

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA – THURSDAY, AUGUST 17, 2023
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 AND PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF MINUTES

- [1.](#) Minutes of the Work Session held on August 3, 2023
- [2.](#) Minutes of the Voting Session held on August 3, 2023

E. APPROVAL OF AGENDA

F. PUBLIC COMMENT

G. ZONING

- [1.](#) ZA 23-06 - Kimley-Horn on behalf Hybrid Properties and Investments LLC requests to rezone 4.93 acres of TMP 113-098-001 and 113-053 from RA (Residential Agriculture) to CHB (Commercial Highway Business) (Georgia Highway 400).

H. NEW BUSINESS

- [1.](#) Board Consideration of Appeal of County Manager’s Denial of Impact Fee Appeal for 620 Valley Drive, 634 Valley Drive and 646 Valley Drive
- [2.](#) Consideration of an Environmental Health Fee Schedule
- [3.](#) Consideration of Request for Full-Time Staffing at the Recycling Center

I. PUBLIC COMMENT

J. 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 – THURSDAY, AUGUST 3, 2023
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
4:00 PM**

Those present were Commissioner Seth Stowers, District 1; Commissioner Chris Gaines, District 2; Commissioner Alexa Bruce, District 3; Commissioner Emory Dooley, District 4; County Attorneys Angela Davis and Melissa Tracy; County Clerk Kristen Cloud; and interested citizens of Dawson County. Chairman Billy Thurmond and County Manager Joey Leverette were not present.

NEW BUSINESS

1. Presentation of an Environmental Health Fee Schedule- Environmental Health Manager Bill Ringle
This item will be placed on the August 17, 2023, Voting Session Agenda.
2. Presentation of Request for Full-Time Staffing at the Recycling Center- Public Works Director Robert Drewry
This item will be placed on the August 17, 2023, Voting Session Agenda.
3. Presentation of Appointment of a Keep Dawson County Beautiful Interim Executive Director- County Manager Joey Leverette
This item, presented by Public Works Director Robert Drewry, will be added to the August 3, 2023, Voting Session Agenda.
4. Presentation of Proposed Revisions to Dawson County Ordinances Involving Massage and Bodywork Therapy Businesses and Tattoo/Body Art Businesses- County Attorney Angela Davis
This item, also presented by County Attorney Tracy, will be placed on a future Work Session Agenda.
5. County Manager Report
There was no report in County Manager Leverette's absence.
6. County Attorney Report
County Attorney Davis had no information to report and requested an Executive Session.

Motion passed 4-0 to enter into Executive Session to discuss litigation. Stowers/Bruce

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – THURSDAY, AUGUST 3, 2023
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

Motion passed 4-0 to come out of Executive Session. Stowers/Dooley

ROLL CALL: Those present were Chairman Billy Thurmond (via teleconference); Commissioner Seth Stowers, District 1; Commissioner Chris Gaines, District 2; Commissioner Alexa Bruce, District 3; Commissioner Emory Dooley, District 4; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County. County Manager Joey Leverette was not present.

OPENING PRESENTATION:

Recognition of Parks & Recreation Employee with a Life-Saving Award

Parks & Recreation Director Matt Payne presented lifeguard Declan Rhodes with a Life-Saving Award.

INVOCATION AND PLEDGE OF ALLEGIANCE: Vice Chairman Gaines

ANNOUNCEMENTS:

None

APPROVAL OF MINUTES:

Motion passed 3-1 to approve the Minutes of the Work Session held on July 20, 2023. Dooley/Stowers- Commissioner Bruce abstained

Motion passed 3-1 to approve the Minutes of the Voting Session held on July 20, 2023. Dooley/Stowers- Commissioner Bruce abstained

APPROVAL OF AGENDA:

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

- Addition of No. 3 under New Business:
 - Appointment of a Keep Dawson County Beautiful Interim Executive Director

Stowers/Dooley

PUBLIC COMMENT:

None

PUBLIC HEARING:

2023 Millage Rate and Property Tax (3rd of 3 hearings; 1st hearing was held July 6, 2023, and the 2nd hearing was held July 20, 2023)

Vice Chairman Gaines discussed the 2023 Millage Rate and Property Tax.

Vice Chairman Gaines opened the hearing by asking if there was anyone present who wished to be heard on the 2023 Millage Rate and Property Tax.

The following spoke on the 2023 Millage Rate and Property Tax:

Phil Adams, Dawsonville, Georgia, thanked the board for its intention to roll back the millage rate. He said, “The other thing is: most of my friends my age are leaving Dawson County, going to Forsyth County,” so they can get reduced school rates, etc. “We’ve paid a pretty good share of school rates our whole lives,” said Adams. “In the future, I hope [you will] consider that.”

Dale Smart, Dawsonville, Georgia, said, “I’m just hoping to have a little clarification because I know a lot of us aren’t used to the lingo. When you say ‘roll back,’ you mean roll back on the millage rate. Does anything happen to the assessments that we got? Can you explain a little more so I can understand?”

Barbara Smart, Dawsonville, Georgia, thanked the board. “I understand that the tax assessor’s office is independent and separate from you, but I want to go on record that we’re a neighborhood called ‘Country Place,’ which is on the other side of Chestatee. We are all on similarly situated properties. The tax assessors have assessed those on the value of a .1 acre from \$23,000, being the lowest, up to \$276,000. There is a huge disparity in those numbers for properties that are very, very similar. We’re all on the water, so we really think the tax assessor’s office needs to re-look at the total valuation on our homes.” Smart added, “Also, we will go to the school board meeting. My husband and I both are well over 70 and we did get a reduction in our taxes when Dale turned 70 several years ago, and this increase just blew our minds because it went back up higher before he got that decrease. We have paid the school tax forever, and I think we need to look at the other counties around us. Just as Phil Adams was saying, we know people who are moving out of Dawson County to get away from the school tax. These are people who are aged and who contribute in a lot of ways economically to this community.”

Jeff McLean, Dawsonville, Georgia, said he lives in the Chestatee Point area. “I think a couple of things of clarification need to be taken care of here. One: anything over 15%, homeowners, you’re supposed to send out with your appraiser’s office - all the details that went into that re-evaluation. That’s a fact, and it’s part of your public record. You need to do that. Other people have called multiple times; nobody is answering the phone. If that’s part of the assessor’s office, they need to get on their act.” He added, “I also found out [that] there used to be a board for the assessor’s office and it was farmed out to another firm to do the re-assessments. Is that true? The reason we’re saying this is that the evaluations are all over the map. A property value that’s .41 acres and the other one [that is] .41 acres and it’s on the lake, both of them have the same view, same everything, houses might be different. The property values between those two properties are over \$200,000 difference. That’s a problem. That’s not being uniform to everybody in this room; it’s not being uniform to you, sitting as commissioners, and I know last time, it was very evident that everything was pushed toward the school board or other people to take care of the problem. You’re our representatives and that’s why you sit in those spots up there. You need to take that into account when you’re looking at all of this. I appreciate the 100 percent rollback, but I think there are other things that need to be taken care of and cleared up.”

Tim Satterfield, Dawsonville, Georgia, said, “I’m with some of the other people about the uniformity, and I’ve even been told it was uniform. It’s not uniform. It’s all over the board.” He added, “We sat down and talked with the tax assessor - the computer program, I think if you put a square footage in there or put it close to somewhere else, it’s going to spit that number out, but I

don't think it's the same value as what's next to it. Ours went way up from \$200,000 to \$500,000; we have no amenities. We have a 3-inch water line, no fire hydrants, no street lights, no sidewalks, but ours got comped with subdivisions on both sides of us. So we do need to look at that. Thank you again for the rollback. It's going to help, and good job."

Bill Kohler, Dawsonville, Georgia, said, "The non-uniformity has really hit me hard, and I've got a bunch of rentals. I've been in Dawson County for 20 years now and bought rental houses as income for when I retired. I'm seeing stuff 30, 40 50, 60 percent in one year, and I've got to roll that on to the tenants. I've got good tenants. I've got good houses. They're hurting right now and, once they raise the price up like that, then your insurance goes up. That's going to come next. The taxes come in high, the insurance says it's worth much more. It's another big cost coming to people that can't afford it."

Darlene Haddock, Dawsonville, Georgia, said, "I'm in the boating business so thank you for taking the wind out of my sails with the rollback. I appreciate that. I've been in Dawson County for 31 years. You've done a good job because you had a 5 percent increase last year and I think you collected more than \$2 million in tax revenue that you didn't expect to collect. So I want to look at it a little differently that everybody else is saying tonight." Haddock said she lives in Blacks Mill Place off of Blacks Mill Road, "and within that five-mile radius of my house, there are six subdivisions, either built last year or under construction. So when you look at your revenue for the year, are you considering, at one time, that was raw land, 20 acres, 40 acres, whatever? You pay a different rate on raw land. Now, you're going to put 400 homes on there and you're going to tax 400 people, so do you consider that?" Haddock added, "My bill this year was a 63 percent increase from last year, and I pulled all my tax bills for 31 years and my bills go up maybe \$25, maybe \$50, nothing like \$1,020 this year. That's a lot of money, especially when the county ended the year with a \$1.64 million surplus. I just want to make sure you are considering how many homes are being built in this county, which is going to bring in more revenue because you're going to tax those people for property and a home versus somebody who just had 40 acres of raw land."

Carolyn Futter Davis, Dawsonville, Georgia, said, "I've only been in Dawson County for two and a half years. My husband has grown up in Dawson and Lumpkin counties, raised his children in Dawson County, and paid plenty of school taxes in his lifetime. But we bought a house here and it was already 20 years old, and we paid a decent amount of taxes on it last year. We're both 74 and I don't understand [why] we're still paying school taxes. I came from Cobb County where at 62 you stopped having to be responsible for school taxes, which most of us by 62 don't have children in school. I did hear that the school was going to do a rollback as well. I don't know how that computes to our actual taxes, but I know that our house was revalued at about \$100,000 more than last year and it's not worth that. We're in Windsor subdivision off Grizzle Road. I know that all the houses in there are 20 years old. The fact that I'm hearing that the assessments are not uniform, because I was thinking that this was a significant bump, but if they're not being done uniformly it may not be a fair bump at all. If they're not being done by Dawson County personnel, and they're not based on property size and other things like that, then it doesn't seem to me that they're going to be uniform." She added, "I don't think that we should still be paying school taxes at 74, but that's me. I don't want to end up having to move out of Dawson County because the taxes are so steep that we need to go someplace else to be able to survive on our Social Security income."

Don Nason, Dawsonville, Georgia, said, “I got my tax assessment for this year. Last year, it went up 15.8 percent; this year it went up 31 percent and I was shocked. I came in and met Elaine Garrett; also Terry McCormick who’s an outside appraiser [that] she brought him in. We spent about an hour and they both encouraged me to file an appeal of this assessment, which I did.” He added, “I live in Chestatee. I lived in Cobb County and raised two kids there but, when I was 62, I did not have to pay school taxes any more. Each of the counties around here has different things, but Dawson County has one of the most convoluted, complex and unfair age-based property tax exemption formulas. You’ve got to have a Ph.D. and be a lawyer to understand it. I know they’re working on it and it requires the state to go through that. We still need the help up here. I know you all are trying.”

Vice Chairman Gaines asked if there was anyone else present who wished to speak on the 2023 Millage Rate and Property Tax and, hearing none, closed the hearing.

Motion passed 4-0 to approve a full rollback of the 2023 property tax, reducing the millage rate to 5.6340. The millage rate of 5.6340 is a reduction from the 2022 rate of 7.2225. Stowers/Dooley

ZONING:

ZA 23-02 - Albert Anderson on behalf of Red Oak Sanitation requests to rezone TMP 106-079, 106-060-001, 106-076 and 106-077 from RA (Residential Agriculture) and CHB (Commercial Highway Business) to CIR (Commercial Industrial Restricted) for the purpose of a transfer station (Evans Circle) (Tabled from the June 15, 2023, Voting Session, at which time a public hearing was held, and moved from the July 20, 2023, Voting Session).

Motion passed 3-1 to deny ZA 23-02. Dooley/Stowers- Commissioner Gaines abstained after announcing he would recuse himself from voting on the item

NEW BUSINESS:

Consideration of Application for Parade and Assembly - Sheriff's Office Shop with a Cop Motorcycle Ride Fundraiser

Motion passed 4-0 to approve an Application for Parade and Assembly - Sheriff’s Office Shop with a Cop Motorcycle Ride Fundraiser. Dooley/Stowers

Ratification of 2023 Annual Life Safety Inspection

Motion passed 4-0 to ratify a 2023 Annual Life Safety Inspection. Dooley/Stowers

Consideration of Appointment of a Keep Dawson County Beautiful Interim Executive Director

Motion passed 3-1 to appoint Robbie Irvin as the Keep Dawson County Beautiful Interim Executive Director. Stowers/Dooley- Commissioner Bruce opposed the motion

PUBLIC COMMENT:

None

ADJOURNMENT:

Motion passed 4-0 to adjourn the meeting. Stowers/Bruce

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT

Dawson County
Rezoning Application
(AMENDMENT TO LAND USE MAP)

APPLICANT INFORMATION (or Authorized Representative)

If applicant is other than owner, the Property Owner Authorization form must be completed.

Printed Name: Hybrid Properties and Investments, LLC c/o Kimley-Horn and Miles, Hansford & Tall

Address: _____

Phone (Listed only please) _____

Email (Business/Personal): _____

Status: Owner Authorized Agent Lessee Option to purchase

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: 4/26/2023 Applicant Signature: _____

REQUESTED ACTION & DETAILS OF PROPOSED USE

Rezoning to: C-HB Special Use Permit for: _____

Proposed Use: Medical Office Building

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

Type of Amenity: _____ Amount of Open Space: _____

COMMERCIAL & RESTRICTED INDUSTRIAL:

Building area: 25,000

No. of Parking Spaces: 112

Property Owner/ Property Information

Name: Hybrid Properties and Investments, LLC c/o Kimley-Horn and Miles, Hansford & Tallant, LLC

Street Address of Property being rezoned: SE corner of SR19 (GA400) and Kilough Church Road

Rezoning from: R-A to: C-HB Total acreage being rezoned: 4.93

Directions to Property (if no address):

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

Current Use of Property: Vacant

Does this proposal reach DRI thresholds? No If yes, the application will require submittal of a transportation study. DRIs require an in depth review by County agencies, and regional impact review by the Georgia Mountains Regional Planning staff. This adds several weeks to processing; additionally, the applicant is responsible for the expense of third party review of the required technical studies associated with the project.

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

Does the property lie within the Georgia 400 Corridor? Yes (yes/no)

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North Kilough R/W South R-MF/C-HB East R-MF West GA 400 R/W

Future Land Use Map Designation: C-HB

Access to the development will be provided from:

Road Name: Kilough Church Road Type of Surface: Asphalt



Letter of Intent

Date: May 18, 2023

Subject: 4.9 Acres at S.E.C. of Kilough Church Rd & GA 400; Dawson County, GA
Rezoning Request

Overview:

Kimley-Horn submits the attached Rezoning Application on behalf of the landowner, Hybrid Properties and Investments, LLC (the "Applicant") relating to the proposed development of approximately 4.9 acres (the "Property") located at the southeast corner of Kilough Church Road and GA 400, Dawson County, GA. This Letter of Intent is offered to detail the Applicant's plans to develop the Property into a Medical Office Development. It should be noted that the existing tract of land is currently two separate parcels that will be combined and recorded through the Combination Plat process with the county.

The development proposes to construct approximately 25,000 square feet of Medical Office Building on the Property in two phases and will employ approximately 45-55 people. The Property is currently designated as Commercial Highway Business in the Future Land Use Map, which matches our proposed zoning category. The proposed use will include 112 parking spaces, and one pick up/drop off lane. The development will provide buffering and enhanced landscaping strips to provide suitable transition adjacent to surrounding residential areas. The development team has engaged the surrounding community members within the Kilough Residential Community Task Force for input on the proposed development prior to this re-zoning application request. Revisions to the proposed layout have been implemented based on conversations with the Task Force.

Water, sanitary sewer, natural gas and electricity are available to the Property. The development will install private underground utilities that will be connected to public utility mains within the rights-of-way to serve the project. Access to public water and sanitary sewage utilities will be provided by the Etowah Water & Sewer Authority.

Development Summary:

Current Zoning:	RA: Residential Agricultural
Proposed Zoning:	C-HB: Commercial Highway Business
Published Future Land Use:	C-HB: Commercial Highway Business
Overlay District:	GA 400 Corridor
Acreage:	4.9 Acres
Existing Use:	Wooded and Undeveloped
Proposed Use:	25,000 SF of Medical Office Buildings
Right-of-Way Access:	Direct access onto Kilough Church Road

The Applicant respectfully submits that the proposed development is consistent with the policies and intent of the county's Future Land Use Plan and would complement nearby land uses. The Applicant welcomes the opportunity to meet with staff and board members to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Sincerely,



Brad Horbal, P.E.

Associate

Joshua A. Scoggins
jscoggins@mhtlegal.com

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant: Hybrid Properties and Investments, LLC c/o Kimley-Horn and Miles Hansford & Tallant, LLC
Subject Property: 4.9+/- Acres Designated as Dawson County Tax Parcel(s): 113-053 and 113-098-001
Current Zoning: Residential Agricultural District (RA)
Proposed Zoning: Commercial Highway Business (C-HB)
Proposed Use: Medical Office
Application: Rezoning
ROW Access: Kilough Church Road

This Reservation of Constitutional and Other Legal Rights (“the Reservation”) is intended to supplement and form a part of the land use application (including any request for zoning, annexation, conditional use permit, sketch plat and variances) (collectively, the “Application”) of the Applicant/Owner of the Subject Property and to put the Dawson County Board of Commissioners on notice of the Applicant’s/Owner’s assertion of its constitutional and legal rights.

The Applicant/Owner objects to the standing of any opponents who are not owners of land adjoining the Subject Property and to the consideration by Dawson County of testimony or evidence presented by any party without standing in making its decision regarding the Application. The Applicant/Owner also objects to the consideration of testimony or evidence that is hearsay, violates any applicable rules of procedure or evidence, or that is presented by any party who fails to comply with notice and campaign disclosure requirements.

Denial of the Application or approval of the Application in any form that is different than as requested by the Applicant/Owner will impose a disproportionate hardship on the Applicant/Owner of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property other than as proposed by the Application and no resulting benefit to the public from denial of modification of the Application.

Any provisions in the Dawson County Zoning Ordinance (the “Ordinance”) that classify, or may classify, the Subject Property into any of the non-requested zoning or use classifications, including the Proposed Zoning District and Proposed Use at a density or intensity less than that requested by the Applicant/Owner, are unconstitutional in that they constitute a taking of the Applicant’s/Owner’s property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section III, Paragraph I of the Georgia Constitution of 1983, as amended and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is presently suitable for development as proposed in the Application and it is not suitable for development under any other zoning classification, use, or at a density or intensity less than that requested by the Applicant/Owner. Failure to approve the Application as requested by the Applicant/Owner will constitute an arbitrary and capricious abuse of discretion in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the Dawson County Board of Commissioners to approve the Application as requested by the Applicant/Owner will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Applicant/Owner and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Furthermore, the Board of Commissioners cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the Ordinance. To do so not only will constitute a taking of the Subject Property as set forth above, but it will also amount to an unlawful delegation of the Commission's authority in response to neighborhood opposition, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended. Any conditions or other restrictions imposed on the Subject Property without the consent of the Applicant/Owner that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. As such, the Applicant/Owner reserve the right to challenge any such conditions or restrictions.

Finally, the Applicant/Owner assert that the Ordinance, Future Land Use/Development Map and Comprehensive Plan were not adopted in compliance with the laws or constitutions of the State of Georgia or of the United States, and a denial of the Applicant's/Owner's request based upon provisions illegally adopted will deprive the Applicant/Owner of due process under the law.

By filing this Reservation, the Applicant/Owner reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

The Applicant/Owner respectfully requests that the Application be approved as requested by the Applicant/Owner and in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Applicant's/Owner's Application and I ask that this Reservation be presented with the Applicant's/Owner's other Application materials to the governing authority of the jurisdiction. The Applicant/Owner reserves the right to amend and supplement this Reservation at any time.

Sincerely,



Joshua A. Scoggins

Plat Doc PLAT
 Recorded 09/06/2013
 JUSTIN POWER
 Clerk Superior Court DAWSON County
 Bk 00080 Pg 0141
 Penalty \$0.00
 Interest \$0.00

GENERAL NOTES

1. SURVEY PROCEDURES
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 70,137 FEET WITH AN ANGULAR ERROR OF 1 SECOND PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARE METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION OF ONE FOOT IN 212,406 FEET.
 EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS:
 TOP CON CRT-9003A
2. NO PORTION OF THIS PROPERTY IS IN A F.E.M.A. DESIGNATED FLOOD HAZARD AREA, AS PER FIRM PANEL # 13085C 02258 DATED SEPTEMBER 26, 2008.
3. DAWSON COUNTY TAX MAP 113-053 & 113-98.001
4. THE UTILITY PROTECTION SERVICE SHOULD BE CONTACTED AT (800) 282-7411 PRIOR TO ANY EXCAVATION FOR VERIFICATION OF ANY UNDERGROUND UTILITY LOCATIONS. UNDERGROUND UTILITY LOCATIONS SHOWN ARE BASED ON ABOVE GROUND EVIDENCE ONLY.
5. THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY FOR THE ESTABLISHMENT OF THE BOUNDARY OF THESE PARCELS. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
6. CURRENT ZONING IS R-1 (AGRICULTURAL RESIDENTIAL) PER DAWSON COUNTY
7. SETBACKS ARE AS FOLLOWS:
 FRONT STREET (400 HWY) = 100'
 FRONT STREET (KILGOUR CHURCH) = 40'
 REAR YARD = 35'
 SIDE YARD = 20'

PLAT REFERENCE

1. PLAT FOR OCS ENTERPRISES, INC. BY KUYKENDALL SURVEYING, INC. DATED SEPTEMBER 27, 2005
2. RIGHT-OF-WAY PLAT FOR GEORGIA 400 HIGHWAY, BY GEORGIA DEPARTMENT OF TRANSPORTATION (APD-056-1(33) DAWSON) DATED JUNE 24, 1977, REVISED LAST MAY 28, 1981 (SHEET 6)
3. PLAT FOR BSYTE, INC. BY MORELAND ALTOBELLI ASSOCIATES, INC. DATED FEBRUARY 18, 2011 NOT RECORDED (SHOWING 4.84 ACRES)

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

APPROVED

SEP 06 2013 RB

FOR RECORDING

CERTIFICATION
 THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-8-87

STATEMENT OF LIMITATIONS

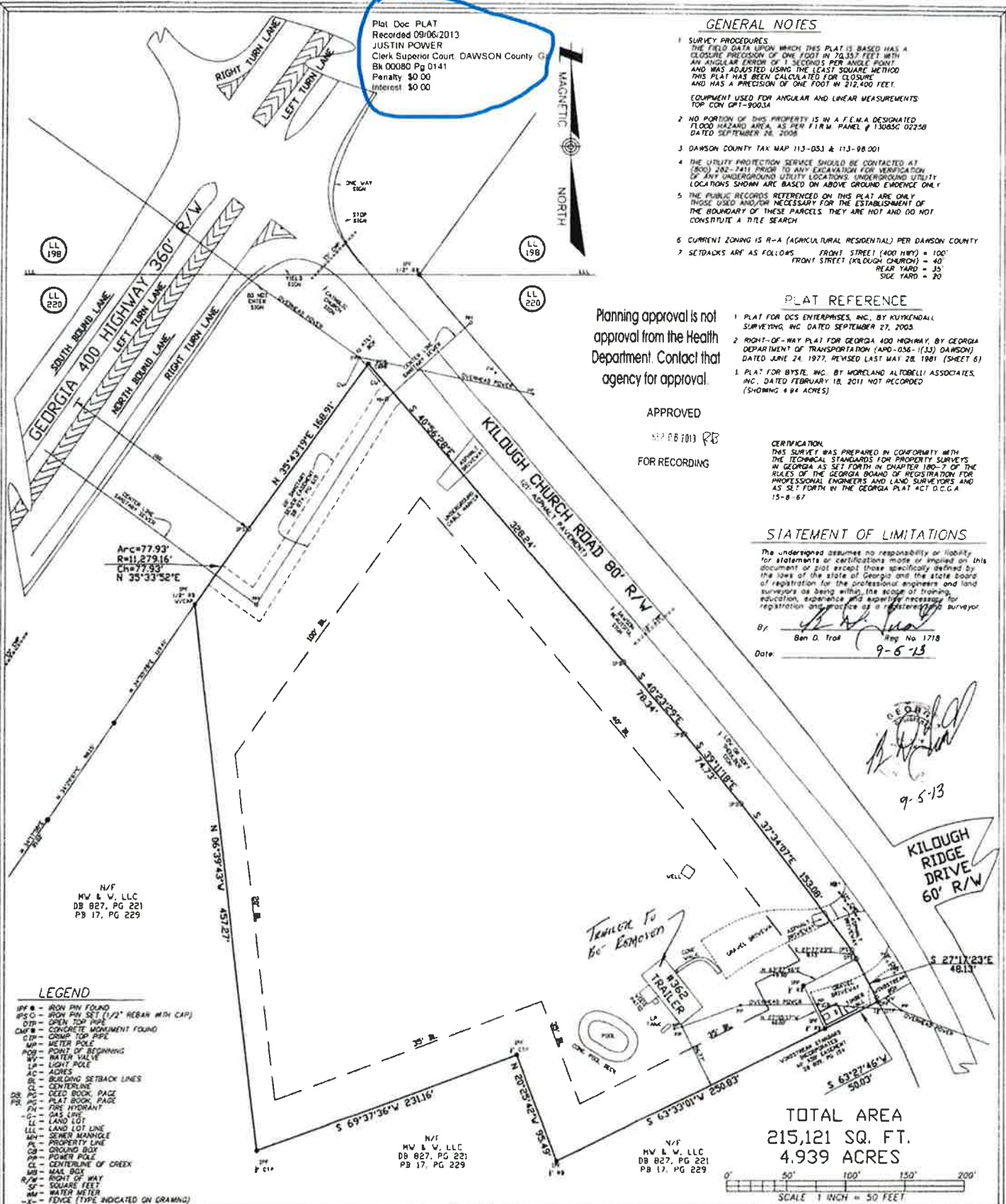
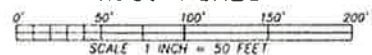
The undersigned assumes no responsibility or liability for statements or certifications made or implied on this document or plat except those specifically defined by the laws of the state of Georgia and the state board of registration for the professional engineers and land surveyors as being within the scope of training, education, experience and expertise necessary for registration and practice as a professional land surveyor.

By: *Ben D. Trail* Reg No. 1718
 Date: 9-5-13

Justin Power
 9-5-13

KILGOUR CHURCH DRIVE
 60' R/W

TOTAL AREA
 215,121 SQ. FT.
 4.939 ACRES



LEGEND

- IPF # - IRON PIN FOUND
- IPSO - IRON PIN SET (1/2" REBAR WITH CAP)
- OTR - OPEN TOP PIPE
- CMF # - CONCRETE MONUMENT FOUND
- CTP# - CONCRETE TOP PIPE
- MP - METER POLE
- POV - POINT OF BEGINNING
- WV - WATER VALVE
- LP - LIGHT POLE
- AC - ACRES
- BL - BUILDING SETBACK LINES
- CL - CENTERLINE
- DB - DEED BOOK PAGE
- PL - PLAT BOOK PAGE
- FR - FIRE HYDRANT
- GC - GAS LINE
- LL - LAND LOT
- LL - LAND LOT LINE
- SM - SEWER MANHOLE
- PL - PROPERTY LINE
- GB - GROUND BOX
- PP - POWER POLE
- CL - CENTERLINE OF CREEK
- MB - MAIL BOX
- RF - RIGHT OF WAY
- SF - SQUARE FEET
- WM - WATER METER
- X- FENCE (TYPE INDICATED ON DRAWING)

REVISIONS:	PLAT DATE: AUGUST 26, 2013
ADD BURIED CABLE MARKERS AUGUST 30, 2013	SURVEY DATE: AUGUST 14, 2013
ADD COUNTY COMMENTS SEPTEMBER 5, 2013	FIELD CREW: JCK
	DRAWN BY: BDT
	DRWG FILE: 0713-004

**BOUNDARY SURVEY FOR
 HYBRID PROPERTIES
 & INVESTMENTS**
 LAND LOT 220-SOUTH HALF 13TH. DISTRICT-1ST. SECTION
 DAWSON COUNTY, GEORGIA

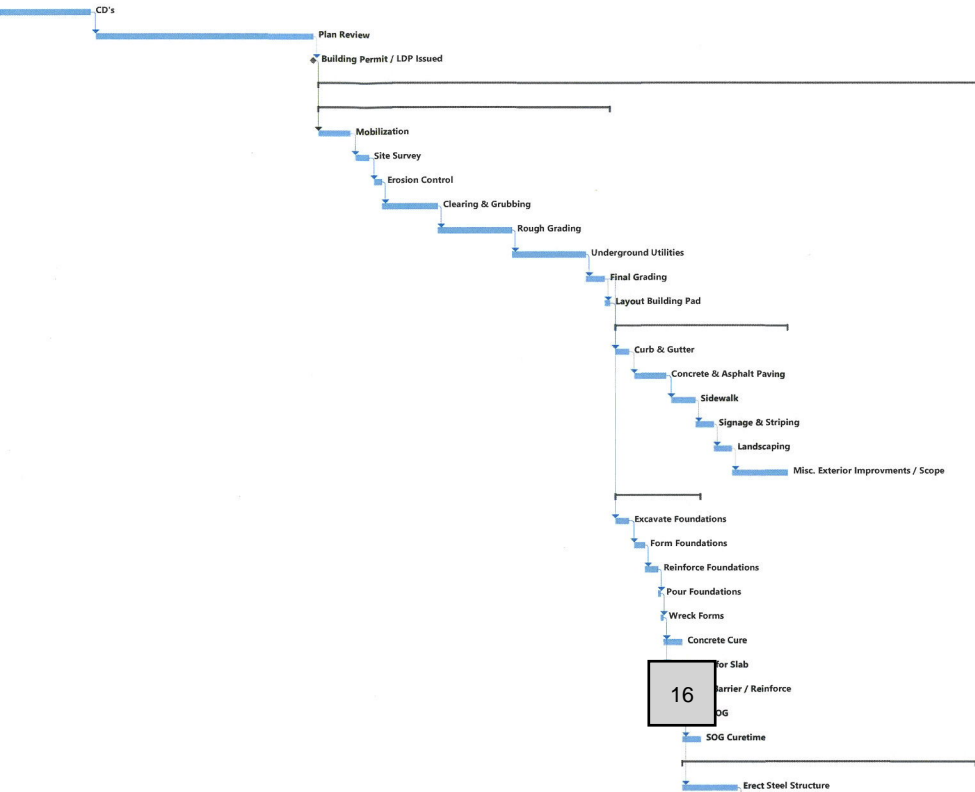
Trail and Son, Inc.
 LAND PLANNERS & SURVEYORS
 CONSTRUCTION MANAGEMENT
 389B WAR HILL PARK RD, DAWSONVILLE, GEORGIA 30534
 PHONE: (706) 216-8980 CELL: (706) 974-7046
 FAX: (706) 265-4543 EMAIL: btrail@windstream.net

80/141

Dawsonville MOB Conceptual Schedule

Oct 1 Oct 6 Oct 1 Oct 2 Oct 7 Oct 11 Nov 1 Nov 6 Nov 11 Dec 1 Dec 6 Dec 11 Dec 16 Dec 21 Dec 26 Jan 7 Jan 11 Jan 16 Jan 21 Jan 26 Feb 4 Feb 9 Feb 14 Feb 19 Feb 24 Mar 1 Mar 6 Mar 11 Mar 16 Mar 21 Mar 26 Apr 1 Apr 6 Apr 11 Apr 16 Apr 21 Apr 26 May 1 May 6 May 11 May 16 May 21 May 26 Jun 2 Jun 7 Jun 11 Jun 16 Jun 21 Jun 26 Jul 1 Jul 6 Jul 11 Jul 16 Jul 21 Jul 26 Aug 1 Aug 6 Aug 11 Aug 16 Aug 21 Aug 26 Sep 1 Sep 6 Sep 11 Sep 16 Sep 21 Sep 26 Oct 1 Oct 6 Oct 11 Oct 16 Oct 21 Oct 26 Nov 1 Nov 6 Nov 11 Nov 16 Nov 21 Nov 26 Dec 1 Dec 6 Dec 11 Dec 16 Dec 21 Dec 26 Jan 5 Jan 10 Jan 15 Jan 20 Jan 25 Jan 30

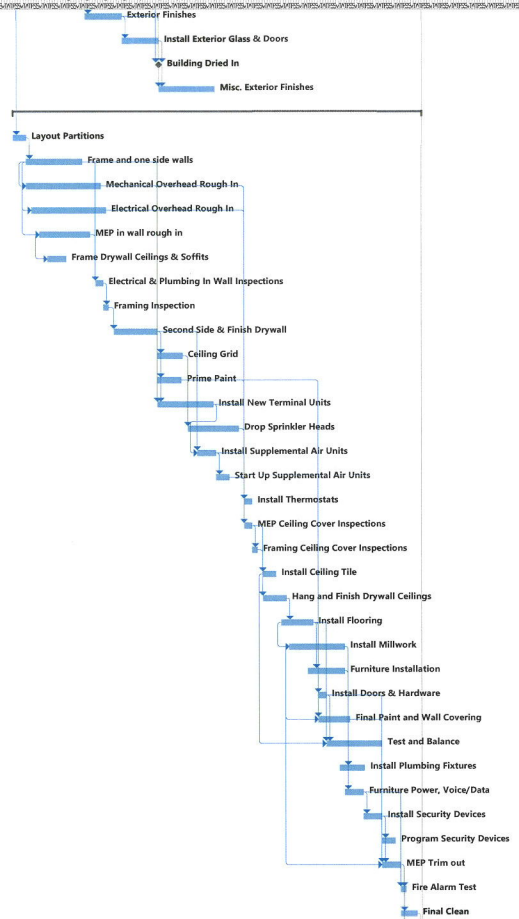
Development

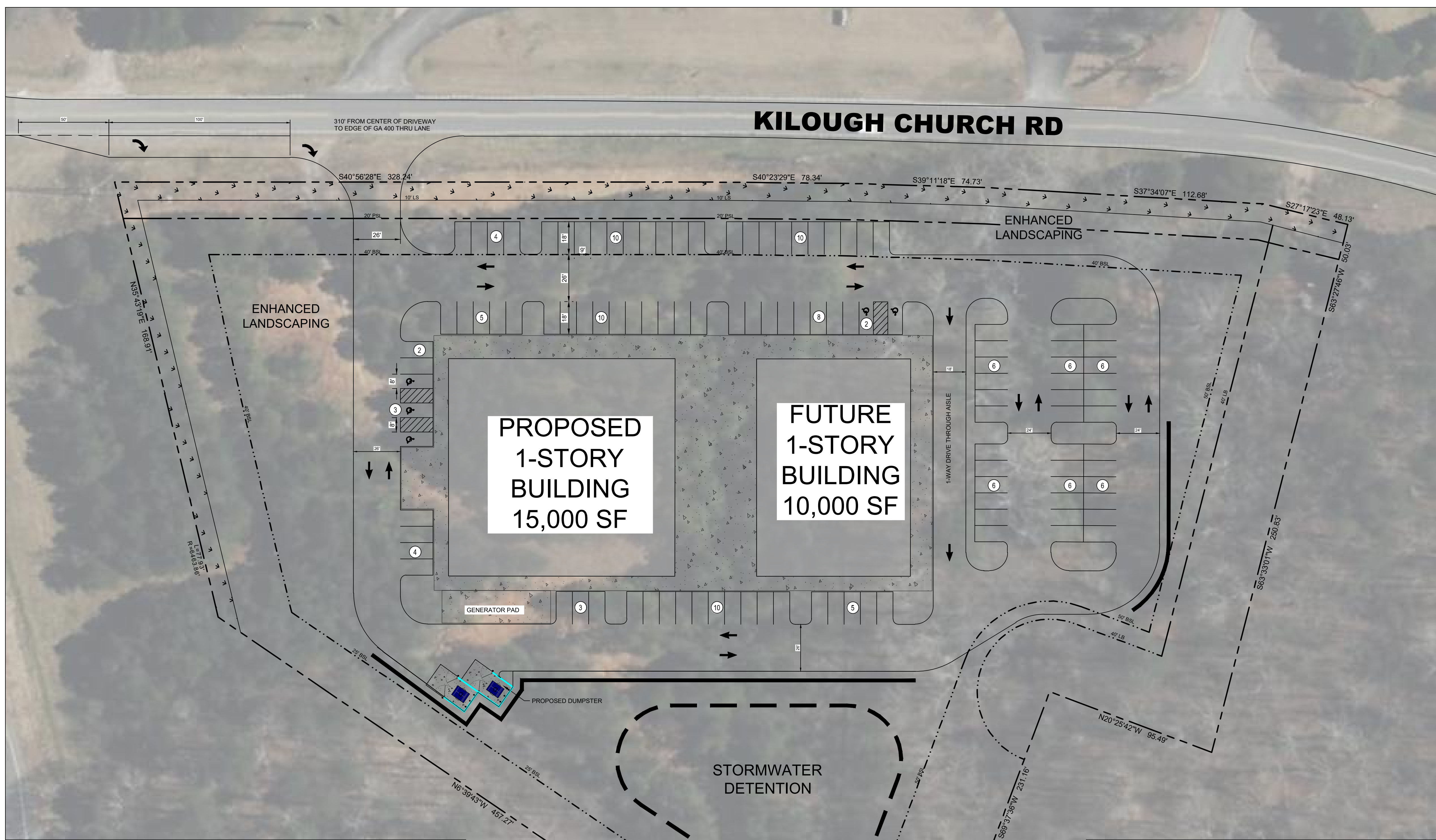


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Dawsonville MOB Conceptual Schedule

Oct 1 Oct 6 Oct 10 Oct 15 Oct 20 Nov 5 Nov 10 Nov 15 Dec 1 Dec 6 Dec 10 Dec 15 Jan 7 Jan 10 Jan 15 Jan 20 Jan 25 Feb 4 Feb 9 Feb 14 Feb 19 Mar 5 Mar 10 Mar 15 Mar 20 Mar 25 Apr 9 Apr 14 Apr 19 Apr 24 May 9 May 14 May 19 May 24 Jun 9 Jun 14 Jun 19 Jun 24 Jul 7 Jul 14 Jul 21 Jul 28 Aug 4 Aug 11 Aug 18 Aug 25 Sep 1 Sep 8 Sep 15 Sep 22 Oct 6 Oct 13 Oct 20 Oct 27 Nov 3 Nov 10 Nov 17 Nov 24 Dec 1 Dec 8 Dec 15 Dec 22 Jan 5 Jan 12 Jan 19 Jan 26





SITE DEVELOPMENT SUMMARY

SITE SUMMARY:

CURRENT ZONING: RA (RESIDENTIAL AGRICULTURAL/RESIDENTIAL EXURBAN)

PROPOSED ZONING: C-HB (COMMERCIAL-HIGHWAY BUSINESS)

OVERLAY DISTRICT: GEORGIA 400 CORRIDOR OVERLAY DISTRICT

LOT AREA: 4.93 ACRES

TOTAL DISTURBED AREA: X.XX ACRES

BUILDING SETBACK:
FRONT: 40 FT
SIDE: 50 FT
REAR: 25 FT

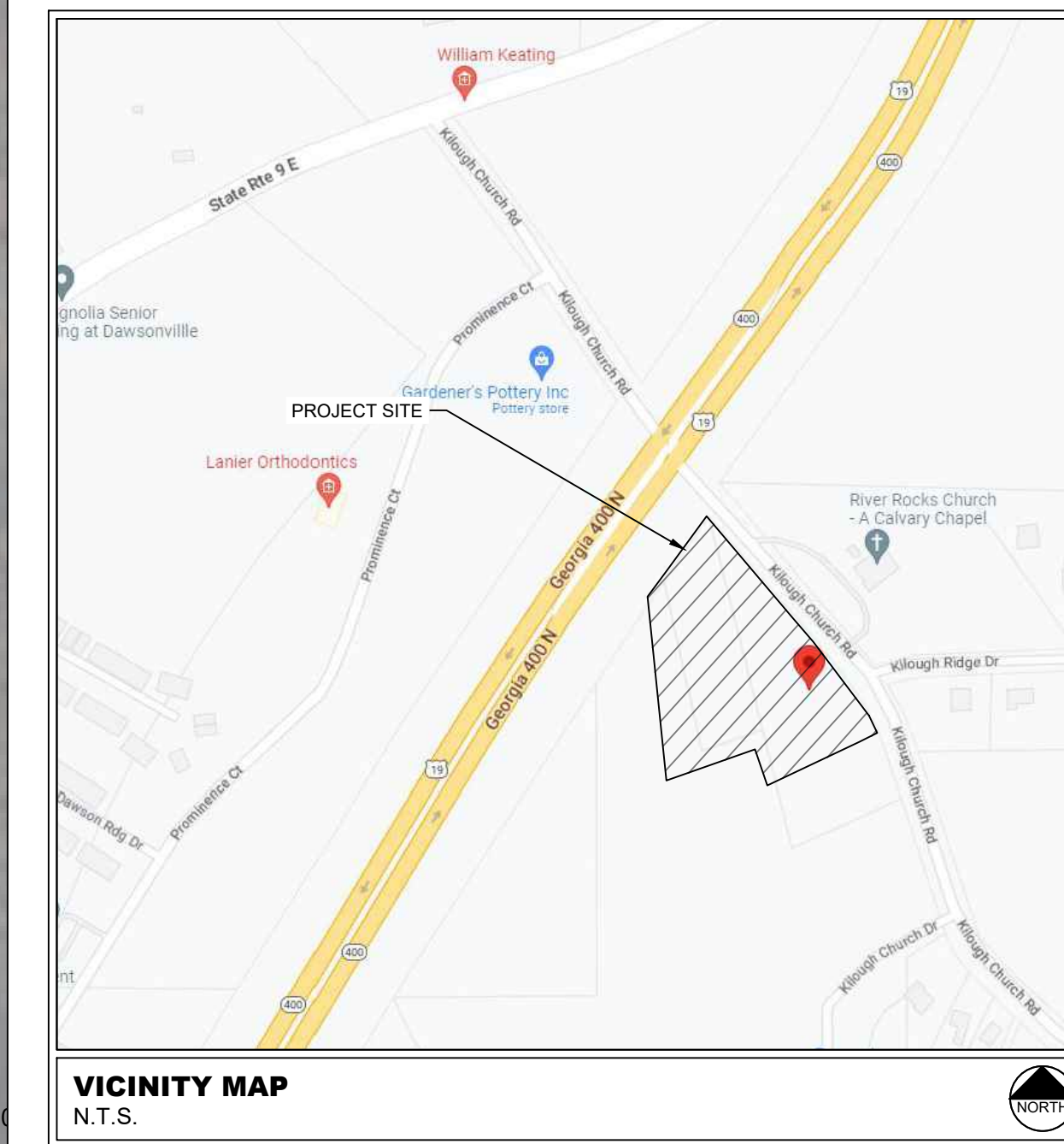
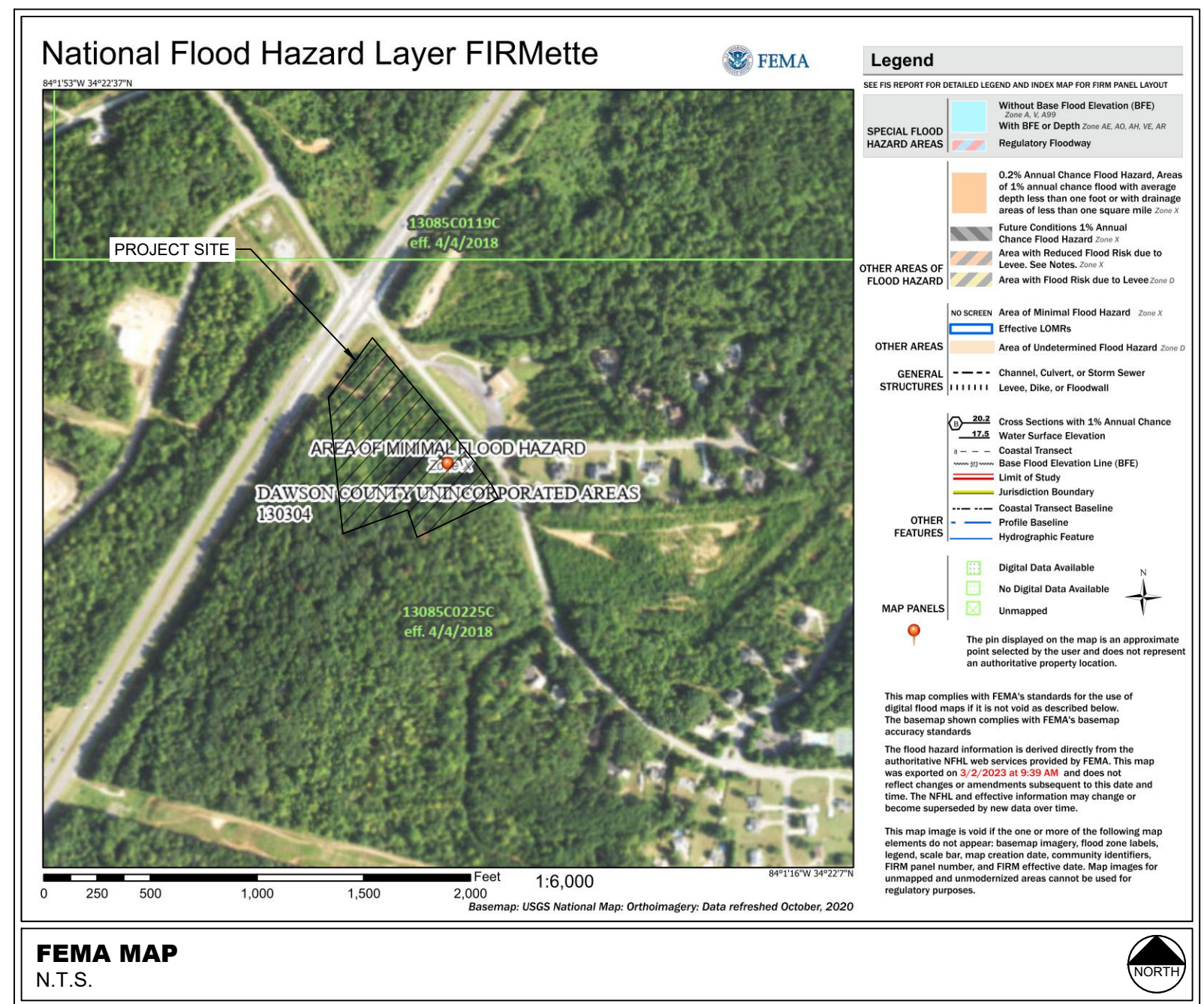
PROPOSED LAND USES & DENSITIES:
MEDICAL OFFICE BUILDING 25,000 SF

PARKING SUMMARY:
REQUIRED PARKING (MIN/MAX): 75/150 SPACES (TOTAL)
MEDICAL OFFICE BUILDING (25,000 SF) 75/150 SPACES (3/6 SPACES/1,000 SF GFA)

PROPOSED PARKING: 112 SPACES (TOTAL)
STANDARD 107 SPACES
COMPACT 0 SPACES
ADA-ACCESSIBLE 5 SPACES

SITE PLAN LEGEND

	PROPERTY LINE
	STANDARD DUTY CONCRETE SIDEWALK
	PARKING COUNT
	EASEMENT LINE
	PROPOSED OPTIONAL PARKING
	LANDSCAPE STRIP



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Utilities Protection Center, Inc.
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GRAPHIC SCALE IN FEET
0 15 30 60

Kimley Horn
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
3920 E. JONES BRIDGE RD, SUITE 350
PEACHTREE CITY, GA 30092
PHONE: (770) 885-0744
WWW.KIMLEY-HORN.COM

CIG CONSULTING, LLC
2333 DEFOOR HILLS RD, NW
ATLANTA, GA 30318
PHONE: 706-284-6611

No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

DAWSONVILLE MOB
362 KILOUGH CHURCH RD, DAWSONVILLE, GA 30534
LAND LOT 220, RA DISTRICT
PARCEL ID: 113 053, 113 088 001, Pu 02

PRELIMINARY
NOT FOR CONSTRUCTION
5/17/2023

DRAWN BY: NRC
DESIGNED BY: ARD
REVIEWED BY: BLH
DATE: 03.14.2023
PROJECT NO.: 014992000
TITLE: CONCEPT SITE PLAN
SHEET NUMBER: CP1.00

PRELIMINARY: NOT FOR CONSTRUCTION



ZA 23-06

Planning Commission Meeting July 18, 2023
Board of Commission Hearing August 17, 2023

Applicant Proposal

The applicant is seeking to zone almost five acres from R-A (Residential Agriculture) to C-HB (Commercial Highway Business) for the purpose of developing a medical office building approximately 25,000 square feet in size.

Applicant	Kimley Horn obo Hybrid Properties and Investments, LLC.
Amendment #	ZA 23-06
Request	Rezone Property from R-A
Proposed Use	Medical Office building approximately 25,000 square feet in size
Current Zoning	Residential Agriculture (RA)
Future Land Use	Commercial Highway
Acreage	4.93
Location	GA Hwy 400 and Kilough Church Road
Commercial Square footage	25,000 square feet
Road Classification	State Arterial Route and County local road
Tax Parcel	113-098-001 & 113-053
Dawson Trail Segment	n/a
Commission District	3
DRI	No
Planning Commission Recommendation	

Direction	Zoning	Existing Use
North	R-A & C-HB	Vacant Land
South	C-HB & RMF	Mixed Use – active land disturbance
East	RSR & R-A	Religious Institution / Single Family Residential
West	C-HI & C-HB	Landscape Supply business/ Vacant Land

According to the Comprehensive Plan and accompanying Future Land Use Plan, the subject property is identified as Commercial Highway. Development in this area includes developed or undeveloped land on both sides of lands designated along Georgia Hwy 9 and GA 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

Land Uses

Parks, Recreation and Conservation

Urban Residential

Multi-family Residential

Office Professional

Commercial Highway

Light Industrial

Campus-style Business Park

Land Use Districts

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

COUNTY AGENCY COMMENTS:

Emergency Services: No comments returned as of 7.11.2023

Engineering Department: “No comments in regards to this request.”

Environmental Health Department: No comments returned as of 7.11.2023

Etowah Water & Sewer Authority:

“Extensions and upgrades required for service at the developer’s expense for both water and sewer.”

Planning and Development:

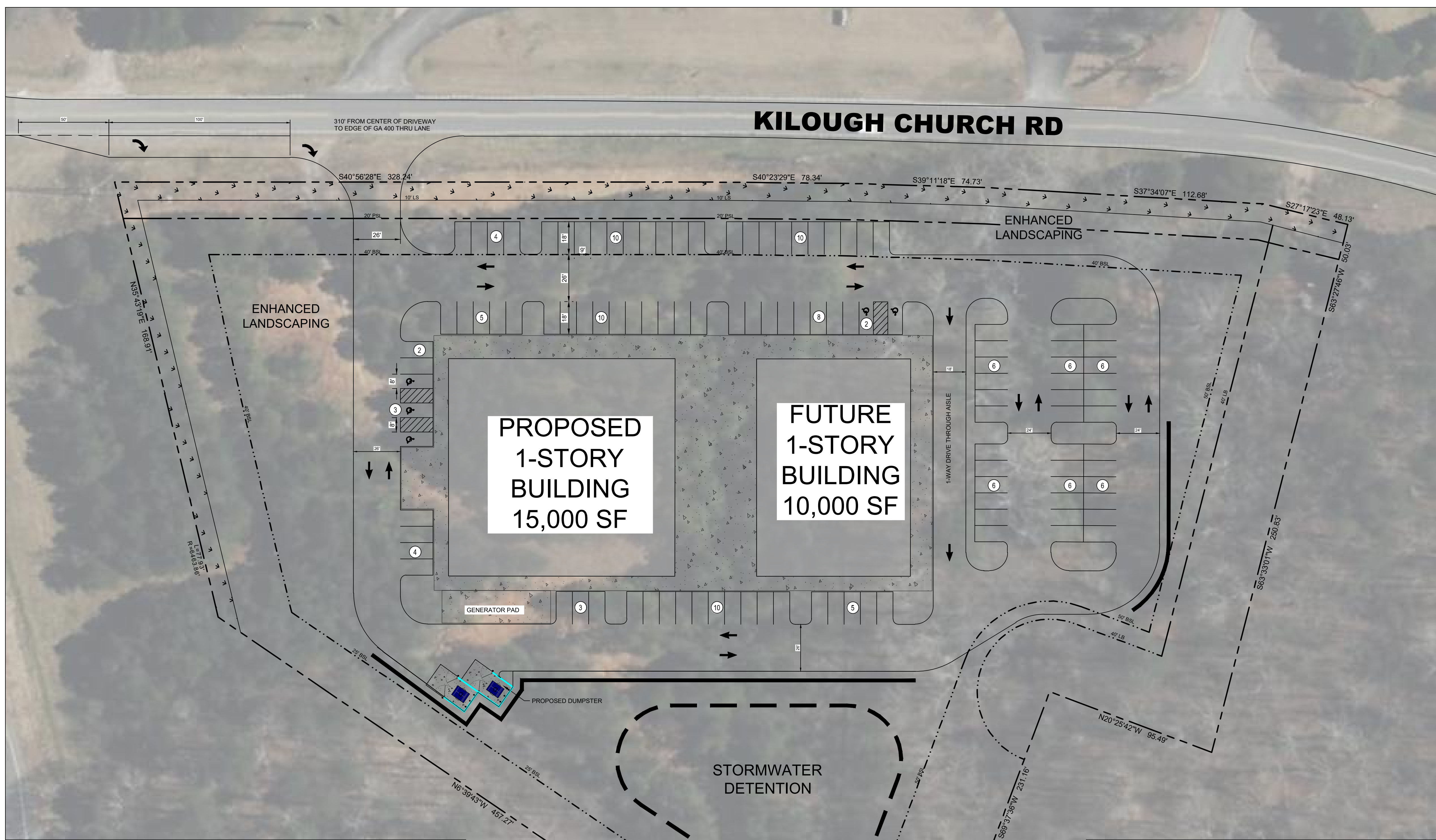
This segment of the Georgia 400 corridor has transitioned to a suburban character; however, it remains a primary access to the North Georgia mountains. Development design within this area of Dawson County should endeavor to retain a scenic character through landscaping and architecture.

Staff is supportive of the requested land use; however, the more appropriate land use category is C-OI (Commercial Office Institutional). Areas zoned to this classification are not intended to be retail centers, commercial or industrial activities. Rather, it is the intent of the district to provide locations for sites for offices, professional offices and clinics and institutions, primarily located along major arterial roadways. The request for the C-HB (Commercial Highway Business) zoning is appropriate due to the Future Land Use designation of *Commercial Highway*, however is not consistent with the requested use. The more appropriate land use for medical offices is C-OI. The site plan should incorporate inter-parcel connectivity with the adjacent development (Kilough Pointe).

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;
- (7) Whether the requested zoning would result in a use which could create an excessive or burdensome use of existing streets, transportation facilities, utilities or schools
- (8) Whether the proposal is in conformity with the policy and intent of the future land use plan; and
- (9) The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.





KILOUGH CHURCH RD

**PROPOSED
1-STORY
BUILDING
15,000 SF**

**FUTURE
1-STORY
BUILDING
10,000 SF**

ENHANCED
LANDSCAPING

ENHANCED
LANDSCAPING

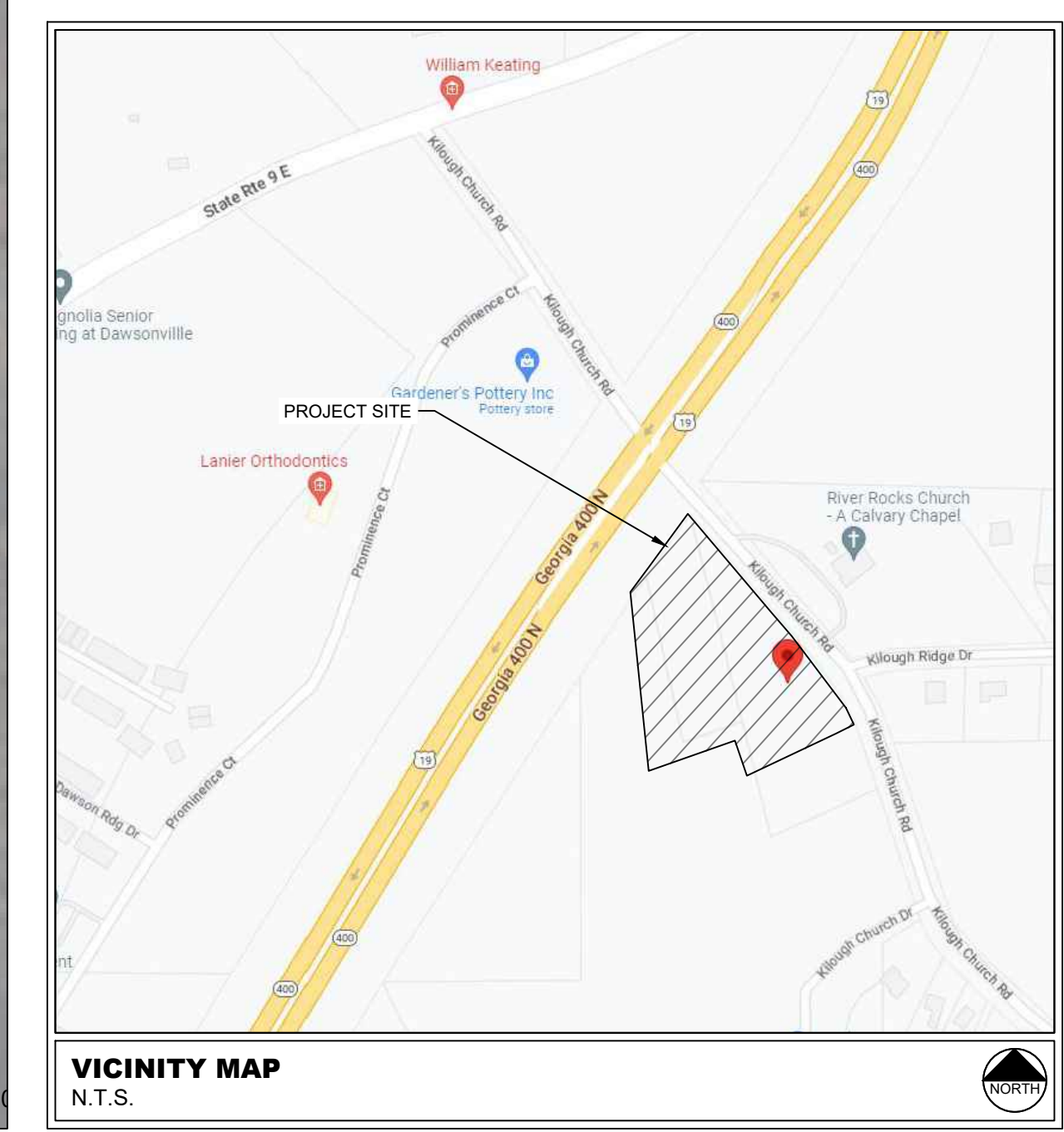
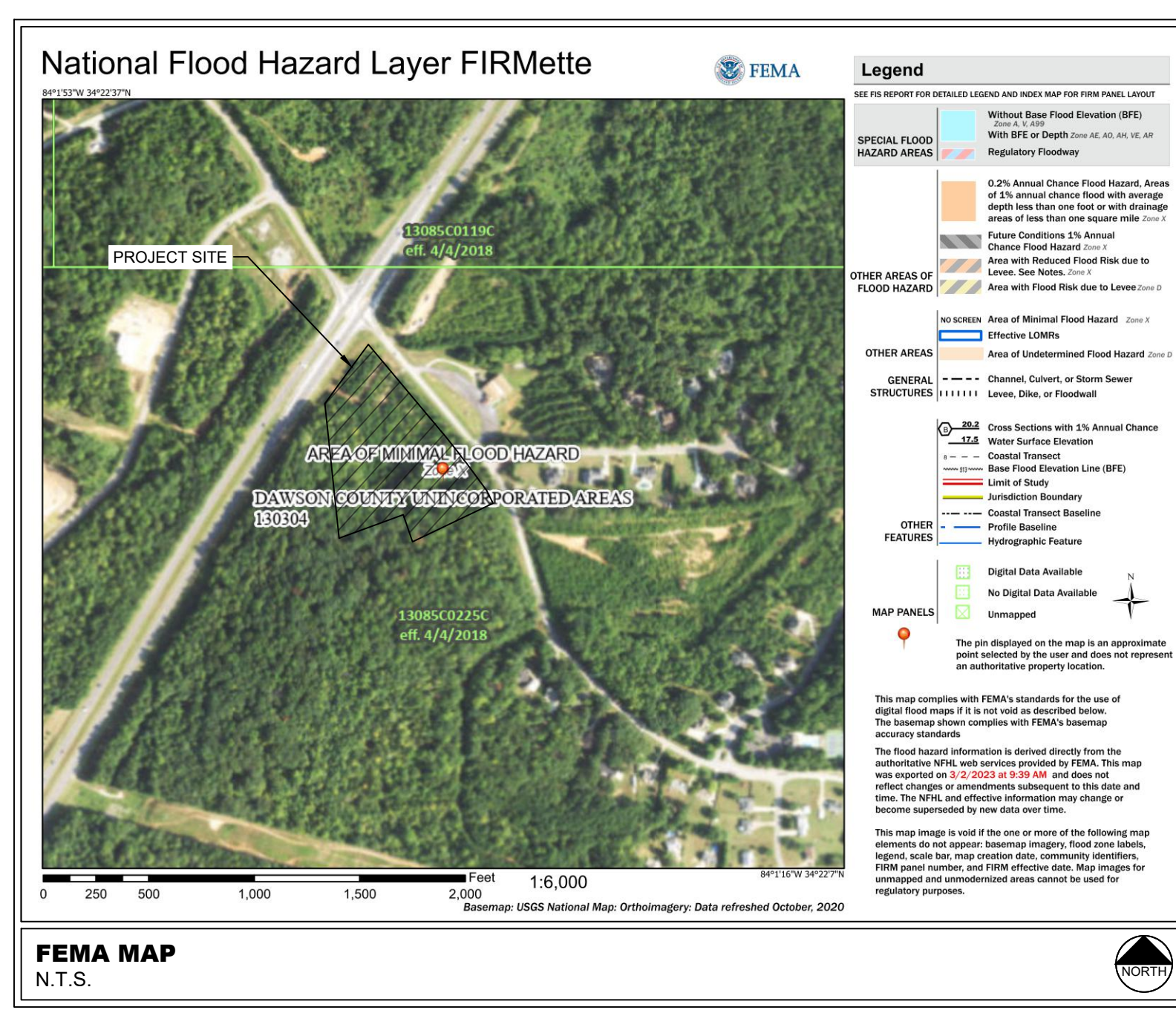
STORMWATER
DETENTION

GENERATOR PAD

PROPOSED DUMPSTER

1-WAY DRIVE THROUGH AISLE

SITE DEVELOPMENT SUMMARY	
SITE SUMMARY:	
CURRENT ZONING:	RA (RESIDENTIAL AGRICULTURAL/RESIDENTIAL EXURBAN)
PROPOSED ZONING:	C-HB (COMMERCIAL-HIGHWAY BUSINESS)
OVERLAY DISTRICT:	GEORGIA 400 CORRIDOR OVERLAY DISTRICT
LOT AREA:	4.93 ACRES
TOTAL DISTURBED AREA:	X.XX ACRES
BUILDING SETBACK:	
FRONT:	40 FT
SIDE:	50 FT
REAR:	25 FT
PROPOSED LAND USES & DENSITIES:	
MEDICAL OFFICE BUILDING	25,000 SF
PARKING SUMMARY:	
REQUIRED PARKING (MIN/MAX):	75/150 SPACES (TOTAL)
MEDICAL OFFICE BUILDING (25,000 SF)	75/150 SPACES (3/6 SPACES/1,000 SF GFA)
PROPOSED PARKING:	
STANDARD	107 SPACES
COMPACT	0 SPACES
ADA-ACCESSIBLE	5 SPACES
SITE PLAN LEGEND	
	PROPERTY LINE
	STANDARD DUTY CONCRETE SIDEWALK
	PARKING COUNT
	EASEMENT LINE
	PROPOSED OPTIONAL PARKING
	LANDSCAPE STRIP



Kimley Horn

© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
3920 E. JONES BRIDGE RD., SUITE 350
PEACHTREE CITY, GA 30092
PHONE: (770) 885-0744
WWW.KIMLEY-HORN.COM

CIG CONSULTING, LLC
2333 DEFOOR HILLS RD., NW,
ATLANTA, GA 30318
PHONE: 706.284.6611

No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

DAWSONVILLE MOB
362 KILOUGH CHURCH RD, DAWSONVILLE, GA 30534
LAND LOT 220, RA DISTRICT
PARCEL ID: 113 053, 113 088 001, Pu 02

PRELIMINARY
NOT FOR CONSTRUCTION
5/17/2023

DRAWN BY: NRC
DESIGNED BY: ARD
REVIEWED BY: BLH
DATE: 03.14.2023
PROJECT NO.: 014992000
TITLE: CONCEPT SITE PLAN
SHEET NUMBER: CP1.00

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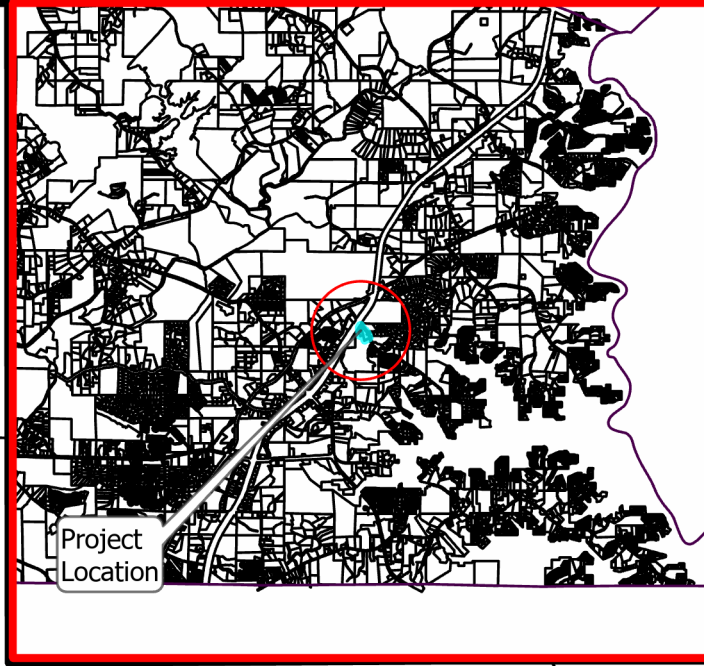
Highway 400 North

Kilough Church Road

Kilough Ridge Drive

Stanhope Drive

Rockaway Drive North



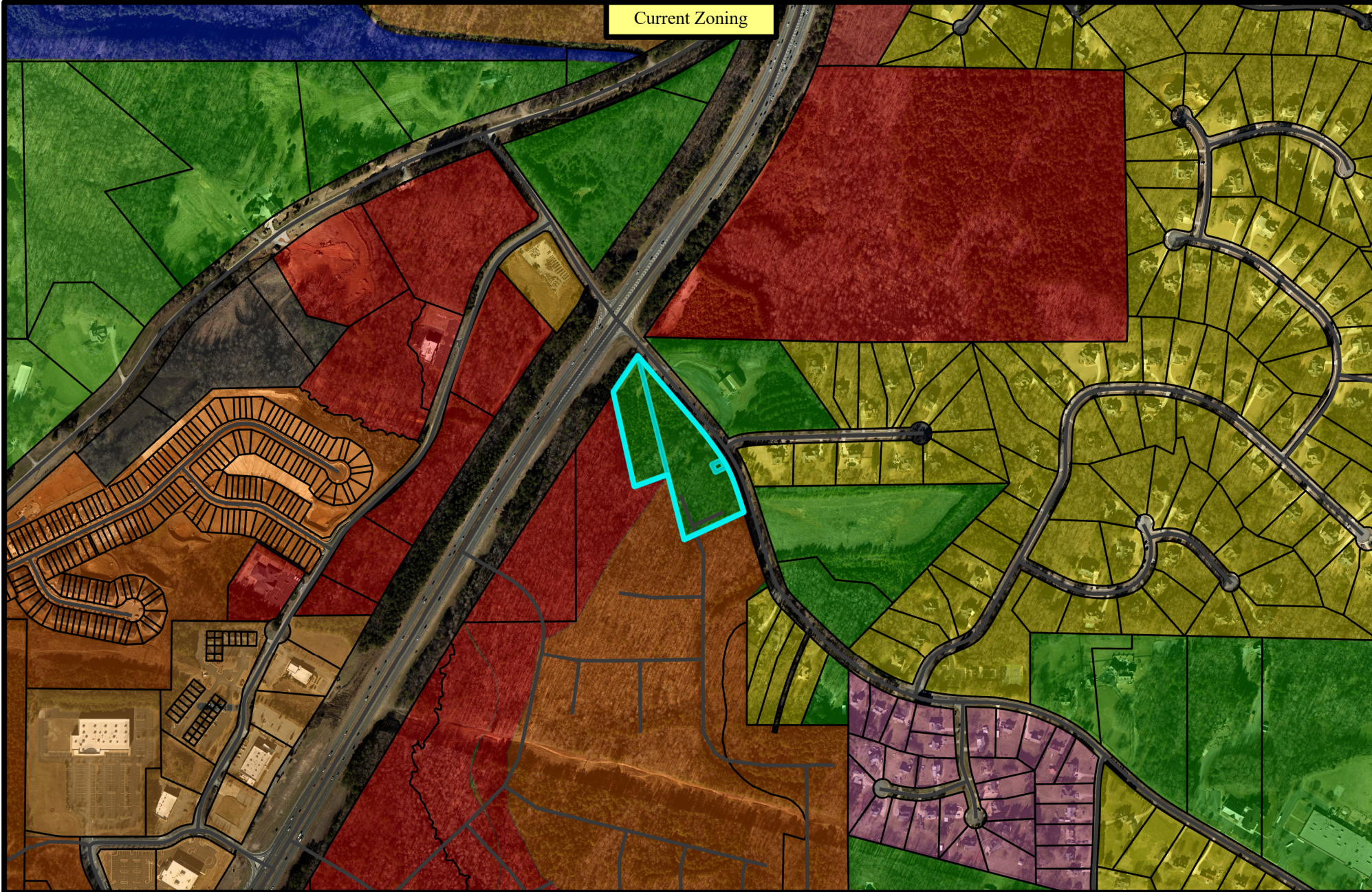
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OF THIS MAP. THIS MAP
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PURPOSES.



Dawson County
Plann 24 and Development

Staff Report: Exhibit

Parcel#: 113-098-001 & 113-053
Current Zoning: RA
FLU: C-HB
Application #: ZA 23-06



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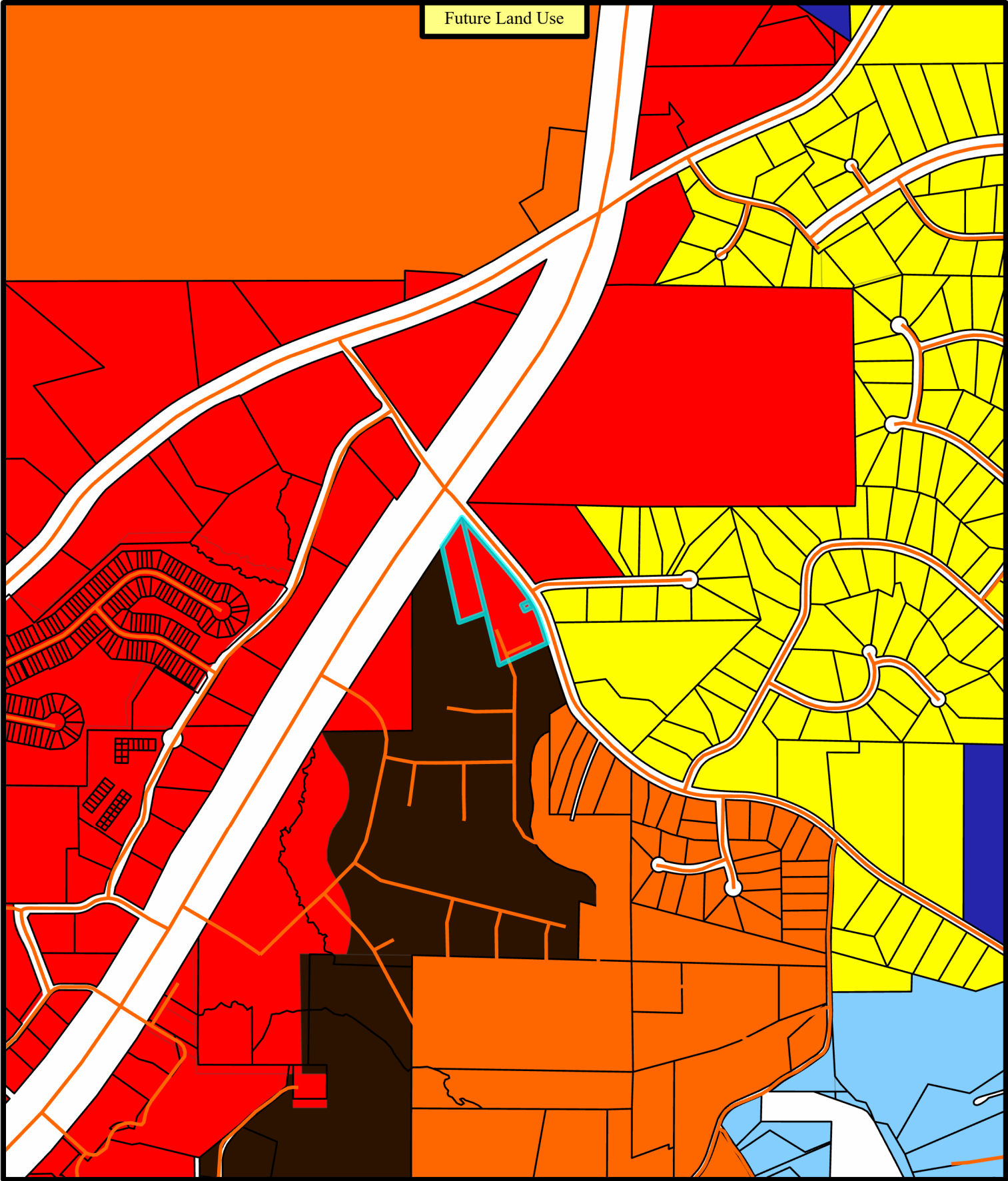
Dawson County
 Planning and Development
 25

Staff Report

Legend	
	RA
	RSR
	VCR
	C-HB
	RSRMM
	C-CB
	C-IR
	C-PCD
	C-OI
	RMF
	C-HI
	Parcels

Parcel#: 113-098-001 & 113-053
 Current Zoning: RA
 FLU: C-HB
 Application #: ZA 23-06

Future Land Use



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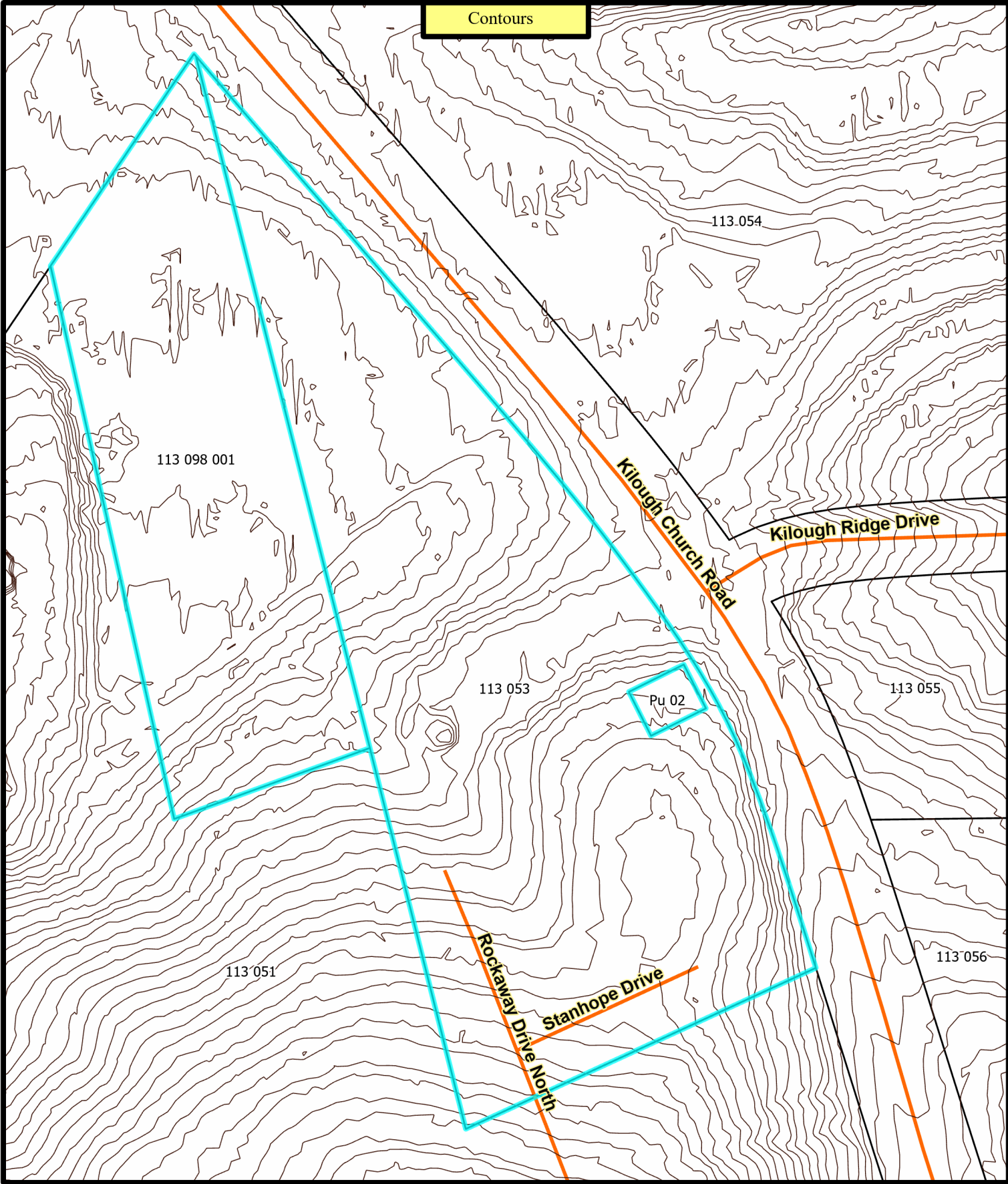
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Dawson County
Plan 26 and Development

Staff Report

Parcel#: 113-098-001 & 113-053
Current Zoning: RA
FLU: C-HB
Application #: ZA 23-06

Contours



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PURPOSES.



Scale: 1:1,521

Dawson County
Plan 27 and Development

Staff Report

Parcel#: 113-098-001 & 113-053
Current Zoning: RA
FLU: C-HB
Application #: ZA 23-06

The Dawson County Planning Commission meeting was called to order at 6:00 p.m. by Chairman Jason Hamby.

Neil Hornsey gave the invocation.

The Pledge of Allegiance was led by Chairman Hamby.

Members present: Jason Hamby, District 1 Chairman; Shelton Townley, District 3; and Neil Hornsey, District 4.

Staff present: Harmony Gee, Zoning Specialist and Sharon Farrell, Planning Director.

Chairman Hamby asked for a motion to approve the minutes from the June 20th, 2023 minutes as prepared. Motion passed by a vote of 3-0 Hornsey/Townley

Chairman Hamby asked for a motion to approve the agenda as presented by staff. Motion passed by a vote of 3-0. H o r n s e y / T o w n l e y

Chairman Hamby announced the requirement that a *statement of disclosure of campaign contributions* of \$250 or more must be completed by anyone who wishes to speak in favor or opposition to any application.

New Business:

VR 23-08 Century Communities is requesting to vary from the Dawson County Land Use Resolution Article III Section 121-66 (4).d setback reduction TMP 113-092 (Crosby Square)

Chairman Hamby asked if there was anyone to speak on behalf of the application. Arthur Smith of Dawsonville, Georgia and Jon Lyons of Norcross, Georgia spoke on behalf of the application. Mr. Smith stated that there are fifteen lots within the Crosby Square development that is affected by the architectural, cantilevered garage addition. He stated also that the encroachment was discovered by one of Dawson County's Building Inspectors. Chairman Hamby asked the applicants how far into development that they were when it was discovered to which Mr. Smith replied that the "development is almost completely done".

Chairman Hamby asked if there was anyone to speak in favor of the application. There was none.

Chairman Hamby asked if there was anyone to speak in opposition of the request. There was none.

Chairman Hamby asked for a motion.

Motion to approve the request passed 3-0 Hornsey/Townley

VR 23-09 Ken Stone is requesting to vary from the Dawson County Land Use Resolution Article III Section 121-67 (3).c setback reduction TMP L10 019 (Blowing Rock Road)

Chairman Hamby asked if there was anyone to speak to the application. Dixon Sewell of Gainesville, Georgia spoke on behalf of Ken and Tiffany Stone. Mr. Sewell is the contractor for the Stone's. Mr. Sewell states that the Stone's purchased the property approximately ten years ago and wish to demolish

DAWSON COUNTY PLANNING COMMISSION
MEETING HELD JULY 18, 2023
DAWSON COUNTY GOVERNMENT CENTER

the existing residence on the parcel and construct a new one. To accomplish this, they need a front setback variance of twenty-five feet so that the courtyard, side entry garage can fit on the lot. The garage will be ten feet off of the front property line once completed. Chairman Hamby asked if any of the previous structure will remain. Mr. Sewell stated that the entire residence will be demolished and a new septic system will also be installed.

Chairman Hamby asked if there was anyone to speak in favor of the application. There was none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. There was none.

Chairman Hamby closed the Board for discussion and asked for a motion. Motion to approve of request passed 3-0 Hornsey/Townley

ZA 23-06 Kimley-Horn obo Hybrid Properties and Investments, LLC is requesting to rezone 4.93 acres of TMP 113-098-001 & 113-053 from R-A (Residential Agriculture) to C-HB (Commercial Highway Business). (Georgia Highway 400)

Chairman Hamby asked if there was anyone to speak on behalf of the application. Joshua Scoggins of Cumming, Georgia spoke on behalf of the application. Mr. Scoggins stated that the applicant proposes to build a medical office building that once completed could employ between forty-five to fifty-five employees. Mr. Scoggins stated that there is a specific user for this parcel but is unable to disclose them at this time due to confidentiality reasons but the County would be very happy to have them within the community.

Chairman Hamby asked if there was anyone to speak in favor of the application. There was none.

Chairman Hamby asked if there was anyone to speak in opposition of the application. There was none.

Chairman Hamby then closed the Board for discussion and asked for a motion. Motion to approve the request with the stipulation of a medical office use only permitted passed 3-0 Hornsey/Townley

Updates by Planning and Development were given by Planning Director Sharon Farrell. She stated that there is survey regarding future land use for the Comprehensive Plan currently on the County's website and encouraged everyone to take it so that their opinions can be heard. The transportation element along with the Lumpkin Campground Road study is nearing completion as well.

There being no further business to discuss, the meeting was adjourned at 6:28 p.m.

Jason Hamby, Chairman

Date

Attest: Harmony Gee

Date

DAWSON COUNTY



IN RE: PARADISE VALLEY CLUB, LLC

PERMIT NUMBER 18810
PERMIT NUMBER 18811
PERMIT NUMBER 18812

APPEAL – IMPACT FEE ASSESSMENT

Comes Now Paradise Valley Club, LLC (“Paradise Valley”) and files this appeal of impact fee assessments pursuant to Sec. 101-68(b)(4) of the Dawson County Code as follows:

1.

Paradise Valley filed the initial administrative appeal on May 11, 2023, which is attached hereto as “Exhibit 1” and incorporated herein by reference.

2.

Joey Leverette, County Manager, rendered a decision dated May 26, 2023 that is attached hereto as “Exhibit 2”.

3.

The County Manager erroneously relied upon Sec. 101-60(c)(2)(b), which requires completion of construction to avoid impact fees. “That portion of a project for which a valid permit has been issued prior to the effective date of a development impact fee ordinance shall not be subject to development impact fee so long as the building permit remains valid and construction is commenced and is pursued according to the terms of the permit.” O.C.G.A. § 36-71-3(b). If any provision of the County’s Development Impact Fee Ordinance is inconsistent with the provisions of the Georgia Development Impact Fee Act (O.C.G.A. § 36-71-1, *et seq.*),

the latter shall control. Sec. 101-70, Dawson County Code. Sec. 101-60(c)(2)(b) conflicts with O.C.G.A. §36-71-3(b) as O.C.G.A. § 36-71-3(b) requires commencing and pursuing construction, not completion of construction, to obtain relief from impact fees.

4.

Dawson County established impact fees at \$0 on May 21, 2009.

5.

Dawson County reinstated impact fees on August 16, 2018.

6.

Paradise Valley began construction of the residences at issue in this appeal pursuant to permits that issued November 20, 2017 when Dawson County charged no impact fees. Dawson County extended the permits until December 18, 2020.

7.

Dawson County notified Paradise Valley on January 15, 2021 that the permits would not be extended, but would be re-permitted and “will not be subject to impact fees”. See “Exhibit 3”, which is attached hereto and incorporated herein by reference.

8.

Paradise Valley obtained the permits referenced within Exhibit 3 on January 19, 2021 and continued construction. See “Exhibit 4”, which is attached hereto and incorporated herein by reference. Paradise Valley encountered delays with construction (as did many other parties) as a result of COVID-19 related issues.

9.

The residences were 85% complete when the County required Paradise Valley to obtain the permits at issue on December 14, 2022 to complete construction rather than extending the permits issued on January 19, 2021.

10.

The impact fee assessment should be reduced by 85% for each permit as a matter of fundamental fairness and equity and in accord with O.C.G.A. § 36-71-3(b) as Paradise Valley timely commenced and pursued construction pursuant to valid permits and completed 85% of each project before the County issued the permits at issue.

WHEREFORE, Paradise Valley requests that the impact fees for the instant permits be reduced by 85% and Paradise Valley be responsible for 15% of the standard impact fee and that the Board provide other relief deemed just and proper.

This 20th day of June, 2023.

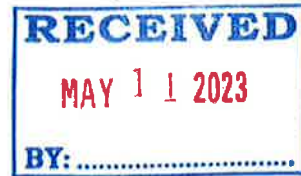
**FOX CHANDLER HOMANS HICKS
& McKINNON, LLP**



Joseph A. Homans
Attorney for Paradise Valley Club, LLC
Georgia Bar No. 364647
P.O.Box 477
Dawsonville, GA 30534
joey@fchhm.com

EXHIBIT

1



DAWSON COUNTY

IN RE: PARADISE VALLEY

PERMIT NUMBER 18810

PERMIT NUMBER 18811

PERMIT NUMBER 18812

APPEAL – IMPACT FEE ASSESSMENT

Comes now Paradise Valley Club, LLC (“Paradise Valley”) and files this appeal of the impact fee assessment pursuant to Section 101-68 of the Dawson County Code as follows for property located at 620 Valley Drive, 634 Valley Drive, and 646 Valley Drive, Dawsonville:

1.

Paradise Valley filed an appeal on November 18, 2022 challenging the determination that prior permits for construction at the same locations expired.

2.

The hearing before the Construction Board of Adjustment and Appeals regarding the November 18, 2022 appeal was scheduled for December 14, 2022.

3.

Counsel for Paradise Valley and the County engaged in settlement discussions that included the email exchanges attached hereto as “Exhibit A” and incorporated herein by reference.

4.

The County committed to “engage in further discussions regarding the basis for the waiver/reduction of impact fees by virtue of an impact fee determination between now (December 14, 2022) and the issuance of the Certificates of Occupancy.”

5.

Paradise Valley withdrew the appeal as the parties achieved an agreement that included continued discussions regarding impact fees. See “Exhibit B”, which is attached hereto and incorporated herein by reference.

6.

Counsel for Paradise Valley notified Counsel for Dawson County on March 31, 2023 that Paradise Valley proposed paying 15% of the impact fees that would be due if the building permits were for new construction rather than reissued building permits. See “Exhibit C”, which is attached hereto and incorporated herein by reference.

7.

The Dawson County Planning and Development Director and Administrator of Impact Fee Assessments notified Paradise Valley on April 28, 2023 that an appeal must be filed to reduce impact fees despite the earlier commitment from Dawson County to discuss waiver/reduction of the impact fees through the date of issuance of Certificates of Occupancy.

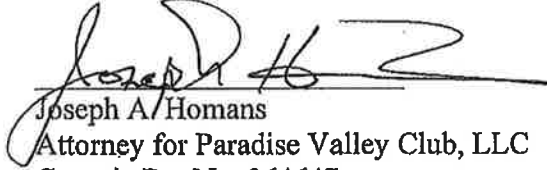
8.

Paradise Valley is entitled to have the impact fees reduced as set forth within Exhibit C.

Wherefore, Paradise Valley requests 1) that impact fees for the instant permits be reduced by 85% and Paradise Valley pay 15% of the standard impact fee and 2) if this request is denied, then this appeal be submitted to the Board of Commissioners pursuant to Sec. 101-68(b)(4) of the Dawson County Code and 3) that Paradise Valley be provided other relief deemed just and proper.

This 11TH day of May, 2023.

**FOX CHANDLER HOMANS HICKS
& MCKINNON, LLP**



Joseph A. Homans
Attorney for Paradise Valley Club, LLC
Georgia Bar No. 364647
P.O.Box 477
Dawsonville, GA 30534
joey@fchhm.com

EXHIBIT

A

Joey Homans

From: Paul Frickey <pfrickey@jarrard-davis.com>
Sent: Wednesday, December 14, 2022 10:57 AM
To: Joey Homans
Cc: Kristine Montet
Subject: RE: PVR Hearing Documents

Joey,

To follow up, unfortunately, I have not been able to get to a point where any specific position can be taken with respect to the amount (whether imposed in full, reduced or waived completely) of impact fees before tonight's hearing. What I have been able to get is an agreement to postpone the payment of impact fees (as eventually determined after discussion and decision) until issuance of the Certificates of Occupancy. As a result, the new building permits can be issued promptly upon payment of the standard administrative fees, without the need to pay impact fees. We would be happy to engage in further discussions regarding the basis for the waiver/reduction of impact fees by virtue of an impact fee determination between now and the issuance of the Certificates of Occupancy.

I do not know if this impacts your decision with respect to tonight's hearing. Of course, you can proceed with the hearing tonight, postpone or withdraw as you see fit. Please let me know which option you would like to pursue.

Paul

From: Paul Frickey
Sent: Tuesday, December 13, 2022 5:09 PM
To: Joey Homans <joey@fchhm.com>
Cc: Kristine Montet <kmontet@jarrard-davis.com>
Subject: RE: PVR Hearing Documents

Joey,

Let me start by indicating that impact fees cannot be decided by the CBAA – either tomorrow night or otherwise. That is something that is ultimately decided by the BOC per 101-68.

According to Kelth, there is nothing other than fees that are an issue with respect to issuance of new permits. I have confirmed that again. And, of course, the permits can be issued if the designated impact fees are paid "under protest" with the impact fee appeal process proceeding while building is allowed to proceed.

That leaves the status of impact fees. I have reached out to Sharon to discuss that, though it was my understanding that the conclusion was that impact fees will be assessed upon the application for the new permits. I do not have a final decision on that and I do not know if any sort of determination had been made as to partial waiver or not, but am attempting to find out. I will get back to you as soon as I can.

Paul

From: Joey Homans <joey@fchhm.com>
Sent: Tuesday, December 13, 2022 4:14 PM
To: Paul Frickey <pfrickey@jarrard-davis.com>
Subject: RE: PVR Hearing Documents

Paul,

Wasserman has been told that the permits will be denied if he applies for new permits.

If the Director will waive all or part of the impact fees, then Wasserman much prefers to discuss the fee due to proceed with construction. You have the factual basis for a request to waive impact fees within this appeal. We will not waive the hearing scheduled for tomorrow, but if you let me know that new permits will issue and the amount of the fee, then we may be able to resolve this appeal.

From: Paul Frickey <pfrickey@jarrard-davis.com>
Sent: Tuesday, December 13, 2022 3:22 PM
To: Joey Homans <joey@fchhm.com>
Cc: Kristine Montet <kmontet@jarrard-davis.com>
Subject: RE: PVR Hearing Documents

Joey,

It is my understanding that this dispute is less about the permits and more about impact fees, which I understand has been suggested would be imposed upon issuance of new permits for the subject houses.

This particular hearing is based solely on the expiration of the building permits without getting timely extensions. While I understand Paradise Valley's position is that work was being done, the permits had expired on their face and if work was intended to be done, an extension should have been obtained. At this point, new permits must be issued. In fact this had occurred on one previous occasion for these properties. I do not believe that there is much to dispute in this given the clear expiration date. That said, I am not aware of any reason why new permits would not be issued upon payment of the requisite fees.

In the course of discussions with staff, however, it appears that Paradise Valley's larger concern with respect to the permits is the County's potential imposition of impact fees as part of the issuance of new permits. To that end, if there is a dispute with respect to the applicability of impact fees, there is an appeal process pursuant to Chapter 101 that would apply, notably section 101-68, which states:

Sec. 101-68. - Administrative appeals.

- (a) *Eligibility to file an appeal.* Only applicants or fee payors who have already been assessed an impact fee by the county or who have already received a written determination of individual assessment refund or credit amount shall be entitled to an appeal.
- (b) *Appeals process.*
 - (1) The aggrieved applicant or fee payor (hereinafter the "appellant") must file a written appeal with the administrator within 15 days of the decision or receipt of written determination from which the appeal is taken.
 - (2) Such written appeal shall constitute an application for relief shall state the basis for the appeal and the relief sought, and shall include:
 - a. The name and address of the appellant;
 - b. The location of the affected property;
 - c. A copy of any applicable written decision or determination made by the administrator from which the appeal is taken.
 - (3) Within 15 days after receipt of the appeal, the administrator shall make a written final decision with respect to the appeal. Such decision shall be of sufficient content to set forth the basis for the determination.

- (4) Appeals from the final decision of the administrator shall be made to the board of commissioners within 30 days of receipt by the appellant of the administrator's decision. Delivery by hand or certified mail to or posting upon the property at, the address given by the appellant in the application for relief shall constitute "receipt by the appellant" under this provision.
 - (5) The board of commissioners shall thereafter hold a hearing on the appeal within 30 days, provided that at least two weeks written notice thereof can be given to the appellant. The board of commissioners shall decide the issue within a reasonable time following the hearing, but in no case more than 30 days following the hearing unless the appellant agrees to an extension to a later date. Any party making an appeal shall have the right to appear at the hearing to present evidence and may be represented by counsel.
- (c) *Payment of impact fee during appeal.*
- (1) The filing of an appeal shall not stay the assessment or collection of a development impact fee as a condition to the issuance of development approval.
 - (2) A developer may pay a development impact fee under protest to obtain a building permit or development approval and by making such payment shall not be estopped from exercising his or her right of appeal or receiving a refund of any amount deemed to have been collected in excess.

Based on my understanding of the situation, it appears that it is this process that is really the one that should be being pursued. I note that sub-section 101-68(c)(2) allows for the payment of the impact fee "under protest" and that the permits can be issued while the appeal is resolved. That would seem to be the most expedient way to resume work and still get the crucial issue resolved.

Please let me know if this is, in fact, the route that Paradise Valley is interested in pursuing.

Paul

Paul B. Frickey
Partner



222 Webb Street
Cumming, GA 30040
Phone: 678-455-7150
Fax: 678-455-7149
Email: pfrickey@jarrard-davis.com
www.jarrard-davis.com

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From: Joey Homans <joey@fchhm.com>
Sent: Tuesday, December 13, 2022 2:46 PM
To: Paul Frickey <pfrickey@jarrard-davis.com>
Subject: FW: PVR Hearing Documents

Joey Homans

From: Paul Frickey <pfrickey@jarrard-davis.com>
Sent: Wednesday, December 14, 2022 3:11 PM
To: Joey Homans
Subject: RE: Paradise Valley Building Permits

Thank you for the update.
I will advise staff.

Paul

From: Joey Homans <joey@fchhm.com>
Sent: Wednesday, December 14, 2022 3:09 PM
To: Paul Frickey <pfrickey@jarrard-davis.com>
Subject: FW: Paradise Valley Building Permits

Paul,

Permits issued.

Appeal withdrawn. I will submit a formal withdrawal, but no need for Construction Board hearing tonight.

From: Joey Homans
Sent: Wednesday, December 14, 2022 2:02 PM
To: 'Paul Frickey' <pfrickey@jarrard-davis.com>
Cc: Kristine Montet <kmontet@jarrard-davis.com>; Keith Wilson <kwilson@dawsoncountyga.gov>; Sharon Farrell <sfarrell@dawsoncountyga.gov>
Subject: RE: Paradise Valley Building Permits

Paul,

No change in subcontractors.

Wasserman printed tax bill and is on his way to Planning Office with tax bill and administrative fee. He will complete the application so that the permits issue.

We can address Paradise Valley's request for waiver/reduction of impact fees through the date C/O(s) issue, and Paradise Valley may appeal if no resolution achieved about impact fees.

Tonight's appeal hearing should be cancelled when permits referenced herein issue.

Please call me if we should discuss further. Thanks.

From: Paul Frickey <pfrickey@jarrard-davis.com>
Sent: Wednesday, December 14, 2022 12:40 PM
To: Joey Homans <joey@fchhm.com>
Cc: Kristine Montet <kmontet@jarrard-davis.com>; Keith Wilson <kwilson@dawsoncountyga.gov>; Sharon Farrell <sfarrell@dawsoncountyga.gov>
Subject: Paradise Valley Building Permits

Joey,

Per our earlier discussion, in order to for permits to be issued for the three houses in question, Paradise Valley will need to pay \$761 administrative fees per permit. The County has most of the required documentation. Paradise Valley will need to fill out a permit application and provide the most recent tax bill receipt. If Paradise Valley has changed sub-

contractors, the County will need affidavits from them; however, it is my understanding from our conversation that Paradise Valley is using the same subcontractor(s) so that would not seem to be an issue.

Please let me know if you have any questions as soon as possible so that we can advise the CBAA members if they do not need to appear tonight.

Thanks.

Paul

Paul B. Frickey
Partner



222 Webb Street
Cumming, GA 30040
Phone: 678-455-7150
Fax: 678-455-7149
Email: pfrickey@jarrard-davis.com
www.jarrard-davis.com

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EXHIBIT

B

DAWSON COUNTY

IN RE: PARADISE VALLEY

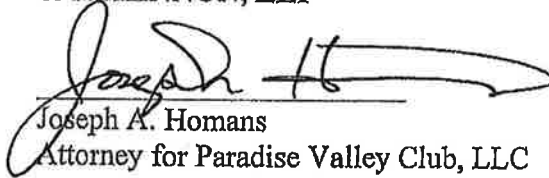
**PERMIT NUMBER R-1-21-15361 (REISSUE OF 11481)
PERMIT NUMBER R-1-21-15362 (REISSUE OF 11482)
PERMIT NUMBER R-1-21-15363 (REISSUE OF 11483)**

WITHDRAWAL OF APPEAL

Comes now Paradise Valley Club, LLC ("Paradise Valley") and withdraws the notice of appeal filed on November 18, 2022 as the County and Paradise Valley achieved an agreement that included 1) issuance of permits and 2) to continue discussions regarding impact fees.

This 15th day of Dec., 2022.

**FOX CHANDLER HOMANS HICKS
& MCKINNON, LLP**



Joseph A. Homans
Attorney for Paradise Valley Club, LLC
Georgia Bar No. 364647
P.O.Box 477
Dawsonville, GA 30534
joey@fchhm.com

'22DEC 15 9:58AM

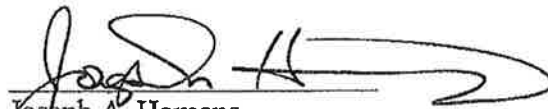
CERTIFICATE OF SERVICE

This will certify that I have this day served Defendants, in the within and foregoing matter with a true and correct copy of **WITHDRAWAL OF APPEAL** by Electronic Mail and U.S. Mail with adequate postage of a copy of same addressed as follows:

Mr. Paul B. Frickey
Jarrard & Davis, LLP
222 Webb Street
Cumming, GA 30040
pfrickey@jarrard-davis.com

This 15th day of December, 2022.

**FOX CHANDLER HOMANS HICKS
& McKINNON, LLP**


Joseph A. Homans
Attorney for Paradise Valley Club, LLC
Georgia Bar No. 364647
P.O.Box 477
Dawsonville, GA 30534
joey@fchhm.com

EXHIBIT

C

Fox, Chandler, Homans, Hicks & McKinnon, LLP

ATTORNEYS AT LAW

JOSEPH A. HOMANS
CATHERINE HENRY HICKS, P.C.
GRAHAM MCKINNON IV, P.C.
THEODORE G. CASSERT, P.C.
MARGARET ANNE CHRISTIE
PARKER HICKS

POST OFFICE BOX 477
DAWSONVILLE, GEORGIA 30534
Telephone (706) 265-3090
Facsimile (706) 865-3147
www.foxchandler.com

OF COUNSEL:
ROBERT L. CHANDLER, P.C.

March 31, 2023

**Via email only: pfrickey@jarrard-davis.com

Mr. Paul B. Frickey
Jarrard & Davis, LLP
222 Webb Street
Cumming, GA 30040

Re: Paradise Valley – Proposed List of Plans

- Impact Fee (Houses) (Permit Nos. R-1-21-15361, 15362,
15363)

Dear Paul:

We appreciate the opportunity to discuss on March 3 the proposed plans for structures subject to stop work orders. Danny Clark, an architect, continues to review the reports Mr. Mathis prepared and the sketches Chief Bailey provided. I expect Mr. Clark to provide information about proposed plans soon and will deliver that list to you. Mr. Clark reports that he (and any architect) is very limited regarding preparation of standard architect plans given the construction of the structures at this time. However, he believes preparation of what he labels “existing documents” provides a starting point for discussions. Paradise Valley also awaits information from Steve Skalco regarding proposed plans from an engineer, and I will forward that information upon receipt.

Paradise Valley withdrew the administrative appeal regarding the permit numbers referenced herein on December 15, 2022 and noted therein that the County and Paradise Valley would continue discussions regarding impact fees. The homes were approximately 85% complete when the building permits re-issued,

which triggered the impact fee issue. Hence, Paradise Valley proposes paying 15% of the impact fees that would be due if the building permits were for new construction rather than reissued building permits. If this proposal is acceptable, then please so notify me, and Paradise Valley will pay the impact fee before C/O(s) issue.

Respectfully,


Joseph A. Homans

JAH/sj

cc: Jeff Wasserman
Sarah Martin

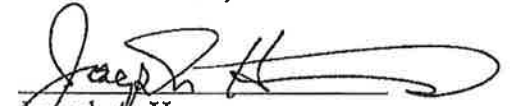
CERTIFICATE OF SERVICE

This will certify that I have this day served Defendants, in the within and foregoing matter with a true and correct copy of **APPEAL** by Electronic Mail and U.S. Mail with adequate postage of a copy of same addressed as follows:

Mr. Paul B. Frickey
Jarrard & Davis, LLP
222 Webb Street
Cumming, GA 30040
pfrickey@jarrard-davis.com

This 11th day of May, 2023.

**FOX CHANDLER HOMANS HICKS
& McKINNON, LLP**


Joseph A. Homans
Attorney for Paradise Valley Club, LLC
Georgia Bar No. 364647
P.O.Box 477
Dawsonville, GA 30534
joey@fchhm.com

EXHIBIT

2



Joey Leverette
County Manager

DAWSON COUNTY BOARD OF COMMISSIONERS OFFICE OF THE COUNTY MANAGER

May 26, 2023

Paradise Valley Club, LLC,
c/o Joseph A. Homans
Fox Chandler Homans Hicks & McKinnon, LLP
P.O. Box 477
Dawsonville, GA 30534
joey@fchhm.com
Via email and regular mail

RE: Appeal of Impact Fee Assessments by Paradise Valley Club, LLC
Building Permits 18810, 18811, and 18812
620 Valley Drive, 634 Valley Drive and 646 Valley Drive

Mr. Homans,

I am in receipt of the appeal filed by Paradise Valley Club, LLC (“Paradise Valley”) challenging the assessment of impact fees with respect to residential structures being constructed at 620 Valley Drive (Permit 18812), 634 Valley Drive (Permit #18811) and 646 Valley Drive (Permit #18810). I understand that the Dawson County Planning and Development Department (“Department”) assessed the full amount of impact fees due pursuant to the Dawson County Impact Fee Ordinance (Code Sections 101-57 to 101-71, “Impact Fee Ordinance”) in the amount of \$2,567.21 for each structure. I understand from Paradise Valley’s appeal, that Paradise Valley asserts that it should only be assessed 15% of this amount based on the alleged percentage of completion of the structures when the prior permits expired. For the record, I am aware that Paradise Valley paid the full amount of impact fees assessed with respect to 620 Valley Drive (Permit #18812), and I accept that this amount was paid “under protest” in order to release the certificate of occupancy for the structure and I will consider the appeal to be applicable to this structure as well.

I have reviewed the appeal filed by Paradise Valley, the assertions contained therein and the attachments thereto and conclude that the Department correctly assessed the full amount of impact fees due pursuant to the Impact Fee Ordinance. Even accepting Paradise Valley’s assertion that “the homes were approximately 85% complete when the building permits re-issued” as true, I find that this decision is controlled by Code

25 Justice Way
Suite 2236
Dawsonville, GA 30534
Phone 706-344-3501
Fax 706-344-3504

May 26, 2023

Page 2

Section 101-60(c)(2)(b), which expressly contemplates the situation presented here where construction of a structure is not timely completed.

This section limits grandfathering of construction projects to those projects where construction is “commenced, pursued, and completed within the time established by the building permit or within 180 days, whichever is later.”

In this case, the prior permits for these structures (Permit numbers 15361, 15362 and 15363) were issued on January 19, 2021, and were facially valid until January 19, 2022. County records reflect the fact that the last inspection of the structures was performed on September 14, 2021. I find, therefore, that under even the most liberal construction of Section 101-60(c)(2)(b)¹, any grandfathered right that Paradise Valley had to avoid payment of impact fees ended as of July 17, 2022, when construction had not been completed. In fact, Paradise Valley acknowledges in its appeal that the structures were not complete as of December 14, 2022, when the current permits were issued. (See paragraph 6 and Exhibit “C” of the appeal). This is also supported by County records with respect to the application for and issuance of the current permits.

In light of the foregoing, therefore, my decision is to affirm the decision of the Department with respect to the assessment of the full amount of impact fees (\$2,567.21) for each of the structures/permits that is the subject of this appeal. The appeal is, accordingly, denied.

You, of course, may pursue further consideration of this issue in accordance with the procedures set out in the Impact Fee Ordinance, including appeal to the Board of Commissioners.

Sincerely,



Joey Leverette
County Manager

cc: Sharon Farrell
Keith Wilson
Paul Frickey
Angela Davis

¹ I am opting to apply this “most liberal construction” because it is clear that Paradise Valley does not meet even this construction. In doing so, I am not waiving the right to apply a more appropriate, albeit more restrictive, interpretation in the future.

EXHIBIT

3



DAWSON COUNTY Planning & Development

January 15th, 2021

Zoning

Jeff Wasserman
Paradise Valley Resort
49 Valley Dr.
Dawsonville, GA 30534

Code Enforcement

Mr. Wasserman,

Building Permits
and Inspections

Please be advised that the following residential permits expired on December 18th, 2020 and will not be eligible for another extension. These permits will need to be re-permitted as new permits. They will not be subject to impact fees, but the permit fees will be calculated under the current fee schedule.

Business Licenses

1. R-11-17-11481
2. R-11-17-11482
3. R-11-17-11483

Alcohol Licenses

Please note that new permit applications will have to be submitted as the application has changed along with the building codes since the original permits were applied for. If you have any questions or concerns, feel free to contact me.

Animal Control

A handwritten signature in blue ink, appearing to read "Keith Wilson", written over a horizontal line.

Keith Wilson
Building Official
Dawson County Planning & Development

Marshal

25 Justice Way
Suite 2322
Dawsonville, GA 30534
Phone 706-344-3604

EXHIBIT

4



Planning and Development

25 Justice Way Suite 2322
 Dawsonville, GA 30534-3450
 Phone: (706)344-3604 Fax: (706)344-3652

Permit

Permit Status: Active
 Permit Number: R-1-21-15361

Issue Date: 1/19/2021

Expires: 01/19/2022

Issued By: Diane Callahan

Owner's Name: PARADISE VALLEY

Phone: (706)974-0550

Permit Type: Residential Building

Parcel #: 110 033 148

Work Classification: New

Zoning: C-PCD

Job Address: 646 Valley Drive
Dawsonville, GA 30534-

Subdivision: Paradise Valley

Lot: 058

Contractor(s)	Phone	Primary Contractor
Davis Plumbing & Pump Service, Inc	(770)887-0544	No
Address: 4925 Elrod Circle , Cumming GA 30041-		
Totally Dependable Contracting Serv	(770)509-7498	Yes
Address: 4048 Omra Drive , Marietta GA 30066-		
SOUTHERN COMFORT HEATING & A	(706)216-8238	No
Address: 294 COTHRAN Road , DAWSONVILLE GA 30534-		
B & R Electric	(770)735-6772	No
Address: 1930 HORNAGE ROAD , BALL GROUND GA 30107-		

Total Square Feet: 1700

Total Valuation: 60000

Proposed Use: Single Family - 1	Ex Res on Prop: No	Acreage: 1	Dvwy Pipe Insp: n/a
Water System: Public	Septic Tank Num:	Sewer: Yes	Front Setback: 50
Rear Setback: 185	Right Setback: 14	Left Setback: 24	Floor: wood
Walls: wood	Roof: wood	Type Heat: electric	Stories: 1
Rooms: 1	Baths: 1	Decks: 0	Bedrooms: 1
POWER COMPANY: Sawnee EMC			

Directions: hwy 9n, r@ hwy 136, r@ cothran, r@ valley

Single Family - 1 Bedroom

Reissue of 11481

Application is hereby made to obtain a permit to do work and installation as indicated above, and on the attached addendum (if applicable). I certify that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that separate permits are required for ELECTRICAL, PLUMBING, MECHANICAL, WINDOWS, DOORS, ROOFING and SWIMMING POOL work.

OWNERS AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated.

Fees Due	Amount
Administrative Fee	\$50.00
Electrical Fee	\$50.00
HVAC Fee	\$50.00
Plumbing Fee	\$50.00
Sq Ft Under Roof Fee	\$561.00
Total:	\$761.00

Invoice Number	Amt Due	Amt Paid
R-1-21-45510	\$761.00	
Total:		



Planning and Development

25 Justice Way Suite 2322
 Dawsonville, GA 30534-3450
 Phone: (706)344-3604 Fax: (706)344-3652

Permit

Permit Status: Active
 Permit Number: R-1-21-15362

Issued By: Diane Callahan

Issue Date: 1/19/2021

Expires: 01/19/2022

Owner's Name: PARADISE VALLEY
 Permit Type: Residential Building
 Work Classification: New
 Job Address: 634 Valley Drive
Dawsonville, GA 30534-

Phone: (706)974-0550
 Parcel #: 110 033 149
 Zoning: C-PCD
 Subdivision: Paradise Valley
 Lot: 059

Total Square Feet: 1700
 Total Valuation: 60000

Contractor(s)	Phone	Primary Contractor
Davis Plumbing & Pump Service, Inc	(770)887-0544	No
Address: 4925 Elrod Circle , Cumming GA 30041-		
Totally Dependable Contracting Serv	(770)509-7498	Yes
Address: 4048 Omra Drive , Marietta GA 30066-		
SOUTHERN COMFORT HEATING & A	(706)216-8238	No
Address: 294 COTHRAN Road , DAWSONVILLE GA 30534-		
B & R Electric	(770)735-6772	No
Address: 1930 HORNAGE ROAD , BALL GROUND GA 30107-		

Proposed Use: Single Family - 1	Ex Res on Prop: No	Acreage: 1	Dwvy Pipe Insp: n/a
Water System: Public	Septic Tank Num:	Sewer: Yes	Front Setback: 50
Rear Setback: 185	Right Setback: 14	Left Setback: 24	Floor: wood
Walls: wood	Roof: wood	Type Heat: electric	Stories: 1
Rooms: 1	Baths: 1	Decks: 0	Bedrooms: 1
POWER COMPANY: Sawnee EMC			

Directions: hwy 9n, r@ hwy 136, r@ cothran, r@ valley

Single Family - 1 Bedroom
 reissue of permit 11482

Application is hereby made to obtain a permit to do work and installation as indicated above, and on the attached addendum (if applicable). I certify that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that separate permits are required for ELECTRICAL, PLUMBING, MECHANICAL, WINDOWS, DOORS, ROOFING and SWIMMING POOL work.

OWNERS AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated.

Fees Due	Amount
Administrative Fee	\$50.00
Electrical Fee	\$50.00
HVAC Fee	\$50.00
Plumbing Fee	\$50.00
Sq Ft Under Roof Fee	\$561.00
Total:	\$761.00

Invoice Number	Amt Due	Amt Paid
R-1-21-45511	\$761.00	
Total:		



Planning and Development

25 Justice Way Suite 2322
 Dawsonville, GA 30534-3450
 Phone: (706)344-3604 Fax: (706)344-3652

Permit

Permit Status: Active
 Permit Number: R-1-21-15363

Issue Date: 1/19/2021

Expires: 01/19/2022

Issued By: Diane Callahan

Owner's Name: PARADISE VALLEY

Phone: (706)974-0550

Permit Type: Residential Building

Parcel #: 110 033 150

Work Classification: New

Zoning: C-PCD

Job Address: 620 Valley Drive
Dawsonville, GA 30534-

Subdivision: Paradise Valley

Lot: 060

Contractor(s)	Phone	Primary Contractor
Davis Plumbing & Pump Service, Inc	(770)887-0544	No
Address: 4925 Elrod Circle , Cumming GA 30041-		
Totally Dependable Contracting Serv	(770)509-7498	Yes
Address: 4048 Omra Drive , Marietta GA 30066-		
SOUTHERN COMFORT HEATING & A	(706)216-8238	No
Address: 294 COTHRAN Road , DAWSONVILLE GA 30534-		
B & R Electric	(770)735-6772	No
Address: 1930 HORNAGE ROAD , BALL GROUND GA 30107-		

Total Square Feet: 1700

Total Valuation: 60000

Proposed Use: Single Family - 1	Ex Res on Prop: No	Acreage: 1	Dwvy Pipe Insp: n/a
Water System: Public	Septic Tank Num:	Sewer: Yes	Front Setback: 50
Rear Setback: 185	Right Setback: 14	Left Setback: 24	Floor: wood
Walls: wood	Roof: wood	Type Heat: electric	Stories: 1
Rooms: 1	Baths: 1	Decks: 0	Bedrooms: 1
POWER COMPANY: Sawnee EMC			

Directions: hwy 9n, r@ hwy 136, r@ cothran, r@ valley

Single Family - 1 Bedroom
 reissue of 11483

Application is hereby made to obtain a permit to do work and installation as indicated above, and on the attached addendum (if applicable). I certify that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that separate permits are required for ELECTRICAL, PLUMBING, MECHANICAL, WINDOWS, DOORS, ROOFING and SWIMMING POOL work.

OWNERS AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated.

Fees Due	Amount
Administrative Fee	\$50.00
Electrical Fee	\$50.00
HVAC Fee	\$50.00
Plumbing Fee	\$50.00
Sq Ft Under Roof Fee	\$561.00
Total:	\$761.00

Invoice Number	Amt Due	Amt Paid
R-1-21-45512	\$761.00	
Total:		

Receipt
Dawson County Planning & Development
25 Justice Way Suite 2322 Dawsonville, GA 30534-3450
Phone: (706)344-3604 Fax: (706)344-3652

Permit Number: R-1-21-15361
Invoice Number: R-1-21-45510
Applicant: PARADISE VALLEY
Company Name: PARADISE VALLEY

Owner Address:
49 Valley Drive
Dawsonville, GA 30534-

Job Address:
49 Valley Drive
646 Valley Drive
Dawsonville, GA 30534-
Dawsonville, GA 30534-

Date	Payment Type	Check Number	Amount	Change
Tuesday, January 19, 2021				
01/19/2021	Check	7536	\$761.00	\$0.00
			Total Payment:	\$761.00

Paid in full
Lot 58
MM

Receipt

Dawson County Planning & Development

25 Justice Way Suite 2322 Dawsonville, GA 30534-3450

Phone: (706)344-3604 Fax: (706)344-3652

Permit Number: R-1-21-15362	Owner Address:
Invoice Number: R-1-21-45511	49 Valley Drive
Applicant: PARADISE VALLEY	Dawsonville, GA 30534-
Company Name: PARADISE VALLEY	
	Job Address:
	49 Valley Drive
	634 Valley Drive
	Dawsonville, GA 30534-
	Dawsonville, GA 30534-

Date	Payment Type	Check Number	Amount	Change
Tuesday, January 19, 2021				
01/19/2021	Check	7536	\$761.00	\$0.00
			Total Payment: \$761.00	

Paid in full

Lot 59

MM

Receipt

Dawson County Planning & Development

25 Justice Way Suite 2322 Dawsonville, GA 30534-3450

Phone: (706)344-3604 Fax: (706)344-3652

Permit Number: R-1-21-15363

Invoice Number: R-1-21-45512

Applicant: PARADISE VALLEY

Company Name: PARADISE VALLEY

Owner Address:

49 Valley Drive

Dawsonville, GA 30534-

Job Address:

49 Valley Drive

620 Valley Drive

Dawsonville, GA 30534-

Dawsonville, GA 30534-

Date	Payment Type	Check Number	Amount	Change
Tuesday, January 19, 2021				
01/19/2021	Check	7536	\$761.00	\$0.00

Total Payment: \$761.00

Paid in full

Lot 60

MM

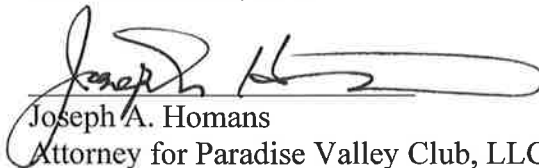
CERTIFICATE OF SERVICE

This will certify that I have this day served Defendants, in the within and foregoing matter with a true and correct copy of **APPEAL- IMPACT FEE ASSESSMENT** by Electronic Mail and U.S. Mail with adequate postage of a copy of same addressed as follows:

Mr. Paul B. Frickey
Jarrard & Davis, LLP
222 Webb Street
Cumming, GA 30040
pfrickey@jarrard-davis.com

This 20th day of June, 2023.

**FOX CHANDLER HOMANS HICKS
& McKINNON, LLP**



Joseph A. Homans
Attorney for Paradise Valley Club, LLC
Georgia Bar No. 364647
P.O.Box 477
Dawsonville, GA 30534
joey@fchhm.com



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Environmental Health

Work Session: August 3, 2023

Prepared By: Bill Ringle

Voting Session: August 17, 2023

Presenter: Bill Ringle

Public Hearing: Yes No

Agenda Item Title: Environmental Health Fee Schedule

Background Information:

Periodically, the Environmental Health Office reviews and raises fees accordingly. The last time the Dawson County Environmental Health Office raised fees was July, 2017. After approval by the Board of Health, approval is needed from the Dawson County Board of Commissioners.

Current Information:

At their July 19, 2023 meeting, the Dawson County Board of Health voted to approve the new fee schedule as presented by the Environmental Health Office (please see the attached proposed fee schedule). These fees would not go into effect until January 1, 2024.

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: Kurti Neubert

Date: 7-25-23

County Manager Authorization: J. Hatt

Date: 7-25-23

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Fees	Dawson County	Dawson County
	Existing Fee	Proposed
Sewage Management		
Residential 1-4 Bedrooms	\$300	\$325
5 or more bedrooms	\$400	\$425
Re-inspection (system not ready)	\$50	\$75
Commercial Septic Permit 0 - 1999 gpd	\$300	\$325
Commercial Septic Permit >1999 gpd	\$400	\$425
Re-submittal of Plans -Third+	N/A	\$50
Subdivision review per lot	\$50	\$75
Repair Permit Residential	\$100	\$100
Repair Permit Commercial	\$100	\$150
Existing System Re-evaluation	\$100	\$125
Add-on Permit Residential	\$100	\$200
Add-on Permit Commercial	\$100	\$200
Pre-purchase	\$100	\$125
Sept. removal/portable sanitation truck annual permit	\$50	\$100
Each Additional Truck	\$50	\$50
Septage Removal/Portable Late Fee - Third +	N/A	\$125
Temporary toilet	\$50	\$75
Each additional toilet - events only	\$10	\$10
Engineered site plan review individual lot	\$100	\$0
Permit Renewal Fee after expiration	N/A	\$150
Food Service		
Initial Permit	\$300	\$325
Plan Review	\$150	\$200
Re-Submittal of Plans -Third +	N/A	\$50
Annual Inspection		
Seats 0-25	\$200	\$225
Seats 26-50	\$225	\$250
Seats 51-100	\$250	\$275
Seats 101+	\$300	\$325

Mobile/Extended Unit Permit	\$100	\$125
Mobile Unit Base Permit	\$300	\$325
Mobile/Extended Unit Annual Inspection	\$200	\$125
Mobile Unit Base Annual Inspection	\$200	\$225
Mobile Unit Authorization (outside County)	N/A	\$50
Mobile Unit Authorization Inspection	N/A	\$100
Temporary Food Vendor Inspection	\$40	\$50
Late Annual Fee at 3rd Notice	\$100	\$125
Food Service Pre-purchase Eval.	\$100	\$125
Tourist Accommodations		
Plan Review	\$150	\$200
Re-submittal of Plans - Third +	N/A	\$50
Initial Permit	\$250	\$275
Annual Inspection		
Rooms 0-50	\$200	\$225
Rooms 50-100	\$225	\$250
Rooms 101+	\$250	\$275
Tourist Accommodation Pre-purchase	N/A	\$125
Late Annual Fee at Third Notice	\$100	\$125
Water Testing		
Sample, includes 1 follow-up	\$45	\$50
Pools & Spas		
Plan Review	\$150	\$200
Re-Submittal of Plans - Third +	N/A	\$50
Initial Permit	\$150	\$200
Annual Inspection		
Each additional Pool/Spa	\$100	\$100
Re-inspection - Unsatisfactory	\$50	\$75
Late Annual Fee at 3rd Notice	\$100	\$125

Body Art

Plan Review	150	\$200
Re-submittal of Plans - Third +	N/A	\$50
Establishment Permit	\$150	\$200
Technician Permit	\$50	\$0
Establishment Annual Inspection	\$150	\$200
Technician Annually	\$50	\$0
Pre-purchase Evaluation	N/A	\$125
Guest/Temporary Body Artist Permit	N/A	\$75
Temporary Body Art Facility Permit	N/A	\$150
Late Annual Fee at 3rd Notice	\$100	\$125
Returned Check Fee	N/A	Bank Rate



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **PUBLIC WORKS**

Work Session: August 3, 2023

Prepared By: **ROBERT W. DREWRY, PUBLIC WORKS DIRECTOR**

Voting Session: August 17, 2023

Presenter: **ROBERT W. DREWRY**

Public Hearing: Yes _____ No X

Agenda Item Title: Request Board consideration for full time staffing the Recycling Center.

Background Information:

At the May 18, 2023, meeting, the Board approved a request a to add two (2) part-time attendants to assist citizens in recycling as a follow-up to a request presented on August 4, 2022, by a former county manager. The recycling attendants would engage and educate the citizen and keep up maintenance in and around the site.

Current Information:

Before the Board took action in May, there was some discussion of coming back to the Board if there was difficulty filling the part-time positions. The County has posted the vacant part-time positions and there has been little interest. Staff is recommending the Board consider amending its previous approval for two part-time attendants to a full-time attendant and a part-time attendant. Having a full-time attendant will guarantee coverage and give stability to the peak times at the Recycling Center. The only caution is that the minimum salary for an Attendant may not attract good candidates.

- Annual estimated cost for two (2) Part-Time Attendants, including FICA = \$35,770
- Annual estimated cost for a Full-Time Attendant and a Part-Time Attendant = \$72,764

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
540	4520	511100				

Recommendation/Motion: Request Board amend their previous action and approve to add a Full Time Attendant and a Part Time Attendant for the recycling program.

Department Head Authorization: _____ RWD _____

Date: 07/21/2023

Finance Dept. Authorization: Vickie Neikirk

Date: 07/25/23

County Manager Authorization: Joey Leverette

Date: 7/26/23

County Attorney Authorization: _____

Date: _____

Comments/Attachments: