

HABERSHAM COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Conditional Use Application CU-24-09 – Dog Training Facility

DATE: December 6, 2024

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION: N/A

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COMMISSION ACTION REQUESTED ON: December 16, 2024

PURPOSE: Make a recommendation to the Board regarding application CU-24-09: Marjorie Stephens is seeking a conditional use for a dog training facility at 604 Barron Drive, map parcels 102 209, 102 175, and 102 177 in the LI, Low Intensity District.

BACKGROUND / HISTORY:

1. The applicant wants to open a dog training facility at 604 Barron Drive where she lives on a total of 1.47 acres in the LI, Low Intensity District. The house sits on a 0.83 acres parcel and there are two parcels across Barron Drive totaling 0.67 acres which is proposed to be used.
 2. The applicant currently has a dog training facility in Cleveland but has had to move to Barron Drive to care for an elderly parent. She plans to have a training facility at the house and the facility across the road will be a dog sports training facility. She anticipates having one to two animals with owners at the facility at a time. Most of the training will occur behind the current house within an existing chain link fence. She plans to erect a new fence around the dog sports training area which is the corner of Stewart Lane and Barron Drive. There may be special events with multiple dogs but only periodically. Based on her current business in Cleveland, she anticipates only 3 to 4 daily sessions.
 3. Staff had concerns based on the type of use within an established neighborhood but feel the impact may be minimal given the limited nature of the training numbers.
 4. The surrounding area is largely residential with a few scattered vacant parcels.
 5. There were three citizens that spoke in opposition to the request. The primary concerns were noise from barking; traffic safety given the curvy nature of Barron Drive; decrease in property values; and sight distance due to new fencing at the intersection of Stewart Lane and Barron Drive. There also were a number of comments requesting speed bumps on Barron Drive.
 6. The Planning Commission discussed this matter in detail.
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FACTS AND ISSUES: The Planning Commission forwards this application to the Board with a recommendation of Approval with Conditions:

1. All proposed fencing for the agility area must be a privacy fence at least 6 feet tall.
 2. No external lighting.
 3. No breeding or boarding of dogs on the premises.
 4. Hours of operation are to be 9am – 5pm (7 days a week)
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5. Habersham County Road Dept. to check the sight distance on proposed fence location for the agility area before installation.
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OPTIONS: The Board of Commissioners could act on this application as follows:

1. Approval of the request as recommended by the Planning Commission;
 2. Denial of the request as submitted; or
 3. Commission defined alternative.
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RECOMMENDED SAMPLE MOTION: I motion to approve CU-24-09 with conditions as recommended by the Planning Commission.

DEPARTMENT:

Prepared by: Mike Beecham

Director _____

**ADMINISTRATIVE
COMMENTS:** _____

County Manager

DATE: _____



HABERSHAM COUNTY

Planning & Development Department

130 Jacob's Way, Clarkesville, GA 30523

706-839-0140 www.habershamga.com

Habersham County Planning Commission Conditional Use Staff Report

APPLICATION NUMBER: CU-24-09

REQUESTED ACTION: Marjorie Stephens is seeking a Conditional Use to be allowed to operate a Dog Training Facility at her residence. The tract is located at 604 Barron Dr. and is further identified as Map 102 Parcel 209 consisting of .83 acres. The Facility will also involve (2) other parcels across the street (Map 102 Parcel 175 consisting of .30 acres & Map 102 Parcel 177 consisting of .34 acres).

Synopsis: Initial inquiry regarding this was addressed when applicant came in to discuss future plans of their operation. Plans are to use this property for a Dog Training Facility.

PETITIONER: Marjorie Stephens

PROPERTY OWNER: Johnnie McCollum

EXISTING USE: Residential

PROPOSED USE: Dog Training Facility.

LOCATION: 604 Barron Dr.

PARCEL SIZE: .83 acres

MAP#: 102 PARCEL(S)#: 209 & (Map# 102 Parcel# 175) .30 acres & (Map# 102 Parcel 177) .34 acres

EXISTING & FUTURE LAND USE DISTRICT:

	Current Zoning District	2029 Future Land Use Designation
Parcel	LI	Suburban Transition
North	LI	Suburban Transition
East	LI	Suburban Transition
South	LI	Suburban Transition

MEETING DATES: Planning Commission: December 3, 2024

Board of Commissioners: December 16, 2024

PLANNING ANALYSIS:

1. The existing land uses and zoning classification of nearby property;

The current zoning classification of this parcel is LI- Low Intensity and the land use of this parcel is Suburban Transition.

2. The suitability of the subject property for the zoned purposes;

The property is designated as LI – Low Intensity. This district will provide and protect an environment suitable for single-family detached residential uses or individual lots, conventional subdivisions and master planned developments, together with such other accessory uses as may be necessary to and compatible with low density residential surroundings.

3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions;

Property values are not diminished by the current zoning. It is the intent of the Conditional Use process to permit specific uses compatible with a residential area. The process will assist in determining the need for buffers, parking, hours of operation and other concerns that may be presented.

4. The extent to which the diminution of property values of the subject property promote the health, safety, morals or general welfare of the public;

Property values are not diminished by the current zoning.

5. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

A Dog Training Facility should not be a hardship to the community if used within certain guidelines.

6. Whether the subject property has a reasonable economic use as currently zoned;

Property does have a reasonable economic use within the LI District.

7. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property;

The compatibility of the proposed use with adjacent properties is critical. Specific criteria will need to be addressed such as hours of operation, capacity, noise, sanitation, buffers, etc., to promote harmony and balance in an existing rural neighborhood.

8. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;

The existing land use patterns in the area is primarily rural. However, during certain times, an increase in traffic, noise, etc. may be an issue that needs to be addressed.

9. Whether the zoning proposal is in conformity with the policies and intent of the land use plan;

The Comprehensive Plan identifies this area as Suburban Transition. The scope of the proposed use will support compatibility and balance if certain criteria is met.

10. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The increase of noise and traffic could possibly be an issue to the neighborhood.

11. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

The balance of the above mentioned issues at this location are essential to maintaining the integrity of the Comprehensive Plan. The proposed use may need to have restrictions placed upon it to support harmony and balance in this rural neighborhood.

Staff Recommendation:

The Conditional Use request is to be allowed to operate a Dog Training Facility at their residence which is located at 604 Barron Dr. The Facility will also involve (2) other parcels that are across the street. The applicant is a Certified Dog Trainer and currently owns her own training business which is called SouthPaws Sports Scenter, LLC. The business was started and established in Clarkesville in 2021 but is now currently in Cleveland, Ga. and has been for the last three years. Due to family health issues the applicant is moving the business back to Clarkesville. Mrs. Stephens is a trainer in dog behaviors and a variety of dog sports. The residence has a fenced in area. The majority of the training will be conducted in the rear of the property and not visible from the street. The agility training would be across the street on an empty cleared space that too will be fenced in for safety and insurance purposes. If proper measures and protocols are adhered too, there should not be any hardships to the neighborhood. Noise and traffic could possibly be the only major concerns. Staff feels that if done in moderation, the facility should not affect the balance and harmony of the community. Therefore, staff recommends approval of CU-24-09 with the following condition.

Staff recommends:

☐ Approve as Submitted	☒ Approval with Conditions
☐ Denial	☐ Table

- There are to be no boarding of animals.

Planning Commission recommends:

☐ Approve as Submitted	☒ Approval with Conditions
☐ Denial	☐ Table

- All proposed fencing for the agility area must be a privacy fence at least 6 feet tall.
- No external lighting.
- No breeding or boarding of dogs on the premises.
- Hours of operation are to be 9am – 5pm (7 days a week)
- Habersham County Road Dept. to check site distance on proposed fence location for the agility area before installation.

Board of Commissioners Decision:

☐ Approve as Submitted	☐ Approval with Conditions
☐ Denial	☐ Table



HABERSHAM COUNTY
GEORGIA | Est. 1818

HABERSHAM COUNTY

Planning & Development

130 Jacob's Way Clarkesville, GA 30523
706-839-0140 www.habershamga.com

APPLICATION TYPE: Variance: _____ Conditional Use: ☒ Map Amendment: _____

[Check ☒ appropriate application(s)]

PLEASE BE ADVISED THIS FORM IS PUBLIC INFORMATION

Applicant / Primary Contact MarJorie Stephens

Address _____ City _____ State _____ Zip _____

Telephone # _____

Cell Telephone # _____

E-Mail _____

work - primary contact

Property Owner(s): Johnnie G. McCollum

Address _____ City _____ State _____ Zip _____

Telephone # _____

Cell Telephone # _____

E-Mail _____

Agent: same as applicant

Address _____ City _____ State _____ Zip _____

Telephone # () _____

Cell Telephone # () _____

E-Mail _____

Location (Street Address) of Property: 604 Barron Dr Clarkesville + additional lots

* Acreage of Site: _____ Tax Map & Parcel#: 102 209 Existing LUI District: _____

Action Requested: _____

Cite Pertinent Section(s): _____

Existing Use: Residence + empty lots (unused property)

Proposed Use: Dog Training Services - Dog Sports - Agility, Barn Hunt, NASOA - Foot Item, Shed & Rat Searches, Mantrailing, Rally, Freestyle, Swimming etc.

APPLICATION PROCESS FEE: \$300.00

* .83 102 209 Residence lot
.3 102 175 } - only 1/2 of each
.34 102 177 } see parcel map
area will be fenced
Southpaws Sports Sanctuary, LLC

RECEIVED
OCT 18 2024
BY: t. dills



HABERSHAM COUNTY

Planning & Development

130 Jacob's Way Clarkesville, GA 30523
706-839-0140 www.habershamga.com

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Required For All Applications Regarding the Comprehensive Land Development Resolution

Disclosure of Campaign Contributions:

When any application is made for a Public Hearing with regards to the Comprehensive Land Development Resolution within two (2) years immediately preceding the filing of the applicant's application for public hearing, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing body of the respective local government showing:

- (1). the name and official position of the local government official to whom the campaign contribution was made; and
- (2). The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for public hearing and the date of each contribution; and
- (3). The disclosure shall be marked by the **applicant, property owner, or person representing the property owner** and shall be filed within ten (10) days after the application for Public Hearing is first filed with the Planning Staff. If the disclosure is not provided to the Planning Staff within said 10 days, the application shall be removed from the scheduled agenda.

I hereby certify that I have ____; I have not ____; (please $\checkmark$ one) read the above and that:

Within the two (2) years immediately preceding this date, I have; ____ I have not $\checkmark$; (please $\checkmark$ one) made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

If you have made such contributions, you must provide the data required below within 10 days of filing this application.

Name of Official(s)	Office	Amount	Date of Contribution
Marjorie Mc Stephens			
Applicant's Name (Please Print)			
Marjorie Mc Stephens			10/15/24
Signature of Applicant			Date of Signature



HABERSHAM COUNTY

Planning & Development

130 Jacob's Way Clarkesville, GA 30523

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PROPERTY OWNER'S CERTIFICATION

I hereby 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 below is authorized to act as the applicant and/or agent in the pursuit of the proposed application of this property.

Johnnie McCallum

Property Owner/Executor/Officer
(Print)

Johnnie McCallum

Property Owner/Executor/Officer
(Signature)

10 / 15 / 24

Date of Signature

MarJorie Mc Stephens

Authorized Agent
(Print)

MarJorie Mc Stephens

Authorized Agent
(Signature)

10 / 15 / 24

Date of Signature

To Whom It May Concern

Please accept my application for Conditional Use of the property located at 604 Barron Drive and the surrounding lots which are owned by my father Johnnie G McCollum and where I reside.

I own a dog sports training business, SouthPaws Sports Scenter, LLC which started in Clarkesville in 2021 and moved to Cleveland for the last three years. However due to the health conditions of my father, I have moved to reside with him to provide daily care and supervision. Transferring my business to the property would allow me to work from home and offer better care to him thus minimizing the time he would be unattended, as well as help me keep the business viable and open.

I train dog behaviors and a variety of dog sports; Agility, Barn Hunt, Urban Locating, Shed Search (deer antlers), Lost Item Recovery, Mantrailing, Rally, & Freestyle. The majority of these would be conducted to the rear of the fenced property and not be visible from the street and require no additions to the property. The Agility would be across the street on an empty, already cleared space that would be fenced for safety and insurance purposes and would hold the agility obstacles. This property would actually be my yard, if I chose to build a house on the adjoining lots.

Please see the attached parcel map for the highlighted areas that would be put in use.

We have a covered parking area as well as areas off the street to accommodate client parking so as not to impede neighborhood traffic.

If noise is a concern, it should be noted that Habersham County Animal Care and Control is within earshot of the property and that noise is already present in the neighborhood.

If you would like to know more about the business, feel free to check out my facebook page <https://www.facebook.com/SouthPawsSportsScenter>

I am a Certified Dog Trainer through the Victoria Stilwell Dog Training Academy and specialize in dog sports and positive reinforcement training methods, both of which are new to this area and the response over the past few years has been great. I would love to continue to pursue it while I take on the additional task of "caregiver" for my father.

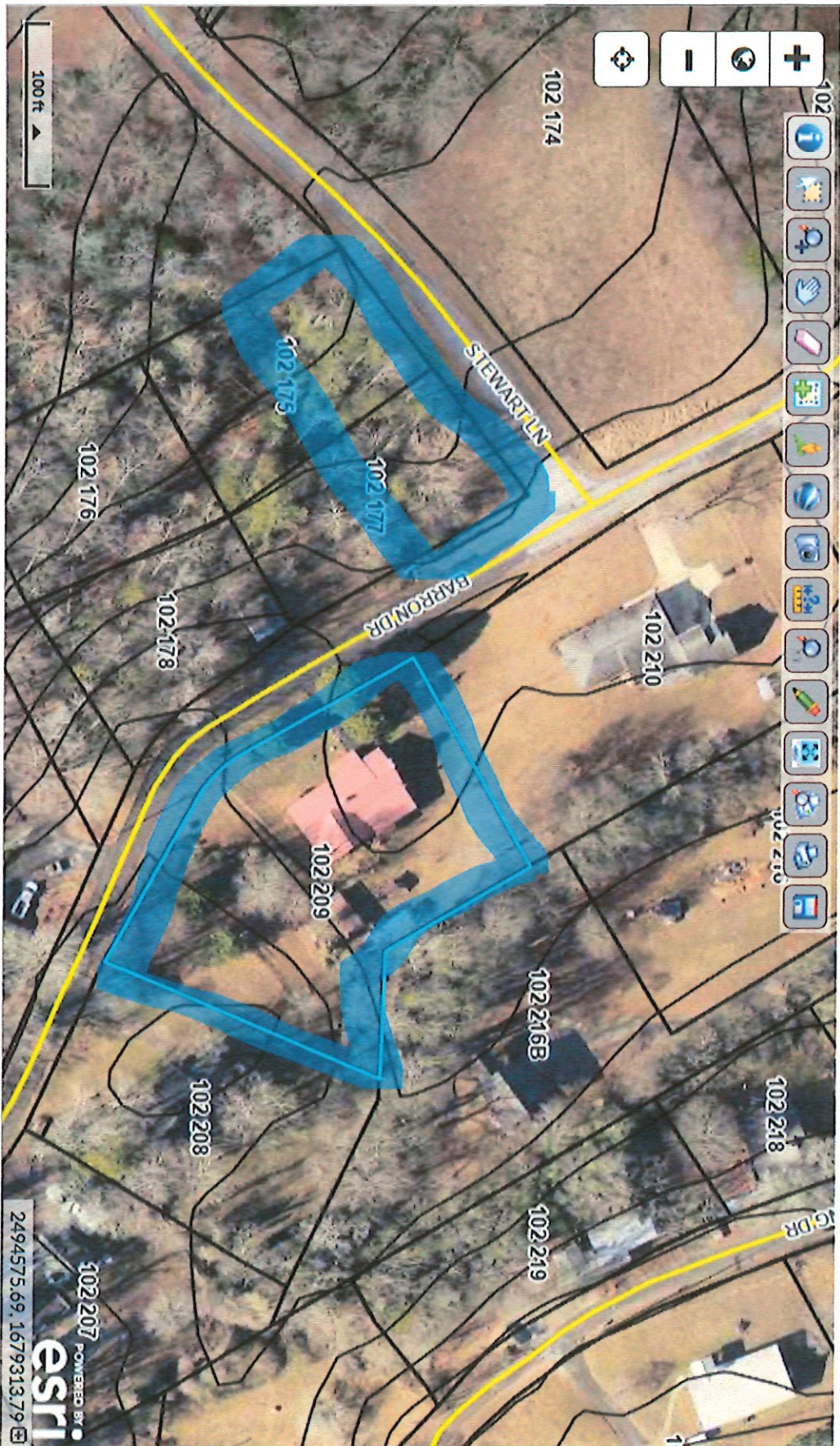
I am happy to provide further information as needed.

Thank you for your consideration,

SouthPaws
Sports Scenter

Jorie Stephens

SouthPaws Sports Scenter, LLC



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I am happy to provide further information as needed.

Thank you for your consideration,

SouthPaws
Sports Scenter

Jorie Stephens

SouthPaws Sports Scenter, LLC

Hi, my name is Danny Almond and my office was located next to Jorie's office for the last three years.

Jorie was the perfect neighbor. Even though she had peoples pets coming in and out of our common area on a regular basis, there was never a problem.

She kept every area clean and odor free, was always available to help when we needed someone to keep an eye on the office or provide a fresh perspective on problems.

Jorie is cordial, professional, friendly and very dependable.

There were some expenses that Jorie and I shared together and she was always quick to pay.

The best part of having Jorie as a neighbor was that she always looked out for the place as we were in and out a lot.

I would highly recommend Jorie as a neighbor, business partner, etc.

Sincerely,
Danny Almond

President

Horizon Appraisals, LLC

To whom this may concern,

Jorie Stephen's has been a business neighbor of mine for the past several years in Cleveland, Georgia. Not only is she an upstanding individual whom conducts her business in a professional manner, she's also a great business neighbor to have, that always looks out for her fellow businessmen/businesswomen. Jorie maintained a clean and inviting storefront, that made the business around her look better. Her dog business was such a success that several of my clients noticed and trusted her with the betterment of their "fur babies". I simply can't think of a better person to trust to open a business that benefit the people and places around her. If there are any questions please don't hesitate to reach out!

Respectfully,

Chris Autry

Owner Warrior Fitness

November 15, 2024

Habersham County Planning Commission

To Whom It May Concern:

I am writing this letter to highly recommend SouthPaws Sports Scenter, LLC/Jorie Stephens, who has been a neighbor tenant at 85 Cemetery Street, Cleveland, GA 30528 for the past 3 years. During this period, SouthPaws Sports Scenter, LLC/Jorie Stephens has proven to be an exemplary neighbor in every respect.

SouthPaws Sports Scenter, LLC/Jorie Stephens was respectful of the property and the neighbors, and complied with all the terms of the lease agreement that we shared. Moreover, she always managed any issues related to the nature of having animals on the property promptly and satisfactorily.

Please feel free to contact me at cornerstonecontractingga@gmail.com if you have any further questions or require additional information.

Respectfully,

Kelly Groenhof, Office Manager

Cornerstone Contracting, LLC

**RICKY L. PRESLEY FAMILY
LIMITED PARTNERSHIP, LP.**

**PO BOX 1462
GAINESVILLE, GA 30503
770-503-7171**

December 1, 2024

Habersham County Building & Planning
130 Jacobs Way
Clarkesville, GA 30523

To Whom It May Concern,

I am writing to recommend Marjorie Stephens, of SouthPaws Sports Scenter, LLC. as an exceptional tenant. Mrs. Stephens rented our property at 85-A Cemetery St. from 11/1/21 to 10/31/24, and during that time, she proved to be a responsible, reliable, and respectful tenant.

Mrs. Stephens consistently paid rent on time and communicated proactively about any issues or questions regarding the property. She maintained the property in excellent condition, often going above and beyond to ensure it remained clean and well-cared for.

During her tenancy, SouthPaws Sports Scenter was courteous and considerate toward neighbors, contributing to a positive business environment. For example, Mrs. Stephens installed signage designating certain areas for dogs to use the bathroom and provided materials to clean up after the pets. She also installed landscaping and painted the interior of the property, improving the appearance of the premises.

We would be delighted to have Marjorie Stephens, of SouthPaws Sports Scenter, LLC. as a tenant again, and I am confident she would bring the same level of care and reliability to her future ventures. If you have any further questions or require additional information, please feel free to contact me at 770-503-7171 or susan.fraser@bellsouth.net.

Sincerely,



Susan P. Fraser

Member, Ricky L. Presley Family LTD Partnership, LP.

Laurren E. Segraves MBA

Nacoochee Poochie Pet Grooming

Dear Members of the Planning and Zoning Board,

I am writing to offer my full support for Jorie Stephens' request to provide dog sport training on her personal property in Habersham County. I have had the pleasure of knowing Jorie as a neighbor tenant in our commercial complex for the last 3 years and I have been consistently impressed by her professionalism, responsibility, and dedication to her business and the community. She exemplifies being a "good neighbor" and has always had her fellow tenants' best interests in mind.

Jorie is a conscientious and reliable individual who has always maintained a strong commitment to the safety and well-being of her clients, animals, and the surrounding area. She considerately operates her dog training business with the utmost care and attention to detail, ensuring that all activities are conducted in a respectful and responsible manner. As a fellow pet professional, I understand the importance of making sure the animals in our care are not providing noise disruptions and I know Jorie provides the same consideration to her neighbors as she is considerate of the impact her business has on the neighboring properties.

Her passion for dog sports and her thoughtful approach to training make her an asset to the community, as her services provide an opportunity for local dog owners to engage in meaningful activities that promote both the physical and mental well-being of their pets. Additionally, her business model structure is well-suited for the rural setting of the

Habersham area in assurance the business activities are not a disruption to others surrounding.

I have no doubt that Jorie will continue to uphold the high standards of operation and consideration for her neighbors that she has demonstrated since becoming a tenant in our complex. I highly recommend her proposal to the Planning and Zoning Board and am confident that her dog sports training business will be a positive addition to the community.

Please feel free to contact me if you require any further information.

Regards,

Laurren E. Segraves MBA

Owner

Nacoochee Poochie Pet Grooming LLC