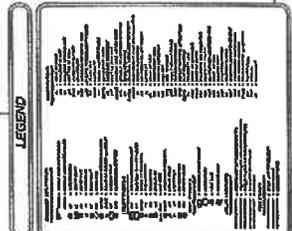
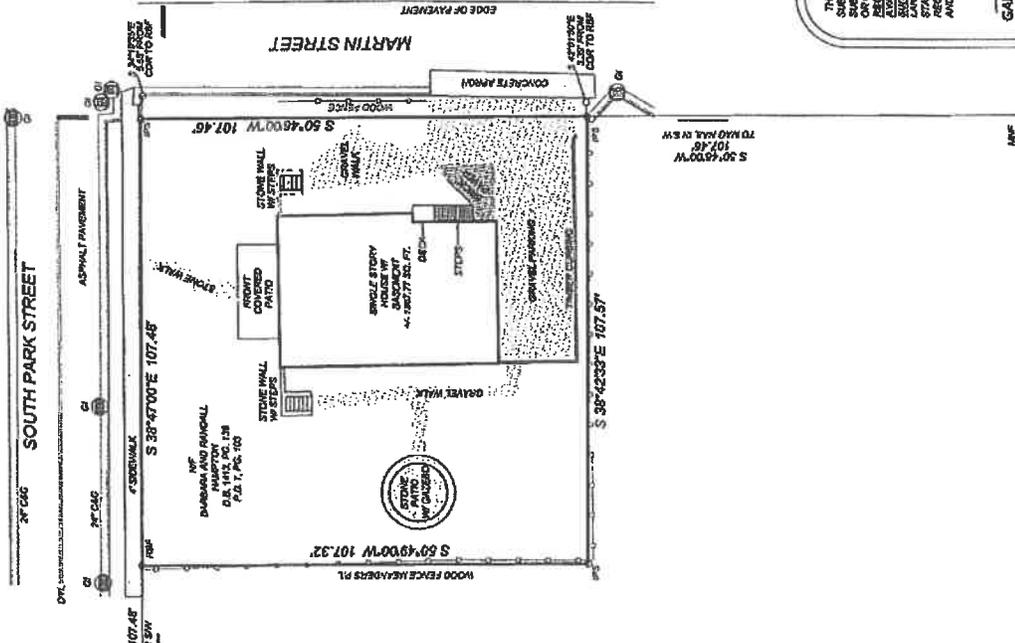
THESE PLANS ARE THE EXCLUSIVE PROPERTY OF PRO VISION DESIGN LLC. THESE PLANS ARE INTENDED FOR USE ONLY ON THE PROJECT AND AT THE LOCATION SPECIFICALLY IDENTIFIED FOR OTHER LOCATIONS.

P2022080010
 BIC2023 PG:10-10
 FILED IN OFFICE
 OF THE CLERK OF THE
 SUPERIOR COURT
 OF LUMPKIN COUNTY, GA
 JUNE 15, 2023

Ritchie

00919232
 PLAT NUMBER 10

THIS BLOCK RESERVED FOR
 THE CLERK OF THE SUPERIOR COURT



- NOTES:**
1. THIS IS A BOUNDARY RETRACTION SURVEY. THE PURPOSE OF THIS SURVEY IS TO SHOW EXISTING BOUNDARIES AND TO CORRECT ANY ERRORS OR DISCREPANCIES TO BOUNDARY INFORMATION CLAIMED TO BE ACCORDING TO LUMPKIN COUNTY RECORDS.
 2. HORIZONTAL AND VERTICAL DATUM HERE PROVIDED BY BOUNDARY PLANS BY DEEDS AND RECORDS, REFERENCED TO THE NATIONAL DATUM OF 1983, ARE LOCATED IN THIS FIELD AND DATED ACCORDINGLY.
 3. THERE ARE NO OTHER MATTERS, UNLESS OTHERWISE SPECIFIED, TO BE CONSIDERED FOR THIS PRODUCT.
 4. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UTILITIES SHOWN WERE NOT VERIFIED BY THE SURVEYOR. UNLESS OTHERWISE SPECIFIED, THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE LOCATIONS OF THE UTILITIES SHOWN HEREON.
 5. A NO PORTION OF THIS PROPERTY HAS BEEN A SPECIAL SURVEY AND IS SHOWN ON PLAT NUMBER 10 DATED APRIL 4, 2018.
 6. BEING INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TOTAL STATION. THIS PLAT WAS NOT CALCULATED FOR CLOSURE AND IS FOUND TO BE OPEN. THE TOTAL STATION DATA WAS ADJUSTED BY THE METHOD OF LEAST SQUARES. THE ADJUSTED DATA WAS USED TO CALCULATE THE DISTANCES AND BEARS OF EACH BEARING POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
 7. ALL DISTANCES AND AREA CALCULATIONS ARE SHOWN IN HORIZONTAL BOUNDS DISTANCES IN FEET, SURVEY FEET.
 8. THE ROAD FRONT-OF-HOUSE WIDTH IS SHOWN ON PLATS AND DEEDS.

CERTIFICATION

THIS PLAT IS A RETRACTION OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SURVIVE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARY INFORMATION. THE RECORDS INFORMATION ON THIS DOCUMENT, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATE A REAL INTEREST IN ANY REAL PROPERTY, ARE NOT AFFECTED BY THIS SURVEY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE DATA PROVIDED TO HIM BY THE CLIENT AND THE SURVEYOR'S OBLIGATION TO FOLLOW THE REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 14-4-47.

GARY S. HARVIN, JR.
 11/15/22
 GEORGIA REGISTERED LAND SURVEYOR NO. 3105

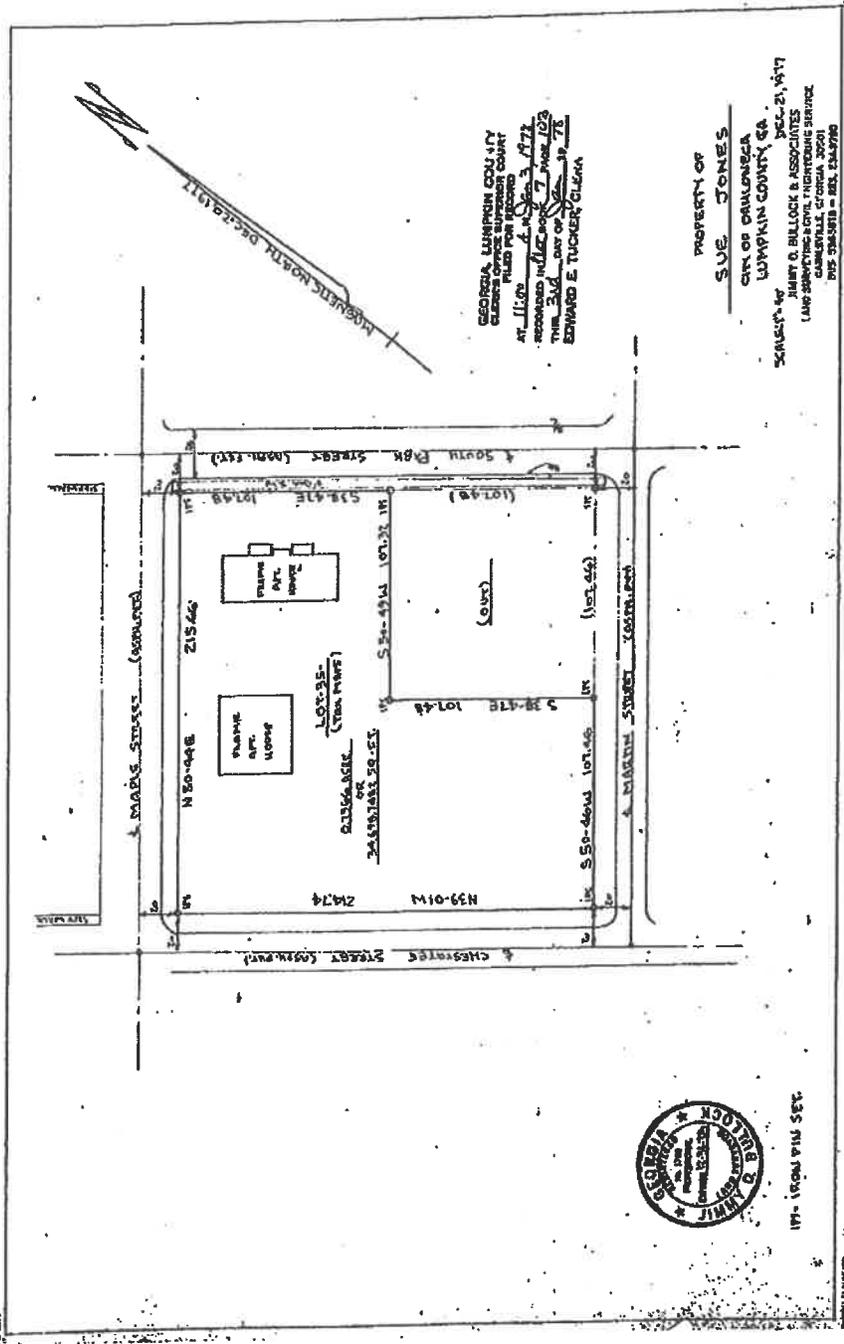
THIS SURVEY WAS PROVIDED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS AND MAPS OF THE STATE OF GEORGIA. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER INSTRUMENTS WHICH MAY AFFECT THIS SURVEY.

7 OF 7 SHEET



RETRACTION BOUNDARY SURVEY FOR:
BARBARA E. & CLARK RANDALL HAMPTON
 100 SOUTH PARK STREET
 LUMPKIN COUNTY, GA
 TAX PARCEL# 011 109

NO.	DATE	DESCRIPTION
1	11/15/22	RETRACTION BOUNDARY SURVEY
2		
3		
4		
5		
6		
7		
8		
9		
10		



GEORGIA, LUMPKIN COUNTY
 CLERK OF SUPERIOR COURT
 FILED FOR RECORD
 AT 11:00 AM ON 03-17-77
 RECORDED IN BOOK 7 PAGE 125
 THIS 3rd DAY OF MARCH 1977
 EDWARD E. TUCKER CLERK

PROPERTY OF
SUE JONES
 C/O ORALONCA
 LUMPKIN COUNTY, GA.
 SCALE: 1" = 40'
 HARRY D. BULLOCK & ASSOCIATES
 LAND SURVEYING & ENGINEERING SERVICE
 COLUMBIA, GEORGIA 30201
 DWS-3845018 - REV. 12/10/76



135 714 114 SET

EXHIBIT "A"

File No.: GA105-18-0295

All that tract or parcel of land lying and being in the County of Lumpkin, State of Georgia, in the City of Dalton, same being one-fourth of an acre, more or less, of original Land Lots 950 and 985, in the 12th district and first section, originally Cherokee now Lumpkin County, situate lying and being on the South side of Park Street described by metes and bounds as follows: BEGINNING on the North side of Martin Street at a point midway between Park Street and Chestatee Street; thence running a northwesterly direction a straight line midway between said Park and Chestatee Streets to the boundary of the lands of Miss Jennie Waters; thence a Northeasterly direction along the boundary line of the Lands of the said Miss Jennie Waters to Park Street; thence following along Park Street a southeasterly direction along Park Street to Martin Street; thence a south westerly direction along Martin Street to the point of beginning. Being the property conveyed from M. H. Garrett and H. F. Parks to A. G. Wimpy by deed dated February 4, 1938. Parcel ID Number: D11 109. Subject to any Easements or Restrictions of Record.

Deed (Limited Warranty)

GA105-18-0295

EXHIBIT "A"

File No.: GA105-18-0295

All that tract or parcel of land lying and being in the County of Lumpkin, State of Georgia, in the City of Dahlonega, same being one-fourth of an acre, more or less, of original Land Lots 950 and 985, in the 12th district and first section, originally Cherokee now Lumpkin County, situate lying and being on the South side of Park Street described by metes and bounds as follows: BEGINNING on the North side of Martin Street at a point midway between Park Street and Chestatee Street; thence running a northwesterly direction a straight line midway between said Park and Chestatee Streets to the boundary of the lands of Miss Jennie Waters; thence a Northeasterly direction along the boundary line of the Lands of the said Miss Jennie Waters to Park Street; thence following along Park Street a southeasterly direction along Park Street to Martin Street; thence a south westerly direction along Martin Street to the point of beginning. Being the property conveyed from M. H. Garrett and H. F. Parks to A. G. Wimpy by deed dated February 4, 1938. Parcel ID Number: D11 109. Subject to any Easements or Restrictions of Record.



Variance Fee

Record No. BZA-25-3

Status Inactive

Became Active Unknown

Assignee Randy Hampton

Due Date None

Invoice ID 9458

Primary Location

130 PARK ST S
DAHLONEGA, GA 30533

Owner

No owner information

Applicant

Randy Hampton
 770-862-7364
 randy.hampton61@gmail.com
 130 South Park Street
Dahlonega, GA 30533

Fee Breakdown

Fee Name	Total Fee	Paid	Due
Variance Fee (100.0000.32.2900)	\$200.00	\$0.00	\$200.00
Signage (100.000.32.2900)	\$50.00	\$0.00	\$50.00
Total	\$250.00	\$0.00	\$250.00

Payment History

No payments to show.

Messages

No comments yet.

Step Activity

Timothy Martin added fee Signage (100.000.32.2900)

05/29/2025 at 10:54 am

City of Dahlonega

Variance Letter Request

June 5, 2025

To Whom It May Concern,

I am requesting a variance for property line setbacks at 130 South Park St. We would like to add a garage to the property. Our request is for a setback on the south property line of less than one foot, and on the west property line of 10'. This garage would be built along with a small addition that would join both structures. We are surrounded on two sides by First Horizon Bank, which are the sides affected by this request. We don't believe there would be any negative impact on residential properties nearby. Please let me know if there are any questions I can answer.

Thank you for your consideration.

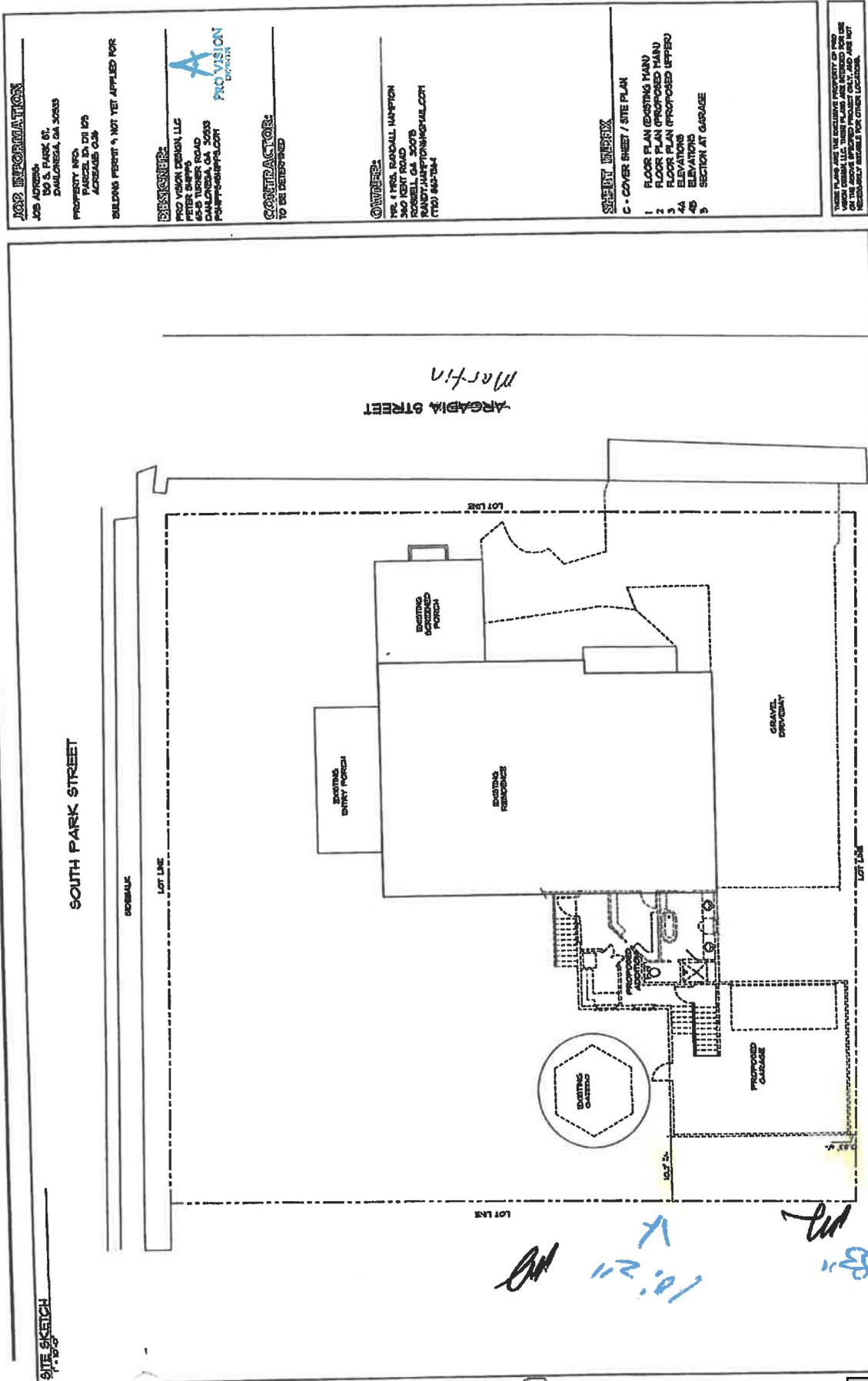
Randy & Barbara Hampton

770-862-7364 (Randy)

randy.hampton61@gmail.com

a REMODEL/ADDITION PROJECT for: MR. & MRS. RANDY HAMPTON

130 SOUTH PARK ST., DAHLONEGA, GA 30533



JOB INFORMATION

JOB ADDRESS:
50 S. PARK ST.
DAHLONEGA, GA 30533

PROPERTY INFO:
PARCEL ID: D11 179
ADDRESS C/S:

BUILDING PERMIT: NOT YET APPLIED FOR

DESIGNER:
PRO VISION DESIGN LLC
PETER SHAFER
66-8 TURNER ROAD
DAHLONEGA, GA 30533
P412708@PROVISION.COM

PRO VISION
DESIGN

CONTRACTOR:
TO BE DETERMINED

OWNER:
MR. & MRS. RANDALL HAMPTON
360 NORT ROAD
DAHLONEGA, GA 30533
PROVISION@PROVISION.COM
(770) 840-7844

SHEET INDEX

C - COVER SHEET / SITE PLAN

- FLOOR PLAN (EXISTING MAIN)
- FLOOR PLAN (PROPOSED MAIN)
- ELEVATIONS (PROPOSED UPPER)
- ELEVATIONS
- SECTION AT GARAGE

THESE PLANS ARE THE EXCLUSIVE PROPERTY OF PRO VISION DESIGN LLC. THESE PLANS ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF PRO VISION DESIGN LLC. ANY REVISIONS SHALL BE INDICATED BY A REVISION NUMBER AND DATE.

CONSULTING PLANNER'S REPORT FOR BZA 25-03

TO: City of Dahlonaga, c/o Doug Parks, City Attorney

BY: Jerry Weitz, Consulting City Planner

DATE OF REPORT: July 7, 2025

SUBJECT REQUEST: **BZA 25-03 Variance** to the Dahlonaga zoning ordinance, Article XX, "Minimum Dimensional Requirements," Section 2001, "Minimum setback requirements by zoning district (in feet)," to reduce the minimum required principal side/rear building setback of 15 feet to less than 1 foot along one property line and 10 feet on another property line (R-1 zoning district)

EXISTING ZONING: R-1, Single-Family Residential District (Article IX)

EXISTING USE: Detached single-family dwelling

BZA HEARING: Scheduled

APPLICANT: Randall Clark Hampton

OWNER(S): Randall Clark Hampton

PROPOSED USE: Building addition and new garage

LOCATION: Fronting on the west side of South Park Street and the north side of Martin Street (130 South Park Street) (Land Lot 985, District 12-1)

PARCEL(S) #: D11 109

ACREAGE: 0.26

SURROUNDING LAND USE AND ZONING:

North: Commercial (bank), B-1 (Neighborhood Business District) and R-1 (Single Family Residential District)

East: (across Park Street South): Single-family dwelling and day care center, R-1

South: (across Martin Street), office-institutional (exempt), R-1;

West: Commercial (bank), B-1

RECOMMENDATION: Approval

LEGAL FRAMEWORK AND REQUIREMENTS FOR VARIANCES

The Board of Zoning Appeals shall exercise its powers in such a way that the purpose and intent of the zoning regulations shall be accomplished, public health, safety and welfare secured, and substantial justice done (Sec. 2401 zoning ordinance).

The Board of Zoning Appeals is a body of limited powers, and its actions are taken in a quasi-judicial capacity rather than a legislative capacity. Failure to adopt written findings justifying all decisions shall render such decision null and void (Sec. 2403 zoning ordinance).

A variance is defined in Sec. 301 of the zoning ordinance as “a minimal relaxation or modification of the strict terms of the height, area, placement, setback, yard, buffer, landscape strip, parking and loading regulations as applied to specific property when, because of particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make a profit.”

The Board of Zoning Appeals is empowered to authorize upon application in specific cases such variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will in an individual case, result in unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done. A variance may be granted in an individual case of unnecessary hardship, after appropriate application in accordance with Article XXVI, upon specific findings that all of the following conditions exist. The absence of any one (1) of the conditions shall be grounds for denial of the application for variance (Sec. 2406 zoning ordinance).

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
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; 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; 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 unreasonable affect their value; and
5. The special circumstances are not the result of the actions of the applicant; and
6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure; and

7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.

Note: The Board of Zoning Appeals may adopt the findings and determinations provided in this report in whole or in part as written, if appropriate, or it may modify them. The Board of Zoning Appeals may cite one or more of these findings in its own determinations, if appropriate. The Board may modify the language provided here, as necessary, in articulating its own findings. Or, the Board of Zoning Appeals can reject these findings and make its own determinations and findings for one or more of the criteria for granting variances as specified in Section 2405 of the Dahlonga zoning ordinance.

In exercising the powers to grant appeals and approve variances, the Board may attach any conditions to its approval which it finds necessary to accomplish the reasonable application of the requirements of these [zoning] regulations (Sec. 2407 zoning ordinance).



Aerial Photograph/Tax Map

PROPERTY DESCRIPTION AND APPLICABLE REGULATIONS

The subject property is a corner lot with frontage on Park Street South and Martin Street. It is developed with a detached, single-family dwelling. The home has a driveway accessing Martin Street.

The applicant proposes to construct a garage and an addition to the rear of the home. Both will be attached to the principal dwelling. As noted in the letter of intent, the proposed garage will connect to an addition to the home, which will connect to the main part of the dwelling. In such cases, the zoning ordinance provides: "Where an accessory building or structure is structurally attached to a principal building, it shall be subject to and must conform to all regulations applicable to the principal building" (Sec. 711.4 zoning ordinance). Building setbacks for principal buildings in the R-1 zoning district are 35 feet front (other street) and 15 feet on the side and rear (Sec. 2001 zoning ordinance). The applicant seeks to reduce one of the principal building setbacks from 15 feet to less than one foot along one property line, and from 15 feet to approximately 10 feet along another property line.

The dwelling on the subject property has a setback from Martin Street of approximately 10 feet, but there is also a screened porch attached to the principal dwelling that is even closer to the right of way of Martin Street (according to the site plan excerpt). This means the home meets the definition of a nonconforming building. Dahlonga's zoning ordinance provides that a nonconforming building "which contains a conforming use may be expanded, enlarged or extended, provided that any such additions meet the applicable yard and building setbacks, buffer and landscape strip requirements and all other regulations for the district in which it is located" (Sec. 504 zoning ordinance). Since the nonconforming building is proposed to be expanded in a way that does not meet Sec. 711, it is implied that the requested variance is also a request to provide relief to that section, in addition to Sec. 2001 regarding principal building setbacks.

FINDINGS

Written findings below are those of the consulting planner; the applicant has addressed these criteria, and those answers are included as an attachment to this report.

- 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;***

Consulting planner's finding: The size of the lot is 0.26 acre, which on its own can be considered an extraordinary and exceptional condition that significantly limits the ability of the owner to utilize the property for its intended use. The subject property is a "corner" lot with frontages on two streets; this is also an exceptional and extraordinary condition because the zoning ordinance prohibits the location of accessory structures in front yards. A third factor that is considered an extraordinary condition is that, as noted by the applicant, the dwelling was constructed before the adoption and application of the current zoning ordinance of the city. A fourth factor is the location of the driveway; it is only a few feet from the property line in places and appears to run all the way to the property line in one or more places. The applicant intends to line up the garage with the existing driveway, which is reasonable and expected. Collectively, these conditions justify granting relief (***meets criterion/ supports request***).

- 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;**

Consulting planner's finding: It would be an unnecessary hardship to deny the requested variance, because the owner would not be able to construct the garage unless a variance is granted. There are few if any alternative locations to construct the improvements requested by the owner (**meets criterion/ supports request**).

- 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;**

Consulting planner's finding: As noted by the applicant, in the vicinity which includes commercial, institutional, and residential uses, there are multiple instances where other buildings fail to observe the building setbacks required by the zoning ordinance. Hence, granting the requested variance will not confer a special privilege that is denied to other properties in the R-1 zoning district and in other zoning districts in the vicinity (**meets criterion/ supports request**).

- 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 unreasonable affect their value;**

Consulting planner's finding: The zoning ordinance provides for granting relief in the form of one or more variances in cases of unnecessary hardship. Therefore, the grant of a building setback variance is considered in harmony with the purpose and intent of the zoning ordinance (**meets criterion/ supports request**). Also, the building/ garage addition will abut a commercial parking lot and therefore will not have any adverse impacts on the abutting use (**meets criterion/ supports request**).

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

Consulting planner's finding: The applicant purchased the property in 2019 and therefore was not responsible for platting the lot at its current size, nor did the current owner construct the dwelling. Therefore, the extraordinary conditions are not the result of actions of the applicant (**meets criterion/ supports request**).

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

Consulting planner's finding: The applicant has prepared and submitted a site plan showing the placement of the additions to the home. Due to the need to line up the garage with the existing driveway, the setback reduction to less than one foot along one of the property lines is considered the minimum necessary. Similarly, reduction of the other setback from 15 to 10 feet is also considered the minimum necessary (**meets criterion/ supports request**).

7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.

Consulting planner's finding: Additions to dwellings in the R-1 zoning district are authorized by the zoning ordinance. The request is not for a use variance; hence the request meets this criterion (**meets criterion/ supports request**).

CONCLUSIONS AND RECOMMENDATION

For the BZA to grant a variance, the Dahlonga zoning ordinance requires that affirmative findings be made that the variance application meets **all seven** of the criteria specified in Sec. 2406 of the zoning ordinance. Based on the consulting planner's findings, the application meets all criteria and relief can be granted.

Accordingly, it is recommended that the Board of Zoning Appeals grant a variance to Section 2001 of the zoning ordinance to reduce principal building setbacks required for the side/ rear yards from 15 feet to less than one feet and to 10 feet, as requested by the applicant. Implied within the variance request is the grant of a variance to Sec. 711.4 relative to expansion of a nonconforming building.

City of Dahlonega

Variance Letter Request

June 5, 2025

To Whom It May Concern,

I am requesting a variance for property line setbacks at 130 South Park St. We would like to add a garage to the property. Our request is for a setback on the south property line of less than one foot, and on the west property line of 10'. This garage would be built along with a small addition that would join both structures. We are surrounded on two sides by First Horizon Bank, which are the sides affected by this request. We don't believe there would be any negative impact on residential properties nearby. Please let me know if there are any questions I can answer.

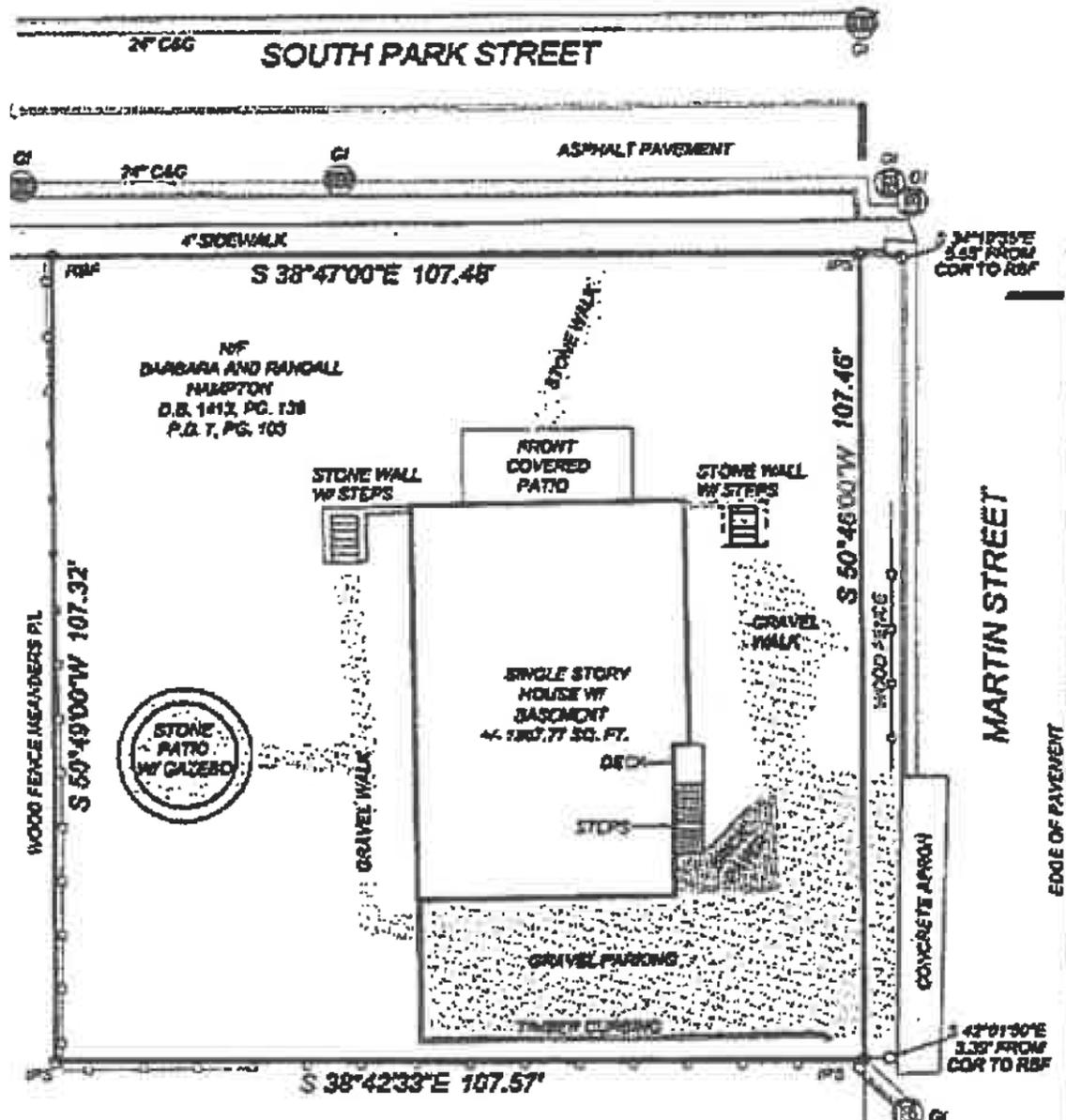
Thank you for your consideration.

Randy & Barbara Hampton

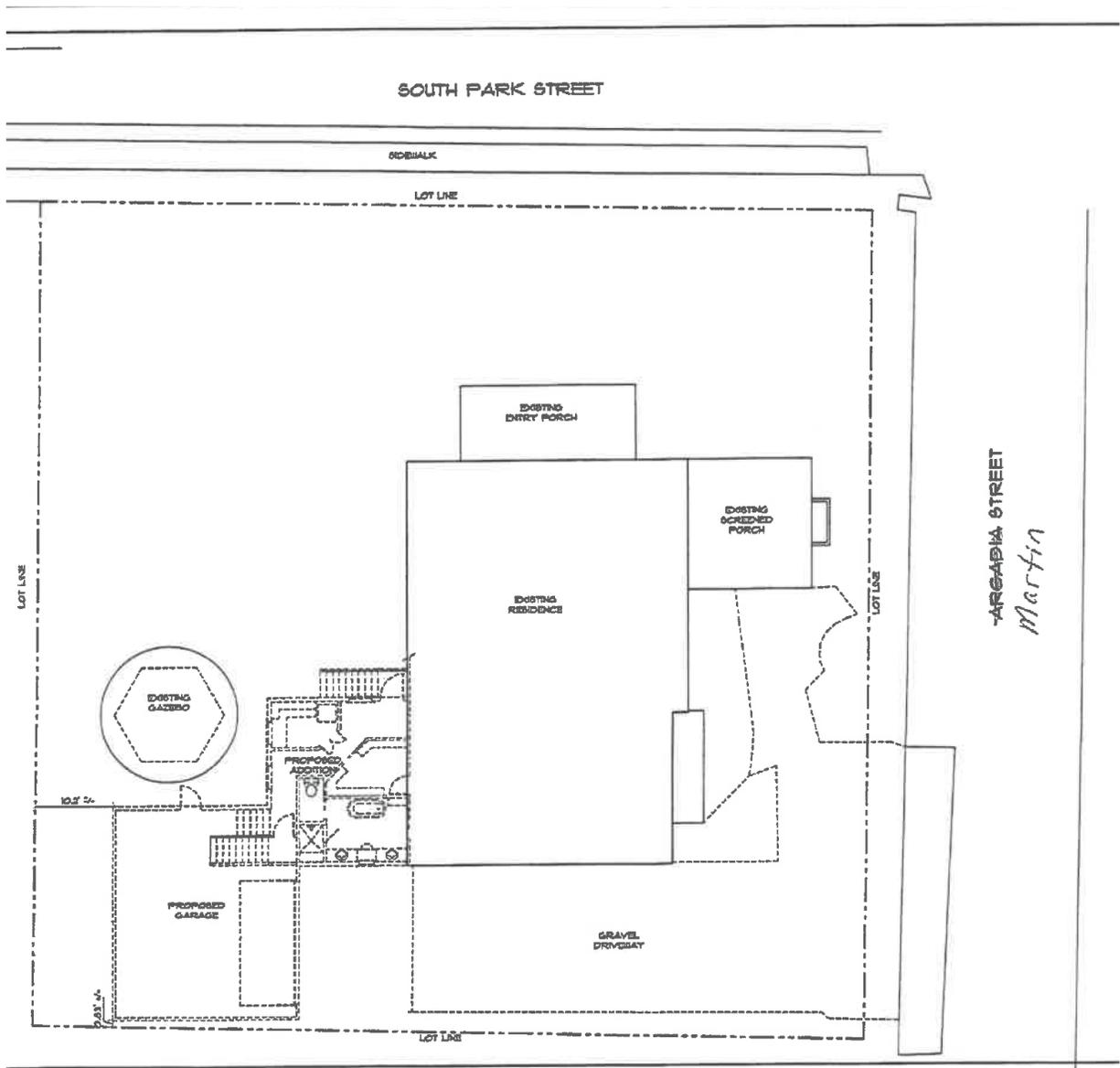
770-862-7364 (Randy)

randy.hampton61@gmail.com

Letter of Intent



Existing Conditions (from application)



Site Plan Excerpt

The following questions are the variance criteria that will be looked at to determine whether or not it is approved or denied.

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. *House was built prior to existing zoning and set backs.*
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. *There are other properties nearby with garage with similar setback variance.*
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. *None I'm aware of.*
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. *Will increase value.*
5. The special circumstances are not the result of the actions of the applicant. *No*
6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. *Yes*
7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved. *No*

Applicant's Response to Variance Criteria



Agenda Memo

DATE: 8/5/2025
TITLE: BZA 25-3
PRESENTED BY: Doug Parks, City Attorney
PRIORITY: Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

Applicant and homeowners, Randy Hampton (Barbara E. and Clark Randall Hampton) are requesting a variance from the City's setback regulations for the R-1 district. The request is to reduce the side setback to ten feet from the required fifteen feet and the rear setback to zero feet for Tax Parcel D11 109.

HISTORY/PAST ACTION

None.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval.

SUGGESTED MOTIONS

Motion to approve when action is to be taken.

ATTACHMENTS

Application for variance.



BZA-25-3

Variance Application

Status: Active

Submitted On: 5/29/2025

Primary Location

130 PARK ST S
DAHLONEGA, GA 30533

Owner

No owner information

Applicant

Randy Hampton
 770-862-7364
 randy.hampton61@gmail.com
 130 South Park Street
Dahlonega, GA 30533

Variance Information

Describe Variance Request *

Set back variance to add garage.

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.*

House was built prior to existing zoning and setbacks.

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.*

There are other properties nearby with garage with similar setbacks variance.

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.*

None I'm aware of.

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.*

Will increase value.

The special circumstances are not the result of the actions of the applicant.*

No.

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

Yes.

The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.*

NO.

A legal description of the property to be considered in the application. The legal description shall be by metes and bounds.*



Boundary Survey*



Site Plan*



Parcel Number or Numbers*

D11 109 LL985 LD12-1

Total Acreage of Site Requesting Variance*

.26

Property Owner's Certification

I hereby request the action contained with this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and City Council's agenda(s) for a public hearing.

I understand that the Community Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I must present all data necessary and required by statute to enable the Planning Commission and City council to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and City Council hearings and that I am required to be present or to be represented by someone able to present all the facts.

I understand that failure to appear at the public hearing may result in the postponement or denial of my application. I further understand that it is my responsibility to be aware of relevant public hearing dates and time regardless of notification from the City of Dahlonega.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and accurate.

I certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of rezoning of this property.

Property Owner Signature

✓ Randell Clark Hampton
May 29, 2025

BZA Information

🔒 BZA Case #

🔒 Status

—

🔒 BZA Determination Date

🔒 Vote Tally

—

🔒 Primary Variance

🔒 Variance Request

🔒 Variance Granted

🔒 BZA Conditions

Attachments

	Site Plan 20250529105246260.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:54 AM	REQUIRED
	Legal Description By Metes And Bounds 20250529105253514.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:51 AM	REQUIRED
	Boundary Survey 20250529105246260.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:54 AM	REQUIRED
	20250529105309294.pdf 20250529105309294.pdf Uploaded by Timothy Martin on May 29, 2025 at 10:52 AM	

Record Activity

Timothy Martin started a draft Record	05/29/2025 at 10:19 am
Timothy Martin added file 20250529105253514.pdf	05/29/2025 at 10:51 am
Timothy Martin added file 20250529105309294.pdf	05/29/2025 at 10:52 am
Timothy Martin added file 20250529105246260.pdf	05/29/2025 at 10:54 am
Timothy Martin added file 20250529105246260.pdf	05/29/2025 at 10:54 am
Timothy Martin submitted Record BZA-25-3	05/29/2025 at 10:54 am
OpenGov system altered approval step Application Review, changed status from Inactive to Active on Record BZA-25-3	05/29/2025 at 10:54 am

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
✓ Application Review	5/29/2025, 10:54:30 AM	-	-	-	Active

Label	Activated	Completed	Assignee	Due Date	Status
 Variance Fee	-	-	Randy Hampton	-	Inactive
 Variance Approval	-	-	-	-	Inactive
 Approval Notice	-	-	-	-	Inactive

Variance Application

BZA-25-3

Submitted On: May 29, 2025

Applicant

 Randy Hampton
 770-862-7364
@ randy.hampton61@gmail.com

Primary Location

130 PARK ST S
DAHLONEGA, GA 30533

Variance Information

Describe Variance Request

Set back variance to add garage.

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.

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There are other properties nearby with garage with similar setbacks variance.

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.

None I'm aware of.

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.

Will increase value.

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

No.

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

Yes.

The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.?

NO.

A legal description of the property to be considered in the application. The legal description shall be by metes and bounds.

true

Boundary Survey

true

Site Plan

true

Parcel Number or Numbers

D11 109 LL985 LD12-1

Total Acreage of Site Requesting Variance

.26

Property Owner's Certification

Property Owner Signature

true

I hereby request the action contained with this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and City Council's agenda(s) for a public hearing.

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CITY OF DAHLONEGA

IA-25-3

COMMUNITY DEVELOPMENT DEPARTMENT

Variance Application

Application Fee \$200.00

Property Owner:

Name: Randy Hampton *randy.hampton61@gmail.com*
Address: 130 South Park St.
Phone: 770-862-7364

Applicant:

Name: Same
Address: _____
Phone: _____

Agent:

Name: N/A
Address: _____
Phone: _____

Existing Zoning: R-1
Existing Use: Residential
Proposed Use: Residential (add garage)
Acreage of Site: .25 acre

Variance Request: Set back variance to add garage

Location of Physical Property: 130 South Park St.

Tax Plat and Parcel: D11-109

The following questions are the variance criteria that will be looked at to determine whether or not it is approved or denied.

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. *House was built prior to existing zoning and setbacks.*
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5. The special circumstances are not the result of the actions of the applicant. *No*
6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. *Yes*
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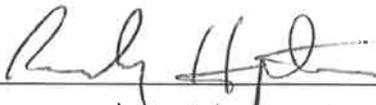
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Signature of Property Owner: 

Printed name of Property Owner: Randy Hampton

Date of Signature: 5-29-25

Signature of Witness: 

DISCLOSURE OF CAMPAIGN CONTRIBUTION

Pursuant to OCGA Section 36-37 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for re-zoning & campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government showing the following information:

1. The name of the local official(s) to whom the campaign contribution was made: N/A
2. The dollar amount and/or description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution:

Amount \$ _____ Date: _____

Amount \$ _____ Date: _____

3. Enumeration and description of each gift when the total value of all gifts is \$250.00 or more made to the local government official during the 2 years immediately preceding the filing application for rezoning:

Amount and Description:

Signature of Applicant: _____

Representative of Applicant: _____

Date: 5-29-25

Lumpkin County, GA

Summary

Parcel Number D11 109
Location Address 130 PARK STREET SOUTH
Legal Description LOT PARK ST LL 985 LD 12-1
(Note: Not to be used on legal documents)
Class R3-Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
Character Area R1
Tax District Dahlonega (District 02)
Millage Rate 28.825
Acres 0.26
Neighborhood *CITY@750/FF (00259)
Homestead Exemption No (S0)
Landlot/District 985 / 12

[View Map](#)



Map



Owner

HAMPTON BARBARA E & CLARK RANDALL
 360 KENT ROAD
 ROSWELL, GA 30075

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	*CITY@750/FF	Front Feet	11,449	107	107	0.26	0

Residential Improvement Information

Style One Family
Heated Square Feet 1832
Interior Walls Pine
Exterior Walls Hardle Plank
Foundation Masonry
Attic Square Feet 0
Basement Square Feet 0
Year Built 1934
Roof Type Metal
Flooring Type Hardwood/Tile
Heating Type Central Heat/AC
Number Of Rooms 0
Number Of Bedrooms 0
Number Of Full Bathrooms 4
Number Of Half Bathrooms 1
Number Of Plumbing Extras 12
Value \$473,169
Condition Average
House Address 130 PARK STREET SOUTH

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Fireplace Brk or Stone	2023	0x0 / 1	1	\$4,850
Gazebo	2018	1x90 / 0	0	\$1,638

Permits

Permit Date	Permit Number	Type	Description
02/10/2023	BRES 23-7	RENOVATIONS	
12/18/2015	2845	ELECTRIC	NO VALUE GIVEN
09/30/2015	2823	RENOVATIONS	NO VALUE GIVEN
07/22/2009	1859	STORAGE SHED	NO ESTIMATED VALUE GIVEN:

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
1/18/2019	1413 133	M B	\$494,000	Fair Market	POWELL FRED A JR & BRENDA C	HAMPTON BARBARA E & CLARK RANDALL
9/28/2015	1309 489		\$110,000	Fair Market	WIMPY KATHLEEN BILLIE	POWELL, JR. FRED A & BRENDA C.

Area Sales Report

Sale date range:

From:

To:

Distance:

Units:

Valuation

	2025	2024	2023	2022	2021
Previous Value	\$517,606	\$471,848	\$415,510	\$345,657	\$337,948
Land Value	\$69,874	\$69,874	\$69,874	\$69,874	\$69,874
+ Improvement Value	\$473,169	\$441,244	\$400,336	\$343,998	\$274,037
+ Accessory Value	\$6,488	\$6,488	\$1,638	\$1,638	\$1,746
= Current Value	\$549,531	\$517,606	\$471,848	\$415,510	\$345,657

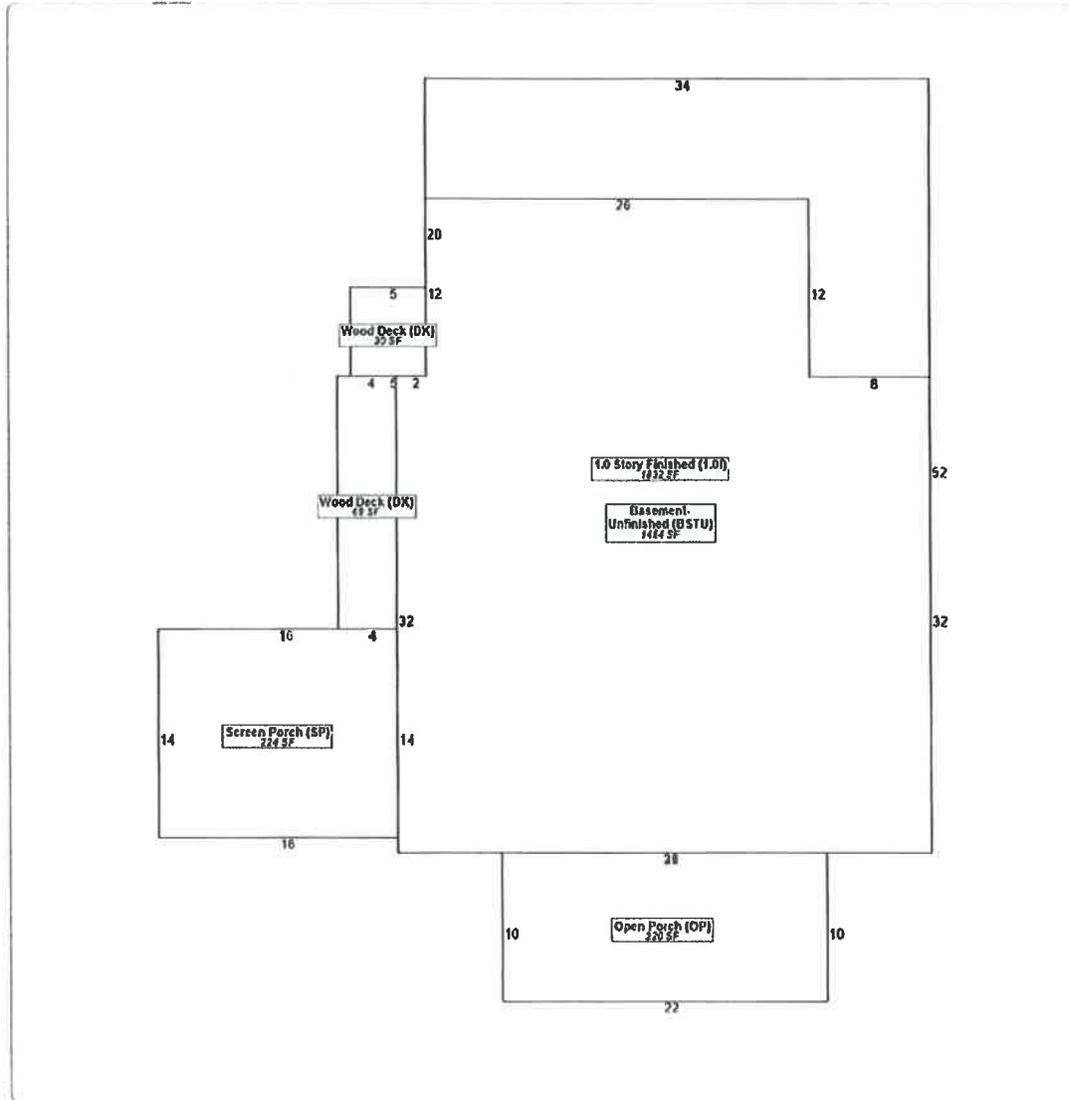
Tax Collector

Photos





Sketches



Mailing Labels

Distance:

100 Feet ▼

Use Address From:

Owner Property

Select export file format:

Address labels (5160) ▼

Show All Owners
 Show Parcel ID on Label

Skip Labels 0

International mailing labels that exceed 5 lines are not supported on the Address labels (5160). For international addresses, please use the xlsx, csv or tab download formats.

No data available for the following modules: Rural Land, Conservation Use Rural Land, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes.

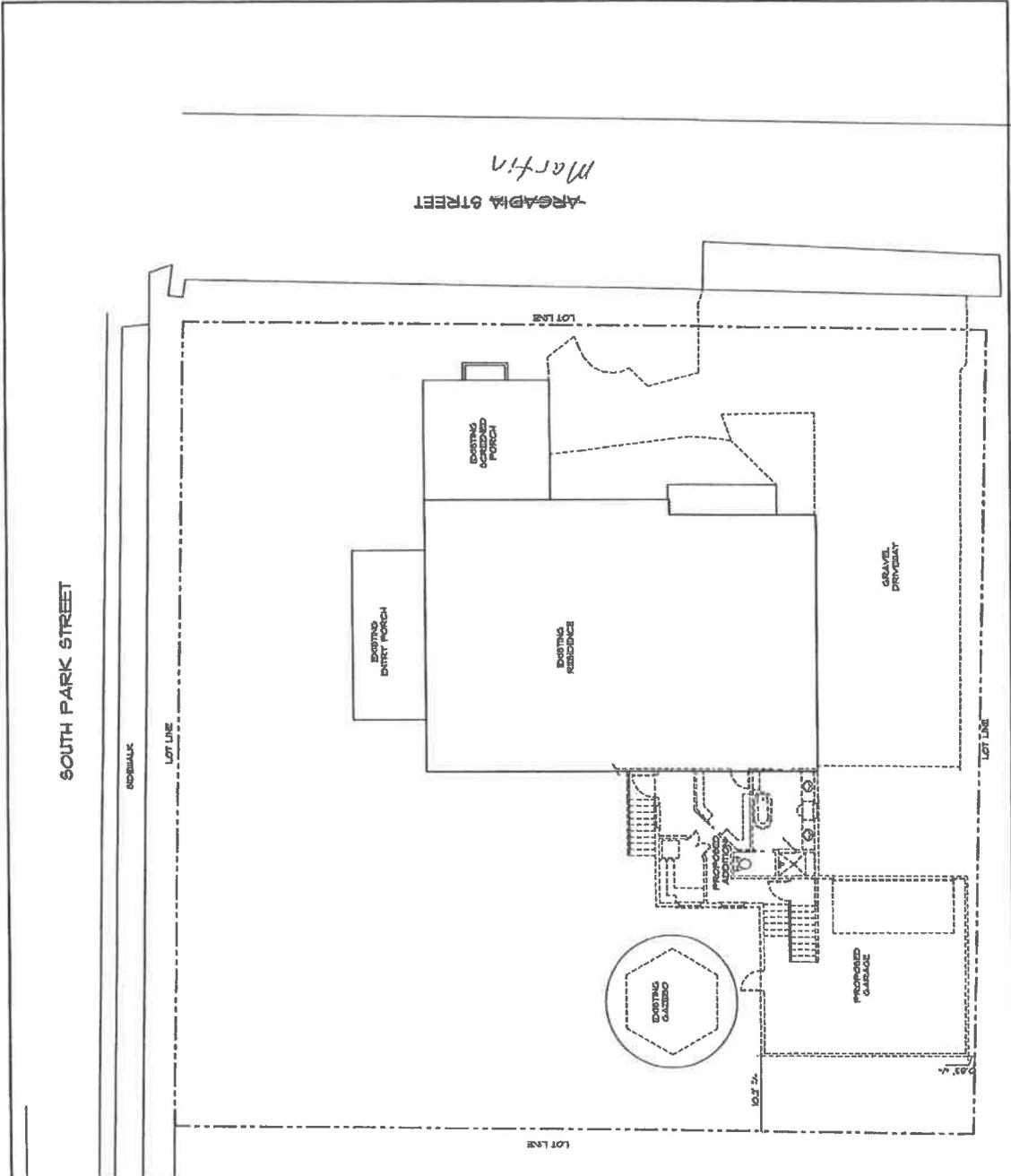


[User Privacy Policy](#) [GDPR Privacy Notice](#)
 Last Data Upload: 5/28/2025, 5:32:01 PM

a REMODEL/ADDITION PROJECT for:
MR. & MRS. RANDY HAMPTON

130 SOUTH PARK ST., DAHLONEGA, GA 30533

SITE SKETCH
 11-10-09



JOB INFORMATION
 JOB ADDRESS:
 130 S. PARK ST.
 DAHLONEGA, GA 30533
 PROPERTY INFO:
 PARCEL ID: P11 029
 ACRES: 0.26
 BUILDING PERMIT: NOT YET APPLIED FOR

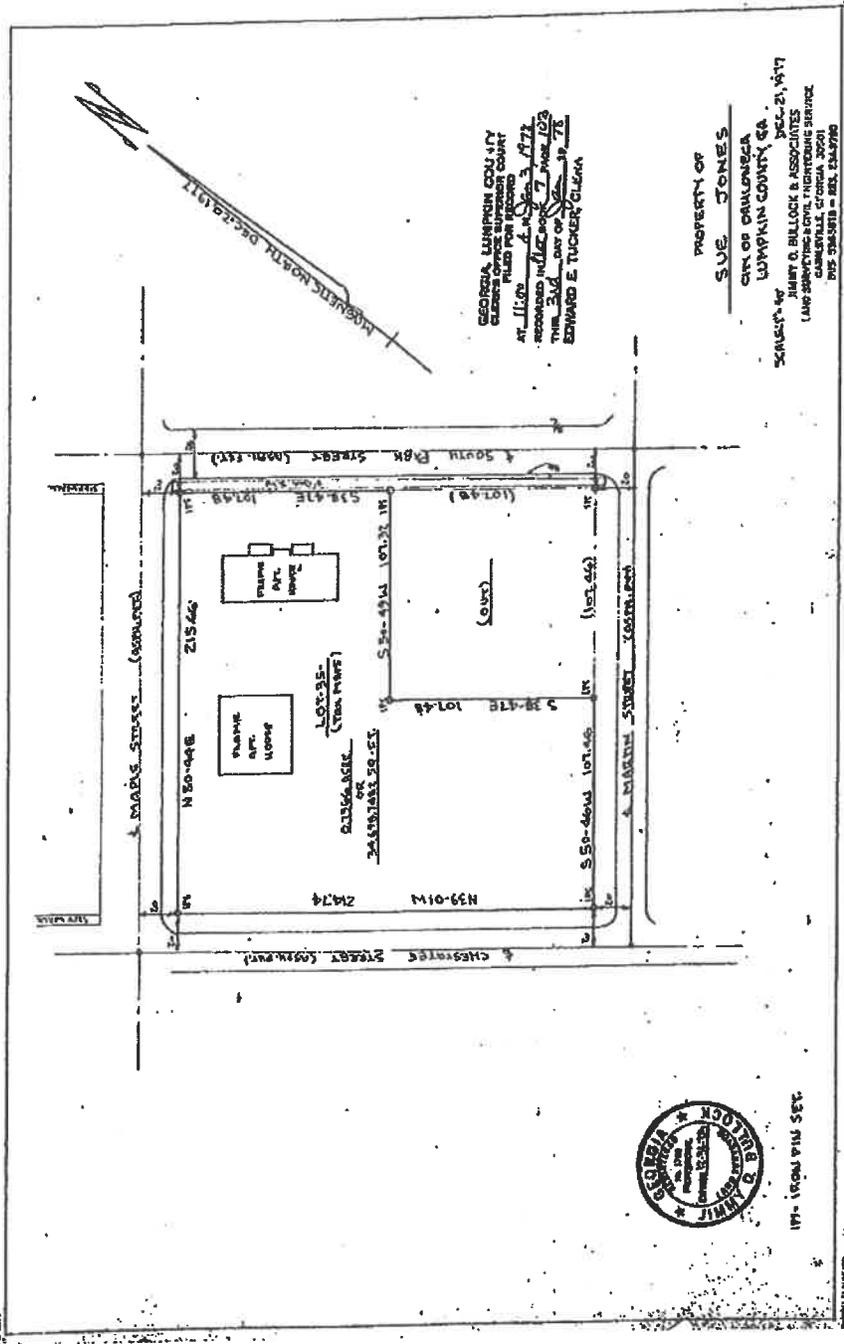
DESIGNER:
 PRO VISION DESIGN LLC
 1000 TUNER ROAD
 DAHLONEGA, GA 30533
 PHONE: 770-844-7844


CONTRACTOR:
 TO BE DETERMINED

OWNER:
 MR. & MRS. RANDALL HAMPTON
 340 NEST ROAD
 ROSWELL, GA 30075
 PHONE: 770-411-0181
 FAX: 770-411-7844

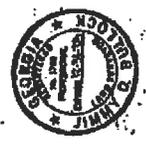
SHEET INDEX
 C - COVER SHEET / SITE PLAN
 1 - FLOOR PLAN (EXISTING MAIN)
 2 - FLOOR PLAN (PROPOSED MAIN)
 3 - FLOOR PLAN (PROPOSED UPPER)
 4A - ELEVATIONS
 4B - ELEVATIONS
 5 - SECTION AT GARAGE

THESE PLANS ARE THE EXCLUSIVE PROPERTY OF PRO VISION DESIGN LLC. THESE PLANS ARE INTENDED FOR USE ONLY ON THE PROJECT AND AT THE LOCATION SPECIFICALLY IDENTIFIED FOR OTHER LOCATIONS.



GEORGIA, LUMPKIN COUNTY
 CLERK OF SUPERIOR COURT
 FILED FOR RECORD
 AT 11:00 AM ON 03-17-77
 RECORDED IN BOOK 7 PAGE 103
 THIS 3rd DAY OF MARCH 1977
 EDWARD E. TUCKER CLERK

PROPERTY OF
SUE JONES
 C/O DAHLONCA
 LUMPKIN COUNTY, GA.
 SCALE: 1" = 40'
 HARRY D. BULLOCK & ASSOCIATES
 LAND SURVEYING & ENGINEERING SERVICE
 COLUMBIA, GEORGIA 30601
 DMS 38-5018 - REV. 12-10-76

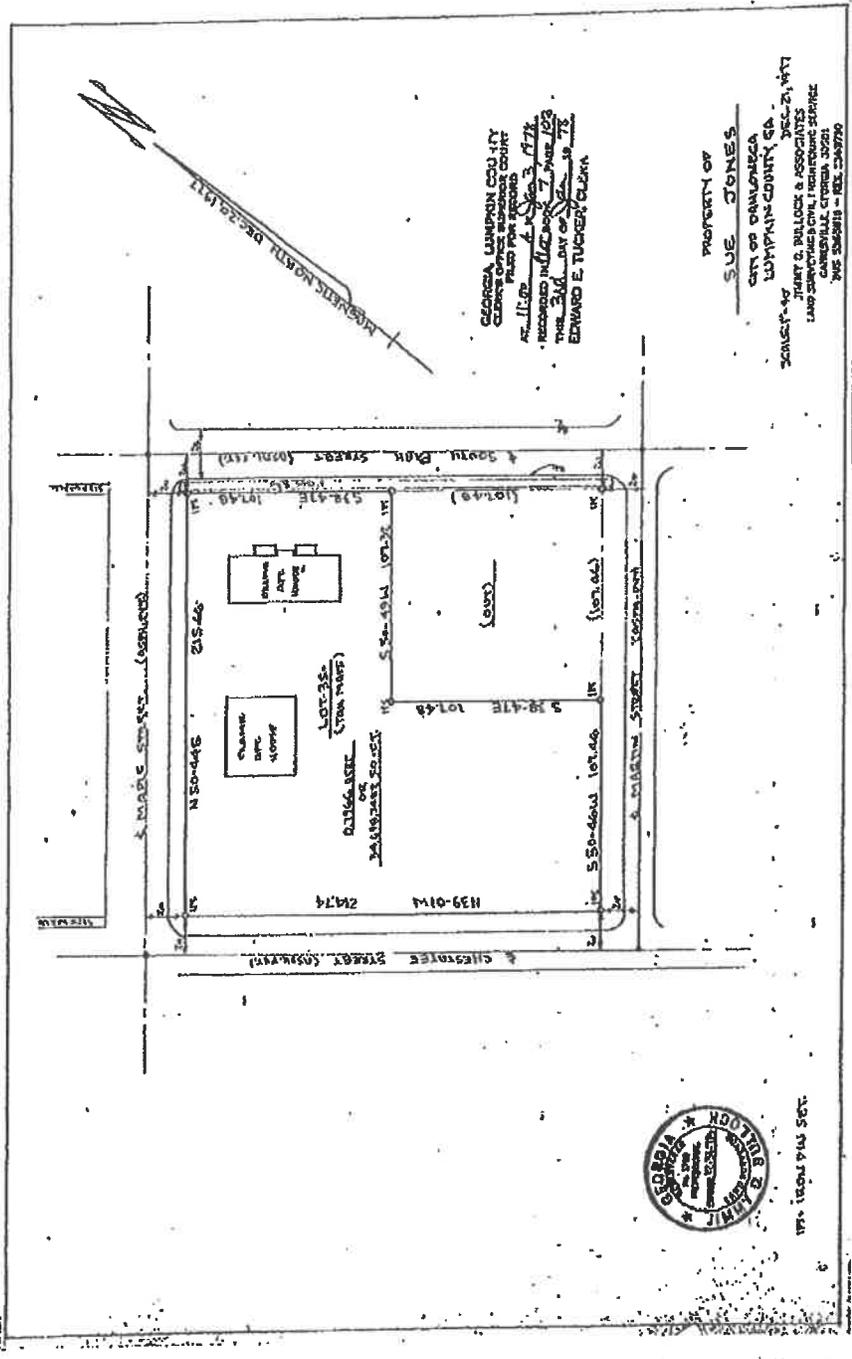


135 714 114 SET

EXHIBIT "A"

File No.: GA105-18-0295

All that tract or parcel of land lying and being in the County of Lumpkin, State of Georgia, in the City of Dalton, same being one-fourth of an acre, more or less, of original Land Lots 950 and 985, in the 12th district and first section, originally Cherokee now Lumpkin County, situate lying and being on the South side of Park Street described by metes and bounds as follows: BEGINNING on the North side of Martin Street at a point midway between Park Street and Chestatee Street; thence running a northwesterly direction a straight line midway between said Park and Chestatee Streets to the boundary of the lands of Miss Jennie Waters; thence a Northeasterly direction along the boundary line of the Lands of the said Miss Jennie Waters to Park Street; thence following along Park Street a southeasterly direction along Park Street to Martin Street; thence a south westerly direction along Martin Street to the point of beginning. Being the property conveyed from M. H. Garrett and H. F. Parks to A. G. Wimpy by deed dated February 4, 1938. Parcel ID Number: D11 109. Subject to any Easements or Restrictions of Record.



GEORGIA LANDMARK COUNTY
 CLERK OF SUPERIOR COURT
 PLAT FOR RECORD
 AT 11:00 A.M. MAY 3, 1977
 RECORDED IN BOOK 7 PAGE 103
 THIS 31st DAY OF MAY 1977
 EDWARD E. TUCKER, CLERK

PROPERTY OF
 SUE JONES
 CITY OF DANIELA
 WILKINSON COUNTY GA.
 SEC. 21, 1977
 JIMMY G. BULLOCK & ASSOCIATES
 LAND SURVEYING CIVIL ENGINEERS
 DANVILLE, GEORGIA 30501
 P.O. BOX 1111 - TEL. 235-7770



1977 1204 P.M. SEC.

EXHIBIT "A"

File No.: GA105-18-0295

All that tract or parcel of land lying and being in the County of Lumpkin, State of Georgia, in the City of Dahlonega, same being one-fourth of an acre, more or less, of original Land Lots 950 and 985, in the 12th district and first section, originally Cherokee now Lumpkin County, situate lying and being on the South side of Park Street described by metes and bounds as follows: BEGINNING on the North side of Martin Street at a point midway between Park Street and Chestatee Street; thence running a northwesterly direction a straight line midway between said Park and Chestatee Streets to the boundary of the lands of Miss Jennie Waters; thence a Northeasterly direction along the boundary line of the Lands of the said Miss Jennie Waters to Park Street; thence following along Park Street a southeasterly direction along Park Street to Martin Street; thence a south westerly direction along Martin Street to the point of beginning. Being the property conveyed from M. H. Garrett and H. F. Parks to A. G. Wimpy by deed dated February 4, 1938. Parcel ID Number: D11 109. Subject to any Easements or Restrictions of Record.

A REMODEL/ADDITION PROJECT FOR:

MR. & MRS. RANDY HAMPTON

130 SOUTH PARK ST., DAHLONEGA, GA 30533

SITE SKETCH

SOUTH PARK STREET

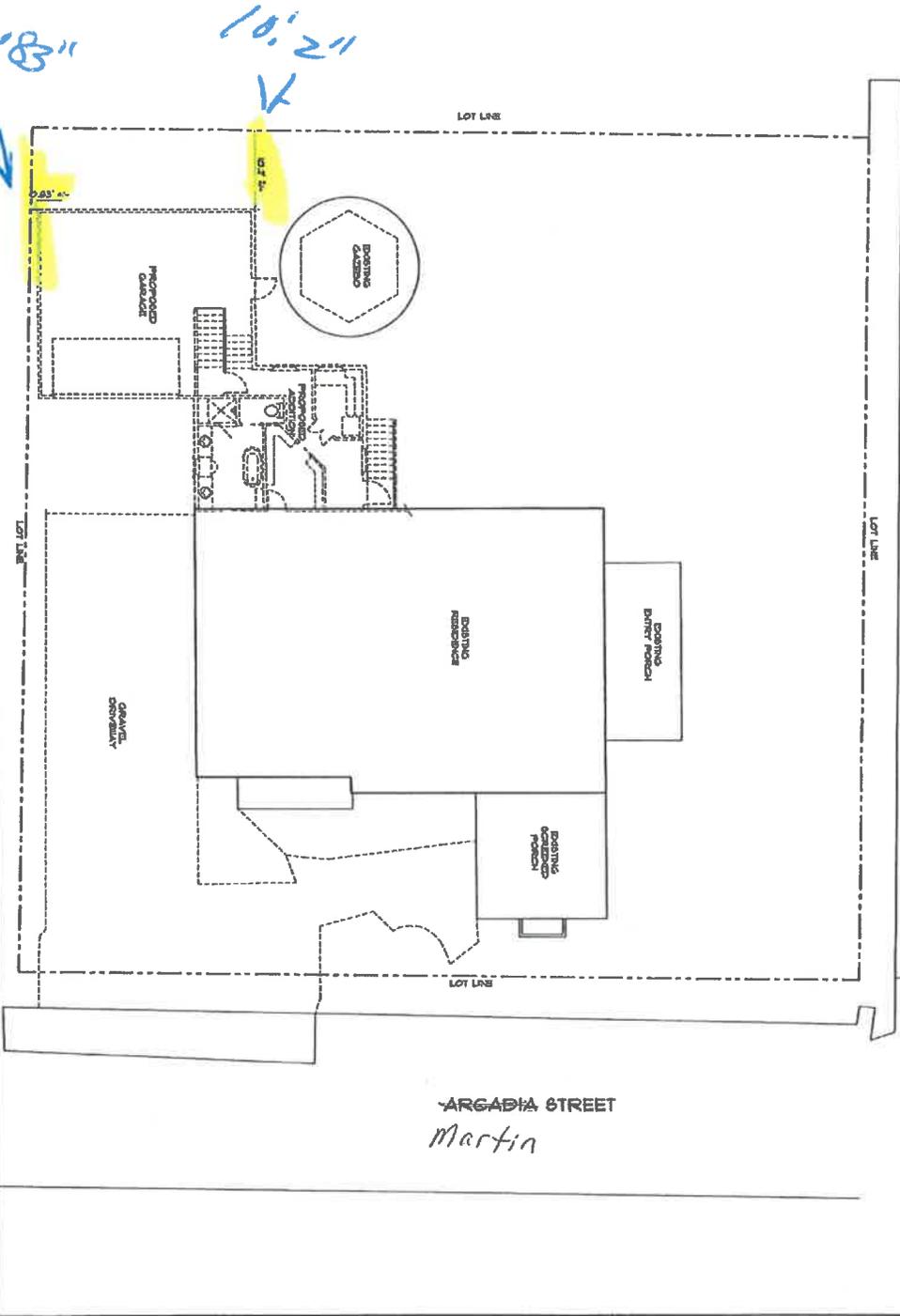
ROADWAY

LOT LINE

EXIST LOT

ARGADIA STREET

Maria



JOB INFORMATION

JOB ADDRESS:
 130 S. PARK ST.
 DAHLONEGA, GA 30533
 PROJECT ARCH:
 ARCHITECT O.A.
 LICENSE NO. 024
 BUILDING PERMIT # NOT YET APPLIED FOR

DESIGNER:

PRO VISION DESIGN, LLC
 PETER BARRIS
 500 HOBBS ROAD
 DAHLONEGA, GA 30533
 PETER@PROVISION.COM



CONTRACTOR:

TO BE DETERMINED

OWNER:

MR. & MRS. RANDY HAMPTON
 130 S. PARK ST.
 DAHLONEGA, GA 30533
 RANDY.HAMPTON@GMAIL.COM
 (770) 885-0544

SHEET INDEX

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THIS PLAN, AND ALL EXISTING INFORMATION, IS THE PROPERTY OF PRO VISION DESIGN, LLC. THESE PLANS ARE INTENDED FOR THE EXCLUSIVE USE OF THE CLIENT AND ARE NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF PRO VISION DESIGN, LLC.



Variance Fee

Record No. BZA-25-3

Status Inactive

Became Active Unknown

Assignee Randy Hampton

Due Date None

Invoice ID 9458

Primary Location

130 PARK ST S
DAHLONEGA, GA 30533

Owner

No owner information

Applicant

Randy Hampton
 770-862-7364
 randy.hampton61@gmail.com
 130 South Park Street
Dahlonega, GA 30533

Fee Breakdown

Fee Name	Total Fee	Paid	Due
Variance Fee (100.0000.32.2900)	\$200.00	\$0.00	\$200.00
Signage (100.000.32.2900)	\$50.00	\$0.00	\$50.00
Total	\$250.00	\$0.00	\$250.00

Payment History

No payments to show.

Messages

No comments yet.

Step Activity

Timothy Martin added fee Signage (100.000.32.2900)

05/29/2025 at 10:54 am

City of Dahlonega

Variance Letter Request

June 5, 2025

To Whom It May Concern,

I am requesting a variance for property line setbacks at 130 South Park St. We would like to add a garage to the property. Our request is for a setback on the south property line of less than one foot, and on the west property line of 10'. This garage would be built along with a small addition that would join both structures. We are surrounded on two sides by First Horizon Bank, which are the sides affected by this request. We don't believe there would be any negative impact on residential properties nearby. Please let me know if there are any questions I can answer.

Thank you for your consideration.

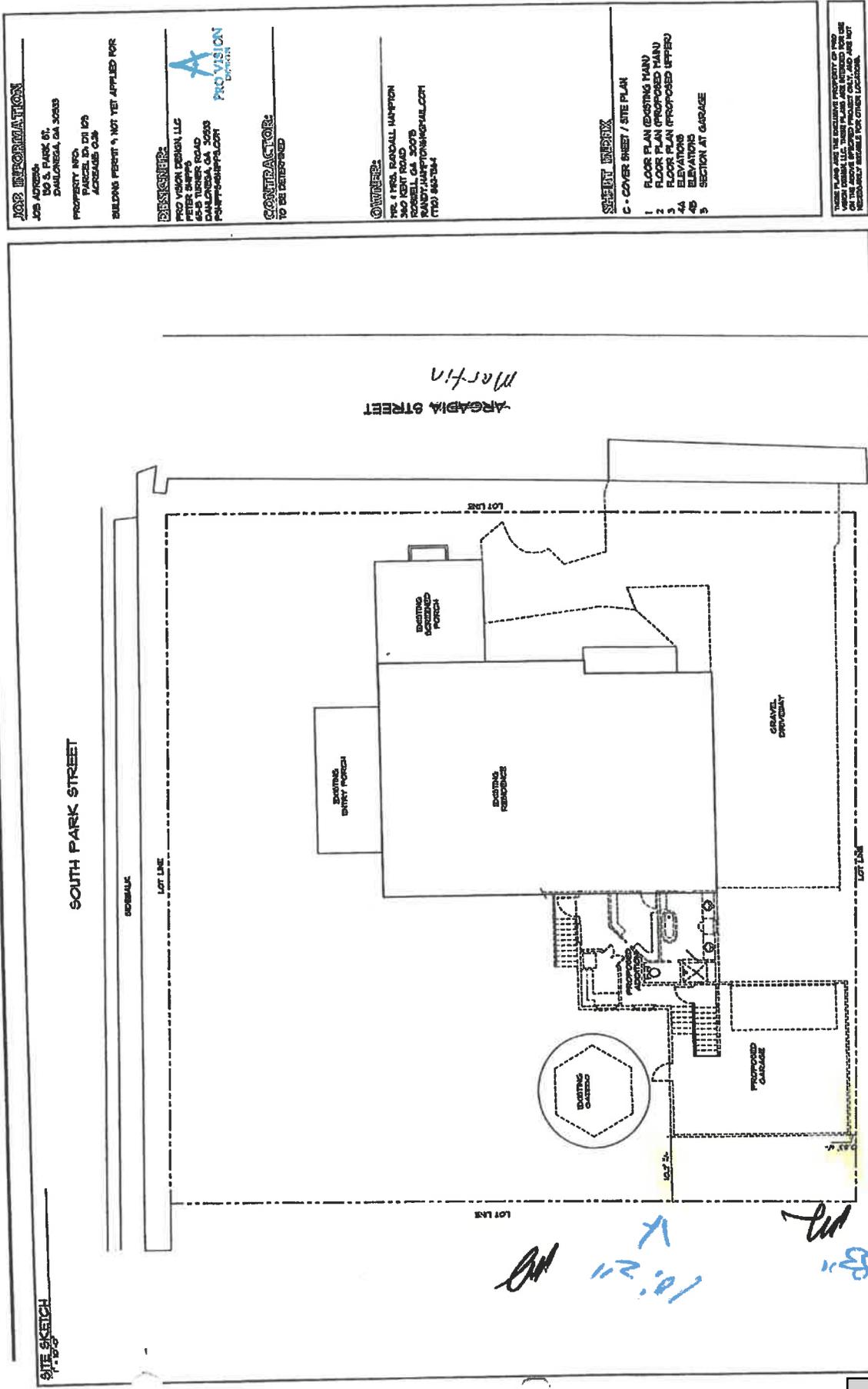
Randy & Barbara Hampton

770-862-7364 (Randy)

randy.hampton61@gmail.com

a REMODEL/ADDITION PROJECT for: MR. & MRS. RANDY HAMPTON

130 SOUTH PARK ST., DAHLONEGA, GA 30533



JOB INFORMATION

JOB ADDRESS:
130 S. PARK ST.
DAHLONEGA, GA 30533

PROPERTY INFO:
PARCEL ID: D11 179
ACRES: 0.16

BUILDING PERMIT: NOT YET APPLIED FOR

DESIGNER:

PRO VISION DESIGN LLC
PETER SHAFER
62-5 TURNER ROAD
DAHLONEGA, GA 30533
P412708@PROVISION.COM

PRO VISION
DESIGN

CONTRACTOR:

TO BE DETERMINED

OWNER:

MR. & MRS. RANDY HAMPTON
360 NORT ROAD
DAHLONEGA, GA 30533
RHH@PROVISION.COM
(770) 842-7844

SHEET INDEX

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CONSULTING PLANNER'S REPORT FOR BZA 25-03

TO: City of Dahlonega, c/o Doug Parks, City Attorney

BY: Jerry Weitz, Consulting City Planner

DATE OF REPORT: July 7, 2025

SUBJECT REQUEST: **BZA 25-03 Variance** to the Dahlonega zoning ordinance, Article XX, "Minimum Dimensional Requirements," Section 2001, "Minimum setback requirements by zoning district (in feet)," to reduce the minimum required principal side/rear building setback of 15 feet to less than 1 foot along one property line and 10 feet on another property line (R-1 zoning district)

EXISTING ZONING: R-1, Single-Family Residential District (Article IX)

EXISTING USE: Detached single-family dwelling

BZA HEARING: Scheduled

APPLICANT: Randall Clark Hampton

OWNER(S): Randall Clark Hampton

PROPOSED USE: Building addition and new garage

LOCATION: Fronting on the west side of South Park Street and the north side of Martin Street (130 South Park Street) (Land Lot 985, District 12-1)

PARCEL(S) #: D11 109

ACREAGE: 0.26

SURROUNDING LAND USE AND ZONING:

North: Commercial (bank), B-1 (Neighborhood Business District) and R-1 (Single Family Residential District)

East: (across Park Street South): Single-family dwelling and day care center, R-1

South: (across Martin Street), office-institutional (exempt), R-1;

West: Commercial (bank), B-1

RECOMMENDATION: Approval

LEGAL FRAMEWORK AND REQUIREMENTS FOR VARIANCES

The Board of Zoning Appeals shall exercise its powers in such a way that the purpose and intent of the zoning regulations shall be accomplished, public health, safety and welfare secured, and substantial justice done (Sec. 2401 zoning ordinance).

The Board of Zoning Appeals is a body of limited powers, and its actions are taken in a quasi-judicial capacity rather than a legislative capacity. Failure to adopt written findings justifying all decisions shall render such decision null and void (Sec. 2403 zoning ordinance).

A variance is defined in Sec. 301 of the zoning ordinance as “a minimal relaxation or modification of the strict terms of the height, area, placement, setback, yard, buffer, landscape strip, parking and loading regulations as applied to specific property when, because of particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make a profit.”

The Board of Zoning Appeals is empowered to authorize upon application in specific cases such variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will in an individual case, result in unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done. A variance may be granted in an individual case of unnecessary hardship, after appropriate application in accordance with Article XXVI, upon specific findings that all of the following conditions exist. The absence of any one (1) of the conditions shall be grounds for denial of the application for variance (Sec. 2406 zoning ordinance).

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
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; 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; 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 unreasonable affect their value; and
5. The special circumstances are not the result of the actions of the applicant; and
6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure; and

7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.

Note: The Board of Zoning Appeals may adopt the findings and determinations provided in this report in whole or in part as written, if appropriate, or it may modify them. The Board of Zoning Appeals may cite one or more of these findings in its own determinations, if appropriate. The Board may modify the language provided here, as necessary, in articulating its own findings. Or, the Board of Zoning Appeals can reject these findings and make its own determinations and findings for one or more of the criteria for granting variances as specified in Section 2405 of the Dahlonga zoning ordinance.

In exercising the powers to grant appeals and approve variances, the Board may attach any conditions to its approval which it finds necessary to accomplish the reasonable application of the requirements of these [zoning] regulations (Sec. 2407 zoning ordinance).



Aerial Photograph/Tax Map

PROPERTY DESCRIPTION AND APPLICABLE REGULATIONS

The subject property is a corner lot with frontage on Park Street South and Martin Street. It is developed with a detached, single-family dwelling. The home has a driveway accessing Martin Street.

The applicant proposes to construct a garage and an addition to the rear of the home. Both will be attached to the principal dwelling. As noted in the letter of intent, the proposed garage will connect to an addition to the home, which will connect to the main part of the dwelling. In such cases, the zoning ordinance provides: "Where an accessory building or structure is structurally attached to a principal building, it shall be subject to and must conform to all regulations applicable to the principal building" (Sec. 711.4 zoning ordinance). Building setbacks for principal buildings in the R-1 zoning district are 35 feet front (other street) and 15 feet on the side and rear (Sec. 2001 zoning ordinance). The applicant seeks to reduce one of the principal building setbacks from 15 feet to less than one foot along one property line, and from 15 feet to approximately 10 feet along another property line.

The dwelling on the subject property has a setback from Martin Street of approximately 10 feet, but there is also a screened porch attached to the principal dwelling that is even closer to the right of way of Martin Street (according to the site plan excerpt). This means the home meets the definition of a nonconforming building. Dahlonga's zoning ordinance provides that a nonconforming building "which contains a conforming use may be expanded, enlarged or extended, provided that any such additions meet the applicable yard and building setbacks, buffer and landscape strip requirements and all other regulations for the district in which it is located" (Sec. 504 zoning ordinance). Since the nonconforming building is proposed to be expanded in a way that does not meet Sec. 711, it is implied that the requested variance is also a request to provide relief to that section, in addition to Sec. 2001 regarding principal building setbacks.

FINDINGS

Written findings below are those of the consulting planner; the applicant has addressed these criteria, and those answers are included as an attachment to this report.

- 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;***

Consulting planner's finding: The size of the lot is 0.26 acre, which on its own can be considered an extraordinary and exceptional condition that significantly limits the ability of the owner to utilize the property for its intended use. The subject property is a "corner" lot with frontages on two streets; this is also an exceptional and extraordinary condition because the zoning ordinance prohibits the location of accessory structures in front yards. A third factor that is considered an extraordinary condition is that, as noted by the applicant, the dwelling was constructed before the adoption and application of the current zoning ordinance of the city. A fourth factor is the location of the driveway; it is only a few feet from the property line in places and appears to run all the way to the property line in one or more places. The applicant intends to line up the garage with the existing driveway, which is reasonable and expected. Collectively, these conditions justify granting relief (***meets criterion/ supports request***).

- 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;***

Consulting planner's finding: It would be an unnecessary hardship to deny the requested variance, because the owner would not be able to construct the garage unless a variance is granted. There are few if any alternative locations to construct the improvements requested by the owner (***meets criterion/ supports request***).

- 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;***

Consulting planner's finding: As noted by the applicant, in the vicinity which includes commercial, institutional, and residential uses, there are multiple instances where other buildings fail to observe the building setbacks required by the zoning ordinance. Hence, granting the requested variance will not confer a special privilege that is denied to other properties in the R-1 zoning district and in other zoning districts in the vicinity (***meets criterion/ supports request***).

- 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 unreasonable affect their value;***

Consulting planner's finding: The zoning ordinance provides for granting relief in the form of one or more variances in cases of unnecessary hardship. Therefore, the grant of a building setback variance is considered in harmony with the purpose and intent of the zoning ordinance (***meets criterion/ supports request***). Also, the building/ garage addition will abut a commercial parking lot and therefore will not have any adverse impacts on the abutting use (***meets criterion/ supports request***).

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

Consulting planner's finding: The applicant purchased the property in 2019 and therefore was not responsible for platting the lot at its current size, nor did the current owner construct the dwelling. Therefore, the extraordinary conditions are not the result of actions of the applicant (***meets criterion/ supports request***).

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

Consulting planner's finding: The applicant has prepared and submitted a site plan showing the placement of the additions to the home. Due to the need to line up the garage with the existing driveway, the setback reduction to less than one foot along one of the property lines is considered the minimum necessary. Similarly, reduction of the other setback from 15 to 10 feet is also considered the minimum necessary (***meets criterion/ supports request***).

7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.

Consulting planner's finding: Additions to dwellings in the R-1 zoning district are authorized by the zoning ordinance. The request is not for a use variance; hence the request meets this criterion (**meets criterion/ supports request**).

CONCLUSIONS AND RECOMMENDATION

For the BZA to grant a variance, the Dahlenega zoning ordinance requires that affirmative findings be made that the variance application meets **all seven** of the criteria specified in Sec. 2406 of the zoning ordinance. Based on the consulting planner's findings, the application meets all criteria and relief can be granted.

Accordingly, it is recommended that the Board of Zoning Appeals grant a variance to Section 2001 of the zoning ordinance to reduce principal building setbacks required for the side/ rear yards from 15 feet to less than one feet and to 10 feet, as requested by the applicant. Implied within the variance request is the grant of a variance to Sec. 711.4 relative to expansion of a nonconforming building.

City of Dahlonega

Variance Letter Request

June 5, 2025

To Whom It May Concern,

I am requesting a variance for property line setbacks at 130 South Park St. We would like to add a garage to the property. Our request is for a setback on the south property line of less than one foot, and on the west property line of 10'. This garage would be built along with a small addition that would join both structures. We are surrounded on two sides by First Horizon Bank, which are the sides affected by this request. We don't believe there would be any negative impact on residential properties nearby. Please let me know if there are any questions I can answer.

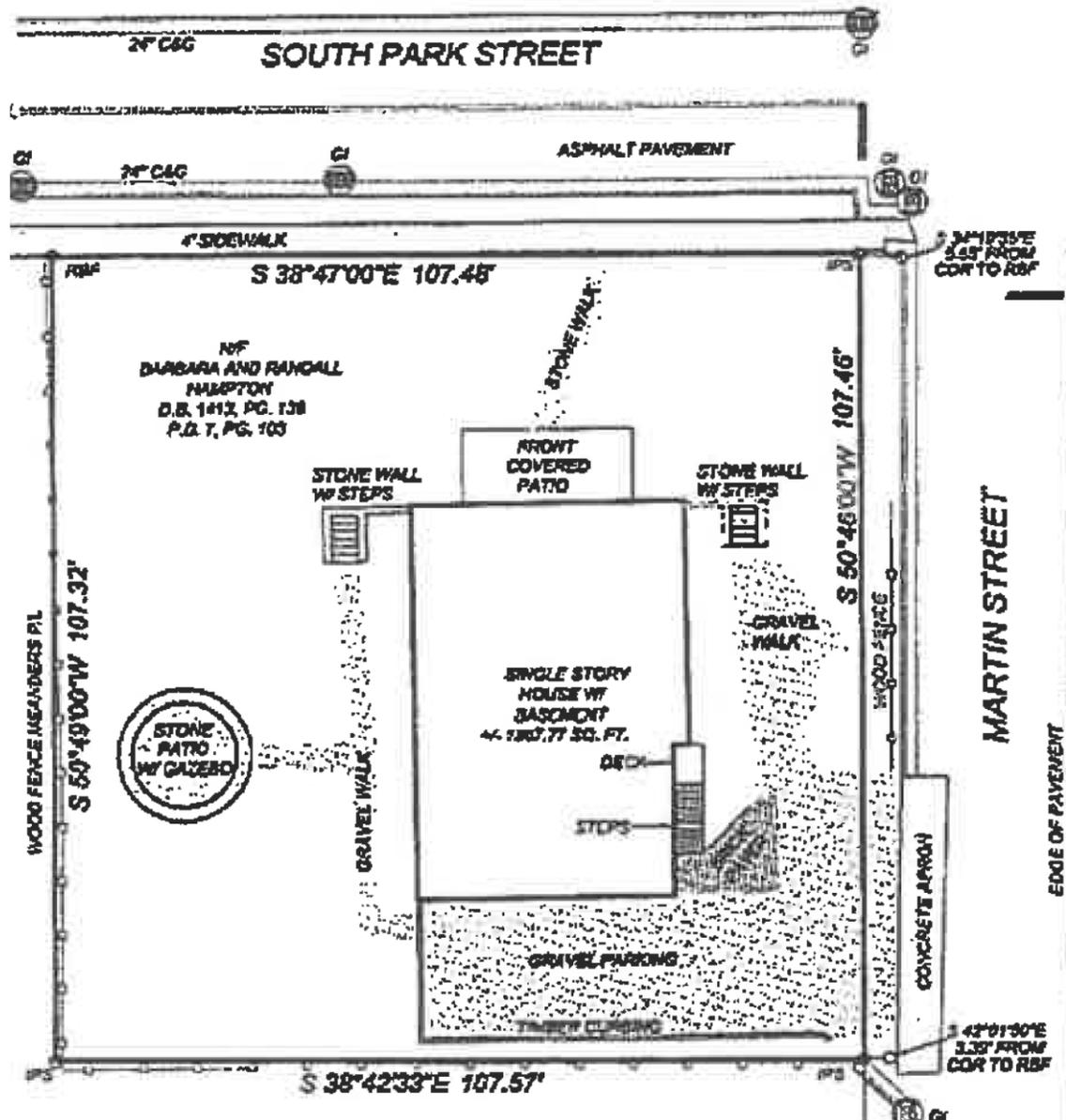
Thank you for your consideration.

Randy & Barbara Hampton

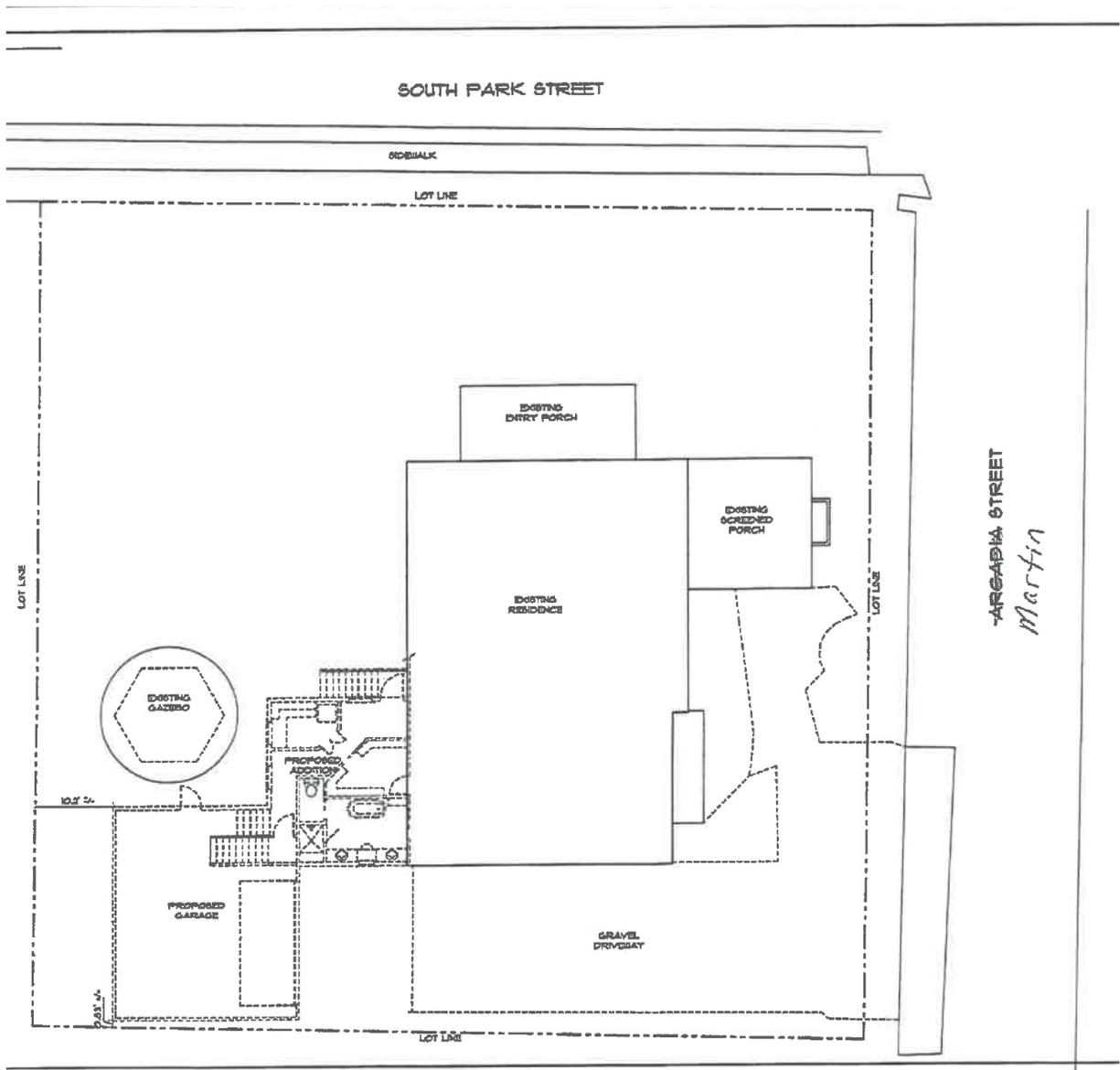
770-862-7364 (Randy)

randy.hampton61@gmail.com

Letter of Intent



Existing Conditions (from application)



Site Plan Excerpt

The following questions are the variance criteria that will be looked at to determine whether or not it is approved or denied.

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. *House was built prior to existing zoning and set backs.*
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. *There are other properties nearby with garage with similar setback variance.*
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. *None I'm aware of.*
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. *Will increase value.*
5. The special circumstances are not the result of the actions of the applicant. *No*
6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. *Yes*
7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved. *No*

Applicant's Response to Variance Criteria