

DAWSON COUNTY PLANNING COMMISSION
MEETING Agenda – Tuesday, January 19, 2021
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE GEORGIA 30534
6:00 PM

A. MEETING CALLED TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ANNOUNCEMENTS:

F. APPROVAL OF MINUTES:

December 15, 2020

G. APPROVAL OF THE AGENDA

H. STATEMENT OF DISCLOSURE:

For speakers in favor or opposition to any application who have made contributions more than \$250.00 to any local official campaign.

J. NEW BUSINESS:

Application for Rezoning:

1. Presentation of ZA 20-24 Dawsonville Gun Range, Inc. rezone TMP 113-017 from RSRMM to C-HB for the purpose of developing a gun range.
2. Presentation of ZA 20-25 Fall Leaf Residential, LLC rezone TMP 085-016 from RSR to RS3 for the purpose of developing a 141 lot conservation neighborhood
3. Presentation of ZA 20-26 Jim King obo Jerry & Jackie Townley rezone 2.731 acres of TMP 115-044 from R-A to RSR for the purpose of subdividing the parcel to RSR guidelines.
4. Presentation of ZA 20-27 Dawson County rezone TMP 113-001 & 113-092 from C-HB to RMF & C-HB for the purpose of developing a 120 multi-family townhome community with a commercial component.

K. PUBLIC HEARINGS:

1. Presentation of Land Use Resolution Update of Residential Planned Community Language

L. UPDATES BY PLANNING & DEVELOPMENT:

M. ADJOURNMENT

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 REZONING APPLICATION

This portion to be completed by Zoning Administrator

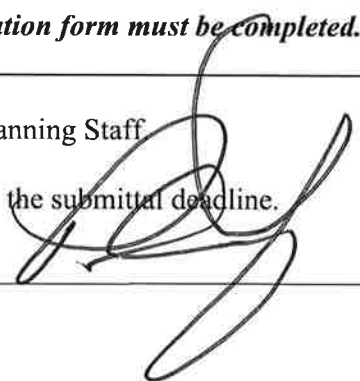
ZA 20-21 Tax Map & Parcel # (TMP): 113-017
Submittal Date: 12-4-20 Time: 10:00 am/pm Received by: Jage (staff initials)
Fees Assessed: 3500 Paid: _____ Commission District: _____
Planning Commission Meeting Date: January 2021
Board of Commissioners Meeting Date: February 2021

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Dawsonville Gun Range, Inc
Address: 5711 Hwy 53 E Dawsonville, GA 30534

Phone: Listed _____ Unlisted _____ Email: Business _____ Personal _____
Status: Owner [] Authorized Agent [] Lessee [] Option to purchase

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

I have /have not _____ participated in a Pre-application meeting with Planning Staff
If not, I agree _____ /disagree _____ to schedule a meeting the week following the submittal deadline.
Meeting Date: 11/3/2020 Applicant Signature: 

PROPERTY OWNER/PROPERTY INFORMATION

Name: Mincey Land Management, LLC
Street Address of Property being rezoned: 5711 Hwy 53 E Dawsonville, GA 30534 (Part)
Rezoning from: RSRAMM to: C-HB Total acreage being rezoned: 3.43
Directions to Property: Hwy 400 N, take a left onto Hwy 53, approximately one mile on the right

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

Current Use of Property: VACANT

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 RSRMM South C-IR East C-HB West RSRMM

Future Land Use Map Designation: C-HB

Access to the development will be provided from:

Road Name: Hwy 53 Type of Surface: Blacktop

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use: Indoor Gun Range

Existing Utilities: Water Sewer Gas Electric

Proposed Utilities: Water Sewer Gas Electric

RESIDENTIAL

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

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

Type: Apartments Condominiums Townhomes Single-family Other

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

COMMERCIAL & INDUSTRIAL

Building area: ~ 7,000 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 11/21/2020

Witness Caleb _____

Date 11/21/2020

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 _____

TMP#: 113 07

List of Adjacent Property Owners

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

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

	<u>Name</u>	<u>Address</u>
TMP <u>113018</u>	1. <u>Mincey Land Management, LLC</u>	<u>5711 Hwy 53 E</u>
TMP <u>113096</u>	2. <u>Mincey Land Management, LLC</u>	<u>5709 Hwy 53 E</u>
TMP <u>113021</u>	3. <u>Robert & Emanu Bruce</u>	<u>5495 Hwy 53 E</u>
TMP <u>113016</u>	4. <u>Cherrie Walls</u>	<u>5497 Hwy 53 E</u>
TMP <u>113014</u>	5. <u>Bryant Concrete Products</u>	
TMP <u>113013</u>	6. <u>John & Kris Bolton</u>	<u>5692 Hwy 53 E</u>
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: _____

Applicant Printed Name: _____

Application Number: _____

Date Signed: _____

Sworn and subscribed before me

this 23 day of November, 2020.

L. Diane Whitlock

Notary Public

My Commission Expires: 12-06-2022



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:

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.

PROPERTY OWNER AUTHORIZATION

I/we, Mincey Land Management, LLC, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

TMP # 113 017

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: _____

Signature of applicant or agent: _____ Date: _____

Printed Name of Owner(s): Paul Mincey

Signature of Owner(s): [Signature] Date: 11-23-20

Mailing address: 5711 Hwy 53 W

City, State, Zip: Dawsonville GA 30534

Telephone Number: Listed 706 216-1468
 Unlisted

Sworn and subscribed before me this 23 day of November, 2020.

[Signature]
Notary Public

My Commission Expires: 12-06-2022



(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.)

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

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

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

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

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

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

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

Executed in Dawsonville (city), Georgia (state)
[Signature] _____
Signature of Applicant Date
Paul M. [Signature] _____
Printed Name Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 23 DAY OF November, 2020
[Signature] Notary Public
My Commission Expires: August 9, 2022

{Notary Seal}

GENERAL NOTES

- SURVEY PROCEDURES:**
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 33,604 FEET WITH AN ANGULAR ERROR OF 9 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARE METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION OF ONE FOOT IN 359,672 FEET.
EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS: TOP CON GPT-9003A.
- NO PORTION OF THIS PROPERTY IS IN A F.E.M.A. DESIGNATED FLOOD HAZARD AREA, AS PER F.I.R.M. PANEL # 130850 02250 DATED SEPTEMBER 26, 2008.
- THE UTILITY PROTECTION SERVICE SHOULD BE CONTACTED AT (800) 282-7411 PRIOR TO ANY EXCAVATION FOR VERIFICATION OF ANY UNDERGROUND UTILITY LOCATIONS. UNDERGROUND UTILITY LOCATIONS SHOWN ARE BASED ON ABOVE GROUND EVIDENCE ONLY.
- THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY FOR THE ESTABLISHMENT OF THE BOUNDARY OF THESE PARCELS. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
- DAWSON COUNTY TAX MAP 113-17, 18 & 96
- CURRENT ZONING IS CH-B (HIGHWAY BUSINESS) & RSRMM (SINGLE FAMILY RESIDENTIAL) PER DAWSON COUNTY ZONING.
- CH-B SETBACKS ARE AS FOLLOWS: FRONT STATE HIGHWAY = 60' FRONT ON ALL OTHER STREETS = 40' SIDE YARD = 25' REAR YARD = 50'
- RSRMM SETBACKS ARE AS FOLLOWS: FRONT STATE HIGHWAY = 60' FRONT ON ALL OTHER STREETS = 40' SIDE YARD = 10' REAR YARD = 20'
- DAWSON COUNTY REQUIRES A 25 FOOT SETBACK LINE ON THE STEPHENS ROAD 35 FOOT INGRESS-EGRESS EASEMENT. HOWEVER, IT AS BEEN AGREED TO HAVE A 30 FOOT SETBACK LINE ON STEPHEN ROAD TO MAKE THE 30 FOOT INGRESS-EGRESS THE SAME.



APPROVED
OCT 17 2011

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

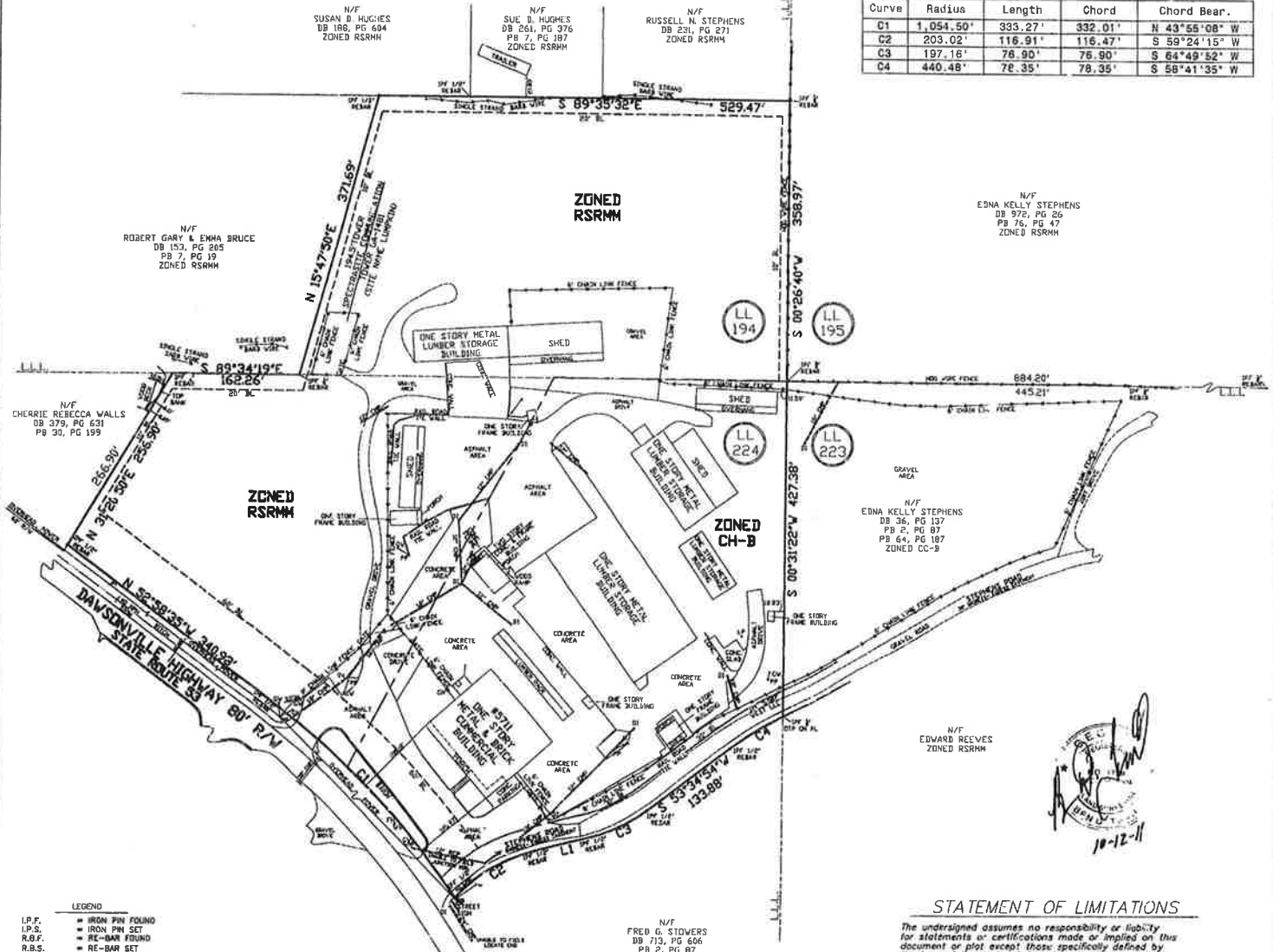
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- PLAT BY OTIS G. PAULEY, DATED DECEMBER 16, 1977, RECORDED IN PLAT BOOK 7, PAGE 191, DAWSON COUNTY RECORDS.

GEORGIA DAWSON COUNTY CLERK'S OFFICE, SUPERIOR COURT FILED FOR REC-210
AT 4:45 PM 10-21-2011
Recorded in Plat Book 80 Page 32
This is a copy of the original plat.
J. G. [Signature], Clerk

Course	Bearing	Distance
L1	S 76°04'23" W	75.00'

Curve	Radius	Length	Chord	Chord Bear.
C1	1,054.50'	333.27'	332.01'	N 43°55'08" W
C2	203.02'	116.91'	116.47'	S 59°24'15" W
C3	197.16'	76.90'	76.90'	S 64°49'52" W
C4	440.48'	78.35'	78.35'	S 58°41'35" W



- LEGEND**
- I.P.F. IRON PIN FOUND
 - I.P.S. IRON PIN SET
 - R.B.F. RE-BAR FOUND
 - R.B.S. RE-BAR SET
 - O.T. OPEN TOP
 - C.T. CRIMPED TOP
 - R/W RIGHT OF WAY
 - P.L. PROPERTY LINE
 - C.L. CENTER LINE
 - B.L. BUILDING LINE
 - L.L. LAND LOT
 - LL.L. LAND LOT LINE
 - G.M.D. GEORGIA METRA DISTRICT
 - P.P. POWER POLE
 - P- POWER LINE
 - F- FENCE LINE
 - R- RADIUS
 - CH. CHORD
 - TAN. TANGENT
 - N/F. NOW ON FORMERLY
 - D.B. DEED BOOK
 - P.B. PLAT BOOK
 - P.D. PAGE
 - D.E. DRAINAGE EASEMENT
 - S.E. SEWER EASEMENT
 - F.H. FIRE HYDRANT
 - M.H. MANHOLE
 - C.B. CATCH BASIN
 - G.V. GAS VALVE
 - W.V. WATER VALVE
 - W.M. WATER METER
 - C.W. CULY WIRE

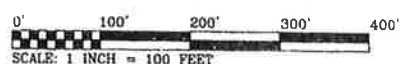
TOTAL AREA
640,608 sq. ft.
14.706 acres

STATEMENT OF LIMITATIONS

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

By: [Signature]
Ben D. Troll Reg. No. 1718

Date: 10-11-11



<p>Trail and Son, Inc. LAND PLANNER CONSTRUCTION</p>		<p>REVISIONS</p>		<p>PLAT DATE: SEPTEMBER 22, 2011</p>	
<p>3898 WAR HILL PARK ROAD, PHONE: (706) 216-8800 FAX: (706) 265-4543 EVA</p>		<p>10</p>		<p>FIELD CREW: BDT DRAWN BY: PJT CHECKED BY: OOH SCALE: 1" = 100'</p>	
<p>GEORGIA 30534 974-7046 BOSTREAM NET</p>		<p>BOUNDARY SURVEY FOR MINCEY LAND MANAGEMENT, LLC LAND LOTS 194 & 224 SOUTH HALF 131N DISTRICT 1ST SECTION DAWSON COUNTY, GEORGIA</p>			

Official Tax Receipt
Nicole Stewart
DAWSON COUNTY Tax Commissioner

25 Justice Way Suite 1222
 Dawsonville, GA 30534

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
12967 Year-Bill No 2019 - 9538	113 017 / 001 LT 6 J A BRUCE EST FMV: \$70,346.00	671.57	0.00 Fees 0.00	0.00	671.57	671.57 Paid Date 12/2/2019 11:09:11	0.00 Current Due 0.00
Transactions:	12967 - 12971 Totals	671.57	0.00	0.00	671.57	671.57	0.00

Paid By :

MINCEY LAND MANAGEMENT LLC
 5711 HIGHWAY 53 EAST
 DAWSONVILLE, GA 30534

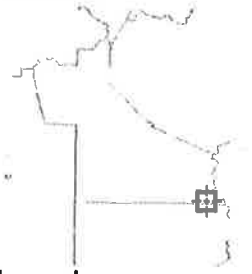
MINCEY LAND MANAGEMENT
 LLC

Cash Amt: 0.00
 Check Amt: 0.00
 Charge Amt: 0.00
 Change Amt: 0.00
 Refund Amt: 0.00
 Overpay Amt: 0.00

Check No
 Charge Acct



Overview



Legend

 Parcels

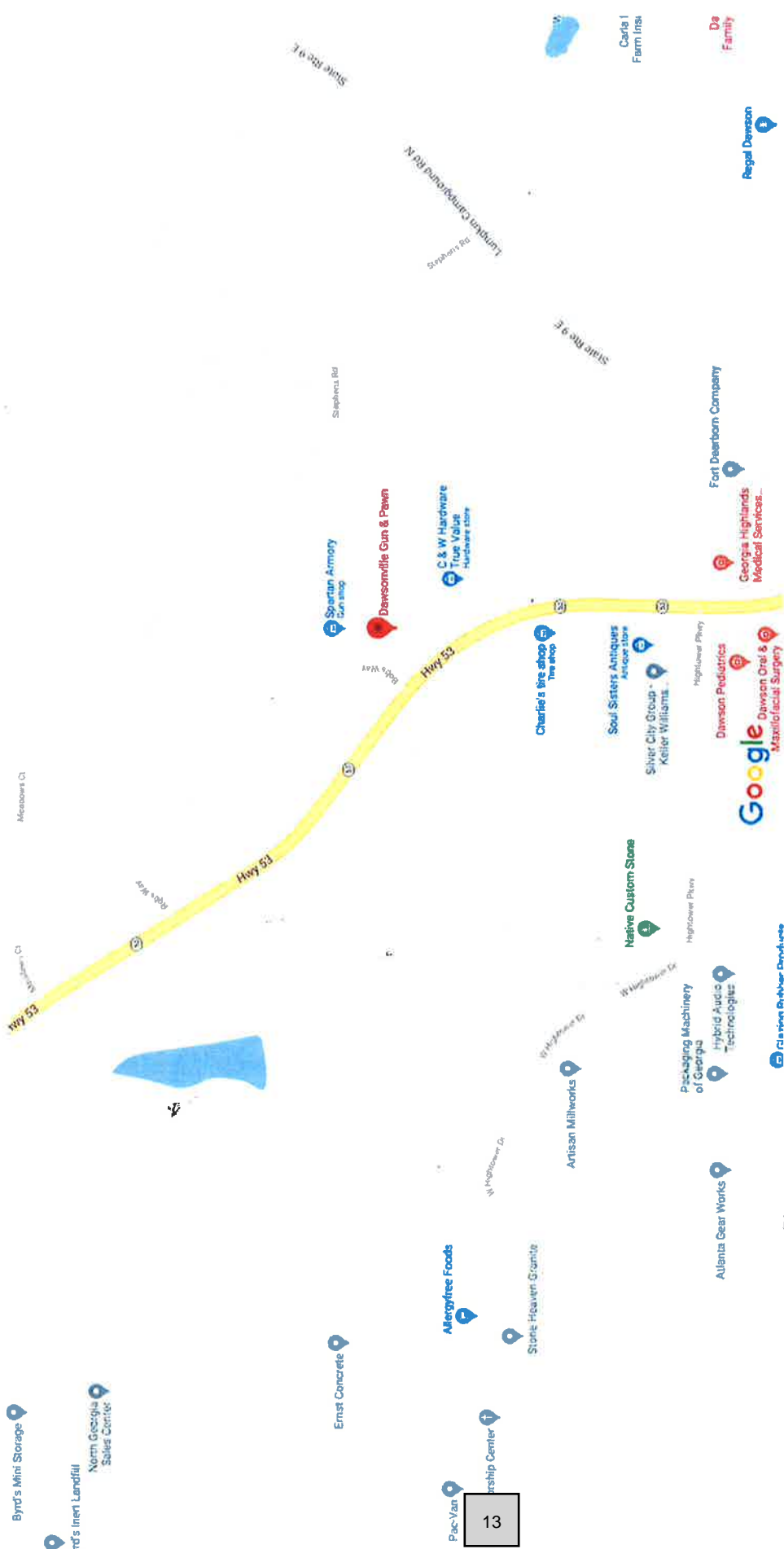
Parcel ID: 113017
Alt ID: 8212
Owner: MINCEY LAND MANAGEMENT LLC
Acres: 3.43
Assessed Value: \$96900

Date created: 11/23/2020
Last Data Uploaded: 11/20/2020 11:43:44 PM

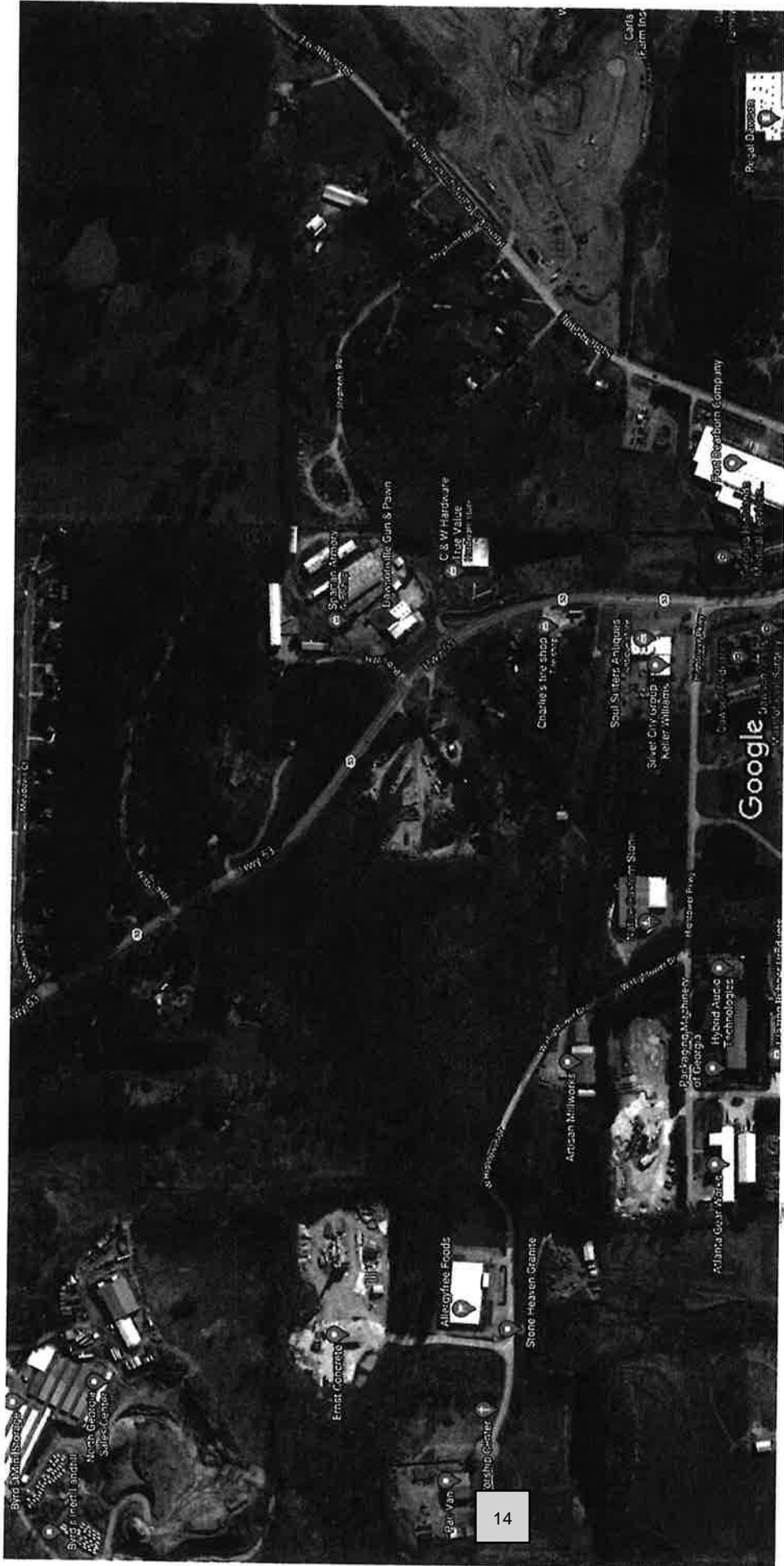
Developed by  Schneider
GEOSPATIAL

Site plan

Google Maps Dawsonville Gun & Pawn



Google Maps Dawsonville Gun & Pawn



To Whom It May Concern,

This letter is being written on behalf of Dawsonville Gun Range, Inc. to express the intent to rezone the property located at TMP# 113 017 off of Hwy 53 E from RSRMM to C-HB. This request is being made due to the aforementioned entity's desire to construct an indoor firing range for the citizens of Dawson County to enjoy.

If there are any questions regarding this letter or the rezoning request in general, they can be directed to the owner Paul Mincey. He can be reached by phone at (706) 216-1468 or by email at dawsonvillegun@gmail.com.

Thank you for your consideration,

Dawsonville Gun Range, Inc



Paul Mincey, Owner

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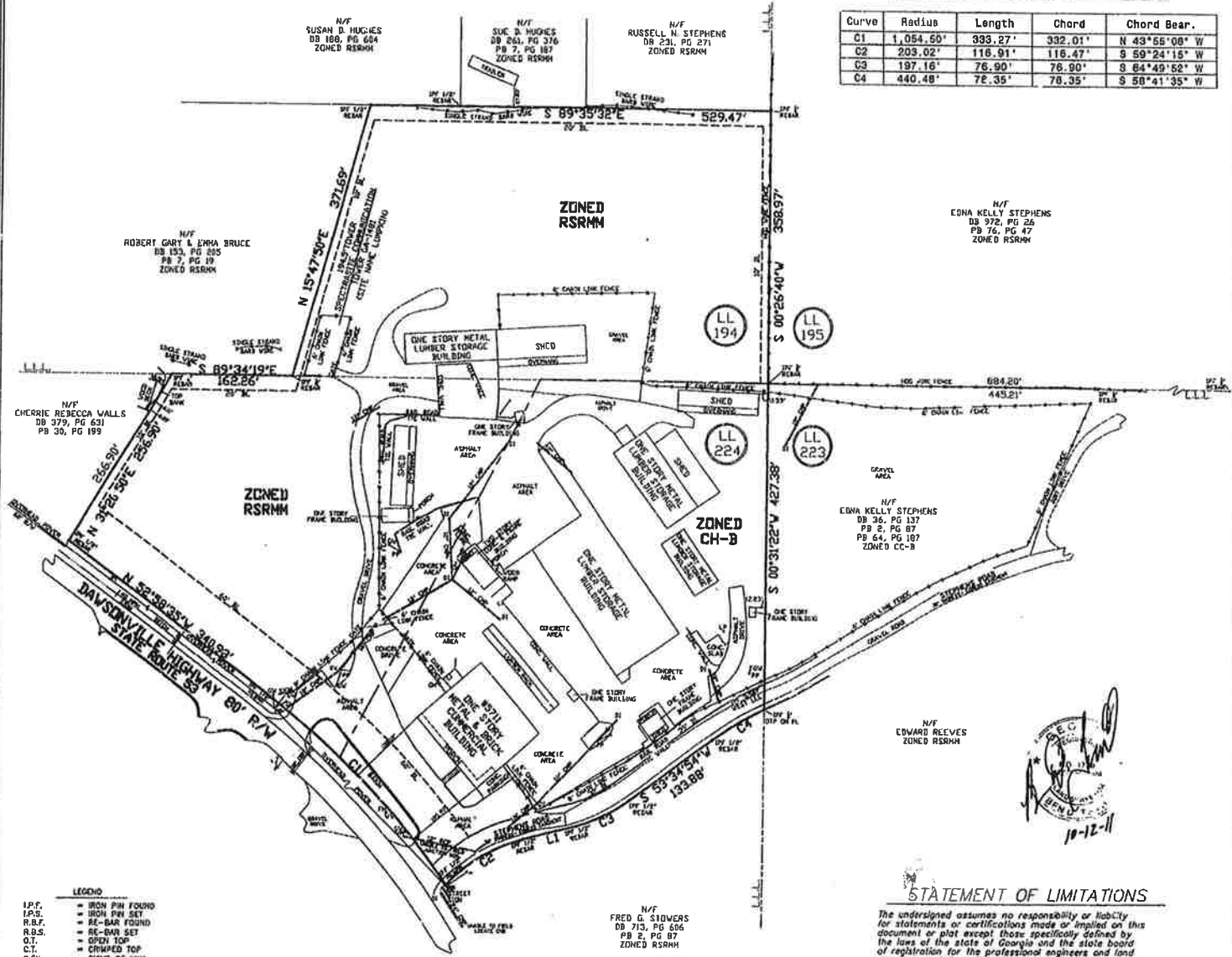
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- PLAT BY FC YOUNGMAN, DATED OCTOBER 7, 1992, RECORDED IN PLAT BOOK 30, PAGE 201, DAWSON COUNTY RECORDS.
- PLAT BY FC YOUNGMAN, DATED OCTOBER 7, 1992, RECORDED IN PLAT BOOK 30, PAGE 199, DAWSON COUNTY RECORDS.
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- PLAT BY OTIS G. PAULEY, DATED DECEMBER 16, 1977, RECORDED IN PLAT BOOK 7, PAGE 191, DAWSON COUNTY RECORDS.

GEORGIA, DAWSON COUNTY
CLERK OF SUPERIOR COURT
FIELD RECORDS
4450 W. 10-21-2011
Revised Plat Book 80 Page 32
This Plat Book 80 Page 32
10-12-11

Course	Bearing	Distance
LI	S 76°04'23" W	76.00'

Curve	Radius	Length	Chord	Chord Bear.
C1	1,054.50'	333.27'	332.01'	N 43°55'08" W
C2	203.02'	116.91'	116.47'	S 59°24'15" W
C3	197.16'	76.90'	76.90'	S 84°49'52" W
C4	440.48'	77.35'	76.35'	S 58°41'35" W



- LEGEND**
- I.P.F. = IRON PIN FOUND
 - I.P.S. = IRON PIN SET
 - R.B.F. = RE-BAR FOUND
 - R.B.S. = RE-BAR SET
 - O.T. = OPEN TOP
 - C.T. = CRIMPED TOP
 - R/W = RIGHT OF WAY
 - P.L. = PROPERTY LINE
 - C.L. = CENTER LINE
 - D.L. = BUILDING LINE
 - L.L. = LAND LOT
 - L.L.D. = LAND LOT DISTRICT
 - G.M.D. = GEORGIA MILITIA DISTRICT
 - P.P. = POWER POLE
 - P- = FENCE LINE
 - X- = RADIUS
 - R. = CHORD
 - TAN. = TANGENT
 - N/O = NOW OR FORMERLY
 - O.D. = OVER DITCH
 - P.B. = PLAT BOOK
 - P.O. = PAGE
 - D.E. = DRAINAGE EASEMENT
 - S.E. = SEWER EASEMENT
 - F.H. = FIRE HYDRANT
 - M.H. = MANHOLE
 - C.B. = CATCH BASIN
 - G.V. = GAS VALVE
 - W.V. = WATER VALVE
 - W.M. = WATER METER
 - G.W. = GUT WIRE

TOTAL AREA
640,608 sq. ft.
14.706 acres

STATEMENT OF LIMITATIONS

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

By: *[Signature]*
Ben O. Trail Reg. No. 1718

Date: 10-12-11



Trail and Son, Inc.
LAND PLANNERS & SURVEYORS
CONSTRUCTION MANAGEMENT
3898 WARR PINE PARK ROAD,
FREDERICKTOWN, GEORGIA 30428
PHONE: (706) 216-8980
FAX: (706) 282-4543

REVISIONS	PLAT DATE
REVISIONS	SEPTEMBER 22, 2011
REVISIONS	FIELD ONE SET
REVISIONS	DRAWING SET
REVISIONS	PRINTED SET
REVISIONS	SCALE: 1" = 100'

BOUNDARY SURVEY FOR
MINCEY LAND MANAGEMENT, LLC
LAND LOTS 194 & 224 SOUTH HALF 13TH DISTRICT 1ST SECTION
DAWSON COUNTY, GEORGIA

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT**

Applicant.....Dawsonville Gun Range, Inc.
Amendment #ZA 20-24
Request.....Rezone from RSRMM to C-HB
Proposed UseDevelop an indoor gun range
Current ZoningRSRMM
Size.....3.43± acres
Location5711 Hwy 53 East
Tax Parcel113-017
Planning Commission DateJanuary 19, 2021
Board of Commissioners Date..... February 18, 2021

Applicant Proposal

The applicant is seeking to construct an indoor firing range with 10 stalls with an approximate size of 7,000 square feet adjacent to the existing business of Dawsonville Gun & Pawn which they also own. They would be utilizing the same commercial driveway as the pawn shop

History and Existing Land Uses

This property was purchased in 2011 and the parcel has remained vacant.

Adjacent Land Uses	Existing zoning	Existing Use
North	RSRMM	Vacant
South	C-IR	Industrial
East	C-HB	Gun & Pawn Store
West	RSRMM	Residential

Development Support and Constraints

The applicant has access to a commercial driveway and parking lot with his existing business. Utilizing the existing commercial driveway would promote inter parcel connectivity.

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.

Public Facilities/Impacts

Engineering Department – “This project will require GDOT coordination. We will need a site plan at the time of development to determine all storm water requirements are met.”

Environmental Health Department – No comments returned.

Emergency Services – No comments necessary per Chief Bailey.

Etowah Water & Sewer Authority “If water main relocation, extension, upgrades, EWSA will need to be contacted. No sanitary sewer at the location at this time.”

Dawson County Sheriff’s Office – No comments returned.

GDOT: “Further coordination with GDOT will be necessary for this project,”

Analysis

The rezoning request falls in line with the Comprehensive Plan and Future Land Use designation. This request would promote growth

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

- A. The existing uses and classification of nearby property.**
Currently the property is undeveloped.

- B. The extent to which property values are diminished by the particular land use classification.**
There should not be any diminishment to 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.

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

The subject property is well suited for the purposed use with the adjacent structure being similar in nature (a gun store).

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 land is vacant.

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 applicant would be subject to the 400 Corridor Design Guidelines and depending on when construction begins, Hwy 53 Corridor Guidelines. They would also have to follow the County Noise Ordinance.

Site Plan:



Parcel ID: 113 017
Alt ID: 8212
Owner: MINCEY LAND MANAGEMENT LLC
Acres: 3.43
Assessed Value: \$96900

Date created: 11/23/2020
Last Data Uploaded: 11/20/2020 11:43:44 PM

Developed by  **Schneider**
GEO SPATIAL

Aerial View:



Pictures of the Property:



Current Zoning Map:

Dawson County Current Zoning



1/13/2021, 10:21:39 AM

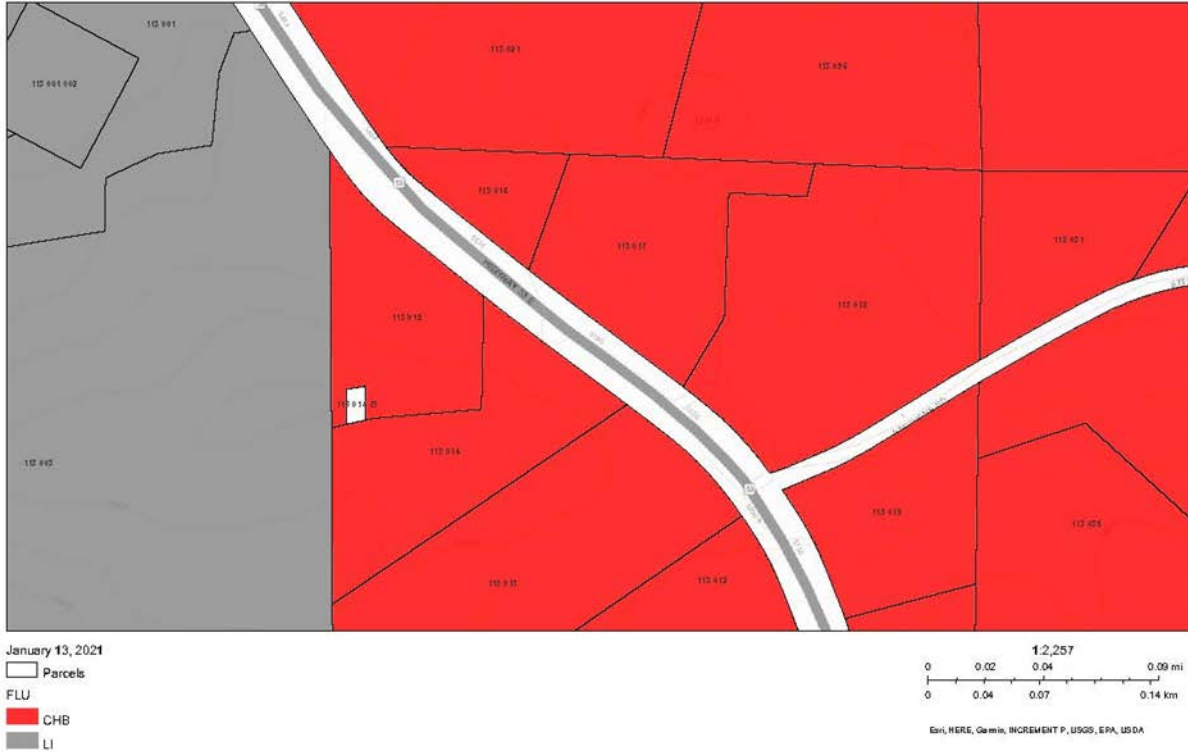
Parcels Zoning
RSRMM C-IR
C-HB

1:1,128
0 0.01 0.01 0.03 mi
0 0.01 0.03 0.05 km
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Planning and Development
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

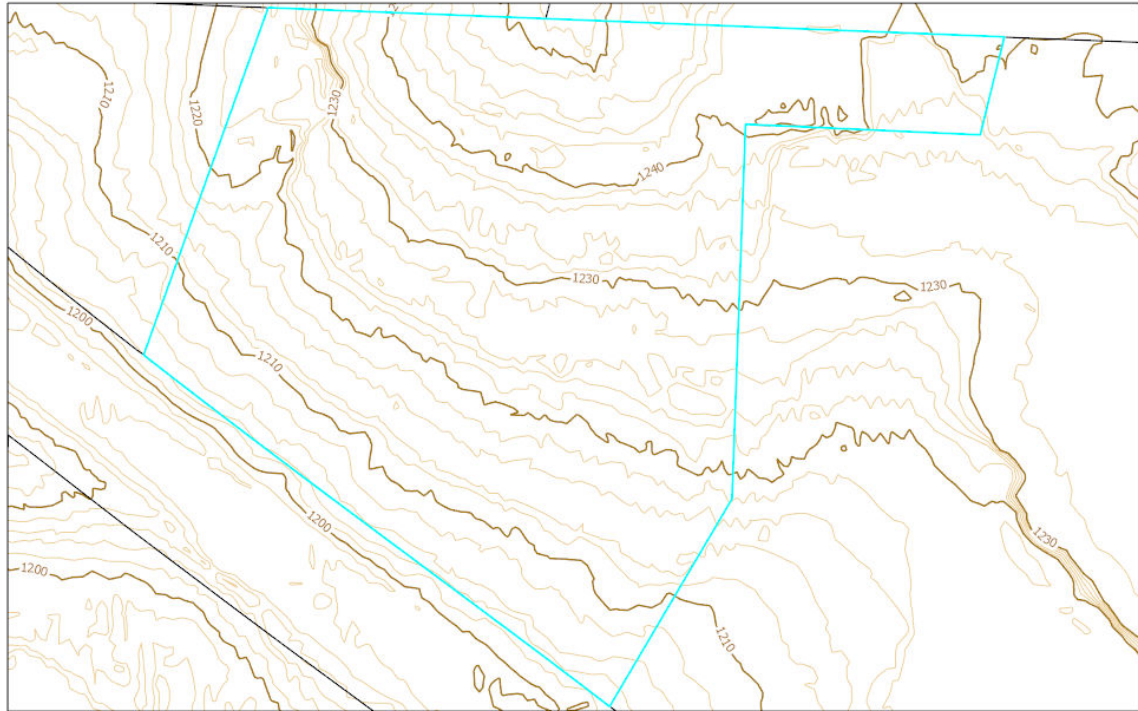
Future Land Use Map:

Future Land Use Map



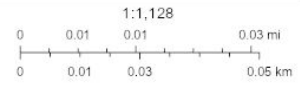
Topography:

Topo Map



1/13/2021, 11:50:42 AM

□ Parcels



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

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 2027 Tax Map & Parcel # (TMP): 085.016
Submittal Date: 12-4-20 Time: 9:49 am/pm Received by: Wojcik (staff initials)
Fees Assessed: \$300- Paid: check Commission District: 2
Planning Commission Meeting Date: Jan 2021
Board of Commissioners Meeting Date: Feb 2021

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: FALL LEAF RESIDENTIAL LLC
Address: _____

Phone: Listed Unlisted _____ mail: Business Personal _____

Status: [] Owner [] Authorized Agent [] Lessee [X] 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: [Signature]

PROPERTY OWNER/PROPERTY INFORMATION

Name: JAMES HOLBROOK and JANET BYAD

Street Address of Property being rezoned: HIGHWAY 9 SOUTH

Rezoning from: RSR to: RS3 Total acreage being rezoned: 65.3

Directions to Property: FROM GEORGIA HIGHWAY 400 TAKE DAWSON FOREST Rd WEST TO GEORGIA HIGHWAY 9, NORTH ON GEORGIA HIGHWAY 9 FOR 2.8 MILES, PROPERTY ON THE LEFT

NOV 4 9:49AM

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

Current Use of Property: VACANT 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? NO (yes/no)

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North BSR South BSR East BSR West BA

Future Land Use Map Designation: SUB RURAL PRESIDENTIAL

Access to the development will be provided from:

Road Name: GEORGIA HIGHWAY 9 Type of Surface: PAVED ASPHALT

REQUESTED ACTION & DETAILS OF PROPOSED USE

Rezoning to: BS3 [] Special Use Permit for: _____

Proposed Use: SINGLE FAMILY SUBDIVISION

Existing Utilities: Water [] Sewer [] Gas Electric

Proposed Utilities: Water Sewer [] Gas Electric

RESIDENTIAL

No. of Lots: 141 Minimum Lot Size: 6500 SQ FT (acres) No. of Units: 141

Minimum Heated Floor Area: 1500 sq. ft. Density/Acre: 2.16

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

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

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

2000 4 350M

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 *Don White*

Date 12-3-20

Witness *Tom Dan*

Date 12-3-20

WITHDRAWAL

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

I hereby withdraw application # _____

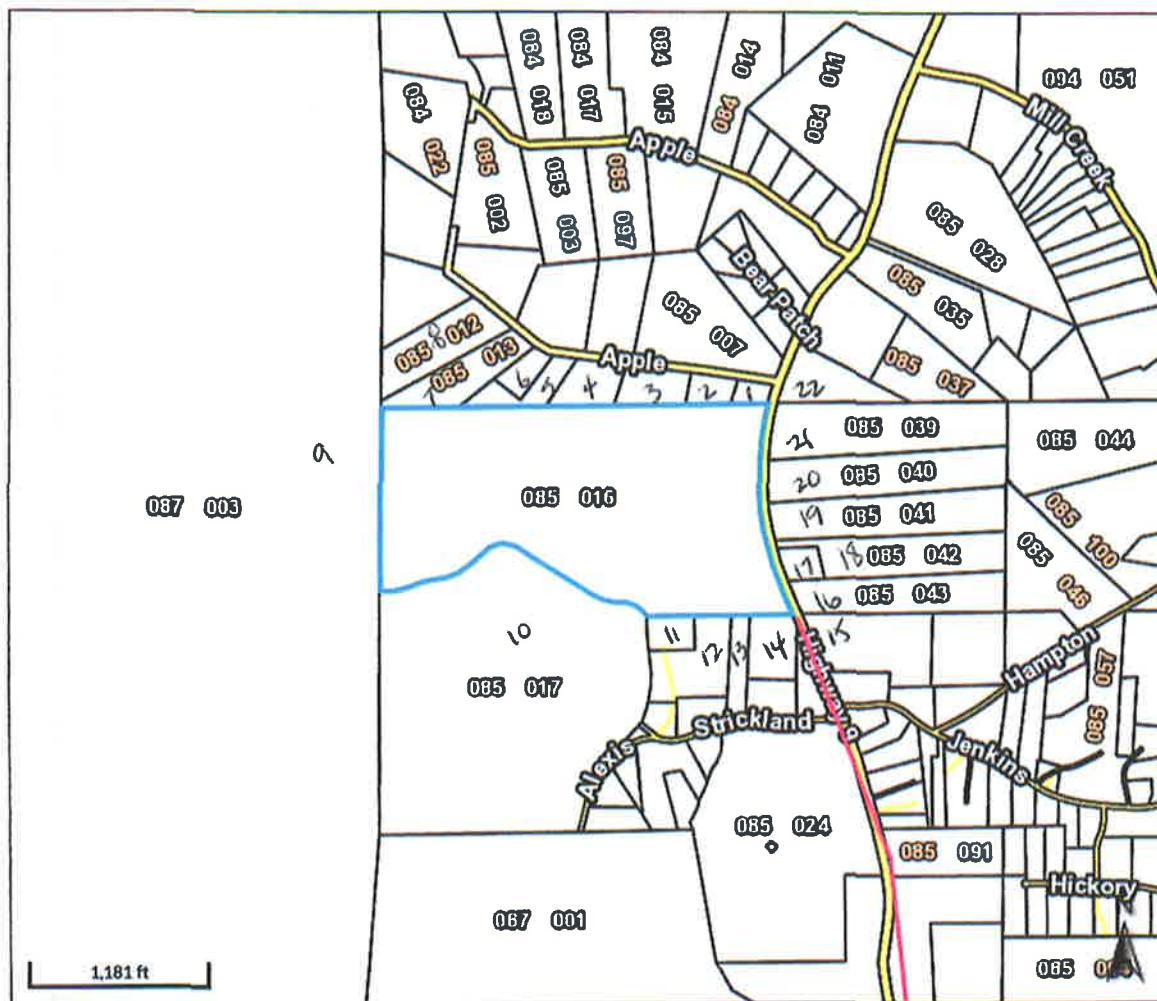
Signature _____

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.

2020 DEC 4 9:50 AM



Overview



Legend

 Parcels

Parcel ID: 085 016
 Alt ID: 5892
 Owner: HOLBROOK JAMES & TIM BYRD
 Acres: 66.02
 Assessed Value: \$628100

Date created: 9/15/2020
 Last Data Uploaded: 9/14/2020 11:51:52 PM

Developed by 

2020 DEC 4 9:50 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.**

	<u>Name</u>	<u>Address</u>
TMP 085-102	1. Eagle Commercial LLC	4110 Heard Industrial Blvd Cumming Ga 30041
TMP 085-015	2. Eloise Hushes ; James ; Sharon Chambers	79 Apple Ridge 2 Dawsonville Ga 30534
TMP 085-103	3. Brenda J. Johnston	105 Apple Ridge 2 Dawsonville Ga 30534
TMP 085-014	4. Larry G. & Elizabethn Hamil	229 Apple Ridge 2 Dawsonville Ga 30534
TMP 085-014.001	5. Donald L. ; Rebecca A. Brown	241 Apple Ridge 2 Dawsonville Ga 30534
TMP 085-106	6. Crystal Larson	200 Clipper Court Alpharetta Ga 30005
TMP 085-013	7. Jeff Worley	321 Apple Ridge 2 Dawsonville Ga 30534
TMP 085-012	8. David R. ; Faye B. Mcallister	335 Apple Ridge 2 Dawsonville Ga 30534
TMP 087-003	9. City of Atlanta attn Jenifer Andrews	P.O. Box 20509 Atlanta Ga 30320
TMP 085-017	10. PPNJS LLC	P.O. BOX 286 Cumming Ga 30028
TMP 085-018.003	11. David H. ; Sara J. Croft	331 Strickland Drive Dawsonville Ga 30534
TMP 085-018	12. Sammy S. Strickland	280 Strickland Drive Dawsonville Ga 30534
TMP 085-019	13. Stephen D. & Lisa Freeman	128 Strickland Drive Dawsonville Ga 30534
TMP 085-020	14. Evelyn Shoemaker	2676 Hwy 9 South Dawsonville Ga 30534
TMP 085-048.001	15. Brody A. ; Brittany Shay Hughes	2611 Hwy 9 South Dawsonville Ga 30534

Use additional sheets if necessary.

2010 4 9:50 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.**

	<u>Name</u>	<u>Address</u>
TMP 085-043	16 Morris B. Hughes Jr	2531 Hwy 9 South Dawsonville Ga 30534
TMP 085-095	17 Roger & Pamela Gilleland	2507 Hwy 9 South Dawsonville Ga 30534
TMP 085-042	18 John & Renee D. Livingston	2493 Hwy 9 South Dawsonville Ga 30534
TMP 085-041	19 Joey & Betty Ann Bearden	2441 Hwy 9 South Dawsonville Ga 30534
TMP 085-040	20 India Hawkins	2411 Hwy 9 South Dawsonville Ga 30534
TMP 085-039	21 AKA India M. Bechtel Larry Grant	2345 Hwy 9 South Dawsonville Ga 30534
TMP 085-038	22 Clinton D. & Tammy Sheriff	P.O. Box 348 Dawsonville Ga 30534
TMP _____	8. _____	_____
TMP _____	9. _____	_____
TMP _____	10. _____	_____
TMP _____	11. _____	_____
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

Use additional sheets if necessary.

200804 950AM

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: *Norman White*

Applicant Printed Name: FALL LEAF RESIDENTIAL BY NORMAN WHITE

Application Number: _____

Date Signed: 12/3/20

Sworn and subscribed before me

this 3 day of DEC, 2020.

Anna Le

Notary Public

My Commission Expires: Aug 10, 2021



20DEC 4 950AM

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:

NONE

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:

Dean White

Date: 12-3-20

**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.

2016 4 9:50 AM

PROPERTY OWNER AUTHORIZATION

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

085 016

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: FALL LEAF RESIDENTIAL LLC

Signature of applicant or agent: [Signature] Date: 9-17-20

Printed Name of Owner(s): James Holbrook

Signature of Owner(s): [Signature] Date: 9-17-20

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed _____ Unlisted _____

Sworn and subscribed before me this 17 day of September, 2020.

[Signature]
Notary Public

My Commission Expires: 03/10/2024



(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.)

20DEC 4 9:50AM

PROPERTY OWNER AUTHORIZATION

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

085 016

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: FALL LEAF RESIDENTIAL LLC
Signature of applicant or agent: [Signature] Date: 9-17-20

Printed Name of Owner(s): Tim Byrd by Janet Byrd, Executor
Signature of Owner(s): [Signature] Date: 9-17-2020

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed Unlisted _____

Sworn and subscribed before me this 17 day of September, 2020.

Andrea Sullivan
Notary Public

My Commission Expires: 03/10/2024



(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.)

2020 4 9:50 AM

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 Beaufort County (city), GA (state)

Norman White
Signature of Applicant

12/3/20
Date

NORMAN WHITE
Printed Name

FALL LEAT RESIDENTIAL
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

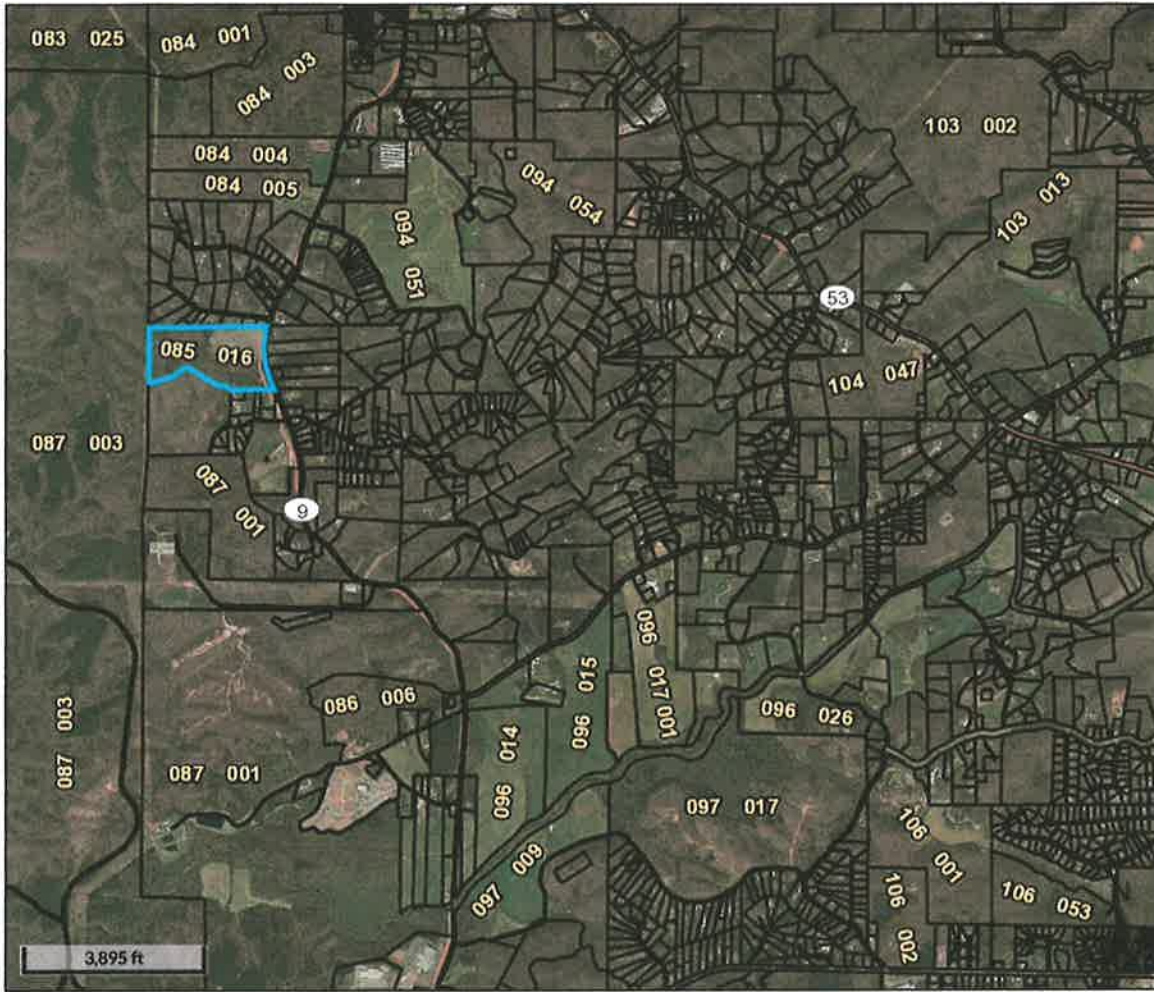
THIS 3 DAY OF DEC, 20 20

Anna Le Notary Public

My Commission Expires: Aug 10, 2021



20DEC 4 9:51AM



Overview



Legend

 Parcels

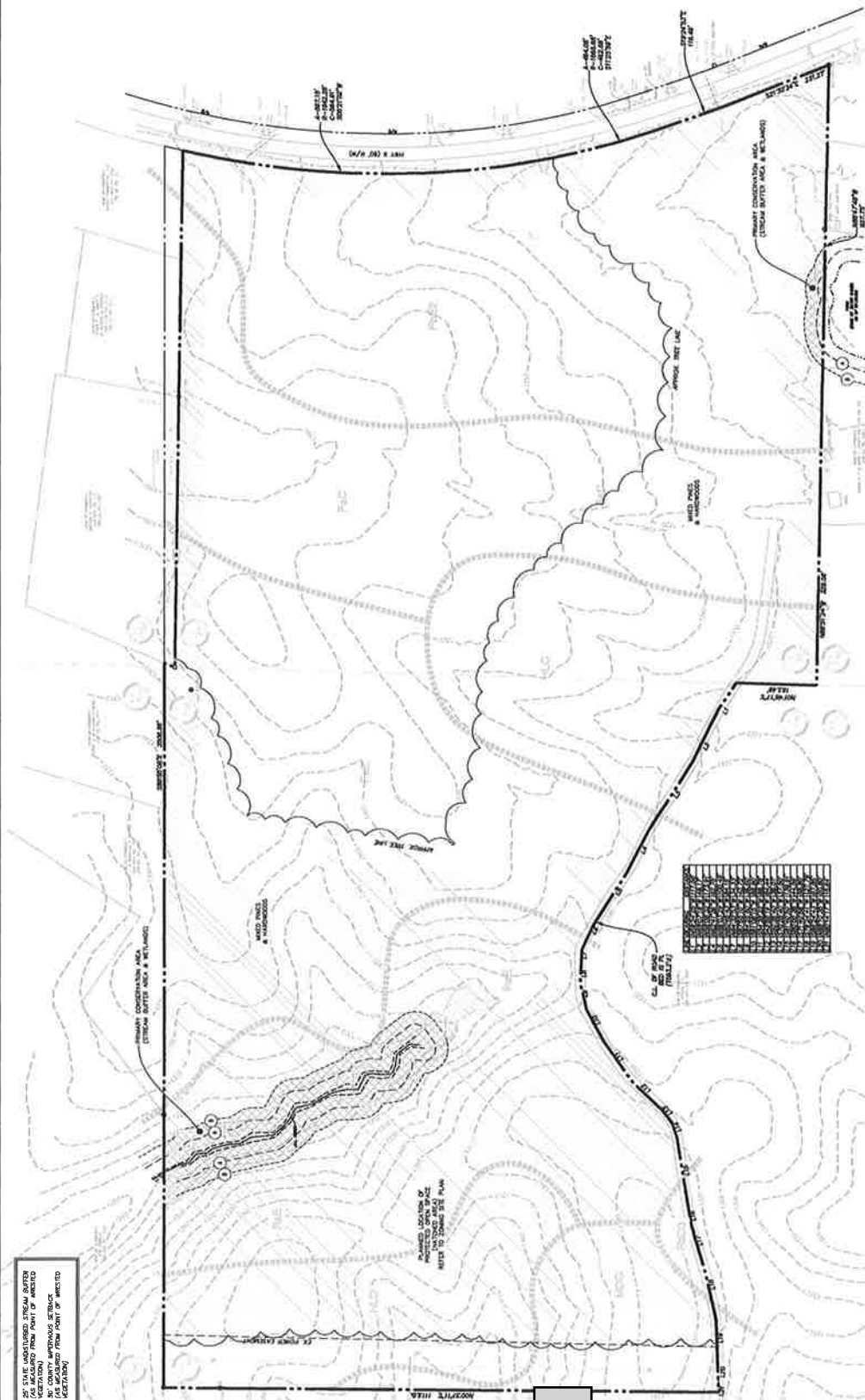
Parcel ID: 085 016
Alt ID: 5892
Owner: HOLBROOK JAMES & TIM BYRD
Acres: 66.02
Assessed Value: \$628100

Date created: 12/3/2020
Last Data Uploaded: 12/3/2020 12:10:08 AM

Developed by  **Schneider
GEOSPATIAL**

20DEC 4 9:51AM

- 1. ALL STATE SURVEYED STREAM BUFFER (S) ARE MEASURED FROM POINT OF INTERSECTION WITH STATE SURVEYED STREAM CENTERLINE.
- 2. ALL COUNTY SURVEYED STREAM BUFFER (C) ARE MEASURED FROM POINT OF INTERSECTION WITH COUNTY SURVEYED STREAM CENTERLINE.
- 3. ALL LOCAL SURVEYED STREAM BUFFER (L) ARE MEASURED FROM POINT OF INTERSECTION WITH LOCAL SURVEYED STREAM CENTERLINE.



PROPOSED LOCATION OF
 FLOOD WALL AND
 FLOOD WALL FOUNDATION
 FOUND TO BE FOUND

CP & E
CHRISTOPHER PLANNING & ENGINEERING

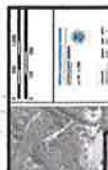
11/26/2020
 DATE: 11/26/2020
 PROJECT: HWY 9 AND LOTS 719-7207
 (EX. 0217.2020)
 12400 GANAPULE ROAD
 SUITE 100-112
 ALPHARETTA, GA 30004
 PHONE: 770.531.7203

ZONING SITE PLANS
 FOR:
**HWY 9
 DAWSON
 TRACT**
 AND LOTS 719-7207
 TRACT 183
 DAWSON COUNTY, GEORGIA

FOR:
**FALL LEAF
 RESIDENTIAL
 LLC**

NO.	REVISIONS	DATE

DATE: NOVEMBER 23, 2020
 DRAWING NO.: 202010322.001
**SITE ANALYSIS
 MAP**
 SHEET NO.: **S.1**



- GENERAL NOTES:**
- PROPERTY BOUNDARIES SHOWN ARE BASED ON SURVEY BY STATE LAND SURVEYOR. UNLESS OTHERWISE NOTED, THIS IS THE DAWSON COUNTY SURVEY.
 - PROPERTY IS LOCATED ALONG HIGHWAY # 9 IN LAND LOTS 719-7207, FOR DISTRICT, 3RD SECTION, 3RD RANGE, 1ST RANGE.
 - DO NOT SCALE THIS MAP.
 - THESE NOTES DO NOT CONSTITUTE AN OFFER OF INSURANCE, LIFE OR ACCIDENT.
 - THE LOCATION OF THE FLOOD WALL AND FOUNDATION ARE SHOWN IN THIS MAP. THE WALL IS 20' FT. HIGH AND 4' FT. THICK. THE FOUNDATION IS 12" DIA. REINFORCED CONCRETE. THE FOUNDATION IS 4' FT. LONG.
 - ALL ADDITIONAL DETAILS ON FLOOD WALLS SHALL BE BASED ON OR WITHIN 20' FT. OF THE B.C. SURVEY AND SHALL BE BASED ON THE SURVEY. THE FOUNDATION SHALL BE BASED ON THE SURVEY.
 - THE OWNER SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.
 - THE OWNER SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.



Topo Map

2019 Property Tax Statement

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

Bill Number	Due Date	CURRENT YEAR DUE
6780	12/1/2019	\$0.00

Payment Good Through:

Map: 085 016

Last payment made on: 11/21/2019

Location: HWY 9 S

HOLBROOK JAMES & TIM BYRD

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: HOLBROOK JAMES & TIM BYRD
 Map Code: 085 016
 Description: LL 709 719 721 LD 4
 Location: HWY 9 S
 Bill Number: 6780
 District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$0.00	\$628,100.00	66.02	628100	12/1/2019	7/18/2019		SV

TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax	
STATE TAX	628100	251240	227812	23628	0	0	0	0	
COUNTY M&O	628100	251240	227812	23628	13.079	309.03	0	191.13	
SALES TAX ROLLBACK	0	0	0	23628	-4.99	0	-117.9	0	
SCHOOL M&O	628100	251240	227812	23628	15.778	372.8	0	372.8	
TOTALS						23.867	681.83	-117.90	563.93

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:	\$563.93
Penalty:	\$0.00
Interest:	\$0.00
Other Fees:	\$0.00
Back Taxes:	\$0.00
Amount Paid:	\$563.93
TOTAL DUE:	\$0.00

2020 DEC 4 3:58 AM

GEORGIA, DAWSON COUNTY
CLERK'S OFFICE, SUPERIOR COURT
FILED FOR RECORD

AT 1:20 P.M. 7/2/08
Recorded in Deed Book 873 Page 623
This 3 day of July 20 08
Shelly McCord

042-08-000835
DAWSON COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX

PAID \$ 344.80 XX

DATE July 3, 08
Shelly McCord
BECKY MCCORD, CLERK
SUPERIOR COURT

Prepared by/return to:
Shelly Townley Martin
133 Prominence Court
Suite 110
Dawsonville, GA 30534
Deed Preparation Only-
No Title Search Performed

WARRANTY DEED

GEORGIA, DAWSON COUNTY

T.B. JB

THIS INDENTURE, made this 2nd day of ~~June~~ ^{July}, 2008, between BYRD-HOLBROOK ALL PURPOSE PAVING, INC., Grantor, and JAMES HOLBROOK and TIM BYRD, Grantee,

WITNESSETH:

That the said Grantor, for and in consideration of TEN (\$10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said Grantee the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lots 719 and 720 of the 4th District, 1st Section of Dawson County, Georgia, containing 66.02 acres, more or less, according to a plat of survey for James Rives prepared by Leonard A. Savage, GRLS, dated August 31, 1984, recorded in Plat Book 25, Page 59 of the Dawson County Records. Said plat being incorporated herein and made a part hereof by reference.

Subject to all easements, covenants, and restrictions of record or currently in use.

TO HAVE AND TO HOLD the said premises, together with all rights and appurtenances unto the said Grantee, forever in FEE SIMPLE, and the said Grantor WARRANTS the title to same against the lawful claims of all persons whomsoever.

Whenever there is a reference herein to the Grantor or the Grantee, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered in the presence of:

Byrd-Holbrook All Purpose Paving, Inc.

Lucretia Thompson
Unofficial Witness

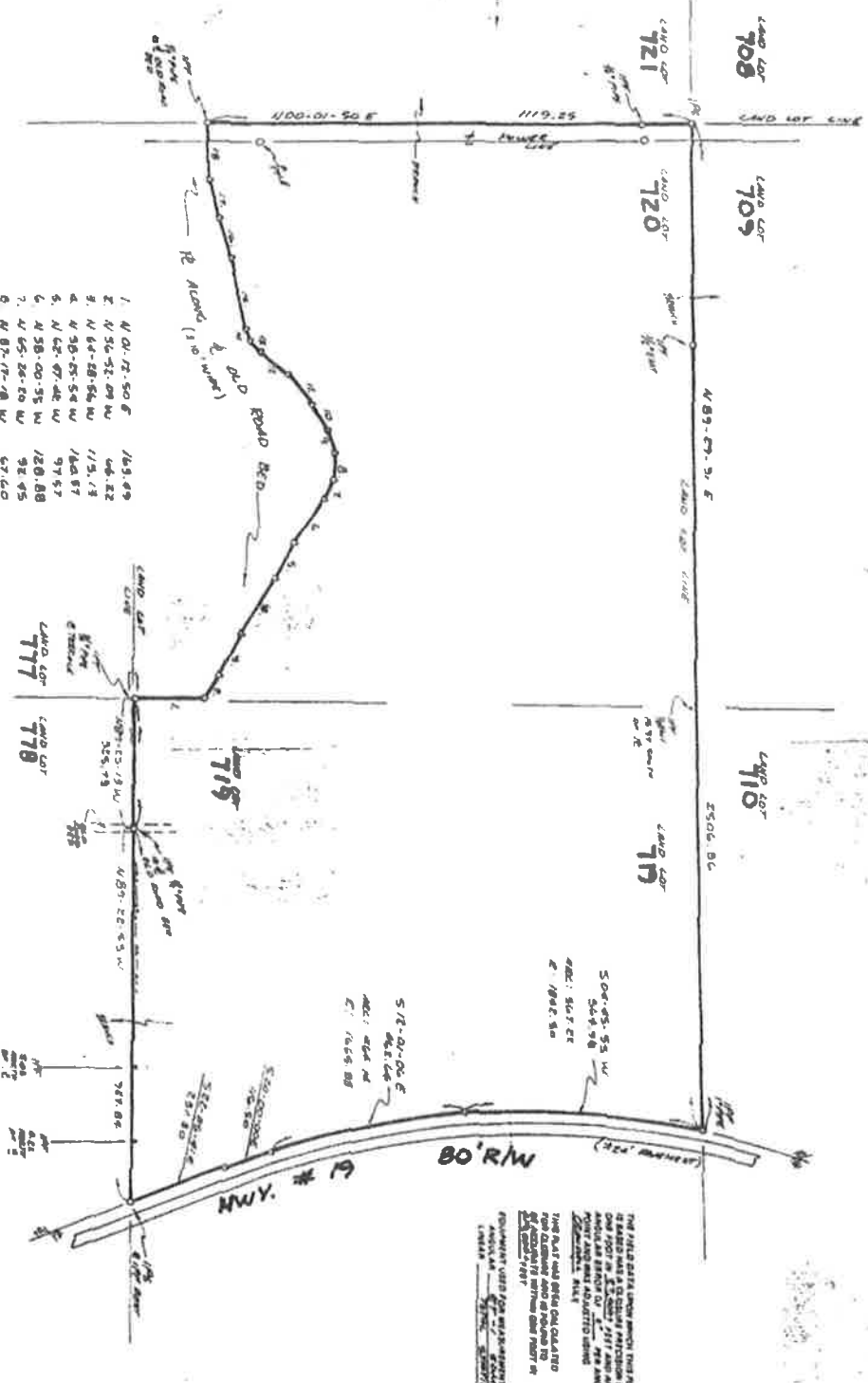
By: *Tim Byrd* (SEAL)
Tim Byrd, Vice President

Shelly Townley Martin
Notary Public
My commission expires: (SEAL)



Attest: *Janet Byrd*
Janet Byrd, Secretary





THE: INTERIOR AND SURVEY (S. 1/4)
 THE: INTERIOR AND SURVEY (S. 1/4)
 THE: INTERIOR AND SURVEY (S. 1/4)
 THE: INTERIOR AND SURVEY (S. 1/4)

1. N 01-21-50 E	169.49
2. N 56-52-09 W	46.82
3. N 64-28-56 W	113.13
4. N 38-55-54 W	162.87
5. N 62-07-48 W	97.57
6. N 38-00-35 W	120.88
7. N 65-28-20 W	92.45
8. N 07-17-48 W	67.60
9. S 75-56-36 W	57.07
10. S 60-47-43 W	72.04
11. S 54-10-53 W	96.64
12. S 43-10-09 W	84.09
13. S 52-47-40 W	94.77
14. S 72-10-10 W	23.44
15. S 60-13-28 W	178.03
16. S 73-00-30 W	108.17
17. S 76-00-07 W	96.03
18. S 07-25-48 W	706.89

SCALE 1 inch = 200 feet
 DATE: AUGUST 2, 1981

GEORGIA DANBURY COUNTY
 CLERK OF THE SUPERIOR COURT
 RECORDED RECORD
 8:30 PM 1-3-92
 205 78

THE FIELD DATA SURVEYING, THIS PLAT
 IS BASED ON A LOCAL REFERENCE OF
 ONE FOOT IN LENGTH 1/8" AND AN
 AREA OF 1/64" SQUARE. THE
 SURVEYING WAS CONDUCTED BY
 THE SURVEYOR, NAME
 THE PLAT AND FIELD DATA SURVEYING
 HAS BEEN REVIEWED AND APPROVED BY
 THE CLERK OF THE SUPERIOR COURT
 DANBURY COUNTY, GEORGIA



66.02 ACRES

JAMES RIVES

LAND LOTS 717 AND 718
 4TH DISTRICT - 1ST SECTION
 DANBURY COUNTY, GEORGIA

20 DEC 95 11 AM

Written Description:
Highway 9 Dawson

All that tract or parcel of land lying and being in Land Lots 719 and 720 of the 4th District, 1st Section, Dawson County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 1/2" rebar found at the northwest corner of Land Lot 720, said corner being common to Land Lots 708, 709, 720, and 721, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence along the common line of Land Lots 709 and 720 the following courses and distances: S89°55'08"E for a distance of 551.79 feet to a 1/2" rebar found; S88°36'45"E for a distance of 903.95 feet to a 1/2" rebar found; thence along the common line of Land Lots 710 and 719 the following courses and distances: S89°05'47"E for a distance of 545.75 feet to a 1-1/2" open top pipe found; S89°10'38"E for a distance of 276.29 feet to a 5/8" rebar found; S89°01'09"E for a distance of 220.89 feet to a 1/2" rebar set at the westerly right of way of Georgia Highway No. 9 (80' right of way); thence along said westerly right of way the following courses and distances: 530.65 feet along the arc of a curve to the left, said curve having a radius of 1842.28 feet and being subtended by a chord of S04°46'59"W, 528.82 feet to a point; 464.08 feet along the arc of a curve to the left, said curve having a radius of 1665.68 feet and being subtended by a chord of S11°25'59"E, 462.58 feet to a point; S19°24'53"E for a distance of 116.49 feet to a point; S21°30'34"E for a distance of 231.27 feet to a 3/4" open top pipe found at the intersection of said westerly right of way and the common line of land lots 719 and 778; thence leaving said westerly right of way and along said Land Lot Line the following courses and distances: N88°47'48"W for a distance of 927.75 feet to a point; N88°51'24"W for a distance of 325.58 feet to a 1/2" open top pipe found at the southwest corner of Land Lot 719, said corner being common to Land Lots 719, 720, 777, and 778; thence along the common line of Land Lots 719 and 720 N01°46'17"E for a distance of 163.48 feet to a 1/2" open top pipe found at the center of an old road bed; thence along the centerline of said old road bed, following the meanderings thereof, for a distance of 1593.2 feet, more or less, to a 1/2" rebar set, said old road bed following a traverse line as follows: N59°24'25"W for a distance of 117.58 feet to a point; N65°07'18"W for a distance of 48.17 feet to a point; N58°08'32"W for a distance of 173.91 feet to a point; N62°41'26"W for a distance of 92.75 feet to a point; N56°03'29"W for a distance of 100.45 feet to a point; N60°45'43"W for a distance of 84.15 feet to a point; N84°32'53"W for a distance of 34.33 feet to a point; S87°55'10"W for a distance of 42.72 feet to a point; S84°25'50"W for a distance of 36.60 feet to a point; S61°08'15"W for a distance of 88.90 feet to a point; S54°38'22"W for a distance of 88.78 feet to a point; S43°55'19"W for a distance of 84.44 feet to a point; S50°35'40"W for a distance of 36.07 feet to a point; S70°28'40"W for a distance of 37.50 feet to a point; S81°40'50"W for a distance of 139.91 feet to a point; S80°05'38"W for a distance of 44.59 feet to a point; S71°40'58"W for a distance of 58.80 feet to a point; S76°24'41"W for a distance of 127.79 feet to a point; S86°24'43"W for a distance of 87.85 feet to a point; N88°10'35"W for a distance of 50.80 feet to a point; N80°14'17"W for a distance of 15.64 feet to a 1/2" rebar set at the common line of Land Lots 720 and 721; thence leaving said old road bed and along said Land Lot Line N00°37'11"E for a distance of 1113.50 feet to a 1/2" rebar found, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 65.112 acres, more or less.

2006 4 9 5 11 AM



FALL LEAF RESIDENTIAL, LLC
 1192 Longcourte Drive
 Atlanta, GA 30327

Dawson County Board of Commissioners
 Dawson County Planning Commission
 25 Justice Way
 Dawsonville, Ga. 30534

November 30, 2020

Re: Rezoning Application 65 Acres, Georgia Highway 9

Please accept this revised letter outlining the plans for a 65 acre tract of land fronting on the west side of Georgia Highway 9, approximately 2.8 miles north of the Dawson Forest Road and Georgia Highway 9 intersection—and just above the 942-acre tract utilized by the Etowah Water and Sewer Authority and by the Etowah Valley Sporting Clays facility and the County’s Rock Creek Park complex, which has a large residential component with smaller lots than those proposed on our site . We mailed a letter to the surrounding property owners and offered to have a community meeting to go over our plans for the Subject Property, however, only a few were interested in having a meeting. We had originally submitted a standard RS-3 plan, however, after talking with several homeowners by phone we believe most of them would prefer to see the property developed under a conservation subdivision plan so that much of the property could be left as open space.

This property is currently zoned RSR (Residential Sub-Rural), a classification that contemplates as per Table 3.2 of the Zoning Ordinance the unavailability of public water and sewer; whereas, the Subject Property enjoys both. We are requesting rezoning to the RS-3 zoning classification to allow the development of a single-family conservation subdivision. The revised conservation site plan we have submitted shows 141 lots which is a density of 2.16 homes per acre on the 65 acre tract and 40% of the property is shown as open space. The open space will provide an opportunity for many passive recreation activities such as walking trails and a community picnic area and preserve much of the property in its natural habitat. The conservation plan will also have a 50 foot open space buffer along Highway 9, owned by the Homeowners Association, which can be heavily landscaped to provide a visual screen and a very attractive front door to the development. The community will be subject to a Declaration of Covenants and Conditions and each home will be required to be a member. The Homeowners Association will be responsible for the future maintenance and upkeep of all entrance features, open spaces, and any amenities.

The Dawson County Comprehensive Plan points out that the new housing market in Dawson County provides few opportunities beyond single-family homes on large lots; and the new RS-3 zoning category was established to allow the opportunity to provide smaller lots to fulfill this

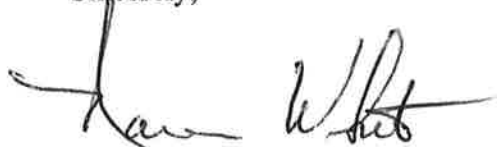
20 DEC 4 9:52 AM

established need. While the current Comprehensive Plan, which preceded the adoption of the new RS-3 zoning category fails to specify what property in the County is best suited for this new zoning classification, the Subject Property is ideally suited for an RS-3 development and will provide the County an opportunity to begin to address and supply its acknowledged critical need for single-family homes on somewhat smaller lots with greater open space.

Indeed, there are actually very few sites in the County that lend themselves to development under the new RS-3 category, and we believe this site is one of those few. As mentioned, we have access to public sewer and water; and we enjoy frontage on Georgia Highway 9, one of the county's major arteries—all of which we believe should be major considerations in approving this RS-3 zoning. Moreover, technically speaking, this will be an RS-3 (Conditional) or RS-3(C) Rezoning, which means that it will be subject to a set of rezoning conditions or stipulations designed to mitigate any impact on neighboring property owners. As a result, this will be a handsome subdivision providing much needed housing, while conserving much of the property in its natural habitat, and we respectfully request approval of this rezoning by the Planning Commission and the Board of Commissioners.

Because the Subject Property is one of the few suitable sites in the County for an RS-3 development that would address the acknowledged housing shortage in the County for its graduating sons and daughters and essential workers and because of our willingness to see the requested RS-3 zoning restricted by a set of negotiated rezoning conditions, we respectfully suggest that to deny it would be unconstitutional—and hence impermissible—on several grounds. As a result, the Georgia Supreme Court requires that we submit to you in advance the following Statement of Appropriateness of Application and Related Constitutional Claims.

Sincerely,



Fall Leaf Residential, LLC
Norman White, Manager

20DEC 4 9:52AM

APPLICANT'S
STATEMENT OF APPROPRIATNESS OF APPLICATION
AND
RELATED CONSTITUTIONAL CLAIMS

Applicant respectfully shows the Commission that any refusal by Dawson County to rezone the Subject Property "RS-3 (Conditional)," as requested in its application, would be unconstitutional and illegal in that application to the Property of the existing classifications and any and all inconsistent intervening zoning and map classifications and/or conditions constitutes a taking of property without just compensation in violation of Art. I, Sec. I, Para. I, and Art. I, Sec. III, Para. I(a), of the Georgia Constitution of 1983, as Amended, in that there is no reasonable use for the property as zoned, especially given the uses being allowed on properties to the south of the Subject Property on Ga. Hwy. 9, and a denial of substantive due process and equal protection under the Due Process and Equal Protection Clauses of the Fourteenth Amendment of the United States Constitution and of the Georgia Constitution of 1983, as Amended, Art. I, Sec. I, Para. I, and Art. I, Sec. I, Para. II, in that the denial would impose a disproportionate hardship on Applicant without accruing any benefits to any surrounding property owners and without any substantial police power benefits to the public, since the only apparent rationale for denial would appear to be socio-economic discrimination; and, in any event, the denial would have a potential racially-discriminatory impact, as well as a violation of the requirement under Art. IX, Sec. II, Para. I, of the Georgia Constitution of 1983, as Amended, that "counties pass clearly-reasonable ordinances," and a violation of the federal housing anti-discrimination law and the associated federal requirement that Dawson County make "reasonable accommodation" in its zoning rules, policies, and practices to afford those protected by the Fair Housing Act an equal opportunity to enjoy an appropriate and affordable dwelling, Federal Fair Housing Act, 42 U.S.C. §3604(f)(3)(B)—entitling Applicant, inter alia, to seek a reversal of the refusal to rezone under state and federal law and actual and punitive damages and attorney's fees pursuant to 42 U.S.C. §3613(c).

In addition, the Civil Rights Act of 1871, 42 U.S.C. §1983, provides in pertinent part:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

State courts have concurrent jurisdiction over violations of 42 U.S.C. §1983; and, at all times relevant hereto, the Board of Commissioners occupies a policymaking position and acts “under color of law” within the meaning of that statute.

In denying this application, therefore, the Commission will have deliberately violated the substantive and procedural equal protection and due process rights of Applicant as guaranteed by the U.S. Constitution, including but not limited to perpetrating a “class-of-one equal protection” violation based on the disparate treatment meted out by the County as between Applicant and other local rezoning applicants. See, e.g., Village of Willowbrook v. Olech, 528 U.S. 562, 120 S.Ct. 1073 (2000).

Finally, any approval of this application subject to rezoning conditions which are different from the conditions requested by the Applicant or expressly agreed to by Applicant either in writing or orally at a public hearing before the Commission, to the extent such conditions would have the effect of further restricting the Applicant’s utilization of the Subject Property would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

2000 4 9:52AM

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT**

Applicant.....Fall Leaf Residential, LLC.

Amendment #ZA 20-25

Request.....Rezone Property from RSR (Residential Sub rural to RS-3 (Residential Suburban 3)

Proposed UseSingle family residential

Current ZoningRSR Residential Sub Rural

Size.....65.3± acres

LocationHWY 9 South

Tax Parcel085-016

Planning Commission DateJanuary 19, 2021

Board of Commission Date.....February 18, 2021

Applicant Proposal

The applicant is seeking to rezone the property from RSR to RS-3 (Residential Sub-urban 3) for the purpose of developing a 141 lot residential conservation neighborhood with an overall density 2.16 units per acre.

History and Existing Land Uses

The parcel is currently vacant. It was originally designated RSR when zoning was initiated within the county. Recently there was an application to rezone late 202 but was withdrawn.

Adjacent Land Uses	Existing zoning	Existing Use
North	RSR	Residential
South	RSR	Residential
East	RSR	Residential

West	RA	Dawson Forest
------	----	---------------

Development Support and Constraints

RS3 requires 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 Sub Rural Residential (SRR).

Public Facilities/Impacts

Engineering Department – Asphalt two lane road with moderate to heavy traffic flow. The access will need to be reviewed and approved by GDOT. We will need an engineered site plan at the time of development to determine all storm water requirements are met.

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

Emergency Services – Additional population will increase calls for service to Emergency Services proportionately. DCES continues to struggle to provide adequate numbers of on duty personnel to respond to fire incidents. All fire apparatus access roads will need to comply with 2018 IFC Appendix D and local codes.

Etowah Water & Sewer Authority – Water main upgrades, extensions, relocations will be required to service project to be designed and installed per EWSA regulations at the developer’s expense. Sanitary sewer upgrades, extensions, relocations will be necessary to service project to be developed and installed per EWSA regulations at developer’s expense.

Dawson County Sheriff’s Office – No comments returned.

Board of Education – Dawson Co. High School capacity 1400 last enrollment 802, DC Jr. High capacity 725 last enrollment 589, DC Middle School capacity 725 last enrollment 572, Riverview Elementary School capacity 725 last enrollment 393. No improvements are planned. Teachers would be added as needed

Analysis

- RS-3 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 RSR that requires 1 acre per subdivision of land with access to water. This property is in compliance currently with the Future Land Use Map.

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 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. Both water and sewer is relatively new to this area.

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.

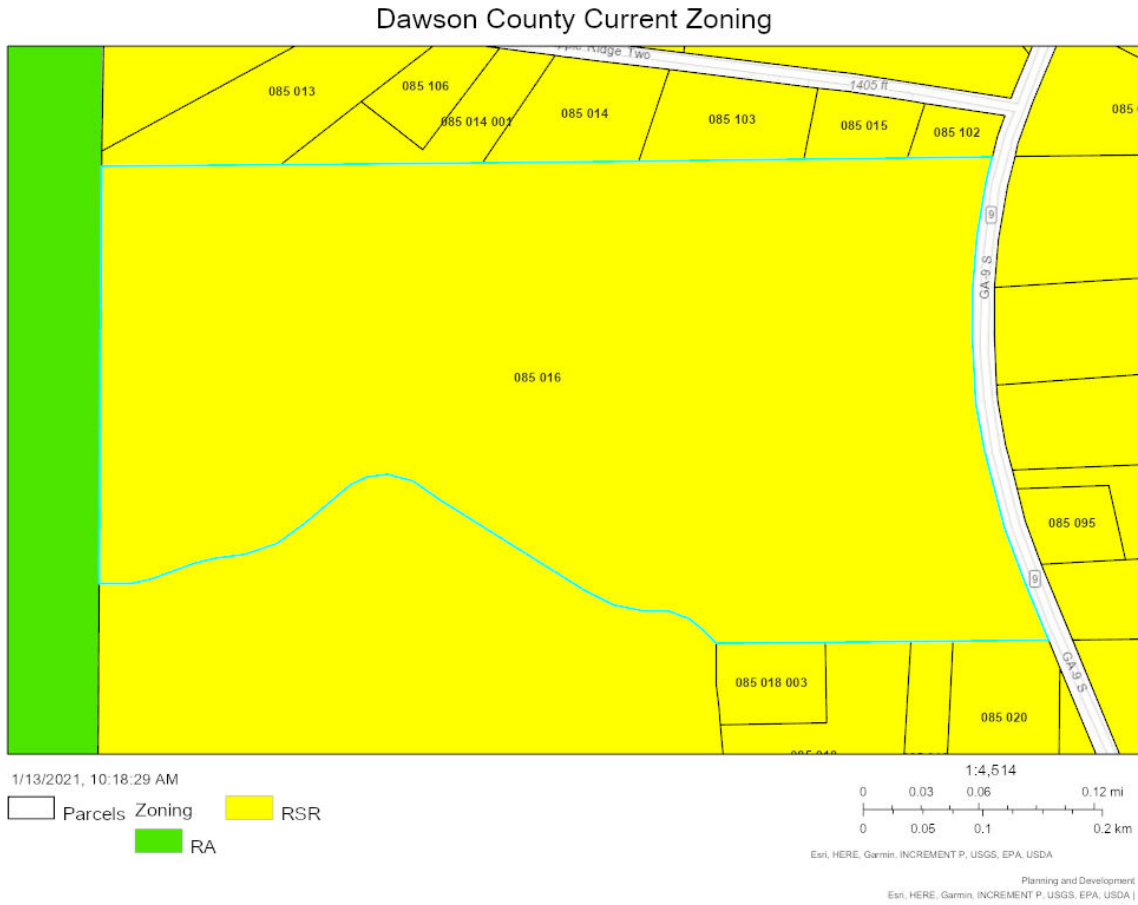
G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.

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

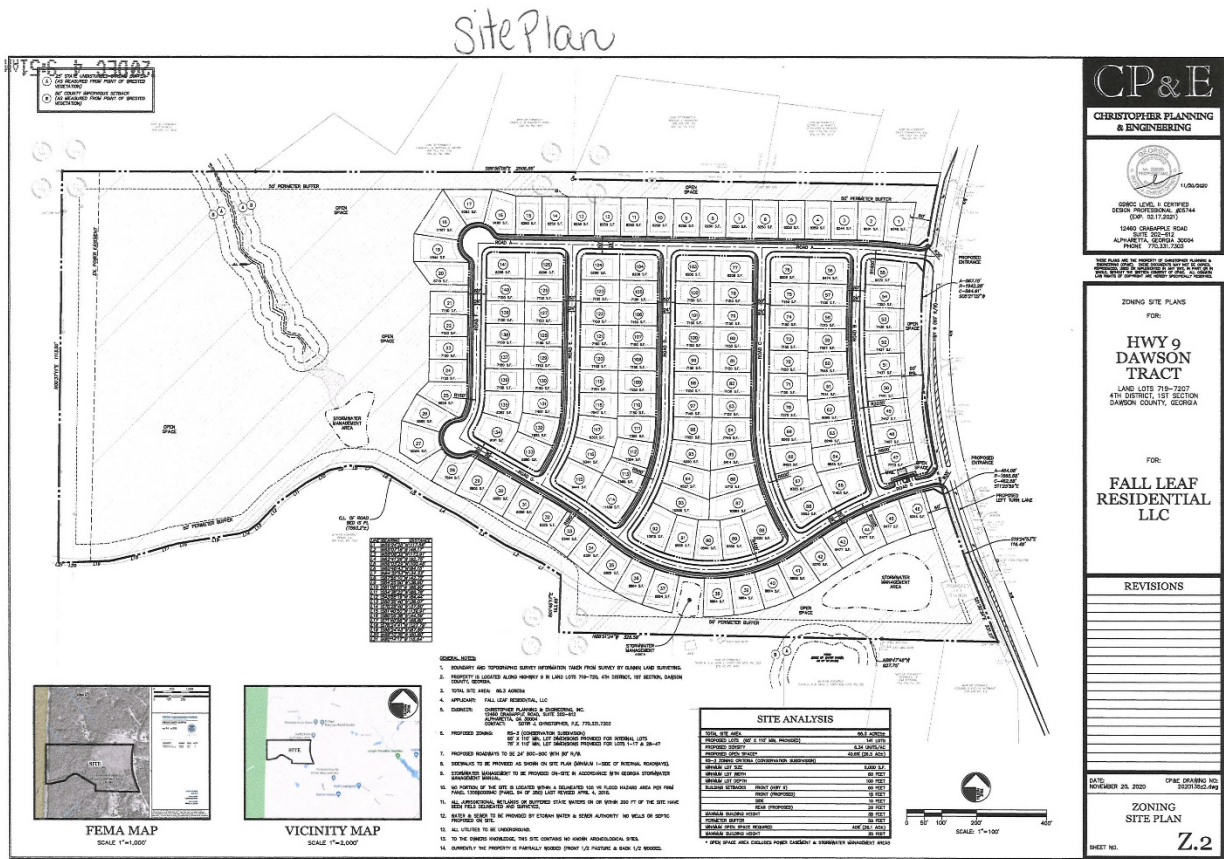
Pictures of Property:



Current Zoning Map:

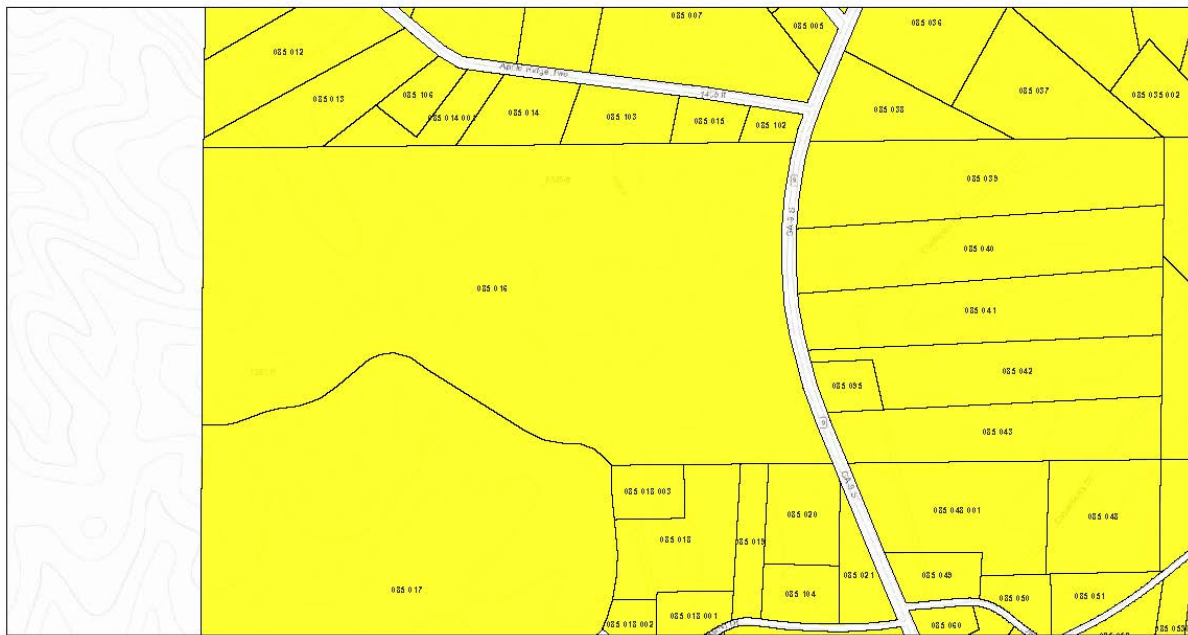


Site Plan:



Future Land Use Map:

Future Land Use Map

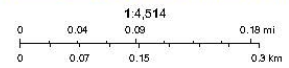


January 13, 2021

Parcels

FLU

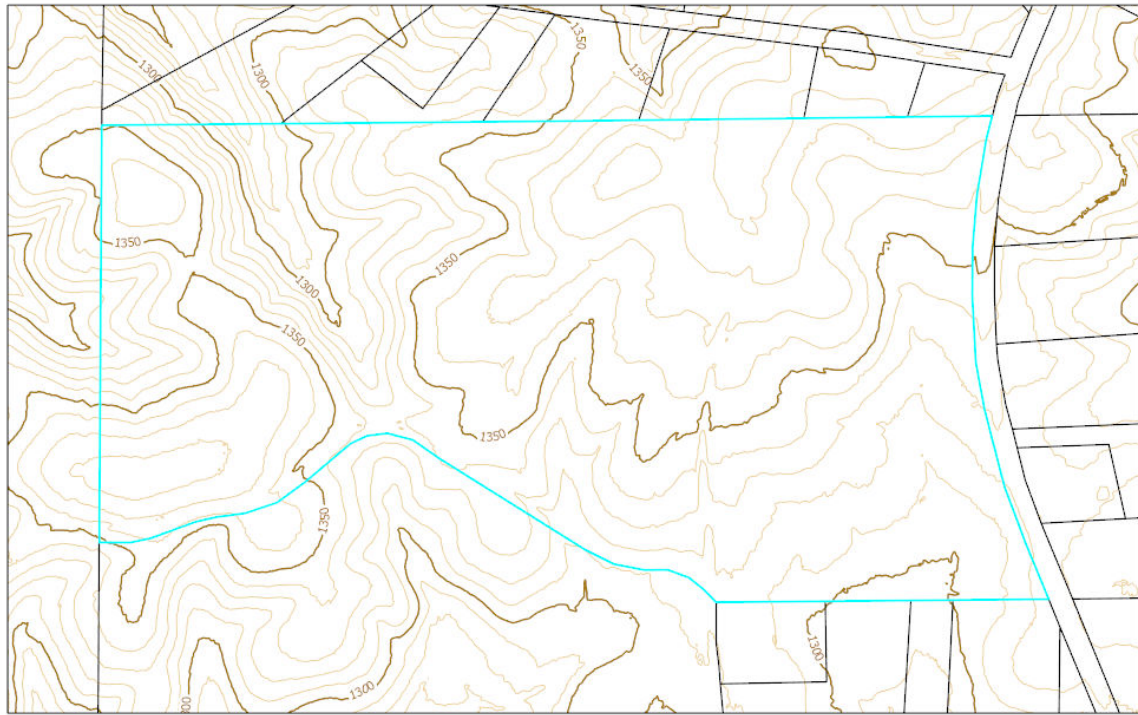
SRR



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

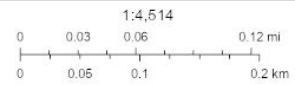
Topography:

Topo Map



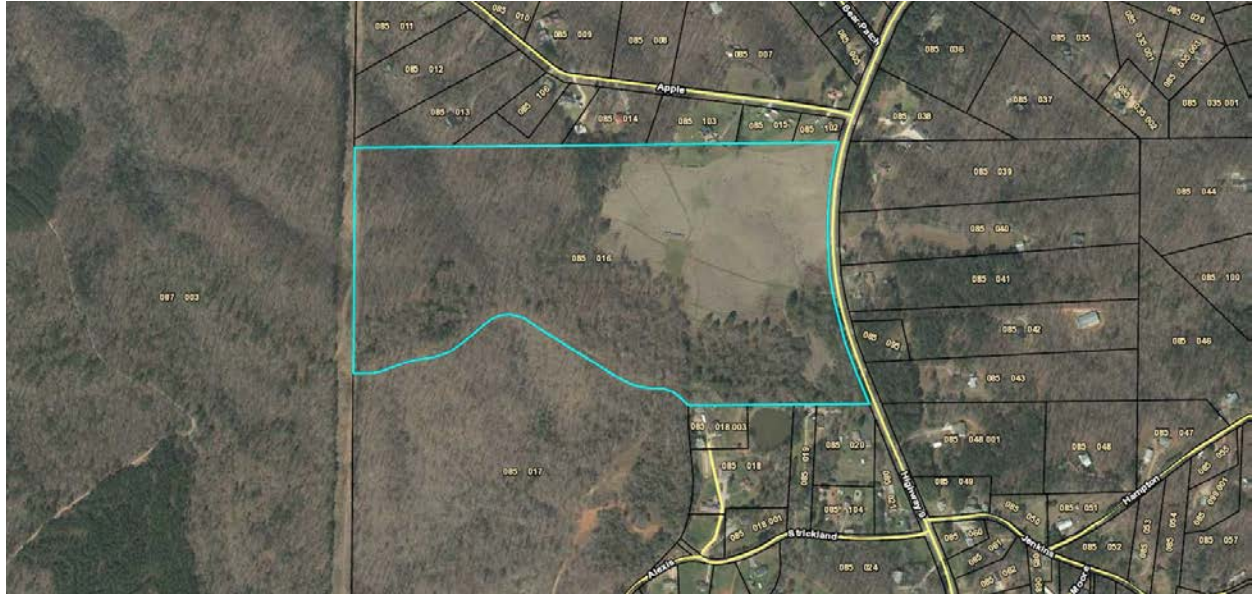
1/13/2021, 11:52:31 AM

□ Parcels



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:



DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 20.20 Tax Map & Parcel # (TMP): 115.044
Submittal Date: 12.11.2020 Time: 11:40 (am/pm) Received by: WJG (staff initials)
Fees Assessed: 250- Paid: check Commission District: 3
Planning Commission Meeting Date: January 19, 2021
Board of Commissioners Meeting Date: Feb. 18 2021

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King

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: Jim King

PROPERTY OWNER/PROPERTY INFORMATION

Name: Jackie & Jerry Townley

Street Address of Property being rezoned: 117 Blue Ridge Overlook, Dawsonville GA

Tax Parcel # 115 044

Rezoning from: RA to RSR- Res. Sub-Rural Total acreage being rezoned: 2.731 acres

Directions to Property: State Route 53 east to Blue Ridge Overlook (right), property is approx 600' on the left.

2020 DEC 11 11:40 AM

Subdivision Name (if applicable): _____ Lot(s) #: 1

Current Use of Property: Residential

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

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

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

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RA South RA East RA West RA

Future Land Use Map Designation: SRR- Sub-Rural Residential

Access to the development will be provided from:

Road Name: Blue Ridge Overlook Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use:

Single Family Residence

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

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

RESIDENTIAL

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

Minimum Heated Floor Area: 1,429 (exist house) sq. ft. Density/Acre: 1

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

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

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

20DEC11 1:40PM

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 12/11/2020

Witness Julie Epps _____

Date 12/11/2020

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.

20DEC11 11:40AM

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 115 080	1. Nicki & Jennifer Thompson	203 Blue Ridge Overlook, Dawsonville GA
TMP 115 043	2. Jerry Townley (owner/applicant)	
TMP 115 045	3. Andrew & Rhonda Jones	8538 Hwy 53E, Dawsonville GA
TMP 115 080 002	4. Patricia Hendrix	3250 Keith Bridge Rd, Cumming GA 30041
TMP 115 122	5. ZTK Holdings, LLC	8660 Hwy 53, Dawsonville GA
TMP 115 031 001	6. V&L Home Investments, LLC	329 Blue Ridge Overlook, Dawsonville GA
TMP 115 031	7. Deborah Bryant	369 Ocmuglee Church Rd Eastmen GA 31023
TMP _____	8. _____	_____
TMP _____	9. _____	_____
TMP _____	10. _____	_____
TMP _____	11. _____	_____
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

Use additional sheets if necessary.

20111114AM

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: _____ *Jim King*

Applicant Printed Name: Jim King

Application Number: _____

Date Signed: 12-11-2020

Sworn and subscribed before me

this 11 day of December, 2020.

Mardie L. Townley
Notary Public

My Commission Expires: April 24, 2021



20DEC11 11:40AM

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.

20DEC11 11:40AM

PROPERTY OWNER AUTHORIZATION

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

Parcel #'s 115-043 & 115 044 117 Blue Ridge Overlook, Dawsonville GA 30534


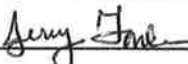
as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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

Printed Name of applicant or agent: Jim King

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

Printed Name of Owner(s): Jackie Townley & Jerry Townley

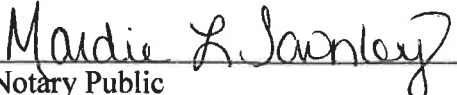
Signature of Owner(s):   Date: 12/11/2020

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed
Unlisted

Sworn and subscribed before me this 11 day of December, 2020.


Notary Public

My Commission Expires: April 24, 2021



(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.)

2020 DEC 11 11:40 AM

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 Dawsonville (city), Georgia (state)

Jim King
Signature of Applicant

12/11/2020
Date

Jim King
Printed Name

Ensite Civil Consulting, LLC
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 11 DAY OF December, 2020

Mardie L. Townley Notary Public

My Commission Expires: April, 24, 2021



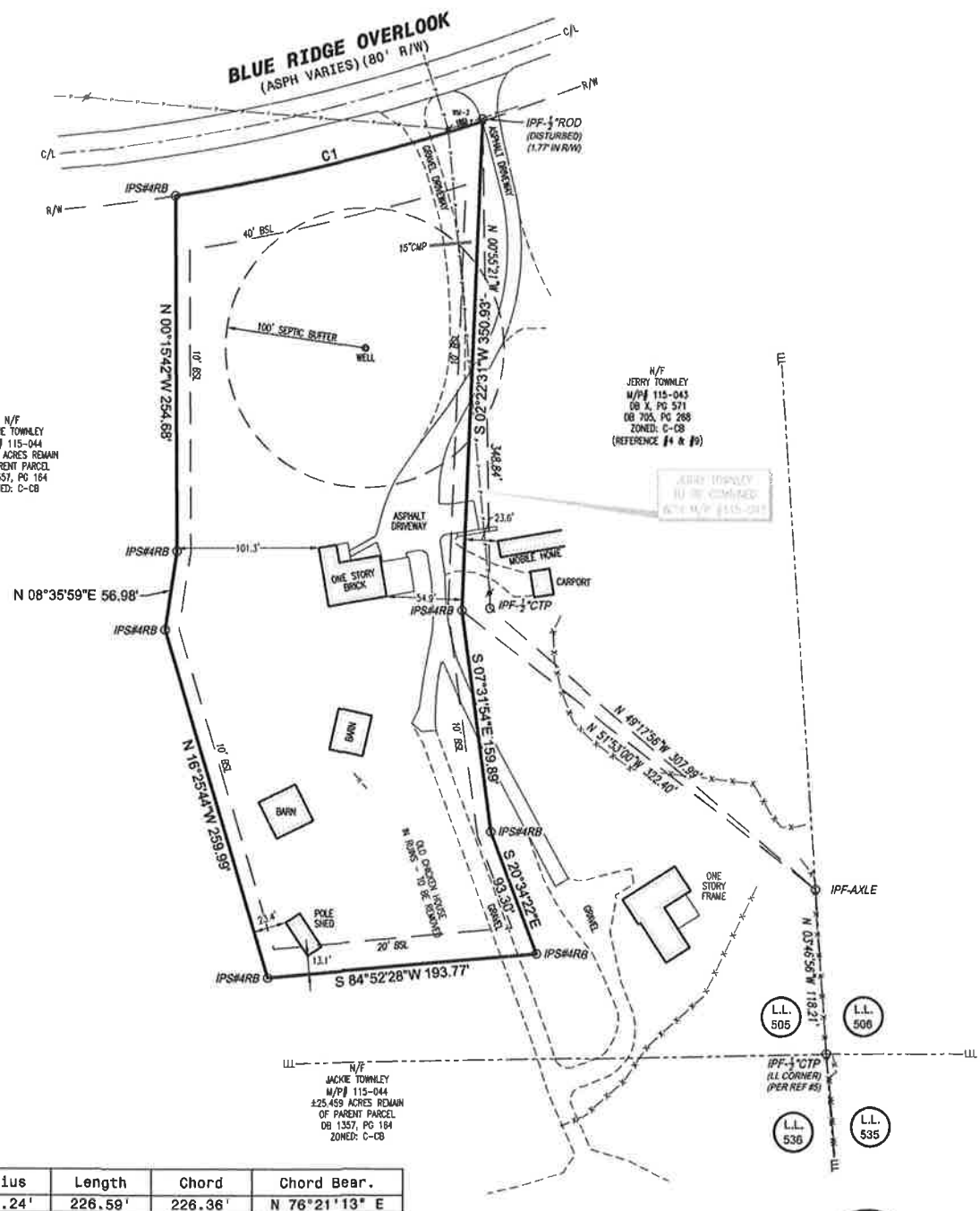
20DEC11 11:40AM

TOTAL = 2.731 ACRES

118,977.891 SQUARE FEET



- LEGEND**
- BSL = BACK SLOPE
 - B/L = BUILDING SETBACK LINE
 - P/L = PROPERTY LINE
 - R/W = RIGHT OF WAY
 - LL = LAND LOT LINE
 - N/W = NOW OR FORMERLY
 - M/P# = TAX MAP / PARCEL NO.
 - POB = POINT OF BEGINNING
 - M/S = MET TO SCALE
 - ST = IRON PIN FOUND
 - IPS = IRON PIN SET
 - CON MON = CONCRETE MONUMENT
 - MB = REBAR
 - CTP = CRAMP TOP PIPE
 - OTF = OPEN TOP PIPE
 - 50 100 = SQUARE ROD
 - AP = ANGLE IRON FOUND
 - CMP = CORRUGATED METAL PIPE
 - RCP = REINFORCED CONC. PIPE
- LEGEND**
- WM = WATER METER
 - WV = WATER VALVE
 - PO = POWER POLE
 - LP = LIGHT POLE
 - SP = SERVICE POLE
 - PHBOX = PHONE BOX
 - U/G = UNDERGROUND
 - C/S = SEWER CLEAN-OUT
 - MB = MAILBOX
 - SS = SANITARY SEWER
 - MH = MAN HOLE
 - FFL = FINISHED FLOOR ELEV.
 - FN = FIRE HYDRANT
 - D/S = GAS LINE
 - P- = POWER LINE
 - S/S = SANITARY SEWER LINE
 - FM = FURNACE FORCE MAIN
 - T- = TELEPHONE LINE
 - M- = WATER LINE
 - F- = FENCE LINE



THIS SURVEY AND ITS FINDINGS DOES NOT CONSTITUTE A TITLE SEARCH OR TITLE OPINION BY MCCLURE SURVEYING, INC. AS LAND SURVEYORS. ALL DATA USED FOR THE LOCATION OF PROPERTY LINES, EASEMENTS, ADJOINING OWNERS, ETC. WAS GAINED FROM PUBLIC RECORDS, THE CLIENT, OR OTHER SOURCES AS REFERENCED. NO ABSTRACT OF TITLE OR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE PROVIDED TO THE SURVEYOR, UNLESS OTHERWISE NOTED. OTHER DOCUMENTS OR SITUATIONS MAY EXIST THAT WOULD AFFECT THIS PROPERTY, AS WITH ANY LAND TRANSACTION, A TITLE SEARCH AND CERTIFICATE IS RECOMMENDED IN CONNECTION WITH THIS SURVEY, OR YOU MUST CONSULT A COMPETENT TITLE ATTORNEY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS OF PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN GEORGIA PLAT ACT O.C.G.A. 15-8-67, AUTHORITY O.C.G.A. SECS 15-8-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

PROPERTY OWNER ACKNOWLEDGES THAT ANY SEPTIC SYSTEMS CONFORM TO ALL SETBACK REQUIREMENTS. APPROVAL OF PLAT DOES NOT GUARANTEE THAT THE DAWSON COUNTY HEALTH DEPARTMENT WILL ISSUE A SEPTIC SYSTEM PERMIT.

DATE OF SURVEY: FEBRUARY 12, 2020

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN N/A (LOCAL) FEET AN ANGULAR ERROR OF N/A SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 431.132 FEET.

BEARINGS SHOWN ARE BASED ON ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION AND ARE SUBJECT TO FIELD CONDITIONS.

THE EQUIPMENT USED FOR ANGULAR AND DISTANCE MEASUREMENTS WAS A LEICA ROBOTIC TOTAL STATION, TS12.

THIS PROPERTY IS NOT LOCATED WITHIN THE 100-YEAR FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP NO. 1308502255, DATED 4-4-18.

- NOTES & REFERENCES**
1. TAX MAP/PARCEL PART OF #115-044
 2. CURRENT ZONING = RA PROPOSED ZONING = RSR
 3. SETBACKS - RSR FRONT - 40 FEET SIDE - 25 FEET REAR - 25 FEET
 4. PLAT BOOK 10 PAGE 53
 5. PLAT BOOK 33 PAGE 18
 6. PLAT BOOK 35 PAGE 81
 7. PLAT BOOK 44 PAGE 217
 8. PLAT BOOK 48 PAGE 27
 9. PLAT OF SURVEY FOR JERRY TOWNLEY, BY HENRY BAILEY, DATED MAY 28, 1980.
 10. PLAT OF PROPERTY OF MR. & MRS. C.D. HOLBROOK, BY CECIL S. MIZE, DATED AUGUST 30, 1972.
 11. DEED BOOK 64 PAGE 280
 12. DEED BOOK 18 PAGE 85

Curve	Radius	Length	Chord	Chord Bear.
C1	1455.24'	226.59'	226.36'	N 76°21'13" E

REZONING PLAN FOR:
JACKIE TOWNLEY & JERRY TOWNLEY

P/O LOTS 27 & 28 MRS. SHELDON PUGH ESTATE
 LAND LOT 505
 SOUTH HALF 13TH DISTRICT
 1ST SECTION
 DAWSON COUNTY, GEORGIA
 PLAT DATE: NOVEMBER 20, 2019
 REVISIONS:



McCLURE SURVEYING, INC.
 2505 JOHNSON DRIVE - SUITE D
 CUMMING, GA 30040
 O: (470) 297-5592 O: (770) 889-0281
 NATHAN@MCCLURESURVEYING.COM

Surveyor's Certificate
 It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated and that their locations, size, type, and material are correctly shown.

By: _____
 Registered Georgia Land Surveyor No. 3086



JOB NO. 19194

2020 Property Tax Statement

Bill Number	Due Date	CURRENT YEAR DUE
14126	12/1/2020	\$0.00

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

Payment Good Through:

Map: 115 044

Last payment made on: 11/30/2020

Location: 117 BLUE RIDGE OVERLOOK

TOWNLEY JACKIE & JERRY TOWNLEY

DAWSONVILLE, GA 30534

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: TOWNLEY JACKIE & JERRY TOWNLEY
Map Code: 115 044
Description: LL 505 536 LD 13-S
Location: 117 BLUE RIDGE OVERLOOK
Bill Number: 14126
District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$186,460.00	\$521,100.00	28.19	707560	12/1/2020	11/30/2020		SV

TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	707560	283024	184362	98662	0	0	0	0
COUNTY M&O	707560	283024	184362	98662	12.377	1221.14	0	777.95
SALES TAX ROLLBACK	0	0	0	98662	-4.492	0	-443.19	0
SCHOOL M&O	707560	283024	184362	98662	15.778	1556.69	0	1556.69
TOTALS					23.663	2,777.83	-443.19	2,334.64

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:	\$2,334.64
Penalty:	\$0.00
Interest:	\$0.00
Other Fees:	\$0.00
Back Taxes:	\$0.00
Amount Paid:	\$2,334.64
TOTAL DUE:	\$0.00

20DEC11 11:40AM

LETTER OF INTENT

The Applicant, Jim King, is representing the owners, Jacky & Jerry Townley, in their rezoning request to rezone 2.731 acres from RA (Residential Agricultural) to RSR (Residential Sub-Rural) in order to subdivide their existing 28.19-acre property into 2 parcels. The subdivision of Tax Parcel #115 044 is sought in order to provide a house and 2.731 acres for a family member. The current RA zoning does not allow subdivision to create a tract less than 5 acres and therefore, it is necessary for the applicant to seek the requested rezoning.

20250114AM

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT**

Applicant.....Jim King obo Jackie & Jerry Townley

Amendment #ZA 20-26

Request.....Rezone a portion of the property from R-A (Residential Agriculture) to RSR (Residential Sub-Rural)

Proposed UseRezone a portion of the property for the purpose of subdividing the parcel according to RSR guidelines to gift a family member

Current ZoningR-A (Residential Agriculture)

Size.....2.731± acres

LocationBlue Ridge Overlook

Tax Parcel115-044

Planning Commission DateJanuary 19, 2021

Board of Commission Date.....February 18, 2021

Applicant Proposal

The applicant is seeking to rezone a portion the property from R-A (Residential Agriculture) to RSR (Residential Sub Rural) for the purpose of subdividing the 28.19-acre parcel into 2 parcels.

History and Existing Land Uses

The property is currently 28.19 acres. It has one residence built in 1964.

Adjacent Land Uses	Existing zoning	Existing Use
North	RA	Residential
South	Unknown	Forsyth County
East	CCB and CHB	Commercial
West	RA	Residential

Development Support and Constraints

Having the land zoned for a Residential Sub-Rural would allow the applicant to subdivide the 2.731 acres from the 28.19.

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), This would be in compliance.

Public Facilities/Impacts

Engineering Department – “Asphalt, two lane traffic with 12’ travel lanes. Major collector road. Wearing surface is in decent shape. Shoulders are in need of repair, plans for safety shoulders are in place. A residential driveway permit shall be needed at the time development.

Environmental Health Department –No comments returned.

Emergency Services – No comments necessary.

Etowah Water & Sewer Authority – Septic systems are the only available options as sanitary sewer is not available. Any extensions of water mains would need to be done through Etowah Water.

Dawson County Sheriff’s Office – No comments returned.

Analysis

- This being in compliance with the Future Land Use, there are no issues with this request.

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

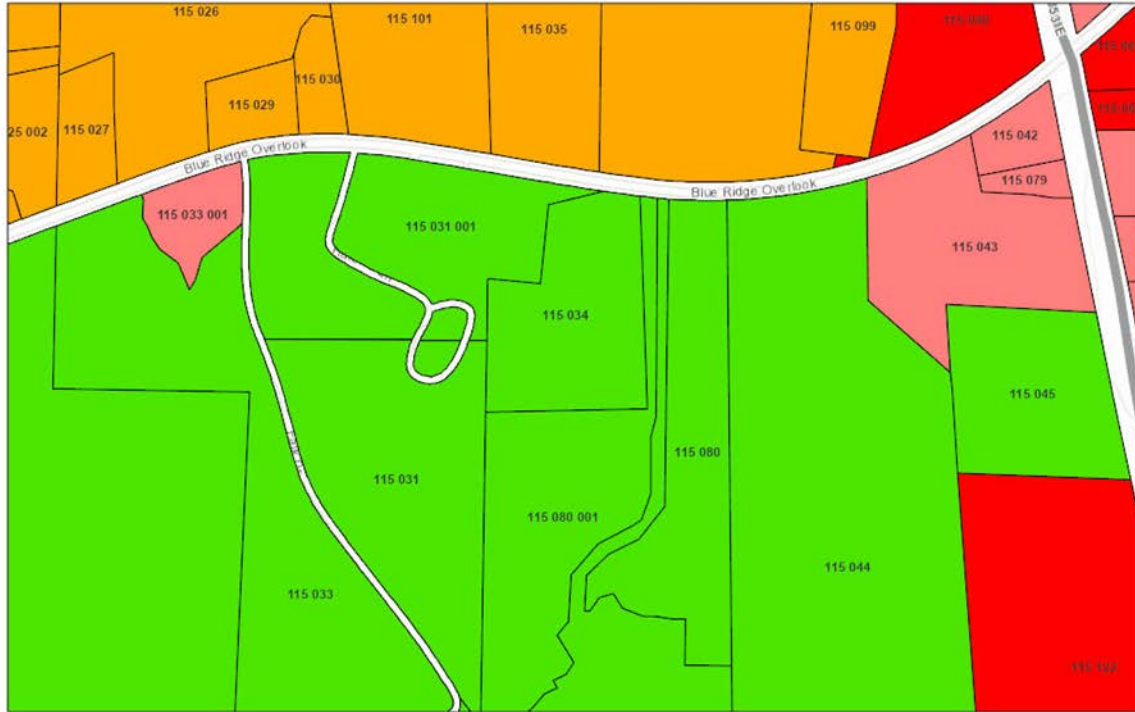
- A. The existing uses and classification of nearby property.**
Outside of the commercial component at the corner of War Hill Park/Blue Ridge Overlook and HWY 53. This area is predominantly residential.
- B. The extent to which property values are diminished by the particular land use classification.**
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 suitable for the purposed 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 not vacant.
- 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 applicant would subdivide the property and is unable under current zoning restrictions.

Pictures of Property:



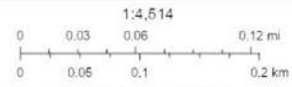
Current Zoning Map:

Dawson County Current Zoning



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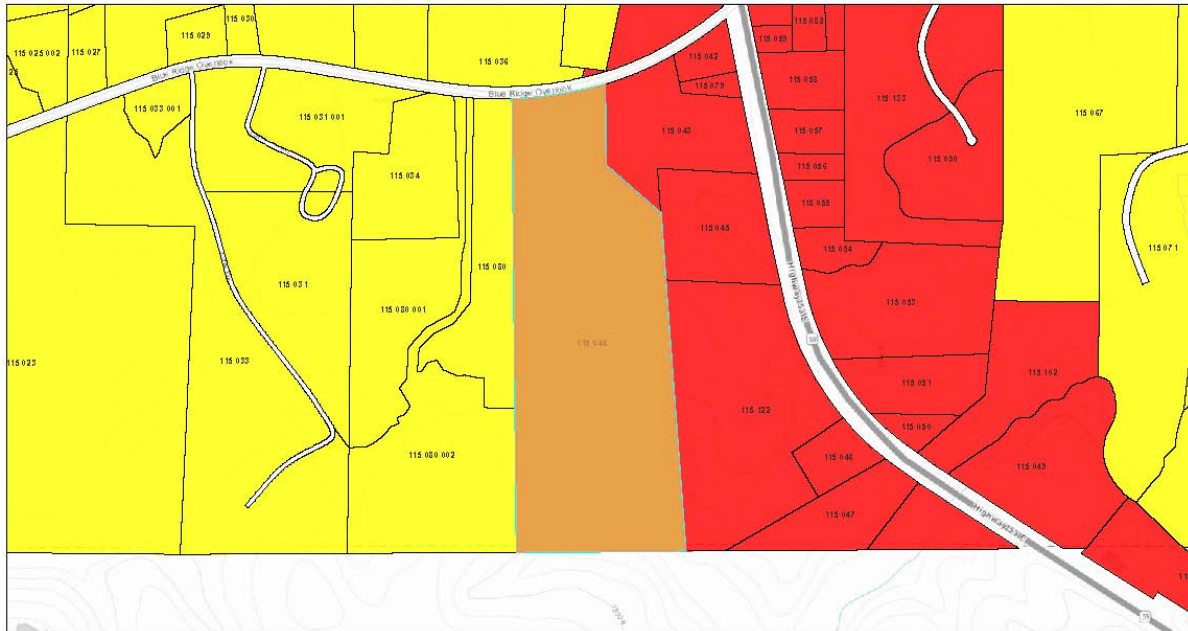
Parcels Zoning
C-HB RMF
RA C-CB



Forsyth County GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA,
Planning and Development
Forsyth County GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA [

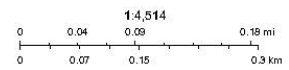
Future Land Use Map:

Future Land Use Map



January 13, 2021

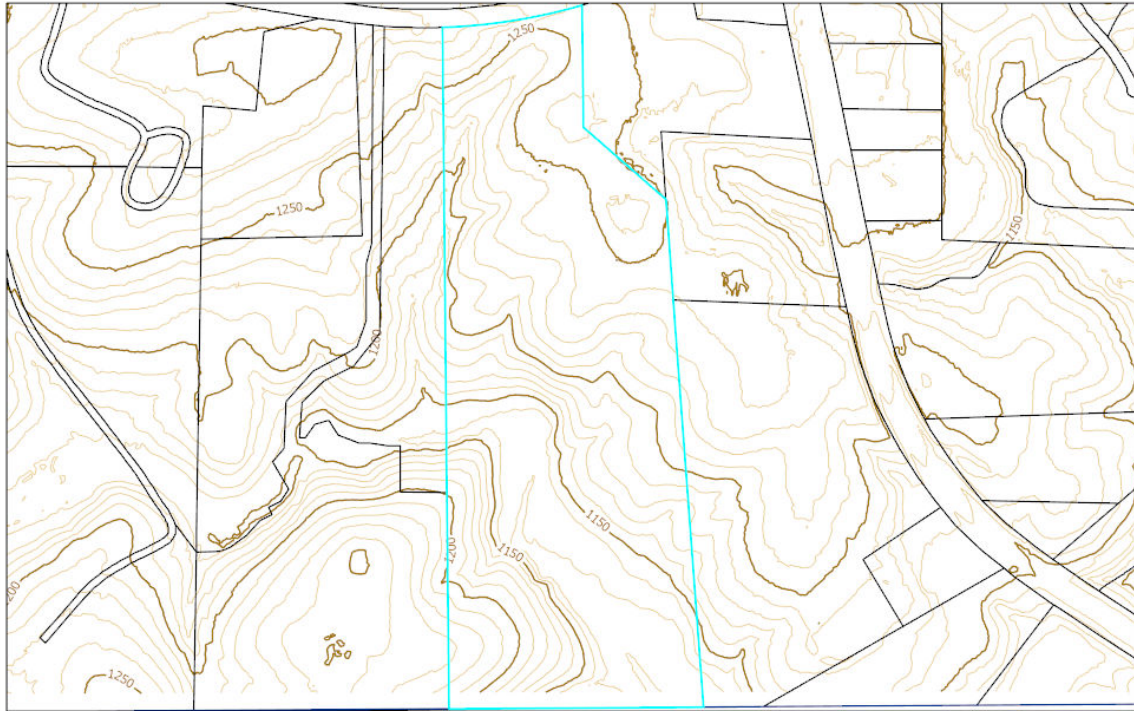
- Parcels
- FLU
 - SRR
 - CHB



Forsyth County GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

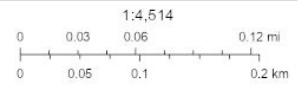
Topography:

Topo Map



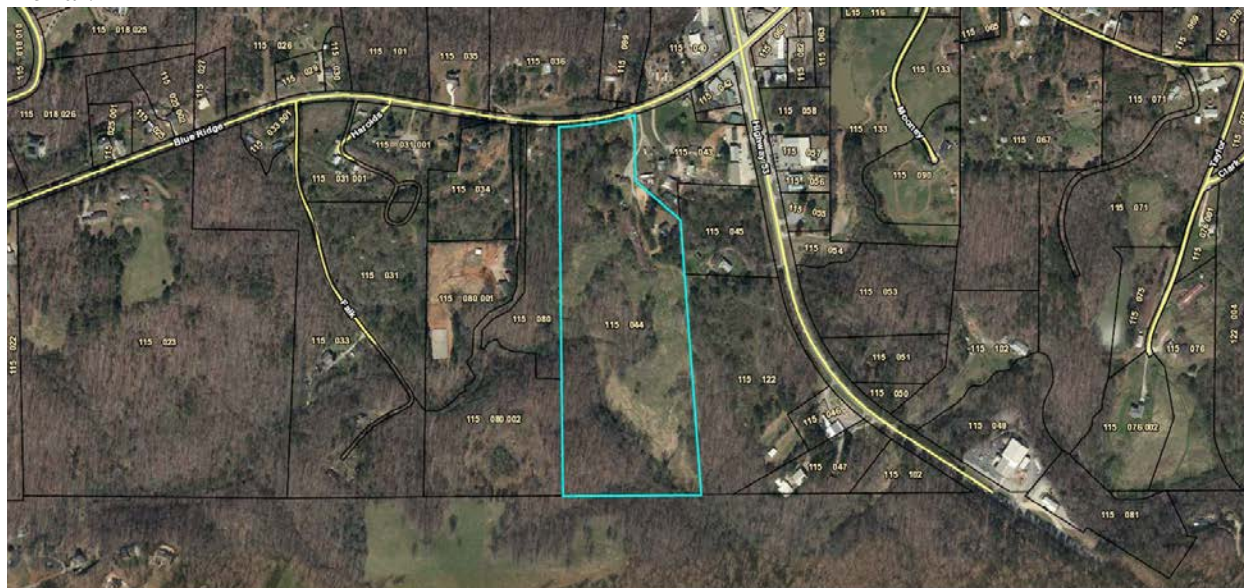
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- County Line
- ▭ Parcels

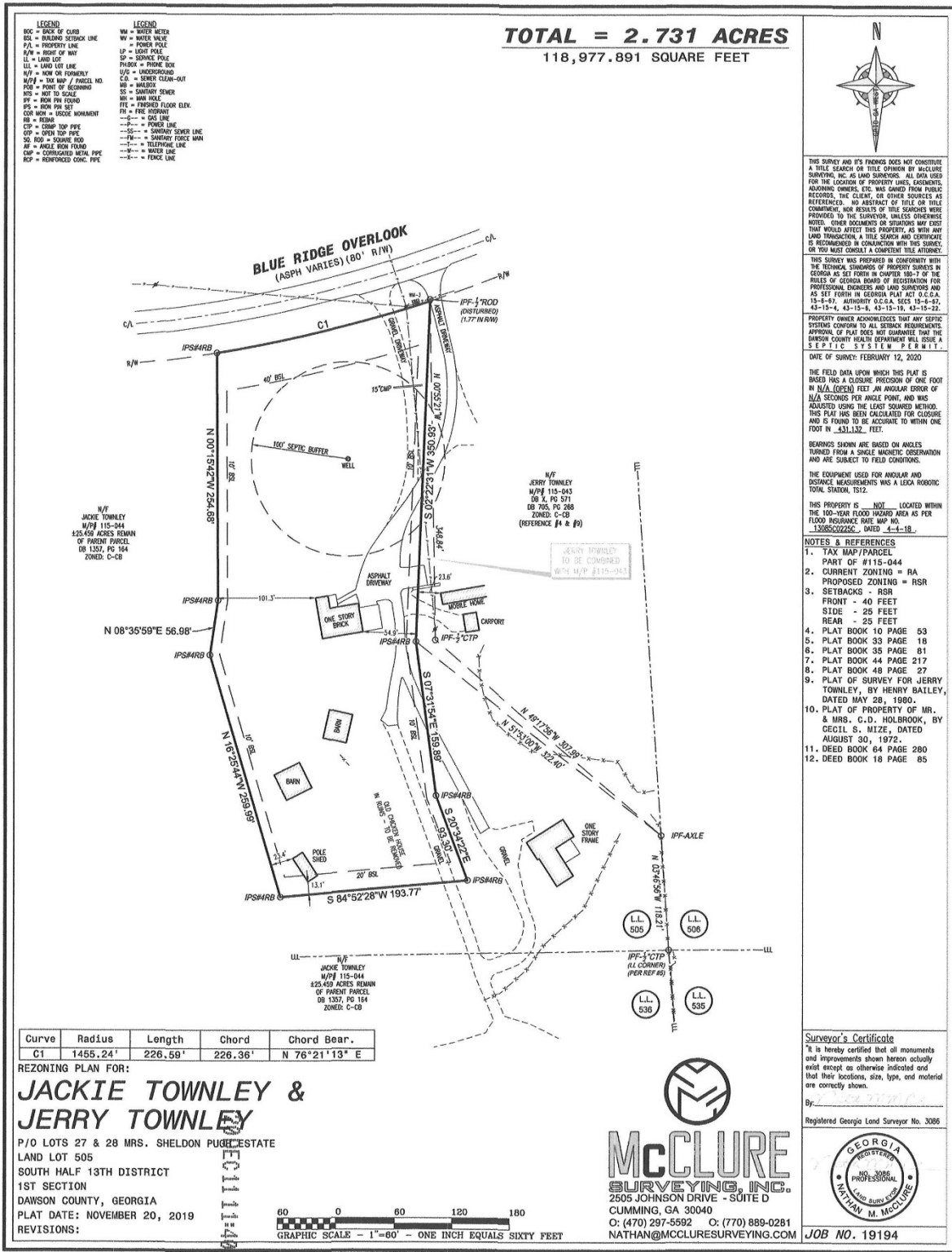


The information on this map (or data product) is from a computer database accessed using a Geographic Information System (GIS). Dawson County Public Works cannot guarantee the accuracy of the information contained on this map. Each user of this map is responsible for verifying the accuracy of the information.

Aerial:



Site Plan:



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 Received by: hgw (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
Personal
Status: [] Owner [X] 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

N/A

Subdivision Name (if applicable): NIA 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 C-DI + 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 Johnny Lee _____ Date 12.28.2020

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.

TMP	First	Last	Address	City/State/Zip	Case#
113-032	Dawson Commons Dev. LLC		2700 Cumberland Pkwy Ste 130	Atlanta, GA 30339	ZA 19-16
113-086	Georgia Theatre Co.		50 Cinema Ln.	St. Simons Island, GA 31522	ZA 19-16
113-042	WIS Dawson, LLC		500 Sea Island Rd.	St. Simons Island, GA 31522	ZA 19-16
113-085	NEGA Primary Care		743 Spring St. NE	Gainesville, GA 30501	ZA 19-16
113-179	Regions Bank		250 Riverchase Pkwy E Ste 600	Birmingham, AL 35244	ZA 19-16
113-085-001	Black Mtn. Management, LLC		2128 Yahoola Rd.	Dahlonega, GA 30533	
113-037					
113-145					
113-101	The Johnson Family Group, LLC		131 Lumpkin Campground Rd. N	Dawsonville, GA 30534	ZA 19-16
113-036	Sawnee EMC				
113-074	GDOT		P.O. Box 1057	Gainesville, GA 30503	
113-038	JRF Energy, LLC		33 Lumpkin Campground Rd. S	Dawsonville, GA 30534	ZA 19-16
113-097	Turtle Creek Enterprises, LLC		6625 Hwy 53 E Ste 410-203	Dawsonville, GA 30534	ZA 19-16
113-120	Kenny & Deborah	Pelfrey	5362 Hwy 53 E	Dawsonville, GA 30534	ZA 19-16
113-035	Larry	Pirkle	271 Lumpkin Campground Rd. N	Dawsonville, GA 30534	ZA 19-16

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]
Signature of Applicant
Jameson Kinley
Printed Name

Date

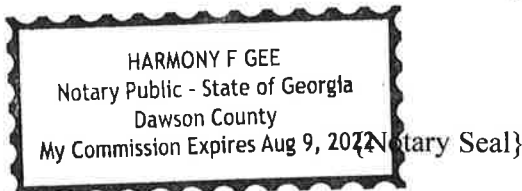
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 22 DAY OF December, 2020

[Signature] 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 #):

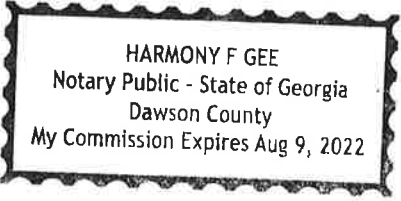
as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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: [Signature] 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.
[Signature]
Notary Public
My Commission Expires: August 9, 2022



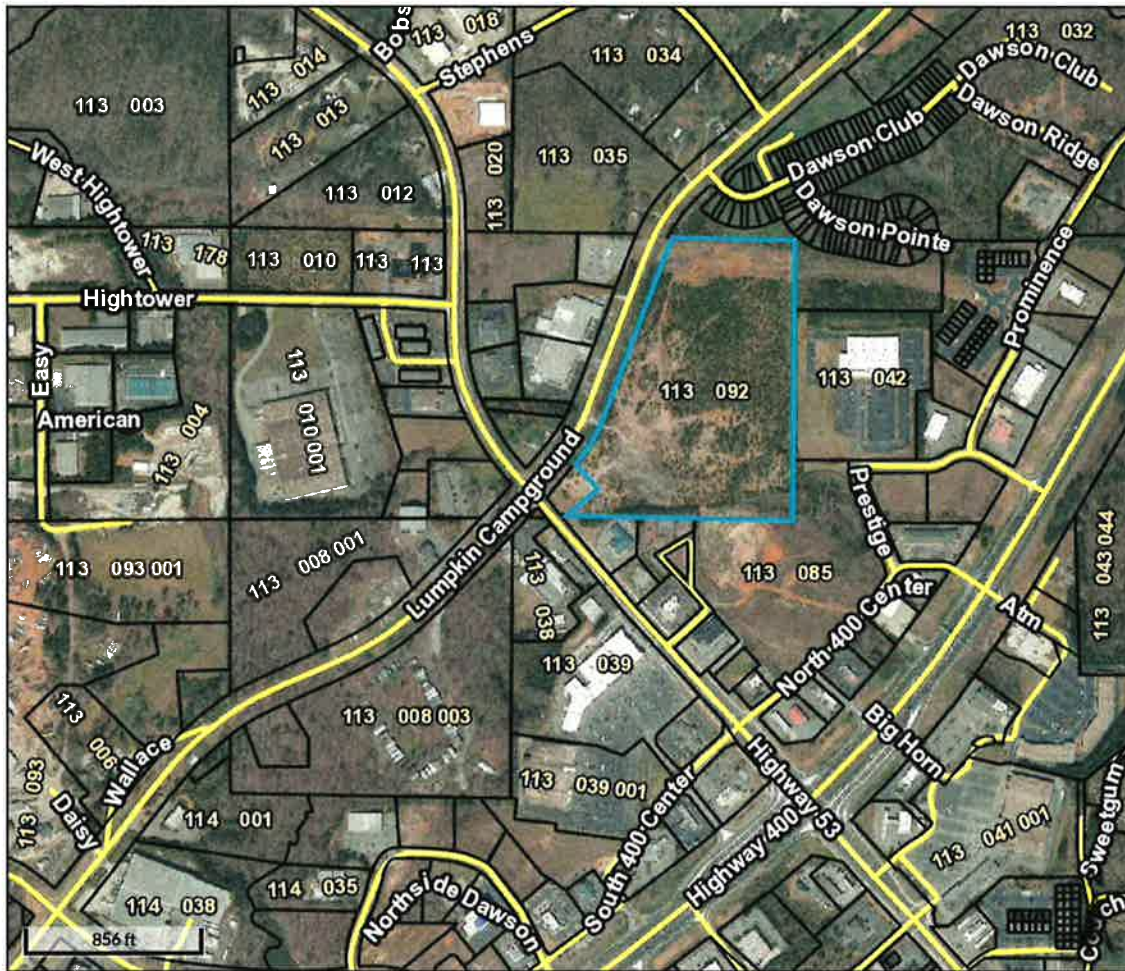
{Notary Seal}

(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]



Overview



Legend

 Parcels

Parcel ID: 113 092
Alt ID: 8271
Owner: D53 LLC
Acres: 25.07
Assessed Value: \$1504200

Date created: 12/22/2020
Last Data Uploaded: 12/22/2020 12:35:10 AM

Developed by  **Schneider**
GEOSPATIAL



**DAWSONVILLE
EXHIBIT "A"**

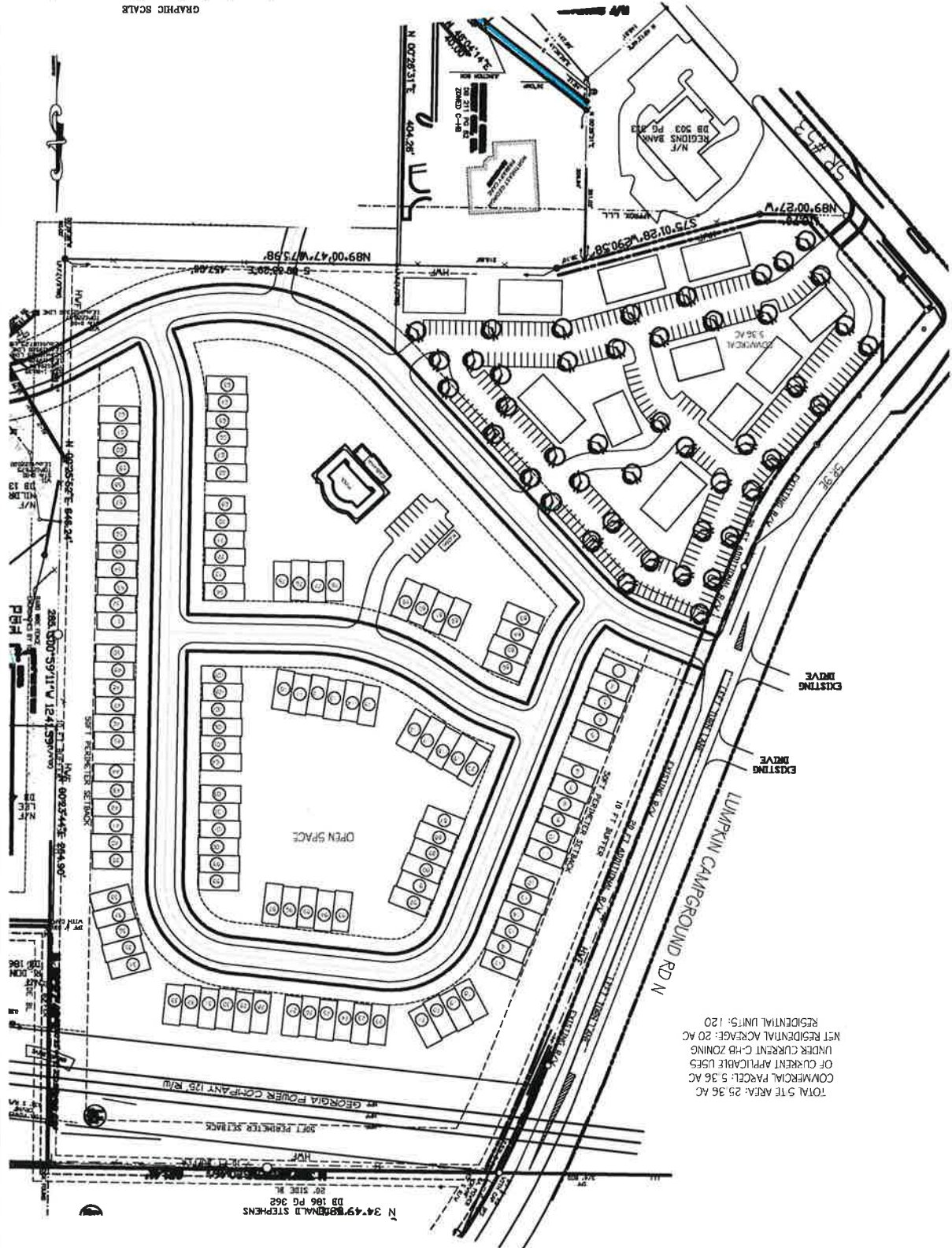
**RIDGELINE
LAND PLANNING, INC.**
333 KENNEDY BLVD. SUITE 100
DALLAS, TEXAS 75201
PH: (972) 242-1100
WWW.RIDGELINELANDPLANNING.COM

**CONCEPTUAL
MASTER
PLAN**

DATE	11/10/2020
DESCRIPTION	
NO.	
BY	
DATE	
NO.	
BY	
DATE	
NO.	
BY	
DATE	

JOB NUMBER	
DATE	11/10/2020
NO.	
BY	
DATE	
NO.	
BY	
DATE	

C-3



TOTAL SITE AREA: 25.36 AC
 COMMERCIAL PARCEL: 5.36 AC
 OF CURRENT APPLICABLE USES
 UNDER CURRENT C-HB ZONING
 NET RESIDENTIAL ACREAGE: 20 AC
 RESIDENTIAL UNITS: 120

N 34°49'30" E RICHARD L STEPHENS
 DB 186 PG 362
 20' SETBACK

**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.

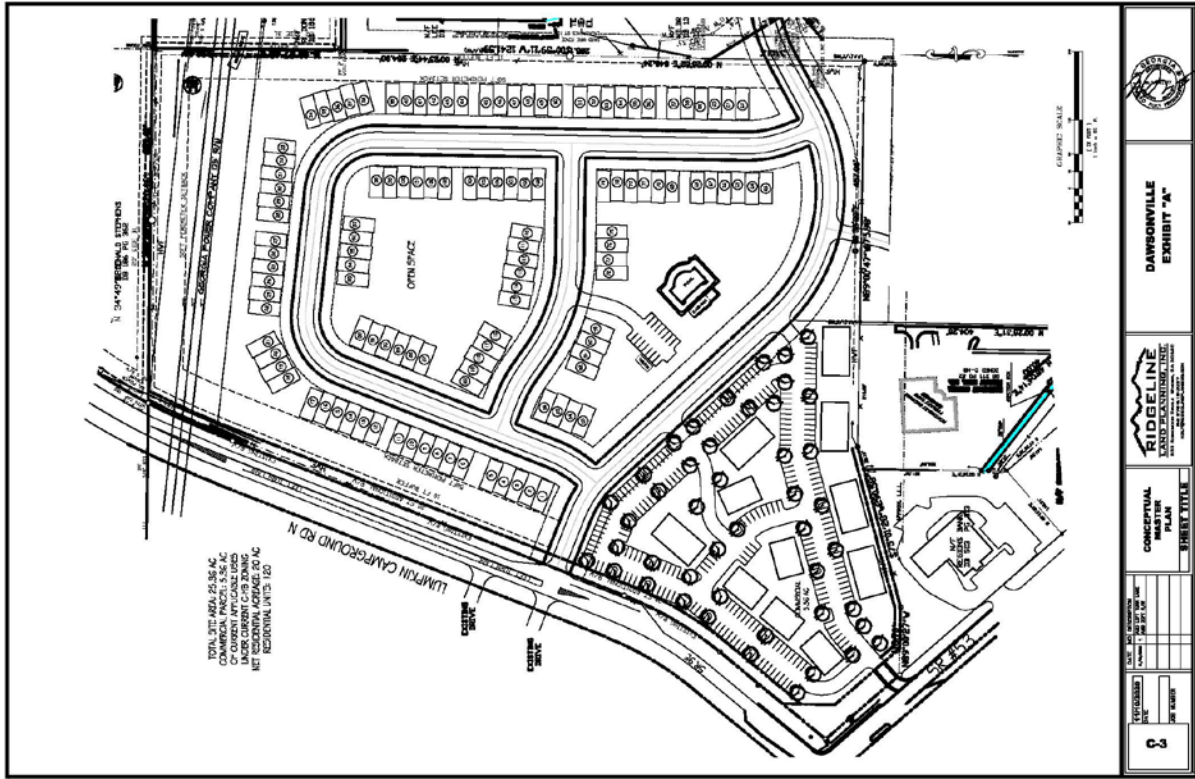
G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.

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:

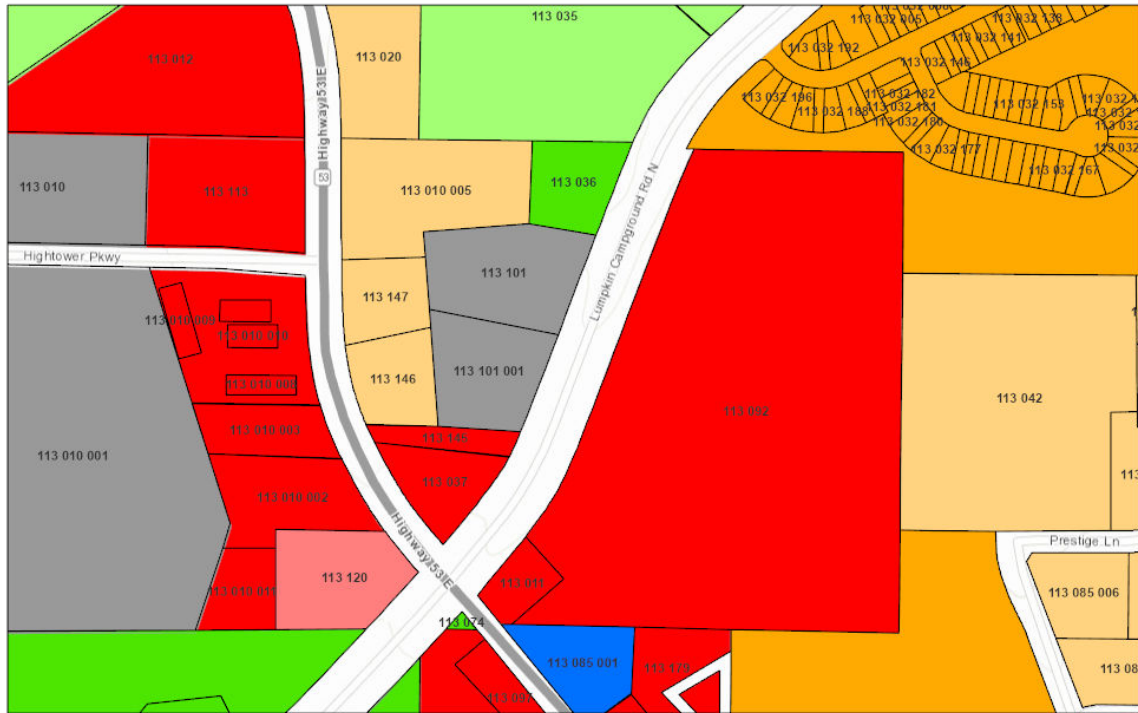


Site Plan:



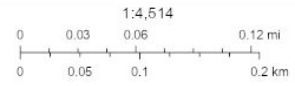
Current Zoning Map:

Dawson County Current Zoning



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- | | | | | | |
|---------|--------|-------|------|-------|-----|
| Parcels | Zoning | C-HB | C-CB | C-PCD | RMF |
| | RA | RSRMM | C-IR | C-OI | HD |



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

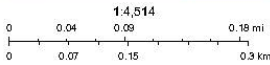
Planning and Development
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

Future Land Use Map:

Future Land Use Map



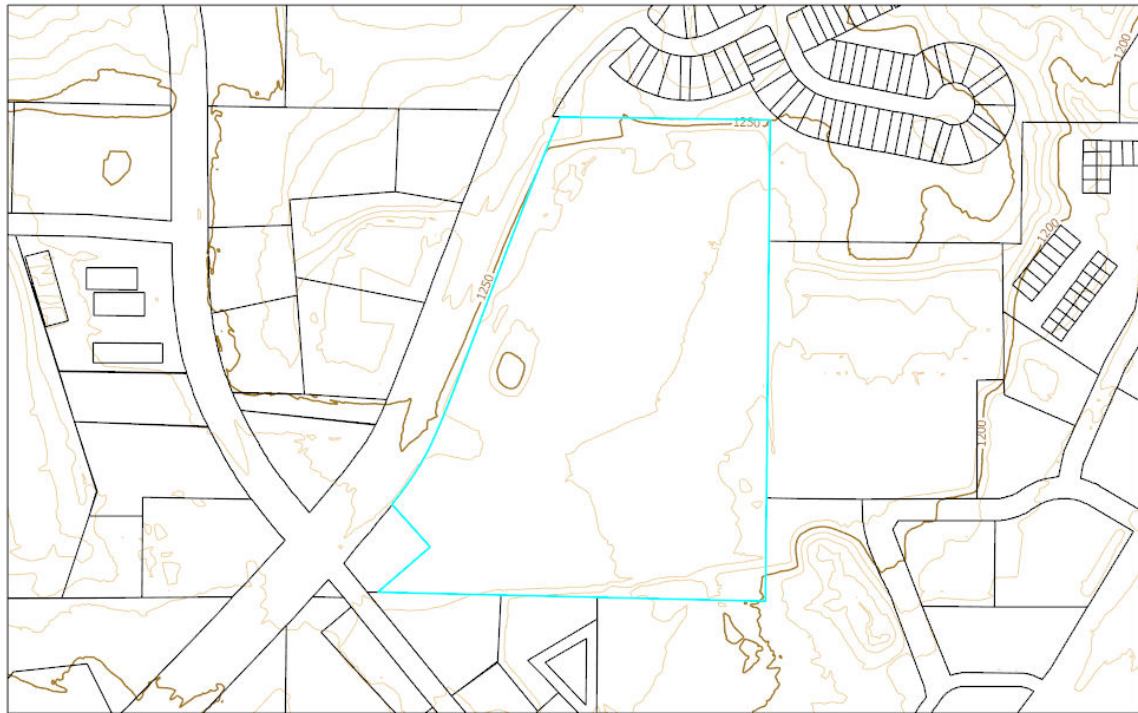
September 12, 2019
 FLU
 CHB
 LI
 MFR
 PI



Sources: Esri, HERE, Garmin, Intermap, iqc.com, GEBCO, USGS, FRS, NPS, NRCAN, GeoEye, IGN, Aeriatech, CNR, Swire, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

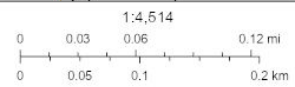
Topography:

Topo Map



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Parcels



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:

