



LUMPKIN COUNTY
Board of Commissioners
Appeal Hearing Minutes
Commissioners Boardroom
99 Courthouse Hill
Dahlonega, GA 30533

January 20, 2026
4:30 PM

CALL TO ORDER

The meeting was called to order at 4:33 pm. Present were Chairman Chris Dockery and Commissioners Tucker Greene, Bobby Mayfield, Rhett Stringer, and Jeff Moran.

***Motion:** Commissioner Mayfield moved to approve the agenda and was seconded by Commissioner Moran. The motion was approved unanimously.*

APPEAL HEARING

1. Appeal of Planning Commission Denial of Variance Request for Animal Facility (Limited) at 8493 Dawsonville Highway

Chairman Dockery said this is an appeal of the Planning Commission's denial of a variance request to Sec. 27-2.2.3. - Chart of Performance Standards, for a request to run an Animal Facility (Limited) within a platted subdivision and less than 50 feet from the property line. Community Development Director Vanessa McGrath read aloud the minutes from the Planning Commission meeting where the variance request was denied. Chairman Dockery then read aloud the appeal request and the rules for the hearing.

Appellant Bailee Praigg (resident of 909 Winters Mountain Road) said her parents purchased this property so she could have her Willow Creek Dog Training business there. She said that her business does not cause any adverse impacts and all of her neighbors are in support. She operates on limited hours and does not plan to do any boarding. She is fully licensed with the GA Dept. of Agriculture. Ms. Praigg said the variance would only apply to her business, not anything in the future. She has also begun implementing measures to increase ADA accessibility on the property, including designating a handicapped parking spot and making the bathroom wheelchair accessible, and she is willing to make more accommodations as required. Ms. Praigg said she has a capacity for 9 customer parking spots, though they usually do not need that many. She said they have mature trees to act as a natural buffer around much of the property. Ms. Praigg explored the possibility of renting a space to conduct her business, but all of them either turned her down for liability reasons or were too expensive. She said if a variance cannot be granted, she would like to explore the possibility of a special land use permit.

Commissioner Moran asked if Ms. Praigg intends to do any grooming, and Ms. Praigg said

no. Commissioner Mayfield asked if she had the appropriate licensing from GA Dept. of Agriculture, and she responded affirmatively. She also said she is willing to sign a document stating she will not do any overnight boarding. Commissioner Stringer observed that this subdivision isn't really a traditional subdivision; it is eight houses in a row along the public road. It sounds like more of a definition or classification error on our part, and the issue is more about the setback than the fact that it is within a subdivision. Commissioner Greene said he believed the variance, if granted, would apply to future owners of the property if it was ever sold.

Denise Smalt, the appellant's mother, spoke in support of the variance request. She said she and her husband actually live on the property in question, and they are both disabled. They purchased this property not only for Ms. Praigg's business, but also for the fact that the property is a ranch-style house on very flat land. Ms. Smalt said it was difficult to find a suitable property within their price range, and they didn't even realize it was technically within a subdivision until recently. She agreed that if the variance doesn't work out, maybe a special use permit could be considered. If not, they will have to uproot and move somewhere else.

Steve Sylvester, resident of 215 Stancil Dyer Road, spoke in opposition to the variance. He supports the idea of the business, but he is concerned with Lumpkin County's variance approval process. He said that hardships associated with a variance request have to be a unique characteristic of the property, not personal. This variance request application should have been flagged before it ever reached the Planning Commission because the hardship line was left blank on the application. Furthermore, the hardship is self-created by the applicant, and this piece of property is too small for this business, he stated. Mr. Sylvester said he has seen too many variances granted according to personal judgements rather than our written regulations, and it yields inconsistent results, opening up the County to lawsuits.

Commissioner Mayfield said he has witnessed the County being bitten before from variance requests. He said the intended use of the property was to be a house, not a business. Three years from now, someone in the neighborhood might want to open up a vape shop, and they will say, "If you granted the variance to her, why not us?" Commissioner Mayfield said he does not want to set a precedent that the rules don't matter, because they do. We also review the rules and change them from time to time as needed. He said we have also seen this issue with big companies buying houses and turning them into party rentals. They were intended for homes, but that's not what happened. Commissioner Mayfield said he is interested in the idea of a special use permit, and he wants to show support for our Planning Commission's decision.

Commissioner Moran said the Planning Commission used to have a reputation for rubber-stamping variances, and he is glad that is no longer the case. He said it is important to note that the code does not fit in a perfect box every time; sometimes we have to use our logic and discretion. He told Ms. Praigg she appears to be a good neighbor and has a lot of support. He said there is the issue of a precedent being set. Someone else could try to do the same thing later on and cause problems. Commissioner Moran said he was 100% opposed until he saw that it is located on a main road. The "subdivision" is just a set of houses along

Dawsonville Highway. He said the unique characteristic of this property is that it isn't a traditional subdivision; it is located on an arterial road. He asked if the BOC could approve the variance with stipulations that it would sunset if the business closed or relocated, or if they could set conditions on the hours of operation. County Attorney Joy Edelberg said the BOC can place restrictions on the approval as they see fit.

Commissioner Greene said it is our job to follow the regulations, but logic should also apply. Not everything fits in a perfect box, which is why the Code of Ordinances is a living document that is constantly changing. He expressed his appreciation for our Planning Commission. Commissioner Stringer asked staff if this would have come before the BOC had it not been located within a subdivision. Ms. McGrath said the only issue in that case would have been the setback, which could have received internal approval.

Motion: Commissioner Moran moved to approve the variance request with the following stipulations: That the approval is for training only, not boarding or grooming, and the variance will revert back if the business closes or changes ownership. Commissioner Greene seconded the motion.

Motion: Commissioner Moran amended his motion to approve the request for training only, not grooming or boarding, with the business operating hours of 8 AM to 9 PM, and the variance will sunset with the sale of the property or the termination or location change of the business. Commissioner Greene seconded the motion. Commissioners Greene, Stringer, and Moran were in favor. Commissioner Mayfield was opposed. The motion carried.

ADJOURNMENT

Motion: Commissioner Stringer moved to adjourn the meeting and was seconded by Commissioner Greene. The motion was approved unanimously, and the meeting adjourned at 5:27 pm.