

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA – THURSDAY, MARCH 17, 2022
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
TO IMMEDIATELY FOLLOW THE 4:00 PM WORK SESSION**

A. ROLL CALL

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ANNOUNCEMENTS

E. APPROVAL OF MINUTES

1. Minutes of the Work Session held on March 3, 2022
2. Minutes of the Voting Session held on March 3, 2022

F. APPROVAL OF AGENDA

G. PUBLIC COMMENT

H. PUBLIC HEARINGS

1. An Ordinance Amendment to Provide a Process for Alternate Architectural Designs (*2nd of 2 hearings; 1st hearing was held at the March 15, 2022, Planning Commission meeting*)
2. Amend the Dawson County Sign Ordinance-Chapter 129 (*1st of 1 hearing*)

I. ZONINGS

1. ZA 22-02 - Mickey & Sarah Thomas request to rezone TMP 111-024-003 and 111-024-002 from Residential Sub-Rural (RSR) to Residential Agriculture (RA) for the purpose of down zoning the parcel.
2. ZA 22-03 - Blake Holbrook requests to rezone 1.5 acres of TMP 097-009 from Residential Agriculture (RA) to Residential Sub-Rural (RSR) for the purpose of subdividing the parcel and building a primary residence.

J. NEW BUSINESS

1. Consideration to Move Forward to Public Hearings for Changes to the Comprehensive Plan
2. Consideration to Move Forward to Public Hearings for a Request to Modify the Subdivision Regulations to Provide for a Family Density Exception

K. PUBLIC COMMENT

L. ADJOURNMENT

****An Executive Session may follow the Voting Session meeting.***

Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 706-344-3666, extension 44514. The county will make reasonable accommodations for those persons.

**DAWSON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES – MARCH 3, 2022
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
4:00 PM**

Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Emory Dooley, District 4; County Manager David Headley; County Attorney Jeffrey Strickland; County Clerk Kristen Cloud; and interested citizens of Dawson County.

NEW BUSINESS

1. Presentation of Request to Retire Sheriff's Office K9 Pelle and Transfer Ownership to Original Handler, Chad Mobley- Sheriff Jeff Johnson
A Resolution concerning a Request to Retire Sheriff's Office K9 Pelle and Transfer Ownership to Original Handler, Chad Mobley, was read aloud by Chairman Thurmond.
This item will be added to the March 3, 2022, Voting Session Agenda.
2. Presentation of Changes to the Comprehensive Plan- County Planner Robbie Irvin
This item will be placed on the March 17, 2022, Voting Session Agenda for consideration to move forward to public hearings.
3. Presentation of a Request to Modify the Subdivision Regulations to Provide for a Family Density Exception- Planning & Development Director Sharon Farrell
This item will be placed on the March 17, 2022, Voting Session Agenda for consideration to move forward to public hearings.
4. Presentation of a Resolution in Opposition to HB 1093 and SB 494 Concerning Land Use Decisions- County Attorney Angela Davis
This item, presented by County Attorney Strickland, will be added to the March 3, 2022, Voting Session Agenda.
5. County Manager Report
This item was for information only.
6. County Attorney Report
County Attorney Strickland had no information to report.

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – MARCH 3, 2022
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Emory Dooley, District 4; County Manager David Headley; County Attorney Jeffrey Strickland; County Clerk Kristen Cloud; and interested citizens of Dawson County.

INVOCATION: Chairman Thurmond

PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

None

APPROVAL OF MINUTES:

Motion passed 3-1 to approve the Minutes of the Work Session held on February 17, 2022. Fausett/Dooley- Commissioner Gaines abstained

Motion passed 3-1 to approve the Minutes of the Voting Session held on February 17, 2022. Satterfield/Dooley- Commissioner Gaines abstained

APPROVAL OF AGENDA:

Motion passed 4-0 to approve the agenda with the following change:

- Addition of Nos. 4 and 5 under New Business:
 - Request to Retire Sheriff's Office K9 Pelle and Transfer Ownership to Original Handler, Chad Mobley, by way of a Resolution
 - A Resolution in Opposition to HB 1093 and SB 494 Concerning Land Use Decisions

Fausett/Gaines

PUBLIC COMMENT:

None

UNFINISHED BUSINESS:

SU 21-07 - Greg Spence on behalf of Verizon Wireless requests a special use of TMP 049-001 for the purpose of placing a telecommunications tower (Highway 52 East). (Tabled from the December 16, 2021, Voting Session, at which time a public hearing was held, and tabled from the February 3, 2022, Voting Session)

Planning & Development Director Sharon Farrell said that a required third-party technical report from Level-Up Companies concerning SU 21-07 has been returned. She said the report indicates that the application is complete and that Level-Up Companies recommends approval of the application.

Motion passed 3-1 to approve SU 21-07. Fausett/Dooley- Commissioner Satterfield opposed the motion

NEW BUSINESS:

Consideration of Driveway Permitting Information

Motion passed 4-0 to approve Driveway Permitting Information; to implement a \$250 driveway permit fee and to edit the fee schedule to reflect the change. Gaines/Dooley

Consideration of Request to Seek Design and Cost Estimate for Special Needs Field at Rock Creek Park

Motion passed 4-0 to approve a Request to Seek a Design and Cost Estimate for a Special Needs Field at Rock Creek Park. Satterfield/Gaines

Consideration to Move Forward to a Public Hearing for a Request to Amend the Dawson County Sign Ordinance-Chapter 129

Motion passed 4-0 to approve to Move Forward to a Public Hearing for a Request to Amend the Dawson County Sign Ordinance-Chapter 129. Fausett/Dooley

Consideration of a Request to Retire Sheriff's Office K9 Pelle and Transfer Ownership to Original Handler, Chad Mobley, by way of a Resolution

Motion passed 4-0 to approve a Request to Retire Sheriff's Office K9 Pelle and Transfer Ownership to Original Handler, Chad Mobley, by way of a Resolution. Satterfield/Gaines

Consideration of a Resolution in Opposition to HB 1093 and SB 494 Concerning Land Use Decisions

Motion passed 4-0 to approve a Resolution in Opposition to HB 1093 and SB 494 Concerning Land Use Decisions. Fausett/Dooley

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: **02/03/22**

Prepared By: Sharon Farrell, Director

Voting Session:

Presenter: Sharon Farrell

Public Hearing:

Agenda Item Title: Presentation of an ordinance amendment to provide a process for alternate architectural designs.

Background Information:

The design guidelines for the GA400 An ordinance to change the Code to provide a process for alternate architectural design with the Georgia 400 and future overlay districts.

Current Information:

Exterior materials are limited to brick and stone; as well as a list of prohibited materials. For the majority of projects, base colors and masonry materials are most appropriate for the area – however there may be a unique exterior design that the Board of Commissioners would allow.

Budget Information: Applicable: Not Applicable: Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: *S.O. Farrell*

Date: 1/25/2022

Finance Dept. Authorization: Vickie Neikirk

Date: 1/26/22

County Manager Authorization: David Headley

Date: 1/26/2022

County Attorney Authorization: _____

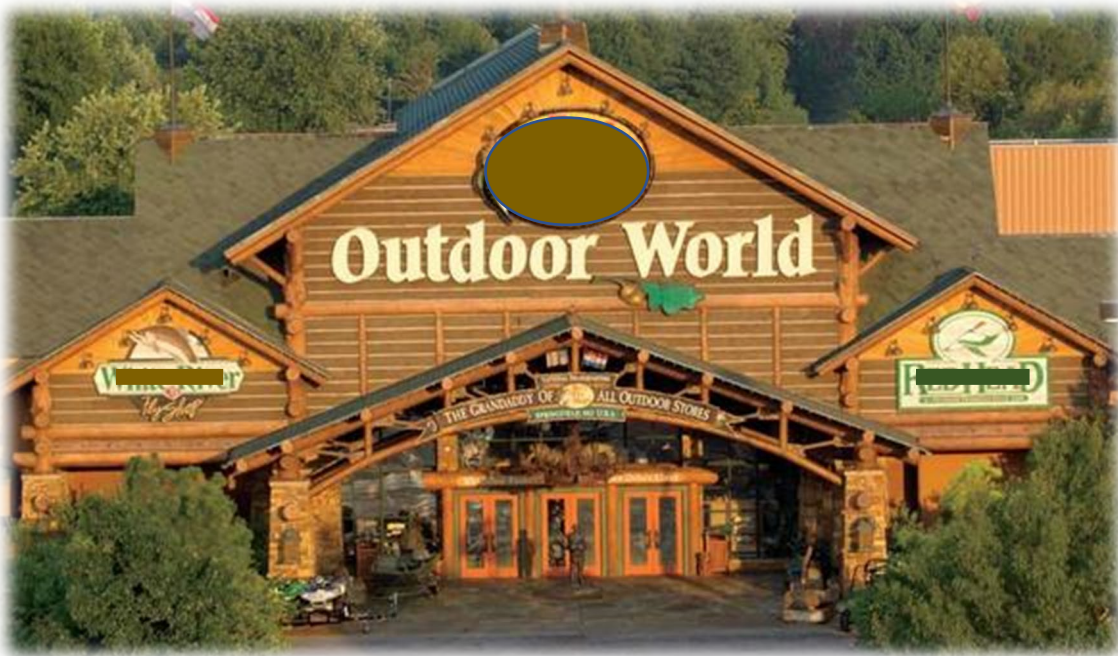
Date: _____

Comments/Attachments:

Language will be added to Chapter 117 Georgia Design Guidelines, and Chapter 121 Land Use of the Code.
Alternate design approvals could be granted with minor stipulations to ameliorate the impact of (i.e., landscaping, setbacks, lighting, etc.) of the structure.

- 1) Design Plan Administrative Review. Plan review shall be performed by county staff.
- 2) Should a design not meet all of the non-numerical standards contained within this Article, then the proposed design must be submitted, for public hearing, to the County Board of Commissioners for review and approval as an Alternate Design. In considering whether to approve such Alternate Design, the Board of Commissioners shall consider:
- 3)
 1. How the alternate design will meet the intent of the code.
 2. Architectural or structural reason why the existing requirement(s) cannot be met
 3. What historical or iconic value is there in the proposed elevation
- 4) The application shall include architectural elevation drawings, illustrating the design and exterior finish materials for all building sides; photographs and artistic renderings may not be submitted in lieu of elevation drawings.





AN ORDINANCE TO AMEND CHAPTER 117 OF THE CODE OF DAWSON COUNTY, GEORGIA TO MODIFY THE DEVELOPMENT AND DESIGN GUIDELINES FOR THE GEORGIA 400 CORRIDOR BY PROVIDING FOR ALTERNATE DESIGN FOR THE ARCHITECTURE OF PRINCIPAL BUILDINGS

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November 1982, and effective July 1, 1983, provides in Article IX, Section 2, Paragraph 1 thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions, and regulations; and

WHEREAS, O.C.G.A. § 36-1-20 authorizes the County to adopt ordinances preserving the public health, safety, and welfare, and to adopt appropriate measures to enforce those ordinances; and

WHEREAS, the Board of Commissioners desires to allow for submission and consideration of alternate designs that differ from the standards set forth in Division 7 of Article II of Chapter 117 of the Code of Dawson County pertaining to the architecture of principal buildings; and

WHEREAS, in the interests of the health, safety, and general welfare of the citizens of Dawson County, Georgia, the Board of Commissioners of Dawson County desires to exercise its authority to adopt procedures for the review and approval of such alternate designs; and

WHEREAS, appropriate notice and hearing on the ordinance contained herein have been carried out according to general and local law.

NOW, THEREFORE, the Board of Commissioners hereby ordains as follows:

Section 1. The language attached hereto as Exhibit “A,” and incorporated herein by reference as if fully set forth herein, is hereby adopted and approved, and shall be codified as a new Section 117-416 in Division 14 of Article II in Chapter 117 of the Code of Dawson County, Georgia.

Section 2. All other ordinances shall continue in full force and effect and shall remain unaffected, except where such ordinance, or part thereof, conflicts herewith, in which case such ordinance, or part thereof, is hereby repealed.

Section 3. It is the express intent of the Board of Commissioners of Dawson County, Georgia that this Ordinance be consistent with both federal and state law. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 4. This Ordinance shall become effective thirty (30) days following the date of adoption.

[SIGNATURES ON FOLLOWING PAGE]

BE IT RESOLVED this ____ day of _____, 2022.

DAWSON COUNTY

ATTEST

By: _____

Billy Thurmond, Chairman

Board of Commissioners

By: _____

Kristen Cloud

County Clerk

Dates of Public Hearing:

Dates of Advertising:

Exhibit A

Sec. 117-416. - Alternate Design.

- 1) Plan review shall be performed by county staff. Should a design not meet all of the standards contained within Division 7 of Article II of Chapter 117 of this Code, then the proposed design must be submitted, for public hearing, to the County Board of Commissioners for review and approval as an Alternate Design. In considering whether to approve such Alternate Design, the Board of Commissioners shall consider:
 - a. How the Alternate Design will meet the intent of this Code;
 - b. Whether there exists an architectural or structural reason why the existing requirement(s) cannot be met;
 - c. What historical or iconic value is there in the proposed Alternate Design; and
 - d. Effect upon adjoining property.
- 2) The application for an Alternate Design shall be submitted in a form prescribed by the County, and shall include architectural elevation drawings, illustrating the design and exterior finish materials for all building sides. Photographs and artistic renderings may not be submitted in lieu of elevation drawings.
- 3) Public Hearing.
 - a. The application for an Alternate Design shall be scheduled for public hearing and consideration by the Board of Commissioners upon submission of a complete application to the Planning Director in accordance with the submittal deadline established by the Department of Planning and Development. The public hearing before the Board of Commissioners shall occur on the date advertised. The proponents shall have a minimum time period of ten minutes to present data, evidence, and opinions, and an equal minimum time period of ten minutes shall be permitted for presentation by opponents of each request. No Alternate Design shall be permitted unless approved after a public hearing.
 - b. At least 15 but not more than 45 days before the date of the hearing by the Board of Commissioners, the County shall publish a notice of the hearing within a newspaper of general circulation within Dawson County. The notice shall state the time, place, and purpose of the hearing.
 - c. A public hearing sign shall be placed in a conspicuous location on the subject property at least 15 but not more than 45 days prior to the date of the scheduled hearing. The required sign shall state the time, place, and purpose of the public hearing.

- d. Before each hearing, a notification shall be sent to each adjoining property owner within Dawson County by regular mail sent to the address provided by the applicant or the address as shown on the current tax records. The notice shall be mailed within a reasonable time before the meeting.



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: 02/17/2022

Prepared by: Sharon O. Farrell

Voting Session: 03/03/2022

Presenter: Sharon O. Farrell

Public Hearing:

Agenda Item Title: Presentation of a request to amend the Dawson County Sign Ordinance/Chapter 129

Background Information:

The sign ordinance has not been updated since June 2, 2011; the sign code definitions and performance standards should be revised to meet the changing legal and built environment of 2022.

Current Information:

The revision is to delete duplicative language, clarify temporary signage standards, remove language that could be associated with content regulation.

Budget Information: Applicable: _____ Not Applicable: **X** Budgeted: Yes _____ No _____

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Approval to place on public hearing agenda

Department Head Authorization: SO. Farrell

Date: 2/8/2022

Finance Dept. Authorization: Vickie Neikirk

Date: 2/8/22

County Manager Authorization: David Headley

Date: 2-08-2022

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Draft Ordinance – Chapter 129 Signs. Draft by P.Frickey & S.Farrell

Proposed amendments to Chapter 129 Signs

1. Add findings on public health, safety, and welfare rationales of sign regulations
2. Add findings on the business interest rationales of sign regulations
3. Add findings on the aesthetic rationales of sign regulations
4. Add or modify Definitions
5. Add new graphic for sight visibility triangle
6. Add performance standards for LED signs.
7. Update list of Signs that do not require a permit.
8. Re-write Temporary Signage standards
9. Delete duplicative language of parcels within or not within the GA 400
10. Add criteria to application for sign permit
11. Extend time frame to review a permit from seven to thirty days.
12. Delete Repealer provision.

Chapter 129 SIGNS

ARTICLE I. TITLE, PURPOSE, JURISDICTION, COMPLIANCE RESPONSIBILITY

Sec. 129-1. Title.

This chapter shall be known as the Sign Ordinance of Dawson County, Georgia and will be referred to as "the Sign Ordinance."

Sec. 129-2. Purpose.

The sign chapter within Dawson County is necessary in the public interest to:

- (a) Protect property values;
- (b) Protect the public from damage or injury caused or partially attributable to distractions or obstructions from improperly designed or situated signs;
- (c) Maintain the legibility and effectiveness of signs;
- (d) Create and maintain high quality signage;
- (e) Eliminate excess signage;
- (f) Protect the right of citizens to enjoy Dawson County's natural scenic beauty;
- (g) Encourage business and tourism; and
- (h) Regulate the construction, erection, maintenance, and size of signs.

Sec. 129-3. Jurisdiction.

This chapter applies to all signs in the unincorporated areas of Dawson County Georgia.

Sec. 129-4. Compliance.

All signs must be in compliance with the provisions of the Dawson County Minimum Standards Code for Construction and the Dawson County Land Use and Land Development Resolutions adopted by Dawson County.

Sec. 129-5. Responsibility.

It shall be both the property owner's and the sign owner's responsibility to maintain and ensure conformity with the provisions of this chapter.

Sec. 129-6. Message substitution.

A non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed non-commercial message if the sign structure or mounting device complies with the provisions of this sign chapter without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to

the contrary within this chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or the favoring of any particular non-commercial message.

Sec. 129-7. Findings on the public health, safety, and welfare rationales of sign regulations.

Building code requirements address many public concerns about dangerous signs. Appendix H of the 2012 International Building Code is supposed to ensure that they will not pose a fire hazard and are appropriately anchored or secured so that they do not fall or blow down. However, Appendix H does not regulate the location of signs, except to prevent them from interfering with an entryway, opening required for ventilation, or fire escape (International Building Code. 0121994. Appendix H, Section H103.1, Location Restrictions).

Sign regulations achieve public safety rationales not achieved by the standard building code. Without a sign ordinance, signs can pose a clear danger to public safety. It has long been recognized that signage controls are needed to promote traffic safety and avoid traffic accidents. A 1980 Federal Highway Administration study found a positive correlation between billboards and accident rates (Scenic America. Fact Sheet (1): Billboard Control: Fighting Visual Pollution, <http://www.scenic.org/factl.htm>).

Signs too close to the road can cause accidents. Without additional regulation, signs can be placed dangerously close to rights-of-ways in locations where they might be struck by an oncoming vehicle using the road or having to veer off the road.

Signs can impair visibility. The placement of signs can interfere with the sight of motorists trying to exit a driveway onto a public road. Traffic safety is improved by restricting the size, height, and spacing of signs.

Signs distract motorists. By their very nature, signs are designed to direct attention to something and distract motorists to view a message or turn off the roadway and into a property to frequent a business, place, or activity. To the extent that signage captures the sight and attention of a motorist, it distracts motorists from the primary purpose of safely maneuvering a vehicle along the road.

Signs can confuse motorists by mimicking traffic safety signals and signs. Motorists might confuse signs that contain flashing or blinking red, green, or yellow lights (such as a lighted portable sign adjacent to the road) with roadway traffic signals, emergency vehicles, or other hazards. Signs constructed of shapes like an octagonal "stop" sign might also impair public safety by confusing the motorist.

Limitations on window signs can increase visibility from the public right-of-way and thus deter crime and robberies. Sign controls that limit the amount of storefront window and door areas that can be covered with signs enhance visibility of activities within the store or building. Limits on window signs can provide for an appropriate minimum of exterior visibility and thus increase public safety of commercial areas through a reduction in crime potential.

Signs can degrade property values. A principal purpose of land use regulations, including sign controls, is to protect and preserve property values. There is no question that signs affect

the character of districts and the value of buildings, or that they are not appropriate in different parts of a community.

The size, height, materials of construction, location, condition, and attributes of signs can have an impact on surrounding and nearby land uses. For instance, if signs were unregulated, large, tall signs could be erected in the county's single family residential districts. Such signs, if erected, would be out of character with residential neighborhoods and could result in the lowering of property values for residential use. As another example, blighted signs and antiquated signs and sign structures (i.e., the pole with a blank structure for a sign face) can contribute to an overall image of blight and a reduction of property values in declining areas, if not addressed and removed via sign controls. Dawson County's sign regulations are needed to ensure that signage is compatible with its surroundings and does not take away from the character of particular districts.

Unregulated signage can degrade the utility of public safety signs. In some places, unregulated signs can reduce the effectiveness of signs needed to direct the public due to competition with other signs and the resulting reduction in visibility of public purpose signs.

The Federal Communications Commission regulates our air waves and television stations and the content that passes through them. Aside from the Highway Beautification Act of 1965, there is little if any federal involvement in the regulation of signs. Signs are one of the most obtrusive forms of advertising. Signage is probably the only type of advertising that cannot be turned off or rejected by the consumer. Radio advertisements can be avoided by turning off the radio. The same is true with television advertisements; we flip channels or take a break when television commercials come on. Junk mail can be thrown away. We quickly flip past the advertisements in our favorite magazine when we are disinterested. Phone solicitations can be avoided with "caller identification" or terminating the conversation. The same cannot be said of outdoor advertising structures and commercial signs. One's vision of signage cannot be turned off. We are captivated by signage when we drive down the road. How do you avoid signs? We must keep our eyes open to drive and cannot block out signs from our peripheral vision. Perhaps one could take an alternative route that is not developed with signs, but that is not always feasible. Absent federal and significant state regulation, it is in the public interest for cities and counties to control signage.

Signs derive their value from public improvements. Businesses locate, and signs are constructed, because of the access the community provides to business locations. It is precisely these types of advertising that are the principal target of local sign regulation - the signs controlled locally are those which are visible from public ways. It is the public way that creates the value for the person erecting the sign, and visibility from the public way is what creates the problems which give rise to the need for sign controls. This is a sound rationale for sign regulation. It logically follows that, because the public way provides value, the public therefore has a right, and indeed an obligation, to control the problems that arise from creating that value.

Unregulated signs adversely impact public investments. Sign regulation helps to assure that public benefits derived from expenditures of public funds for the improvement and

beautification of streets and other public structures and spaces are protected. Unregulated signs have the potential to negate those public investments, as well.

Sec. 129-8. Findings on the business interest rationales of sign regulations.

Sign regulation is in the interest of businesses. One often overlooked justification for the regulation of signs is that sign regulations benefit those businesses that seek to advertise. Unregulated competition among business results in too many signs and can reach a point of diminishing returns where individual business signs are not adequately visible. Patrons of individual businesses located along the unregulated commercial strip may miss their destination because they cannot find the particular business in the sea of signage. The unregulated commercial strip signage also can work to the detriment of individual businesses in that they are forced to erect larger and more costly signs to outdo their neighboring businesses and competitors. Therefore, sign regulations benefit individual business owners.

The lack of sign controls causes uncertainty among prospective business owners. Dawson County's sign ordinance provides prospective businesses with guidance on how much signage they may have, where it is allowed to be located and what types of signs are permitted. Without sign controls, business owners lack such guidance. Such a situation could have detrimental impacts on businesses, either through inequitable treatment or a delay in the time involved in the permitting of signs. Such potential detrimental impacts would not exist or would be mitigated with a clear set of sign regulations.

Sec. 129-9. Findings on the aesthetic rationales of sign regulations.

There are many reasons to justify the county's sign ordinance. However, among the most relevant reasons are to promote and ensure the aesthetics of the community. In the earliest days of sign regulations, relying on aesthetics as a rationale could not legally justify local sign controls. The United States Supreme Court began a slow transformation, from its previous position that aesthetics alone could not justify land use regulations, to a position that aesthetic considerations were legitimately within the scope of police power. In 1954, Justice Douglas found the following: The concept of public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully controlled (Berman v Parker 348 U.S. 26, 75 S. Ct. 98, 99 L. Ed. 27 (1954)).

Sign regulations help communities maintain their scenic heritage and unique character. Without Dawson County's brand of sign regulation its commercial areas will likely end up looking like any other place. Signs can interfere with scenic views. The appearance of the community, which is substantially influenced by signs, is essential to the county's long-term economic viability and helps determine how residents and visitors alike perceive it. Sign control is an integral part of improving visual character and quality of life.

Secs. 129-107—129-30. Reserved.

ARTICLE II. DEFINITIONS

Sec. 129-31. Purpose.

The purpose of article II is to define specific terms for use in enforcement and interpretation of the sign ordinance. When construing the terms of this chapter, the word "shall" is deemed mandatory not discretionary. The word "may" is permissive.

Sec. 129-32. Definitions.

The following words that are used in this chapter shall be deemed to have the following meaning(s), unless the context requires otherwise:

Awning shall mean a cloth, plastic or other non-structural covering attached to a building when the same is so erected as to permit its being raised or retracted to a position against the building when not in use.

Banner shall mean a cloth, plastic or paper sign characteristically suspended along or across any private street, from a building fronting a street or towed by or attached to an aircraft or other mobile machinery.

Beneficial use shall mean person or persons deriving the proceeds or other advantages from the erection or operation of sign.

Canopy shall mean a non-retractable structure, other than an awning made of cloth, metal or other material, with frames attached to a building and carried by a frame supported by the ground or the building.

Canopy Sign -shall mean sign affixed to, imposed upon, or painted on any roof-like structure either permanently or temporarily extended over a sidewalk or walkway, which can be mounted flush or suspended. A flush canopy sign is one that is mounted in such a manner that a continuous plane with the canopy is formed. A hanging canopy sign is one suspended from beneath the canopy.

Changeable copy sign shall mean a sign whereon provision is made for letters or characters to be placed in or upon the surface area either manually or electronically to provide a message or picture.

County means the unincorporated areas of Dawson County, Georgia.

County Board of Commissioners or *Commissioners* means the Dawson County Board of Commissioners.

Development Entrance Sign A sign located on either side of an intersection of the driveway, road, or entryway of a residential subdivision, or a multi-family development, or a commercial/industrial development with a county-maintained road or state route.

Directional Sign shall mean a sign, no larger than two square feet for projects where circulation is complex and traffic must proceed through the site along a specific path for service.

Electronic Sign shall mean a sign whose message may be changed at intervals by computer controller, microprocessor controller or remote control, and whose message is displayed through the use of LED, LCD, or other similar technology, including devices known as commercial electronic message signs, and digital signs.

Face or facing shall mean the surface or plane of the sign upon, against, or through which a message or picture is displayed.

Flashing sign shall mean any sign whose illumination is not kept constant in intensity at all times when in use, and exhibits sudden or marked change in lighting effect.

Freestanding canopy shall mean a self-supported, open-air structure with a roof which protects goods/services or people which are underneath from direct exposure to rain or sunshine.

Height shall mean the vertical distance from the grade at the base of the sign to the highest point on the sign unless otherwise specified in the ordinance.

Illuminated sign shall mean any sign that has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign or by accessory flood or spotlights.

Individual lot shall mean a lot of record that is not part of any other overall development and where the lot is owned by one person, entity or corporation and where only one primary structure will be located.

Lot shall include the words *piece, plot* and *parcel*.

May is permissive.

Monument sign shall mean a freestanding sign where the base of the sign structure is on the ground; with a solid-appearing base with no open space between the ground and the sign for the entire width of the sign.

Name plate shall mean a sign no larger than two square feet placed on the front of a premises, multi-use building or shopping center.

Official signs and notices means signs posted by authorized persons performing official governmental duties.

Out parcel shall mean a lot of record or leased lot that is part of an overall development and where only one primary structure will be located.

Permanent shall mean permanently affixed to the building or ground, intended to last indefinitely without change, lasting a relatively long time.

Permanent window signs shall mean any letters, words, or symbols which are displayed on and permanently attached to the window glass of a structure or displayed permanently within the building but visible through the window primarily to attract the attention of the passing public. Such signs shall be deemed wall signs.

Person shall mean and include any individual, firm, partnership, association, corporation, company, or organization of any kind.

Planned center shall mean a building or group of buildings in common ownership or condominium ownership developed on one lot, which may include buildings with more than one tenant. Multi-tenant buildings singularly or in a group may be considered planned centers if the following provisions apply:

- (1) Building size of at least 25,000 sq. ft.
- (2) The building is intended for multiple tenants (i.e., constructed with fire wall separations and has separate outside entrances for each tenant).
- (3) Each tenant in a wholly enclosed space separate from other tenant space (i.e., no sharing of space).
- (4) A minimum of five tenants are included in the building.
- (5) Accessory uses. Uses that are related but subordinate to the primary use (based on square footage), may not be counted as a separate tenant.

Planning Commission means the Dawson County Planning Commission.

Shall is mandatory, not discretionary.

Sight Triangle. A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. 2/17/22

Sign shall mean a device designed to inform or attract the attention of the public.

Sign, abandoned. A sign or sign structure on a site where all buildings have been demolished or removed.

Sign, animated or moving. Shall mean any sign or part thereof that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation.

Sign, awning. See Canopy Sign.

Sign, face. The surface or plane of the sign upon, against, or through which a message is displayed or illustrated. The sign face area shall constitute the entire face of the sign including any illustrations and script and any framing, trim or molding, however, specifically excluding the support structure (i.e., poles, monument base, etc.). Ground mounted signs shall be limited to two faces.

Sign, illegal. See article V of this chapter.

Sign, non-conforming shall mean any sign legally existing prior to the adoption of this chapter that does not conform to the requirements of the zoning district in which it is located.

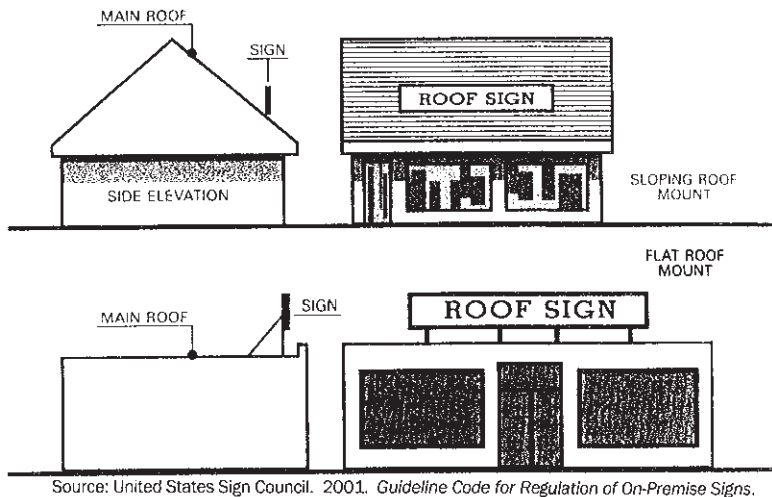
Sign, owner shall include the person receiving benefit from the sign and/or the property owner or, lessee.

Sign, pole. A sign that is mounted on a freestanding pole or other support that is not itself an integral part of the sign.

Sign, portable. Any sign that is not permanently attached to the ground, a structure, or a building that can easily be moved from one location to another, with or without wheels. A-frame signs and trailer signs are examples of portable signs.

Sign, prohibited. See article V (originally section 6) of the sign ordinance adopted by the board of commissioners on October 27, 1997 and any amendment thereto.

Sign, roof. Shall mean a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.



Source: United States Sign Council. 2001. *Guideline Code for Regulation of On-Premise Signs.*

Sign, standard shall mean a sign with an area of not greater than six square feet with a sign face made for short-term use that when erected stands at a height no greater than three feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half inches.

Sign, temporary shall mean any sign constructed of an impermanent material not permanently attached to the ground or a building.

Sign, wall shall mean any sign attached to or painted or printed upon the exterior vertical side (wall) of a building in such a way that the wall becomes the supporting structure, not including temporary signs placed on windows but including signs placed on canopies and awnings attached to the exterior vertical structure (wall).

Sign, window. A sign affixed to the interior or exterior of a window or placed immediately behind a window pane so as to attract the attention of persons outside the building.

~~*Signs, abandoned.* A sign shall be considered abandoned when the activity, which such sign advertises, is no longer in operation or does not have a current license in effect.~~

~~*Specific interest of the traveling public* means information regarding places offering lodging, food, or motor vehicle fuels and lubricants, motor vehicle service and repair facilities or any service or product available to the general public.~~

Structure shall include the words *building* and *sign*.

Temporary shall mean having or suggesting a non-durable character or a limited or short-term period of use.

Used for shall include the phrases *arranged for* and *designed for*.

Visible means capable of being seen (whether or not legible) or noticed without visual aid by a person with normal visual acuity.

Secs. 129-33—129-52. Reserved.

ARTICLE III. GENERAL PROVISIONS

Sec. 129-53. Purpose.

The purpose of article III is to provide general regulation for all signage within the unincorporated portions of Dawson County.

Sec. 129-54. Sign maintenance.

Any sign not meeting the following provisions shall be repaired or removed within 30 days after the receipt of notification by the county manager or designee or his authorized representatives.

- (a) Undergrowth vegetation around the sign shall be properly maintained.
- (b) All damaged panels that create a safety hazard or detract from the surrounding aesthetics must be replaced as soon as discovered.
- (c) All sign copy shall be maintained securely to the face, and all missing copy must be replaced.
- (d) All structural defects that create a safety hazard shall be promptly repaired.
- (e) Cracked or peeling paint on the face or supporting structure shall be refurbished and/or repainted.

Sec. 129-55. ~~Building graphics.~~Reserved.

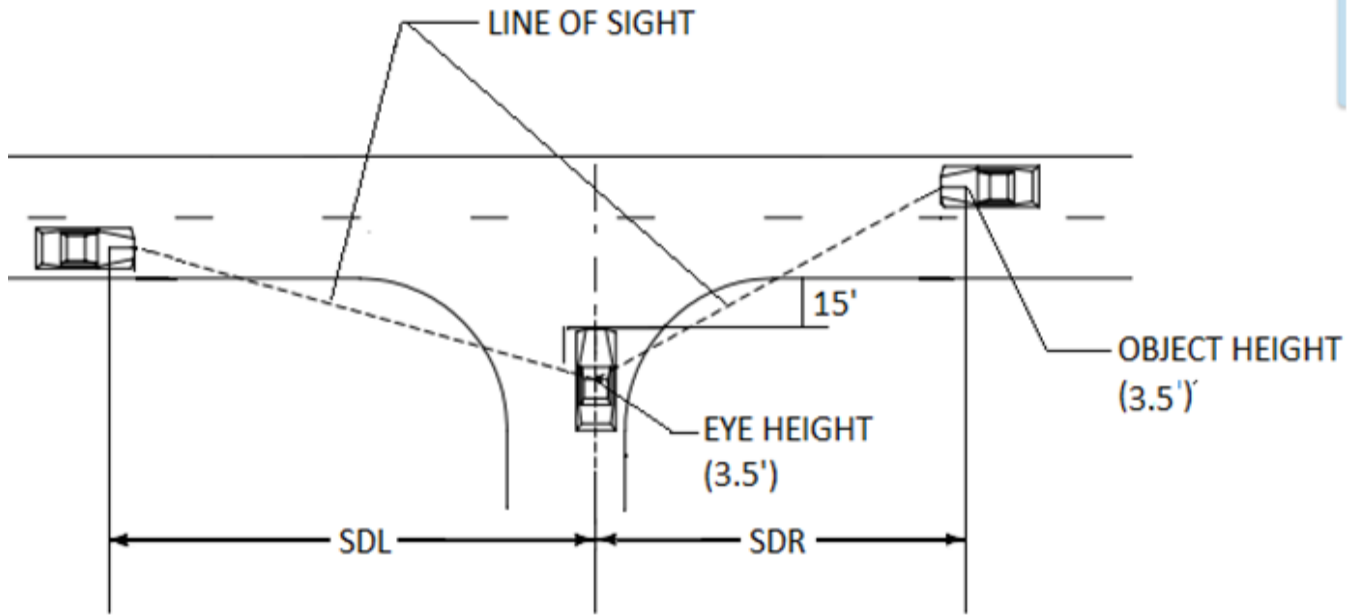
~~Drawings painted on buildings that contain copy, symbols, or other references to products or services shall be considered signs and shall not be exempt from the provisions of this chapter.~~

Sec. 129-56. Sign in or over public right-of-way.

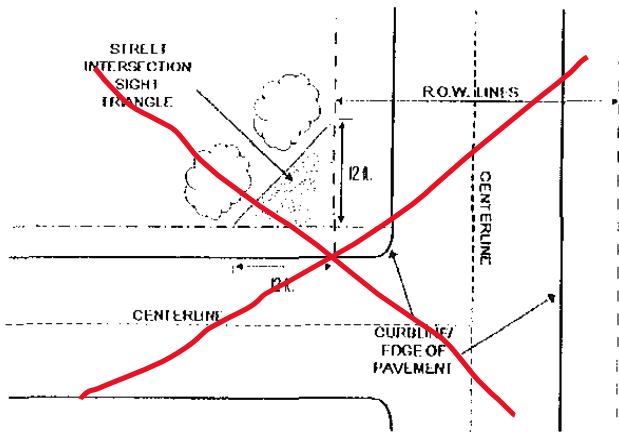
No sign shall be allowed to project in or over a public right-of-way or easement over or through which the general public maintains a right of access., ~~unless permitted in accord with the terms hereof.~~

Sec. 129-57. Sight triangle.

Signs shall not obstruct the view ~~across the triangle formed by joining points measured 12 feet distant along the property line from the intersection of two streets or 12 feet along both the street right-of-way and alley or driveway right-of-way lines measured from the intersection of the street and the alley or driveway~~ of the street intersection Sight Triangle.



[GDOT driveway manual](#)



Street intersection sight triangle illustration.

ILLUSTRATION
NOT TO SCALE

Sec. 129-58. Sign face area.

The sign face area shall be the entire face of the sign including the advertising surface and any framing, trim or molding; the support structure (i.e., poles, monument base, etc.) shall be excluded in measuring the sign face area. Sign area shall be measured by encompassing all signage elements.

Sec. 129-59. Electronic (LED) signs.

Electronic (LED) signs must comply with ~~article V, section 129-117 of this chapter regarding brightness and message motion~~ the following:

- a. Only freestanding monument style signs shall be used as electronic signs.
- b. Electronic signs shall contain static messages only, and shall not have movement nor flashing on any part of the sign structure, design, or pictorial segment of the sign.
- c. Electronic signs shall not have varying light intensity during display of any single message.
- d. Sign displays must be equipped with an automatic dimming technology such that the sign(s) automatically sense dusk and darkness and adjust the brightness level accordingly.
- e. ~~To protect against malfunction,~~ The sign owner must provide Dawson County the 24-hour number of an employee or agent capable of adjusting the brightness of the sign(s) or, if the over-bright condition cannot be fixed, turning off the sign(s) in times of darkness until repairs can be made.
- f. Maximum brightness levels for changeable, LED and EMC signs shall not exceed (5,000) nits when measured from the sign face at its maximum brightness, during daylight hours.
- g. Maximum brightness levels for changeable, LED and EMC signs shall not exceed (500) nits when measured from the sign face at its maximum brightness, between sunset and sunrise, those times are determined by the National Weather Service.
- h. Staff of Dawson County may request a certification of brightness under measurement conditions by an independent contractor if a concern arises as to the brightness. The owner shall have ten (10) days to provide the certification to Dawson County.
- i. No more than 60% of the freestanding sign area can be digital display.
- j. The message or copy of the sign cannot move or change more frequently than once every 8 seconds – it shall not wipe, scroll, etc.
- k. Illumination spillover to neighboring properties cannot exceed one foot candle as measured at the property line.
- l. Electronic signs shall not be allowed in residential zones.

Secs. 129-60—129-89. Reserved.

ARTICLE IV. NON-CONFORMING SIGNS

Sec. 129-90. Purpose.

The purpose of article IV is to identify non-conforming signs and establish regulations pertaining to non-conforming signs.

Sec. 129-91. Definition and statement of intent.

Any sign legally existing prior to the adoption of the sign ordinance of October 27, 1997 and as amended from time to time, which does not conform to the requirements of this chapter, shall be deemed to be a non-conforming sign.

Sec. 129-92. Existing non-conforming signage.

Subject to the following conditions, non-conforming permanent signs may remain in operation and maintenance after the effective date of this chapter. Such signs shall not be:

- (a) Changed to or replaced with another non-conforming sign.
- (b) Enlarged, extended, reconstructed, moved or structurally altered except to bring the sign into conformity with all provisions of the ordinance.

Nothing contained herein shall prevent repairing or restoring to a safe condition any part of a sign or sign structure or normal maintenance operations, unless the damage or destruction to the sign is 50 percent or more of the area of the sign, or if the sign no longer serves a function as a sign because of damage or destruction.

Sec. 129-93. Removal.

All signs erected after the effective date of this chapter that are non-conforming under this chapter or any sign which has been modified as contemplated by section 129-92 (a), or (b) ~~or (c)~~ shall be removed within 90 days of notice by the County Manager or designee in accordance with enforcement provisions of this chapter.

Secs. 129-94—129-114. Reserved.

ARTICLE V. ILLEGAL AND PROHIBITED SIGNAGE

Sec. 129-115. Purpose.

The purpose of article V is to define those signs that are of a type specifically prohibited in the unincorporated area of Dawson County.

Sec. 129-116. Illegal sign.

An illegal sign shall mean:

- (a) Any sign established prior to or subsequent to the adoption of this chapter, without proper authorization or permit; or
- (b) Any sign existing in the public right-of-way ~~without a proper permit.~~

Sec. 129-117. Prohibited signs.

The following signs are not permitted in any land use district:

- (a) Signs imitating traffic or emergency signals. No signs shall be permitted which imitates an official traffic sign or signal or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights resembling the color, sign, shapes or order of light customarily used in traffic signs or in emergency vehicles or on law enforcement vehicles, except as part of a permitted or public traffic control sign.
- (b) ~~Signs or devices~~ employing confusing, distracting, or intense illumination when visible from the public right-of-way. No sign ~~or device~~ shall be permitted which utilizes spot lights, flood lights, flashing or blinking lights, or any type of pulsating or moving light which may impair the vision, cause glare, or otherwise interfere with a driver's operation of a motor vehicle or aircraft.
- (c) Signs employing confusing or distracting motion either by changing physical position or light intensity. No sign shall be permitted which employs motion in such a manner as to obstruct or interfere with a driver's view of approaching, merging, or intersecting traffic, or a traffic signal, device of sign, or which would otherwise interfere with a driver's operation of a motor vehicle.
- (d) Sign lighting. No sign shall be illuminated if such illumination is not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way, which beams or rays of light are of such intensity or brilliance as to cause glare or impair the vision of the driver of any motor vehicle or which otherwise may interfere with the operation of a motor vehicle.
- (e) Signs that project into or over, or are constructed within the public right-of-way ~~without a proper permit.~~
- (f) Signs that are tacked, painted, posted, marked, or otherwise affixed on trees, utility poles or other similar structures or on rocks or other natural features.

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- (g) Signs that prevent free ingress or egress from any door, window, or fire escape. No sign of any kind shall be attached to any fire escape.
 - (h) Signs placed on or painted on a motor vehicle or trailer and parked within sight of a public right-of-way and in such a manner that the primary purpose of providing a sign not would not otherwise be allowed by this chapter.
 - (i) Signs that require the removal of any trees from the public right-of-way, excluding official signs and notices.
 - (j) Any air or gas filled balloons or other similar devices and permanent signs made of paper, cloth or other nondurable materials, except as specifically permitted in this chapter.
 - (k) Roof signs.
 - (l) Portable signs.
 - (m) Abandoned signs.
 - (n) Signs on courtesy benches, waste containers or other forms of street furniture.
 - (o) Searchlights.

Secs. 129-118—129-148. Reserved.

ARTICLE VI. SIGNS THAT DO NOT REQUIRE A PERMIT

Sec. 129-149. Purpose.

The purpose of article VI is to identify those signs for which a permit is not necessary.

Sec. 129-150. Sign types included.

A permit is not required for the following types of signs, and such signs shall not be considered in determining the allowable number or size of signs on a parcel or at a specific location; provided, however, that such signs must comply with all other applicable sections of this article. The erection of any sign not listed in this section shall require a permit.

- (a) Official signs and notices. ~~Signs erected by a governmental entity shall require a permit as specified by article XIII unless otherwise ordered by a court or mandated by legislation.~~

- (b) Standard signs—~~See definition.~~ All signs shall have a contact name and phone number legibly displayed on the back of such sign. No sign shall be posted within the public right-of-way or a private easement ~~without written approval.~~
- (c) Name plates not exceeding two square feet in area.
- (d) Flags shall be limited to one per parcel and shall not exceed 40 square feet in area., ~~but the size of the flag shall be included within the total area of signs allowed. The flag of the United States the state flag of Georgia and/or any other official flag authorized by the United States and or the State of Georgia shall be exempt from this regulation when and if said flags are displayed in an official manner as prescribed in United States Code Title 4, Chapter 1 and Georgia Code Title 50 Chapter 3. The use of these flags for decorative purposes only does not exempt them from this regulation.~~
- (e) Integral ~~decorative or~~ architectural features of buildings., except letters, trademarks, moving parts, or moving lights.
- (f) Indoor signs, not including permanent window signs.
- (g) Signs that appear on vending machines as original factory design.
- (h) Temporary signs located on the inside of windows that do not cover more than 25 percent of the total window area.
- ~~(i) Gasoline pump signs—Signs on gasoline pumps which signs that are flat signs not to exceed six square feet in the area per sign face, or a total of 12 square feet per pump.~~
- (j) Air or gas filled balloons, inflatable signs, banners, feather signs, and streamers may be displayed for no more than ~~four~~ seven (7) consecutive days and shall not be displayed more than six times per calendar year on the same property. Such ~~decorations signs or devices~~ shall not be illuminated, may not exceed 35 feet in height from ground, nor interfere with the safe and free flow of traffic.
- (k) Signs carried by a person.
- (l) Temporary Signs as permitted in article VII
- (m) Temporary Banner signs made of non-rigid material within Mixed Use Village districts when attached to pedestrian lighting fixtures for a period up to 60 days.
- (n.) Signs authorized in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), as amended.

Secs. 129-151—129-168. Reserved.

Sec. 129-169. Purpose.

The purpose of sArticle VII is to provide for the regulation and enforcement of appropriate temporary signage.

Sec. 129-170 General.

Temporary sign shall mean any sign not permanently anchored to the ground or a building, meeting the performance standards of section 129-171.

- (a) Types of temporary signs permitted: freestanding signs, and window signs.
- (b) A temporary sign shall not be permitted in the public right-of-way.
- (c) Temporary signs shall not be illuminated.
- (d) A temporary sign shall not have flashing lights or copy, moveable parts or colored lights that may resemble those of traffic signals and/or emergency vehicles, or lights.

Sec. 129-171. Performance Standards.

Temporary Signs may be constructed of cloth, canvas, fabric, paper, plywood, or other light material which are not intended or designed for permanent display. Temporary Signs must comply with the following standards:

1. For parcels or lots that front on a four (4) or more lane roadway, a single sign less than or equal to thirty-two (32) square feet of sign copy area and greater than three (3) square feet of sign copy area, may be displayed on said property or parcel. The following criteria shall apply:

- a. Each sign shall be a maximum of eight (8) feet in height.
- b. Electric or illuminated signs are prohibited.
- c. Each sign shall not obstruct the visibility of a permanent sign.
- d. Each sign shall be located a minimum of twenty (20) feet from the right of way and a minimum of ten (10) feet from side property lines.
- e. Each sign shall be kept in a good and safe condition and not permitted to deteriorate as evidenced by, but not limited to tearing, rot, corrosion, peeling paint, etc.

2. For parcels or lots without frontage on a four (4) or more lane roadway, for every 330 linear feet of road frontage a parcel has, a single sign less than or equal to sixteen (16) square feet of sign copy area and greater than three (3) square feet of sign copy area, may be displayed on said property or parcel. The following criteria shall apply:

- a. Each sign shall be a maximum of six (6) feet in height.
- b. Electric or illuminated signs are prohibited.
- c. Each sign shall not obstruct the visibility of a permanent sign.

d. Each sign shall be located a minimum of twenty (20) feet from the edge of pavement and a minimum of ten (10) feet from side property lines.

e. Each sign shall be kept in a good and safe condition and not permitted to deteriorate as evidenced by, but not limited to, tearing, rot, corrosion, peeling paint, etc.

3. For any sign less than or equal to three (3) square feet of sign copy area in size the following criteria shall apply:

a. Each sign shall be a maximum of six (6) feet in height.

b. Electric or illuminated signs are prohibited.

c. Each sign cannot obstruct the visibility of a permanent sign.

d. Each sign shall be located a minimum of twenty (20) feet from the edge of pavement and a minimum of ten (10) feet from side property lines.

e. Each sign shall be kept in a good and safe condition and not permitted to deteriorate as evidenced by, but not limited to, tearing, rot, corrosion, peeling paint, etc.

4. Window Signs

a. Maximum of 25% of window coverage

b. Window signs shall be limited to the ground floor only

Signs placed on a lot in contravention of this section shall be subject to all enforcement action allowed under article XIII of this ordinance. However, if the only basis for enforcement action is the number of Temporary Signs on a lot, the Marshal's office shall notify the pertinent lot/sign owner and provide the lot/sign owner an opportunity to remove the number of Temporary Signs such as will result in compliance.

~~Sec. 129-171. Temporary signs in residential zoning districts.~~

~~Temporary signs may be erected in residential districts for a period of six months with a six-month extension, provided that such signs do not exceed 32 square feet in area in RA (residential-agricultural) districts and do not exceed 16 square feet for all other residential districts, which signs shall be located and at the main entrance of new residential platted subdivisions and and not more than 16 square feet for all other residential districts, are set back at least ten feet from the right-of-way and adjacent property lines. Maximum number shall be one per street frontage. Maximum height of sign from ground level shall be eight feet in RA (residential-agricultural) districts and at the main entrance of new residential platted subdivisions and not more than six feet for all other residential districts~~

~~Sec. 129-172. Temporary signs in commercial zoning districts.~~

~~Temporary signs in commercial districts shall be permitted in all non-residential districts provided the following conditions are met:~~

- ~~(a) An annual permit shall be required in order to display a temporary sign. Signs may be interchanged as needed so long as only one sign is displayed at a time.~~
- ~~(b) The display permit shall be produced on demand when the permit is requested to be viewed onsite by a county official.~~
- ~~(c) Only one temporary sign shall be permitted on an individual lot of record.~~
- ~~(d) The maximum permitted sign area per face shall not exceed 32 square feet per face.~~
- ~~(e) No freestanding temporary sign shall be permitted except at the site of new construction or exterior renovation. Permits shall not be required for signs placed on construction sites. The maximum height of freestanding signs shall not exceed eight feet. Such signs shall be removed 15 days after the issuance of a certificate of occupancy or completion by the Building Official of Dawson County.~~
- ~~(f) All other temporary signs shall be displayed on the face of the building or window.~~

Secs. 129-173—129-197. Reserved.

ARTICLE VIII. PERMANENT SIGNS IN RESIDENTIAL ZONING DISTRICTS

Sec. 129-198. Purpose.

The purpose of article VIII is to provide definition and regulation for permanent signage within residential districts in unincorporated areas of Dawson County located adjacent to arterial and collector roads in order to promote traffic safety and to preserve the aesthetics of residential districts along arterial and collector roads.

Sec. 129-199. Entrance signage.

By permit only if a tract or parcel of land has been developed to create a residential subdivision and is adjacent to a collector road, as opposed to a major arterial road.

- (a) One freestanding monument sign is allowed at each entrance from the primary roadway. Sign face shall not exceed 36 square feet with a maximum of six eight feet in height overall. The sign shall be set back ten feet from any road right-of-way. Illumination will be allowed by indirect lighting only. Signage must be maintained by the ~~homeowners'~~ property owner's association or sign owner; or
- (b) Two freestanding monument signs, one on either side of the entrance from the primary roadway. Sign face not to exceed ~~18~~ 20 square feet each with a maximum six feet in height. The sign shall be set back ten feet from any road right-of-way.

Illumination will be allowed by indirect lighting only. Signage must be maintained by the homeowner's association or sign owner.

- (c) There shall be a minimum 100-foot separation between signs at each entrance.
- (d) If signage is not maintained, then the provisions of article III section 129-54 "sign maintenance" shall be applied.

(e) No signs will be permitted on islands within a public right of way.

Sec. 129-200. All other permanent signs in residential zoning districts.

One freestanding monument sign shall be allowed on an individual residential lot except as provided in article VI section 611 of the Dawson County Land Use Resolution. The sign face shall not exceed ~~three~~ six square feet with a maximum height of six feet overall. Signs shall be constructed on a base of brick or stone. The sign shall meet the minimum building setbacks for the lot on which it is placed as prescribed in the Dawson County Land Use Resolution. Illumination of the sign shall not be allowed.

Secs. 129-201—129-221. Reserved.

ARTICLE IX. PERMANENT SIGNS IN COMMERCIAL ZONING DISTRICTS

Sec. 129-222. Purpose.

The purpose of article IX is to identify signs allowed within commercial districts in unincorporated areas of Dawson County in order to promote traffic safety and to preserve the aesthetics of such area.

Sec. 129-223. Freestanding Permanent signs.

Those signs wholly supported by their own structure and completely separate from a commercial building.

- (a) Planned Center — ~~Outside the Ga. 400 Overlay District.~~
 - (1) One freestanding sign per street frontage not to exceed 100 square feet. One freestanding sign per street frontage will be allowed assuming each frontage is equal to or greater than 200 feet in length. The sign shall be constructed of material such as brick, stone, stucco or similar material consistent with the architecture and exterior treatment of the building(s).
 - (2) The sign shall have a maximum height of 20 feet. However, up to an additional ten feet in height may be added resulting in a total maximum height of 30 feet if the base of the sign is below the grade of the adjoining road as calculated at a one-foot rise of sign height per one foot drop from road grade elevation.

- (3) Any and all structural components shall be fabricated or covered so that such components may not be detected visually.
- (4) The width of a monument sign shall not exceed the width of the supporting structure.
- (5) The copy area of freestanding signs shall not exceed 75 percent of the sign area. The copy area shall be measured by the smallest geometric form that encompasses it.
- (6) Changeable copy signage may be used, but the sign counts toward the total sign area allowed.
- (7) The sign shall include the street address for the project. The maximum copy area does not include the street address.
- (8) All signs shall be located in such a way that they maintain horizontal and vertical clearance from all overhead utilities in accordance with the International Electrical Code specification. In no case shall any sign be installed within five (5) feet horizontally or vertically from an overhead utility line or utility guy wire.
- (9) To ensure visibility, the copy of the sign shall be no less than five feet above grade.

~~(b) Planned center Within the Ga. 400 Overlay District.~~

- ~~(1) One freestanding sign per street frontage not to exceed 150 square feet. One freestanding sign per street frontage will be allowed assuming each frontage is equal to or greater than 200 feet in length. The sign shall be constructed of material such as brick, stone, stucco or similar material consistent with the architecture and exterior treatment of the building(s).~~
- ~~(2) The sign shall have a maximum height of 25 feet. However, up to an additional ten feet in height may be added resulting in a total maximum height of 35 feet if the base of the sign is below the grade of the adjoining road as calculated at a one foot rise of sign height per one foot drop from road grade elevation.~~
- ~~(3) Any and all structural components shall be fabricated or covered so that such components may not be detected visually.~~
- ~~(4) The width of a monument sign shall not exceed the width of the supporting structure.~~
- ~~(5) The copy area of freestanding signs shall not exceed 75 percent of the sign area. The copy area shall be measured by the smallest geometric form that encompasses it.~~
- ~~(6) Changeable copy signage may be used, but the sign counts toward the total sign area allowed.~~
- ~~(7) The sign shall include the street address for the project. The maximum copy area does not include the street address.~~

(c) Outparcels and individual lots—~~Outside the Ga. 400 Overlay District.~~

- (1) Signs shall be limited to ground-mounted type signs. Base and sign structure shall be constructed of materials such as brick, stone, or similar materials consistent with the architecture and exterior treatment of the building.
- (2) Surface area of the sign face shall be a maximum of 48 square feet per side.
- (3) The sign shall have a maximum height of ten feet. However, up to an additional ~~ten~~ five feet in height may be added resulting in a total maximum height of ~~20~~ 15 feet if the base of the sign is below the grade of the adjoining road as calculated at a one-foot rise of sign height per one foot drop from road grade elevation.
- (4) Structural poles used in the construction of said sign shall be wrapped with either brick or stone which shall be at least four feet in width on the sides of the sign intended for viewing. The pole wrap shall not be used as part of the sign face for copy.
- (5) Changeable copy signage may be used but will count towards the sign area allowed.
- (6) For individual lots and outparcels only one freestanding sign shall be allowed.
- (7) All signs shall be located in such a way that they maintain horizontal and vertical clearance from all overhead utilities in accordance with the International Electrical Code specification. In no case shall any sign be installed within five (5) feet horizontally or vertically from an overhead utility line or utility guy wire.
- (8) To ensure visibility, the copy of the sign shall be no less than four feet above grade.

(d) ~~Outparcels and individual lots—Within the Ga. 400 Overlay District.~~

- ~~(1) Signs shall be limited to ground-mounted type signs. Base and sign structure shall be constructed of materials such as brick, stone, or similar materials consistent with the architecture and exterior treatment of the building.~~
- ~~(2) Surface area of the sign face shall be a maximum of 72 square feet per side.~~
- ~~(3) The sign shall have a maximum height of 15 feet. However, up to an additional ten feet in height may be added resulting in a total maximum height of 25 feet if the base of the sign is below the grade of the adjoining road as calculated at a one foot rise of sign height per one foot drop from road grade elevation.~~
- ~~(4) Structural poles used in the construction of said sign shall be wrapped with either brick, stone, or similar materials consistent with the architecture and exterior treatment of the building which shall be at least four feet in width on the sides of the sign intended for viewing. The pole wrap shall not be used as part of the sign face for copy.~~

~~(5) Changeable copy signage may be used but will count towards the sign area allowed.~~

~~(6) For individual lots and outparcels only one freestanding sign shall be allowed.~~

Sec. 129-224. Wall signs and freestanding canopy-signs.

Those signs attached to the building or structure for stability or decoration.

(a) Wall signage for single tenant buildings.

(1) Three wall signs will be permitted per building.

(2) Only one wall sign shall be permitted per wall.

(3) Signs shall not exceed one square feet per linear feet of building wall facade each and shall not exceed 180 square feet each.

(b) Wall signage for multi-tenant buildings.

(1) Two wall signs shall be permitted per ~~tenant.~~ street frontage or entrance

(2) Only one wall sign shall be permitted per tenant wall.

(3) Wall signs shall not exceed one square feet per linear feet of tenant wall facade each and shall not exceed 180 ~~squaresquare~~ square feet each.

(4) Wall signs shall not exceed three feet maximum height of copy area

(c) Canopy signs

(1) One canopy sign per entrance not to exceed twelve (12) square feet shall be permitted.

~~(1) Three signs will be permitted per freestanding canopy.~~

~~(2) Only one wall sign shall be permitted per canopy side. not to exceed 12 square feet.~~

(d) No wall sign or canopy sign shall be located so that any part of the sign or supporting structure extends above the top of the wall or parapet.

(e) Signs installed below a canopy, awning, overhang or porch shall be a minimum of nine feet above ground from the pedestrian way.

Sec. 129-225. ~~Vehicle signs.~~ Freestanding Canopy Signage

~~No vehicle or trailer with lettering or graphics applied thereto shall be parked or stored within any public right of way or within any road median. [PF1] Banners attached to or hanging from a vehicle or trailer shall be considered a temporary sign and shall be regulated as such. This provision is intended to prohibit the use of vehicles to circumvent provisions of limiting the number and size of signs allowed. See "sign, temporary."~~

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- (1) One sign per road frontage not to exceed twenty (20) square feet shall be permitted on each freestanding canopy
 - (2) Signage must be flush against the canopy fascia.
 - (3) Banding of corporate colors shall be regarded as part of the sign and shall count toward the allowable twenty (20) square feet.

Sec. 129-226. ~~Murals and wall graphics~~Reserved.

~~Exterior murals and wall graphics shall be considered wall signs.~~

Secs. 129-227—129-245. Reserved.

ARTICLE X. VARIANCES

Sec. 129-246. Purpose.

Variations to the sign chapter are granted for specific waiver or release of a requirement of this chapter based on proof of hardship to the applicant.

Sec. 129-247. Administration.

Variations to sign requirements shall be granted by the planning commission in the same manner and pursuant to the same criteria as variations from the Dawson County Land Use Regulations. Administrative variations may be granted by the county manager or designee if the following criterion exists:

- (a) Dimensional variations only (i.e., setback, size, or height)~~excluding off-site signs.~~
- (b) Shall not be greater than ten percent of allowable limits.
- (c) Shall not subvert the intent of the ordinance.
- (d) Applicant shall show substantial hardship naturally occurring or otherwise.
- (e) Granting the variance shall not create a safety hazard or other condition inconsistent with the general purpose of this chapter; and
- (f) Granting the variance may include minor stipulations to compensate for the alteration~~ameliorate the impact of~~ the variance (i.e., landscaping, material, lighting, etc.); ~~and~~
- ~~(g) Extreme topographic conditions prevent the sign from being legible and effective from the roadway; a variance may be granted to allow the height to be measured from the base of the road after final grading.~~

Secs. 129-248—129-272. Reserved.

ARTICLE XI. PERMITS

Sec. 129-273. Purpose.

The purpose of article XI is to establish methods for allowing signs within the unincorporated portions of Dawson County.

Sec. 129-274. Permits required.

It shall be unlawful for any person to erect or relocate within the county any sign, as defined in this chapter, without first obtaining a sign permit from the county manager or designee and making payments scheduled if applicable. Signs shall also be subject to the provisions of the electrical code and the permit fees required therein. A permit shall be required for each incidence of temporary sign usage. ~~In order for any permit to be issued, applicant must have a Dawson County Business License or out of county business registration.~~

Sec. 129-275. Application for sign permit.

Applications for sign permits shall be made upon application forms provided by the county manager or designee and shall contain or have attached thereto the following information:

- (a) Name, address, business telephone number of the applicant, sign owner and land owner;
- (b) Address of building, structure, or lot to which or upon the sign is to be attached or erected;
- (c) The sign and the distance of the sign from adjacent buildings, structures, property lines, other signs and any other measurements as may be required by the county manager or designee.
- (d) Drawings of the plans, specifications, and method of construction and attachment to the building or ground for the sign, as well as a scale drawing of the site showing drives, structures, and any other limiting site features as well as drawings showing the relation of the road grade of the adjoining road to which the sign face is perpendicular to the base of the sign;
- (e) Name of person, firm, corporation or association erecting the structure; and
- ~~(f) Any replacement, repair, or altering of existing sign from the disconnect that does not require the disturbance of the electrical service or disconnect shall not require a permit;~~
- (g) A plat, with street right of way lines, showing the sign location upon the premises.

(h) The type of sign

(i) The value of the sign

(j) The square foot area per sign and the aggregate square foot area if there is more than one sign face.

(k) Written consent of the owner, or his agent, granting permission of which the subject sign will be located.

S999ec. 129-276. Permit issuance.

It shall be the duty of the county manager or designee, upon the filing of a complete application for a sign permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign; and if it shall appear that the proposed ~~structure sign~~ is in compliance with all the requirements of this chapter and all other laws and resolutions of the county, then the permit shall be issued. If no decision is made by the county manager or designee within ~~seven~~thirty (30) days of the application being filed, the application shall be deemed denied. If the work authorized under a sign permit has not been started within 12 6 months after the date of issuance, then the permit shall become null and void and a new permit shall be required. All signs shall be subject to on-site inspections by the county manager or designee or its authorized representative before a permit is issued.

Sec. 129-277. Permit fees.

Every applicant before being granted a sign permit shall pay the county a permit fee in accord with the fee schedule approved by the board of commissioners. ~~Non-profit organizations that are a valid 501.c.3. shall be exempt from fees. After the one-time permit fee is paid, annual assessments will be made through ad valorem taxes.~~

Sec. 129-278 Relationship to Building and Electrical Codes. These sign regulations are intended to complement the requirements of the building and electrical codes adopted by Dawson County. Wherever there is an inconsistency between these regulations and the building or electrical code, the more stringent requirement shall apply

Secs. 129-279—129-302. Reserved.

ARTICLE XII. APPEALS

Sec. 129-303. Purpose.

Any decision or action of County personnel under this chapter may be appealed to the Board of Commissioners of Dawson County; provided, however, that any such action or decision shall remain in full force and effect pending such appeal.

Sec. 129-304. Appeals process.

If an applicant or permittee desires to appeal any decision or action of the County Manager or designee or its authorized representative or the planning commission, then the applicant or petitioner shall notify the County Manager or designee of Dawson County in writing within ten days of the date of the action or decision. Upon receipt of the notice, the Board of Commissioners shall set an appeal hearing date regarding the appeal within 30 days of such notice and shall notify the applicant or permittee in writing by first class mail and shall render a decision within 45 days of such notice.

Secs. 129-305—129-326. Reserved.

ARTICLE XIII. ENFORCEMENT AND ADMINISTRATION

Sec. 129-327. Purpose.

The purpose of article XIII is to provide clear guidelines for enforcement and administration of the sign chapter.

Sec. 129-328. Administrative powers.

The Board of Commissioners of Dawson County, Georgia shall administer and enforce the provisions of this chapter, and the County Manager or designee is hereby appointed to exercise the powers prescribed by this chapter. These powers shall include, but shall not be limited to, accepting and processing applications, conducting inspections, issuing permits and instituting enforcement actions through one or more employees of the county; subject to the right of appeal to the Board of Commissioners as otherwise provided by this chapter.

Sec. 129-329. Enforcement.

The erection or maintenance by any person, firm, or corporation of any sign for which a permit is required by this chapter without a valid permit or renewal thereof issued by the county is declared to be a public nuisance. In addition to the remedies provided for in this chapter or that may otherwise exist under the laws of the State of Georgia, the county is authorized to pursue all equitable remedies and criminal and civil sanctions available.

- (a) Notification of violations. Such notification shall be made in writing from the county manager or designee or an authorized representative of the board of commissioners to the applicant's or individual's last known address or at the location of the sign if notice can be given in person or to the owner's representative and shall provide the violator ten days from the date of the letter to bring the sign into compliance. The notice shall be deemed sufficient upon mailing to the last known address or upon hand delivery to the owner or owner's representative.
- (b) Signs placed in the public right-of-way or any sign posing an immediate danger to the public may be removed by the Dawson County Marshal's Office or the Dawson County Sheriff's Office without notice. Signs placed in the right-of-way are hereby considered litter and shall be remanded to the county transfer station. ~~Signs removed due to an immediate public danger shall~~ will be returned to the sign owner, if said owner ~~can be located~~, collects the sign in a timely manner.
- (c) Revocation of permits and licenses. Any person failing to comply with any provision of this chapter shall be subject to revocation of the business license, work permit or other authorization for the conduct of business and associated work activities within the unincorporated areas of Dawson County.
- (d) Stop work orders. Any person failing to comply with any provision of this chapter shall be subject to a stop work order. Upon receipt of the stop work order, work on any project that is being performed in violation of this chapter shall immediately stop. Such notice shall be in writing and shall be given to the owner of the property, owner of the sign, the owner's authorized agent or the person or persons in charge of the activity on the property and shall state the conditions under which work may resume. If an emergency exists, then no written notice shall be required.
- (e) Violation of permit. If through inspection it is determined that a person engaged in any activity covered by this chapter has failed to comply with the ordinance or the conditions of the permit issued, then a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the activity fails to comply within the time specified, then such person shall be in violation of this chapter and in addition to other penalties or enforcement, any applicable performance or surety bond shall be subject to forfeiture.
- (f) Permit suspension or revocation. The permit issued hereunder may be suspended or revoked by the county upon a finding that the holder is in violation of the permit or any portion of this chapter.
- (g) Administrative fines. Any person violating any provision of this chapter, permitting conditions, or stop work order shall be liable for a civil penalty of not less than \$100.00 per day or not to exceed \$1,000.00 per day. Each day the violation continues shall constitute a separate violation.
- (h) Criminal citation. Any person who shall do anything prohibited by this chapter or who shall fail to do anything required by this chapter shall be guilty of a misdemeanor,

amenable to the process of the magistrate court of Dawson County, and upon conviction, shall be assessed with any penalty, including fine, confinement, or both, allowed by law for the violation of the county resolutions or ordinance. Each day and every day that such violation exists shall be deemed to constitute a separate offense.

- (i) Board of commissioner's action. In addition to any other remedies, any violation of this chapter may be addressed by the board of commissioners of Dawson County by instituting injunction, mandamus, or other appropriate action or proceeding to stop the violation. Such proceeding may be instituted without the necessity of showing the lack of an adequate remedy at law.
- (j) Any one or more of the foregoing enforcement provisions may be utilized separately or in combination to achieve compliance with this chapter.

Sec. 129-330. Abandonment.

An abandoned sign must be removed within 30 days from the date official notice is given by the county manager or designee, the county marshal, or the board of commissioners to the owner by certified mail to the last known address. If an abandoned sign is not removed within 30 days of the receipt of the official notice or if said notice is returned undeliverable, then the county may remove such sign.

Sec. 129-331. Revenue use.

~~The county may make such appropriations from its revenues as it may deem necessary, may accept and apply grants or donations and utilize permit fees collected hereunder, to assist it in carrying out the provisions of this chapter in connection with the exercise of the powers granted hereunder.~~

Sec. 129-332. Disclaimer.

Nothing in this chapter shall be construed to abrogate or impair the powers of the courts or of any department of the county to enforce any provisions of its ordinances or regulations nor to prevent or punish violations thereof; and the powers conferred by this chapter shall be in addition to and supplemental to the powers conferred by any other law.

Sec. 129-333. Repealer provision.

~~Any ordinance, rule, regulation or other instruction previously approved by the board of commissioners which is inconsistent with the provisions of this chapter is repealed, revoked, and shall be of no further force or effect upon the effective date of this chapter; but it is hereby provided that any ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose, and provisions hereof, which shall be liberally construed to be in favor of the county, is hereby adopted as part hereof. A Resolution entitled "Georgia 400 Sign Ordinance" adopted April 6, 1981 and a resolution adopted November 4, 1985 regulating signs on and along county owned and maintained streets and roads are specifically repealed in their entirety.~~

Sec. 129-334. Effective date.

This chapter shall be effective on the day of its adoption by the board of commissioners of Dawson County.

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 22-02 Tax Map & Parcel # (TMP): 111 - 024.003 111-024-002

Submittal Date: 1-18-22 Time: _____ am/pm Received by: _____ (staff initials)

Fees Assessed: \$250.00 Paid: Check Commission District: 2

Planning Commission Meeting Date: February 15, 2022

Board of Commissioners Meeting Date: March 17, 2022

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Mickey & Sarah Thomas

Address: 2150 Etowah River Rd

Phone: Listed Email: Business
Unlisted Personal

Status: Owner Authorized Agent Lessee Option to purchase

Notice: If applicant is other than owner, enclosed Property Owner Authorization form must be completed.

I have _____/have not participated in a Pre-application meeting with Planning Staff.

If not, I agree /disagree _____ to schedule a meeting the week following the submittal deadline.

Meeting Date: _____ Applicant Signature: _____

PROPERTY OWNER/PROPERTY INFORMATION

Name: Mickey & Sarah Thomas

Street Address of Property being rezoned: 2150 Etowah River Rd

Rezoning from: RSR to: R-A Total acreage being rezoned: 6 55.89

Directions to Property (if no address): _____

2024 12 11 2:54 PM

Subdivision Name (if applicable): _____ Lot(s) #: _____

Current Use of Property: Residential

Any prior rezoning requests for property? NO if yes, please provide rezoning case #: ZA _____

*****Please refer to Dawson County's Georgia 400 Corridor Guidelines and Maps to answer the following:**

Does the plan lie within the Georgia 400 Corridor? NO (yes/no)

If yes, what section? North _____ South _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North R-A & RSR South R-A & RSR East RSR West R-A

Future Land Use Map Designation: Rural Residential

Access to the development will be provided from:

Road Name: Etowah River Rd Type of Surface: asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

[] Rezoning to: RA [] Special Use Permit for: _____

Proposed Use: _____

Existing Utilities: Water Sewer Gas [] Electric

Proposed Utilities: Water [] Sewer [] Gas Electric

RESIDENTIAL

No. of Lots: _____ Minimum Lot Size: _____ (acres) No. of Units: _____

Minimum Heated Floor Area: _____ sq. ft. Density/Acre: _____

Type: [] Apartments [] Condominiums [] Townhomes [] Single-family [] Other

Is an Amenity Area proposed: _____; if yes, what? _____

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

22 MAR 21 11:26 AM

APPLICANT CERTIFICATION

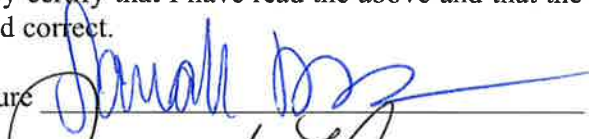

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

I understand that the Planning & 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 have the obligation to present all data necessary and required by statute to enable the Planning Commission and the Board of Commissioners 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 Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning of special use application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Dawson County.

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

Signature		Date	<u>1/11/2022</u>
Witness		Date	<u>1/11/2022</u>

WITHDRAWAL

Notice: This section only to be completed if application is being withdrawn.

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

Withdrawals of any application may be accommodated within the Planning & Development Department if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following the written request and publication the Planning Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Planning Commission. Further, the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fees may be made unless directed by the Board of Commissioners.

2022 JAN 11 10:36 AM

List of Adjacent Property Owners

It is the responsibility of the Applicant to provide a list of adjacent property owners. This list must include the name and mailing address of anyone who has property touching your property or who has property directly across the street from your property.

****Please note this information should be obtained using the Tax Map & Parcel (TMP) listing for any parcel(s) adjoining or adjacent to the parcel where a variance or rezone is being requested.**

	<u>Name</u>	<u>Address</u>
TMP 111024002	1. Mickey & Sarah Thomas	2190 Etowah River Rd
TMP 111020	2. EER Mitigation LLC	1892 Etowah River Rd
TMP 111024001	3. Michael & David J Jarula	Etowah River Rd.
TMP 111020	4. Jarula David	2183 Etowah River Rd
TMP 111024001	5. EER mitigation LLC	1892 Etowah River Rd
TMP 111026	6. Mason Robert	670 Stowers Rd W
TMP 112001	7. McClure CN	838 Grant Rd W
TMP	8.	
TMP	9.	
TMP	10.	
TMP	11.	
TMP	12.	
TMP	13.	
TMP	14.	
TMP	15.	

Use additional sheets if necessary.

2024-03-15 10:30 AM

NOTICE OF RESIDENTIAL EXURBAN/AGRICULTURAL DISTRICT (R-A) ADJACENCY

Agricultural districts include uses of land primarily for active farming activities and result in odors, noise, dust and other effects, which may not be compatible with adjacent development. Future abutting developers in non RA land use districts shall be provided with this "Notice of RA Adjacency" prior to administrative action on either the land use district or the issuance of a building or occupancy permit.

Prior to administrative action the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing adjacent to his use which will produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent RA use, the applicant agrees by executing this form to waive any objection to those effects and understands that his district change and/or his permits are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the RA district constitute a nuisance) against local governments and adjoining landowners whose property is located in an RA district.

This notice and acknowledgement shall be public record.

Applicant Signature: *Sarah Thomas*

Applicant Printed Name: Sarah Thomas

Application Number: ZA 22-02

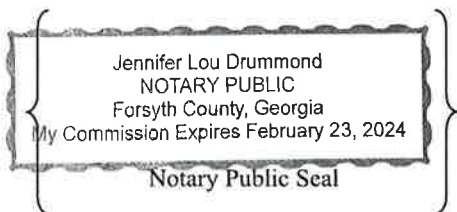
Date Signed: 1/11/2022

Sworn and subscribed before me

this 11 day of January, 2022

Jennifer Drummond
Notary Public

My Commission Expires: _____



22 JAN 12 11:25 AM

PROPERTY OWNER AUTHORIZATION

I/we, Mickey & Sarah Thomas, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

2150 Etowah River Rd
Dawsonville Ga 30534

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

I hereby authorize the person named below to act as the applicant or agent in pursuit of the rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The under signer below is authorized to make this application. The under signer is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of the last action by the Board of Commissioners.

Printed Name of applicant or agent: Sarah Thomas
Signature of applicant or agent: Sarah Tho Date: _____

Printed Name of Owner(s): Sarah Thomas Mickey Thomas
Signature of Owner(s): Jim Thomas Mickey Thomas Date: 1/11/22
Mailing address: 2150 Etowah River Rd
City, State, Zip: Dawsonville Ga 30534
Telephone Number: Listed Unlisted

Sworn and subscribed before me this 11 day of January, 2022.
Jennifer Lou Drummond
Notary Public

My Commission Expires:

Jennifer Lou Drummond NOTARY PUBLIC Forsyth County, Georgia My Commission Expires February 23, 2024
--

 {Notary Seal}

(The complete names of all owners must be listed; if the owner is a partnership, the names of all partners must be listed; if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)

NOTARY PUBLIC

Dawson County, Georgia Board of Commissioners
Affidavit for Issuance of a Public Benefit
As Required by the Georgia Illegal Immigration Reform and Enforcement Act of 2011

By executing this affidavit under oath, as an applicant for a Dawson County Business License, Out of County Business Registration, Alcohol License, or other public benefit as referenced in the Georgia Illegal Immigration Reform and Enforcement Act of 2011 [O.C.G.A. § 50-36-1(e)(2)], I am stating the following with respect to my application for such Dawson County public benefit.

SJ X

I am a United States citizen.

~~_____~~

I am a legal permanent resident of the United States. *(FOR NON-CITIZENS)*

I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. *(FOR NON-CITIZENS)*

My alien number issued by the Department of Homeland Security or other federal immigration agency is:

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one **secure and verifiable document**, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit. *(See reverse side of this affidavit for a list of secure and verifiable documents.)*

The secure and verifiable document provided with this affidavit can best be classified as:

 A drivers license

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20 and face criminal penalties as allowed by such criminal statute.

Executed in Cumming (city), Georgia (state)

 Sarah Thomas

Signature of Applicant

 1/11/2022

Date

 Sarah Thomas

Printed Name

Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 11 DAY OF January , 20 22

 Jennifer Drummond Notary Public
 My Commission Expires: _____

Notary Lou Drummond
 NOTARY PUBLIC
 Forsyth County, Georgia
 Commission Expires February 23, 2024

{Notary Seal}

2022

You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



2150 Etowah River...

2150 Etowah River Rd, ...

34.40°N, 84.04°W

Etowah River

2150 Etowah River Rd

Proctor Creek

Google Earth

Imagery date: 3/17...

100 m

Camera: 1,337 m 34°24'19"N 84°...



**GEORGIA DEPARTMENT OF PUBLIC HEALTH
CONSTRUCTION PERMIT AND SITE APPROVAL
For On-Site Sewage Management System**

COUNTY: Dawson	SUBDIVISION:	LOT NUMBER:	BLOCK:
PROPERTY LOCATION (ADDRESS/DIRECTIONS): 2150 ETOWAH RIVER RD DAWSONVILLE, GA 30534 Hwy 53 east, left on Etowah River Road, property on the right.			
I hereby apply for a construction permit to install an On-Site Sewage Management System and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Public Health, Chapter 511-3-1. By my signature, I understand that final inspection is required and will notify the County Health Department upon completion of construction and before applying final cover material to the system.			
PROPERTY OWNER'S/AUTHORIZED AGENT'S SIGNATURE:		DATE: 12/07/2021	
PROPERTY OWNER'S NAME: Mickey & Sarah Thomas	PHONE NUMBER:	ALTERNATE PHONE NUMBER:	
PROPERTY OWNER'S ADDRESS: 2150 ETOWAH RIVER RD DAWSONVILLE, GA 30534			
AUTHORIZED AGENT'S NAME (IF OTHER THAN OWNER):	PHONE NUMBER:	RELATIONSHIP TO OWNER:	

Section A — General Information

1. REQUIRED SETBACK FROM RECEIVING BODIES (wells, lakes, sinkholes, streams, etc.) EVALUATED: <input checked="" type="radio"/> (1) Yes (2) No	5. TYPE OF STRUCTURE (single/multi-family residence, commercial, restaurant, etc.): Single-Family Residence	9. SOIL SERIES (e.g. Pacolet, Orangeburg, etc.): Evard									
2. WATER SUPPLY: (1) Public (2) Private (3) Community	6. WATER USAGE BY: Bedroom Numbers	10. PERCOLATION RATE / HYDRAULIC LOADING RATE: <table border="1"><tr><td></td><td></td><td></td><td>4</td><td>5</td></tr></table>				4	5				
			4	5							
3. SEWAGE SYSTEM TO BE PERMITTED: <input checked="" type="radio"/> (1) New (2) Repair (3) Addition	7. NO. OF BEDROOMS / GPD: <table border="1"><tr><td></td><td></td><td></td><td>1</td></tr></table>				1	11. RESTRICTIVE SOIL HORIZON DEPTH (INCHES): <table border="1"><tr><td></td><td></td><td></td><td>7</td><td>2</td></tr></table>				7	2
			1								
			7	2							
4. LOT SIZE (SQUARE FEET / ACRES): <table border="1"><tr><td></td><td>2</td><td>8</td><td>0</td></tr></table>		2	8	0	8. LEVEL OF PLUMBING OUTLET: (1) Ground Level (2) Basement (3) Above ground level	12. SOIL TEST PERFORMED BY: Garland, Luke W					
	2	8	0								

Section B — Primary / Pretreatment

1. DISPOSAL METHOD: Septic Tank	2. GARBAGE DISPOSAL: (1) Yes (2) No	3. SEPTIC TANK CAPACITY (GALLONS): 1000	4. ATU Capacity: 0	5. DOSING TANK CAPACITY (GALLONS):	6. GREASE TRAP CAPACITY (GALLONS):
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Section C — Secondary Treatment

1. ABSORPTION FIELD DESIGN: <input checked="" type="radio"/> (1) Level Field (2) Serial (3) Drip (4) Bed (5) Distribution Box (6) Mound/Area Fill (7) Other	4. TOTAL ABSORPTION FIELD SQUARE FEET REQUIRED: <table border="1"><tr><td></td><td></td><td>1</td><td>9</td><td>5</td></tr></table>			1	9	5	7. NUMBER OF ABSORPTION TRENCHES: <table border="1"><tr><td></td><td></td><td></td><td></td><td>1</td></tr></table>					1
		1	9	5								
				1								
2. ABSORPTION FIELD PRODUCT: Quick 4 High Capacity -16in	5. TOTAL ABSORPTION FIELD LINEAR FEET REQUIRED: <table border="1"><tr><td></td><td></td><td>6</td><td>5</td></tr></table>			6	5	8. SPECIFIED LENGTH OF ABSORPTION TRENCHES: <table border="1"><tr><td></td><td></td><td>6</td><td>5</td></tr></table>			6	5		
		6	5									
		6	5									
3. AGGREGATE DEPTH (Inches):	6. DEPTH OF ABSORPTION TRENCHES (range in inches): <table border="1"><tr><td>3</td><td>0</td><td>—</td><td>3</td><td>6</td></tr></table>	3	0	—	3	6	9. Distance Between Absorption Trenches :					
3	0	—	3	6								

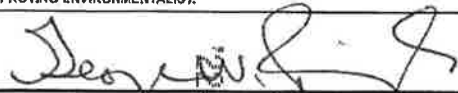
Permit

A PERMIT IS HEREBY GRANTED TO INSTALL THE ON-SITE SEWAGE MANAGEMENT SYSTEM DESCRIBED ABOVE. THIS PERMIT IS NOT VALID UNLESS PROPERLY SIGNED BELOW. THIS PERMIT EXPIRES TWELVE (12) MONTHS FROM DATE OF ISSUANCE.

ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO ISSUANCE OF A PERMIT MAY RENDER PERMIT

VOID, FAILURE TO FOLLOW SITE PLAN MAY RENDER PERMIT VOID. ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO FINAL INSPECTION BY COUNTY HEALTH DEPARTMENT, WHICH ADVERSELY AFFECTS THE FUNCTION OF THE ON-SITE SEWAGE MANAGEMENT SYSTEM, MAY RENDER APPROVAL VOID. INSTALLATION CONTRACTOR IS RESPONSIBLE FOR LOCATING PROPER DISTANCES FROM BUILDINGS, WELLS, PROPERTY LINES, ETC.

ISSUANCE OF A CONSTRUCTION PERMIT FOR AN ON-SITE SEWAGE MANAGEMENT SYSTEM, AND SUBSEQUENT APPROVAL OF SAME BY REPRESENTATIVE OF THE GEORGIA DEPARTMENT OF PUBLIC HEALTH OR COUNTY BOARD OF HEALTH SHALL NOT BE CONSTRUED AS A GUARANTEE THAT SUCH SYSTEMS WILL FUNCTION SATISFACTORILY FOR A GIVEN PERIOD OF TIME; FURTHERMORE, SAID REPRESENTATIVE(S) DO NOT, BY ANY ACTION TAKEN IN EFFECTING COMPLIANCE WITH THESE RULES, ASSUME ANY LIABILITY FOR DAMAGES WHICH ARE CAUSED, OR WHICH MAY BE CAUSED, BY THE MALFUNCTION OF SUCH SYSTEM.

APPROVING ENVIRONMENTALIST: 	TITLE: Environmental Health Specialist IV	DATE: 12/13/2021	CONSTRUCTION PERMIT NUMBER: OSC04201180
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1. SITE APPROVED AS SPECIFIED ABOVE:

(1) Yes (2) No

Notes:

7' center to center minimum

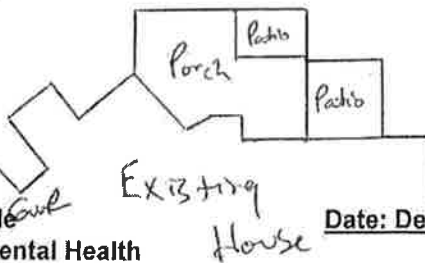
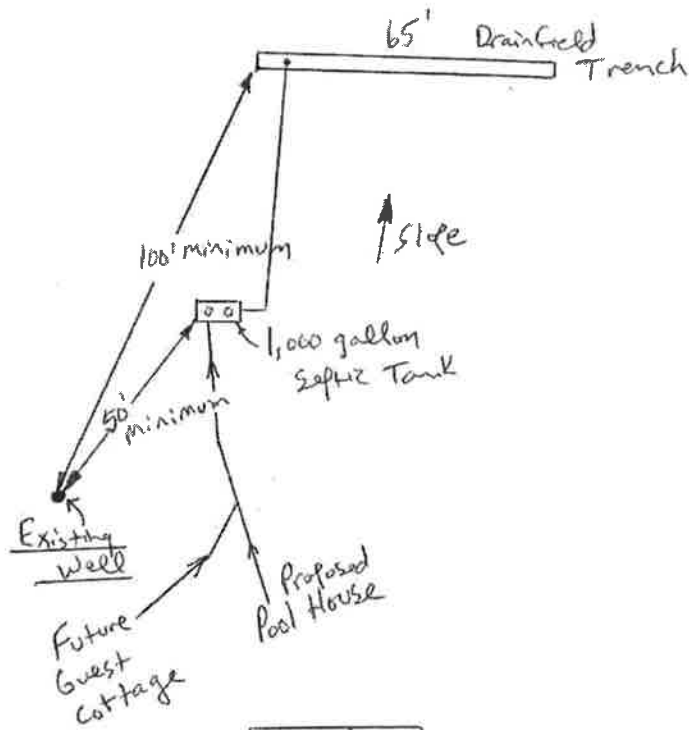
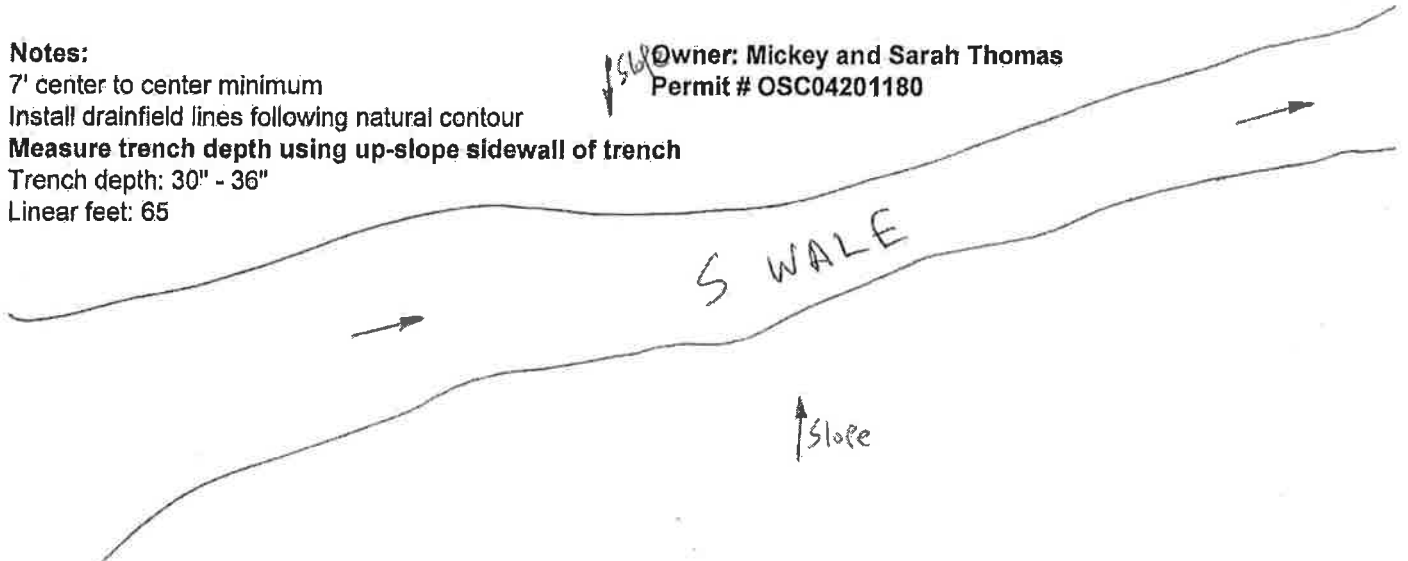
Install drainfield lines following natural contour

Measure trench depth using up-slope sidewall of trench

Trench depth: 30" - 36"

Linear feet: 65

Owner: Mickey and Sarah Thomas
Permit # OSC04201180



Issued by: George W. "Bill" Ringle
Dawson County Environmental Health

Date: December 13, 2021

22 JAN 12 11:25 AM

TO Etowah River Road

GEORGIA SURVEYOR'S CERTIFICATION

I, **DAVID G. COLLIER**, State of Georgia, Registered Professional Surveyor No. 10247, do hereby certify that the foregoing is a true and correct copy of the original field notes, computations, and diagrams of the survey described herein, as they were conducted and reduced by me or under my direct supervision and control, and that the same were conducted and reduced in accordance with the laws and regulations of the State of Georgia, and that the same were conducted and reduced in accordance with the laws and regulations of the State of Georgia.

DATE OF SURVEY: 05/10/2018

COMPUTED BY: DAVID G. COLLIER

DISCLOSURE & NOTICE

THE SURVEYOR'S LIABILITY IS LIMITED TO THE DUTY OF ACCURATELY MEASURING AND DESCRIBING THE PROPERTY DESCRIBED IN THE INSTRUMENT. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS INSTRUMENT. THE SURVEYOR'S LIABILITY IS LIMITED TO THE DUTY OF ACCURATELY MEASURING AND DESCRIBING THE PROPERTY DESCRIBED IN THE INSTRUMENT. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS INSTRUMENT.

IN GOD WE TRUST

SURVEY NOTES

1. CLOSURE PROCEEDING:
 A. A SURVEY OF THIS KIND IS REQUIRED BY LAW TO BE MADE BY THE SURVEYOR AT THE CLOSE OF THE SURVEY.
 B. THE SURVEYOR SHALL COMPUTE THE MIDDLE POINT OF EACH CURVE AND SHALL SET MARKERS AT THE MIDDLE POINT OF EACH CURVE AND AT THE INTERSECTION OF EACH CURVE.

2. FIELD SURVEY:
 A. THE SURVEY SHALL BE MADE BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL.
 B. THE SURVEY SHALL BE MADE IN ACCORDANCE WITH THE LAWS AND REGULATIONS OF THE STATE OF GEORGIA.

3. SURVEY DATA:
 A. THE SURVEY DATA SHALL BE KEPT BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL.
 B. THE SURVEY DATA SHALL BE MADE AVAILABLE TO THE CLIENT UPON REQUEST.

BUSINESS OFFICE INFORMATION:
 David G. Collier, P.S.
 1400 Peachtree Dunwoody Road, N.W., Suite 100
 Atlanta, Georgia 30328
 Phone: (770) 448-2100
 Fax: (770) 448-2101
 Website: www.dgcollier.com

LEGEND

—	SURVEY LINE
- - -	ADJACENT SURVEY
---	CURVE DATA
---	ADJACENT CURVE DATA
---	ADJACENT PROPERTY
---	ADJACENT ROAD
---	ADJACENT EASEMENT
---	ADJACENT ENCROACHMENT
---	ADJACENT EASEMENT
---	ADJACENT ENCROACHMENT

TOTAL: 55.89 Acres

SURVEY FOR:
Dawn Colter

LAND LOTS 532, 533, 534, 543 & 544
 13TH DISTRICT - NORTH HALF, 1ST SECTION
 13TH DISTRICT - NORTH HALF, 1ST SECTION
 13TH DISTRICT - SOUTH HALF, 1ST SECTION
 DAWSON COUNTY, GEORGIA
 DATED APRIL 12, 2018; RECORDED MAY 10, 2018

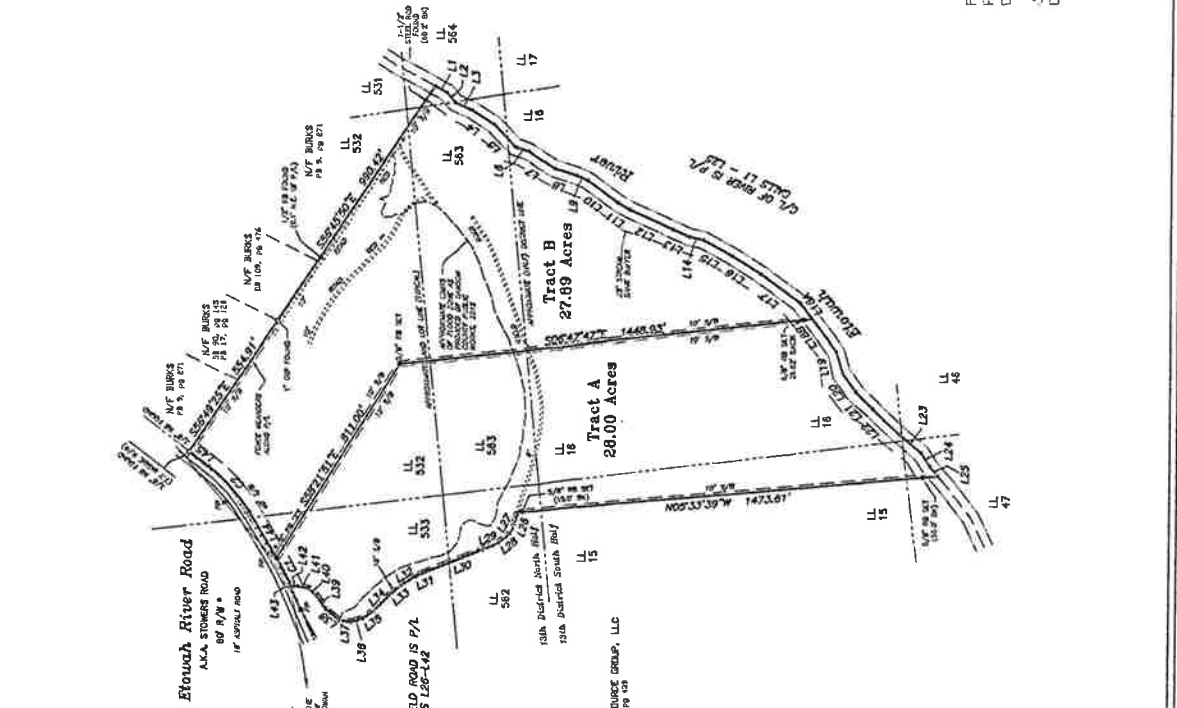
300 300 300 300 300 300
 GRAPHIC SCALE - FEET
 600



Planning approval is not required from the Health Department. Contact that agency for approval.

APPROVED
 MAY 17 2008
 FOR RECORDING

Filed in Office: 05/17/2018 09:55AM
 Plat: DN 00082
 Doc: P3 0050
 Justin P. Year Clark of Court
 Dawson County



CURVE TABLE

STATION	BEARING	DISTANCE	CURVE DATA
13+14.34	N 11° 05' 00" W	15.58	11.00°
13+29.92	N 86° 12' 00" E	16.06	11.00°
13+45.50	S 86° 12' 00" E	16.06	11.00°
13+61.08	S 11° 05' 00" W	15.58	11.00°

* ALL CURVE DATA HAS BEEN CHECKED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS INSTRUMENT.

** DISTANCES CHECKED AND CORRECTED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS INSTRUMENT.

LINE TABLE

STATION	BEGINNING	ENDING	BEARING	DISTANCE	AREA
13+00.00	13+14.34	13+14.34	N 11° 05' 00" W	15.58	1.18
13+14.34	13+29.92	13+29.92	N 86° 12' 00" E	16.06	1.60
13+29.92	13+45.50	13+45.50	S 86° 12' 00" E	16.06	1.60
13+45.50	13+61.08	13+61.08	S 11° 05' 00" W	15.58	1.18

FLOOD STATEMENT

THE LOCATION AND EXISTENCE OF THE FLOOD PLAIN HAS BEEN DETERMINED BY THE SURVEYOR AND IS SHOWN ON THIS SURVEY. THE FLOOD PLAIN IS THE AREA OF A SURVEY WHICH IS SUBJECT TO FLOODING AND IS SHOWN ON THIS SURVEY. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS INSTRUMENT.

CHASTAIN & ASSOCIATES, P.C.

REGISTERED PROFESSIONAL SURVEYORS
 1400 Peachtree Dunwoody Road, N.W., Suite 100
 Atlanta, Georgia 30328
 (770) 448-2100
 www.chastainandassociates.com

January 11, 2022

Letter of intent

To whom it may concern,

Our intent with the rezoning of our property located at 2150 Etowah River Rd is to build a guest cottage. The cottage will be built adjacent to our home.

Mickey and Sarah Thomas



22 JAN 12 11:27 AM

• guest cottage
• house (ew/ent)

GEORGIA SURVEYOR'S CERTIFICATION
 I, the undersigned, being duly sworn, depose and say that I am a duly Licensed Professional Surveyor in the State of Georgia, License No. 12345, and that the foregoing is a true and correct copy of the original survey as shown to me by the client, and that the same is a true and correct copy of the original survey as shown to me by the client.

MAP/LEGEND & NOTICE
 THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1977, AS AMENDED, AND THE RULES AND REGULATIONS THEREUNDER. THE SURVEYOR'S OFFICE IS LOCATED AT 12345 SURVEYOR ROAD, ATLANTA, GEORGIA 30303. THE SURVEYOR'S PHONE NUMBER IS 404-123-4567. THE SURVEYOR'S E-MAIL ADDRESS IS SURVEYOR@EXAMPLE.COM.

SURVEY NOTES
 1. CLOSED PERIMETER: THIS SURVEY IS A CLOSED PERIMETER SURVEY OF THE LAND DESCRIBED HEREON.
 2. FIELD SURVEY: THIS SURVEY WAS MADE BY FIELD SURVEYING METHODS.
 3. SURVEY DATA: THE SURVEY DATA WAS OBTAINED BY FIELD SURVEYING METHODS.
 4. SURVEY INSTRUMENTS: THE SURVEY WAS MADE USING THE FOLLOWING INSTRUMENTS:
 - TOTAL STATION: SOKKIA 560
 - AUTOMATIC LEVEL: SOKKIA 352
 - MEASURING TAPE: SOKKIA 100 FT.
 - PRISM: SOKKIA 100 FT.
 - REFLECTOR: SOKKIA 100 FT.
 - SURVEYOR: J. W. SURVEYOR
 - DATE: APRIL 15, 2016

LEGEND

---	BOUNDARY LINE
- - -	UNDEVELOPED RIGHT-OF-WAY
---	ADJACENT PROPERTY
---	ADJACENT ROAD
---	ADJACENT RAILROAD
---	ADJACENT WATERWAY
---	ADJACENT AIRWAY
---	ADJACENT POWER LINE
---	ADJACENT TELEPHONE LINE
---	ADJACENT CABLE LINE
---	ADJACENT FENCE
---	ADJACENT WALL
---	ADJACENT DRIVE
---	ADJACENT WALKWAY
---	ADJACENT BIKEWAY
---	ADJACENT TRAIL
---	ADJACENT CANAL
---	ADJACENT DITCH
---	ADJACENT SWALE
---	ADJACENT GULLY
---	ADJACENT CREEK
---	ADJACENT RIVER
---	ADJACENT LAKE
---	ADJACENT POND
---	ADJACENT RESERVOIR
---	ADJACENT DAM
---	ADJACENT BRIDGE
---	ADJACENT TUNNEL
---	ADJACENT STRUCTURE
---	ADJACENT OBSTACLE
---	ADJACENT HAZARD
---	ADJACENT UNDESIRABLE
---	ADJACENT UNKNOWN

TOTAL 55.89 Acres

owner: **Dawn Colter**

LAND LOTS 322, 333, 342, 343 & 344
 12TH DISTRICT - NORTH PALM, 1ST SECTION
 12TH DISTRICT - SOUTH PALM, 1ST SECTION
 COUNTY: SAGHON COUNTY, GEORGIA
 DATE: APRIL 15, 2016 *RECORDED MAY 10, 2016
 BOOK: 12345 PAGE: 1234



Planning approval is not
 dependent from the North
 Department. Contact their
 agency for approval.

APPROVED
 APR 17 2016
 FOR RECORDING

Filed in Office 05/17/2016 09:26AM
 Plat Doc PLAT
 BK 00022 Pg 0000
 Justin P. Walker, Clerk of Court
 Dawson County

RECORD IN OFFICE CLERK OF COURT, SAHON COUNTY

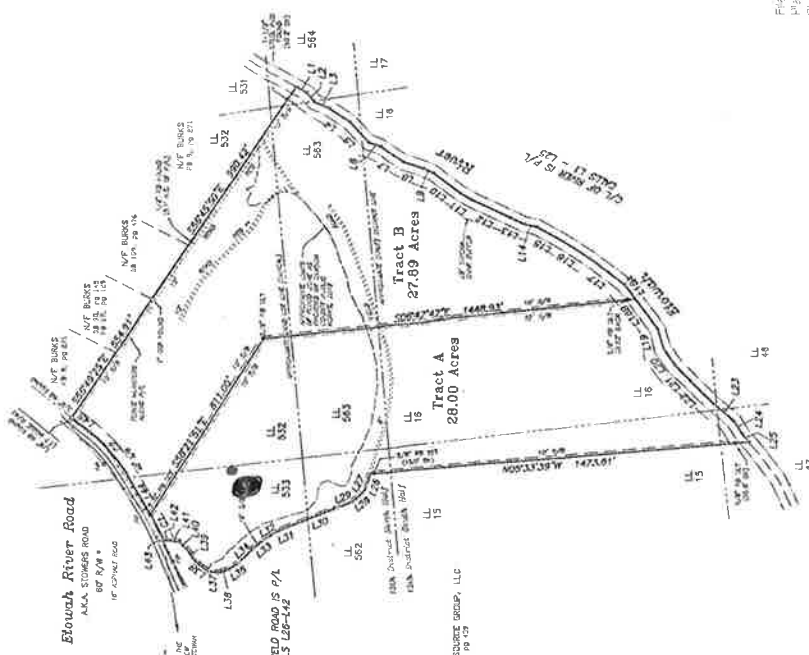
CURVE TABLE

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9+00	...
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9+40	...
9+60	...
9+80	...
10+00	...

*ADJUSTED/ADJUSTED ADJUSTED ADJUST ADJUST ADJUST
 APR 11, 2016

LINE TABLE

Station	Line Data
1+00	...
1+20	...
1+40	...
1+60	...
1+80	...
2+00	...
2+20	...
2+40	...
2+60	...
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8+60	...
8+80	...
9+00	...
9+20	...
9+40	...
9+60	...
9+80	...
10+00	...



FLOOD STATEMENT
 THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SURVEYED PROPERTY AND HAS DETERMINED THAT THERE IS NO FLOODING OF ANY KIND ON THE SURVEYED PROPERTY.

PREPARED BY
CHASTAIN & ASSOCIATES, P.C.
 12345 SURVEYOR ROAD, ATLANTA, GEORGIA 30303
 (770) 276-7228
 WWW.GEORGIASURVEYOR.COM (770) 889-1770



ZA 22-02 REZONING STAFF REPORT

Planning Commission Meeting February 15, 2022
 Board of Commission Hearing March 17, 2022

Applicant Proposal

The property owner is seeking to zone two parcels from RSR to R-A for the purpose of utilizing the property for agricultural purposes and constructing a guest cottage.

Applicant	Mickey & Sarah Thomas
Amendment #	ZA 22-02
Request	Zone a parcel from RSR to R-A
Proposal	Zoning the parcel to R-A (Residential Exurban/Agricultural)
Current Zoning	RSR (Residential Sub Rural)
Acreage	55.89± [two parcels]
Location	Etowah River Road (Hugh Stowers Road)
Tax Parcel	111-024-002 & 111-024-003

Adjacent Land Uses	Zoning	Land Use
North	RSR	Residential
South	R-A	Vacant
East	RSR	Residential
West	RSR	Etowah River/Vacant

Relationship to the Comprehensive Plan and Future Land Use Plan

According to the 2018 comprehensive plan and accompanying Future Land Use Plan, the subject property is identified as Rural Residential. The Rural Residential category seeks to preserve the pastoral landscape of Dawson County. The area includes exurban and rural residences, farms and forests.

COUNTY AGENCY COMMENTS:

Environmental Health Department – No comments as of 1/26/2022

Etowah Water & Sewer Authority – No comments as of 1/26/2022

Planning & Development - Building plans are required per the procedures found on the County website.

Dawson County Comprehensive Plan

Rural Residential – 130,680 square feet (3 Acre)	
<p>Similar to the Rural Agricultural area, the Rural Residential category seeks to preserve the pastoral landscape of the west of the county, limiting the need for public improvements and celebrating the natural landscape that remains both a scenic value to the community and a critical facet of supporting the environment and natural resources. This future land use category corresponds to lands west of the forest greenbelt which runs west of Dawsonville’s proposed developed area. This area currently includes exurban and rural residences, farms, and forests. A three-acre lot size ensures that this area remains rural and very low density residential, so as to prevent the need to extend facilities and services to that area. It is desirable that conservation subdivision principles be followed in this area in order to encourage the set-asides of open space or retention of farm and forest lands.</p>	
<i>Land Uses</i>	<i>Zoning Districts</i>
<ul style="list-style-type: none"> • Rural Residential • Parks, Recreation and Conservation 	<ul style="list-style-type: none"> • Residential Agriculture
<i>Strategies</i>	
<ul style="list-style-type: none"> • Have Committee study increasing minimum acreage requirements for rural zoning categories • Develop Greenspace Master Plan • Develop Bike/Pedestrian/Greenways Master Plan • Adopt conservation subdivision regulations • Adopt Best Management Practices (BMP) for stormwater run-off • Update development regulations to address drainage and impervious surface requirements 	



STAFF ANALYSIS

A. The existing uses and classification of nearby property.

The request to construct a guest cottage and pursue agricultural activities is consistent with the size of the parcel and the area.

B. The extent to which property values are diminished by the particular land use classification.

The addition of structures on the parcel increases the property values.

C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.

The conservation of agricultural and forestry land use from development into other uses is encourage. Consideration should be should be given to soil and erosion control and maintaining a natural buffer along property lines and state waters for all agricultural activities and construction of a guest cottage.

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

The conservation of agricultural rural lands is a gain to the public.

E. The suitability of the subject property for the proposed land use classification.

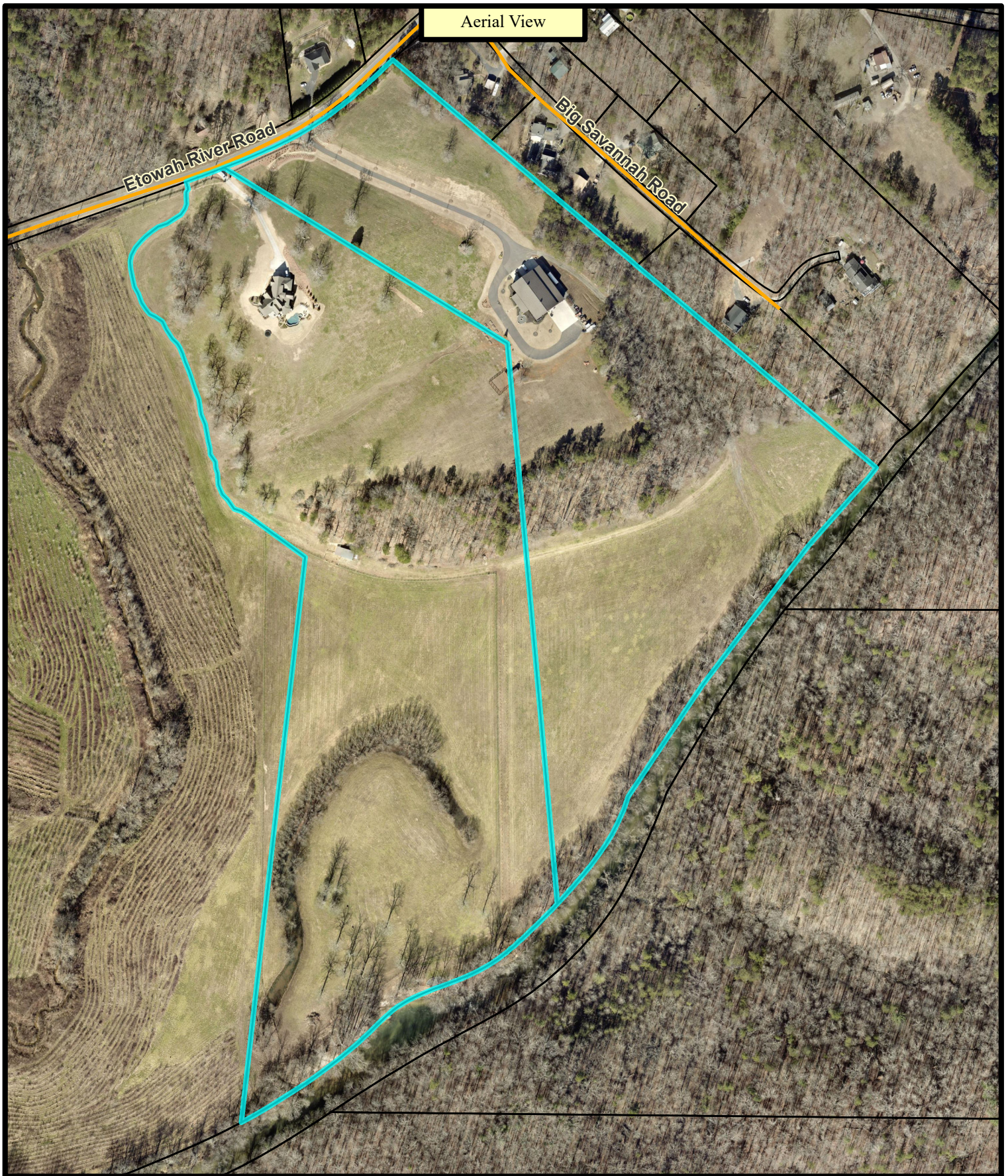
The proposed use is the most suitable use in the Residential-Agricultural land use district.

F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.

Not applicable

G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.

The prohibition of construction of a guest cottage on this large parcel is a hardship.



Aerial View

Etowah River Road

Big Savannah Road



DAWSON COUNTY
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RESPONSIBILITIES,
LIABILITIES OR
DAMAGES FROM THE USE
OF THIS MAP. THIS MAP
IS ONLY FOR DISPLAY
PURPOSES.



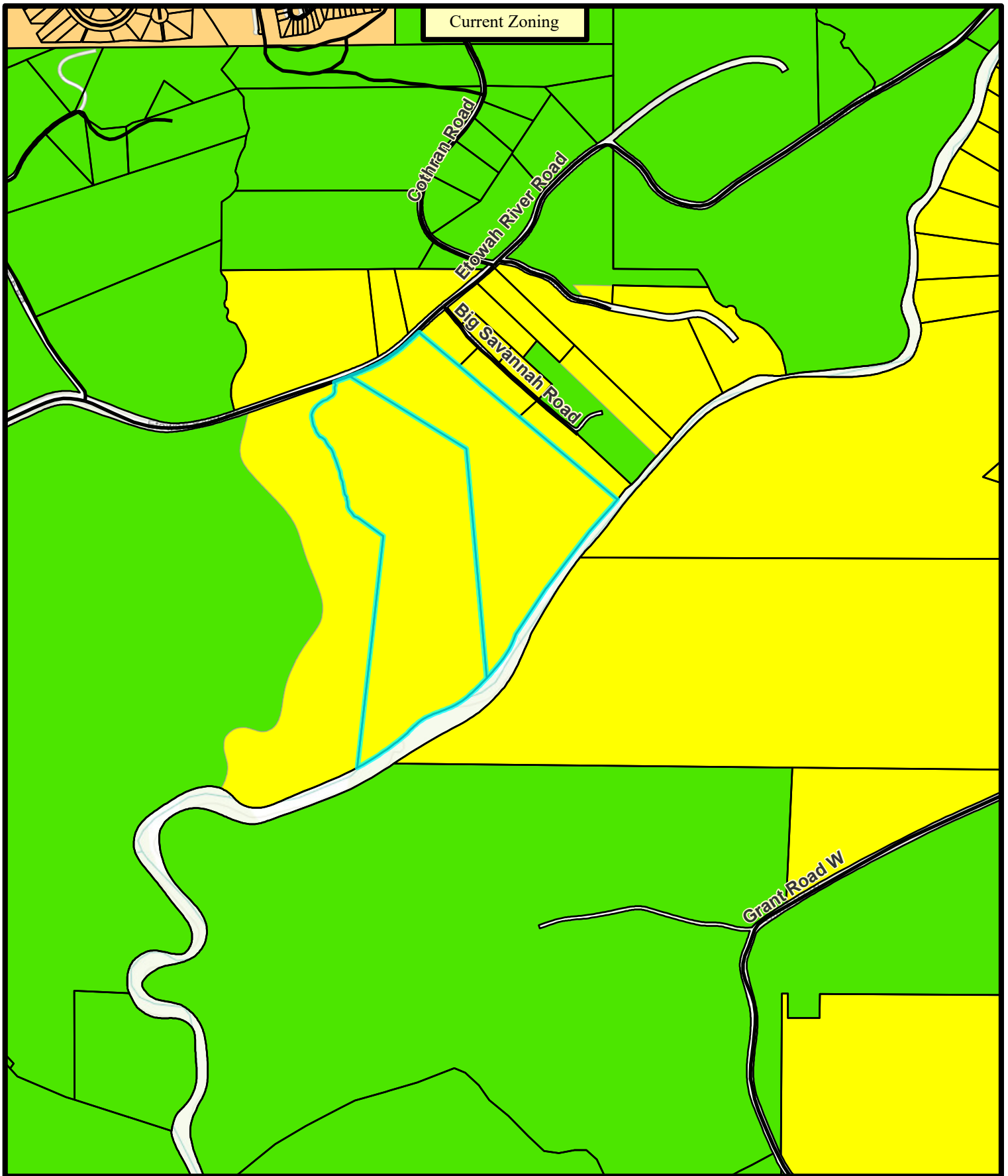
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Dawson County
Planning and Development

60

Site Report

Parcel #: 111-024-002 &
111-024-003
Current Zoning: RSR
FLU: RR
Application #: ZA 22-02



Current Zoning

Cottrill Road

Etowah River Road

Big Savannah Road

Grant Road W



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N



Scale: 1:10,982

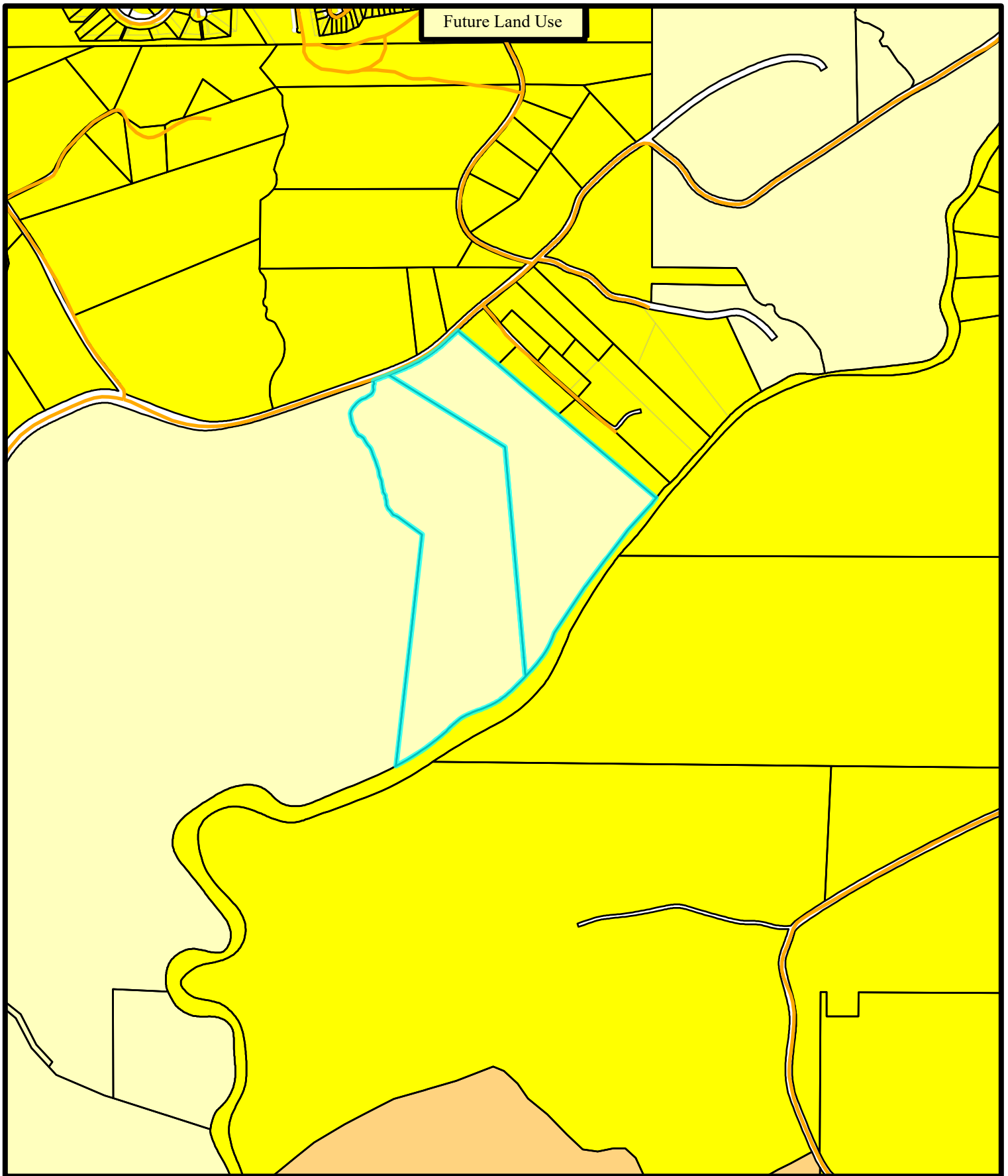
Dawson County

Planning and Development

61

Report

Parcel #: 111-024-002 &
111-024-003
Current Zoning: RSR
FLU: RR
Application #: ZA 22-02



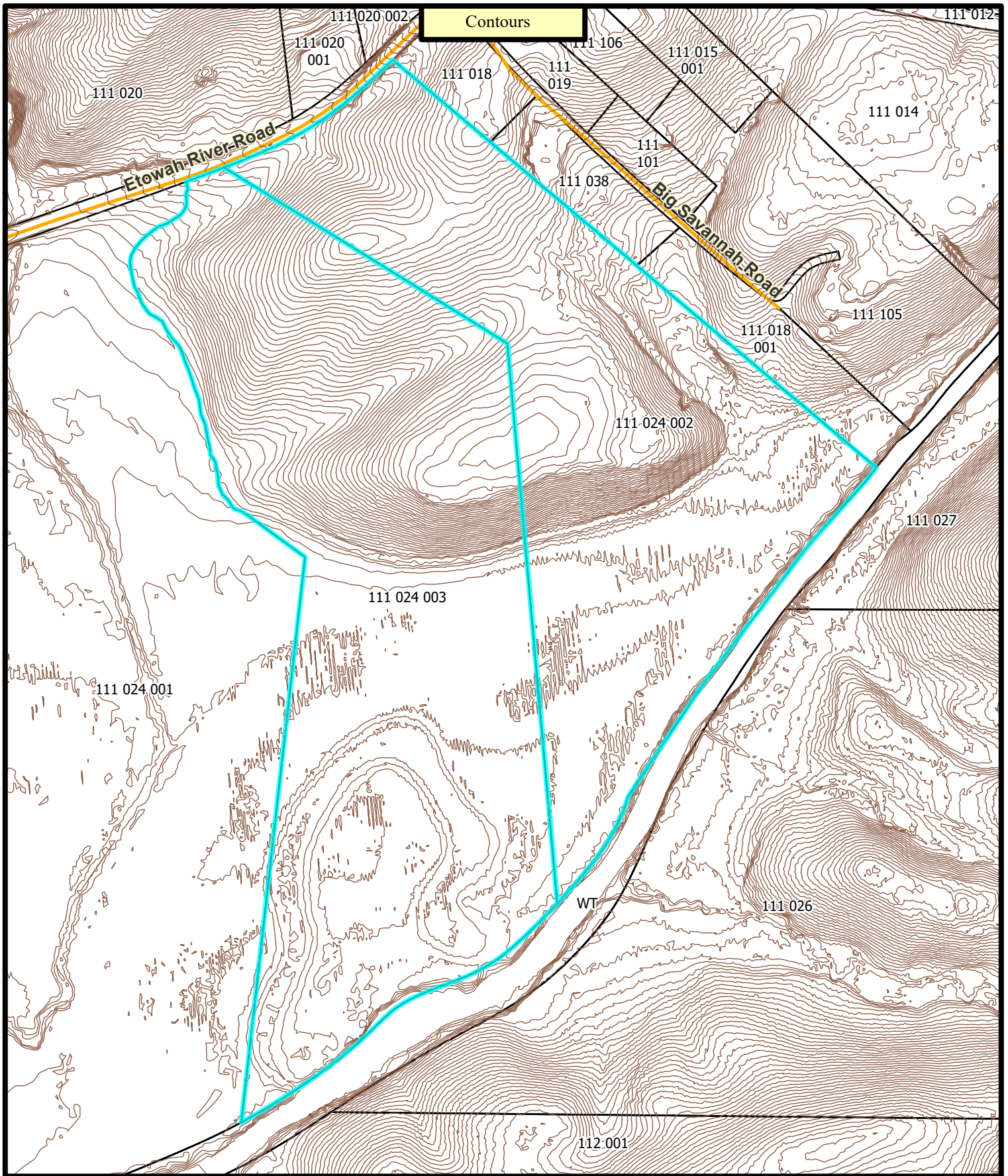
DAWSON COUNTY
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Scale: 1:10,982

Dawson County
Planning and Development
62
Report

Parcel #: 111-024-002 &
111-024-003
Current Zoning: RSR
FLU: RR
Application #: ZA 22-02



Contours



DAWSON COUNTY
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Scale: 1:4,498

Dawson County
Planning and Development

63

Site Report

Parcel #: 111-024-002 &
111-024-003
Current Zoning: RSR
FLU: RR
Application #: ZA 22-02

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 22.03 Tax Map & Parcel # (TMP): 097 009 ~~000~~
Submittal Date: 1.14.22 Time: 10:38 am/pm Received by: hge (staff initials)
Fees Assessed: 300.00 Paid: Check Commission District: 4
Planning Commission Meeting Date: 2.15.22
Board of Commissioners Meeting Date: 3.17.22

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Blake Holbrook
Address: 610 Woodbrook Farm Rd. Dawsonville GA 30534
Phone: Listed / Unlisted Email: Business / Personal
Status: Owner Authorized Agent Lessee Option to purchase

Notice: If applicant is other than owner, enclosed Property Owner Authorization form must be completed.

I have ___ / have not participated in a Pre-application meeting with Planning Staff.
If not, I agree / disagree ___ to schedule a meeting the week following the submittal deadline.
Meeting Date: _____ Applicant Signature: _____

PROPERTY OWNER/PROPERTY INFORMATION

Name: James + Sheila Holbrook
Street Address of Property being rezoned: 612 Woodbrook Farm Rd.
Dawsonville GA 30534
Rezoning from: RA to: RSR Total acreage being rezoned: 1.50
Directions to Property (if no address): _____

2022

Subdivision Name (if applicable): _____ Lot(s) #: _____

Current Use of Property: Open Pasture

Any prior rezoning requests for property? if yes, please provide rezoning case #: ZA _____

*****Please refer to Dawson County's Georgia 400 Corridor Guidelines and Maps to answer the following:**

Does the plan lie within the Georgia 400 Corridor? No (yes/no)

If yes, what section? North _____ South _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RA South RA East RA West RA

Future Land Use Map Designation: Mixed Use Village

Access to the development will be provided from:

Road Name: Woodbrook Farm Rd. Type of Surface: Gravel

REQUESTED ACTION & DETAILS OF PROPOSED USE

Rezoning to: RSR Special Use Permit for: _____

Proposed Use: Single Family Residence

Existing Utilities: Water Sewer Gas Electric

Proposed Utilities: Water Sewer Gas Electric

RESIDENTIAL

No. of Lots: 1 Minimum Lot Size: 1.50 (acres) No. of Units: 1

Minimum Heated Floor Area: 2500 sq. ft. Density/Acre: 1/1.50

Type: Apartments Condominiums Townhomes Single-family Other

Is an Amenity Area proposed: NO; if yes, what? _____

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

2022

APPLICANT CERTIFICATION

I hereby request the action contained within 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 Board of Commissioners agenda(s) for a public hearing.

I understand that the Planning & 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 have the obligation to present all data necessary and required by statute to enable the Planning Commission and the Board of Commissioners 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 Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning of special use application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Dawson County.

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

Signature *Blake Hollibaugh* Date 1-14-22
Witness *Kelly Bennett* Date 1/14/22

WITHDRAWAL

Notice: This section only to be completed if application is being withdrawn.

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

Withdrawals of any application may be accommodated within the Planning & Development Department if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following the written request and publication the Planning Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Planning Commission. Further, the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fees may be made unless directed by the Board of Commissioners.

PLANNING & DEVELOPMENT DEPARTMENT
DAWSON COUNTY, GEORGIA

ZA _____

TMP#: _____

List of Adjacent Property Owners

It is the responsibility of the Applicant to provide a list of adjacent property owners. This list must include the name and mailing address of anyone who has property touching your property or who has property directly across the street from your property.

****Please note this information should be obtained using the Tax Map & Parcel (TMP) listing for any parcel(s) adjoining or adjacent to the parcel where a variance or rezone is being requested.**

	<u>Name</u>	<u>Address</u>
TMP <u>097 009</u>	1. <u>James + Sheila Holbrook</u>	<u>612 Woodbrook Farm Rd.</u>
TMP _____	2. _____	_____
TMP _____	3. _____	_____
TMP _____	4. _____	_____
TMP _____	5. _____	_____
TMP _____	6. _____	_____
TMP _____	7. _____	_____
TMP _____	8. _____	_____
TMP _____	9. _____	_____
TMP _____	10. _____	_____
TMP _____	11. _____	_____
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

Use additional sheets if necessary.

2025/04/03 10:30 AM

NOTICE OF RESIDENTIAL EXURBAN/AGRICULTURAL DISTRICT (R-A) ADJACENCY

Agricultural districts include uses of land primarily for active farming activities and result in odors, noise, dust and other effects, which may not be compatible with adjacent development. Future abutting developers in non RA land use districts shall be provided with this "Notice of RA Adjacency" prior to administrative action on either the land use district or the issuance of a building or occupancy permit.

Prior to administrative action the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing adjacent to his use which will produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent RA use, the applicant agrees by executing this form to waive any objection to those effects and understands that his district change and/or his permits are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the RA district constitute a nuisance) against local governments and adjoining landowners whose property is located in an RA district.

This notice and acknowledgement shall be public record.

Applicant Signature: Blake Holbrook

Applicant Printed Name: Blake Holbrook

Application Number: _____

Date Signed: 1-14-22

Sworn and subscribed before me

this 14 day of January, 2022

Kenneth Bennett
Notary Public

My Commission Expires: 3/23/25

{
Notary Public Seal
}

68

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANT(S) AND REPRESENTATIVE(S) OF REZONING)

Pursuant to O.C.G.A. Section 36-67 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 rezoning, 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:

1. Name of local official to whom campaign contribution was made:

2. The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two (2) years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

Amount \$ _____ Date: _____

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 two (2) years immediately preceding the filing of application for rezoning:

Signature of Applicant/Representative of Applicant:

_____ Date: _____

BY NOT COMPLETING THIS FORM YOU ARE MAKING A STATEMENT THAT NO DISCLOSURE IS REQUIRED

This form may be copied for each applicant. Please attach additional sheets if needed.

22 APR 11 09:39 AM

PROPERTY OWNER AUTHORIZATION

I/we, James + Sheila Holbrook, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

612 Woodbrook Farm Rd.

Parcel # 097 009

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

I hereby authorize the person named below to act as the applicant or agent in pursuit of the rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The under signer below is authorized to make this application. The under signer is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of the last action by the Board of Commissioners.

Printed Name of applicant or agent: Blake Holbrook

Signature of applicant or agent: Blake Holbrook Date: 1-14-22

Printed Name of Owner(s): JAMES D. + Sheila B. Holbrook

Signature of Owner(s): James D. Holbrook + Sheila B. Holbrook Date: 1-14-22

Mailing address: _____

City, State, Zip: Dawsonville GA 30534

Telephone Number: Listed _____
Unlisted _____

Sworn and subscribed before me this 14 day of January, 2022.

[Signature]
Notary Public

My Commission Expires: 3/23/25

{Notary Seal}

(The complete names of all owners must be listed; if the owner is a partnership, the names of all partners must be listed; if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)

Dawson County, Georgia Board of Commissioners
Affidavit for Issuance of a Public Benefit
As Required by the Georgia Illegal Immigration Reform and Enforcement Act of 2011

By executing this affidavit under oath, as an applicant for a Dawson County Business License, Out of County Business Registration, Alcohol License, or other public benefit as referenced in the Georgia Illegal Immigration Reform and Enforcement Act of 2011 [O.C.G.A. § 50-36-1(e)(2)], I am stating the following with respect to my application for such Dawson County public benefit.

I am a United States citizen.

I am a legal permanent resident of the United States. (FOR NON-CITIZENS)

I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. (FOR NON-CITIZENS)

My alien number issued by the Department of Homeland Security or other federal immigration agency is:

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one **secure and verifiable document**, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit. (See reverse side of this affidavit for a list of secure and verifiable documents.)

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20 and face criminal penalties as allowed by such criminal statute.

Executed in Dawsonville (city), GA (state)

Blake Holbrook
Signature of Applicant

1-14-22
Date

Blake Holbrook
Printed Name

Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 14 DAY OF January, 20 22

Henry Bennett Notary Public

My Commission Expires: 3/23/25

{Notary Seal}

2025 JAN 22

Secure and Verifiable Documents Under O.C.G.A. § 50-36-2

The following list of secure and verifiable documents, published under the authority of O.C.G.A. § 50-36-2, contains documents that are verifiable for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status.

- A **United States Passport** or **Passport Card** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **United States Military Identification card** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Driver's License** issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An **Identification Card** issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Tribal Identification Card** of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at:
<http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm>
[O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **United States Permanent Resident Card** or **Alien Registration Receipt Card** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An **Employment Authorization Document** that contains a photograph of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Passport Issued by a Foreign Government** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Merchant Mariner Document** or **Merchant Mariner Credential** issued by the United States Coast Guard [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Free and Secure Trade (FAST) card** [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- A **NEXUS Card** [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- A **Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card** [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- A **Driver's License issued by a Canadian Government Authority** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Certificate of Citizenship** issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]
- A **Certificate of Naturalization** issued by the United States Department of Citizenship and Immigration Services USCIS) (Form N-550 or Form N-570) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]

Blake & Nikki
Holbrook
of
Dawsonville, GA 30534

January 14, 2022

Dawson County
Planning & Zoning

RE: Letter of Intent

To Whom it May Concern:

This is to advise that my sole intention for the rezoning of the property located at 612 Woodbrook Farm Rd, Dawsonville, GA is for the construction of a single-family residence that will be our primary home. This home and any adjacent structures will be located on a 1.50-acre tract.

If you need any additional information, please advise. Thank you for your consideration.

Sincerely,



Blake Holbrook

2022 JAN 14

Printed: 1/14/2022 8:34:08 AM



Official Tax Receipt
Dawson County
 25 Justice Way, Suite 1222
 Dawsonville, GA 30534
 --Online Receipt--

Phone: (706) 344-3520
 Fax: (706) 344-3522

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2021 - 6785	097 009 001 / 1 LL 298 299 358LD 13S-1 FMV: 569610	\$5154.97	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$5154.97	\$0.00
Totals:		\$5154.97	\$0.00	\$0.00	\$5154.97	\$0.00

Paid Date: 11/12/2021

Charge Amount: \$5154.97

HOLBROOK JAMES & SHEILA B

DAWSONVILLE, GA 30534



Scan this code with your mobile phone to view this bill

2022 JAN 14 09:31 AM

Printed: 1/14/2022 8:37:17 AM



Official Tax Receipt
Dawson County
25 Justice Way, Suite 1222
Dawsonville, GA 30534
--Online Receipt--

Phone: (706) 344-3520
Fax: (706) 344-3522

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2021 - 6784	097 009 / 1 LL 298 299 358LD 13S-1 FMV: 1150220	\$2545.63	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$2545.63	\$0.00
Totals:		\$2545.63	\$0.00	\$0.00	\$2545.63	\$0.00

Paid Date: 11/12/2021

Charge Amount: \$2545.63

HOLBROOK JAMES & SHEILA B

DAWSONVILLE, GA 30534



Scan this code with your mobile phone to view this bill

22 JAN 14 03:03 PM

BYRD & HOLBROOK
ALL PURPOSE
PAVING

612 WOODBROOK FARM RD
DAWSONVILLE, GA 30634

SCALE/SON

PROJECT NAME

BLAKE & NIKKI
HOLBROOK
PROPERTY
L.L. 299
13TH DISTRICT, 1ST SECTION
DAWSON COUNTY, GA

CLIENT:

BLAKE & NIKKI
HOLBROOK
612 WOODBROOK FARM RD
DAWSONVILLE, GA 30634

SHEET:

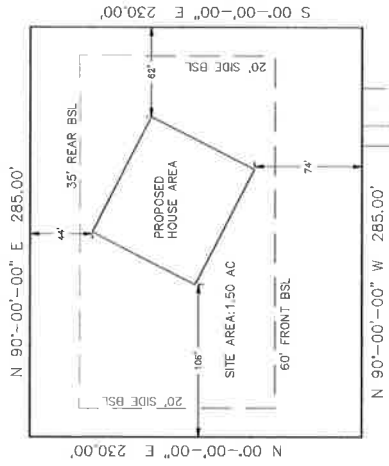
REZONING SITE
PLAN OF TAX
PARCEL
087 009

REV	DATE	DESCRIPTION

PROJECT I.D.	ID #
SCALE	ISSUE DATE
1"=40'	01.14.2022

SHEET NUMBER

Z-1



EX 30' INGRESS/EGRESS & UTILITY EASEMENT IS 15' EACH SIDE OF CENTERLINE OF EXISTING DRIVE UNTIL REACHING THE R/W OF HIGHWAY 9

EX 30' INGRESS/EGRESS & UTILITY EASEMENT



22 JAN 14 10:39 AM



22 APR 14 10:39 AM

Dawson County Rezoning Application

Application Requirements/Applicant Checklist

- 1. Pre-Application meeting with Planning & Development Staff (recommended)
 - 2. Completed Application to include:
Property Owner Authorization (if acting agent)
Adjoining Property Owner information (found on the Tax Assessor's website)
Notice of RA Agency form (if applicable)
 - 3. Letter of Intent
 - 4. Letter from Environmental Health Department (706-265-2930) for review of septic
 - 5. Recorded Plat of the property (Clerk of Court)
 - 6. Site plan drawn to scale of any proposed structures
*Commercial rezoning require more information – please see insert
 - 7. Paid tax receipt for most current year (Tax Commissioner's office)
 - 8. Aerial location map of the subject property (qPublic.com or Google Earth)
 - 9. Check or Money Order in the correct amount made payable to Dawson County
 - 10. Completed Affidavit for Issuance of a Public Benefit.
-

This application packet contains all of the information required to submit a change in a zoning category. If, after reading this, you have questions, please contact Planning & Development at (706) 344-3500 extension 42336. It is strongly suggested that an applicant schedule a pre-application meeting with staff prior to submitting the application.

To avoid unnecessary delays, please be sure the application is complete. Incomplete applications **without all required attachments will be REJECTED.**

It is the applicant's responsibility to attend the Public Hearings and be able to answer any questions regarding the request. If you are uncomfortable in this role, you may want to seek the help of a lawyer, surveyor or other professional.

**FAILURE TO APPEAR AT MEETINGS CONSTITUTES
ABANDONMENT AND DISMISSAL OF THE CASES, UNLESS THE
APPLICANT SHOWS JUST CAUSE BY REASON OF ILLNESS/HEALTH
ISSUES OR OTHER EMERGENCY WITHIN A REASONABLE TIME, IN
WRITING, AND ACCOMPANIED BY NEW COSTS FOR RE-
ADVERTISEMENT AND HEARING.**

Dawson County Board of Commissioners

<p align="center">Chairman Billy Thurmond 230 Brookwood Drive Dawsonville, GA 30534 706-525-9255 Fax: 706-344-3889 chairman@dawsoncounty.org</p>	<p align="center">District 3 Tim Satterfield 246 Hickory Nut Trail Dawsonville, GA 30534 706-531-5871 district3@dawsoncounty.org</p>
<p align="center">District 1 Sharon Fausett 11524 Highway 136 West Dawsonville, GA 30534 706-265-8432 district1@dawsoncounty.org</p>	<p align="center">District 4 John Emory Dooley 2677 Grizzle Road Dawsonville, GA 30534 (678) 776-2355 district4@dawsoncounty.org</p>
<p align="center">District 2 Chris Gaines 228 Stillwater Lane Dawsonville, GA 30534 (706) 344-2628 District2@dawsoncounty.org</p>	<p align="center">County Manager David Headley 25 Justice Way, Suite 2236 Dawsonville, GA 30534 706-344-3501 ext. 42236 dheadley@dawsoncounty.org</p>

Planning Commission Members

<p align="center">Chairman Appointee Vacant</p>	<p align="center">District 1 Jason Hamby Chairman 1362 Bailey Waters Road Dawsonville, GA 30534 (706) 265-1382 jahamby@dawsoncouthy.org</p>
<p align="center">District 2 John Maloney 9 Bent Ridge Road Dawsonville, GA 30534 (678) 936-0347 jmaloney@dawsoncounty.org</p>	<p align="center">District 3 Tim Bennett 2124 War Hill Park Road Dawsonville, GA 30534 (678) 776-5443 or (706) 216-1784 tbennett@dawsoncounty.org</p>
<p align="center">District 4 Neil Hornsey P.O. Box 1776 Dawsonville, GA 30534 706-974-3350 nhornsey@dawsoncounty.org</p>	<p><u>ALTERNATES' INFORMATION:</u> District 1- Seth Stowers District 2- Vacant District 3- Jean Maryanski District 4- Austin Harmon Chairman Appointee- Vacant</p>

2021 Rezoning/Variance Submittal Dates and Meeting Schedules

Submittal Dates @12:00 p.m.	Planning Commission Meeting Dates (6:00 p.m.)	Board of Commissioners Meeting Dates for Rezoning Hearings (6:00 p.m.)
December 11, 2020	January 19, 2021	February 18, 2021
January 8, 2021	February 16, 2021	March 18, 2021
February 12, 2021	March 16, 2021	April 15, 2021
March 12, 2021	April 20, 2021	May 20, 2021
April 9, 2021	May 18, 2021	June 17, 2021
May 14, 2021	June 15, 2021	July 15, 2021
June 11, 2021	July 20, 2021	August 19, 2021
July 9, 2021	August 17, 2021	September 16, 2021
August 13, 2021	September 21, 2021	October 21, 2021
September 10, 2021	October 19, 2021	November 18, 2021
October 8, 2021	November 16, 2021	December 16, 2021
November 12, 2021	December 21, 2021	TBD
December 10, 2021	TBD	TBD

Prior to the submittal date, applicants are encouraged to request and participate in a pre-application conference with staff to discuss the particulars of the request and/or potential coordination with the requirements of the Comprehensive Plan and the Future Land Use map.

Applications may be submitted at anytime during the month prior to the submittal deadline date and time. However, **APPLICATIONS MUST BE SUBMITTED BY 12:00 NOON ON THE SUBMITTAL DATE LISTED ABOVE** to be considered for that cycle.

Please be aware that each monthly rezoning cycle has a maximum number of agenda items limited to eight (8) applications. If that number is met, then your application will be placed on the next monthly cycle.

The above schedule is subject to change. Check the local legal organ for meeting dates and times. If you have any questions, please call the Planning & Development office at (706) 344-3500 extension 42336.

REGULAR MONTHLY MEETINGS OF THE PLANNING COMMISSION AND THE BOARD OF COMMISSIONERS MEET IN THE DAWSON COUNTY GOVERNMENT CENTER, ASSEMBLY ROOM 2303 LOCATED AT 25 JUSTICE WAY, DAWSONVILLE, GEORGIA.

*Planning Commission meetings begin at 6:00 p.m.
The Board of Commissioners meetings begin at 6:00 p.m.*

Dawson County Fee Schedule

RT	(Residential Town)	\$300.00
RL	(Residential Lakefront)	\$300.00
RS	(Residential Suburban)	\$300.00
RSR	(Residential Sub-Rural)	\$300.00
RSRMM	(Residential Sub-Rural Manufactured/Moved)	\$300.00
RMF	(Residential Multi-Family)	\$475.00
RA	(Residential Exurban/Agricultural)	\$250.00
RAC	(Residential Agricultural Corrective)	\$250.00
RRE	(Residential Rural Estate)	\$250.00
RPC	(Residential Planned Community)	\$700.00
RMHP	(Residential Manufactured/Mobile Home Park)	\$350.00
C-RB	(Commercial Rural Business)	\$700.00
C-CB	(Commercial Community Business)	\$700.00
C-HB	(Commercial Highway Business)	\$3,500.00
C-HI	(Commercial Highway Intensive)	\$3,500.00
C-PCD	(Commercial Planned Comprehensive Development)	\$3,500.00
**ADDED FEE ACCORDING TO LAND RESOLUTION SECTION 404, I		\$400.00
		TOTAL \$3,900.00
C-OI	(Commercial Office Institutional)	\$3,500.00
C-IR	(Commercial Industrial Restricted)	\$3,500.00
MUV	(Mixed Use Village)	\$3,500.00
Communication Tower (Conditional Use)		\$2,500.00
Home Occupation		\$50.00
Variance		\$350.00
Special Use Permits are based on the Current Zoning District		VARIES
Appeals		\$350.00

The fee schedule is subject to change by the Board of Commissioners. Please check with Planning & Development staff if you have any questions.

APPLICATION PROCESSING: STAFF USE ONLY

ZA _____ **Applicant Name:** _____

Application Fee: \$ _____

IF APPLICABLE:

- Legal Advertisement Submitted to Newspaper Date: _____
- Planning Commission & Board of Commissioners Packets Delivered Date: _____
- Application Posted on County Website Date: _____
- Adjacent Property Owner Notices Mailed Date: _____
- Interdepartmental Forms Submitted for Review Date: _____
- Department of Transportation Notified Date: _____
- Georgia Mountains Notified (DRI) Date: _____
- Public Notice Signs on Property Verified Date: _____
- Approval or Denial Form placed in folder Date: _____
- Applicant Notified of Final Action Date: _____
- Approval or Denial Form to Office Manager/Building Official/Marshal Date: _____
- Rezoning Change Form to Director Date: _____
- Zoning Map Amended Date: _____
- Change Zoning in EnerGov by Parcel Date: _____
- Planning Commission Meeting Minutes placed in folder Date: _____
- Board of Commission Meeting Minutes placed in folder Date: _____

Planning Commission & Board of Commissioners Actions

PC Recommendation Date: _____ Approval Approval w/stipulations Denial

BOC Decision Date: _____ Approval Approval w/stipulations Denial



ZA22 03 REZONING

Planning Commission Date February 15, 2022
Board of Commission Date March 17, 2022

Applicant Proposal

The applicant is seeking to rezone the property from R-A (Residential Agriculture) to RSR (Residential Sub Rural) for the purpose of subdividing a 1.5-acre tract out of the parent parcel of 166.23 acres to build a primary residence. Mr. Holbrook’s family purchased the property in 2018. The parcel consists of farm and pasture land located near the Etowah River.

Applicant Blake Holbrook

Amendment # ZA 22-03

Request..... Rezone Property from R-A (Residential Agriculture) to RSR (Residential Sub-Rural)

Proposed Use..... To sub-divide parcel for purpose of building a primary residence

Current Zoning R-A (Residential Agriculture)

Acreage..... 1.5± acres

Location..... Woodbrook Farm Road

Tax Parcel..... 097 009

Direction	Existing Zoning	Existing Use
North	R-A	Vacant Farm Land
South	R-A	Residential Single Family
East	RSRMM	Single Family Residential
West	R-A	Vacant Farm Land

Relationship to the Comprehensive Plan and Future Land Use Plan

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Mixed-Use Village. Given the environmental constraints of the area the rural residential use is more appropriate.

County Agency Comments:

Engineering Department “No comment with this request.”

Environmental Health Department –No comments returned as of 2/11/2022

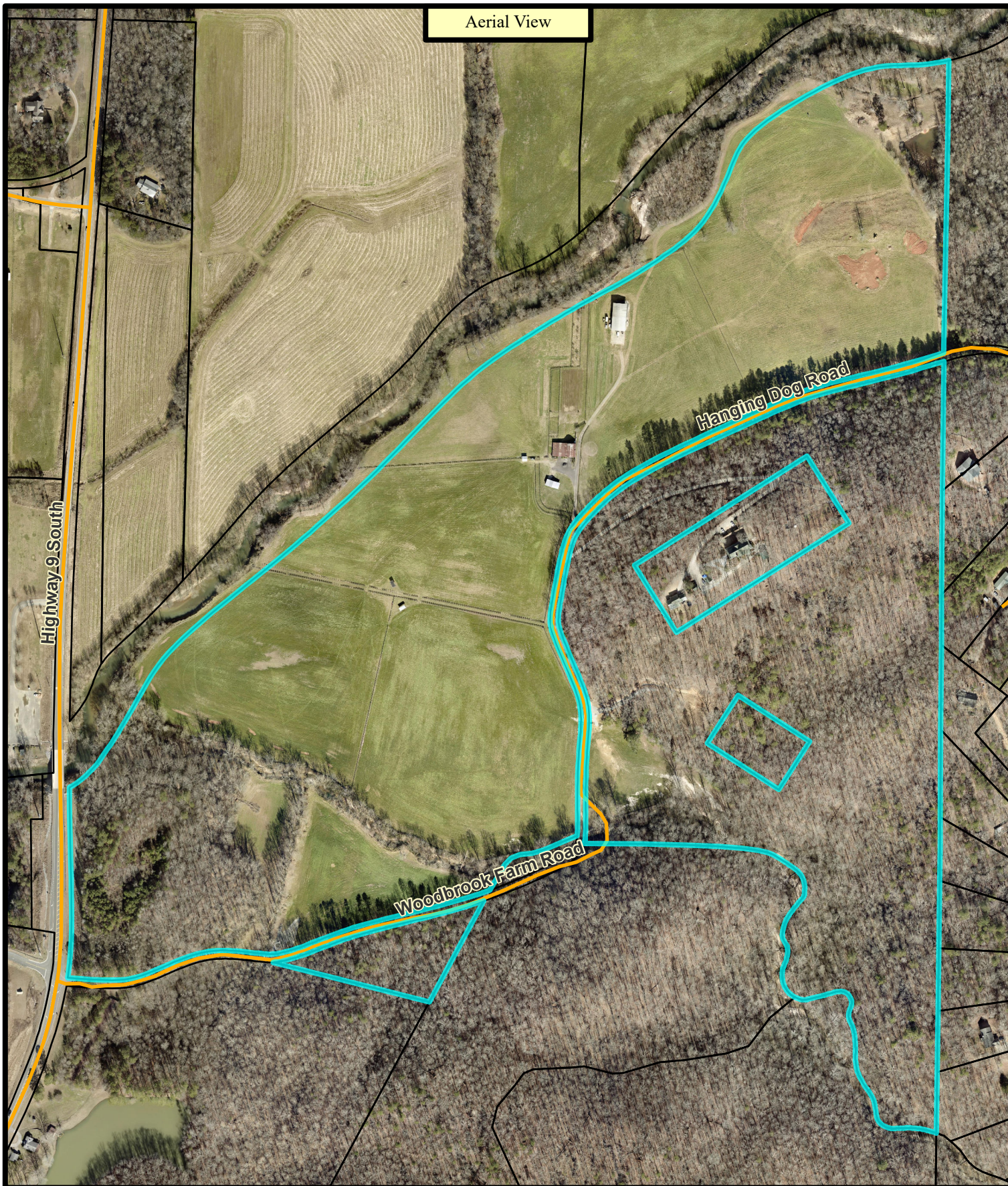
Emergency Services – No comments returned as of 2/11/2022.

Etowah Water & Sewer Authority – Water available for domestic use on Hwy 9 S. The water main located on Hwy 9, distance may be too far for service.”

THE PLANNING COMMISSION SHALL MAKE ITS RECOMMENDATIONS BASED ON THE FOLLOWING CRITERIA:

- (1) The existing uses and classification of nearby property;
- (2) The extent to which property values are diminished by the particular land use classification;
- (3) The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public;
- (4) The relative gain to the public, as compared to the hardship imposed upon the individual property owner;
- (5) The suitability of the subject property for the proposed land use classification;
- (6) The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property; and
- (7) The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.

Aerial View



DAWSON COUNTY
DISCLAIMS ANY
RESPONSIBILITIES,
LIABILITIES OR
DAMAGES FROM THE USE
OF THIS MAP. THIS MAP
IS ONLY FOR DISPLAY
PURPOSES.



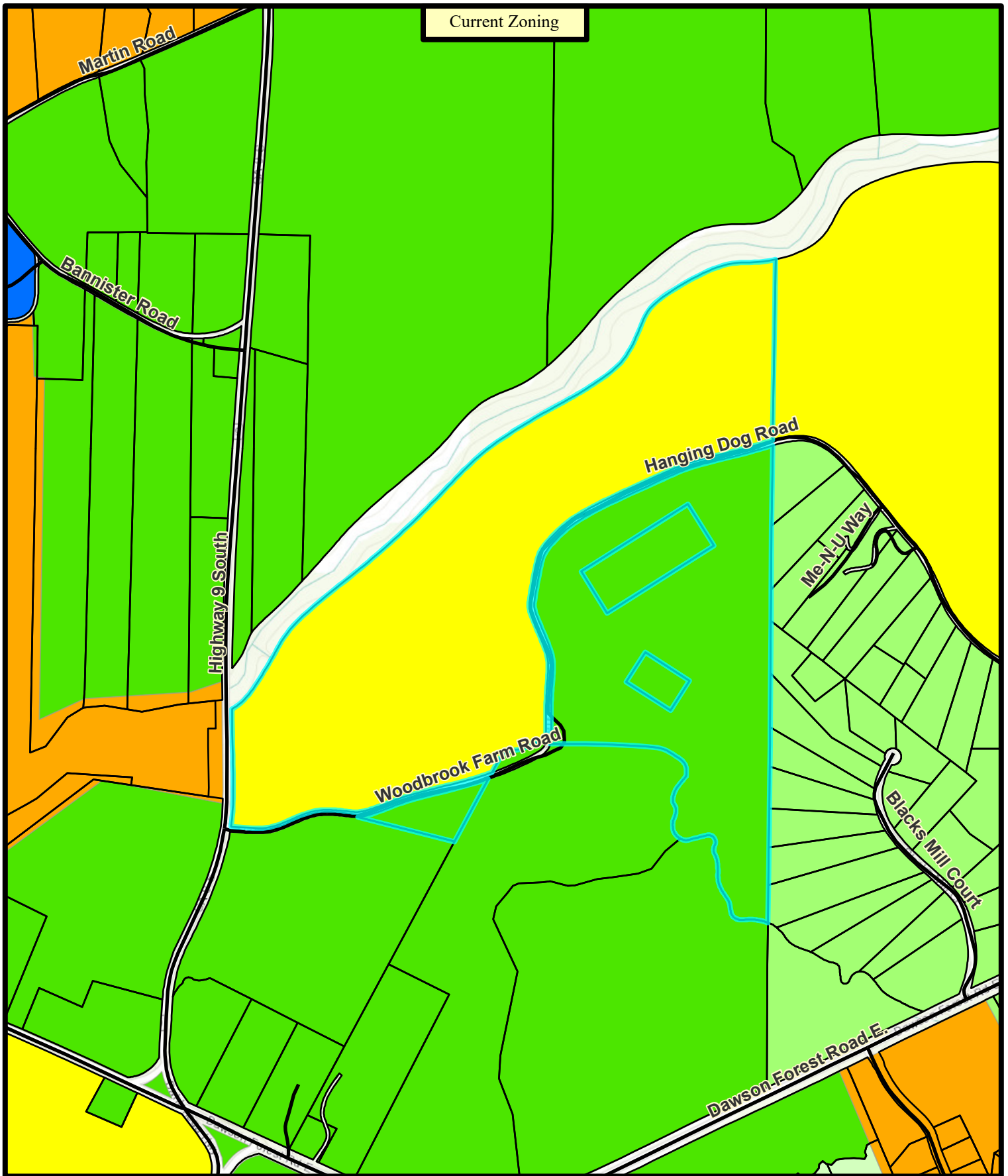
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Dawson County
Planning and Development

85

Report

Parcel #: 097-009
Current Zoning: RA
FLU: MUV
Application #: ZA 22-03



Current Zoning



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Scale: 1:10,982

Dawson County

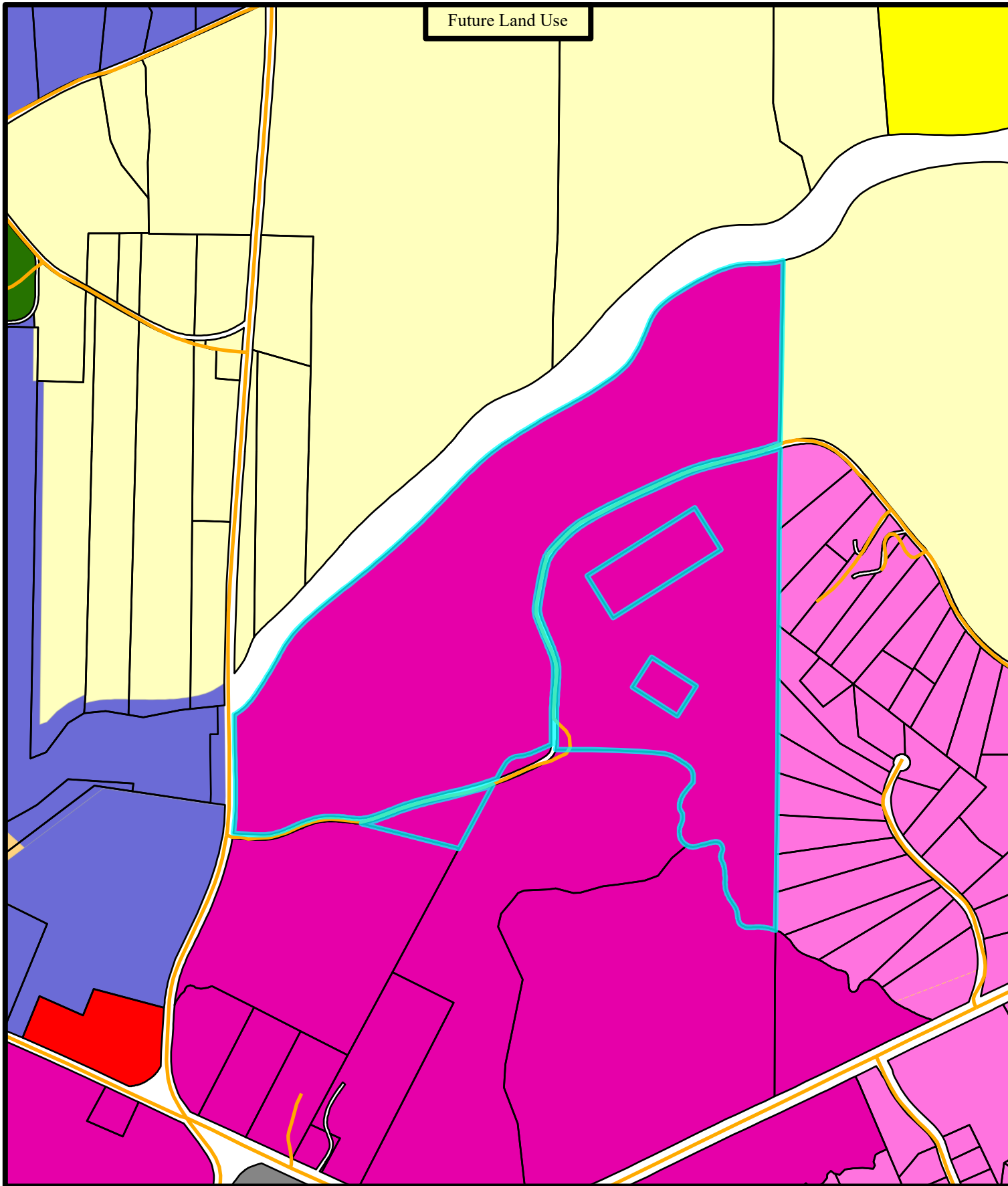
Planning and Development

86

Report

Parcel #: 097-009
Current Zoning: RA
FLU: MUV
Application #: ZA 22-03

Future Land Use



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Scale: 1:10,982

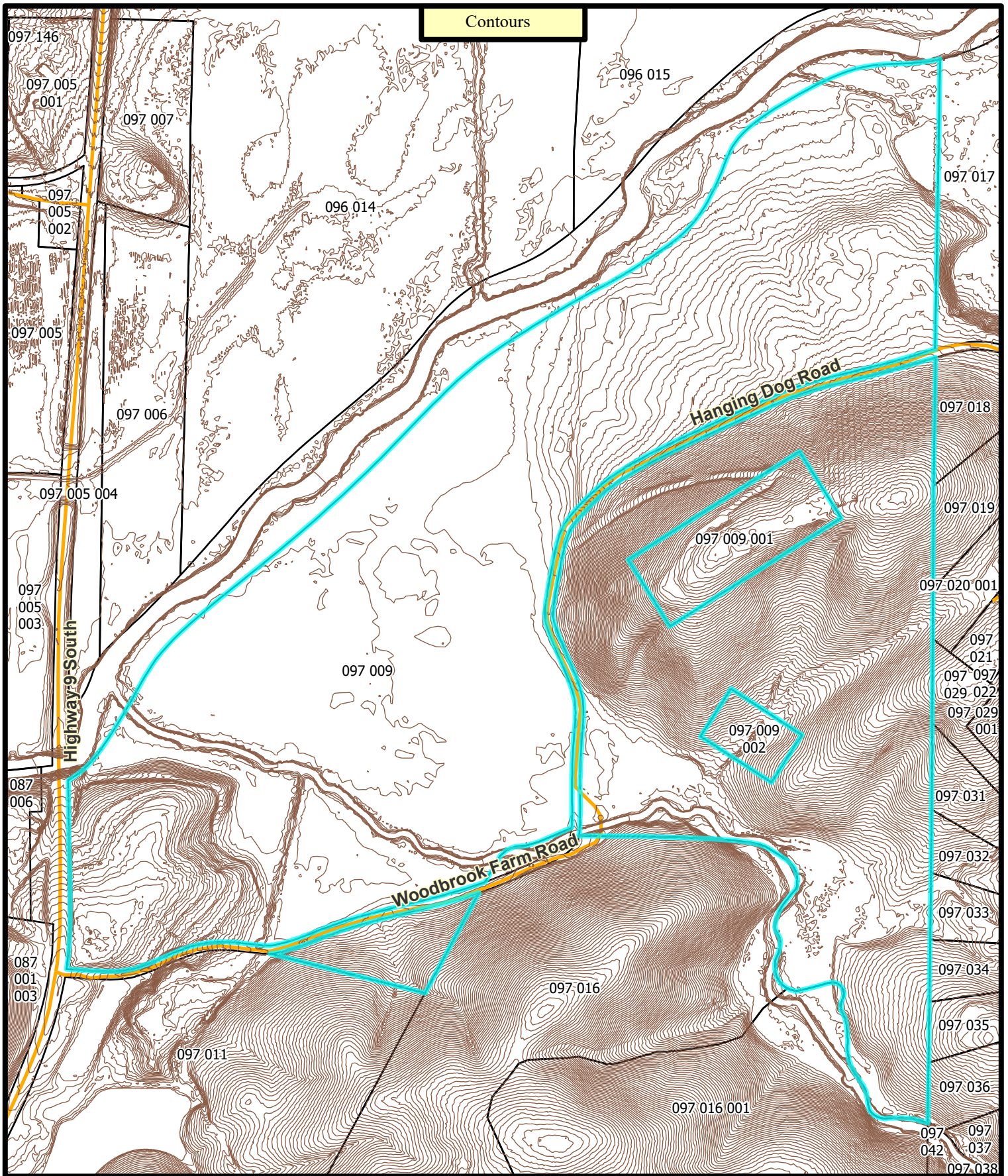
Dawson County

Planning and Development

87

Report

Parcel #: 097-009
Current Zoning: RA
FLU: MUV
Application #: ZA 22-03



Contours



DAWSON COUNTY
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DAMAGES FROM THE USE
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PURPOSES.



Scale: 1:6,846

Dawson County

Planning and Development

88

Report

Parcel #: 097-009
Current Zoning: RA
FLU: MUV
Application #: ZA 22-03



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: 03-03-2022

Prepared By: Robbie Irvin

Voting Session: 03-17-2022

Presenter: Robbie Irvin

Public Hearing: Yes No

Agenda Item Title: Minor Changes to the Comprehensive Plan

Background Information:

The BOC adopted three new zoning districts for the land use resolution in 2020 - those being R-2 (2 units per acre), R-3 (3 units per acre) and C-HI Commercial Highway Intensive, which is the higher intensity C-HB (Commercial Highway Business) uses. The current Comp Plan does not mention these new zoning districts. Two public hearings are required to add them into the FLU tables and narratives .

Current Information:

See attached

Budget Information: Applicable: Not Applicable: Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: _____

Date: _____

Finance Dept. Authorization: Vickie Neikirk

Date: 2/23/22

County Manager Authorization: David Headley

Date: 2-23-2022

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

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DAWSON COUNTY BOARD OF COMMISSIONERS Planning and Development

February 11, 2022

Planning

Zoning

Code Enforcement

GIS

Building Permits
and
Inspections

Business Licenses

Alcohol Licenses

911 Mapping

Animal Control

Mr. Adam Hazell, AICP
Planning Director
Georgia Mountains Regional Commission
1310 W Ridge Rd
Gainesville, GA 30501

Re: Minor Comprehensive Plan Update

Mr. Hazell,

Dawson County adopted three new zoning districts in 2020. These new districts were Residential Suburban 2 (R-2) which has a total density of two units per acre, Residential Suburban 3 (R-3) which has a total density of three units per acre. Additionally, Commercial Highway Intensive (C-HI) was created which removes some uses from the Commercial Highway Business district which by their nature warrant additional planning and management. We would like to do a minor change and these districts to the appropriate sections of our current Comprehensive Plan. Sections of the Comprehensive Plan affected will be; Sub-Rural Residential, Residential Town, Lakeside Residential, Suburban Residential, and Commercial Highway. Dawson County will hold the appropriate public hearings for these changes. I have attached copies of the pertinent pages of both the Land Use Resolution and the Comprehensive Plan for your review.

Thank you.

Sincerely,

Robbie Irvin
County Planner

Dawsonville County
Government Center
25 Justice Way
Suite 2322
Dawsonville, GA 30534
Phone 706-344-3604
Fax 706-344-3652

Sec. 121-62. - RS-2 Residential Suburban.

RS-2 residential suburban districts are areas where low density single-family residential growth with access to public sewer occurs in the southeastern portion of Dawson County. These areas are typified by conventional subdivision development and suburban style, single-family, on-site construction. Uses that will devalue investment and undermine environmental quality are prohibited. Conservation subdivisions are welcome in this district. However, buffers shall be provided from more intensive or commercial development.

(1) *Permitted uses.*

- a. Principal uses that are allowed by right or by special use approval are listed on Table 3.1 at the end of this article.
- b. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.1 and are contained in section 121-74 of this article.
- c. Allowed accessory uses include private garages, swimming pools, home workshops, tennis courts, children's play houses, small gardens, non-commercial greenhouses, and home offices that meet the requirements of this section and article VI, section 121-181.
 1. Accessory uses must be located on a parcel that is currently occupied by a principal residential structure.
 2. Accessory structures shall be no larger than the footprint of the primary structure or one-half the gross square footage, whichever is greater, with the exception that when the lot size is three acres or greater, the size of the accessory structure shall not be regulated in size but shall meet all setback requirements.
 3. The use of an accessory building for a home occupation is prohibited.
 4. Minimum setbacks for accessory structures:
Front yard - 40 feet;

Side yard - 5 feet; and

Rear yard - 10 feet.

(2) *Prohibited uses.*

- a. Any principal use not shown on Table 3.1 as allowed in a zoning district, whether by right or with approval as a special use, is specifically prohibited.
- b. In addition, animals that individually or in numbers, create a nuisance by noise, smell, unsanitary or visual effects are prohibited. Horses are prohibited. Kennels for the breeding of any animal for sale are prohibited. Pet fowl or birds may be kept in cages. Swine are prohibited.

(3) *Building requirements.* The minimum area, yard, principal building setback, and building requirements in the RS-2 Land Use District are as set forth on Table 3.2, unless a variance is approved.

(Ord. of 8-6-2020(3), § 1(Exh. A, § 304))

Sec. 121-63. - RS-3 Residential Suburban.

RS-3 residential suburban districts are areas where moderate density single-family residential growth with access to public sewer occurs in the southeastern portion of Dawson County. These areas are typified by conventional subdivision development and suburban style, single-family, on-site construction. Uses that will devalue investment and undermine environmental quality are prohibited. Conservation subdivisions are welcome in this district. However, buffers shall be provided from more intensive or commercial development.

(1) *Permitted uses.*

- a. Principal uses that are allowed by right or by special use approval are listed on Table 3.1 at the end of this article.
- b. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.1 and are contained in section 121-74 of this article.
- c. Allowed accessory uses include private garages, swimming pools, home workshops, tennis courts, children's play houses, small gardens, non-commercial greenhouses, and home offices that meet the requirements of this section and article VI, section 121-181.
 1. Accessory uses must be located on a parcel that is currently occupied by a principal residential structure.
 2. Accessory structures shall be no larger than the footprint of the primary structure or one-half the gross square footage, whichever is greater, with the exception that when the lot size is three acres or greater, the size of the accessory structure shall not be regulated in size but shall meet all setback requirements.
 3. The use of an accessory building for a home occupation is prohibited.
 4. Minimum setbacks for accessory structures:
 - Front yard - 40 feet;
 - Side yard - 5 feet; and
 - Rear yard - 0 feet.

(2) *Prohibited uses.*

- a. Any principal use not shown on Table 3.1 as allowed in a zoning district, whether by right or with approval as a special use, is specifically prohibited.
- b. In addition, animals that individually or in numbers, create a nuisance by noise, smell, unsanitary or visual effects are prohibited. Horses are prohibited. Kennels for the breeding of any animal for sale are prohibited. Pet fowl or birds may be kept in cages. Swine are prohibited.

- (3) *Building requirements.* The minimum area, yard, principal building setback, and building requirements in the RS-3 Land Use District are as set forth on Table 3.2, unless a variance is approved.

(Ord. of 8-6-2020(3), § 1(Exh. A, § 305))

Sec. 121-103. - C-HI Highway Business Intensive Commercial District.

- (a) Highway business intensive commercial districts are areas along major thoroughfares or major arterial roadways that provide services to transient customers, or serve a wide area, or depend upon the highway to transport materials or customers. The C-HI District is also suitable for larger-scale commercial uses that require ample

outdoor space for the display and storage of goods that are for sale.

(b) *Permitted principal uses.* The following uses are allowed within this district:

- (1) Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this article.
- (2) Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in section 121-108 of this article.

(c) *Prohibited uses.* Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district:

- (1) Those uses and activities generating sound, odor, or visual effects, which are objectionable and noticeable beyond property boundaries.

(d) *Building requirements.* The minimum area, yard, setback, and building requirements in the C-HI District are as follows:

- (1) *Minimum lot size:* 43,560 square feet (one acre) except that where contiguous to a commercial district the minimum lot size will be that necessary to meet health department requirements concerning water supply and sewage disposal if required.

- (2) *Minimum setbacks:* See section 121-99(1), side yard - 25 feet; rear yard - 25 feet.

a. *Exceptions:* No side or rear setback may be required when the adjacent property is commercial and there is no fire hazard created by lack of setback. Rear setback when abutting a residential district is 50 feet. Where the commercial district abuts a residential district, an additional ten feet setback may be required in order to provide a ten-foot wide screen or buffer at the discretion of the planning commission or board of commissioners to reduce or eliminate noise factors, visual effects or the possibility of noxious odors that may negatively impact the adjacent residential area.

- (3) *Maximum building height:* Buildings designed for human occupancy shall not be higher than 35 feet unless adequate fireproofing construction materials are used, an adequate sprinkler system is provided, and a fire escape system approved by the county fire marshal is installed. Non-occupied buildings, and water towers, smokestacks, radio antennas, etc. may be permitted if no hazard or other adverse effect is created for adjacent properties as determined by the planning commission after public notice and hearing.

- (4) *Screens or buffers:* Where noise, visual effects, or distracting activity is determined by the planning commission or board of commissioners to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the planning commission or board of commissioners to reduce the undesirable effects.

(e) *Full disclosure.* Commercial or industrial uses shall, as part of application, provide full disclosure of all hazardous or dangerous products used in their commercial or industrial processes together with an explanation of safety measures, disposal measures and emergency medical and evacuation procedures. Changes in processing or manufacturing after initial approval relative to this requirement must be reported to the planning director within 15 days. Information provided herein shall be provided to the emergency medical service, the fire department and the sheriff's department.

(Ord. of 8-6-2020(3), § 1(Exh. A, § 404))



Sub-Rural Residential

The primary area of unincorporated Dawson County designed as Sub-Rural Residential is bounded by the forest belt and Dawson Forest on the west, Lumpkin County line on the north, and the agricultural belt to the south and east. In the southern part of this area, there is extensive residential development, but the northern part of this area is mostly undeveloped.

Though this area may receive new development at gross densities of up to 0.67 unit per acre (1.0 acre with public water), it is not targeted for major development. Public water service may be extended into much of this area, particularly the southern half, during the planning horizon (year 2028). It is desirable that conservation subdivision principles be followed in this area in order to encourage the permanent protections of open space or retention of farm and forest lands.

There is a second area designated as Sub-rural Residential by the future land use plan map, east of Georgia 400 and lakefront residential uses along Lake Lanier. Development in this area must be sensitive to the Lake Lanier watershed, and as a result, densities are proposed to be kept low (0.67 unit per acre) in this area. The desired development pattern should seek to:

- Permit rural cluster or conservation subdivision design that incorporates significant amount of open space
- Limit extension of public utilities in these areas
- Limit parking in front of properties
- Connect to regional network of greenspace and trails, available to pedestrians, bicyclists, and equestrians for both tourism and recreational purposes
- Consider the use of drainage swales on paved roads in lieu of curb and gutter
- Ensure safe and direct access to major thoroughfares
- Provide at least one access point from a County road for a minimum number of homes
- Allow unpaved roads and shared driveways that provide access for up to six residences
- Support and encourage agricultural industries

<i>Land Uses</i>	<i>Zoning Districts</i>
<ul style="list-style-type: none"> • Rural Residential • Sub-rural Residential • Parks, Recreation and Conservation • Forestry • Agriculture 	<ul style="list-style-type: none"> • RSR (for Sub-Rural Residential with 1.5 acre lot minimum on septic and well; one acre on septic and public water) • RRE (lot min. of 1.5 acres or three acres in sbdv.) • Residential Agriculture

Strategies

- Develop Greenspace Master Plan
- Develop Bike/Pedestrian/Greenways Master Plan
- Adopt conservation subdivision regulations
- Adopt Best Management Practices (BMP) for stormwater run-off
- Update development regulations to address drainage and impervious surface requirements



Residential Town– 17,424 square feet (0.40 Acre)

This category is assigned to the unincorporated lands surrounding the City of Dawsonville that are expected to be served by sanitary sewer (generally around Perimeter Road). It is targeted for suburban development patterns conducive to municipal-scale densities and for the potential mix of residential types that exist or are planned for the city.

Residential – Town will accommodate variants of multi-family housing and single-family detached housing that can feature densities of under 1-acre lots. The County will seek to guide design standards that ensure the caliber of structures is compatible with the surrounding area both in the City and in the unincorporated County. There will also be an emphasis by the County to ensure these developments also feature the type of amenities and elements conducive to successful urban living, such as:

- Sidewalks and trails connecting properties and with any nearby City network
- Passive or active use parks and pocket parks
- Ancillary amenity areas such as neighborhood pools or playgrounds

<i>Land Uses</i>	<i>Zoning Districts</i>
<ul style="list-style-type: none"> • <i>Multi-family housing</i> • <i>Townhomes/ Attached single family</i> • <i>Single family residential</i> • <i>Neighborhood parks</i> 	<ul style="list-style-type: none"> • Residential Town
Strategies	
<ul style="list-style-type: none"> • Maintain existing development regulations • Routinely review development trends with Dawsonville staff 	





Lakeside Residential

The development in these areas consists of suburban residential subdivision development surrounding Lake Lanier. Stormwater runoff becomes an issue in this area because it drains into the lake that provides drinking water for Metropolitan Atlanta and supports the habitat of a variety of species. The desired development pattern should seek to:

- Employ stringent requirements for water quality enhancement measures on individual sites
- Incorporate regional (i.e., serving multiple sites) water quality enhancement areas to intercept stormwater and improve water quality as it flows from development areas into the lake. These regional facilities would be located along the tributaries between Georgia 400 and the lake's shoreline and would likely consist of wetlands, retention ponds, biofiltration swales, and other best management practices for water quality protection
- Set aside land for a network of greenways/trails for use by non-motorized users that link to similar areas
- Connect to regional network of greenspace and trails, available to pedestrians, bicyclists, and equestrians for both tourism and recreational purposes
- Encourage strong connectivity and continuity between each master planned development
- Develop vehicular and pedestrian/bike connections to retail/commercial serves (where possible) as well as internal street connectivity, connectivity to adjacent
- properties/subdivisions and multiple site access points
- Promote street design that fosters traffic calming such as narrower residential streets, on- street parking and addition of bicycle and pedestrian facilities
- Minimize impervious surfaces in environmentally sensitive areas
- Encourage County/GDOT to follow best management practices for erosion and sedimentation, as defined in the Georgia Erosion and Sedimentation Act
- Encourage use of pervious materials for driveways and other hard surface areas
- Reduce or eliminate parking space requirements; encourage pervious surfaces where possible
- Set acceptable environmental and fiscal impacts for extension of streets and utilities

<i>Land Uses</i>	<i>Zoning Districts</i>
<ul style="list-style-type: none"> • Suburban and Lakeside Residential 	<ul style="list-style-type: none"> • RL (Min. lot sizes: 1.5 acres on well; .75 acres public water)

Strategies

- Adopt Best Mgmt Practices to protect water quality from stormwater runoff and sedimentation
- Update development regulations to address drainage and impervious surface requirements
- Develop Bike/Pedestrian/Greenways Master Plan
- Investigate establishing a local government stormwater utility
- Implement strategies, studies, and plans that call for water quality protection on a regional basis (i.e., all counties in the Lake Lanier basin)
- Set specific time frames for adding additional staff (e.g., water quality engineer) to
- Implement water quality enhancement projects and enforce water quality standards during the development plans review process



Commercial Highway

Development in this area includes developed or undeveloped land on both sides of lands designated along Georgia 9 and 400. This area includes retail centers, office and employment areas usually located on large tracts of land with campus or unified development, mixed use activity centers, multi-family development, light industrial and other associated uses. The desired development pattern should seek to:

- Locate employment centers in areas with ample sewer capacity, with direct access to major arterials
- Provide suitable transitions to surrounding residential uses
- Establish a grid pattern of public streets with block lengths between 300 and 600 feet
- Locate employment centers on land that has good access to GA 400 and other high-capacity highways, utilities and infrastructure
- Emphasize connectivity with adjacent subdivisions and/or commercial developments in the layout of new developments
- Create a network of interconnected streets and parking lots
- Provide safe facilities for pedestrians, school buses, and bicyclists using the road right-of-way
- Create safe, convenient pedestrian and bicycle connections to neighborhoods and subdivisions that are adjacent to the commercial corridors
- Incorporate sidewalks, crosswalks and bike paths
- Require dedicated right-of-way
- Limit driveway spacing along the highway frontage and align driveways where needed to improve traffic flow
- Encourage shared driveways and inter-parcel access for adjacent commercial uses
- Require residential subdivisions accessing the highway to be interconnected and to provide at least two entrances
- Encourage shared parking lots between uses
- Relate road alignment to topography
- Ensure environmental protection

<i>Land Uses</i>	<i>Zoning Districts</i>
<ul style="list-style-type: none"> • Parks, Recreation and Conservation • Urban Residential • Multi-family Residential • Office Professional • Commercial Highway • Light Industrial • Campus-style Business Park • Urban Activity Center 	<ul style="list-style-type: none"> • RMF (multi-family residential 6 units per acre density neutral) • C-OI (Office Professional) • C-HB; C-PCD (Commercial) • C-IR (Light Industrial) • Georgia 400 Corridor Design Overlay • New district needed for Campus Style Business Park • MUV (2.8 Units per acre overall density neutral) • New overlay needed for Georgia 53 corridor RT (1.5 Acre lot minimum on septic and well; .75 acres on septic and public water; .40 acre on public water and public sewer)
<i>Strategies</i>	



DAWSON COUNTY, GA

Where Quality of Life Matters

- Adopt ordinance for shared parking, inter-parcel access and driveway requirements
- Adopt Campus Style Business Park zoning district
- Adopt Urban Activity Center zoning district
- Adopt Georgia 53 overlay zoning district
- Create an access management and driveway control master plan for corridors that allow signalized intersections every 600 to 1,200 feet without intervening curb cuts





Light Industrial

Industrial districts are established where some light industrial operations such as warehousing and low-intensity manufacturing can occur without objectionable impacts such as noise, vibration, smoke, dust, gas, fumes, odors, and radiation and that do not create fire or explosion hazards or other objectionable conditions. They are to be located in areas with close proximity to arterial highways and/or adjacent access roads, with particular attention paid to traffic patterns and schedules for any heavy freight vehicles. Where possible, these uses should include compatible passive use greenspaces and possible pedestrian connections to adjacent development if appropriate. The desired development pattern should seek to:

- Locate employment centers in areas with ample sewer capacity, with direct access to major arterials
- Provide suitable transitions to surrounding residential uses
- Locate employment centers on land that has good access to GA 400 and other high-capacity highways, utilities and infrastructure
- Create a network of interconnected streets and parking lots
- Incorporate sidewalks, crosswalks and bike paths as appropriate
- Require dedicated right-of-way
- Limit driveway spacing along the highway frontage and align driveways where needed to improve traffic flow
- Encourage shared driveways and inter-parcel access for adjacent commercial uses
- Encourage shared parking lots between uses
- Ensure environmental protection

<i>Land Uses</i>	<i>Zoning Districts</i>
<ul style="list-style-type: none"> • Light Industrial • Warehousing • Research & Development Centers 	<ul style="list-style-type: none"> • Industrial • Warehouse

Strategies

- Adopt ordinance for shared parking, inter-parcel access and driveway requirements
- Adopt Campus Style Business Park zoning district
- Adopt Georgia 53 overlay zoning district
- Create an access management and driveway control master plan for corridors that allow signalized intersections every 600 to 1,200 feet without intervening curb cuts



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: March 03, 2022

Prepared by: Sharon O. Farrell, Director

Voting Session: March 17, 2022

Presenter: Sharon O. Farrell

Public Hearing: Yes _____ No

Agenda Item Title: Presentation of a request to modify the subdivision regulations to provide for a family density exception.

As opposed to a formal variance process, the land use code could allow for the County Manager or designee to grant a Family Density Exception for the creation of not more than five (5) total lots (including the parent tract) for a bonafide intra-family transfer such that adherence to the minimum lot dimensions for the land use category or zoning district where the lots are located is not required.

Current Information:

Staff requests consideration to move forward to a public hearing with an ordinance that provides families the ability to gift property to family members exempt from the minimum land use lot size of five acres.

Budget Information: Applicable: _____ Not Applicable: Budgeted: Yes _____ No _____

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Approval to place on public hearing agenda

Department Head Authorization: SOFarrell

Date: 02/22/2022

Finance Dept. Authorization: Vickie Neikirk

Date: 2/22/22

County Manager Authorization: David Headley

Date: 2-22-2022

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Draft language: Sec 133-331. Edits to Variance procedures.
Sec. 133-337. Family Density Exception Variance.

ARTICLE XI. - VARIANCES (from Chapter 133 Subdivisions)

Sec. 133-328. - Purpose.

The purpose of a variance is to provide relief when a strict application of the subdivision regulations would impose unusual practical difficulties or unnecessary physical hardships on the applicant. Practical difficulties and unnecessary hardships may result from the size, shape or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other conditions on the site or in the immediate vicinity. No variance shall be granted to allow the use of property for a purpose not authorized or in a manner not authorized by the subdivision regulations.

Sec. 133-329. - Conditions.

Reasonable conditions may be imposed in connection with a variance as deemed necessary to protect the best interests of the surrounding property or neighborhood, and otherwise secure the purpose and requirements of this article and the subdivision regulations. Guarantees and evidence may be required to show compliance.

- (a) The planning commission is responsible for considering and making recommendations or decisions (as applicable) on applications for variances, per chapter 121, article ~~VIII~~ and Section 121-340(2).
- (b) The variance request shall specify which requirements are to be varied and shall specify alternative standards and requirements to be met.

Sec. 133-330. - Criteria for granting variances.

~~(a)~~ Variances may be granted only if, on the basis of the application, investigation, and evidence submitted by the applicant, all four expressly written findings below are made:

- (a)
 - ~~(1)~~ That a strict or literal interpretation and enforcement of the specified standard; or
 - ~~(2)~~ (1) Requirement would result in practical difficulty or unnecessary hardship; and
 - ~~(3)~~ That there are exceptional or extraordinary circumstances or conditions;
 - a
 - ~~(4)~~ (4) Applicable to the property involved or to the intended use of the property which do not apply generally to other properties; and
 - (2)
 - ~~(5)~~ (5) That the granting of the variance will not be detrimental to the public health, safety, or welfare; and
 - (3)
 - ~~(4)~~ (6) That the granting of the variance would support the general objectives contained within this chapter.

(b) Variances in accordance with this article should not ordinarily be granted if the special circumstances on which the applicant relies are a result of the actions of the applicant or owner or previous owners.

(c) A variance may be granted only for dimensional standards, excluding standards establishing minimum lot size, except as permitted by the Family Density Exception Variance set forth in Section 133-337.

(d) No variance may be granted for the development of a major subdivision that is applicable to more than thirty- five percent (35%) of the proposed lots.

Sec. 133-331. - Variance procedures.

The following procedures apply:

- (1) Application for variance shall be filed with the planning commission on the form prescribed by the county, by any person with a legal interest in the property. The application shall specify the requirement(s) from which the applicant seeks a variance, the reasons said variance is necessary, and the plans, and other information required by the application in order to aid the decision makers.
- (2) Before the planning commission may act on a variance; it shall give notice of a public hearing in the manner prescribed in Chapter 121, article XII, section 121-373.
- (3) The planning commission shall review the application and investigation report at the public hearing. The planning commission shall determine whether the evidence supports a finding that the required criteria have been met and ~~recommend approval~~ approve with conditions (if applicable), or ~~denial~~ of the application accordingly. If the planning commission fails to take action within 30 days after the public hearing, the request shall be deemed to have been approved.
- (4) Decisions on variance requests shall be the responsibility of the planning commission and shall become final after an elapsed period of 30 days from the date of decision.
- (5) The planning commission's decision, with findings, shall be sent by mail to the applicant within five working days of the date of action.
- ~~(2)~~(6) From time to time the planning commission may find it necessary to require a variance request to also meet approval of the Dawson County Board of Commissioners. In doing so the variance request must follow the public hearing procedures prescribed in Chapter 121, article XII, section 121-373. An application of a variance which is not acted upon by the board of commissioners within 90 days from the receipt of application may be deemed denied.
- ~~(3)~~(7) Appeals may be processed in accordance with sections 133-407 and 133-408 of this chapter.

Sec. 133-332. - Compliance with conditions approval.

Compliance with conditions imposed in the variance, and adherence to the submitted plans, as approved, is required. Any departure from these conditions of approval and approved plans constitutes a violation of this chapter or ordinance, whichever is applicable.

Sec. 133-333. - Vested interest in approved variances.

A valid variance supersedes conflicting provisions of or amendments to this chapter unless specifically provided otherwise by the provisions of this article or the conditions of approval to the variance.

Sec. 133-334. - Investigations and reports.

The planning development director shall make or cause to be made an investigation to provide necessary information to insure that the action on each application is consistent with the variance criteria. Any report of such investigation shall be included in the application file.

Sec. 133-335. - Revocation.

Variances shall be automatically revoked if not exercised within one year of the date of approval unless an extension is sought and obtained from the planning commission.

Sec. 133-336. - Limitations of reapplication.

Applications for which a substantially similar application has been denied shall be heard by the planning commission only after a period of 12 months has elapsed from the date of denial.

Sec. 133-337. Family Density Exception Variance. ~~Variances for bona fide intra-family transfers.~~

- (a) Upon application, ~~the planning commission~~ the County Manager or his or her designee may grant a Family Density Exception Variance for the creation of not more than five (5) total lots (including the parent tract) for a bona fide intra-family transfer such that adherence to the minimum lot dimensions for the land use category or zoning district where the lots are located is not required. For example, a Family Density Exception Variance may be granted such that a five (5) acre parcel, zoned RA Residential Exurban, may be subdivided into a three (3) acre lot and a two (2) acre lot for a bona fide intra-family transfer.
- (b) ~~(b)~~ Bona fide intra-family transfer is hereby defined as follows:
- ~~(1)~~ (1) Conveyance of property by warranty or quit claim deed with consideration recited in the deed as "love and affection," and
 - (1)
 - (2) The grantee is eighteen (18) years of age or older; and
 - (3) ~~(2)~~ The grantor and grantee are related as follows: a:
 - (a) Parent and child; or
 - (b) Brother and brother, sister and sister and/or brother and sister; or
 - (c) Grandparent and grandchild; or
 - ~~(a)~~ (d) Aunt/uncle and niece/nephew; and
 - ~~(2)~~ (4) The conveyance meets all other applicable criteria for a variance under this resolution; and
 - (5) The purpose of the conveyance is not to subdivide property for sale, resale, or rental to persons not listed in subsection (b)(2) of this section or otherwise circumvent the provisions of this resolution and the applicant so states by sworn verification.
- (c) Documentation satisfactory to the County Manager, or his or her designee, reflecting the relationship between the grantor and any grantee(s) of any bona fide intra-family transfer, as well as the age of any such grantees, shall be provided upon application for a Family Density Exception Variance.

- (d) A Family Density Exception Variance shall not be approved within a platted subdivision when such approval would increase the density within the subdivision beyond the density otherwise permitted for the subdivision.
- (e) The County Manager or his or her designee shall approve a Family Density Exception Variance if the proposed bona fide intra-family transfer meets the requirements of this subsection and otherwise complies with all applicable laws and ordinances.
- (f) Upon approval of a Family Density Exception Variance, no subsequent approval for a Family Density Exception Variance may be granted for further division of any portion of the property (including newly created lots or the parent tract).
- (g) The subdivision of property pursuant to a Family Density Exception Variance shall conform to the following standards:
 - (1) Any lots created shall be conveyed as part of a bona fide intra-family transfer and no more lots may be created than are approved in accordance with the Family Density Exception Variance.
 - (2) Each lot shall be a minimum of one (1) acre of uplands.
 - (3) The creation of a lot wholly within the regulatory 100-year floodplain is prohibited.
 - (4) If any lot abuts a publicly maintained road that does not conform to the right-of-way specifications provided or adopted by reference in these regulations, the owner may be required to dedicate the right-of-way width necessary to meet the minimum design standards as a condition of approval.
 - (5) Buffer zones of at least 50- feet in width along all perennial and intermittent streams shall be required.
 - (6) Each lot shall front on a paved private road, a publicly maintained road, or an easement. If an easement is utilized:
 - (a) The easement shall connect to a publicly maintained road and have a minimum width of forty (40) feet; and
 - (b) Road name signs for the easement shall be installed in accordance with applicable County regulations; and
 - (c) The easement shall comply with the Federal Emergency Management Agency (FEMA) regulations and County floodplain management regulations
 - (d) The following notation shall be included on the plat: Dawson County is not obligated to maintain the easement.
 - (7) For a period of five (5) years following the creation of a lot, no County permits shall be issued except to the grantee pursuant to the bona fide-intra family transfer of the property. This shall not apply to institutional lenders who obtain ownership as a result of foreclosure or deed in lieu of foreclosure, or their successors or assigns.
 - (8) All other requirements of the Code of Dawson County and the Dawson County Comprehensive Plan shall apply.