

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA – THURSDAY, JANUARY 21, 2021
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. OPENING PRESENTATION

- [1.](#) Proclamation Recognizing Elections and Voter Registration

C. INVOCATION

D. PLEDGE OF ALLEGIANCE

E. ANNOUNCEMENTS

F. APPROVAL OF MINUTES

- [1.](#) Minutes of the Work Session held on December 17, 2020
- [2.](#) Minutes of the Voting Session held on December 17, 2020

G. APPROVAL OF AGENDA

H. PUBLIC COMMENT

I. PUBLIC HEARING

- [1.](#) Land Use Resolution Update – Residential Planned Community Zoning District Road Maintenance (*2nd of 2 hearings; 1st hearing was held at the January 19, 2021, Planning Commission meeting*)

J. ZONINGS

- [1.](#) ZA 20-21 - George Butler as agent for owners requests to rezone TMP 097-099 from RA (Residential Agriculture) to RS2 (Residential Suburban 2) for the purpose of developing a 194-residential-lot subdivision (Dawson Forest Road East).
- [2.](#) ZA 20-23 - Miles, Hansford & Tallant requests to rezone TMP 113-044-006 from COI (Commercial Office Institutional) to CHI (Commercial Highway Intensive) for the purpose of developing a garden center (Prominence Court and Kilough Church Road).
- [3.](#) ZA 20-27 - Dawson County requests to rezone TMP 113-001 and 113-092 from CHB (Commercial Highway Business) to RMF (Residential Multi-Family) and CHB for the purpose of developing a commercial component and multi-family dwellings. (*The Public Hearing for ZA 20-27 is Postponed Until February 18, 2021*)

K. NEW BUSINESS

- [1.](#) Consideration of Request for Funding for Comprehensive Security System Upgrade
- [2.](#) Consideration of Family Connection Fiscal Agent Request
- [3.](#) Consideration of Veterans Memorial Park Pavilion Rental Fee

4. Consideration of a Resolution Requesting the Calling of a Special Election to Impose a County One Percent Special Purpose Local Option Sales and Use Tax

L. PUBLIC COMMENT

M. ADJOURNMENT

**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**

**IN RECOGNITION
OF DAWSON COUNTY ELECTIONS AND VOTER REGISTRATION**

PROCLAMATION

WHEREAS, One of the most fundamental and sacred rights of our country is the right to vote. Each election year, we reaffirm voting as a civic duty among our people and encourage friends, family and neighbors to exercise their right to vote; and

WHEREAS, It is up to each individual to exercise that right, which so many struggled to obtain and protect. It is important for voters to participate in every election; and

WHEREAS, The COVID-19 pandemic had a far-reaching effect on the elections of 2020, including causing many experienced poll workers to stay home due to health risks; and

WHEREAS, The elections of 2020 and the January 5, 2021, Georgia U.S. Senate runoff were of paramount importance, and the outcome of these elections directly impacts the citizens of Dawson County. The leaders elected are our decision makers in our community and our voice in Atlanta and Washington, D.C. When we do not take full advantage of the right to vote, we not only give away our voice but the ability to shape our community's future.

WHEREAS, Glenda Ferguson, director of Dawson County Elections and Voter Registration, her mighty team of two staff members and a dedicated board of directors steered our community through an unprecedented election season; and

WHEREAS, Amidst all the changes and challenges, election administrators and poll workers, including many with experience and many stepping up and being trained for the first time, played a critical role in helping voters safely and securely access their ballots with face coverings, hand sanitizer and sanitized pens in polling places; and

WHEREAS, To learn new voting equipment, educate the public and to recruit and train additional poll workers required long hours and creativity by election staff and poll workers; and

WHEREAS, In order to recognize the significant efforts made by election administrators and poll workers, the Dawson County Board of Commissioners urges voters, businesses, organizations, public officials and all candidates for public office across our county to join in celebrating and thanking these individuals;

NOW THEREFORE, the Dawson County Board of Commissioners does hereby proclaim January 21, 2021, as

DAWSON COUNTY ELECTIONS AND VOTER REGISTRATION DAY.

Attest:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

**DAWSON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES – DECEMBER 17, 2020
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
4:00 PM**

Those present were Chairman Billy Thurmond; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; County Attorney Paul Frickey; County Clerk Kristen Cloud; and interested citizens of Dawson County. District 1 Commissioner Sharon Fausett, District 4 Commissioner Julie Hughes Nix and County Manager David Headley were not present.

NEW BUSINESS

1. Presentation of Request for Funding for Comprehensive Security System Upgrade- Sheriff Jeff Johnson / IT Director Herman Thompson
This item, presented by Sheriff's Office Captain Anthony Davis, will be placed on the January 21, 2021, Voting Session Agenda.
2. Presentation of Family Connection Fiscal Agent Request- Family Connection Coordinator Nancy Stites
This item will be placed on the January 21, 2021, Voting Session Agenda.
3. Presentation of Request for Approval of FY 2021 Legacy Link Contract Addendum No. 1- Senior Services Director Dawn Johnson
This item will be added to the December 17, 2020, Voting Session Agenda.
4. Presentation of Veterans Memorial Park Pavilion Rental Fee- Parks & Recreation Director Matt Payne
This item will be placed on the January 21, 2021, Voting Session Agenda.
5. Presentation of Proposed Special Purpose Local Option Sales Tax Intergovernmental Agreement- County Attorney Angela Davis
This item, presented by Public Works Director David McKee and County Attorney Frickey, will be placed on the January 21, 2021, Voting Session Agenda.
6. Presentation of Board Appointments:
 - a. **Parks & Recreation**
 - i. Tony Keller- *reappointment* (Term: January 2021 through December 2024)
 - ii. Spencer Wright- *reappointment* (Term: January 2021 through December 2024)
 - b. **Development Authority**
 - i. Dennis Fedoruk- *replacing Mike Ball* (Term: January 2021 through December 2024)*This item will be added to the December 17, 2020, Voting Session Agenda.*
7. County Manager Report
This item, presented by Chief Financial Officer Vickie Neikirk, was for information only.

8. County Attorney Report

County Attorney Frickey had no information to report and requested an Executive Session following the Voting Session.

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – DECEMBER 17, 2020
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; County Attorney Paul Frickey; County Clerk Kristen Cloud; and interested citizens of Dawson County. District 1 Commissioner Sharon Fausett, District 4 Commissioner Julie Hughes Nix and County Manager David Headley were not present.

INVOCATION: Chairman Thurmond

PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

Chairman Thurmond announced that the next regularly scheduled Board of Commissioners meeting would be held on January 21, 2021.

APPROVAL OF MINUTES:

Motion passed 3-0 to approve the Minutes of the Work Session held on December 3, 2020. Satterfield/Gaines

Motion passed 3-0 to approve the Minutes of the Voting Session held on December 3, 2020. Gaines/Satterfield

APPROVAL OF AGENDA:

Motion passed 3-0 to approve the agenda with the following changes:

- Addition of No. 7 under New Business:
 - Request for Approval of FY 2021 Legacy Link Contract Addendum No. 1
- Addition of items c. and d. under No. 5 (Consideration of Board Appointments) under New Business:
 - Parks & Recreation: Tony Keller- reappointment (Term: January 2021 through December 2024); and Spencer Wright- reappointment (Term: January 2021 through December 2024)
 - Development Authority: Dennis Fedoruk- replacing Mike Ball (Term: January 2021 through December 2024)

Gaines/Satterfield

PUBLIC COMMENT:

None

ZONINGS:

Chairman Thurmond announced that if anyone contributed more than \$250 to the commissioners or chairman in the past two years and wished to speak they would have to fill out a disclosure

form, which would be made available to them. Under normal program, 10 minutes is given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 20-08 - Fox Creek Properties requests to rezone TMP 112-109, 104-065, 112-019, 112-013, 113-057-002 and 112-018 from RA (Residential Agriculture), RPC (Residential Planned Community), CHB (Commercial Highway Business), CPCD (Commercial Planned Community Development) and COI (Commercial Office Institution) to Mixed Use Village for the purpose of developing single-family, multi-family, retail/commercial/office, hotel, and light industrial uses (Georgia 400 and Lumpkin Campground Road).

Planning & Development Director Jameson Kinley said Fox Creek Properties seeks to rezone just more than 500 acres at the corner of Lumpkin Campground Road and Highway 400. “This is the third time in the past two years that the board has heard a request of this nature in regards to this property with some sort of variation,” said Kinley. He added that, when looking at a mixed-use village zoning classification for the first time, the Planning department examines seven different criteria, including: proposed uses; number of units per use; designated areas of use; open space, amenities, road systems and access points; location of wetlands and streams; public and private streets; and name of the development. Kinley discussed the current zoning density compared to the proposed zoning density. “Mixed-use village is defined in our comprehensive plan as a ‘live, work, play’ community that is centered around a village center with civic open space,” he said. “The most important idea of the mixed-use village is the idea of public space, which is accessible by walking or bike paths and feathered density surrounding the center. Mixed-use villages should be a balance of jobs and housing in a creative, planned community with corner stores, specialty boutiques and small grocers.” Kinley added, “It is in the opinion of the Planning department that this plan does a good job of providing an environmentally friendly concept while checking the boxes for the requirements for the mixed-use village zoning classification. However, at its core, it doesn’t really provide that village center that is described within our comprehensive plan as a ‘live, work, play’ community.” Kinley said the Planning Commission recommended approval of the request with the stipulation that the applicant work with staff in regards to a timeline for the development of the industrial component in conjunction with the residential component, so that the residential component would not be developed without some type of commercial component. Kinley said the applicant sent an email to the Planning department requesting to withdraw the application without prejudice.

Applicant Kenneth Wood, Peachtree Corners, Georgia, said, “We came before the Planning Commission several times and we’ve refined the plan multiple times...” He discussed the reiterations of the plan, particularly after discussions with the Development Authority and neighbors. “Where we are now: we know we have the right zoning in talking to staff ... We know we can come up with an even more creative plan,” said Wood. “We’ve already got some ideas of what we’ve done in some different developments down in Forsyth [County] to bring in commercial, have more of a green space in the community area. We talked about how [to] situate the potential fire station site” and meet the commercial-residential component stipulation. He said granting the request for withdrawal would allow Fox Creek Properties ample time to revise plans for the proposed development.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

None spoke in favor of the application.

The following spoke in opposition of the application:

- Bill Minor, Dawsonville, Georgia
- Bruce Duncil, Dawsonville, Georgia
- Hugh Stowers Jr., Dawsonville, Georgia,
- Sabrina Needy, Dawsonville, Georgia
- Ken Ruffner, Dawsonville, Georgia
- Keith Pagel, Dawsonville, Georgia, submitted a comment in opposition of the application, which was read aloud by Chairman Thurmond

Chairman Thurmond asked if there was anyone else present who wished to speak on the application and, hearing none, closed the hearing.

Motion passed 3-0 to approve the request for withdrawal of ZA 20-08 without prejudice. Gaines/Satterfield

ZA 20-18 - The Pacific Group requests to rezone TMP 106-053 and 106-052 from RS (Residential Suburban) to RS3 (Residential Suburban 3) for the purpose of developing a 183 residential lot subdivision (Dawson Forest Road).

Planning & Development Director Jameson Kinley said the Pacific Group seeks to rezone 68.5 acres from RS to RS2 for the purpose of developing a 137-lot conservation neighborhood with amenities. The parcels are located adjacent to The Woods development that was approved in 2019. “Mr. Seifert and his associates have made many concessions since submitting their original zoning application and site plan,” said Kinley. “They have met with adjoining property owners, Planning staff and local officials in an attempt to mitigate concerns. The total number of lots have decreased, an amenity area has been added, in addition to increased buffers surrounding the development.” Kinley said the original application and site plan requested 183 lots. He said the Planning Commission recommended denial of the application.

Applicant Kevin Seifert of the Pacific Group said the 61 acres on parcel 106-053 could be permitted for 61 homes, “thus the same sized lots that we’re proposing could be developed today without rezoning, and those homes could be built with zero conditions ... without having to come before this board.” In addition, he said, the lots could have access to Country Crossings, Grizzle Road and “this would also add 61 homeowners who could use the existing amenities of County Crossings.” Seifert listed numerous adjustments and commitments made by the Pacific Group following Planning Commission meetings and based on concerns it heard. He also mentioned numerous conditions the Pacific Group is willing to meet should the rezoning be approved. He said a traffic study and Developments of Regional Impact (DRI) were returned with no significant issues.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

The following spoke in opposition of the application:

- Jerry Feagin, Dawsonville, Georgia
- Sabrina Needy, Dawsonville, Georgia

- Bruce Duncil, Dawsonville, Georgia
- Ken Ruffner, Dawsonville, Georgia
- Taylor Adkins, Dawsonville, Georgia
- Bob Michaelson, Dawsonville, Georgia
- Doug Hughes, Dawsonville, Georgia

None spoke in favor of the application.

Chairman Thurmond asked if there was anyone else present who wished to speak on the application and, hearing none, closed the hearing.

Motion passed 3-0 to approve ZA 20-18 with the following stipulations:

1. Total lot count shall not exceed 137 lots;
2. This shall be a conservation design and shall abide by Article X of the Land Use Ordinance;
3. There shall be a minimum 150-foot undisturbed buffer to all properties to the north, west and south of the community as shown on Exhibit C, the Zoning Site Plan. The allowed deviations from the 150 feet are represented on Exhibit C;
4. Carriage-style garage doors with decorative hardware or other embellishments shall be used on all homes and each home shall have not less than a two-car garage;
5. The roofing material used on all homes shall be cedar shake, three-tab architectural-/dimensional-style asphalt shingles or metal as appropriate to the architectural style of each home as determined by the builder;
6. All overhangs, including gables and side gables, will have a minimum of a 12-inch overhang on all sides;
7. The developer shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ, among others, the use of differing front elevations, architectural styles, building exteriors and other similar techniques so that no house is the same as any house directly in front or on either adjacent side of it;
8. All roofs and gables shall be of a pitch no less than 8/12. This condition shall not apply to dormers, porches, bay windows and third-floor retreats;
9. All homes shall have a minimum of two 12-inch house and foundation offsets in the front;
10. Poured concrete retaining walls visible from the right of way must be painted or faced with stone or brick. No wooden retaining walls over 3 feet in height shall be permitted;
11. The exterior materials for all homes shall consist of brick, stone, cement-based lap siding, cement-based siding panels, cedar and/or shake;
12. The front facade of all homes shall have a minimum of 45 percent brick, stone and/or shake with accents, such as but not limited to HardiePlank-lap siding;
13. Homes shall have a minimum heated floor area of 1,800 square feet. At least 75 percent of the homes shall have a minimum heated floor area of 2,200 square feet;
14. All roof vents, pipes and other roof equipment (except chimneys) shall be located on the rear elevations and shall be painted to match the color of the roof;
15. No above-ground swimming pools shall be permitted;
16. No window air conditioning unit may be installed;
17. Developer shall allow Georgia Native Plant Society to rescue any native plants prior to grading the property;
18. Developer shall provide an amenity area with a pool, cabana and playground;

19. Developer shall construct a 4-foot-tall four-board fence to include hog wire running the entire length of the northern shared property line with Country Crossings Recreation Association Inc. This fence shall be located on the property line where the shared property line falls south of the creek and shall be located approximately 50 feet south of the creek where the property line falls north of the creek;
20. Prior to final plat approval, \$1,000 per lot shall be given by the developer to the county for Lumpkin Campground Road improvements; and
21. Entrance on Dawson Forest Road must include a waterfall feature.

Satterfield/Gaines

ZA 20-22 - Jim King on behalf of Piedmont Residential requests to rezone TMP 114-033-005 from RA (Residential Agriculture) to RMF (Residential Multi-Family) for the purpose of developing a 145 semi-detached residential lot subdivision (Dawson Forest Road East).

Planning & Development Director Jameson Kinley said the applicant seeks to rezone 30.48 acres at the corner of Highway 53 East and Dawson Forest Road from RA to RMF for the purpose of constructing a 145-lot semi-detached home neighborhood. Kinley said the development would be situated on the interior portion of the parcel with the outlying road frontage being reserved for future commercial developments. "Residential Multi-Family is an appropriate zoning classification in line with our comprehensive plan," said Kinley. "The site plan will have to include a second entrance to meet subdivision regulations. The concept of having the residential density behind the potential commercial frontage is in line with the 400 Corridor. Although we would like to see more of an inclusive development to include the commercial as well, this rezoning is just for the interior portion of the property while the rest is to be left vacant." Kinley added, "It is important to note that the Planning department is in the process of updating the 400 Corridor guidelines. This development will be held to the guidelines that will be in place at the time of development unless otherwise stipulated here." Kinley said the Planning Commission recommended denial of the application. Kinley said the applicant sent an email to the Planning department requesting to withdraw the application without prejudice.

Applicant Jim King said that, when the initial application came before the Planning Commission, "Piedmont Homes was only buying the central portion of this property, allowing about 300 feet of depth around Dawson Forest Road and 53 for future commercial that he would develop himself. There's nothing that he could really do with the interior portion so it was going to be a mixed-use development, but we didn't have any information or any control on the commercial piece," said King. King said his client, following the Planning Commission meeting, persuaded the property owner that "we would have a much better development if we incorporated the entire property together, and that's what we plan to do." He said a comprehensive look will be taken of the entire property, to include both the commercial and residential, with plans to bring a request back before the board.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

None spoke in favor of the application.

The following spoke in opposition of the application:

- Jerry Feagin, Dawsonville, Georgia
- Bruce Duncil, Dawsonville, Georgia

Chairman Thurmond asked if there was anyone else present who wished to speak on the application and, hearing none, closed the hearing.

Motion passed 3-0 to approve the request for withdrawal of ZA 20-22 without prejudice. Gaines/Satterfield

NEW BUSINESS:

Consideration of Request for Approval of FY 2021 State Public Defender Contract

Motion passed 3-0 to approve the Request for Approval of the FY 2021 State Public Defender Contract. Satterfield/Gaines

Consideration of Request for Approval of FY 2021 Public Defender Intergovernmental Agreement Between Dawson and Hall Counties

Motion passed 3-0 to approve the Request for Approval of the FY 2021 Public Defender Intergovernmental Agreement Between Dawson and Hall Counties. Gaines/Satterfield

Consideration of 2021 Local Maintenance & Improvement Grant Application Approval Request

Motion passed 3-0 to approve the 2021 Local Maintenance & Improvement Grant Application Approval Request. Satterfield/Gaines

Consideration of Request for Funding and Contract with EagleView Imagery

Motion passed 3-0 to approve the Request for Funding and Contract with EagleView Imagery. Gaines/Satterfield

Consideration of Board Appointments:

- *Board of Tax Assessors*
 - *Sam Guthrie- reappointment (Term: January 2021 through December 2025)*
- *Planning Commission*
 - *Jason Hamby, District 1- reappointment (Term: January 2021 through December 2021)*
 - *John Maloney, District 2- reappointment (Term: January 2021 through December 2022)*
 - *Tim Bennett, District 3- reappointment (Term: January 2021 through December 2021)*
 - *Neil Hornsey, District 4- reappointment (Term: January 2021 through December 2022)*
- *Parks & Recreation*
 - *Tony Keller- reappointment (Term: January 2021 through December 2024)*
 - *Spencer Wright- reappointment (Term: January 2021 through December 2024)*
- *Development Authority*
 - *Dennis Fedoruk- replacing Mike Ball (Term: January 2021 through December 2024)*

Motion passed 3-0 to approve the reappointment of Sam Guthrie to the Board of Tax Assessors for a term of January 2021 through December 2025. Satterfield/Gaines

Motion passed 3-0 to approve the following Planning Commission reappointments: Jason Hamby, District 1, for a term of January 2021 through December 2021; John Maloney, District 2, for a term of January 2021 through December 2022; Tim Bennett, District 3, for a term of January 2021 through December 2021; and Neil Hornsey, District 4, for a term of January 2021 through December 2022. Gaines/Satterfield

Motion passed 3-0 to approve the reappointment of Tony Keller and Spencer Wright to the Parks & Recreation board for terms of January 2021 through December 2024. Satterfield/Gaines

Motion passed 3-0 to approve the appointment of Dennis Fedoruk to the Development Authority board for a term of January 2021 through December 2024. Gaines/Satterfield

Consideration of Annexation #C2100043 (Amended)

Motion passed 3-0 to approve for the county attorney to prepare correspondence to the city of Dawsonville asserting a land use objection concerning Annexation #C2100043 (Amended) pursuant to Georgia's annexations statutes based on a material increase in the burden on the county as a result of the increased density and additional infrastructure demands related to the proposed change in zoning and land use of the property to be annexed; the county attorney is directed to work with staff to include in the letter of support for objection based on the information presented at the hearing and details supporting staff's analysis; and the county attorney shall include notice to the city that the county considers the proposed annexation to violate Section 36-36-20 with respect to the subdivision of property in an effort to evade the requirements of annexation of an entire parcel. Gaines/Satterfield

Consideration of Request for Approval of FY 2021 Legacy Link Contract Addendum No. 1

Motion passed 3-0 to approve the Request for Approval of FY 2021 Legacy Link Contract Addendum No. 1. Satterfield/Gaines

PUBLIC COMMENT:

None

Chairman Thurmond and the board recognized outgoing District 4 Commissioner Julie Hughes Nix for her many years of service.

ADJOURNMENT:

EXECUTIVE SESSION:

Motion passed 3-0 to enter into Executive Session to discuss litigation. Gaines/Satterfield

Motion passed 3-0 to come out of Executive Session. Satterfield/Gaines

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 11/19/20

Prepared By: David McKee

Voting Session: 12/3/20

Presenter: David McKee

Public Hearing: Yes ☒ No ☐

Agenda Item Title: Residential Planned Community (RPC) zoning district road maintenance

Background Information:

RPC zoning district specifies that subdivisions developed in RPC zoning district shall remain private. There are several existing RPC subdivisions (Chestatee, Big Canoe, Blacks Mill Preserve) as well as proposed RPC subdivisions that are either under construction or will soon start. Developers in both cases have been and continue to follow the current subdivision regulations, which is clear on the procedure to develop roads to a county standard and the process for acceptance into the county maintenance system.

Current Information:

RPC zoning district is the only zoning district that has this language regarding road maintenance. The current subdivision regulations clearly specify which standards are to be followed and do not specify a zoning district as all roads are treated the same. The subdivision regulations require a development package to be submitted to Public Works for approval prior to the bonding of a 21-month period and ultimately presentation to the BOC for adoption. At the end of the bonding period all roads and infrastructure are inspected and deficiencies are to be repaired by the developer.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Staff recommends the approval to move forward with hearings on the RPC language change reference road maintenance.

Department Head Authorization: David McKee

Date: 10-27-20

Finance Dept. Authorization: Vickie Neikirk

Date: 11/12/20

County Manager Authorization: David Headley

Date: 11/12/2020

County Attorney Authorization: ☐

Date: ☐

Comments/Attachments:

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 20.21 Tax Map & Parcel # (TMP): 097.099
Submittal Date: 10.9.2020 Time: 11:08 (am/pm) Received by: Yng (staff initials)
Fees Assessed: 300- Paid: Check Commission District: 44
Planning Commission Meeting Date: November 17, 2020
Board of Commissioners Meeting Date: December 17, 2020

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: George E. Butler II, As Agent for Owners

Address: _____

Phone: Listed Unlisted Email: Business Personal

Status: [] Owner [☒] Authorized Agent [] Lessee [] Option to purchase

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

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

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

Meeting Date: _____ Applicant Signature: _____

PROPERTY OWNER/PROPERTY INFORMATION

Name: Turner Property Holdings, LLP & Estate of Harold Hendrix

Street Address of Property being rezoned: SE corner of Dawson Forest Rd. & Blacks Mill Rd.

Rezoning from: RA to: RS-2 Cons. Total acreage being rezoned: 111.9

Directions to Property: Go 2.1 miles west on Dawson Forest Rd. from Ga. 400; and property is on the left (south side) between Blacks Mill Elementary School & Blacks Mill Rd.

Subdivision Name (if applicable): N/A Lot(s) #: _____

Current Use of Property: Vacant woodland

Any prior rezoning requests for property? Yes if yes, please provide rezoning case #: ZA 04-23 & 14-04

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

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

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RA South VCR & RSRMM East RSRMM & RA West RA & VCR

Future Land Use Map Designation: Planned Residential Community

Access to the development will be provided from:

Road Name: Dawson Forest Rd. Type of Surface: Paved asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

☒ Rezoning to: RS-2 Conservation Subd'n ☐ Special Use Permit for: _____

Proposed Use: Single Family Residential

Existing Utilities: ☒ Water ☐ Sewer ☒ Gas ☒ Electric

Proposed Utilities: ☒ Water ☒ Sewer ☒ Gas ☒ Electric

RESIDENTIAL

No. of Lots: 194 Minimum Lot Size: 6,000 sq. ft. (acres) No. of Units: 194

Minimum Heated Floor Area: 1,600 sq. ft. Density/Acre: 1.73

Type: ☐ Apartments ☐ Condominiums ☐ Townhomes ☒ Single-family ☐ Other

Is an Amenity Area proposed: Yes; if yes, what? Walking Trails / Passive Park

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

2001 9 11:08AM

APPLICANT CERTIFICATION

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

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

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

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

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

Signature

A. Butler

Date

10/9/2020

Witness

Charlene M. Ryan

Date

10-9-20

WITHDRAWAL

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

I hereby withdraw application # _____

Signature

Date

Withdrawal of Application:

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

NOV 9 11:08 AM

ZA _____

TMP#: _____

List of Adjacent Property Owners

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

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

Name**Address**

TMP 097 099 001	1. Kurt Krattinger	243 Blacks Mill Rd Dawsonville GA 30534
TMP 097 148	2. Kurt Krattinger	243 Blacks Mill Rd. Dawsonville, GA 30534
TMP 098 040 001	3. Jimmy Lovell, Jr.	467 Blacks Mill Rd. Dawsonville, GA 30534
TMP 098 041	4. Cary H. Pruitt	549 Blacks Mill Rd. Dawsonville, GA 30534
TMP 098 058	5. Mark T. Ingram	567 Blacks Mill Rd. Dawsonville, GA 30534
TMP 098 042	6. David L. + Theresa L. Walls	603 Blacks Mill Rd. Dawsonville, GA 30534
TMP 098 043	7. Ronnie Sosebee	37 Faith Drive Dawsonville, GA 30534
TMP 107 210	8. Dennis W. + Mary E. Hubbard	134 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 209	9. Yianna Manolakis	8030 Ivyshaw Dr. Gainesville, GA 30506
TMP 107 208	10. Tammy R. Johnson	116 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 207	11. Eric N. Graves	102 Blacks Mill Trc W Dawsonville, GA 30534
TMP 107 206	12. Charles C. + Doris Hall Johnston	68 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 205	13. Daniel Robert + Sarah A. Riggio	60 Blacks Mill Trace W Dawsonville, GA 30534
TMP 107 204	14. Robin Darleen Petranck	42 Blacks Mill Trace West Dawsonville, GA 30534
TMP 107 203	15. Gary L. Carlisle	22 Blacks Mill Trace W Dawsonville, GA 30534

Use additional sheets if necessary.

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TMP#: _____

List of Adjacent Property Owners

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

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Name

Address

TMP 107 202	1. Christopher + Kim Goodwin 9 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 201	2. Mark N. + Rebecca V. Keeney 27 Blacks Mill Trace East Dawsonville, GA 30534
TMP 107 200	3. Joshua Christian Meier 31 Blacks Mill Trace E Dawsonville, GA 30534
TMP 107 199	4. Darlene Gale + Kenneth James Haddock 63 Blacks Mill Trace E Dawsonville, GA 30534
TMP 107 198	5. Robert F + Frances Chirstain 85 Blacks Mill Trace E Dawsonville, GA 30534
TMP 107 197	6. William R. + Teresa Johnson 109 Blacks Mill Trace E Dawsonville, GA 30534
TMP 107 196	7. Patricia A. Tatum 151 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 195	8. Patricia A. Tatum 151 Blacks Mill Trace E Dawsonville, GA 30534
TMP 107 194	9. Michael R. + Nancy C. Jandon 193 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 193	10. Michael R. + Nancy C. Jandon 193 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 192	11. Ellie R. Winfrey + Joshua A. Vigneault 203 Blacks Mill Trace E Dawsonville, GA 30534
TMP 107 191	12. David L. + Mindy A. Louden 211 Blacks Mill Tr. Dawsonville, GA 30534
TMP 107 125 001	13. David Louden 211 Blacks Mill Trace Dawsonville, GA 30534
TMP 107 125	14. Heather DeLong + Debra Ann Brown 2251 Howland Wilson Rd. Cortland, OH 44410
TMP 106 013	15. Preston Youngblood 260 Pinewood Trl Dawsonville, GA 30534

Use additional sheets if necessary.

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TMP#: _____

List of Adjacent Property Owners

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	<u>Name</u>	<u>Address</u>
TMP 106 012	1. Preston Youngblood	260 Pinewood Trl Dawsonville, GA 30534
TMP 106 011	2. Mark Crane	3152 Dawson Forest East Dawsonville, GA 30534
TMP 106 010	3. Bruce Waters	206 Pinewood Trl Dawsonville, GA 30534
TMP 106 009	4. Bruce L. + Cathy J. Waters	206 Pinewood Trail Dawsonville, GA 30534
TMP 106 008	5. Martha J. Pope	200 Pinewood Trail Dawsonville, GA 30534
TMP 106 007	6. Roy + Barbara Batten	176 Pinewood Trail Dawsonville, GA 30534
TMP 106 215	7. Cynthia L. Ford	150 Pinewood Trail Dawsonville, GA 30534
TMP 106 006	8. Boyd + Linda Ruth Jones	2334 Dawson Forest Rd Dawsonville, GA 30534
TMP 106 383	9. Dawson Co. Board of Education	P.O. Box 208 Dawsonville, GA 30534
TMP 097 085	10. Glenn Duncan	565 Chesterra Rd. Dahlonega, GA 30533
TMP 097 084	11. Phyllis McKiddy	81 Grizzle Rd. Dawsonville, GA 30534
TMP 097 083	12. Norma P. Caldera	5409 Waterwood Dr. Gainesville, GA 30506
TMP 097 082	13. Loyal Wilson	7045 Nichols Cove Road Dawsonville, GA 30534
TMP 097 081	14. Johnny H. + Brenda Samples	1645 Dawson Forest Rd. Dawsonville, GA 30534
TMP 097 119 001	15. Gwendolyn M. Dulaney	145 Early Bird Lane Dawsonville, GA 30534

Use additional sheets if necessary.

200 OCT 9 11:08 AM

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TMP#: _____

List of Adjacent Property Owners

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

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

Name

Address

TMP	097 119	1.	Johnny Dale + Robin Slaton	105 Early Bird Lane Dawsonville, GA 30534
TMP	097 119 002	2.	Donald C. + Sonya D. Mitchell	1411 Dawson Forest Rd. Dawsonville, GA 30534
TMP	_____	3.	_____	_____
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TMP	_____	11.	_____	_____
TMP	_____	12.	_____	_____
TMP	_____	13.	_____	_____
TMP	_____	14.	_____	_____
TMP	_____	15.	_____	_____

Use additional sheets if necessary.

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Overview



Legend

Parcels

Roads

Parcel ID	D04012
Class Code	Residential
Taxing District	DAWSONVILLE DAWSONVILLE
Acres	1.9

(Note: Not to be used on legal documents)

Owner	MOORE SHIRLEY A 463 HWY 9 SOUTH DAWSONVILLE GA 30534
Physical Address	463 HWY 9 S
Assessed Value	Value \$186030

Date	Price	Reason	Qual
8/16/2007	0	ES	U
6/28/1986	\$82500	FM	Q

Date created: 2/3/2020

Last Data Uploaded: 1/31/2020 11:16:03 PM

Developed by **Schneider**
GEOSPATIAL

List of Adjacent Properties

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: _____

Applicant Printed Name: _____

Application Number: _____

Date Signed: _____

Sworn and subscribed before me

this 9th day of October, 2020.

Notary Public

My Commission Expires: _____



20 OCT 9 11:08 AM

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

Pursuant to O.C.G.A. Section 36-67 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for rezoning, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

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

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

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

Amount \$ _____ Date: _____

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

Signature of Applicant/Representative of Applicant:

_____  Date: _____

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



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

20 OCT 9 11:09 AM

PROPERTY OWNER AUTHORIZATION

I/we, Turner Family Holdings, LLLP, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

Tax Parcel No. 097 099,
including add'l 15.43184 +/- acres as per Exhibit "A" hereto,
as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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

Printed Name of applicant or agent: George E. Butler III, As Agent
Signature of applicant or agent: G. Butler III Date: Oct. 7, 2020

Printed Name of Owner(s): Turner Family Holdings, LLLP *
Signature of Owner(s): Stacy Suzanne Turner Madonna ✓ Date: Oct. 7, 2020
By: Stacy Suzanne Turner Madonna, As Managing Member
Mailing address: _____
City, State, Zip: _____
Telephone Number: _____
Listed ☐ Unlisted ☒

Sworn and subscribed before me
this 7th day of October, 2020
G. Butler III ✓
Notary Public
My Commission Expires: 9/7/24 ✓



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

* as to an undivided 72.5% fee simple interest

72001 9 11:09 AM

PROPERTY OWNER AUTHORIZATION

I/we, The Estate of Harold M. Hendrix, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

Tax Parcel No. 097 099,
including add'l 15.43184 +/- acres as per Exhibit "A" hereto,
as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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

Printed Name of applicant or agent: George E. Butler III, As Agent
Signature of applicant or agent: [Signature] Date: Oct. 7, 2020

Printed Name of Owner(s): The Estate of Harold M. Hendrix *
Signature of Owner(s): [Signature] Date: Oct. 7, 2020
By: Darva A. Robinson, As Executor
Mailing address: _____
City, State, Zip: _____
Telephone Number: Listed _____
Unlisted _____

Sworn and subscribed before me
this 7 day of OCTOBER, 2020 ✓

[Signature] ✓
Notary Public

My Commission Expires: 06-20-2022 ✓



{Notary

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

* as to an undivided 27.5% fee simple interest

January 27, 2020

DESCRIPTION OF PROPERTY

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 362, 363, 364, 415, 416, 417, 426 & 427 OF THE 13TH DISTRICT, DAWSON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND (1" OPEN TOP PIPE) AT A PILE OF ROCKS AT THE COMMON CORNER TO LAND LOTS 415, 416, 425 AND 426, THENCE NORTH $89^{\circ}39'47''$ WEST FOR A DISTANCE OF 1258.52 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH $00^{\circ}51'47''$ EAST, A DISTANCE OF 777.57 FEET TO AN IRON PIN FOUND (1.5" X 0.5" IRON BAR); THENCE SOUTH $84^{\circ}06'37''$ WEST FOR A DISTANCE OF 53.87 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH $88^{\circ}12'37''$ WEST FOR A DISTANCE OF 285.41 FEET TO AN IRON PIN FOUND (3/8" RE-BAR); THENCE NORTH $26^{\circ}34'12''$ EAST FOR A DISTANCE OF 31.72 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY TO BLACKS MILL ROAD (A 30' R/W); THENCE PROCEED IN A NORTHWEST AND NORTHEAST DIRECTION ALONG SAID NORTHEASTERLY RIGHT-OF-WAY TO BLACKS MILL ROAD (A 30' R/W) THE FOLLOWING COURSES AND DISTANCES:

1) 92.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 353.55 FEET AND BEING SUBTENDED BY A CHORD OF NORTH $80^{\circ}45'50''$ WEST, 92.27 FEET TO A POINT;

2) THENCE 62.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 74.04 FEET AND BEING SUBTENDED BY A CHORD OF NORTH $64^{\circ}06'25''$ WEST, 60.60 FEET TO A POINT;

3) THENCE 128.08 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 877.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH $44^{\circ}08'07''$ WEST, 127.96 FEET TO A POINT;

4) THENCE 70.82 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 147.30 FEET AND BEING SUBTENDED BY A CHORD OF NORTH $34^{\circ}32'47''$ WEST, 70.14 FEET TO A POINT;

5) THENCE 127.95 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 390.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH $30^{\circ}10'21''$ WEST, 127.38 FEET TO A POINT;

6) THENCE 84.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 343.52 FEET AND BEING SUBTENDED BY A CHORD OF NORTH $32^{\circ}33'20''$ WEST, 83.92 FEET TO A POINT;

7) THENCE NORTH $25^{\circ}26'04''$ WEST FOR A DISTANCE OF 107.77 FEET TO A POINT;

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EXHIBIT

(PAGE 1 OF 4)

January 27, 2020

8) THENCE 50.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 406.10 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 29°06'59" WEST, 50.73 FEET TO A POINT;

9) THENCE NORTH 32°43'27" WEST FOR A DISTANCE OF 84.19 FEET TO A POINT;

10) THENCE 88.96 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 60.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 09°45'12" EAST, 81.04 FEET TO A POINT;

11) THENCE NORTH 52°13'51" EAST FOR A DISTANCE OF 237.64 FEET TO A POINT;

12) THENCE 53.30 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 129.07 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 40°21'47" EAST, 52.92 FEET TO A POINT AT THE SOUTHERLY RIGHT-OF-WAY TO DAWSON FOREST ROAD (A 100' R/W);

THENCE DEPARTING THE NORTHEASTERLY RIGHT-OF-WAY TO BLACKS MILL ROAD (A 30' R/W) AND PROCEED IN AN EASTERLY DIRECTION ALONG THE SOUTHERLY RIGHT-OF-WAY TO DAWSON FOREST ROAD (A 100' R/W) SOUTH 88°41'02" EAST FOR A DISTANCE OF 2273.82 FEET TO AN IRON PIN PLACED (1/2" RE-BAR W/CAP); THENCE DEPARTING THE SOUTHERLY RIGHT-OF-WAY TO DAWSON FOREST ROAD (A 100' R/W) AND PROCEED SOUTH 01°04'56" WEST FOR A DISTANCE OF 871.86 FEET TO AN IRON PIN FOUND (1/2" RE-BAR); THENCE SOUTH 88°43'59" EAST FOR A DISTANCE OF 1000.00 FEET TO AN IRON PIN FOUND (1/2" RE-BAR) AT THE EASTERN LAND LOT LINE OF LAND LOT 414 (SAID LINE BEING COMMON TO LAND LOTS 414 AND 415); THENCE PROCEED ALONG SAID LAND LOT LINE SOUTH 01°04'44" WEST FOR A DISTANCE OF 674.06 FEET TO A POINT AT THE SOUTHEAST CORNER TO LAND LOT 415 (SAID LAND LOT CORNER BEING COMMON TO LAND LOTS 414, 415, 426 AND 427); THENCE CONTINUING ALONG THE SOUTHERN LAND LOT LINE OF LAND LOT 414 (SAID LINE BEING COMMON LINE TO LAND LOTS 414 AND 427) NORTH 89°51'43" EAST FOR A DISTANCE OF 1198.89 FEET TO AN IRON PIN FOUND (NAIL); THENCE DEPARTING SAID SOUTHERN LAND LOT LINE OF LAND LOT 414 AND PROCEED SOUTH 49°02'55" WEST FOR A DISTANCE OF 139.23 FEET TO A 20 INCH OAK; THENCE SOUTH 17°59'54" WEST FOR A DISTANCE OF 34.58 FEET TO A 21 INCH OAK; THENCE SOUTH 55°24'04" WEST FOR A DISTANCE OF 16.89 FEET TO A 22 INCH OAK; THENCE SOUTH 68°32'34" WEST FOR A DISTANCE OF 78.92 FEET TO A 36 INCH OAK; THENCE SOUTH 59°06'08" WEST FOR A DISTANCE OF 37.78 FEET TO A 21 INCH OAK; THENCE SOUTH 49°22'00" WEST FOR A DISTANCE OF 26.82 FEET TO A 21 INCH OAK; THENCE SOUTH 02°50'19" WEST FOR A DISTANCE OF 35.14 FEET TO A 26 INCH OAK; THENCE SOUTH 41°42'00" WEST FOR A DISTANCE OF 31.30 FEET TO AN 18 INCH OAK; THENCE SOUTH 19°14'47" WEST FOR A DISTANCE OF 16.89 FEET TO A POINT; THENCE SOUTH 19°20'32" WEST FOR A DISTANCE OF

EXHIBIT

(PAGE 2 OF 4)

January 27, 2020

19.78 FEET TO A POINT; THENCE SOUTH 20°54'29" WEST FOR A DISTANCE OF 64.59 FEET TO A DEAD 18 INCH OAK; THENCE SOUTH 61°42'59" WEST FOR A DISTANCE OF 42.43 FEET TO A 22 INCH OAK; THENCE NORTH 76°22'33" WEST FOR A DISTANCE OF 203.23 FEET TO AN IRON PIN FOUND (1/2" OPEN TOP PIPE); THENCE SOUTH 63°13'26" WEST FOR A DISTANCE OF 122.11 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 78°30'31" WEST FOR A DISTANCE OF 93.71 FEET TO A POINT; THENCE SOUTH 89°44'55" WEST FOR A DISTANCE OF 124.89 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 55°11'31" WEST FOR A DISTANCE OF 103.08 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 72°14'32" WEST FOR A DISTANCE OF 91.56 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 82°33'53" WEST FOR A DISTANCE OF 179.38 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 76°59'42" WEST FOR A DISTANCE OF 82.90 FEET TO AN IRON PIN FOUND (1/2" OPEN TOP PIPE); THENCE SOUTH 76°27'44" WEST FOR A DISTANCE OF 62.39 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 74°07'00" WEST FOR A DISTANCE OF 89.84 FEET TO AN IRON PIN FOUND (5/8" OPEN TOP PIPE W/NAIL INSIDE); THENCE NORTH 88°11'24" WEST FOR A DISTANCE OF 34.14 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 72°37'27" WEST FOR A DISTANCE OF 42.30 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 57°34'43" WEST FOR A DISTANCE OF 57.73 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 75°21'23" WEST FOR A DISTANCE OF 95.05 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 80°37'22" WEST FOR A DISTANCE OF 106.58 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 89°29'37" WEST FOR A DISTANCE OF 54.04 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 87°36'09" WEST FOR A DISTANCE OF 69.77 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 88°11'55" WEST FOR A DISTANCE OF 85.83 FEET TO A POINT; THENCE NORTH 82°36'19" WEST FOR A DISTANCE OF 80.38 FEET TO AN IRON PIN FOUND; THENCE NORTH 86°14'22" WEST FOR A DISTANCE OF 56.04 FEET TO AN IRON PIN FOUND (5/8" OPEN TOP W/NAIL INSIDE); THENCE NORTH 83°22'48" WEST FOR A DISTANCE OF 50.32 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 74°05'15" WEST FOR A DISTANCE OF 86.37 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 72°56'21" WEST FOR A DISTANCE OF 91.62 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 55°00'35" WEST FOR A DISTANCE OF 54.76 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE AT WITNESS POST); THENCE NORTH 50°32'23" WEST FOR A DISTANCE OF 104.55 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 11°21'05" WEST FOR A DISTANCE OF 180.63 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 89°44'35" WEST FOR A DISTANCE OF 107.84 FEET TO THE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINING 111.90184 ACRES, OR 4874444 SQUARE FEET.

EXHIBIT A
(PAGE 3 OF 4)

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

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

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

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

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

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

Ga. Driver's License (over)

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

Executed in Dahlonega (city), GA (state)

Signature of Applicant

Printed Name

George E. Butler II
George E. Butler II

Date

Name of Business

Oct. 7, 2020
George E. Butler II, LLC

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 9th DAY OF Oct., 20 20

[Signature] Notary Public

My Commission Expires: 9/7/24



2020 OCT 9 11:09 AM

Law Offices of
GEORGE E. BUTLER II, LLC

132 Hawkins Street
Dahlonega, GA 30533

E-MAIL geb@lawyers.com
WEB gebutlerlaw.com

OFFICE 706-864-3200 or
404-873-2544
FAX 706-864-3206 or
404-875-5130
CELL 404-735-6054

REZONING LETTER OF INTENT TO DAWSON CO.

I am the attorney or representative for the Owners of the undeveloped 111.9-acre tract known as Tax Parcel 097 099 (the “Property”), which lies between Blacks Mill Road on the west and Blacks Mill Elementary School on the east and extends from Dawson Forest Road south across Blacks Mill Creek to the northern boundary of the residential properties just below the creek. Those Owners are Turner Property Holdings, LLLP, and Daryl A. Robinson, as Executor of the Estate of Harold M. Hendrix; and you are one of their surrounding neighbors.

The Owners trace their ownership of the Property back many years to a common ancestor. The current generation involves among others the families of the late Clinton Turner and the late Dr. Herbert W. Robinson, a distinguished educator and 20-year Principal of the Dawson County High School and Elementary School, college professor, and President of the Georgia Association of Secondary School Principals—after whom the local Robinson Elementary School is named. There were many life-long local educators in the Robinson family, including both Clara Parks Robinson, the wife of C. I. Robinson, and Dr. Robinson’s sister, Leon, who married Harold Hendrix—whose own mother, Inez Hendrix, had been Superintendent of the Dawson County Schools in an earlier generation.

Because of the Owners’ long commitment to Dawson County and the cause of education, they were pleased back in 1997 to be able to sell a prime 20-acre corner of this original family tract to the Dawson County Board of Education for the current Blacks Mill Elementary School.

2000 OCT 9 11:10 AM

The remaining Property is shown on the Tax Map (see Exhibit “A”) as containing 96.47 acres and extending south to Blacks Mill Creek, but (as indicated above) it actually contains 111.9 acres and extends south of the creek, as per the Boundary Survey attached as Exhibit “B.”

In deciding to sell this large family tract, the Owners were hopeful that a goodly portion could be preserved in its natural condition, especially the lands on both sides of Blacks Mill Creek and on both sides of the two streams that feed Blacks Mill Creek and run through the middle of the Property.

Accordingly, the Owners approached some experienced local developers about the possibility of their doing a so-called Conservation Subdivision on the Property according to the County’s visionary provisions for such a Conservation Subdivision in Article X of the Dawson County Subdivision Regulations.

In particular, the Conservation Subdivision Regulations provide for the preservation in perpetuity of unique or sensitive natural resources, such as streams, steep slopes, woodlands, scenic views, and greenspace to protect wildlife habitat, water quality, and to promote passive recreational opportunities like walking trails. The portion of a Conservation Subdivision that must be set aside for permanent protection is referred to as Open Space; and the allowable activities within that Open Space are themselves restricted in perpetuity through the use of an approved set of restrictive covenants and conditions. The minimum required Open Space is at least 40% of the total area of the Property—which, in this case, translates to a minimum requirement of 44.76 acres.

The Owners are pleased to report, however, that the developer has agreed to dedicate a minimum of 50.7 acres of the Property to Conservation Areas, plus an additional 15.30 acres of non-conservation Open Space—all as outlined in green on the ledger-size plat of the Property attached as Exhibit “C.” An enlargement of the engineer’s Development Data box—which was hidden when we superimposed the aerial photo of the Black Mill Elementary School complex on the ledger plat—is also attached as Exhibit “D”; and it gives you those figures. You will see there are two major Conservation Areas. The Primary Conservation Area is located on both sides of Blacks Mill Creek, while the Secondary Conservation Area is the forested 20-acre promontory in the northwest corner of the Property, with a flat area for parking off Blacks Mill Road.

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In addition, a 50-foot undisturbed buffer must be provided around the entire site, except for perpendicular road crossings and utility crossings. And in locations where the existing buffer vegetation or topography would not provide an opaque screen from adjacent properties or from the public road frontage, which in this case would be Dawson Forest Road, the buffer shall be planted with vegetation and/or enhanced by a fence to provide an opaque visual screen. While the plat illustrates that an attractive opaque 6-foot fence could be erected along the interior edge of the undisturbed buffer to serve that purpose, the actual decision to use vegetation and/or a fence where necessary to achieve the required opaque screen will be dictated by the very different circumstances that exist along the roughly 12,750 linear feet (or 2.4 miles) of buffer. In any case, the operative philosophy for this well-hidden Conservation Subdivision will be “out of sight, out of mind.”

As previously mentioned, the proposed Primary and Secondary Conservation Areas must be preserved and protected in perpetuity by a permanent conservation easement in favor of either a bona fide private land trust or a governmental entity such as the County. And that easement would include, as mentioned, restrictive covenants and conditions limiting future activities within the Primary and Secondary Conservation Areas, respectively, for your protection.

The future restrictions governing the two Conservation Areas need not be the same. Accordingly, the purpose of this letter is to alert you to what the Property Owners are thinking about—and to seek your input since you are among the most immediately-affected neighbors.

I’m pleased to say that County officials have expressed a possible interest in having the Owners dedicate the Primary and Secondary Conservation Areas to Dawson County—but with special restrictions designed to protect the interests of the neighboring landowners, not to mention the future homeowners within the proposed residential development on the remaining 61.2 acres of the Property.

For instance, we have discussed with school officials their interest in having access to the Primary Conservation Area from the rear of Blacks Mill Elementary School for guided nature walks by school-age children. Accordingly, we have thought about the possibility that the Primary Conservation Area could be restricted in use to adjacent property owners, to residents of the Property, and to weekday nature tours by supervised groups of school children between the hours of 9 and 5. By contrast, the Primary Conservation Area would be open for use by adjacent residents and residents of the

Property at all times—except from, say, 10:00 p.m. to 7:00 a.m., when the “park” would be closed to all.

The Dawson County School Superintendent has assured us of the existence of the requisite excess capacity at Blacks Mill Elementary to accommodate any school age children likely to reside in the proposed subdivision; and he was interested to have us confirm—as we have—the feasibility of there being a gently sloping path from the rear gate of the playground at the back of the School to the neighborhood to accommodate foot traffic to and from the neighborhood and the School and to and from the School and the Primary Conservation Area. The proposed route of that footpath is shown in red on Exhibit “C.”

In addition, it is the Owners’ thinking that the Primary Conservation Area should be a passive park only with no hunting or trapping, no fixed recreational structures or equipment, and no use of motorized equipment or audible sound-producing or amplifying devices and no use of vehicles, including bicycles. The allowable hours of occupancy would be posted and no alcohol would be allowed. By contrast, the Owners’ current thinking is that the Secondary Conservation Area would be open to the general public and would have a small parking area off Blacks Mill Road. But the final Rules and Regulations for the operation of that roughly 20-acre tract—as well as the Primary Conservation Area—would be hammered out in conjunction with the neighbors, the Planning Commission, the Board of Commissioners, and the County Parks & Rec Director Matt Payne.

But, as I say, this is merely the Owners’ current thinking. And it has been shaped by their desire to leave a positive legacy for the County and their neighbors.

So, before this Rezoning Application was filed, the Owners had me contact their neighbors listed on the attached Exhibit “E” to seek their input in crafting an eventual set of Rezoning Conditions and perpetual Restrictive Covenants that would satisfy them that their concerns are being addressed and their interests protected.

Of course, in order to get developers to perpetually preserve—and in effect “give away”—40% or more of the property they are purchasing, the Dawson County Subdivision Regulations recognize in Section 1001 that the developers will need to be able to “cluster” their houses on somewhat smaller lots within the diminished land area remaining for development and to achieve a somewhat higher density. Fortunately, the entire Property is designated on the attached Dawson County Future Land Use Map for “Planned

Residential Community,” a classification that is designed to “[e]ncourage higher density housing types within walking distances of services and amenities within and adjacent to the community.” And the adjacent Blacks Mill Elementary School certainly qualifies as such an amenity.

Also, the proposed developer of the Property has arranged at great expense to obtain sewer for the Property from the Etowah Water & Sewer Authority, which will accommodate a higher density without imperiling the ground or surface waters.

Interestingly, it is our understanding that back in 2004 the Property was rezoned for 285 cottage homes, as per the attached Site Plan, contingent on sewer—which never became available. You will note that the developer at that time was proposing to develop the entirety of the Property, including 7 acres for commercial on Dawson Forest Road.

So we are happy to report that the Owners have convinced the developer here to let us apply for RS-2 zoning, which in theory would allow up to 2 lots per acre, and to settle for the 194 lots achievable under the restrictions imposed by the Conservation Subdivision Regulations, which translates to roughly 1.7 lots per acre.

As a result, we informed our neighbors that the Owners would be applying for an RS-2 rezoning of the Property on or before Friday, October 9—and that the Planning Commission hearing on the application would occur at 6:00 p.m. on November 17, 2020; and the hearing before the Board of Commissioners would occur at 6:00 on December 17, 2020. And we promised to keep them informed of any changes as we go forward.

The Owners will agree to a set of Rezoning Conditions that will not only address the Primary and Secondary Conservation Areas, but also limitations on the days and times when construction activity will be permitted on the Property, a requirement that all lighting throughout the neighborhood be so-called low-bleed LED downlighting so that the lighting does not bleed over the Property line or pollute the night sky, a limitation on rentals of homes within the neighborhood, and a requirement that all homes have a minimum heated floor area of 1,600 square feet for 1-story homes and 1,800 square feet for 2-story homes.

The Owners are having a bidirectional traffic study and volume count done on Dawson Forest Road east of Blacks Mill Road, which will analyze the traffic impact of the proposed residential development on existing levels of service on Dawson Forest Road—and we hope to have it available no later than the Planning Commission Meeting.

2021 OCT 13 PM 5:01

Assuming rezoning approval this year, the construction and build-out schedule for the Project would be as follows:


Receive LDP & Begin Lot Development: **May 2021**

Receive Final Plat Approval & Begin House Construction: **Dec. 2021**

Estimated Project Completion: **Mar. 2025**

Finally, the Owners, the proposed developer, and I will plan to host a neighborhood meeting with refreshments at a convenient location for you prior to the Planning Commission meeting so that we can further customize the proposal in an attempt to satisfy as many of their reasonable concerns as possible. And, as the attorney for the Owners, let me assure the County that they are prepared through such legally-binding zoning conditions, restrictive covenants, and easements to assure that the project—if approved—will be what it was represented to be.

Sincerely,

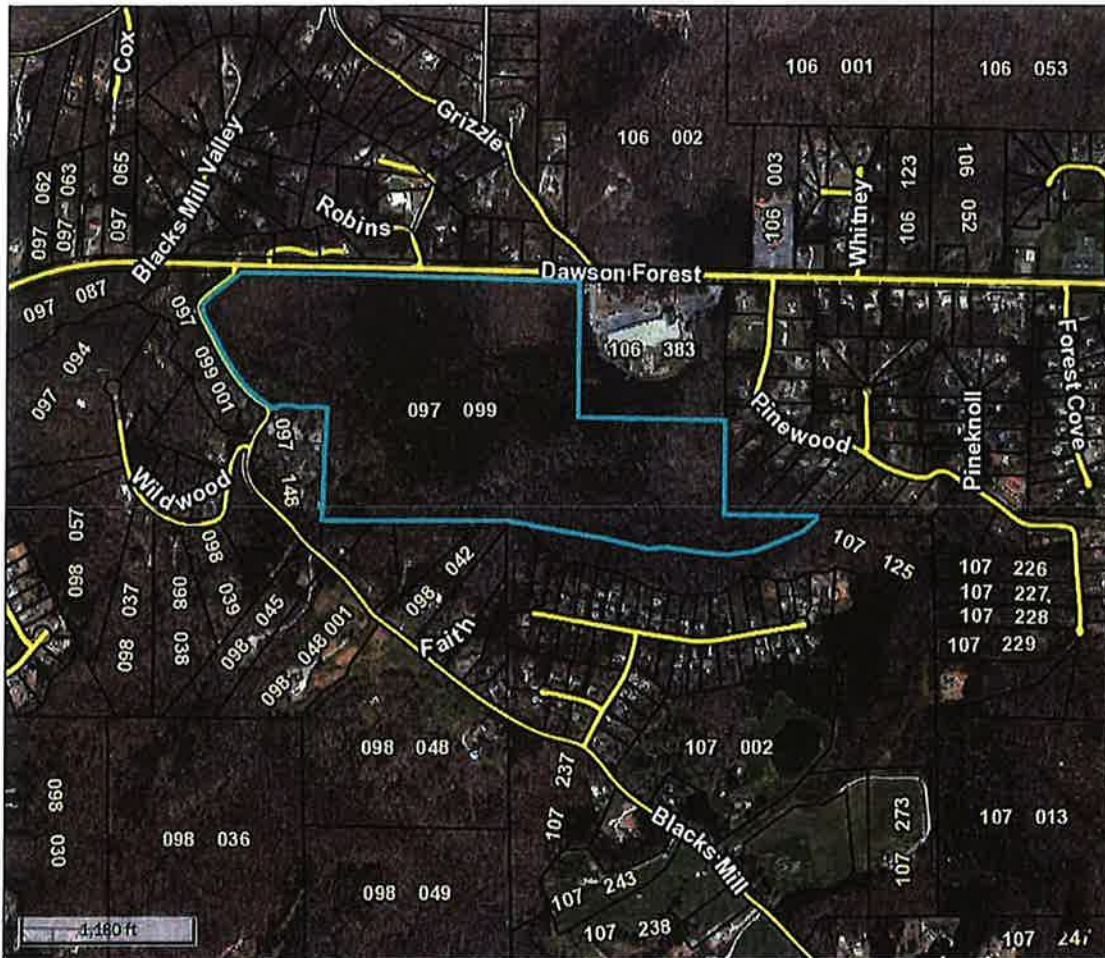


George E. Butler II

GEB/cr

Enclosures

20 OCT 9 11:10 AM



Overview



Legend

□ Parcels

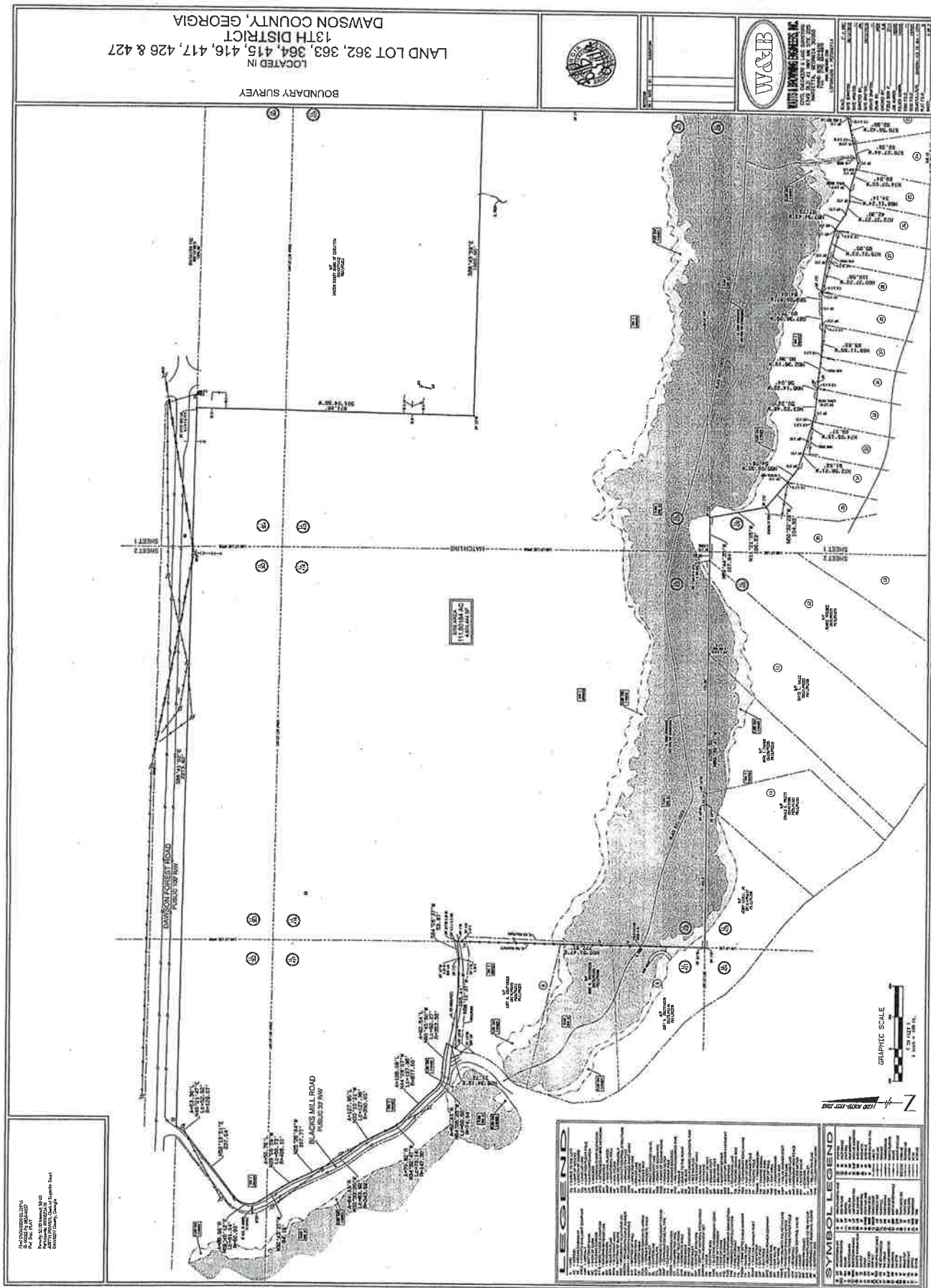
Parcel ID: 097 099
Alt ID: 6842
Owner: TURNER PROPERTY HOLDINGS LLLP
Acres: 96.47
Assessed Value: \$1617900

Date created: 9/28/2020
Last Data Uploaded: 9/25/2020 11:55:21 PM

Developed by  Schneider
GEOSPATIAL

20001 91110

BOUNDARY SURVEY
LAND LOT 362, 363, 364, 415, 416, 417, 426 & 427
13TH DISTRICT
DAWSON COUNTY, GEORGIA



200CT 9 11:10AM



PROPOSED CONSERVATION SUBDIVISION BY TURNER & HENDRIX ESTATES OR ASSIGNS

C 1

DEVELOPMENT DATA

TOTAL SITE AREA:	111.9 AC
CURRENT ZONING:	R-A
PROPOSED ZONING:	RS-2 CONSERVATION
RESIDENTIAL DENSITY:	194 LOTS (1.73 LOTS/AC)
MINIMUM LOT SIZE:	60' X 100'
PROPOSED LOT SIZE:	60' X 115'
MINIMUM LOT WIDTH @ BL:	60'
SETBACKS:	
FRONT-	30'
SIDE-	10'
REAR-	20'

CONSERVATION AREAS

PRIMARY (FLOOD & STREAM BUFFERS):	33.4 AC
SECONDARY (FOREST AREA):	<u>17.3 AC</u>
SUB TOTAL:	50.7 AC
PERCENTAGE OF TOTAL AREA:	45%

OPEN SPACE AREA (NOT CONSERVATION):	15.3 AC
TOTAL:	66.0 AC/59%

20 OCT 9 11:10 AM

EXHIBIT

(PAGE

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OF

1)

**LIST OF BLACKS MILL NEIGHBORS
TO WHOM ZONING LETTER SENT**

Mr. Kurt Krattinger
243 Blacks Mill Road
Dawsonville, GA 30534

Mr. Eric N. Graves
102 Blacks Mill Trace West
Dawsonville, GA 30534

Mr. Jimmy Lovell Jr.
467 Blacks Mill Road
Dawsonville, GA 30534

Mr. & Mrs. Charles C. Johnston
68 Blacks Mill Trace
Dawsonville, GA 30534

Mr. Cary H. Pruitt
549 Blacks Mill Road
Dawsonville, GA 30534

Mr. & Mrs. Daniel Robert Riggio
60 Blacks Mill Trace West
Dawsonville, GA 30534

Mr. Mark T. Ingram
567 Blacks Mill Road
Dawsonville, GA 30534

Ms. Robin Darleen Petranck
42 Blacks Mill Trace West
Dawsonville, GA 30534

Mr. & Mrs. David L. Walls
603 Blacks Mill Road
Dawsonville, GA 30534

Mr. Gary L. Carlisle
22 Blacks Mill Trace West
Dawsonville, GA 30534

Mr. Ronnie Sosebee
37 Faith Drive
Dawsonville, GA 30534

Mr. & Mrs. Christopher Goodwin
9 Blacks Mill Trace
Dawsonville, GA 30534

Mr. & Mrs. Dennis W. Hubbard
134 Blacks Mill Trace
Dawsonville, GA 30534

Mr. & Mrs. Mark N. Keeney
27 Blacks Mill Trace East
Dawsonville, GA 30534

Ms. Yianna Manolakis
8030 Ivyshaw Drive
Gainesville, GA 30506

Mr. Joshua Christian Meier
31 Blacks Mill Trace East
Dawsonville, GA 30534

Ms. Tammy R. Johnson
116 Blacks Mill Trace
Dawsonville, GA 30534

Mr. & Mrs. Kenneth James Haddock
63 Blacks Mill Trace East
Dawsonville, GA 30534

Mr. & Mrs. Robert F. Chirstain
85 Blacks Mill Trace East
Dawsonville, GA 30534

Mr. Mark Crane
3152 Dawson Forest East
Dawsonville, GA 30534

Mr. & Mrs. William R. Johnson
109 Blacks Mill Trace East
Dawsonville, GA 30534

Mr. & Mrs. Bruce L. Waters
206 Pinewood Trail
Dawsonville, GA 30534

Ms. Patricia A. Tatum
151 Blacks Mill Trace
Dawsonville, GA 30534

Ms. Martha J. Pope
200 Pinewood Trail
Dawsonville, GA 30534

Mr. & Mrs. Michael R. Jandon
193 Blacks Mill Trace
Dawsonville, GA 30534

Mr. & Mrs. Roy Batten
176 Pinewood Trail
Dawsonville, GA 30534

Ms. Ellie R. Winfrey
203 Blacks Mill Trace East
Dawsonville, GA 30534

Ms. Cynthia L. Ford
150 Pinewood Trail
Dawxonville, GA 30534

Mr. Joshua A. Vigneault
203 Blacks Mill Trace East
Dawsonville, GA 30534

Mr. & Mrs. Boyd Jones
2334 Dawson Forest Road
Dawsonville, GA 30534

Mr. & Mrs. David L. Lauden
211 Blacks Mill Trace
Dawsonville, GA 30534

Mr. A. Damon Gibbs
Dawson County Schools
28 Main Street
Dawsonville, GA 30534

Ms. Heather Delong
2251 Howland Wilson Road
Cortland, OH 44410

Mr. Glenn Duncan
565 Chesterra Road
Dawsonville, GA 30534

Ms. Debra Ann Brown
2251 Howland Wilson Road
Cortland, OH 44410

Ms. Phyllis McKiddy
81 Grizzle Road
Dawsonville, GA 30534

Mr. Preston Youngblood
260 Pinewood Trail
Dawsonville, GA 30534

Ms. Norma P. Caldera
5409 Waterwood Drive

[LIST OF BLACKS MILL NEIGHBORS—Page 2 of Three]

EXHIBIT

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(PAGE 2 OF 3)

20 OCT 9 11:11 AM

Gainesville, GA 30506

Mr. Loyal Wilson
7045 Nichols Cove Road
Dawsonville, GA 30534

Mr. & Mrs. Johnny H. Samples
1645 Dawson Forest Road
Dawsonville, GA 30534
Ms. Gwendolyn M. Dulaney
145 Early Bird Lane
Dawsonville, GA 30534

Mr. & Mrs. Johnny Dale Slaton
105 Early Bird Lane
Dawsonville, GA 30534

Mr. & Mrs. Donald C. Mitchell
1411 Dawson Forest Road
Dawsonville, GA 30534

[LIST OF BLACKS MILL NEIGHBORS—Page 3 of Three]

EXHIBIT

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(PAGE 3 OF 3)

200CT 9 11:11AM

LAND LOTS 415, 416, 417, 426 & 427 ~ 13TH DISTRICT
DAWSON COUNTY, GEORGIA










2019 Property Tax Statement

Bill Number	Due Date	CURRENT YEAR DUE
14168	12/1/2019	\$0.00

Nicole Stewart
Dawson County Tax Commissioner
25 Justice Way, Suite 1222
Dawsonville, GA 30534

Payment Good Through:

Map: 097 099

Last payment made on: 12/5/2019

Location:

TURNER PROPERTY HOLDINGS LLLP

Dear Taxpayer,

This is your current year Ad Valorem Property Tax Statement. This bill must be paid in full by December 1st in order to avoid interest and penalty charges. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the NEW OWNER and notify our office.

Thank you for the privilege to serve as your Tax Commissioner.

Nicole Stewart

RETURN THIS FORM WITH PAYMENT

Nicole Stewart
Dawson County Tax Commissioner
25 Justice Way, Suite 1222
Dawsonville, GA 30534



Scan this code with your mobile phone to view or pay this bill

Tax Payer: TURNER PROPERTY HOLDINGS LLLP
Map Code: 097 099
Description: LL 362 363 415 416 417 425 426 427 LD 13-S
Location:
Bill Number: 14168
District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$0.00	\$1,617,900.00	96.47	1617900	12/1/2019	7/18/2019		

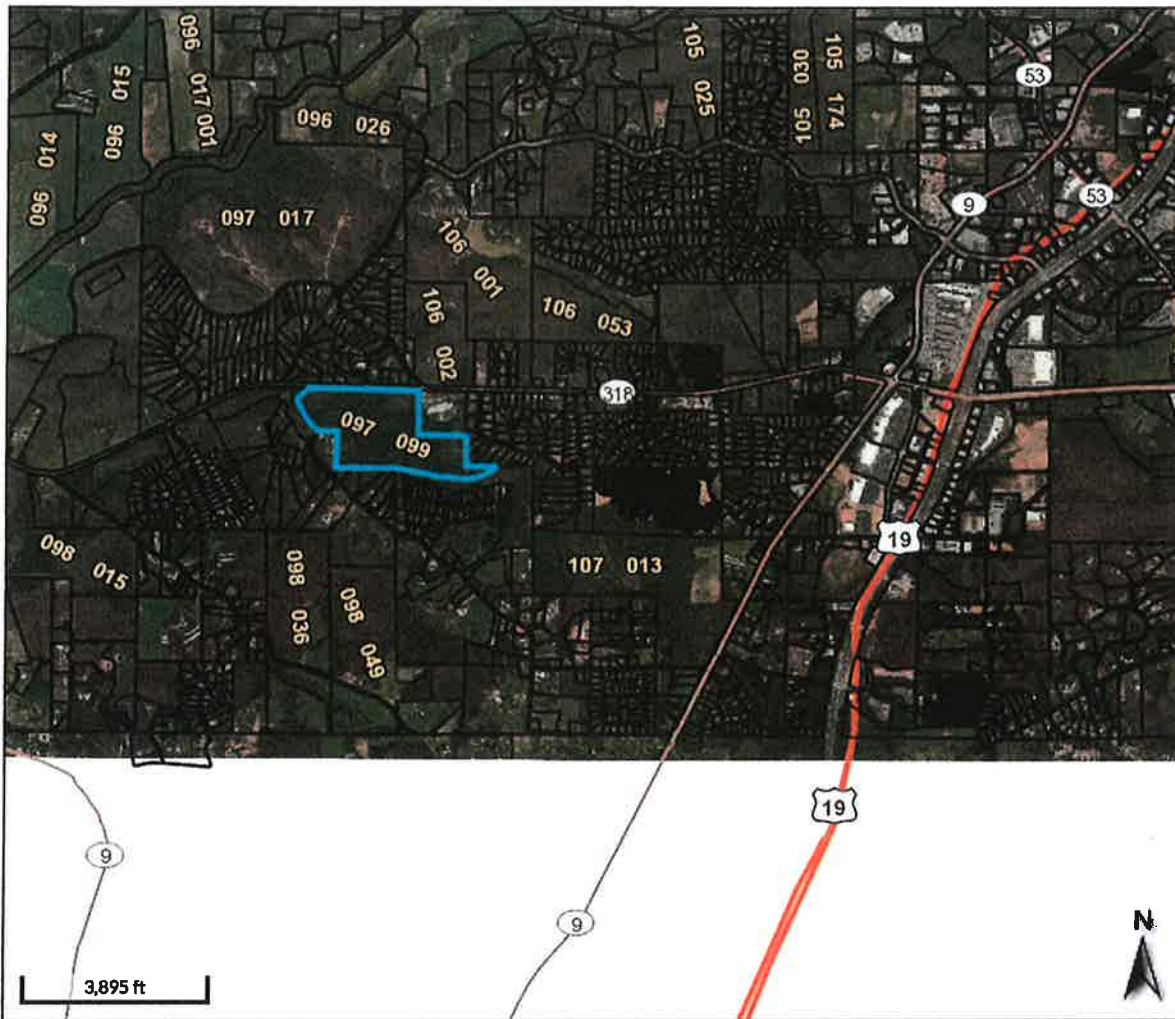
TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	1617900	647160	0	647160	0	0	0	0
COUNTY M&O	1617900	647160	0	647160	13.079	8464.21	0	5234.88
SALES TAX ROLLBACK	0	0	0	647160	-4.99	0	-3229.33	0
SCHOOL M&O	1617900	647160	0	647160	15.778	10210.89	0	10210.89
TOTALS					23.867	18,675.10	- 3,229.33	15,445.77

You can pay your bill in person, by mail, online at www.dawsoncountytax.com, or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, interest at a rate prescribed by law will be added monthly. An additional penalty as prescribed by law will be added every 120 days. If the bill is marked appealed, then this is only 85% of the total bill pending.

NO PAYMENT CONTRACTS WILL BE ALLOWED.

Current Due: \$15,445.77
Penalty: \$0.00
Interest: \$27.35
Other Fees: \$0.00
Back Taxes: \$0.00
Amount Paid: \$15,473.12
TOTAL DUE: \$0.00

20 OCT 9 11:12 AM



Overview



Legend

□ Parcels

Parcel ID: 097 099
Alt ID: 6842
Owner: TURNER PROPERTY HOLDINGS LLLP
Acres: 96.47
Assessed Value: \$1617900

Date created: 8/11/2020
Last Data Uploaded: 8/11/2020 12:02:57 AM

Developed by  Schneider
GEOSPATIAL

2020 OCT 9 11:12 AM

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT**

Applicant.....George E Butler II, Agent for Owners

Amendment #ZA 20-21

Request.....Rezone Property from RS (Residential Suburban) to RS-2 (Residential Suburban)

Proposed UseSingle family residential

Current ZoningR-A (Residential Agricultural)

Size.....96.4± acres

LocationDawson Forest

Tax Parcel097 099

Planning Commission DateDecember 15, 2020

Board of Commission Date.....January 21, 2021

Applicant Proposal

The applicant is seeking to rezone the property from R-A (Residential Agricultural) to RS-2 (Residential Sub-urban 2) for the purpose of developing a 194 lot residential conservation neighborhood with an overall density 1.73 units per acre.

History and Existing Land Uses

The parcel was rezoned in 2004 under ZA 04-23 to CPCD and then reverted back to R-A in 2014 by the County. The land is currently vacant.

Adjacent Land Uses	Existing zoning	Existing Use
North	RSRMM	Residential
South	VCR	Residential
East	RSRMM	Residential
West	C-RB	Residential

Development Support and Constraints

The extension of water and sewer.

Relationship to the Comprehensive Plan and FLUP (Future Land Use Plan)

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Residential Planned Community (RPC).

Public Facilities/Impacts

Engineering Department – Asphalt is in good condition. FDR in 2016, good vertical and horizontal alignment based on concept provided. Moderate to high traffic flow approximately 6500 ADT, no improvements planned by Dawson County at this time. Public Works requests a traffic impact study to be submitted for review that shall include the am and pm school traffic, existing school zone and Grizzle road intersection evaluation.

Environmental Health Department – No comments returned. Development to be serviced by Etowah Water and Sewer.

Emergency Services – No comments returned.

Etowah Water & Sewer Authority – Water main upgrades and extensions will be required to provide adequate potable and sewer at the developer's expense.

Dawson County Sheriff's Office – No comments returned.

Board of Education – Dawson Co. High School capacity 1400 last enrollment 809, DC Jr. High capacity 725 last enrollment 575, DC Middle School capacity 725 last enrollment 591, Blacks Mill Elementary School capacity 725 last enrollment 372. No improvements are planned.

Analysis

- RS-2 is a newly added classification in order to allow a higher density classification than one unit per acre for single family residential developments. Along 400 and down Dawson Forest is where we expect to see this growth. Currently this property is RA that requires 5 acres per subdivision of land. The FLUM has this property designated as RPC, but this would not meet the minimum requirement of 100 acres.

The following observations should be noted with respect to this request:

A. The existing uses and classification of nearby property.

The majority of all surrounding classifications are some type of residential.

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

There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The property is suited for the proposed land use classification subject to water and sewer availability.

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

The property is vacant. It was zoned in the early 2000's for CPCD but was never developed. Dawson County initiated a reversion of zoning less than 5 years ago to the original R-A classification.

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

The current zoning would not allow for what the applicant is trying to accomplish.

**PUBLIC NOTICE
ON ZONING**

NOTICE IS HEREBY GIVEN that the following property is the subject of a proposed rezoning from R-1 to R-2.

Property: 1.00 acre, more or less, located in the City of Raleigh, North Carolina, and is more particularly described as follows:

Lot 1, Block 1, Subdivision 1, Raleigh, North Carolina, as shown on the plat of Subdivision 1, Raleigh, North Carolina, recorded in the Office of the Register of Deeds for the County of Wake, North Carolina, at Book 10, Page 10.

ALL INTERESTED PARTIES ARE HEREBY NOTIFIED that they may appear at a public hearing on the proposed rezoning at the following time and place:

Time: 7:00 p.m. on the 15th day of November, 2010.

Place: The Council Chamber of the City of Raleigh, North Carolina, located at 215 North Salisbury Street, Raleigh, North Carolina.

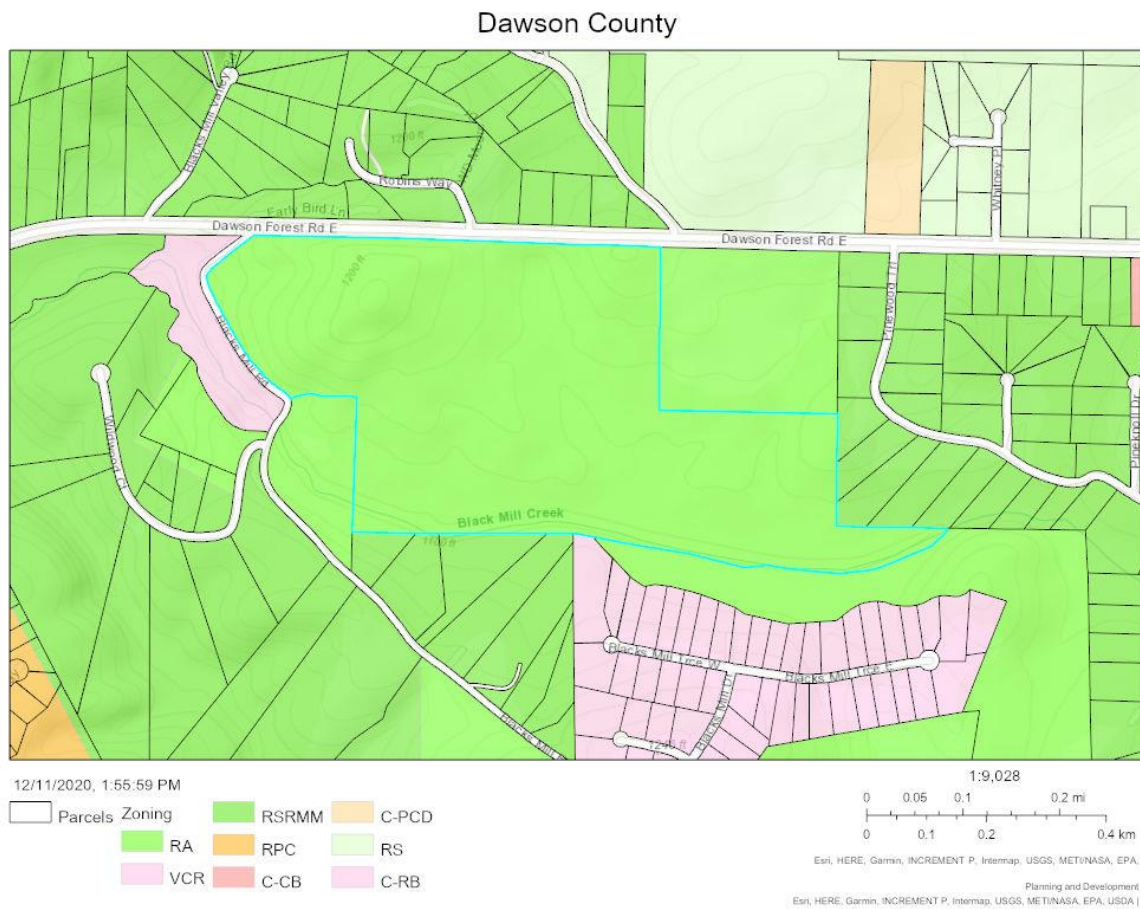
At such public hearing, any person may appear and be heard in support of or in opposition to the proposed rezoning.

Witness my hand and the seal of the City of Raleigh, North Carolina, this 10th day of November, 2010.

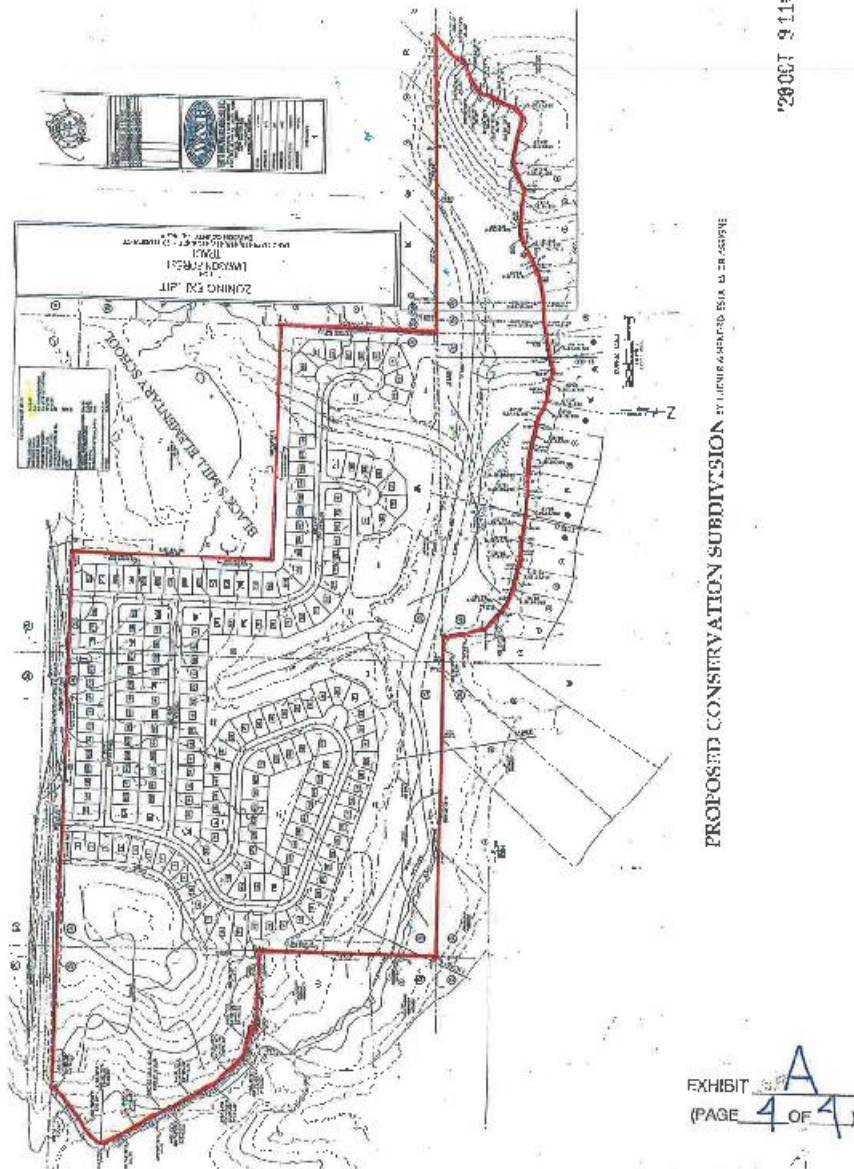
Mayor

City Clerk

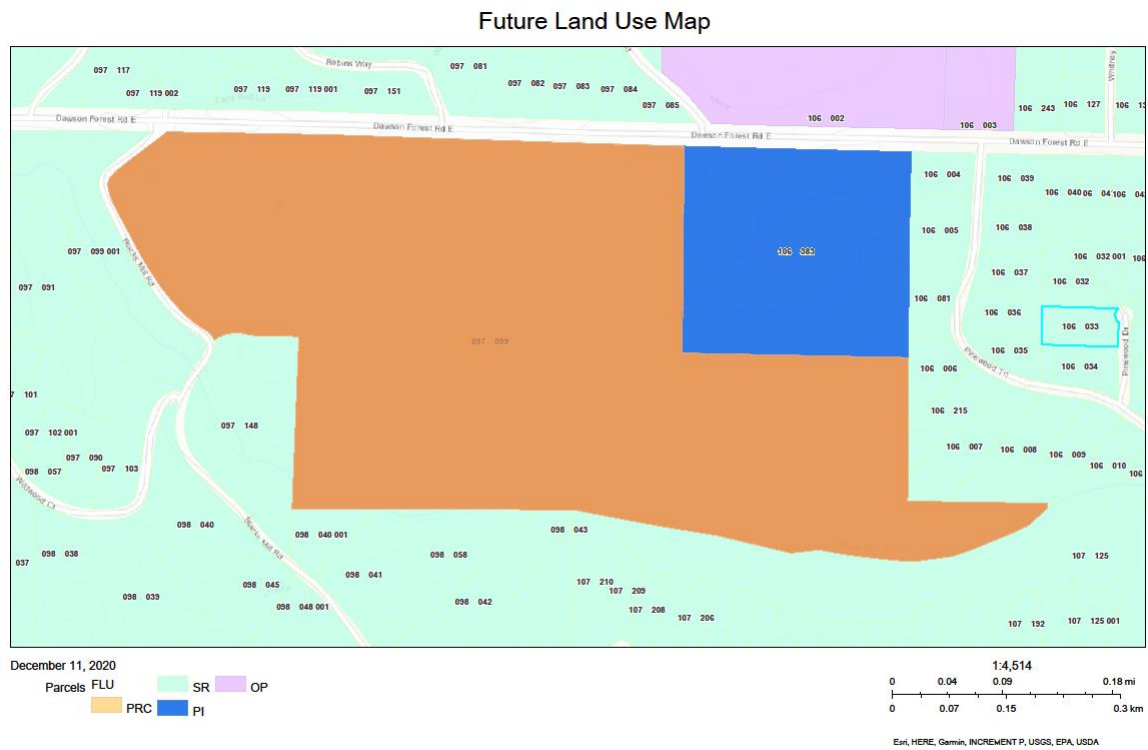
Current Zoning Map:



Site Plan:

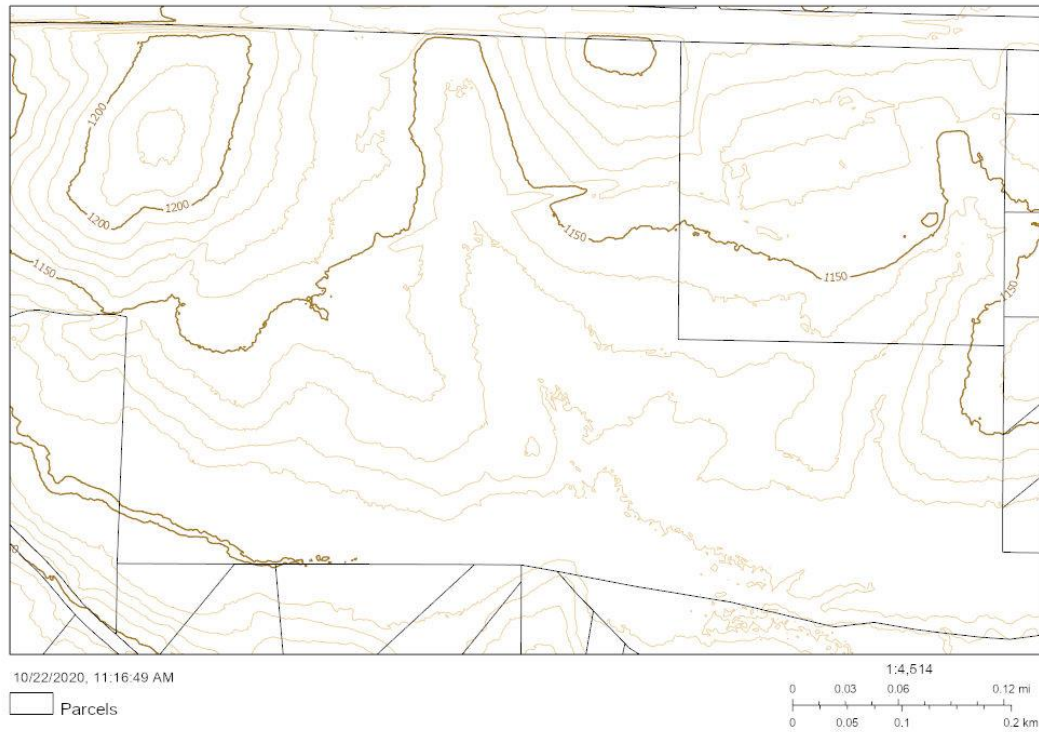


Future Land Use Map:



Topography:

Topo Map



The information on this map (or data product) is from a computer database accessed using a Geographic Information System (GIS). Dawson County Public Works cannot guarantee the accuracy of the information contained on this map. Each user of this map is responsible for verifying the accuracy of the information for their intended use.

DENIAL

Public Hearing of Rezoning Request

We, the Dawson County Planning Commission, do hereby recommend denial of the following rezoning request:

ZA 70-21

Date of Hearing: 12-15-20

Applicant's Name: George E Butler

Address: _____

Tax Map Parcel Number: 097-099


Parcel Currently Zoned: RA

Rezoning Requested: RS 2

This recommendation for denial is based upon the following which we feel will will not:

- A. Affect the property values of surrounding property.
- B. Affect the health, safety or general welfare of the public.
- C. Impose special hardships on the surrounding property owners.

This recommendation for denial was based on the following:


Chairman Jason Hamby

Dec 15, 2020
Date

Dawson County Planning Commissioner

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 20.83 Tax Map & Parcel # (TMP): 113.044.006
Submittal Date: 11.13.2020 Time: _____ am/pm Received by: Vrge (staff initials)
Fees Assessed: 3500- Paid: _____ Commission District: _____
Planning Commission Meeting Date: _____
Board of Commissioners Meeting Date: _____

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Miles Hansford & Tallant, LLC - Jonathan C. Beard on behalf of Qing Zhang & Zhimin Liu

Address: _____

Phone: Listed _____ Email: _____ Business _____
Unlisted _____ Personal _____

Status: ☐ Owner ☒ Authorized Agent ☐ Lessee ☐ Option to purchase

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

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

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

Meeting Date: 11/16/2020 Applicant Signature: Jonathan C. Beard
Attorney for Applicant

PROPERTY OWNER/PROPERTY INFORMATION

Name: Qing Zhang & Zhimin Liu

Street Address of Property being rezoned: 606 Prominence Court, Dawsonville, GA 30534

Rezoning from: C-OI to: C-HI Total acreage being rezoned: Approximately 2.402 Acres

Directions to Property: The Subject Property is located at the intersection of southerly right-of-way of Kilough Church Road and the westerly right-of-way of SR 400.

Subdivision Name (if applicable): N/A Lot(s) #: _____

Current Use of Property: Undeveloped.

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

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

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

If yes, what section? South

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RA South C-HB East RA & C-HB West C-HB

Future Land Use Map Designation: Commercial - Highway Business

Access to the development will be provided from:

Road Name: Prominence Court & Kilough Church Road Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

[X] Rezoning to: C-HI [] Special Use Permit for: _____

Proposed Use: Garden Center

Existing Utilities: [X] Water [] Sewer [] Gas [X] Electric

Proposed Utilities: [X] Water [X] Sewer [X] Gas [X] Electric

RESIDENTIAL

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

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

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

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

COMMERCIAL & INDUSTRIAL

Building area: 5,000 sq. ft. No. of Parking Spaces: 25

APPLICANT CERTIFICATION

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

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

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

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

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

Signature 

Date 11/12/2020

Witness  C. Beal

Date 11/12/20

WITHDRAWAL

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

I hereby withdraw application # _____

Signature _____

Date _____

Withdrawal of Application:

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

ZA _____

TMP#: 113 044 006

List of Adjacent Property Owners

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

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

	<u>Name</u>	<u>Address</u>
TMP 113 044 009	1. KEVIN & MARLA NEISE	8755 AMBERFIELD DRIVE GAINESVILLE, GA 30506
TMP 113 044 007	2. ETOWAH WATER AND SEWER AUTHORITY	PO BOX 769 DAWSONVILLE, GA 30534
TMP 113 057	3. CRAIG H & CYDNEY A KRITZER	41 STAMP MILL CT DAHLONEGA, GA 30533
TMP 113 098 001	4. HYBRID PROPERTIES AND INVESTMENTS LLC	6775 PAYTON RD CUMMING, GA 30041
TMP 113 051	5. KILOUGH VENTURES LLC	4635 HARRIS TRAIL ATLANTA, GA 30327
TMP 113 058	6. NATION HOMES INC	1130 VINTAGE CLUB DRIVE DULUTH, GA 30097
TMP _____	7. _____	_____
TMP _____	8. _____	_____
TMP _____	9. _____	_____
TMP _____	10. _____	_____
TMP _____	11. _____	_____
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

Use additional sheets if necessary.

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: [Signature]

Applicant Printed Name: QING ZHANG

Application Number: _____

Date Signed: 11/12/20

Sworn and subscribed before me

this 12th day of November, 2020.

[Signature]
Notary Public

My Commission Expires: 12/18/2022



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

Pursuant to O.C.G.A. Section 36-67 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for rezoning, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

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

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

N/A

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

Amount \$ _____ Date: _____

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

Signature of Applicant/Representative of Applicant:

 _____ Date: 11/12/2020

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

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

PROPERTY OWNER AUTHORIZATION

I/we, Qing Zhang and Zhimin Liu, hereby swear
that I/we own the property located at (fill in address and/or tax map & parcel #):

606 Prominence Court Dawsonville, Georgia 30534

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

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

Printed Name of applicant or agent: QING ZHANG

Signature of applicant or agent: [Signature] Date: 11/12/2020

Printed Name of Owner(s): QING ZHANG ZHIMIN LIU

Signature of Owner(s): [Signature] Zhimin Liu Date: 11/12/2020

Mailing address: _____

City, State, Zip: _____

Telephone Number: ☐ Listed ☐ Unlisted _____

Sworn and subscribed before me
this 12th day of November, 2020.

Tasha Howell
Notary Public

My Commission Expires: 12/18/2022



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

Jonathan C. Beard
jbeard@mhtlegal.com

Revised - November 17, 2020

CAMPAIGN DISCLOSURE

Applicant:	Qing Zhang
Subject Property:	Approx. 2.402 Acres Designated as Dawson County Tax Parcel(s): 113 044 006
Current Zoning:	C-OI – Commercial Office Institutional District
Proposed Zoning:	C-HI – Highway Business Intensive Commercial District
Proposed Use:	Garden Center
ROW Access:	Prominence Court & Kilough Church Road

Pursuant to O.C.G.A § 36-67A-1, *et seq.*, please be advised that Miles, Hansford & Tallant, LLC, has not given campaign contributions and/or sponsorships to any Dawson County government officials.

This letter constitutes the disclosure of campaign contributions with respect to the above-referenced application and is forms a part of such application.

Sincerely,



Jonathan Beard
Attorney for Applicant

Revised – November 17, 2020

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant:	Qing Zhang
Subject Property:	Approx. 2.402 Acres Designated as Dawson County Tax Parcel(s): 113 044 006
Current Zoning:	C-OI – Commercial Office Institutional District
Proposed Zoning:	C-HI – Highway Business Intensive Commercial District
Proposed Use:	Garden Center
ROW Access:	Prominence Court & 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, conditional use permit and variances) (collectively, the "Application") of the Applicant and the owners of the Subject Property and to put the Dawson County Board of Commissioners on notice of the Applicant's assertion of its constitutional and legal rights.

The Applicants have filed a timely application, has provided all required information and has submitted the appropriate application fees. The Application meets all judicial and statutory requirements for approval.

The Current Zoning of the Subject Property is unconstitutional and deprives the Subject Property and all viable economic use thereof. The Proposed Use is the only viable economic use of the Subject Property, and the County has deemed this Application necessary to allow the Proposed Use. As such, the Applicants file this Application for the purpose of changing the Current Zoning to facilitate the Proposed Use, and to exhaust administrative remedies in the event the Application is denied. The Applicants reserve the right to challenge the Current Zoning and any zoning conditions and other restrictions affecting the Subject Property.

A refusal by the County to approve the Application, as requested by the Applicants, will impose a disproportionate hardship on the Applicants of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property except for development of the Proposed Use as proposed by the Applicants.

Any provisions in the Land Use Resolution of Dawson County ("LUR") that classify, or may classify, the Subject Property into any of the non-requested zoning or use classifications, including the Proposed Use at a density less than that requested by the Applicants, are unconstitutional in that they constitute a taking of the Applicants' 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 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 less than that requested by the Applicants. Failure to approve the Application as requested by the Applicants 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 Applicants 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 Applicants 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 LUR. 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 Board'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 zoning conditions or other restrictions imposed on the Subject Property without the consent of the Applicants that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. As such, the Applicants reserve the right to challenge any such zoning conditions.

Finally, the Applicants assert that the LUR, Character Area Map, Future 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 Applicants' request based upon provisions illegally adopted will deprive the Applicants of due process under the law.

By filing this Reservation, the Applicants reserve all rights and remedies available to them under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity. This Reservation also constitutes an Ante Litem Notice pursuant to O.C.G.A. § 36-11-1, which places the County and all other agents thereof on notice of the Applicants' intent to seek monetary damages and attorney's fees against the County and any party acting on its behalf for any rezoning action, zoning condition, illegal impact fee and any other unlawful restrictions and exactions that are imposed on the Subject Property and the Applicants.

The Applicants respectfully request that the Application be approved as requested by the Applicants and in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Application, and we ask that this Reservation be included with the Applicants' other application documents. The Applicants reserve the right to amend and supplement this Reservation at any time.

Sincerely,



Jonathan Beard
Attorney for Applicant

Jonathan C. Beard
jbeard@mhtlegal.com

Revised – November 17, 2020

LETTER OF INTENT REGARDING LAND USE APPLICATION

Applicant:	Qing Zhang
Subject Property:	Approx. 2.402 Acres Designated as Dawson County Tax Parcel(s): 113 044 006
Current Zoning:	C-OI – Commercial Office Institutional District
Proposed Zoning:	C-HI – Highway Business Intensive Commercial District
Proposed Use:	Garden Center
ROW Access:	Prominence Court & Kilough Church Road

This statement is intended to comply with the application procedures established by the Land Use Resolution of Dawson County (the “LUR”), Dawson County Application for Rezoning, Use Permit, & Concurrent Variances, and other Dawson County Ordinances and Standards. The Applicant incorporates all statements made in the Application for Rezoning, Use Permit, & Concurrent Variances by the Applicant (the “Application”) as its letter of intent required by Dawson County.

The Applicant intends to develop the Subject Property for the Proposed Use, as more fully described in the Application, incorporated herein by this reference. Any zoning request, conditional use permit, and variance applications submitted concurrently with the Application are also incorporated herein by this reference. The zoning request, conditional use permit, and/or variance applications, along with all supplemental plans and documents are collectively referred to as the “Applicant’s Proposal.”

PROPOSED USE

The Applicant proposes to develop a garden center with approximately 5,000 square feet of building space on the Subject Property. The Subject Property is located on Prominence Court.

COMPREHENSIVE PLAN

The Dawson County Comprehensive Plan and the Future Development Map incorporated therein designates the Subject Property as located within the Commercial Highway/Business Character Area. The Proposed Use conforms to the Comprehensive Plan which shows the future use for this area as Commercial Highway/Business.

IMPACT ON THE LOCAL POPULATION DENSITY PATTERN AND PUBLIC INFRASTRUCTURE

(A) Public Road System

Permanent access to the development will be from the ROW Access. All of the development’s interior streets and driveways will be privately-owned and maintained.

Access and traffic are not anticipated to be a problem as traffic generated from the development will be minimal and the entrance will be at a location where sight distance is sufficient.

All curb cuts shall be coordinated and approved by Dawson County and acceleration and deceleration lanes will be installed as required by applicable standards. All streets and access drives within the development will be constructed to conform to Dawson County standards. Parking will be provided onsite as required by the LUR.

(B) County School System

As the Subject Property will be a commercial use, the Applicant does not project the Proposed Use will result in any increase in the student population.

(C) Water and Waste Water Systems

The development's water and sanitary sewage utilities will be provided by the Etowah Water & Sewer Authority. As sanitary sewage treatment is available to serve the Subject Property.

(D) Utilities

With regard to public utilities, water, sanitary sewer, gas and electricity are available to the Subject Property. The impact on public utilities is anticipated to be minimal. The Applicant will install underground utility lines within the development to serve the project on an as-needed basis.

(E) Environmental Impact

The project should also have a minimal impact on the environment. There should be no negative impact on air quality. Drainage, soil erosion, and sedimentation controls will be extensively utilized on the site after obtaining all required approvals from all applicable regulatory authorities.

The Applicant will submit plans detailing the development for approval by the Dawson County Department of Planning and Development and all other appropriate governmental agencies, based upon conformity with applicable land use and development regulations.

Dawson County, Georgia Board of Commissioners

Affidavit for Issuance of a Public Benefit

As Required by the Georgia Illegal Immigration Reform and Enforcement Act of 2011

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

 X

I am a United States citizen.

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

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

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

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

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

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

Executed in Cumming (city), GA (state)


Signature of Applicant

QING ZHANG
Printed Name

11/12/2020
Date

N/A
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 12th DAY OF November, 20 20

Tasha Howell Notary Public

My Commission Expires: 12/18/2022



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

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

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

2020 Property Tax Statement

Nicole Stewart
Dawson County Tax Commissioner
25 Justice Way, Suite 1222
Dawsonville, GA 30534

Bill Number	Due Date	CURRENT YEAR DUE
15597	12/1/2020	\$0.00

Payment Good Through:

Map: 113 044 006

Last payment made on: 10/26/2020

Location: 606 PROMINENCE CT

ZHANG QING & ZHIMIN LIU

Dear Taxpayer,

This is your current year Ad Valorem Property Tax Statement. This bill must be paid in full by December 1st in order to avoid interest and penalty charges. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the NEW OWNER and notify our office.

Thank you for the privilege to serve as your Tax Commissioner.

Nicole Stewart

RETURN THIS FORM WITH PAYMENT

Nicole Stewart
Dawson County Tax Commissioner
25 Justice Way, Suite 1222
Dawsonville, GA 30534



Scan this code with
your mobile phone
to view or pay this
bill

Tax Payer: ZHANG QING & ZHIMIN LIU
Map Code: 113 044 006
Description: LL 197 198 LD 13-S
Location: 606 PROMINENCE CT
Bill Number: 15597
District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$0.00	\$300,000.00	2.4	300000	12/1/2020	10/26/2020		

TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	300000	120000	0	120000	0	0	0	0
COUNTY M&O	300000	120000	0	120000	12.377	1485.24	0	946.2
SALES TAX ROLLBACK	0	0	0	120000	-4.492	0	-539.04	0
SCHOOL M&O	300000	120000	0	120000	15.770	1893.36	0	1893.36
TOTALS					23.663	3,378.60	-639.04	2,839.56

You can pay your bill in person, by mail, online at www.dawsoncountytax.com, or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, interest at a rate prescribed by law will be added monthly. An additional penalty as prescribed by law will be added every 120 days. If the bill is marked appealed, then this is only 85% of the total bill pending.

NO PAYMENT CONTRACTS WILL BE ALLOWED.

Current Due: \$2,839.56
Penalty: \$0.00
Interest: \$0.00
Other Fees: \$0.00
Back Taxes: \$0.00
Amount Paid: \$2,839.56
TOTAL DUE: \$0.00



Summary

Parcel Number 113 044 006
Location Address 606 PROMINENCE CT
Legal Description LL 197 198 LD 13-5
(Note: Not to be used on legal documents)
Class C4-Commercial
(Note: This is for tax purposes only. Not to be used for zoning.)
Tax District UNINCORPORATED (District 01)
Millage Rate 23.867
Acres 2.4
Neighborhood 400 (00042)
Homestead Exemption No (S0)
Landlot/District 197 /

[View Map](#)



Owner

ZHANG QING & ZHIMIN LIU

Land

Type	Description	Calculation Method	Frontage	Depth	Acres	Lots
Commercial	400 Commercial 150000	Acres	0	0	2.4	0

Permits

Permit Date	Permit Number	Type
12/12/2016	10411	MOBILE HOME
03/27/2015	8768	MOBILE HOME

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
4/24/2019	1342 481		\$300,000	Fair Market Sale (Vacant)	JONES AND SON LLC	ZHANG QING & ZHIMIN LIU
9/13/2010	961 361	78 191	\$200,700	Fair Market Sale (Vacant)	R DONALD STEPHENS	JONES AND SON LLC

Valuation

	2020	2019	2018	2017	2016
Previous Value	\$252,000	\$252,000	\$252,000	\$252,000	\$185,472
Land Value	\$300,000	\$252,000	\$252,000	\$252,000	\$252,000
+ Improvement Value	\$0	\$0	\$0	\$0	\$0
+ Accessory Value	\$0	\$0	\$0	\$0	\$0
= Current Value	\$300,000	\$252,000	\$252,000	\$252,000	\$252,000

Photos



Dawson County



11/13/2020, 10:31:14 AM
 [] Parcels Zoning
 RA RSR C-01
 C-HB RMF

0 0.03 0.06 0.12 mi
 0 0.05 0.1 0.2 km
 1:4,514
 USDA FSA, GeoEye, Maxar, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/MASA, USGS, EPA, NPS, US Census Bureau, USDA

Planning and Development
 USDA FSA, Maxar | Esri Community Maps Contributors, BuildingFootprintsUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/MASA, USGS, EPA, NPS, US Census Bureau, USDA |

NOTES:

- 1) THE PROPERTY SHOWN ON THIS MAP WAS PREPARED BY THE ENGINEER BASED ON THE RECORD PLAT AND THE FIELD SURVEY. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNLAWFUL ACTS OR VIOLATIONS OF ANY LAWS OR ORDINANCES. THE ENGINEER HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE RECORD PLAT AND HAS FOUND NO EVIDENCE OF ANY UNLAWFUL ACTS OR VIOLATIONS OF ANY LAWS OR ORDINANCES.
- 2) THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNLAWFUL ACTS OR VIOLATIONS OF ANY LAWS OR ORDINANCES.
- 3) THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNLAWFUL ACTS OR VIOLATIONS OF ANY LAWS OR ORDINANCES.



FLOOD NOTE:
 ACCORDING TO THE FLOOD HAZARD MAP OF THE STATE OF GEORGIA, THE PROPERTY SHOWN ON THIS MAP IS NOT IN A FLOOD HAZARD AREA.

20' DRAINAGE EASEMENT CALLS

Course	Bearing	Distance
L1	Recd. 115°10'16"	Arcl. 106.77'
	Chk. S 34°52'08" W	306.76'
L2	Recd. 115°10'16"	Arcl. 112.57'
	Chk. N 34°58'41" E	312.56'
L3	Recd. 115°10'16"	Arcl. 112.57'
	Chk. S 34°52'08" W	306.76'

20' DRAINAGE EASEMENT
 0.142 ACRES
 DEED BOOK 1342, PAGE 461

N/E
 KENON & WANDA HENSE
 141 PARCEL # 113 044 009
 DB 591, PG 81



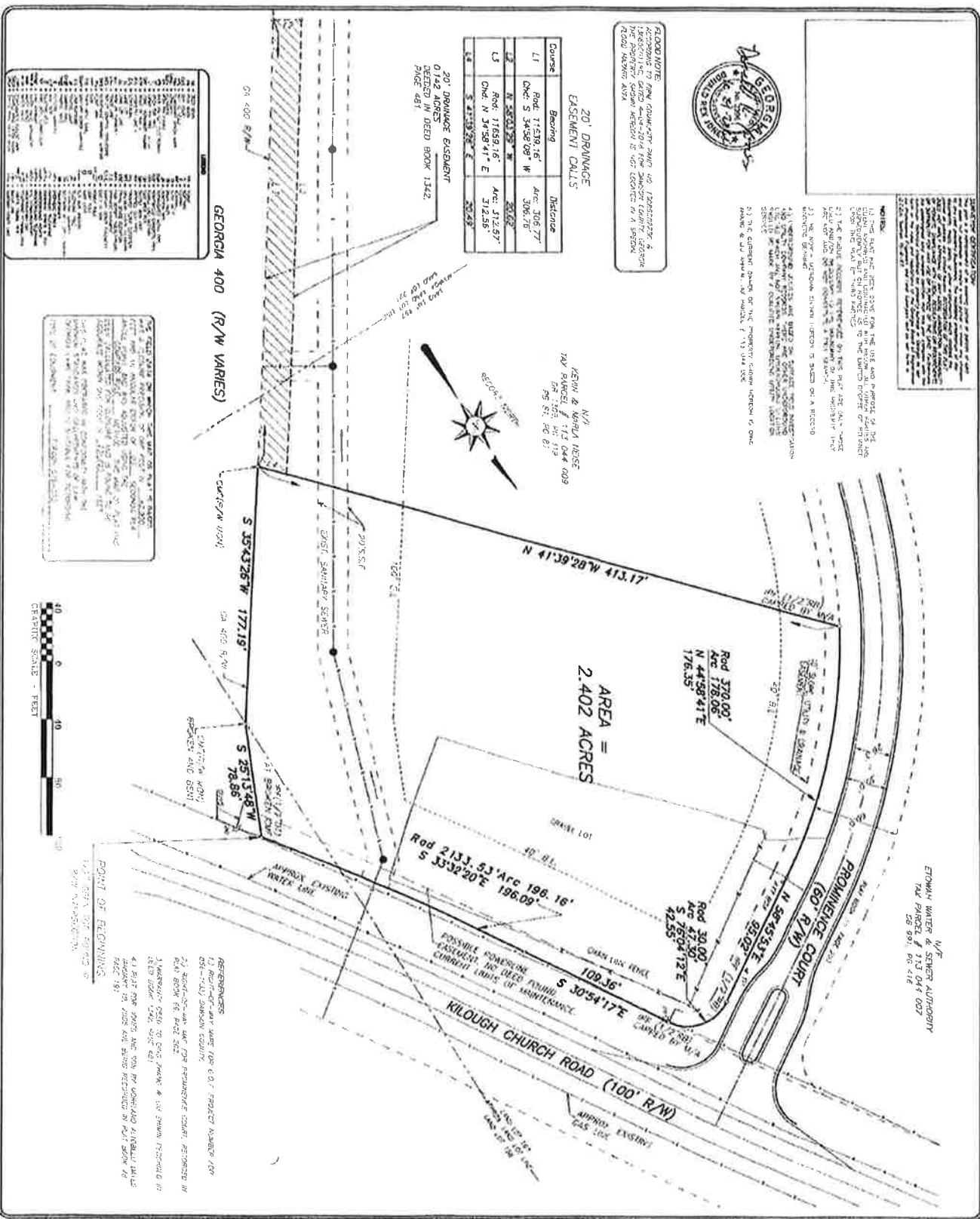
GEORGIA 400 (R/W VARIES)

LEGEND:

- 1. EXISTING ROAD
- 2. PROPOSED ROAD
- 3. EXISTING DRAINAGE
- 4. PROPOSED DRAINAGE
- 5. EXISTING EASEMENT
- 6. PROPOSED EASEMENT
- 7. EXISTING FENCE
- 8. PROPOSED FENCE
- 9. EXISTING UTILITY
- 10. PROPOSED UTILITY

POINT OF BEGINNING
 1.57 00' 00" BEARING S
 87.77' DISTANCE

GRAPHIC SCALE - FEET



N/E
 ETONAH WATER & SEWER AUTHORITY
 141 PARCEL # 113 044 007
 DB 591, PG 416

Atlas Technical Consultants, LLC
 Engineering • Planning • Landscape Architecture • Land Acquisition • Surveying
 1407 HATFIELD RD., SUITE 200
 440 FALCONHEAD DR. N.W. SUITE 100
 ATLANTA, GEORGIA 30341
 PHONE: 404.770.0001 FAX: 404.770.0002

QING ZHANG & LIU ZHIMIN
 LAND LOT 107, 108 & 221 - SOUTH HALF 13th DISTRICT
 DAWSON COUNTY, GEORGIA

SHEET 1 of 1
 SHEETS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 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621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 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1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 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1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 19

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT**

Applicant.....Miles Hansford Tallant obo Qing Zhang & Zhimin Llu

Amendment #ZA 20-23

Request.....Rezone Property from C-OI (Commercial Office Institutional to C-HI (Commercial Highway Intensive)

Proposed UseOpen a Garden Center

Current ZoningCommercial Office Institutional

Size.....2.4± acres

LocationCorner of Prominence Court & Kilough Church Rd.

Tax Parcel113 044 006

Planning Commission DateDecember 15, 2020

Board of Commission DateJanuary 21, 2021

Applicant Proposal

The applicant intends to develop the subject property for the purpose of opening a garden center with approximately 5,000 square feet of building space.

History and Existing Land Uses

The current use of the property is vacant land. A driveway to the proposed location is in place that was used by the Georgia Department of Transportation during the continuous flow construction.

Adjacent Land Uses	Existing zoning	Existing Use
North	R-A	Vacant
South	C-HB	Vacant

East	C-HB	Vacant
West	C-HB	Commercial

Development Support and Constraints

Development Constraints would be subject to the 400 Corridor Guidelines.

Relationship to the Comprehensive Plan and FLUP (Future Land Use Plan)

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Commercial Highway Business however this is a new zoning classification that has yet to be incorporated into the FLUP.

Public Facilities/Impacts

Engineering Department–“Prominence Ct. Asphalt curb and gutter, road is in good condition, no county improvements planned. Kilough Church asphalt, wearing surface is in poor condition and in need of resurface. Moderate traffic flow, good geometry at both proposed access points. During development review Public Works will address any additional construction comments”

Environmental Health Department – No comments returned.

Emergency Services –“No comments.”

Etowah Water & Sewer Authority – If water needed, owners expense to extend.

Dawson County Sheriff’s Office – No comments returned.

Board of Education – No facility additions would be necessary.

Georgia Department of Transportation –A commercial driveway permit will be necessary due to GDOT Right of Way on Kilough Church.

Analysis

This property has been designated by the county for commercial zoning of Commercial Highway Business which does not take into account this new zoning classification.

The following observations should be noted with respect to this request:

- A. The existing uses and classification of nearby property.**
The adjacent properties are zoned with the exception of the parcel to the North. That particular parcel fronts Hwy 400 on the Southbound side.
- B. The extent to which property values are diminished by the particular land use classification.**
There should be no diminishment of property values.
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.**
There should be no destruction of property values.
- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**
There should be no relative gain to the public.
- E. The suitability of the subject property for the proposed land use classification.**
The property is suitable for the proposed land use classification.
- F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**
The property is vacant land.
- G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.**
The current Commercial Office Institution does not allow for a garden center within that zoning classification. The applicant is seeking to move their business from an existing location in Cumming.

Pictures of Property:

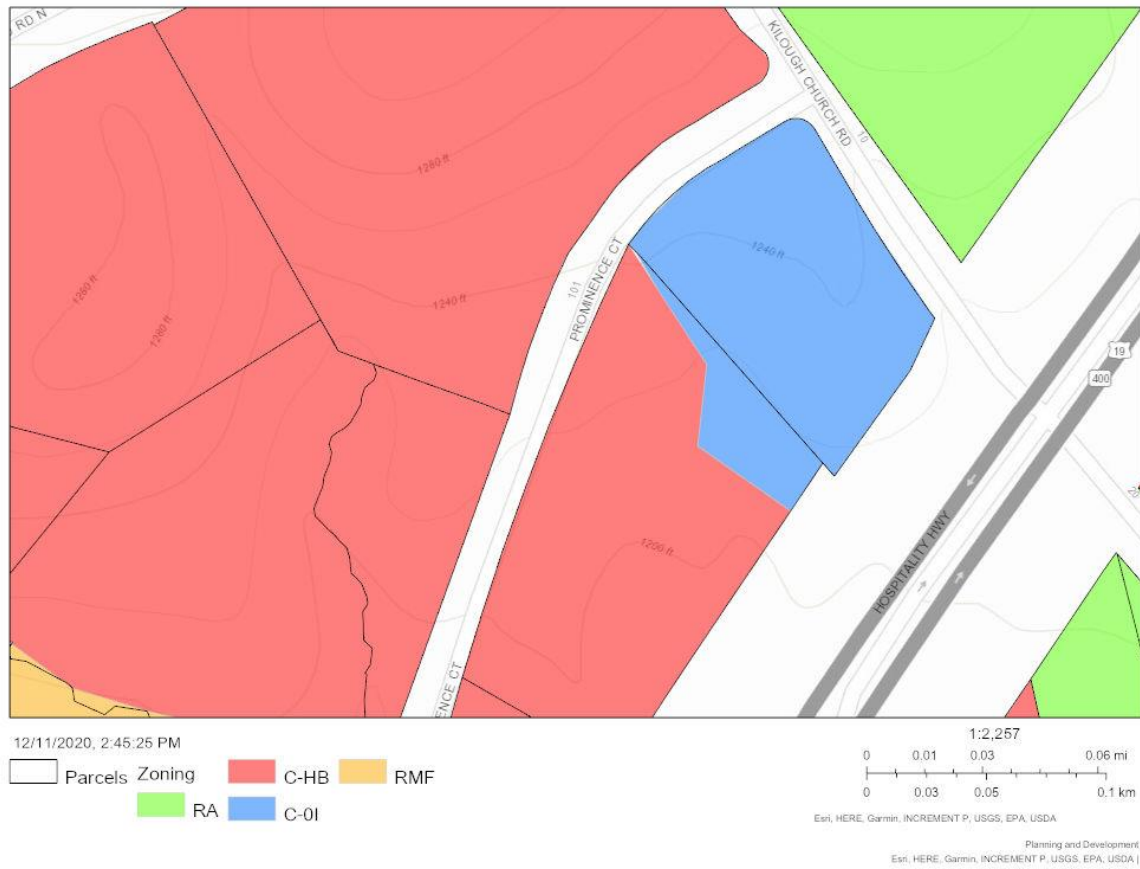


This is a detailed technical drawing of a land survey plat. The central feature is a large area labeled "AREA = 2.402 ACRES". The survey is bounded by "GERMAN AVE (70' W. MARKS)" to the north and "N. 41°30'20" E. 171.17' to the east. To the south is "MELROSE CHURCH ROAD (100' R/W)". The survey includes several smaller areas and bearings, such as "S 30°28'30" E 122.10'", "S 85°53'00" E 78.88'", and "N 41°30'20" E 171.17'". A north arrow is located in the upper left quadrant. A scale bar at the bottom left indicates distances from 0 to 100 feet. A table in the upper right corner lists various measurements and bearings. A circular seal is visible in the upper right corner. The drawing is signed "GEOGRAPHIC AND (70' W. MARKS)" and includes a note about the area being surveyed. The bottom of the drawing features the text "GEOGRAPHIC AND (70' W. MARKS)" and a note about the area being surveyed.

0' 10' 20' 30' 40' 50' 60' 70' 80' 90' 100' 110' 120' 130' 140' 150' 160' 170' 180' 190' 200' 210' 220' 230' 240' 250' 260' 270' 280' 290' 300' 310' 320' 330' 340' 350' 360' 370' 380' 390' 400' 410' 420' 430' 440' 450' 460' 470' 480' 490' 500' 510' 520' 530' 540' 550' 560' 570' 580' 590' 600' 610' 620' 630' 640' 650' 660' 670' 680' 690' 700' 710' 720' 730' 740' 750' 760' 770' 780' 790' 800' 810' 820' 830' 840' 850' 860' 870' 880' 890' 900' 910' 920' 930' 940' 950' 960' 970' 980' 990' 1000' 1010' 1020' 1030' 1040' 1050' 1060' 1070' 1080' 1090' 1100' 1110' 1120' 1130' 1140' 1150' 1160' 1170' 1180' 1190' 1200' 1210' 1220' 1230' 1240' 1250' 1260' 1270' 1280' 1290' 1300' 1310' 1320' 1330' 1340' 1350' 1360' 1370' 1380' 1390' 1400' 1410' 1420' 1430' 1440' 1450' 1460' 1470' 1480' 1490' 1500' 1510' 1520' 1530' 1540' 1550' 1560' 1570' 1580' 1590' 1600' 1610' 1620' 1630' 1640' 1650' 1660' 1670' 1680' 1690' 1700' 1710' 1720' 1730' 1740' 1750' 1760' 1770' 1780' 1790' 1800' 1810' 1820' 1830' 1840' 1850' 1860' 1870' 1880' 1890' 1900' 1910' 1920' 1930' 1940' 1950' 1960' 1970' 1980' 1990' 2000' 2010' 2020' 2030' 2040' 2050' 2060' 2070' 2080' 2090' 2100' 2110' 2120' 2130' 2140' 2150' 2160' 2170' 2180' 2190' 2200' 2210' 2220' 2230' 2240' 2250' 2260' 2270' 2280' 2290' 2300' 2310' 2320' 2330' 2340' 2350' 2360' 2370' 2380' 2390' 2400' 2410' 2420' 2430' 2440' 2450' 2460' 2470' 2480' 2490' 2500' 2510' 2520' 2530' 2540' 2550' 2560' 2570' 2580' 2590' 2600' 2610' 2620' 2630' 2640' 2650' 2660' 2670' 2680' 2690' 2700' 2710' 2720' 2730' 2740' 2750' 2760' 2770' 2780' 2790' 2800' 2810' 2820' 2830' 2840' 2850' 2860' 2870' 2880' 2890' 2900' 2910' 2920' 2930' 2940' 2950' 2960' 2970' 2980' 2990' 3000' 3010' 3020' 3030' 3040' 3050' 3060' 3070' 3080' 3090' 3100' 3110' 3120' 3130' 3140' 3150' 3160' 3170' 3180' 3190' 3200' 3210' 3220' 3230' 3240' 3250' 3260' 3270' 3280' 3290' 3300' 3310' 3320' 3330' 3340' 3350' 3360' 3370' 3380' 3390' 3400' 3410' 3420' 3430' 3440' 3450' 3460' 3470' 3480' 3490' 3500' 3510' 3520' 3530' 3540' 3550' 3560' 3570' 3580' 3590' 3600' 3610' 3620' 3630' 3640' 3650' 3660' 3670' 3680' 3690' 3700' 3710' 3720' 3730' 3740' 3750' 3760' 3770' 3780' 3790' 3800' 3810' 3820' 3830' 3840' 3850' 3860' 3870' 3880' 3890' 3900' 3910' 3920' 3930' 3940' 3950' 3960' 3970' 3980' 3990' 4000' 4010' 4020' 4030' 4040' 4050' 4060' 4070' 4080' 4090' 4100' 4110' 4120' 4130' 4140' 4150' 4160' 4170' 4180' 4190' 4200' 4210' 4220' 4230' 4240' 4250' 4260' 4270' 4280' 4290' 4300' 4310' 4320' 4330' 4340' 4350' 4360' 4370' 4380' 4390' 4400' 4410' 4420' 4430' 4440' 4450' 4460' 4470' 4480' 4490' 4500' 4510' 4520' 4530' 4540' 4550' 4560' 4570' 4580' 4590' 4600' 4610' 4620' 4630' 4640' 4650' 4660' 4670' 4680' 4690' 4700' 4710' 4720' 4730' 4740' 4750' 4760' 4770' 4780' 4790' 4800' 4810' 4820' 4830' 4840' 4850' 4860' 4870' 4880' 4890' 4900' 4910' 4920' 4930' 4940' 4950' 4960' 4970' 4980' 4990' 5000' 5010' 5020' 5030' 5040' 5050' 5060' 5070' 5080' 5090' 5100' 5110' 5120' 5130' 5140' 5150' 5160' 5170' 5180' 5190' 5200' 5210' 5220' 5230' 5240' 5250' 5260' 5270' 5280' 5290' 5300' 5310' 5320' 5330' 5340' 5350' 5360' 5370' 5380' 5390' 5400' 5410' 5420' 5430' 5440' 5450' 5460' 5470' 5480' 5490' 5500' 5510' 5520' 5530' 5540' 5550' 5560' 5570' 5580' 5590' 5600' 5610' 5620' 5630' 5640' 5650' 5660' 5670' 5680' 5690' 5700' 5710' 5720' 5730' 5740' 5750' 5760' 5770' 5780' 5790' 5800' 5810' 5820' 5830' 5840' 5850' 5860' 5870' 5880' 5890' 5900' 5910' 5920' 5930' 5940' 5950' 5960' 5970' 5980' 5990' 6000' 6010' 6020' 6030' 6040' 6050' 6060' 6070' 6080' 6090' 6100' 6110' 6120' 6130' 6140' 6150' 6160' 6170' 6180' 6190' 6200' 6210' 6220' 6230' 6240' 6250' 6260' 6270' 6280' 6290' 6300' 6310' 6320' 6330' 6340' 6350' 6360' 6370' 6380' 6390' 6400' 6410' 6420' 6430' 6440' 6450' 6460' 6470' 6480' 6490'

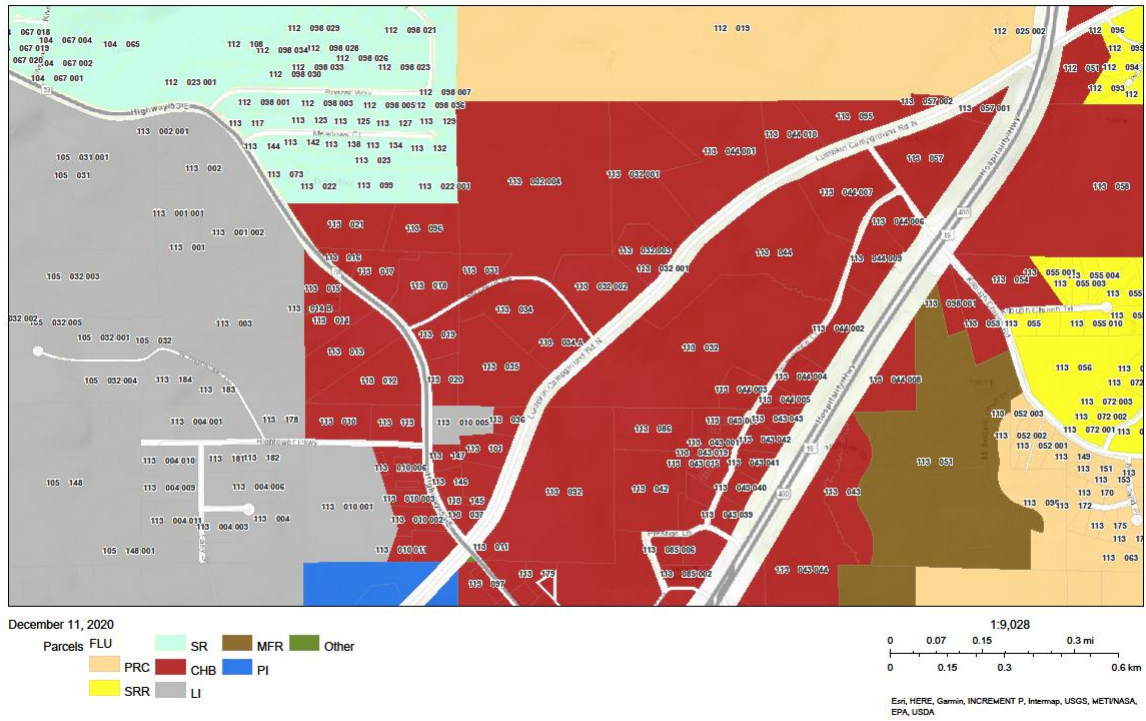
Current Zoning Map:

Dawson County



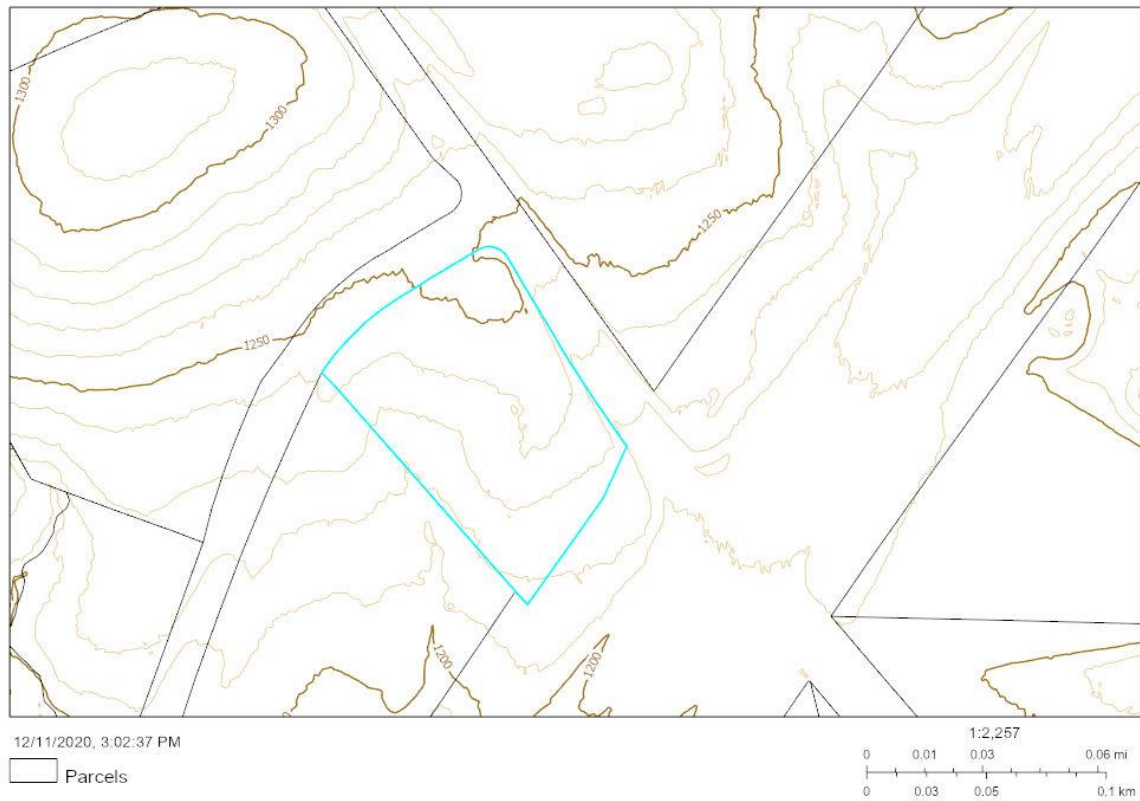
Future Land Use Map:

Future Land Use Map



Topography:

Topo Map

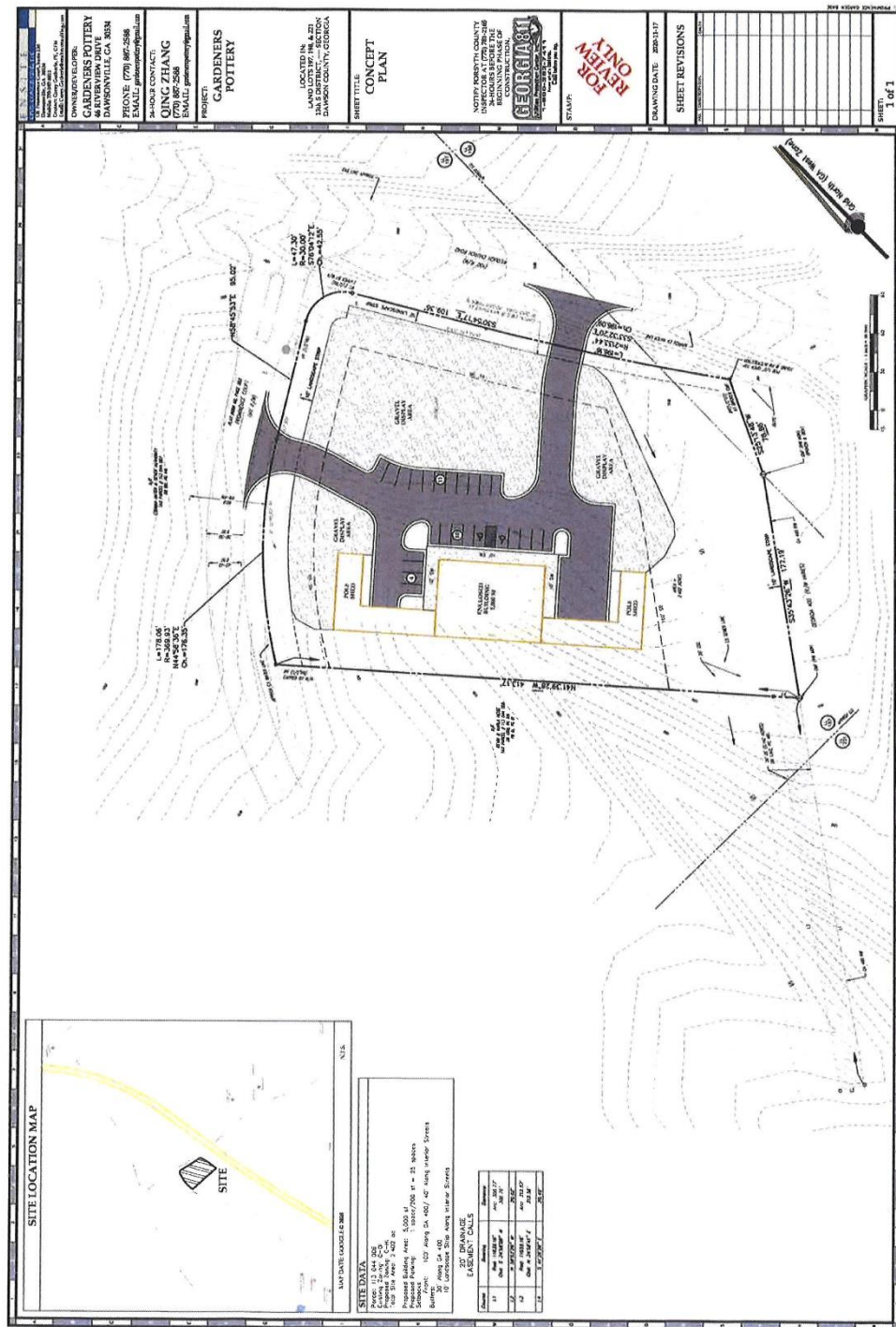


Dawson County
The information on this map (or data product) is from a computer database accessed using a Geographic Information System (GIS). Dawson County Public Works cannot guarantee the accuracy of the information contained on this map. Each user of this map is

Aerial:



Site Plan:



APPROVAL

PUBLIC HEARING OF REZONING REQUEST

We, the Dawson County Planning Commission, do hereby recommend approval the following rezoning request:

ZA #: 20-23 DATE OF HEARING: 12-15-2020

Applicant's Name: Miles Hansford Talbot obo Qing Zheng & Zhimin

Address: _____

Tax Map Parcel & Parcel Number: 113-044-006 Parcel Currently Zoned: C-OI

Rezoning Requested: C-HI

This recommendation for approval is based upon the following which we feel will/will not:

- A. Affect the property values of surrounding property.
- B. Affect the health, safety or general welfare of the public.
- C. Impose any special hardships on the surrounding property owners.
- D. The subject property is suited for the proposed land use.

This recommendation for approval is, however, subject to the following stipulations and/or modifications:


Chairman Jason Hamby
Dawson County Planning Commissioner

Dec 15, 2020
Date

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 20.27 Tax Map & Parcel # (TMP): 113.001 + 113.092
Submittal Date: 12.22.20 Time: 3:41 am/pm pm Received by: hge (staff initials)
Fees Assessed: Waived Paid: N/A Commission District: 3
Planning Commission Meeting Date: January 19, 2021
Board of Commissioners Meeting Date: January 21, 2021

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jameson Kinley obo Dawson County
Address: 25 E Justice Way Dawsonville, GA 30534
Phone: Listed 706-344-3604 Email: Business jkinley@dawsoncounty.org
Unlisted Personal
Status: ☐ Owner ☒ Authorized Agent ☐ Lessee ☐ Option to purchase

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

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

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

Meeting Date: ____ Applicant Signature: ____

PROPERTY OWNER/PROPERTY INFORMATION

Name: D53, LLC

Street Address of Property being rezoned: Lumpkin Campground Rd N + Hwy 53 East

Rezoning from: C-HB to: C-HB + RMF Total acreage being rezoned: 25.34

Directions to Property (if no address): Hwy 53 E to Lumpkin Campground Rd.
Turn left on Lumpkin Campground Rd. Property directly on right

Subdivision Name (if applicable): N/A Lot(s) #: 120

Current Use of Property: Vacant

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

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

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

If yes, what section? North _____ South _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RMF South C-HB East GOI + C-HB West C-HB + C-IR

Future Land Use Map Designation: C-HB

Access to the development will be provided from:

Road Name: Lumpkin Campground Rd. Type of Surface: asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

☒ Rezoning to: RMF + CHB ☐ Special Use Permit for: _____

Proposed Use: develop 120 unit townhome community w/ commercial component

Existing Utilities: ☐ Water ☐ Sewer ☐ Gas ☐ Electric

Proposed Utilities: ☐ Water ☐ Sewer ☐ Gas ☐ Electric

RESIDENTIAL

No. of Lots: 120 Minimum Lot Size: _____ (acres) No. of Units: 120

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

Type: ☐ Apartments ☐ Condominiums ☒ Townhomes ☐ Single-family ☐ Other

Is an Amenity Area proposed: yes; if yes, what? pool & cabana

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

APPLICANT CERTIFICATION

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

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

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

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

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

Signature _____

Date _____

Witness _____

Date 12.22.2020

WITHDRAWAL

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

I hereby withdraw application # _____

Signature _____

Date _____

Withdrawal of Application:

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

ZA 20.87

TMP#: _____

List of Adjacent Property Owners

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

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

	<u>Name</u>	<u>Address</u>
TMP _____	1. See attached spreadsheet	_____
TMP _____	2.	_____
TMP _____	3.	_____
TMP _____	4.	_____
TMP _____	5.	_____
TMP _____	6.	_____
TMP _____	7.	_____
TMP _____	8.	_____
TMP _____	9.	_____
TMP _____	10.	_____
TMP _____	11.	_____
TMP _____	12.	_____
TMP _____	13.	_____
TMP _____	14.	_____
TMP _____	15.	_____

Use additional sheets if necessary.

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

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

X I am a United States citizen.

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

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

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

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

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

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

Executed in _____ (city), _____ (state)

Signature of Applicant

Printed Name

Date

Name of Business

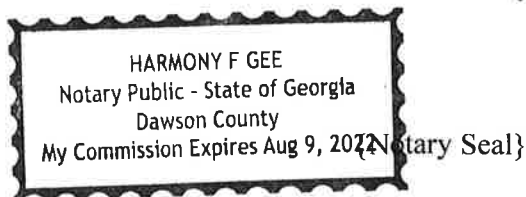
SUBSCRIBED AND SWORN BEFORE ME ON

THIS 22 DAY OF December, 2020

Harmony F. GEE Notary Public

My Commission Expires:

August 9, 2022



PROPERTY OWNER AUTHORIZATION

I/we, D53, LLC Dawson Co. obo, hereby swear
that I/we own the property located at (fill in address and/or tax map & parcel #):

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

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

Printed Name of applicant or agent: Jameson Kinley

Signature of applicant or agent: _____

Date: 12.22.2020

Printed Name of Owner(s): D53, LLC

Signature of Owner(s): _____

Date: _____

Mailing address: 4705 Hamilton Mill Rd. Ste. 300

City, State, Zip: Buford, GA 30518

Telephone Number: _____

Listed

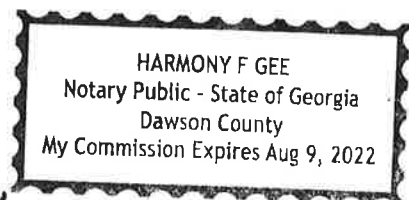
Unlisted

Sworn and subscribed before me

this 22 day of December, 2020.

Notary Public

My Commission Expires: August 9, 2022



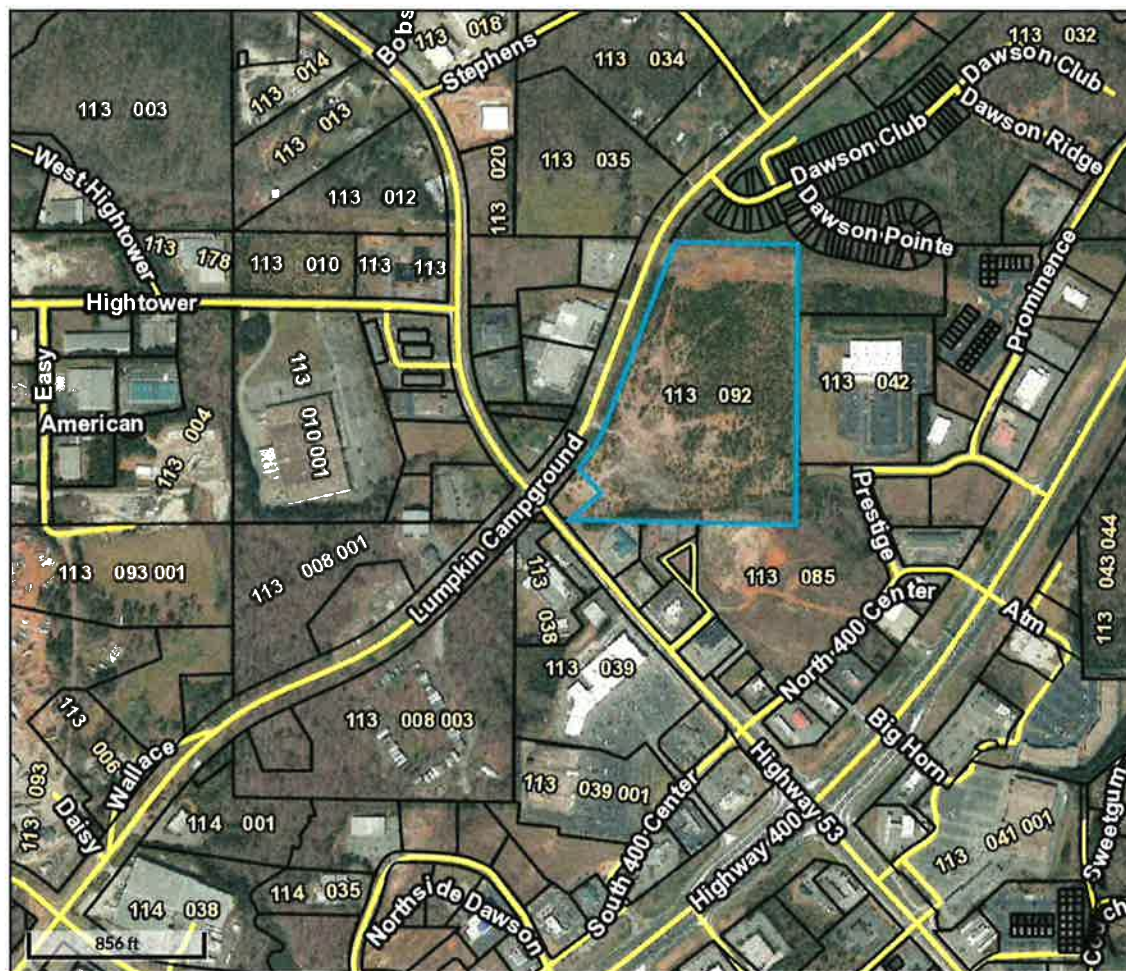
{Notary Seal}

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

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

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

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



☐ **Parcels**

Developed by  **Schneider**
GEOSPATIAL

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT**

Applicant.....Dawson County

Amendment #ZA 20-27

Request.....Rezone Property from CHB (Commercial Highway Business) to RMF (Residential Multi-Family) and CHB (Commercial Highway Business)

Proposed UseFor the purpose of developing a townhome community with commercial component

Current ZoningCHB (Commercial Highway Business)

Size.....25.36± acres

LocationLumpkin Campground Road North and HWY 53 East

Tax Parcel113-001 and 113-092

Planning Commission DateJanuary 19, 2021

Board of Commission Date..... January 21, 2021

Applicant Proposal

Dawson County is seeking to rezone the property from C-HB (Commercial Highway Business) to RMF (Residential Multi-Family) and C-HB (Commercial Highway Business) for the purpose of developing 120 townhomes and amenities area accompanied by h commercial component.

History and Existing Land Uses

The land is currently vacant but was rezoned from R-A (Residential Agriculture) to C-HB (Commercial Highway Business) in 2007 (ZA 07-08).

Adjacent Land Uses	Existing zoning	Existing Use
North	RMF	Age Targeted Townhomes under construction
South	C-HB & C-OI	Physician's Office & Bank
East	CPCD & RMF	Movie Theater and future apartment
West	C-IR & C-HB	Physician's Office & Manufacturing

Development Support and Constraints

This parcel has already been approved for commercial use and has several sites surrounding it for Residential Multi Family. The land that the Future Land Use Map has allotted for commercial purposes is primarily focused in the Hwy 53/ GA 400 Corridor.

Relationship to the Comprehensive Plan and FLUP (Future Land Use Plan)

According to the 2018 comprehensive plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Commercial Highway Business. Allowable zoning districts within Commercial Highway business include RMF, COI, C-HB, C-IR, and MUV.

Public Facilities/Impacts

Engineering Department –“Owner shall dedicate an additional 20’ of right-of-way along the entire frontage of Lumpkin Campground Rd. and SR 53 prior to the issuance of the first Certificate of Occupancy. A left turn lane from the end of the existing turn lane at the SR 53 along the property frontage to the northernmost property line of this development. The road connecting Lumpkin Campground Rd. to Prestige Lane shall be built to county standards.

”

Environmental Health Department – No comments returned.

Emergency Services – No comments returned.

Etowah Water & Sewer Authority –Any expansion to water and sewer lines would have to be to Etowah Water regulations and at the developers expense..

Dawson County Sheriff’s Office – No comments returned.

Board of Education – No comments returned.

Georgia Department of Transportation –“No comments returned.”

Analysis

Similar Rezoning in the area.

ZA 13-07 – Both adjacent properties 113-032 and 113-086 were rezoned from C-HB and RA to RMF for the purpose of apartments with the following stipulations. Since it is starting to be developed with senior living townhomes

1. A right-in de-acceleration lane into the complex and a right-out acceleration lane will be added to the Lumpkin Campground Road entrance with full-service stipulations to allow left-hand turns on to Lumpkin Campground
2. A second full-service entrance be added to Prominence Court.
3. 20’ of additional right-of-way be preserved in the event that Lumpkin Campground Road ever need to be widened

ZA 19-04 – The adjacent property 113-085 was rezoned from C-HB to RMF for the purpose of apartments with the following stipulations. The project has yet to be started.

4. The developer shall fully fund a traffic light per GDOT requirements at Medical Center Way and GA Hwy 53.
5. That there shall be a through road at Medical Center Way and 400 North Center Lane.
6. The developer shall fully bring up 400 North Center Lane from Ga Hwy. 53 to Prominence Court and include sidewalks throughout the development and interconnected roads.
7. The developer shall improve Prestige Lane.
8. The developer use earth toned shutters within the aesthetics of the development.

This property currently has the following stipulation:

1. GDOT approval is required if any access is proposed to Hwy 53.
2. Prior to further development a detailed development plan must be submitted and approved by the Planning Commission and the Board of Commissioners.

3. A DRI review may be necessary upon completion of a detailed development plan.
4. The tree density requirement calculation must be based on the entire tract to be developed less the trees preserved in the stream back buffers.
5. 20' of ROW on Lumpkin Campground Road to be tapered 400' to be dedicated to Dawson County for future improvements as offered by the applicant.
6. A copy of agreement for use of the adjoining detention pond is required.
7. Storm water retention/detention to include water quality and encourage infiltration include pervious area be set at 10%.
8. All requirements of the Dawson County Tree Ordinance and GA 400 Guidelines are to be strictly adhered to.
9. Inter parcels to connect to the North of the development.

The following observations should be noted with respect to this request:

A. The existing uses and classification of nearby property.

Adjacent properties to the South and West are commercially zoned and consistent with the Future Land Use Map. Existing zoned properties to the North and West are zoned RMF

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

There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The subject property is suitable for the proposed use, however, the current saturation of Residential Multi Family in a 5-mile radius should be considered.

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

The property is vacant and has been for many years but was cleared of underbrush and trees several years ago and now scrub pines are growing.

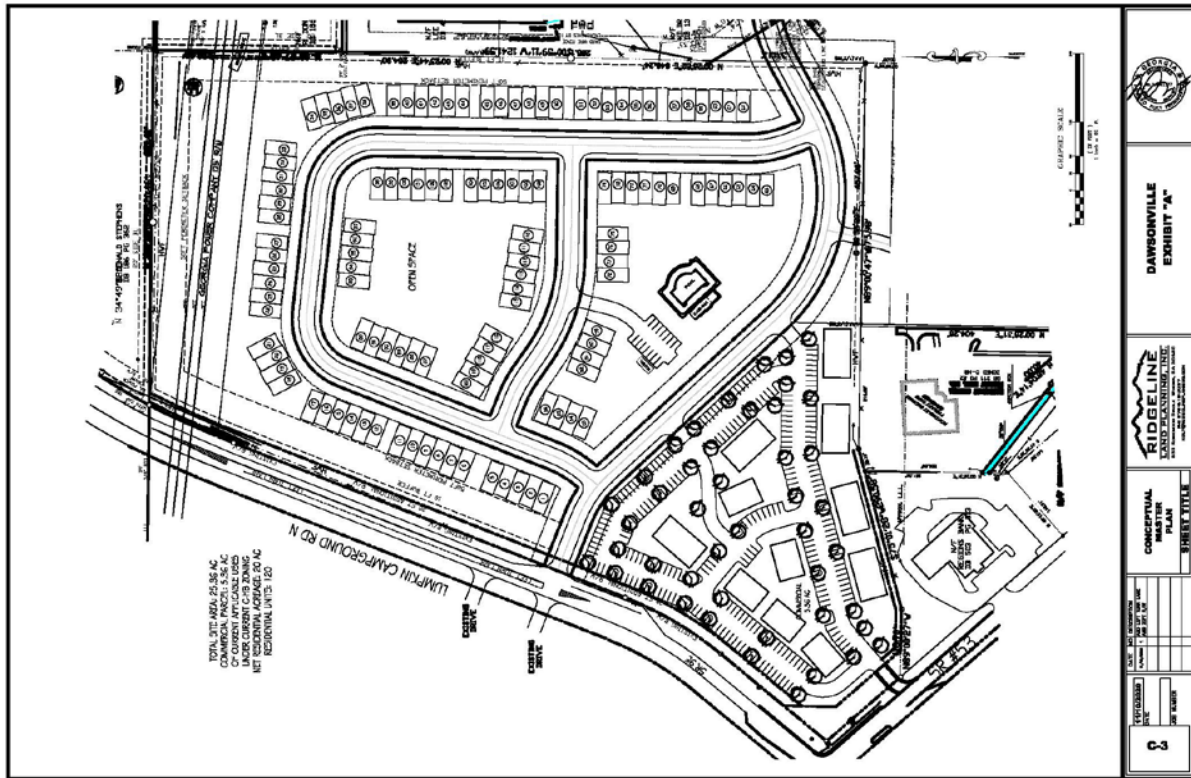
G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.

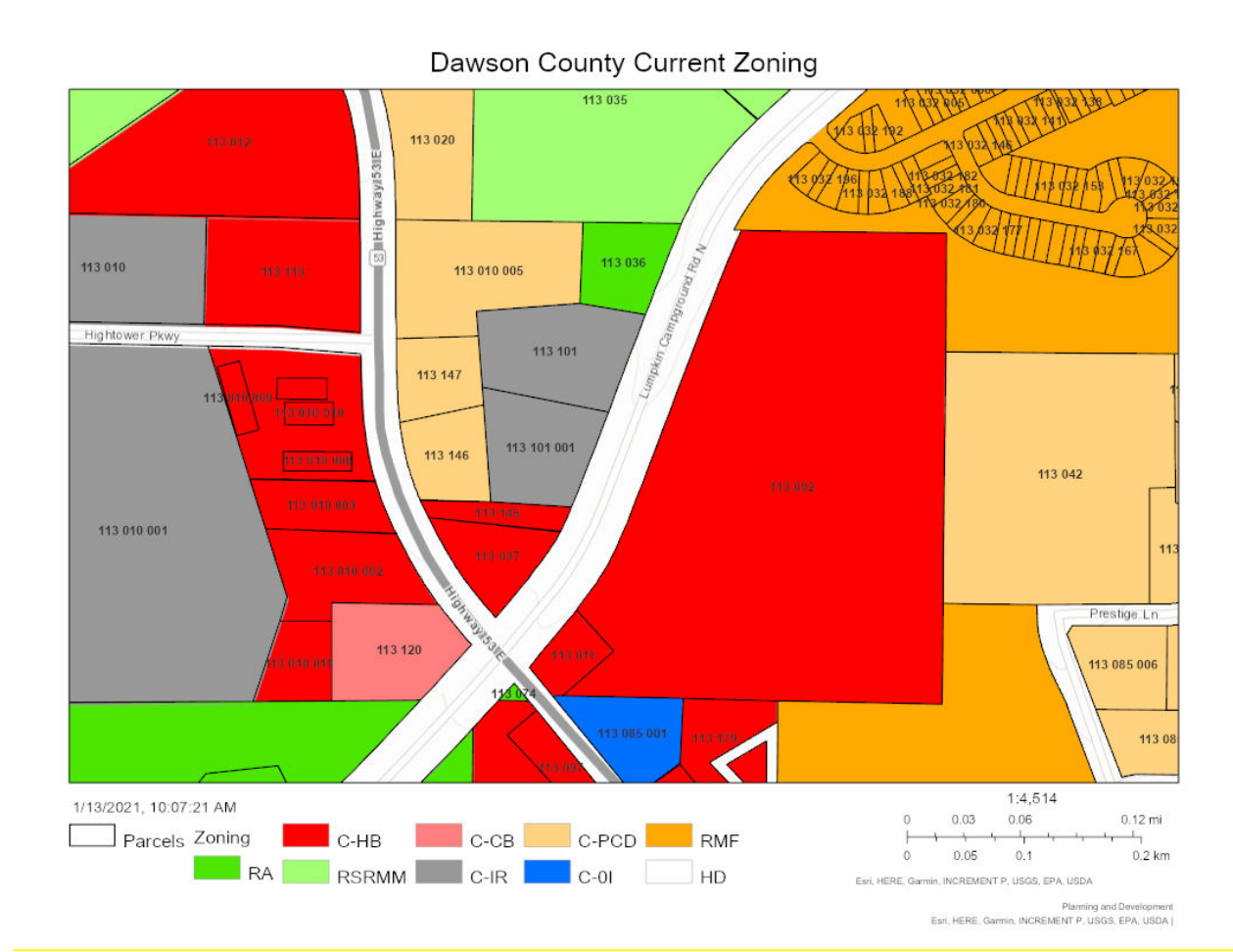
The hardship is the owner of the property has tried for many years to lure businesses to the parcel for commercial use and has been unsuccessful in doing so and is looking for a new avenue to develop the parcels.

Pictures of Property:



Site Plan:





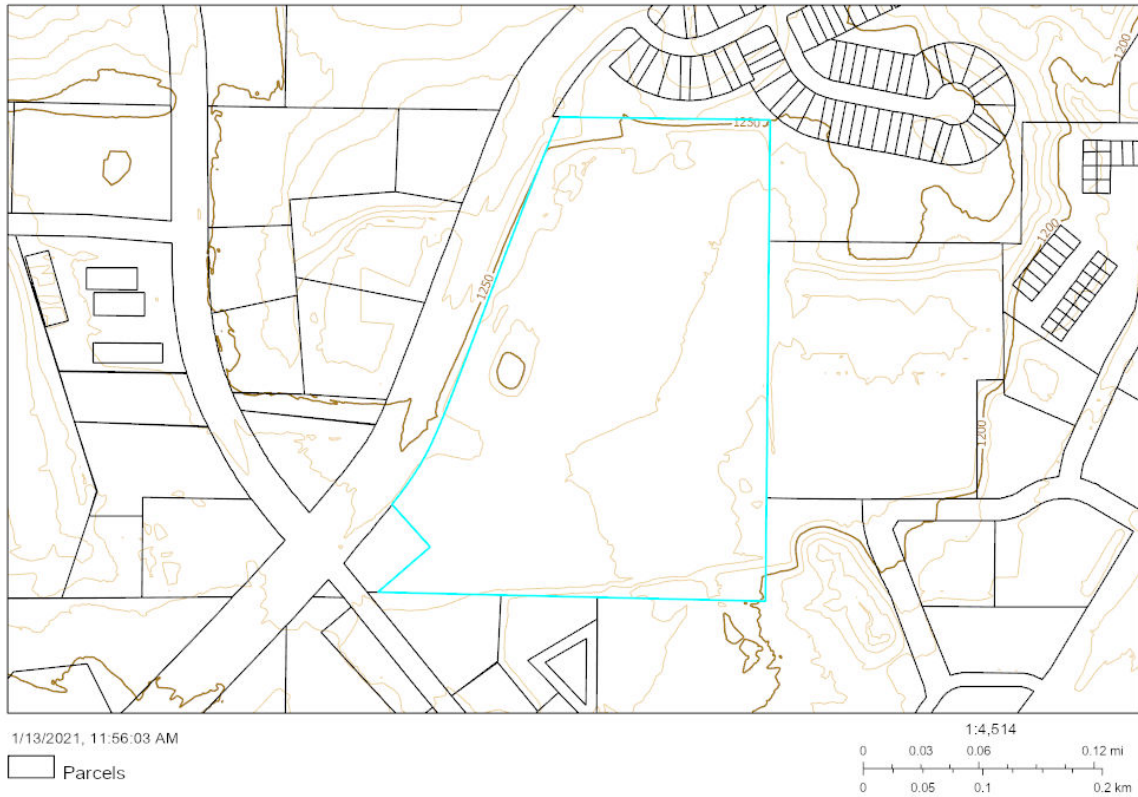
Future Land Use Map:

Future Land Use Map



Topography:

Topo Map



The information on this map (or data product) is from a computer database accessed using a Geographic Information System (GIS). Dawson County Public Works cannot guarantee the accuracy of the information contained on this map. Each user of this map is responsible for verifying the accuracy of the information for their intended use.

Aerial:





DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Sheriff's Office/IT

Work Session: 12/17/2020

Prepared By: Melissa Hawk

Voting Session: 01/21/2021

Presenter: Jeff Johnson/Herman Thompson

Public Hearing: Yes ☒ No ☐

Agenda Item Title: Presentation of the Request to Fund and to Release RFP for the Comprehensive Security System Upgrade for the Law Enforcement Center/Jail and the Government Center

Background Information:

Dawson County currently utilizes an integrated security and control system installed and maintained by Accurate Control, which has been in place since approximately 2007 at the Law Enforcement Center, to include the Jail, and since 2011 at the Government Center.

The current equipment is obsolete and becoming harder and harder to obtain parts to allow Accurate Control to maintain workability of the systems. Accurate Control's maintenance manager and technicians have stated the systems have come to a point where the county needs to consider a total upgrade of the comprehensive security system.

Current Information:

A comprehensive security system upgrade is needed to maintain a secure and safe environment at the Law Enforcement Center/Jail and the Government Center.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
					\$1,500,000	

Recommendation/Motion: The Sheriff's Office and IT respectfully requests the Board determine and approve the method in which the County will fund the project and to approve to allow the Purchasing Manager to release a Request for Proposal for the Comprehensive Security System Upgrade project in Fiscal Year 2021, with a budget of \$1,500,000.

Department Head Authorization: Jeff Johnson

Date: 12/03/2020

Finance Dept. Authorization: Vickie Neikirk

Date: 12/07/20

County Manager Authorization: David Headley

Date: 12/08/2020

County Attorney Authorization: ☐

Date: ☐

Comments/Attachments:

Presentation



War Hill Park

Photo by: Michelle Wittmer Grabowski



COMPREHENSIVE SECURITY SYSTEM UPGRADE FOR THE LAW ENFORCEMENT CENTER/JAIL AND THE GOVERNMENT CENTER

WORK SESSION – December 17, 2020



Background



- ❖ Dawson County currently utilizes an integrated security and control system installed and maintained by Accurate Control. The Law Enforcement Center's system, to include the Jail, has been in place since approximately 2007 and the Government Center's system since 2011.
- ❖ The current equipment is obsolete and becoming harder to obtain parts to allow Accurate Control to maintain workability of the systems. Accurate Control's maintenance manager and technicians have stated the systems have come to a point where the county needs to consider a total upgrade of the comprehensive security system.
- ❖ The SPLOST VII project list currently contains an upgrade for the security system at the Government Center.

Overview of Existing Modules of the Systems



Existing modules for the current system include:

- Door Controls & Monitoring
- Access Control
- Intercoms and Paging
- Duress Alarms/Call Buttons
- Video Surveillance/CCTV
- Video Visitation
- Utility Control

Overview of Current Capabilities



- ❖ There are multiple command center locations throughout the LEC/Jail that control the integrated modules currently in use by usage of a touchscreen monitor.
- ❖ Each command center is responsible for an assigned area of the facility with one command center having the ability to operate the entire facility. There are 3 rooms currently set up for video/audio recording. 2 of the interview rooms are at the main facility with 1 being off site at a different facility.
- ❖ The LEC/Jail staff is also responsible for operating the system for the Government Center after hours and during other designated times.
- ❖ There is only one command center located in the Government Center, also controlled by a touchscreen monitor. These modules consist of door control and monitoring, access control, intercom and paging, duress alarms, video surveillance/CCTV, video visitation and court hearings, parking lots and utility controls.
- ❖ The live feed of the video and audio can be monitored remotely from numerous locations from within the facility. Recordings can also be downloaded / copied from various locations. The audio and video data are stored/maintained on-site.

Estimated Cost and Project Scope of Work Overview



- ❖ A Request for Information revealed the cost for the new comprehensive security system, for both buildings, to be \$1,500,000.00.
- ❖ If the project is approved by the Board of Commissioners, some of the Scope of Work will include:
 - Describing the offered comprehensive security system to include:
 - ☐ Detailed description and number of each piece of equipment/wiring, etc.
 - ☐ Detailed software description
 - ☐ Installation management plan details
 - ☐ Maintenance details, including manufacturer requirements and schedules
 - ☐ Detailed support services requirements
 - Perform the work as detailed in the County-approved design:
 - ☐ Equipment Installation conforming with all Federal, State and Local codes
 - ☐ Software Updates/Maintenance through a Service Level Agreement
 - ☐ Provide Warranties
 - Provide all costs for a turn-key system

Staff Recommendation



The Sheriff's Office and IT respectfully requests the Board to determine and approve the method in which the County will fund the project and to approve to allow the Purchasing Manager to release a Request for Proposal for the Comprehensive Security System Upgrade project, in Fiscal Year 2021, with a budget of \$1,500,000.00.

THANK YOU



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Family Connection

Work Session: 12.17.20

Prepared By: Nancy Stites

Voting Session: 01.21.21

Presenter: Nancy Stites, Coordinator

Public Hearing: Yes _____ No X

Agenda Item Title: Presentation of Dawson County Family Connection, Inc fiscal agent request

Background Information:

Dawson County Family Connection's mission is to provide leadership through collaboration with all segments of the community for the well-being of families and children. Having another entity serve as its fiscal agent makes it possible to accept state and federal funds, which are reimbursable contracts, which support a coordinator and the work of the collaborative. Dawson County Family Connection was created in 1991 and became a non-profit in 1998. Dawson County Government has served as its fiscal agent since July 1, 1999.

Current Information:

Contract funding received and managed by the fiscal agent has allowed Family Connection to bring awareness, knowledge and resources to addressing local issues, such as child abuse and neglect, the need for foster parents, substance abuse, underage drinking and nicotine use, suicide prevention, and kinship care. Collaboration with community partners has allowed Family Connection to provide activities and programs with a focus on these issues and have an impact on strengthening families and children in Dawson County.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
207						

Recommendation/Motion: _____

Department Head Authorization: _____

Date: _____

Finance Dept. Authorization: Vickie Neikirk

Date: 12/8/20

County Manager Authorization: David Headley

Date: 12/08/2020

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Family Connection is requesting Dawson County Government contract for all fiscal activities relative to the operation of Dawson County Family Connection for 2021.

Family Connection requests approval/authorization for application submittal and the chairman's signature upon acceptance of additional grant award contracts and donations received through 2021 as approved by the Family Connection Board. If matching funds are required, a separate request will be brought before Dawson County Board of Commissioners for approval.

Attached is 1) Memorandum of Understanding, 2) Family Connection 2020 Budget, 3) Fiscal Agent Designation and Acceptance Agreement.

Fiscal Agent Designation and Acceptance Agreement**COUNTY:** Dawson

The Commissioner of Roads and Revenue Dawson County agrees to serve
legal name of agency or board

as the Fiscal Agent for the Dawson County Family Connection, Inc.
name of Georgia Family Connection collaborative

for the period of July 1, 2021 through June 30, 2022.

The Fiscal Agent certifies they 1) understand this is a 12 month commitment, 2) understand expenses are reimbursable on a quarterly basis, 3) agree to receive all financial correspondence and payments relating to the funds, and make all records available for any required financial audit, 4) have appropriate accounting and financial systems to document costs incurred and claims made and 5) agree the local Family Connection collaborative governing body is the body responsible for all decisions associated with budgeting of these funds, but will ensure such decisions shall be in compliance with the Fiscal Agent's own policies and procedures.

To Submit:

Print, sign, scan and upload into CLIX the *Fiscal Agent Designation and Acceptance Agreement* AND the completed *IRS W-9*.

Deadline: February 15, 2021

Family Connection Collaborative Chairperson:

 (Signature in ink)

JOHN CRONAN

 (Print Name in Block Letters)

Date: _____

Family Connection Coordinator:

 (Signature in ink)

NANCY F. STITES

 (Print Name in Block Letters)

Date: _____

Fiscal Agent:

Fiscal Agent's fiscal year end date
 (month and day): December 31st

 (Signature of agency representative legally
 responsible to enter into contract.
 Signature in ink)

BILLY THURMOND

 (Print Name in Block Letters)

Title: COMMISSION CHAIRMAN

 (Print Title in Block Letters)

Date: _____

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is hereby entered into this _____ day of _____, 2021 by and between Dawson County Family Connection, Inc., hereinafter referenced as “Agency”, and the Board of Commissioners of Dawson County, hereinafter referenced as “Dawson County”.

1. **Fiscal Agent/Financial Accounting.**

Dawson County shall act as fiscal agent and provide financial accounting support to the Agency for programs supported by donations to the Agency and by the grants received by the Agency referenced in “Exhibit A”, which is attached hereto and incorporated herein by reference. The grants referenced in Exhibit A may be amended during the term of this Memorandum of Understanding upon approval by Dawson County.

2. **Agency Services.**

The Agency shall furnish the following services, data and information to the Dawson County:

1) act as the liaison between the Agency and all vested community organizations, and 2) to provide appropriate administrative duties including, but not limited to, program development and contract deliverables implementation, resource development, coordinating public information, and 3) provide all grant applications, agreements or contracts and corresponding data required by the fiscal agent to fulfill the grant requirements and

3. **Term.**

The parties hereto agree that the term of this Memorandum of Understanding shall be as follows: January 1, 2021 – December 31, 2021.

4. Records.

Dawson County shall maintain such records and accounts regarding property, personnel and financial records deemed necessary by the Agency and any grant or contract funding source to assure a proper accounting for all project funds for both federal and non-federal shares. Any such records shall be made available for audit purposes to the Agency, the grant or contract funding source, or the Controller General of the United States or any authorized representative and shall be retained for three years after the expiration of this Memorandum of Understanding unless permission to destroy such records is granted by both the Agency and the grant or contract funding source.

5. Mutual Cooperation.

Dawson County agrees to assist the Agency in complying with all of the conditions governing grants or contracts under current laws and regulations.

APPROVED, this _____ day of _____, 2021.

ATTEST:

DAWSON COUNTY
BOARD OF COMMISSIONERS

Kristen Cloud, Clerk
Dawson County Commissioners

By: _____
Billy Thurmond, Chairman

ATTEST:

DAWSON COUNTY COMMUNITY
PARTNERSHIP, INC.

Nancy Stites
Title: Coordinator, Family Connection

John Cronan
Title: Chairman, Family Connection Board

Exhibit A

Department of Human Services

- Grant for approximately \$48,000 July 1, 2020 - June 30, 2021 with no match requirement
- Grant for approximately \$47,000 July 1, 2021 – June 30, 2022 with no match requirement

Department of Behavioral Health & Developmental Disabilities – Office of Behavioral Health Prevention

- Grant for approximately \$147,793 October 1, 2020 – September 30, 2021 with no match requirement
- Grant for approximately \$147,793 October 1, 2021– September 30, 2022 with no match requirement

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

COMMISSIONER OF ROADS AND REVENUE DAWSON COUNTY

2 Business name/disregarded entity name, if different from above

DAWSON COUNTY BOARD OF COMMISSIONERS

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☒ Other (see instructions) ►

LOCAL GOVERNEMENT

5 Address (number, street, and apt. or suite no.) See instructions.

25 JUSTICE WAY, SUITE 2214

6 City, state, and ZIP code

DAWSONVILLE, GA 30534

7 List account number(s) here (optional)

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

5 8 - 6 0 1 1 8 8 2

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Date ►

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 01/01/2020

Current Period End Date: 12/31/2020

Comm Of Roads & Revenue Dawson Co

FY 2020

Ideal Remaining Percent: 0 %

Account

Account	Budgeted (\$)	Orig Budget (\$)	Year To Date (\$)	Remaining Balance (\$)	PCT (%)
Fund: 207 Family Connection-(Fc)					
Function: 7630 Family Conn Operating					
207-00-7630-51100-020 Salary	13,810.00	13,810.00	0.00	13,810.00	100
207-00-7630-51100-021 Salary	15,810.00	15,810.00	0.00	15,810.00	100
207-00-7630-51200-020 Group Insurance	3,888.00	3,888.00	0.00	3,888.00	100
207-00-7630-51200-021 Group Insurance	3,888.00	3,888.00	0.00	3,888.00	100
207-00-7630-51200-020 Fica/Medicare	1,209.00	1,209.00	0.00	1,209.00	100
207-00-7630-51200-021 Fica/Medicare	1,209.00	1,209.00	0.00	1,209.00	100
207-00-7630-512400-021 Retirement Contributio	2,200.00	2,200.00	0.00	2,200.00	100
207-00-7630-512700-021 Workers Comp	210.00	210.00	0.00	210.00	100
207-00-7630-512900-020 Life Insurance	39.00	39.00	0.00	39.00	100
207-00-7630-512900-021 Life Insurance	39.00	39.00	0.00	39.00	100
207-00-7630-521200-020 Tax Prep	1,000.00	1,000.00	0.00	1,000.00	100
207-00-7630-521203-021 Prof Svcs-Audit	200.00	200.00	0.00	200.00	100
207-00-7630-523100-020 Board Insurance	1,300.00	1,300.00	0.00	1,300.00	100
207-00-7630-523205-020 Telephone	360.00	360.00	0.00	360.00	100
207-00-7630-523205-021 Telephone	360.00	360.00	0.00	360.00	100
207-00-7630-523208-020 Postage	57.00	57.00	0.00	57.00	100
207-00-7630-523208-021 Postage	10.00	10.00	0.00	10.00	100
207-00-7630-523500-020 Travel	400.00	400.00	0.00	400.00	100
207-00-7630-523500-021 Travel	400.00	400.00	0.00	400.00	100

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 01/01/2020

Current Period End Date: 12/31/2020

Comm Of Roads & Revenue Dawson Co

FY 2020

Ideal Remaining Percent: 0 %

Account	Budgeted (\$)	Orig Budget (\$)	Year To Date (\$)	Remaining Balance (\$)	PCT (%)
207-00-7630-523600-020 Dues & Fees	115.00	115.00	0.00	115.00	100
207-00-7630-523600-021 Dues & Fees	315.00	315.00	0.00	315.00	100
207-00-7630-523700-020 Education & Training	300.00	300.00	0.00	300.00	100
207-00-7630-531100-020 Gen Supplies / Materia	76.00	76.00	0.00	76.00	100
207-00-7630-531100-021 Gen Supplies / Materia	35.00	35.00	0.00	35.00	100
207-00-7630-531300-020 Food	467.00	467.00	0.00	467.00	100
207-00-7630-531300-021 Food	258.00	258.00	0.00	258.00	100
207-00-7630-531400-021 Books & Periodicals	45.00	45.00	0.00	45.00	100
Family Conn Operating Subtotal	48,000.00	48,000.00	0.00	48,000.00	100
Function: 7636 Ops (Off Prevent Servs)					
207-00-7636-511100-020 Salary	41,613.00	41,613.00	0.00	41,613.00	100
207-00-7636-511100-021 Salary	13,871.00	13,871.00	0.00	13,871.00	100
207-00-7636-512100-020 Group Insurance	5,778.00	5,778.00	0.00	5,778.00	100
207-00-7636-512100-021 Group Insurance	1,926.00	1,926.00	0.00	1,926.00	100
207-00-7636-512200-020 Fica/Medicare	2,106.00	2,106.00	0.00	2,106.00	100
207-00-7636-512200-021 Fica/Medicare	703.00	703.00	0.00	703.00	100
207-00-7636-512700-021 Workers Comp	200.00	200.00	0.00	200.00	100
207-00-7636-512900-020 Life Insurance	58.00	58.00	0.00	58.00	100
207-00-7636-512900-021 Life Insurance	20.00	20.00	0.00	20.00	100
207-00-7636-521200-020 Professional Services	21,600.00	21,600.00	0.00	21,600.00	100
207-00-7636-521200-021 Professional Services	11,300.00	11,300.00	0.00	11,300.00	100
207-00-7636-521203-020 Professional Svcs - Au	2,020.00	2,020.00	0.00	2,020.00	100
207-00-7636-521300-020 Technical Services	702.00	702.00	0.00	702.00	100
207-00-7636-523205-020 Telephone	540.00	540.00	0.00	540.00	100
207-00-7636-523205-021 Telephone	180.00	180.00	0.00	180.00	100
207-00-7636-523208-020 Postage	2,390.00	2,390.00	0.00	2,390.00	100
207-00-7636-523208-021 Postage	1,690.00	1,690.00	0.00	1,690.00	100
207-00-7636-523300-020 Advertising	17,711.00	17,711.00	0.00	17,711.00	100

BUDGET REPORT BY FUND - EXPENDITURE

Fiscal Year Start Date: 01/01/2020

Current Period End Date: 12/31/2020

Comm Of Roads & Revenue Dawson Co

FY 2020

Ideal Remaining Percent: 0 %

Account	Budgeted (\$)	Orig Budget (\$)	Year To Date (\$)	Remaining Balance (\$)	PCT (%)
207-00-7636-523300-021 Advertising	5,870.00	5,870.00	0.00	5,870.00	100
207-00-7636-523400-020 Printing & Binding	6,405.00	6,405.00	0.00	6,405.00	100
207-00-7636-523400-021 Printing & Binding	1,750.00	1,750.00	0.00	1,750.00	100
207-00-7636-523500-020 Travel	3,457.00	3,457.00	0.00	3,457.00	100
207-00-7636-523500-021 Travel	1,062.00	1,062.00	0.00	1,062.00	100
207-00-7636-523700-020 Education & Training	926.00	926.00	0.00	926.00	100
207-00-7636-523700-021 Education & Training	42.00	42.00	0.00	42.00	100
207-00-7636-531100-020 Gen Supplies / Materia	3,418.00	3,418.00	0.00	3,418.00	100
207-00-7636-531100-021 Gen Supplies / Materia	455.00	455.00	0.00	455.00	100
Ops (Off Prevent Servs) Subtotal	147,793.00	147,793.00	0.00	147,793.00	100
Function: 7682 Family Connection Admin					
207-00-7682-511100-000 Salary	22,470.00	22,470.00	0.00	22,470.00	100
207-00-7682-512200-000 Fica/Medicare	1,719.00	1,719.00	0.00	1,719.00	100
207-00-7682-522200-000 Repairs And Maint	130.00	130.00	0.00	130.00	100
Family Connection Admin Subtotal	24,319.00	24,319.00	0.00	24,319.00	100
Family Connection-(Fc) Subtotal	220,112.00	220,112.00	0.00	220,112.00	100



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Parks & Rec

Work Session: 12.17.20

Prepared By: Matt Payne

Voting Session: 01.21.21

Presenter: Matt Payne

Public Hearing: Yes No x

Agenda Item Title: Presentation of Veterans Memorial Park Pavilion Rental Fee

Background Information:

The new pavilion has been completed at Veterans Memorial Park and a grand opening will take place sometime in January 2021 along with the senior center.

Current Information:

The Dawson County Parks & Recreation Board voted at its December 7, 2020, meeting to propose to the commissioners to set a rental fee at \$200 per day / \$300 for non-Dawson County residents.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion:

Department Head Authorization:

Date:

Finance Dept. Authorization: Vickie Neikirk

Date: 12/10/2020

County Manager Authorization: David Headley

Date: 12/10/2020

County Attorney Authorization:

Date:

Comments/Attachments:

--

**RESOLUTION REQUESTING THE CALLING OF A SPECIAL
ELECTION TO CONTINUE A COUNTY ONE PERCENT SPECIAL PURPOSE
LOCAL OPTION SALES AND USE TAX**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DAWSON COUNTY, GEORGIA CONTINUING A COUNTY ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX AS AUTHORIZED BY O.C.G.A. § 48-8-110, *ET SEQ.*; SPECIFYING THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH TAX ARE TO BE USED; SPECIFYING THE PERIOD OF TIME FOR WHICH SUCH TAX SHALL BE IMPOSED; SPECIFYING THE ESTIMATED COST OF THE PROJETS TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX; REQUESTING THE BOARD OF ELECTIONS AND REGISTRATION OF DAWSON COUNTY TO CALL AN ELECTION OF THE VOTERS OF DAWSON COUNTY TO APPROVE THE IMPOSITION OF SUCH SALES AND USE TAX; APPROVING THE FORM OF BALLOT TO BE USED IN SUCH AN ELECTION; AND FOR OTHER PURPOSES.

WHEREAS, O.C.G.A. § 48-8-110, *et seq.* (the “Act”) authorizes the imposition of a county one percent special purpose local option sales and use tax (the “Sales and Use Tax”) for the purpose, *inter alia*, of financing certain capital outlay projects which include those set forth herein; and

WHEREAS, the Board of Commissioners of Dawson County, Georgia (the “Board of Commissioners”) has determined that it is in the best interest of the citizens of Dawson County, Georgia (the “County”) that the Sales and Use Tax be continued in a special district comprising the County to raise approximately \$60,000,000.00 (sixty million dollars) (after deduction of collection fees by the State of Georgia Department of Revenue) for the purpose of funding certain capital outlay projects (the “Projects”); and

WHEREAS, the governing authorities of the County and the City of Dawsonville met on November 17, 2020 to discuss possible projects for inclusion in the Sales and Use Tax referendum to be held on the 16th day of March, 2021 (the “Election”) in conformance with the requirements of O.C.G.A. § 48-8-111(a); and

WHEREAS, the above-referenced meeting occurred at least 30 days prior to the intended date of issuance (publication) of the call for the referendum; and

WHEREAS, the County has not entered into an intergovernmental agreement with Dawsonville with respect to the division of the Sales and Use Tax; and

WHEREAS, the Board of Commissioners of Dawson County, Georgia, after considering population data from the most recently completed decennial census (2010), data from the 2019 American Community Survey of the U.S. Census Bureau, population estimates from the Georgia

Governor's Office of Planning and Budget, and other U.S. Census Bureau population estimates, has estimated the ratio of Dawsonville's population to the total population of Dawson County to be 12%, and has anticipated the division of Sales and Use Tax proceeds and cost of the Projects according to this population ratio; and

WHEREAS, the Board of Commissioners desires that the Board of Elections and Registration of Dawson County (the "Elections Board") call the Election and further desires that the Elections Board be furnished with a certified copy of this Resolution in connection with such request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dawson County, Georgia as follows:

- A. Assuming the question of imposing the Sales and Use Tax is approved by the voters of the special district in the Election, the Sales and Use Tax shall be imposed for the term, purposes, and costs as follows:
1. In order to finance the Projects, a Sales and Use Tax in the amount of one percent (1%) on all sales and uses in the special district of the County is hereby authorized to be levied and collected within the special district created in the County as provided in the Act.
 2. The proceeds of such tax are to be used to fund the Projects, each of which is an authorized purpose under O.C.G.A. §§ 48-8-111(a)(1). The Projects consist of "Level 2 Countywide Projects" of the County, which shall be funded first up to 20% of projected proceeds, as well as regular "County Projects" and "Municipal Projects" which shall be funded after the Level 2 Countywide Projects are funded. The "Level 2 Countywide Projects" and regular County Projects, and the estimated costs thereof, are attached hereto as Exhibit "B". The Municipal Projects, and the estimated costs thereof, are attached hereto as Exhibit "C".
 3. In accordance with O.C.G.A. §§ 48-8-111(a)(2), 48-8-112(b)(3), & 48-8-115(b)(2)(A)(ii), the Sales and Use Tax shall be imposed for a period of six years commencing upon the expiration of the sales and use tax currently in effect.
 4. After funding the Level 2 Countywide Projects, the proceeds of the Sales and Use Tax shall be divided 88% to the County and 12% to the City in accordance with O.C.G.A. § 48-8-115(b)(2)(B)(ii) and the estimates referenced in the recitals above.
- B. Call for the Election; Ballot Form; Notice.
1. The Elections Board, as election superintendent (the "Election Superintendent"), is hereby requested to call the Election to be held in all voting precincts in the County on the 16th day of March, 2021, for the purpose of submitting to the qualified voters of Dawson County the question set forth in paragraph 2 below. The Election

Superintendent shall be furnished with a certified copy of this Resolution in connection with this request.

2. The ballots to be used in the Election shall have written or printed thereon substantially the following:

“☐ Yes. Shall a special 1 percent sales and use tax be imposed in the special district of Dawson County for a period of time of six years and for the raising of an estimated amount of \$60,000,000 for the purpose of funding: first, a new E911 Emergency Operations Center and Emergency Communications System (“level two” county-wide projects of Dawson County); and then from the remaining proceeds to fund the following projects of Dawson County and the City of Dawsonville, respectively: Information Technology Infrastructure, Administrative Office Renovation, Public Safety Vehicles and Equipment, Sheriff Facilities, Vehicles, and Equipment, Courthouse Security Upgrades, Public Works Vehicles and Equipment, County Road and Culvert Projects, County Administration Vehicles, Equipment, and Fueling Center, Park Improvements to Veterans Park, Rock Creek Park, War Hill Park, and Etowah River Road Canoe Park, New Public Health Building, and Industrial Park Expansion, all as County projects; and Repair and Repaving of City Streets, Road Asset Maintenance, Sidewalk Improvements, Intersection Improvements, Land Acquisition for Various City Needs, Water & Sewer Plant Construction and Infrastructure Upgrades, Public Works Department and Utility Department Vehicles and Equipment, Main Street Park Phases 3 and 4, Downtown Revitalization Projects, and City Hall Maintenance, Improvements, and Parking, all as City projects?”

☐ No.
3. It is hereby requested that the Election be held by the Election Superintendent in accordance with the election laws of the State of Georgia, including, without limitation, the election laws relating to special elections. It is hereby further requested that the Election Superintendent canvass the returns, declare the result of the election and certify the result to the Secretary of State and to the Commissioner of Revenue of the State of Georgia.
4. The Election Superintendent is hereby authorized and requested to publish a Call of the Election as required by law, in the newspaper in which Sheriffs advertisements for the County are published, no later than February 9, 2021. The Election Superintendent is also hereby authorized and requested to publish a notice of the Election as required by law, in the newspaper in which Sheriffs advertisements for the County are published, once a week for four weeks immediately preceding the date of the Election. The notice of the Election shall be in substantially the form attached hereto as Exhibit “A.”

- C. The Clerk of the Board of Commissioners is hereby authorized and directed to deliver a certified copy of this Resolution to the Election Superintendent, with a request that the Election Superintendent issue the call for the Election.
- D. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the imposition of the Sales and Use Tax.
- E. The Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this the 21st day of January, 2021.

COUNTY OF DAWSON, GEORGIA

By: _____
Billy Thurmond, Chairman

[County Seal]

Attest:

Clerk

EXHIBIT “A”

NOTICE OF ELECTION TO THE QUALIFIED VOTERS OF DAWSON COUNTY, GEORGIA

NOTICE IS HEREBY GIVEN that on the 16th day of March, 2021, an election will be held at the regular polling places in all the election districts of Dawson County, Georgia (the “County”), at which time there will be submitted to the qualified voters of the County for their determination the question of whether a one percent special purpose local option sales and use tax (the “Sales and Use Tax”) shall be continued on all sales and uses in the special district created in the County for a period of six years commencing upon the expiration of the Sales and Use Tax currently in effect, for the raising of approximately \$60,000,000.00 (sixty million dollars) for the purpose of funding projects specified in the form of the ballot set forth below.

The ballots to be used at the Election shall have written or printed thereon substantially the following:

- “() Yes. Shall a special 1 percent sales and use tax be imposed in the special district of Dawson County for a period of time of six years and for the raising of an estimated amount of \$60,000,000 for the purpose of funding: first, a new E911 Emergency Operations Center and Emergency Communications System (“level two” county-wide projects of Dawson County); and then from the remaining proceeds to fund the following projects of Dawson County and the City of Dawsonville, respectively: Information Technology Infrastructure, Administrative Office Renovation, Public Safety Vehicles and Equipment, Sheriff Facilities, Vehicles, and Equipment, Courthouse Security Upgrades, Public Works Vehicles and Equipment, County Road and Culvert Projects, County Administration Vehicles, Equipment, and Fueling Center, Park Improvements to Veterans Park, Rock Creek Park, War Hill Park, and Etowah River Road Canoe Park, New Public Health Building, and Industrial Park Expansion, all as County projects; and Repair and Repaving of City Streets, Road Asset Maintenance, Sidewalk Improvements, Intersection Improvements, Land Acquisition for Various City Needs, Water & Sewer Plant Construction and Infrastructure Upgrades, Public Works Department and Utility Department Vehicles and Equipment, Main Street Park Phases 3 and 4, Downtown Revitalization Projects, and City Hall Maintenance, Improvements, and Parking, all as City projects?”
- () No.

The several places for holding said election shall be at the regular and established voting precincts of the election districts of the County, and the polls will be open from 7:00 a.m. to 7:00 p.m. on the date fixed for the election.

This notice is given pursuant to a resolution of the Board of Elections and Registration of Dawson County, adopted on _____, 2021.

Board of Elections and Registration of Dawson
County

EXHIBIT “B”

Dawson County SPLOST VII Project List				
Department/Elected Official	Project	Description	Cost Estimate	% of Total SPLOST
Level 2 Countywide Projects				
E911 Emergency Operation	New Emergency Operations Center E911	New construction of EOC and E911 center	\$ 5,500,000.00	
Fire/EMS/Sheriff	Emergency Communications System	New Emergency Communication system (New Radio System VHF Connect)	\$ 3,000,000.00	
		Total	\$ 8,500,000.00	
				% of Total SPLOST
Other County Projects				
Information Technology (IT)	IT Infrastructure	Various IT infrastructure upgrades	\$ 1,500,000.00	2.91%
Administrative Office Renovation	Administrative Building	Renovation of Existing Office Buildings	\$ 500,000.00	0.97%
Public Safety Vehicles and Equipment	Fire Engine Replacements	Replace three Fire Engines and Equipment	\$ 2,250,000.00	16.60%
	Ambulance Replacment	Replacemnt of 5 Medunits and equipment	\$ 2,300,000.00	
	Fire Station Replacement	Replace existing fire Stations	\$ 3,000,000.00	
	Training Burn Building Replacement	Replace existing burn building	\$ 1,000,000.00	
Sheriff Services	Roof on Law Enforcment Center	New roof on LEC	\$ 400,000.00	6.60%
	Courthouse Security Upgrades	New Courthosue security upgrades and replacement	\$ 1,500,000.00	
	Sheriff Vehicles and Equipment	New vehicle and equipment replacment	\$ 1,500,000.00	
Public Works	Public Works Vehicles and Equipment	New Vehicles and Equipment replacments	\$ 2,500,000.00	36.70%
	County Road and Culvert Projects	Exisiting asset Road improvement projects	\$ 16,400,000.00	
County Adminisrtation	Vehicle and Equipment Replacement	New/Replacement Vehicles	\$ 1,500,000.00	4.08%
	Fueling Center	New Fueling Center	\$ 600,000.00	
Park and Recreation	Veterans Park Improvements	Playground Replacement	\$ 450,000.00	11.20%
		Football field Artifical Turf	\$ 900,000.00	
		Multipurpose Field Artificial Turf	\$ 1,200,000.00	
	Rock Creek Park Improvemnets	Playground Replacement	\$ 450,000.00	
		New Small Playground	\$ 325,000.00	
		Special Needs Baseball/Softball Field	\$ 400,000.00	
		Asphalt parking/trail replacement	\$ 850,000.00	
	War Hill Park Improvements	New playground	\$ 300,000.00	
		Replacement Fishing Pier	\$ 200,000.00	
		Paving	\$ 400,000.00	
		Primitive Hiking Trails	\$ 295,000.00	
	Etowah River Road Canoe Park	Canoe Launch	\$ 100,000.00	
Public Health	New Public Health Building	New construction of Public Health building	\$ 2,500,000.00	4.85%
Development Authority	Industrial Park Expansion	Industrial Park expansion and site improvements	\$ 2,000,000.00	3.88%
		Total Dawson County Projects Costs	\$ 45,320,000.00	
		Total City of Dawsonville Project Costs	\$ 6,180,000.00	
		Total SPLOST VII	\$ 60,000,000.00	

EXHIBIT “C”

City of Dawsonville SPLOST VII Project List			
Category	Project	Description	Cost Estimate
Roads, Streets, Bridges & Sidewalks	Deep patch repair, milling, repaving of:	Maple Street	\$2,000,000.00
	Deep patch repair, milling & repaving of:	Pearl Chambers Dr, Court, Way	
		Richmond Drive	
		Stegal Place	
		Stonewall subdivision	
		Rain Hill subdivision	
		Burt's Crossing I subdivision	
		Creekstone subdivision Phase I	
	Existing Assset Maintenance		
	Sidewalk Improvements		
	Intersection Improvements		
Land Acquistion	Land Acquisition for various needs	Water/Sewer Easements	\$ 485,000.00
		Farmer's Market expansion	
		Parking Improvements	
		Intersection improvements	
		Parking needs	
		Fargrounds	
		Road Improvements	
Water - Sewer Projects	Construct tertiary waste water plant	Expand sewage capacity	\$2,120,000.00
	Upgrade wells, Water Lines, Lift Stations		
Public Works Facilities & Equipment	Public Works vehicles & equipment	New and replacement	\$ 121,000.00
	Utility Departme vehicles & equipment	New and replacement	
Parks & Recreation	Main Street Park Phases III & IV	Construct picnic shelters	\$ 605,000.00
		Install fitness stations	
		Construct dog park	
		Construct disk golf course	
		Construct Amphitheater	
		Splash pad	
		Misc. trail/amenities	
		Construct maintenance facility	
		Construct bocce ball courts	
		Construct pickle ball facility	
Downtown Revitalization	Downtown Beautification	Street scapes, planters, etc.	\$ 304,000.00
	Additional Parking	Academy Avenue parking	
	Public Restroom	Downtown restroom	
City Hall Facilities	Building maintenance & improvements	Building Improvements	\$ 545,000.00
	Parking	Parking improvements	
TOTAL SPLOST VII			\$6,180,000.00