

**DAWSON COUNTY PLANNING COMMISSION**  
**MEETING Agenda – Tuesday, April 19, 2022**  
**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:**

There will be a Planning Commission Meeting May 17<sup>th</sup> 2022

**F. APPROVAL OF MINUTES:**

March 15<sup>th</sup> 2022

**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.*

**I. OLD BUSINESS:**

1. Presentation of ZA 21-18 & SU 21-05 Benjamin Smith (Tabled from the September 21<sup>st</sup> 2021 meeting)
2. Presentation of ZA 22-04 Fox Creek Properties, Inc. (Public Hearing held on March 15, 2022)

**J. NEW BUSINESS:**

**Application for Variance:**

1. Presentation of VR 22-08 Caren Martin
2. Presentation of VR 22-09 Andrew Eckert
3. Presentation of VR 22-10 Joe Byess

**Application for Rezoning:**

4. Presentation of ZA 22-10 George & Phyliss Robinson
5. Presentation of ZA 22-11 Tyler Burt

**K. PUBLIC HEARINGS:**

1. Presentation of Comprehensive Plan Minor Update (Public Hearing One of Two)
2. Presentation of Land Use Resolution Update (Public Hearing One of Two)
3. Presentation of Subdivision Regulations Update (Public Hearing One of Two)

**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 PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**..... Benjamin Smith

**Amendment #**..... ZA 21-18 & SU 21-05

**Request**..... Downzone parcel from RSR to R-A; and Special Use permit for a temporary sawmill

**Proposed Use**..... Placing a temporary saw mill on a R-A zoned parcel

**Current Zoning**..... RSR (Residential Sub Rural)

**Size**..... 5.0± acres

**Location**..... Patience Way

**Tax Parcel**..... 102 040

**Planning Commission Date** ..... April 19, 2022

**Board of Commission Date**..... May 19, 2022

---

**Applicant Proposal**

Mr. Smith is seeking a Special Use of his parcel so that a temporary saw mill may be set up on his parcel for up to 12 (twelve) months along with downzoning his parcel to allow the Special Use. Mr. Smith will be milling the wood that is on the parcel to use on a barn and the wood flooring that is to be constructed on the parcel.

**History and Existing Land Uses**

Mr. Smith and his wife purchased the vacant property in February 2021 with the intention of building their primary residence. After the purchase of the property and Mr. Smith came in to Planning and Development to permit the workshop it was explained that due to the zoning of the parcel that he would be unable to construct an accessory structure prior to the construction of the primary residence and a sawmill would not be permissible in the RSR zoning classification.



<b>Adjacent Land Uses</b>	<b>Existing zoning</b>	<b>Existing Use</b>
North	RSR	Residential
South	RSR	Residential/Vacant
East	RSR	Residential/Vacant
West	RSR	Residential/Vacant

**Development Support and Constraints**

This parcel is located in the eastern region of the county on an offshoot of New Bethel Church Rd. which intersects Hwy 136 between GA 400 and Hwy 9 and is adjacent to approximately two dozen other residential lots. The general area and this lot in particular is accessed via gravel roadways which intersect with New Bethel Church Road.

**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 Sub-Rural Residential.

**Public Facilities/Impacts**

**Engineering Department** – No comments returned as of 10/11/2021

**Environmental Health Department** – No comments returned as of 10/11/2021

**Emergency Services** – “No comment.”

**Etowah Water & Sewer Authority** – “Water service must be provided by private well and onsite septic system.”

**Dawson County Sheriff’s Office** – No comments returned as of 10/11/2021

**STAFF ANALYSIS**

The future use of the property in question is single family residential. The applicant seeks to begin reclamation of the land for that purpose which will result in the current proposed sawmill use to be discontinued or be reduced to secondary uses.

Applicant does not intend to operate a permanent sawmill and will discontinue use as he establishes his permanent residence. This request if approved should contain the following stipulations:

- Sawmill shall not interfere with the quiet use and enjoyment of the outside environment of neighboring property owners Operational hours shall be between the hours of 8 a.m. and 8 p.m. Monday thru Friday, 10 a.m. to 6 p.m. Saturdays and Sundays.

- Sawmill shall not be operated for more than 4 hours on Saturday and Sunday
- Sawmill shall not be operated after dark
- Lumber produced by the sawmill shall not be used for structural materials in the construction of the applicant's single-family residence but may be used as hardwood flooring or other decorative elements.

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

**A. The existing uses and classification of nearby property.**

All adjacent properties are zoned Residential Sub-Rural and are consistent with the Future Land Use Map.

**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. Sawmill is to be temporary.

**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 purposed use and fits with the general character of the 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 currently is currently undeveloped except for a gravel parking area which the applicant has installed.

**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.**

Temporary sawmills are currently only allowed for one year and not in RSR zoning. The applicant wishes to improve the parcel and harvest the timber for other uses, the current zoning of RSR prohibits this.

PHOTO OF SITE



21 AUG 26 10:04 AM

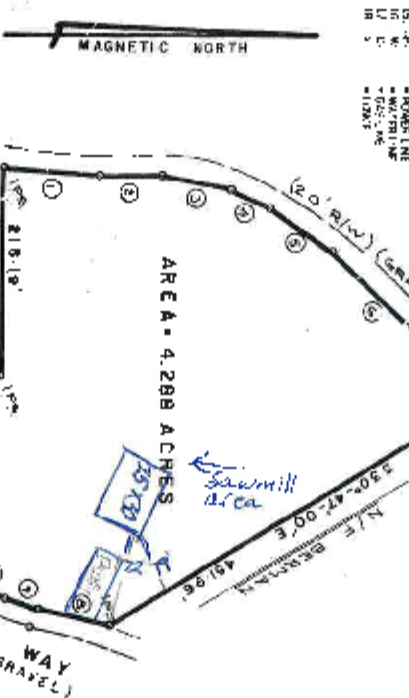
- LEGEND:
- 1. OPEN W/4 CORNER
  - 2. OPEN W/4 SET
  - 3. OPEN TIE
  - 4. U.L.
  - 5. P.W.
  - 6. RIGHT OF WAY
  - 7. E.DENY LINE
  - 8. E.DENY LINE
  - 9. E.DENY LINE
  - 10. E.DENY LINE
  - 11. E.DENY LINE
  - 12. U.L.
  - 13. N.L.
  - 14. N.L.
  - 15. E.P.
  - 16. W.
  - 17. L.
  - 18. L.

THIS PROPERTY IS LOCATED WITHIN THE 100' ROAD RIGHT OF WAY ESTABLISHED BY THE 1986 PLAT AND IS FOUND TO BE SUBJECT TO THE 100' ROAD RIGHT OF WAY ESTABLISHED BY THE 1986 PLAT.

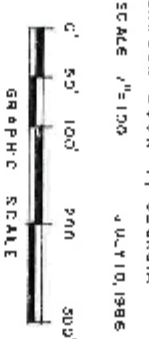
THIS PLAT HAS BEEN CALCULATED FOR CLOSED AND IS FOUND TO BE ACCURATE WITHIN ONE HUNDRED (100) FEET.

THE PROPERTY IS LOCATED WITHIN THE 100' ROAD RIGHT OF WAY ESTABLISHED BY THE 1986 PLAT AND IS FOUND TO BE SUBJECT TO THE 100' ROAD RIGHT OF WAY ESTABLISHED BY THE 1986 PLAT.

QUANTIFIED AND MEASURED FOR THE PURPOSE OF THIS SURVEY.



Station	Bearing	Distance	Area
1	N 04° 04' 46" E	100.13'	
2	N 00° 35' 08" E	65.73'	
3	N 11° 44' 55" E	75.08'	
4	N 29° 45' 26" E	44.44'	
5	N 39° 17' 21" E	77.88'	
6	N 48° 44' 52" E	118.17'	
7	N 45° 38' 16" E	104.21'	
8	S 12° 21' 35" W	77.69'	
9	S 19° 19' 48" W	54.57'	
10	S 28° 19' 43" W	44.01'	
11	S 24° 31' 21" W	48.40'	
12	S 33° 02' 54" W	50.85'	
13	S 03° 45' 41" W	38.59'	



REVISED 2/15/88 TO INCLUDE EXISTING 20' R/W FOR RANBOB TRAIL.

GEORGIA, DAWSON COUNTY  
 CLIENTS OFFICE, SUPERIOR COURT  
 FIELD FOR RECORD  
 1988 AUG 19 11:55  
 100' R/W FOR RANBOB TRAIL



THESE CORNER TIES MAY BE A CORNER OR INTERSECTION OF THE LAND PLATTED WITH THE PREVIOUS SURVEY AND SHOULD BE TREATED AS SUCH.

20' R/W (GRADED ROAD)  
 20' R/W (GRADED ROAD)  
 20' R/W (GRADED ROAD)



Youngman & Associates  
 P. O. DRAWER D  
 CUMMING, GA. 30130  
 CUMMING 687-5198  
 DAWSONVILLE 269-8585



# DAWSON COUNTY REZONING APPLICATION

\*\*\*This portion to be completed by Zoning Administrator\*\*\*

ZA 21-18 Tax Map & Parcel # (TMP): 102-040  
Submittal Date: 8/26/21 Time: 10:03 am/pm Received by: mjh (staff initials)  
Fees Assessed: 250.00.00 Paid: Check Commission District: 2  
Planning Commission Meeting Date: October 19, 2021  
Board of Commissioners Meeting Date: November 18, 2021

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Benjamin T. Smith  
Address: \_\_\_\_\_

Phone:  Listed  Unlisted ~~XXXXXXXXXXXX~~ 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: 08-23-21 Applicant Signature: 

## PROPERTY OWNER/PROPERTY INFORMATION

Name: Benjamin T. Smith  
Street Address of Property being rezoned: Patience Way Map 102 Parcel 040

Rezoning from: RSR to: RA Total acreage being rezoned: 4.29  
Directions to Property (if no address): New Bethel Church Rd to Buck Trl, to Blackberry Ln, to Illahee Rd, to Patience Way, Property is on the right past 126 Patience Way.

'21 AUG 26 10:03AM

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

Current Use of Property: None

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

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

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

If yes, what section? North \_\_\_\_\_ South \_\_\_\_\_

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RSR South RSR East RSR West RSR

Future Land Use Map Designation: \_\_\_\_\_

Access to the development will be provided from:

Road Name: Patience Way Type of Surface: Gravel

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: ~~RA~~ RA  Special Use Permit for: Sawmill

Proposed Use: Workshop - future main residence

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

Proposed Utilities:  Water [ ] Sewer [ ] Gas  Electric

**RESIDENTIAL**

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

Minimum Heated Floor Area: \_\_\_\_\_ sq. ft. Density/Acre: \_\_\_\_\_

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

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

**COMMERCIAL & INDUSTRIAL**

Building area: \_\_\_\_\_ No. of Parking Spaces: \_\_\_\_\_

# DAWSON COUNTY REZONING APPLICATION

\*\*\*This portion to be completed by Zoning Administrator\*\*\*

ZA SU 21-05 Tax Map & Parcel # (TMP): 102-040  
Submittal Date: 8/26/2021 Time: 10:03 am/pm Received by: mhonn (staff initials)  
Fees Assessed: \_\_\_\_\_ Paid: \_\_\_\_\_ Commission District: \_\_\_\_\_  
Planning Commission Meeting Date: \_\_\_\_\_  
Board of Commissioners Meeting Date: \_\_\_\_\_

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Benjamin T. Smith  
Address: \_\_\_\_\_


Phone: Listed \_\_\_\_\_ Email: \_\_\_\_\_ Business \_\_\_\_\_  
Unlisted ~~XXXXXXXXXXXXXXXXXXXX~~ 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: 08-23-21 Applicant Signature: 

## PROPERTY OWNER/PROPERTY INFORMATION

Name: Benjamin T. Smith

Street Address of Property being rezoned: Patience Way Map 102 Parcel 040

Rezoning from: RSR to: RA Total acreage being rezoned: 4.29

Directions to Property (if no address): New Bethel Church Rd to Buck Trl, to

Blackberry Ln, to Illahee Rd, to Patience Way, Property  
is on the right past 126 Patience Way.

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

Current Use of Property: None

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

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

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

If yes, what section? North \_\_\_\_\_ South \_\_\_\_\_

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RSR South RSR East RSR West RSR

Future Land Use Map Designation: \_\_\_\_\_

Access to the development will be provided from:

Road Name: Patience Way Type of Surface: Gravel

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: ~~RA~~ RA  Special Use Permit for: Sawmill

Proposed Use: Workshop - future main residence

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

Proposed Utilities:  Water [ ] Sewer [ ] Gas  Electric

**RESIDENTIAL**

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

Minimum Heated Floor Area: \_\_\_\_\_ sq. ft. Density/Acre: \_\_\_\_\_

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

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

**COMMERCIAL & INDUSTRIAL**

Building area: \_\_\_\_\_ No. of Parking Spaces: \_\_\_\_\_



## 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 08-25-21  
Witness  Date 8/25/21

---

## 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.

**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
23980 Year-Bill No 2020 - 6692	102 040 / 001 LL 379 LD 13 N-1  FMV: \$67,000.00	634.16	0.00 Fees 0.00	0.00	634.16	634.16	0.00
						<b>Paid Date</b> 9/29/2020 10:54:57	<b>Current Due</b> 0.00
Transactions:	23980 - 23980 <b>Totals</b>	634.16	0.00	0.00	634.16	634.16	0.00

Paid By :

HIGGINS EARL & DIANE M

HIGGINS EARL & DIANE M

Cash Amt: 0.00  
 Check Amt: 634.16  
 Charge Amt: 0.00  
 Change Amt: 0.00  
 Refund Amt: 0.00  
 Overpay Amt: 0.00

Check No 2559  
 Charge Acct

ZA \_\_\_\_\_

TMP#: 102-040

**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>102-010004</u>	1. <u>Helen Smathers</u>	<u>312 Tilahee Rd.</u>
TMP <u>102-010</u>	2. <u>Helen Smathers</u>	<u>Patience Way</u>
TMP <u>102-010002</u>	3. <u>Robert Bruce</u>	<u>442 Tilahee Rd.</u>
TMP <u>102-042</u>	4. <u>Mary Dodson</u>	<u>Patience Way</u>
TMP <u>102-009</u>	5. <u>Earnest Picklesimer</u>	<u>99 Patience Way</u>
TMP <u>102-006</u>	6. <u>Mary Dodson</u>	<u>126 Patience Way</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: \_\_\_\_\_

*Benjamin T. Smith*

Application Number: \_\_\_\_\_

Date Signed: \_\_\_\_\_

*08-26-21*

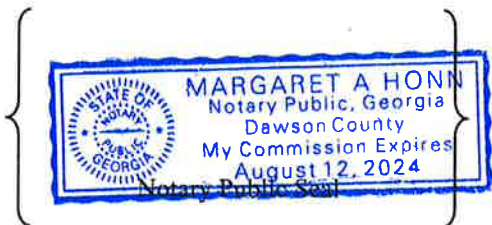
Sworn and subscribed before me

this *26th* day of *August*, 20*21*.

*Margaret A Honn*

Notary Public

My Commission Expires: \_\_\_\_\_



'21 AUG 26 10:04AM

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

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

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

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

\_\_\_\_\_ *N/A* \_\_\_\_\_

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

Amount \$ \_\_\_\_\_ Date: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Applicant/Representative of Applicant:

\_\_\_\_\_ *[Signature]* \_\_\_\_\_ Date: *08-25-21* \_\_\_\_\_

**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.

'21 AUG 26 10:04 AM



**APPLICATION PROCESSING: STAFF USE ONLY**

**ZA** \_\_\_\_\_ **Applicant Name:** Ben Smith

**Application Fee:** \$ \_\_\_\_\_

**IF APPLICABLE:**

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

**Planning Commission & Board of Commissioners Actions**

PC Recommendation Date: \_\_\_\_\_  Approval  Approval w/stipulations  Denial

BOC Decision Date: \_\_\_\_\_  Approval  Approval w/stipulations  Denial

'21 AUG 26 10:04AM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

✓ I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Dawsonville (city), GA (state)

[Signature]  
Signature of Applicant

8-26-21  
Date

Benjamin T Smith  
Printed Name

BENJAMIN T SMITH  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 26th DAY OF August, 2021

Margaret A Honn Notary Public

My Commission Expires: \_\_\_\_\_



{Notary Seal}

21 AUG 26 10:04 AM



## Letter of Intent

Patience Way; LL 379; District 1; Sec 1; Dawson Co; Map 102; Parcel 040

To Planning & Zoning and all interested parties,

I purchased the listed property in February of 2021. My wife Anna and I intend to build our home on the property once conditions (building prices) become somewhat reasonable again. In the meantime, we intend to build a workshop building on the property. The building will be 25' wide by 30' deep and matching the style of our future home. We were told that this was not allowed due to the current zoning. This caught us off-guard due to the property being marketed as Res/Ag by the listing agent when we bought it. Our real estate agent, having missed this, has offered to pay the re-zoning fee. Our goals for the property also include a decently sized garden and at least two honeybee colonies. I have also purchased a sawmill that will go on the property temporarily. Lumber for the non-residential building, the wood flooring for our house, and whatever other projects I can come up with will come from tree on the property. We are also currently in negotiations to purchase a small portion of an adjoining property. We are requesting a re-zoning to Res/Ag to continue with the development of our property. Thank you for your consideration in this matter. God Bless.

Anastasia Smith



Ben Smith



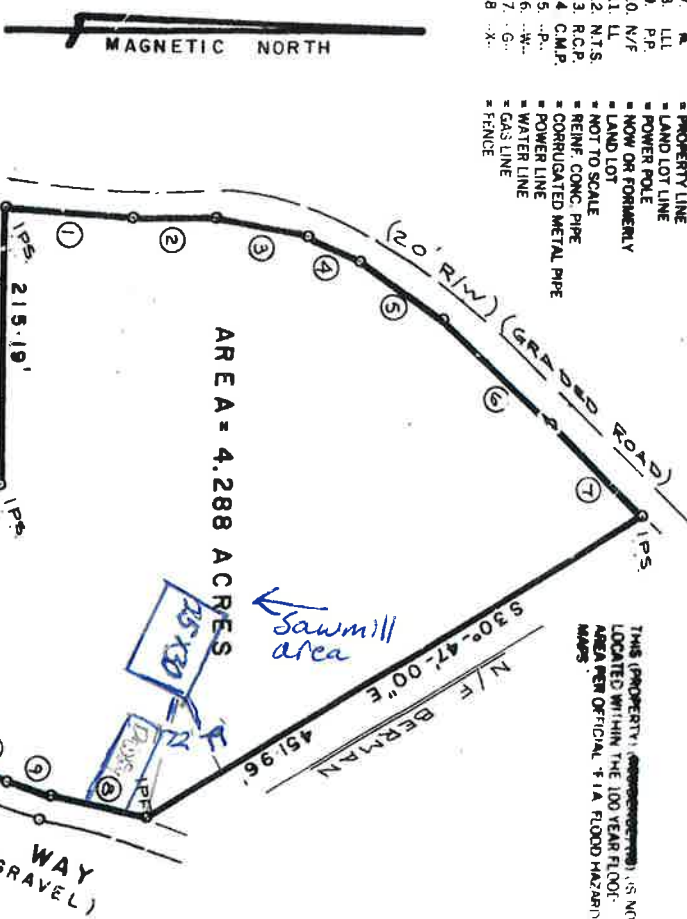
'21 AUG 26 10:04AM

- LEGEND**
- 1 I.P.F. = IRON PIN FOUND
  - 2 I.P.S. = IRON PIN SET
  - 3 C.T. = CORNER TOP
  - 4 O.T. = OPEN TOP
  - 5 R/W = RIGHT OF WAY
  - 6 C.L. = CENTER LINE
  - 7 P.L. = PROPERTY LINE
  - 8 L.L. = LAND LOT LINE
  - 9 P.P. = POWER POLE
  - 10 N.O.F. = NON OR FORMERLY
  - 11 L.L. = LAND LOT
  - 12 N.T.S. = NOT TO SCALE
  - 13 R.C.P. = REINFORCED CONC. PIPE
  - 14 C.M.P. = CORRUGATED METAL PIPE
  - 15 .P. = WATER LINE
  - 16 .W. = WATER LINE
  - 17 .G. = GAS LINE
  - 18 .X. = FENCE



IN ANY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

*Frederick C. Youngman*  
 FREDERICK C. YOUNGMAN



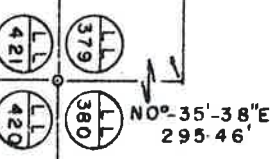
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 57,222 FEET AND AN ANGLE ERROR OF 0.05" PER ANGLE. CORRECTIONS WERE ADJUSTED USING CANTRELL'S METHOD.

THIS (PROPERTY) (APPROXIMATELY) IS NOT LOCATED WITHIN THE 100 YEAR FLOOD AREA PER OFFICIAL 1:14 FLOOD HAZARD MAPS.

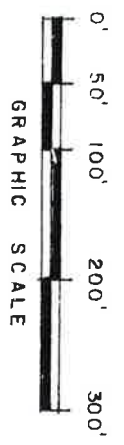
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 149,316.00 FEET.

EQUIPMENT USED FOR MEASUREMENTS  
 TOPCON GTS-2

1	N 04°-04'-46"E	100.13'
2	N 00°-36'-08"E	65.73'
3	N 11°-44'-55"E	73.08'
4	N 25°-43'-26"E	44.44'
5	N 35°-17'-21"E	77.92'
6	N 42°-44'-52"E	118.17'
7	N 45°-35'-15"E	104.21'
8	S 12°-28'-36"W	77.69'
9	S 19°-19'-48"W	34.37'
10	S 23°-23'-43"W	44.01'
11	S 24°-01'-21"W	48.40'
12	S 33°-02'-24"W	50.66'
13	S 35°-43'-41"W	38.59'



SURVEY FOR  
**THERESA M. NEMMERS**  
 LAND LOT 379  
 NORTH HALF 13TH DISTRICT  
 1ST SECTION  
 DAWSON COUNTY, GEORGIA  
 SCALE 1"=100' JULY 10, 1986



REVISED 12/19/86 TO INCLUDE EXISTING 20' R/W FOR RAINBOW TRAIL.

GEORGIA, DAWSON COUNTY  
 CLIENT'S OFFICE, SUPERIOR COURT  
 FILED FOR RECORD  
 8:30 AM 12-31-86  
 Recorded in Book 19 Page 165  
 this 31st day of Dec 1986  
*[Signature]*  
 CLERK OF SUPERIOR COURT

**Youngman & Associates**  
 P. O. DRAWER D  
 CUMMING, GA. 30130  
 CUMMING 887-5188  
 DAWSONVILLE 265-8585



x +

ictometry.com/index.php#

DRER™



'21 AUG 26 10:04AM



## Letter of Intent

Patience Way; LL 379; District 1; Sec 1; Dawson Co; Map 102; Parcel 040

To Planning & Zoning and all interested parties,

I purchased the listed property in February of 2021. My wife Anna and I intend to build our home on the property once conditions (building prices) become somewhat reasonable again. In the meantime, we intend to build a workshop building on the property. The building will be 25' wide by 30' deep and matching the style of our future home. We were told that this was not allowed due to the current zoning. This caught us off-guard due to the property being marketed as Res/Ag by the listing agent when we bought it. Our real estate agent, having missed this, has offered to pay the re-zoning fee. Our goals for the property also include a decently sized garden and at least two honeybee colonies. I have also purchased a sawmill that will go on the property temporarily. Lumber for the non-residential building, the wood flooring for our house, and whatever other projects I can come up with will come from tree on the property. We are also currently in negotiations to purchase a small portion of an adjoining property. We are requesting a re-zoning to Res/Ag to continue with the development of our property. Thank you for your consideration in this matter. God Bless.

Anastasia Smith



Ben Smith



'21 AUG 26 10:04AM



- LEGEND
- 1. I.P.S. = IRON PIN FOUND
  - 2. I.P.S. = IRON PIN SET
  - 3. C.T. = CORNER TOP
  - 4. O.T. = ORIGIN TOP
  - 5. R/W = RIGHT OF WAY
  - 6. C.L. = CENTER LINE
  - 7. P.L. = PROPERTY LINE
  - 8. L.L. = LAND LOT LINE
  - 9. P.P. = POWER POLE
  - 10. N/F = NOW OR FORMERLY
  - 11. L.L. = LAND LOT
  - 12. N.T.S. = NOT TO SCALE
  - 13. R.C.P. = REINFORCED CONCRETE PIPE
  - 14. C.M.P. = CORRUGATED METAL PIPE
  - 15. P.L. = POWER LINE
  - 16. W.L. = WATER LINE
  - 17. G.L. = GAS LINE
  - 18. F.L. = FENCE

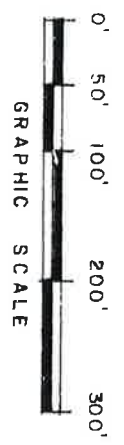
THIS FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF FOOT IN 65,290 FEET AND AN ANGLE ERROR OF 0.3 PER ANGLE. THIS WAS ADJUSTED USING SADLER'S METHOD.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 149,300 FEET.

THIS (PROPERTY) IS NOT LOCATED WITHIN THE 100 YEAR FLOOD AREA PER OFFICIAL F.I.A. FLOOD HAZARD MAPS.

EQUIPMENT USED FOR MEASUREMENTS  
TOPCON GTS-2

SURVEY FOR  
**THERESA M. NEMMERS**  
LAND LOT 379  
NORTH HALF 13TH DISTRICT  
1ST SECTION  
DAWSON COUNTY, GEORGIA  
SCALE 1"=100' JULY 10, 1986



REVISED 12/19/86 TO INCLUDE EXISTING 20' R/W FOR RAINBOW TRAIL.

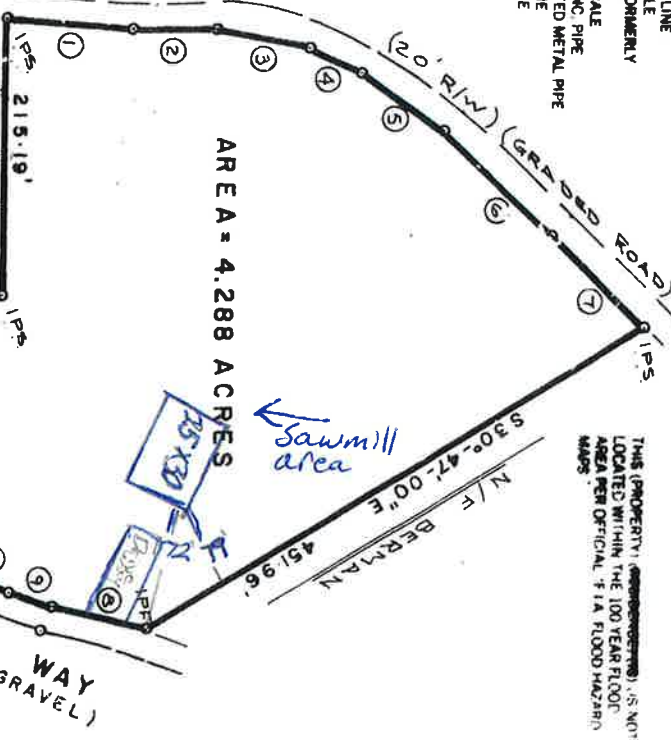
GEORGIA, DAWSON COUNTY  
CLIENT'S OFFICE, SUPERIOR COURT  
FILED FOR RECORD  
5:30 PM 12-31-86  
this 31st day of Dec 1986  
Per 165  
[Signature]  
CLERK OF SUPERIOR COURT

Youngman & Associates  
P. O. DRAWER D  
CUMMING, GA. 30130  
CUMMING 887-5188  
DAWSONVILLE 265-8585



IN ANY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

FREDERICK C. YOUNGMAN



1	N 04°-04'-46"E	100.13'
2	N 00°-36'-08"E	65.73'
3	N 11°-44'-55"E	73.08'
4	N 25°-43'-26"E	44.44'
5	N 35°-17'-21"E	77.92'
6	N 42°-44'-52"E	118.17'
7	N 45°-35'-15"E	104.21'
8	S 12°-28'-36"W	77.69'
9	S 19°-19'-48"W	34.37'
10	S 23°-23'-43"W	44.01'
11	S 24°-01'-21"W	48.40'
12	S 33°-02'-24"W	50.66'
13	S 35°-43'-41"W	38.59'

AREA = 4.288 ACRES

20' R/W RAINBOW TRAIL

20' R/W (GRAVEL) PATIENCE WAY

20' R/W (GRADED ROAD)

N 01-03'-00" E

N 89-23'-00" W

N 89-23'-00" W

N 89-23'-00" W

N 01-03'-00" E

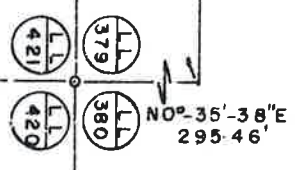
150.61'

145.06'

849.96' (N.T.S.)

N 0°-35'-38" E

295.46'

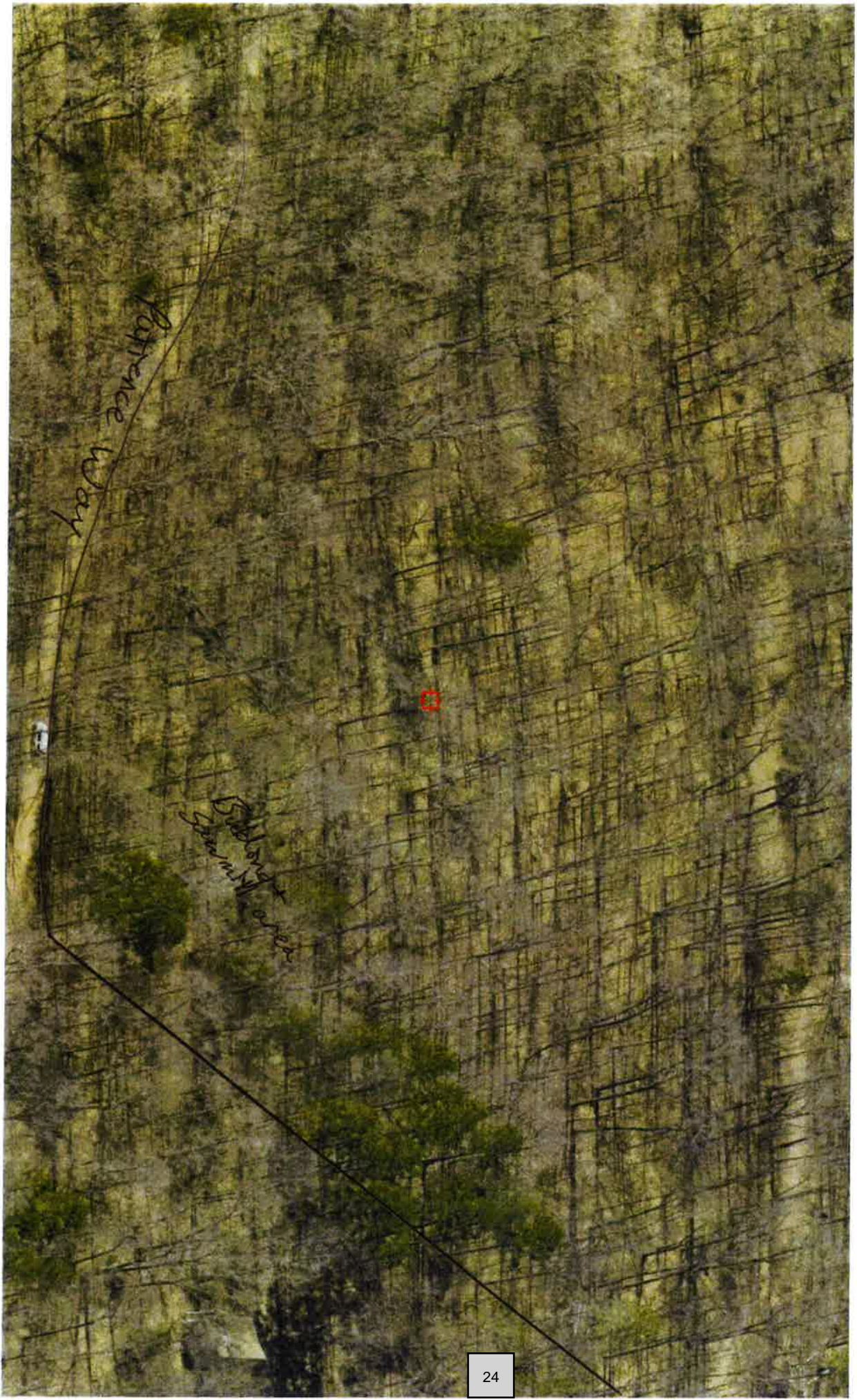


21 AUG 26 10:05 AM





'21 AUG 26 10:05 AM







## ZA 22-04

Planning Commission Meeting March 15, 2022

Planning Commission Meeting April 21, 2022

Board of Commission Hearing May 19, 2022

---

### Applicant Proposal

The applicant is seeking to zone a 518-acre property located at the northwest corner of Lumpkin Campground Road and Georgia 400 from a mix of residential, commercial, office and institutional zoning designations to Mixed Use Village. The request for zoning approval includes the concept plan dated January 26, 2022.

<b>Applicant</b>	Fox Creek Properties, Inc
<b>Amendment #</b>	ZA 22 - 04
<b>Request</b>	Mixed Use Village
<b>Concept Plan Proposed Uses</b>	Single Family Detached, Multifamily low rise, Multifamily Mid Rise, Senior Adult Housing, General Office Building, Medical Office Building, Medical Dental Office, Warehousing, Shopping Plaza, Strip Retail Plaza, Fast Casual Restaurant, Coffee Shop,
<b>Current Zoning</b>	RA, RPC, C-HB, C-PCD, C-OI
<b>Acreage</b>	518.274
<b>Location</b>	Northwest corner of SR19 (GA400) and SR9 (Lumpkin Campground Road)
<b>Concept Plan Commercial Square footage</b>	Warehousing – 251,000 Office – 165,000 Retail – 71,200 Restaurant – 8,060
<b>Road Classification</b>	State Route 19 – Arterial (State Maintained) State Route 9 – Collector (County Maintained)
<b>Tax Parcel</b>	Six tracts: 104-065 ,112-012, 112-013, 112-018, 112-019, 113-057 002
<b>Dawson Trail Segment</b>	Segment 2 Etowah River Trail
<b>Commission District</b>	3
<b>DRI</b>	YES #3507

Direction	Existing Zoning	Existing Use
North	RA	Residential, Vacant
South	RA, R1	Residential, Commercial, Vacant
East	C-HB	Vacant
West	RSR/RA	Residential/Vacant

According to the Comprehensive Plan and accompanying Future Land Use Plan, the subject property is identified as **Planned Residential Community** and **Suburban Residential**. The development pattern in the **PRC** district may consist of the resort variety, like Big Canoe, which has increasingly become home to permanent as well as seasonal residents and golf course communities such as Chestatee and Crystal Falls. Planned residential communities provide unique, flexible, creative and imaginative arrangements and site plans that result in predominantly single-family residential development. The desired development pattern should seek to:

- Encourage higher density housing types within walking distance of services and amenities within and adjacent to the community
- Emphasize connectivity with adjacent subdivisions and/or commercial developments in the layout of new developments
- Design for walkability throughout, encouraging creative pedestrian networks
- Create interconnected pattern of streets and trails extending into surrounding neighborhoods for cars, bikes, golf carts, and pedestrians
- Limit truck traffic in congested areas by redirecting it to higher capacity roads
- Separate through-traffic from local traffic
- Examine potential for traffic calming techniques on major corridors to facilitate enhanced pedestrian use (including safe crossings)
- Encourage strong connectivity and continuity between each master planned development
- Use access management strategies in appropriate locations e.g., requiring new subdivisions to be developed with an internal street system and no private driveways accessing the highway; for lots adjacent to arterial streets, encourage alley access to allow the building to face highway with automobile access to the rear.

The **Suburban Residential** designation located in the area closer to the Etowah River. The development pattern of this land use area consists of locations where pressures for the typical types of suburban residential subdivision development are greatest (due to availability of water and sewer service). Guidelines are needed to encourage pedestrian-friendly neighborhoods that are accessible to transit (when it becomes available), adequate open space, strategically placed civic buildings, a connected system of streets and housing choices. The desired development pattern should seek to:

- Incorporate regional (i.e., serving multiple sites) water quality enhancement areas to intercept stormwater and improve water quality as it flows from development areas into the lake. These regional facilities would be located along the tributaries of the Etowah River and would likely consist of wetlands, retention ponds, biofiltration swales, and other best management practices for water quality protection
- Incorporate master planned mixed-uses blending residential development with schools, parks, recreation, retail businesses and services, linked in a compact pattern that encourages walking and



minimizes the need for auto trips within the subdivision

- Locate schools, community centers, or well-designed small commercial activity centers at suitable locations within walking distance of residence
- Promote moderate density, traditional neighborhood development (TND) style residential subdivisions
- Employ design features that encourage safe, accessible streets such as narrower streets, on street parking, sidewalks, street trees and landscaped raised medians for minor collectors and wider streets
- Encourage comparable architectural styles that maintain the regional character and do not include franchise or corporate architecture
- Establish strong connectivity within, and continuity between, each master planned development to disperse traffic and shorten trips (may include minimizing or prohibiting cul de-sacs) to disperse traffic in a more traditional grid pattern and to shorten walking/biking trips
- Provide safe facilities for pedestrians, school buses, and bicyclists using the road right-of-way
- Enhance the pedestrian-friendly environment by adding sidewalks and creating other pedestrian-friendly multi-use trail/bike routes linking neighboring communities and major destinations such as libraries, neighborhood centers, health facilities, commercial clusters, parks, schools, etc.
- Add traffic calming improvements, sidewalks and increased street interconnections to improve walkability within existing neighborhoods; Separate through-traffic from local traffic
- Use access management strategies in appropriate locations
- Limit truck traffic in congested areas by redirecting it to higher capacity roads and designating truck routes where appropriate
- Encourage on-street parking and shared parking
- Limit driveway spacing along the highway frontage and align driveways to improve traffic flow
- Require residential subdivisions accessing the highway to be interconnected
- Ensure that residential development does not encroach on major employment centers
- Require traffic studies for developments with more than 200,000 square feet

### **Georgia 400 Overlay District (North and South)**

This overlay district, which is divided into northern and southern portions each with its own character, was previously established by amendment to the 2010 Comprehensive Plan. Regulations and guidelines were prepared and adopted by the County in 2000. This district is designed to retain the commercial and light industrial viability of the GA 400 corridor as the County's main economic engine, but also to ensure land use in the area is efficiently designed and adheres to the development standards defined in the County ordinances.

**Analysis:**

The surrounding development pattern affecting the use and development of this property give the Staff grounds for supporting the applicant's rezoning proposal for a Mixed-Use Village with design as a pedestrian friendly mixed-use, providing protection of the Etowah River Corridor with ample open space. Granting the applicant's rezoning request would be in general conformity with the overall intent of the Dawson County Comprehensive Plan.

The MUV density is limited to 2.8 units per acre overall, the concept plan dated 1-26-2022 projects a density of 1.9 units per acre split into five distinct PODs offering a variety of housing types.

All water and sewer service construction shall meet the standards of the service provider – Etowah Water and Sewer. Utilities shall be placed underground. Stormwater facilities shall be constructed to the specifications of the applicable local authority and meet all Best Management Practices.

A minimum of 30 percent of the total land area of the MUV District shall be open space or green space. Open space may include areas for both passive and active recreation. The concept plan delineates proposed areas of open space of 49%.

The parcels are currently zoned for a mix of uses allowed within the residential, commercial, office and institutional zoning designations as granted previously by Dawson County. The project commonly known as the *Southern Catholic campus* included a University Campus component, a Residential component, Commercial Village, Town Center and a conference hotel.

**County Agency Comments:**

**Engineering Department:**

1. The Developer shall allow for a future access point for the perpendicular re-alignment of Harmony Church Road.
2. Development's access points shall comply with Georgia DOT Design Rules and Regulations.
3. The Traffic Study provided by A&R Engineering, Inc. shall be evaluated and compared to a Traffic Study prepared by Dawson County.
4. The Developer shall provide a Traffic Study that shall be updated for development activity during the calendar year – annually

**Environmental Health Department:** No comments returned as of 3/9/2022

**Emergency Services:** Please see the attached.

**Etowah Water & Sewer Authority:** "Water is partially available at the site. Water main upgrades and extensions required. Must be designed and installed per EWSA regulations at developer's expense. Consult with EWSA. Sanitary Sewer is not currently available at the site and would require upgrades and extensions per EWSA regulations at the developer's expense. Consult with EWSA."

**Georgia Department of Transportation:** "This application will require GDOT coordination."

<b>Board of Education:</b>	High	Middle/Junior High	Elementary
School Name:	Dawson Co. High School	DC Middle/ DC Jr. High	Kilough Elementary
Recommended Capacity	1400	725/725	650
Latest Enrollment	812	604/579	427

No improvements are planned at this time and staff will be added as needed.

**Planning & Development:**

The Mixed-Use Village (MUV) District is established primarily to encourage the development of mixed-use developments consisting of both residential and commercial property. The MUV District is intended to:

- (1) Encourage the development of large tracts of land as planned, mixed use communities;
- (2) Encourage flexible and creative concepts in site planning;
- (3) Preserve the natural amenities of the land by encouraging scenic and functional open space areas; and
- (4) Provide for an efficient use of land

**Proposed land uses:**

Single Family Detached	586 units
Multifamily Low Rise	285 units
Multifamily Mid Rise	15 units
Senior Adult Housing	100 units
General Office Building	100,000
Medical Dental Office	65,000
Shopping Plaza	40,000
Warehousing	251,000
Strip Retail Plaza	31,200
Fast Casual Restaurant	5,260
Coffee shop w/drive	2,800

**Staff recommended Prohibited Uses:**

Food Manufacturing  
Beverage and Tobacco Product Manufacturing  
Textile Mills  
Textile Product Mills  
Apparel Manufacturing  
Leather and Allied Product Manufacturing  
Wood Product Manufacturing  
Paper Manufacturing  
Printing and Related Support Activities  
Petroleum and Coal Products Manufacturing  
Chemical Manufacturing  
Plastics and Rubber Products Manufacturing  
Nonmetallic Mineral Product Manufacturing  
Primary Metal Manufacturing  
Fabricated Metal Product Manufacturing  
Machinery Manufacturing  
Computer and Electronic Product Manufacturing  
Electrical Equipment, Appliance, and Component  
Transportation Equipment Manufacturing  
Furniture and Related Product Manufacturing  
Storage of hazardous materials  
Any use that emits noxious odors

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

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





Georgia Hwy 400 S



GRANT ROAD



Lumpkin Campground Rd.



Brights Way

# DAWSON COUNTY REZONING APPLICATION

\*\*\*This portion to be completed by Zoning Administrator\*\*\*

ZA 22-04 Tax Map & Parcel # (TMP): 112 019  
Submittal Date: 10/08/2021 Time: 11:49 a.m. am/pm Received by: HG (staff initials)  
Fees Assessed: \_\_\_\_\_ Paid: 3500.00 Commission District: 3  
Planning Commission Meeting Date: TBD (DRI - Multi Use)  
Board of Commissioners Meeting Date: TBD

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: FOX CREEK PROPERTIES, INC.  
Address: \_\_\_\_\_

Phone:          Listed          Email:          Business           
         Unlisted          Personal         

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

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

I have  /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: LUMPKIN CAMPGROUND ROAD LLC

Street Address of Property being rezoned: NW CORNER OF LUMPKIN CAMPGROUND ROAD AND GA 400

Rezoning from: R-A, RPC, C-HB, MUV - MIXED  
C-PCD, C-OI to: USE VILLAGE Total acreage being rezoned: 518.274 ACRES

Directions to Property: NW CORNER OF LUMPKIN CAMPGROUND ROAD NW (STATE ROUTE 9 E)  
AND GA 400 BETWEEN HWY 53 AND ETOWAH RIVER ROAD

105105



Subdivision Name (if applicable): ETOWAH BLUFFS Lot(s) #: \_\_\_\_\_

Current Use of Property: VACANT/UNDEVELOPED

Any prior rezoning requests for property? yes if yes, please provide rezoning case #: ZA 20-08

**\*\*\*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

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RA South RA, R-1, R-2 East C-HB, C-CB West RA

Future Land Use Map Designation: PLANNED RESIDENTIAL COMMUNITY

Access to the development will be provided from:

Road Name: GA HWY 400 AND LUMPKIN Type of Surface: HEAVY DUTY ASPHALT  
CAMPGROUND ROAD

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: MUV- MIXED-USE  Special Use Permit for: \_\_\_\_\_  
VILLAGE

Proposed Use: SINGLE-FAMILY DETACHED LOTS, MULTI-FAMILY UNITS, ATTACHED HOMES, OFFICE,  
INDUSTRIAL, COMMERCIAL AND RETAIL

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 986 TOTAL UNITS:  
586 SFD LOTS Minimum Lot Size: SFA TH: 1800 SF (acres) No. of Units: \_\_\_\_\_  
100 SFA TOWNHOMES  
300 MF UNITS SFD: 4800-6000 SF

Minimum Heated Floor Area: \_\_\_\_\_ sq. ft. Density/Acre: 1.88 UPA

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Is an Amenity Area proposed: YES; if yes, what? FULL AMENITY AREAS FOR SFD AND MF  
PODS

**COMMERCIAL & INDUSTRIAL**

Building area: 300,000+ TOTAL SQUARE FEET No. of Parking Spaces: TBD  
45,000 SQFT OF OFFICE/INDUSTRIAL SPACE  
30,000 SQFT OF COMMERCIAL SPACE  
250,000 SQFT OF INDUSTRIAL SPACE



## 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.

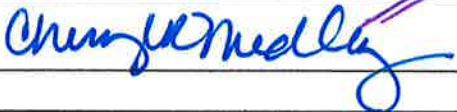
I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and the Board of Commissioners to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

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 10/7/2021

Witness 

Date 10/07/2021

## 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.

2021 OCT 10 10:43 AM



10/8/2021

Dawson County Planning & Development  
25 Justice Way  
Dawsonville, Georgia 30354

Re: **Letter of Intent**  
**Lumpkin Campground Road @ GA 400 ±518.274 Acres**  
Planners and Engineers Collaborative, Inc. Project No. 18232.01

Dear Planning and Zoning officials,

This rezoning application is being submitted on behalf of the applicant and developer. This application proposes to rezone the approximately 518.274-acre property located at the northwestern corner of Lumpkin Campground Road and GA 400 from R-A (Residential Agricultural), RPC (Residential Planned Community), C-HB (Highway Business Commercial), C-PCD (Commercial Planned Comprehensive Development District) and C-OI (Commercial Office Institutional District) to MUV-Mixed Use Village. This rezoning would facilitate the creation of a new, mixed-use development consisting of a variety of residential, commercial, recreational, and office uses.

The approximately 518.274-acre property is comprised of six separate tracts with the following parcel ID numbers: 104 065, 112 013, 112 018, 112 019, 112 109, 113 057 002. The requested rezoning would consolidate the six tracts to under one singular zoning district (MUV) to facilitate the complex mixed-use project.

**Existing Conditions:**

The uses surrounding the property include:

- North: two local churches; south of Grant Road
- East: local churches, and single family homes; bounded by GA 400
- South: detached single-family homes, some commercial uses
- West: largely undeveloped land; bounded by the Etowah River

As it currently exists, the property is mostly undeveloped with the exception of a small structure and some existing disturbance on the site. The Etowah River forms the westerly border of the site, and several smaller streams run through the site in a generally north-south orientation. Streams that are identified as perennial on the site are subject to stream buffers; the site plan is designed to work around the streams and natural topography of the site. The large scale of the project enables this flexibility in design.

**Proposed Development**

The proposed development consists of eight 'pods' lettered A-H which would vary in size and land use. In total, there are 586 single-family lots, 300 multi-family housing units, approximately 40,000 square feet of commercial/retail, approximately 110,000 square feet of flexible office and medical office space, and 250,000 square feet of light industrial uses proposed on the site.

Pods A-D consist of the non-residential and multi-family uses.

Pod A is near the intersection of Lumpkin Campground Road and GA 400, and would be where nearly 40,000 square feet of the proposed retail/commercial uses would be located.

Pod B would consist of the flex office/light industrial space, along the northern-edge of the GA 400 frontage.

Pod C would be located off of the GA 400 right-of-way (separated by a stream), and would consist of a 250,000-square foot, rear-single-load industrial facility.



Pod D would be set behind Pod A (within walking distance), and would include flexible office and medical office space.

Pod E would include approximately 300 units of multi-family housing with its own amenity space.

Pods F through H are set back off of GA 400 and Lumpkin Campground Road, and are slated for the lower-density residential component of the development. The single-family residential component would gain access from Lumpkin Campground Road and would have its own master amenity area. In total, there would be 586 single-family detached lots proposed for these pods, and 100 single-family attached townhomes. The layout of these pods would follow the natural terrain and features of the site, including the many streams criss-crossing the property.

#### **Zoning Rationale**

The applicant is of the opinion that the proposed rezoning is appropriate for the collection of parcels above-mentioned in this letter for several reasons. First, property constitutes an extremely large area that is located on a prime thoroughfare frontage (GA 400, yet has remained undeveloped under its current zoning for decades. This is partly because the land has a much weaker value zoned for agricultural uses, due to the difficult terrain (at the foothills of the Appalachian Mountains) and the numerous streams onsite.

As noted above, the property has prime frontage on GA 400, and the use of the property should reflect this apt location. The current zoning does not currently match the future land use designation of the site, which is Planned Residential Community. The rear portion of the proposed mixed-use development would consist substantially of planned residences that would match this land use designation. The proposed mixed use frontage of the site would match the future land uses of similar sites along GA 400 to the north, which all have future land use designations of Mixed Use Village and Commercial Highway Business. This proposal would provide a better linkage between these future land uses than the current agricultural zoning does. Additionally, the commercial-to-multi-family-to-single-family lots is a reasonable transition in land use intensity moving west from GA 400 to the Etowah River Corridor.

#### **Conclusion**

The applicant and owner respectfully request that the Dawson County Board of Commissioners, Planning Commission and Planning Staff approve and support the Applicant's request to allow for the rezoning of this property to Mixed-Use Village. This would facilitate the development of a new, mixed-use community that would contribute to the advancement of the purpose and intent of the Dawson County comprehensive plan.

---

The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,

**Planners and Engineers Collaborative, Inc.**

Kenneth J. Wood, P.E., LEED AP  
President

For the Firm

kjw/ht/dp

**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>112 098 008</u>	1. KEITH JOHN PAGEL	334 BRIGHTS WAY
TMP <u>112 098 009</u>	2. DANIEL POISSON	340 BRIGHTS WAY
TMP <u>112 098 010</u>	3. MATTHEW DEVENY	366 BRIGHTS WAY
TMP <u>112 098 011</u>	4. DANA W PETERS	444 BRIGHTS WAY
TMP <u>112 098 035</u>	5. BRIAN BRANTLY	650 BRIGHTS WAY
TMP <u>112 098 015</u>	6. THOMAS MATSON	645 BRIGHTS WAY
TMP <u>112 108</u>	7. RICHARD RAY	5235 HWY 53 E
TMP <u>112 023</u>	8. JEFFREY PARKER	5211 HWY 53 E
TMP <u>112 023 001</u>	9. RICHARD RAY	5211 HWY 53 E
TMP <u>104 067 001</u>	10. QUING ZHANG	RIVERVIEW DRIVE
TMP <u>104 067 002</u>	11. QUING ZHANG	46 RIVERVIEW DRIVE
TMP <u>104 067 003</u>	12. DAVID CLARK	56 RIVERVIEW DRIVE
TMP <u>104 067 006</u>	13. WILLIAM MINOR	126 RIVERVIEW DRIVE
TMP <u>104 067 008</u>	14. HAROLD LINK	162 RIVERVIEW DRIVE
TMP <u>104 067 009</u>	15. JOHN P BIANCHINI	188 RIVERVIEW DRIVE

Use additional sheets if necessary.



**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>104 067 010</u>	1. TERRY T BURCH	189 RIVERVIEW DRIVE
TMP _____	2. _____	_____
TMP <u>104 067</u>	3. CHESATEE LLC	NO ADDRESS GIVEN
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.

**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>112 098 008</u>	1. KEITH JOHN PAGEL	334 BRIGHTS WAY
TMP <u>112 098 009</u>	2. DANIEL POISSON	340 BRIGHTS WAY
TMP <u>112 098 010</u>	3. MATTHEW DEVENY	366 BRIGHTS WAY
TMP <u>112 098 011</u>	4. DANA W PETERS	444 BRIGHTS WAY
TMP <u>112 098 035</u>	5. BRIAN BRANTLY	650 BRIGHTS WAY
TMP <u>112 098 015</u>	6. THOMAS MATSON	645 BRIGHTS WAY
TMP <u>112 108</u>	7. RICHARD RAY	5235 HWY 53 E
TMP <u>112 023</u>	8. JEFFREY PARKER	5211 HWY 53 E
TMP <u>112 023 001</u>	9. RICHARD RAY	5211 HWY 53 E
TMP <u>104 067 001</u>	10. QUING ZHANG	RIVERVIEW DRIVE
TMP <u>104 067 002</u>	11. QUING ZHANG	46 RIVERVIEW DRIVE
TMP <u>104 067 003</u>	12. DAVID CLARK	56 RIVERVIEW DRIVE
TMP <u>104 067 006</u>	13. WILLIAM MINOR	126 RIVERVIEW DRIVE
TMP <u>104 067 008</u>	14. HAROLD LINK	162 RIVERVIEW DRIVE
TMP <u>104 067 009</u>	15. JOHN P BIANCHINI	188 RIVERVIEW DRIVE

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: FOX CREEK PROPERTIES, INC.

Application Number: \_\_\_\_\_

Date Signed: 10/7/2021

Sworn and subscribed before me

this 7<sup>th</sup> day of October, 2021.

  
Notary Public

My Commission Expires: \_\_\_\_\_

{  
Notary Public Seal



21 OCT 8 11:59 AM



**PROPERTY OWNER AUTHORIZATION**

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

PARCEL IDs: 112 109

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: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent: [Signature] Date: 10-7-21

\*\*\*\*\*

Printed Name of Owner(s): BARRY CONNER

Signature of Owner(s): [Signature] Date: 10-7-21

Mailing address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: Listed \_\_\_\_\_  
Unlisted \_\_\_\_\_

Sworn and subscribed before me this 7 day of October, 2021.

Nikki Verrill  
Notary Public

My Commission Expires: 1-16-23



(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.)

2021 OCT 10 10:58 AM

**PROPERTY OWNER AUTHORIZATION**

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

PARCEL IDs: 113 057 002, 112 013, 112 018

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: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent: [Signature] Date: 10-7-21

\*\*\*\*\*

Printed Name of Owner(s): AMERICA'S HOME PLACE, INC.

Signature of Owner(s): [Signature] Date: 10-7-21

Mailing address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: Listed  \_\_\_\_\_  
Unlisted  \_\_\_\_\_

Sworn and subscribed before me this 7 day of October, 2021.

[Signature]  
Notary Public

My Commission Expires: 1-10-23



(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.)

113 057 002







# ETOWAH BLUFFS

TOWNSHIP

COMMERCIAL AND ACTIVITY HUB

THE PRESERVE

SINGLE-FAMILY RESIDENTIAL LIVING

*REVISED JAN 2022*





# ETOWAH BLUFFS ABOUT THE DEVELOPER

## **Mission Statement**

Fox Creek Properties, in our conscientious attention to the environment's sustainability, is dedicated to becoming the premier leader of land development, advisory and management services in the land acquisition industry. Honoring our promises and commitments, we continuously strive to distinguish ourselves by maintaining the highest level of professionalism and integrity.

## **Co-Founders**

The founding team of Fox Creek Properties is experienced in all aspects of land development. The team offers expertise in funding, marketing, construction, market analysis, mitigation banking, stream bank restoration, and has extensive backgrounds in banking and accounting. Fox-creek Properties is extremely proud of our team of experts. We offer a wide range of expertise in site and environmental analysis, land acquisition, planning and design of development.

## **Residential and Land Development**

In 1993, Fox Creek's residential home division consisted of two companies with less than 10 employees building 70 homes per year. By 2013, this division had grown to four companies with over 100 employees building over 460 homes per year. This growth was critical to retaining the competitive nature of these companies in the marketplace as the home building industry in metropolitan Atlanta became more sophisticated and learned to weather economic recessions. However, two of these companies are still considered lower volume, custom builders that focus on serving smaller, niche markets throughout Atlanta including more "in town" locations.

Fox Creek is committed to the highest quality construction, rivaled only by our commitment to truly happy home owners.

Since 1993, Fox Creek has developed over 25,000 residential lots in over 60 communities. These activities have helped to serve the growing need for housing in every county north of I-20 in metropolitan Atlanta.







Research from the University of Georgia helps us understand why the proposed project is a beneficial economic proposition for Dawson County.

**Building for Success**

According to Dr. Jeffrey Dorfman, professor of Agriculture and Applied Economics at the University of Georgia, many counties believe that growth and development automatically means increasing the residential tax base, but this is not necessarily the case. The key to fiscal success on a municipal level is revenues growing faster than expenditures. However, different types of land uses generate different revenues.

**Revenue for Each \$1 of Government**

**Expenditures:**

- Residential: \$0.87
  - Commercial/Industrial: \$3.45
  - Farm/Forest/Open: \$2.70\*
- (\*this doesn't take into account land in Conservation Use. Much of Dawson County's forest is government owned so there are no revenues collected by the County)

**The Real Cost of Low-Density Residential**

The above figures indicate that nationally, residential development actually has a small net “taking” (a \$0.13 dollar-for-dollar loss on each government dollar spent) while the others are net revenue generators. Additionally, research shows that different types of housing have vastly different ‘break even’ quantities—or the number of units

that must be constructed to offset the above-mentioned loss in revenues. For example, using the above figures, a subdivision with large single-family lots averaging 2-acres each would need 285 individual lots to simply break-even (generate tax revenues equivalent to the government expenditure to develop and service those lots). Conversely, it would only require 80 single-family small lots (of 1/3rd acre size), or 42 multi-family units to break-even. Development beyond this, on average, represents profit, not loss, for local governments.

The research makes it clear that variety in residential development will ultimately ease the long-term fiscal burden on the municipality. To achieve this, it is essential to shift policy to permit a variety of housing types to accommodate a broad market of buyers and renters.



# Benefits of Commercial Development

Unlike residential uses, which constitute a small dollar-for-dollar loss on government expenditures, commercial uses tend to generate approximately \$3.45 for every \$1 government dollar spent. This makes these uses desirable from a purely financial standpoint.

However, in addition to tax revenues, commercial, office, retail, and industrial uses are also major generators for jobs. Research from NC State revealed that approximately 31% of workers in the rural South work in a different county than where they live. The best way to combat this phenomenon, and draw back the local workforce is to increase local employment opportunities, by creating and constructing a centralized employment hub, across a variety of sectors.

## The Bottom Line:

In Dawson County, commercial and industrial uses have grown at the slowest rates of any use group (by land acre), while residential uses have continued to account for a much higher proportion of land uses in the County. This distribution of land uses has surely resulted in a disparity between potential tax revenues to be collected, and actual collected revenues. This disparity leads to a vicious cycle wherein utilities are overburdened and under-funded, which stymies growth. To sustain and promote healthy, financially sound growth in the County, the policy must accommodate these uses. The research makes it clear: in

# ETOWAH BLUFFS ECONOMIC BENEFIT



order to ensure fiscal health, future development must be balanced, not only in land uses, but also in land use intensity.

## Keys to Balanced Growth

If increasing housing stock alone isn't the key to increased tax revenues, then what else can municipalities do? Fortunately, a blueprint for such balanced growth already exists. Methods of maximizing space, leveraging existing resources, and increasing revenues include: concentrating land use density and intensity where it already exists (infill development), utilizing existing infrastructure and making upgrades (instead of extending to more remote places), and avoiding leapfrog development. Additionally, providing a mixture of land uses—particularly, providing for commercial, retail, and office space, and not just residential uses—will help offset the net costs of housing.

## Etowah Bluffs' Consistency with Research and Comprehensive Plan

Research shows that consistently following a County's long-range Comprehensive Plan leads to an expected 27% increase in employment over five years. The proposal for Etowah Bluffs is largely consistent with the Future Land Use map in the Comprehensive Plan, since the site's two future land use designations are Residential Town and Office Professional. However, the proposal expands on these land use designations, by adding space for a variety of commercial, retail, and light industrial spaces, in addition to the already permitted office uses, thereby expanding the flexibility and economic potential of the site. Additionally, the housing types proposed run the gamut from multi-family to single-family, which again, support a broad range of users as encouraged by the Comprehensive Plan.



In Dawson County, most residential listings are under contract within two weeks, and close in less than 60 days. This means that inventory in the County is low. Residential demand is far outpacing supply, particularly in the “missing middle” grade of housing. Therefore, something must be done to increase the housing supply. The Preserve at Etowah Bluffs works to solve this problem by providing high quality housing in a variety of sizes.

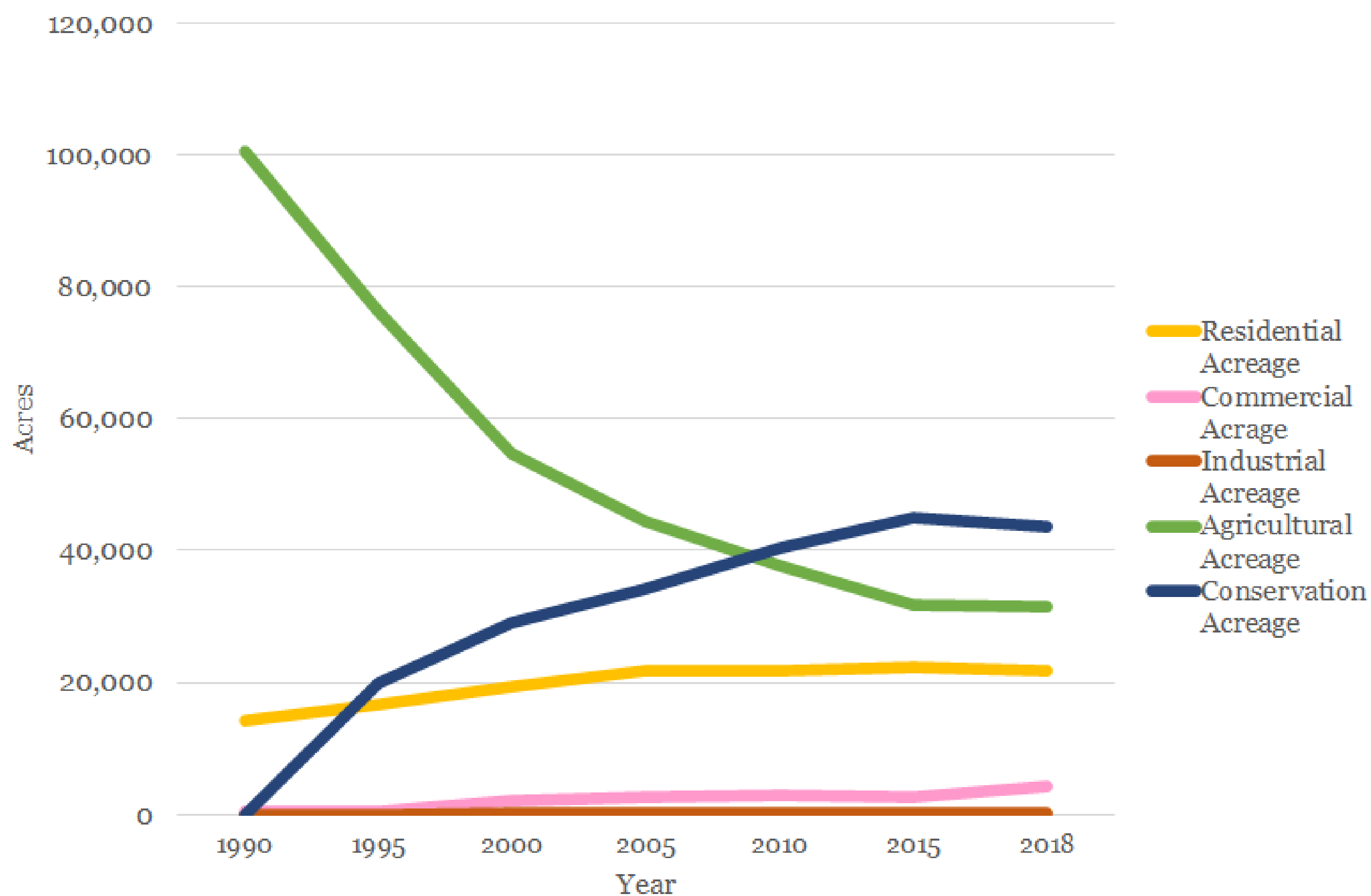
The Township at Etowah Bluffs proposal eases the need to commute out of the County for work. This not only keeps residents (and their disposable income) in the County, but it would also attract workers from outside of the County as well.

**Conclusion**

Etowah Bluffs presents a unique opportunity to seize on an underdeveloped site along a major regional thoroughfare. This site has incredible visibility from the road, with the potential to become a centralized workforce hub, while providing housing for a broad spectrum of residents. The development is an example of sustainable, balanced growth that would not only provide jobs and housing for the residents of Dawson County, but would enact a virtuous cycle to sustain those jobs and housing, by generating tax revenues.

**ETOWAH BLUFFS  
ECONOMIC  
BENEFIT**

**Dawson County Land Use Trends  
1990 - 2018**



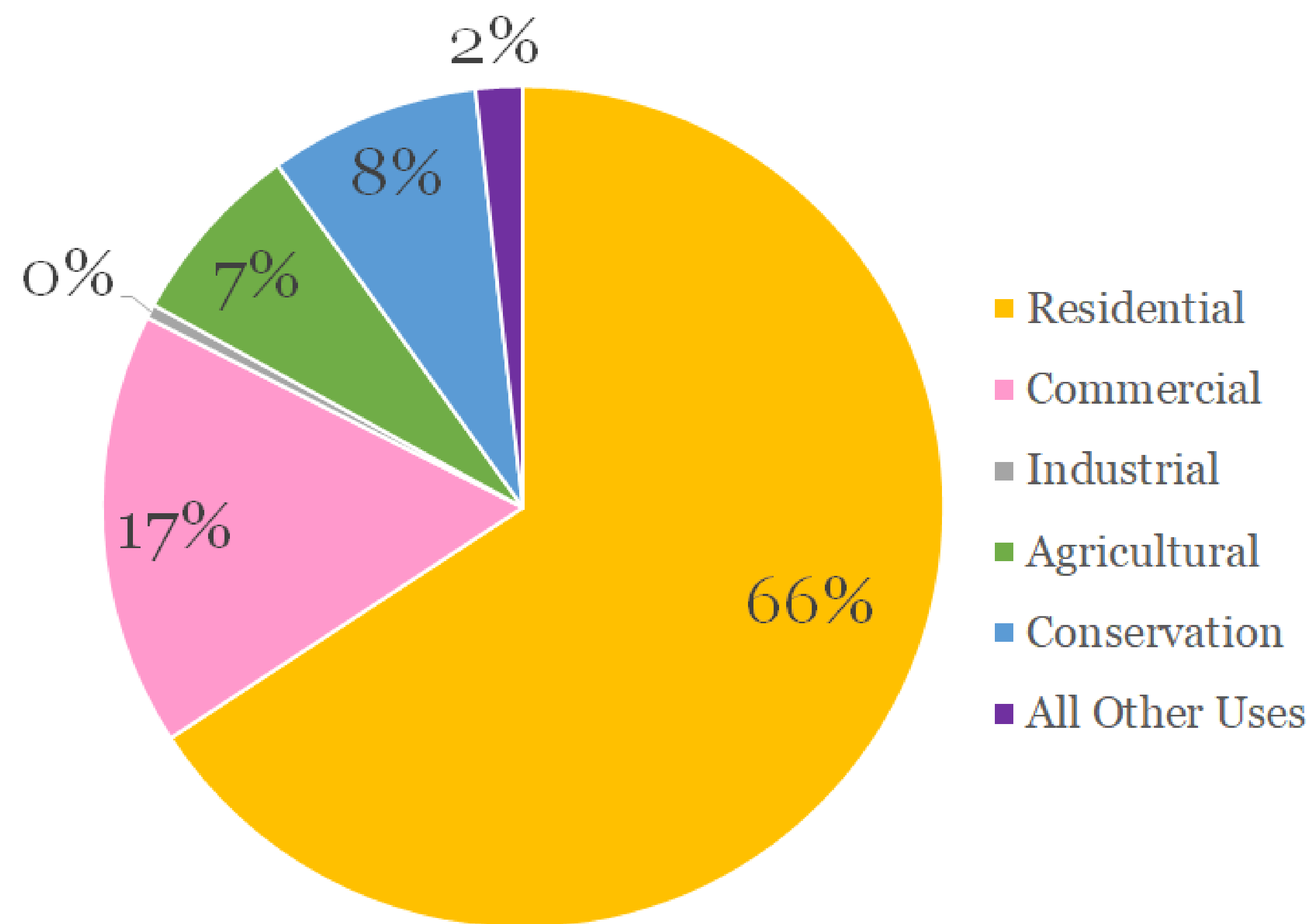
**LEFT:** Total acreage of land uses in Dawson County, 1990 to 2018.

*Data source: Dawson County Chamber of Commerce.*

**RIGHT:** A breakdown of the Dawson County property tax revenues by land use (2018).

*Data source: Dawson County Chamber of Commerce.*

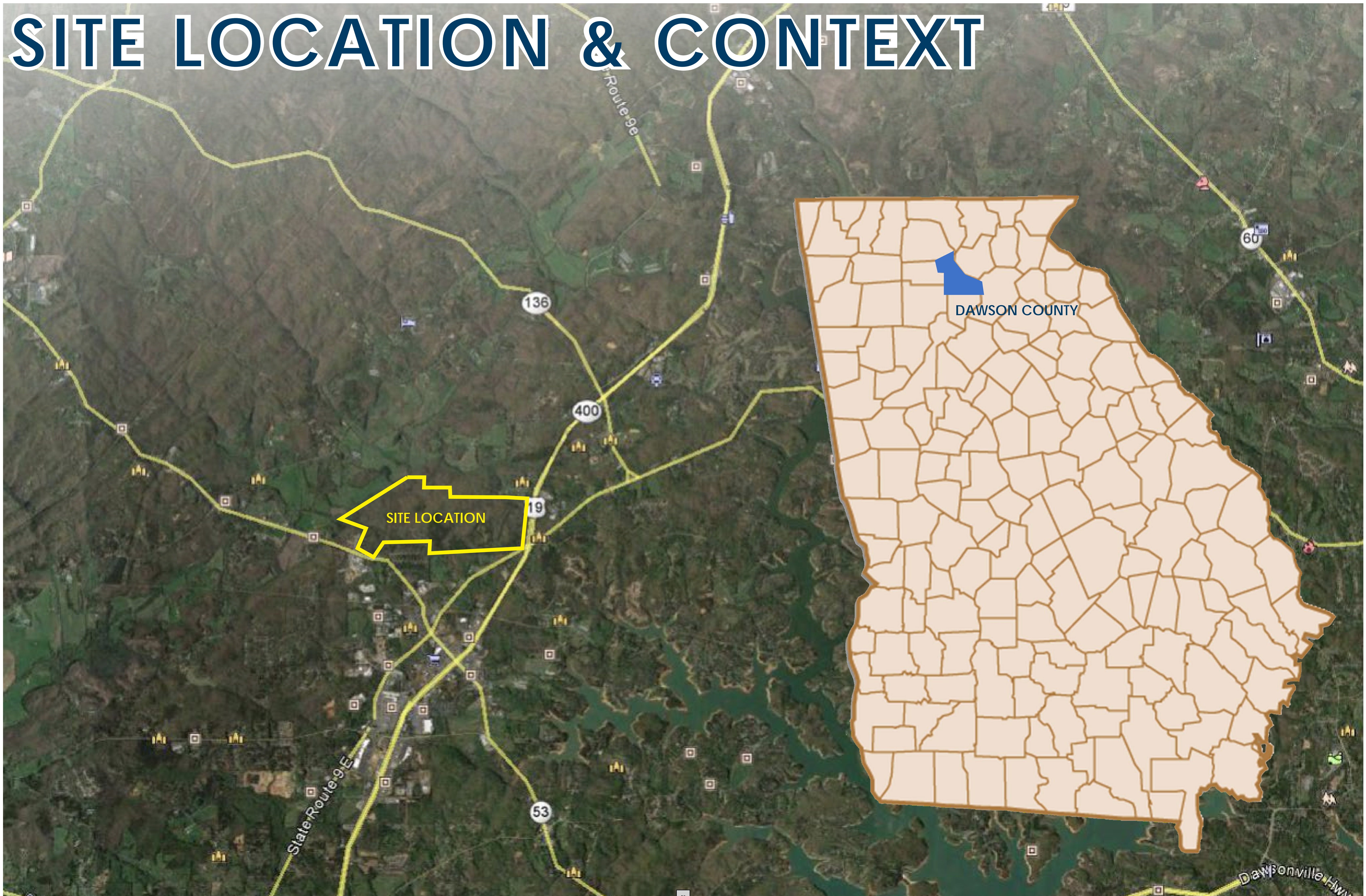
**2018 Dawson County Property Tax Collections**



Source: Georgia Department of Revenue 2018 Tax Digest Consolidated Summary

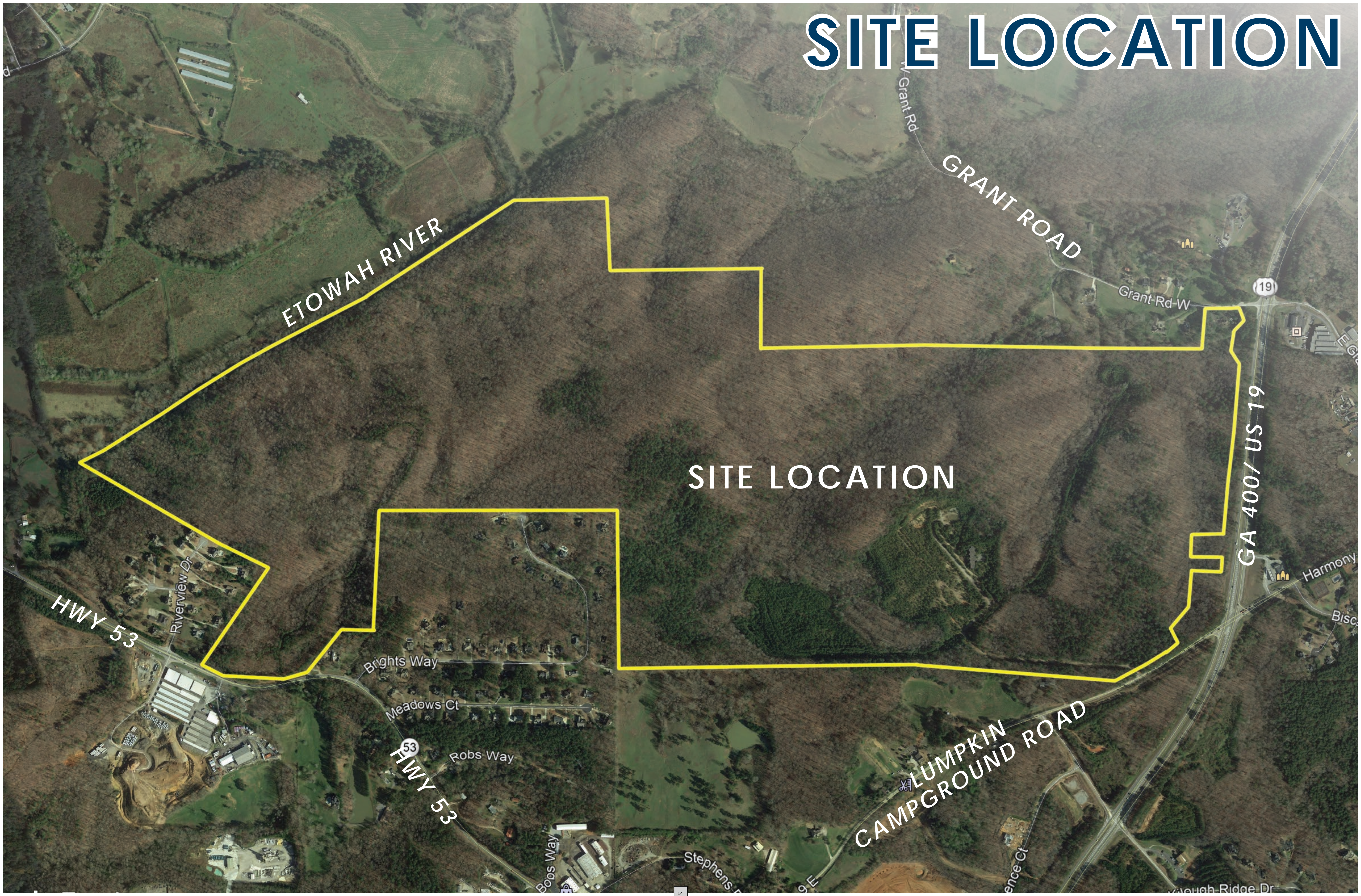


# SITE LOCATION & CONTEXT





# SITE LOCATION



ETOWAH RIVER

GRANT ROAD

SITE LOCATION

HWY 53

GA 400 / US 19

LUMPKIN  
CAMPGROUND ROAD

HWY 53

Riverview Dr

Brights Way

Meadows Ct

Robs Way

Bobs Way

Stephens

Harmony

Bisc



# ETOWAH BLUFFS PROJECT LOCATION



## Ideal Location

The project is located along the northeast intersection of Highway 53, Lumpkin Campground Road (State Route 9), and US Highway 19/GA-400. The Etowah River forms the northwestern property line.

The project is perfectly situated less than one mile north of the Dawson Village shopping center, North Georgia Premium Outlets and the Dawson Crossroads shopping center, on either side of Highway 19.

The site is located approximately five miles east downtown Dawsonville, and about 13 miles north of Cumming in Forsyth County.

The site is nestled in the foothills of the Appalachian Mountains, and is within 15 miles of both the Chattahoochie National Forest and the Dawson Forest.







# DAWSON COUNTY PUBLIC POLICY

## **Current Zoning**

The site currently has several zoning designations: Residential Agricultural (RA), Residential Planned Community (RPC), Office/Institutional (C-OI), Planned Comprehensive Development (C-PCD), and Highway Business (C-HB).

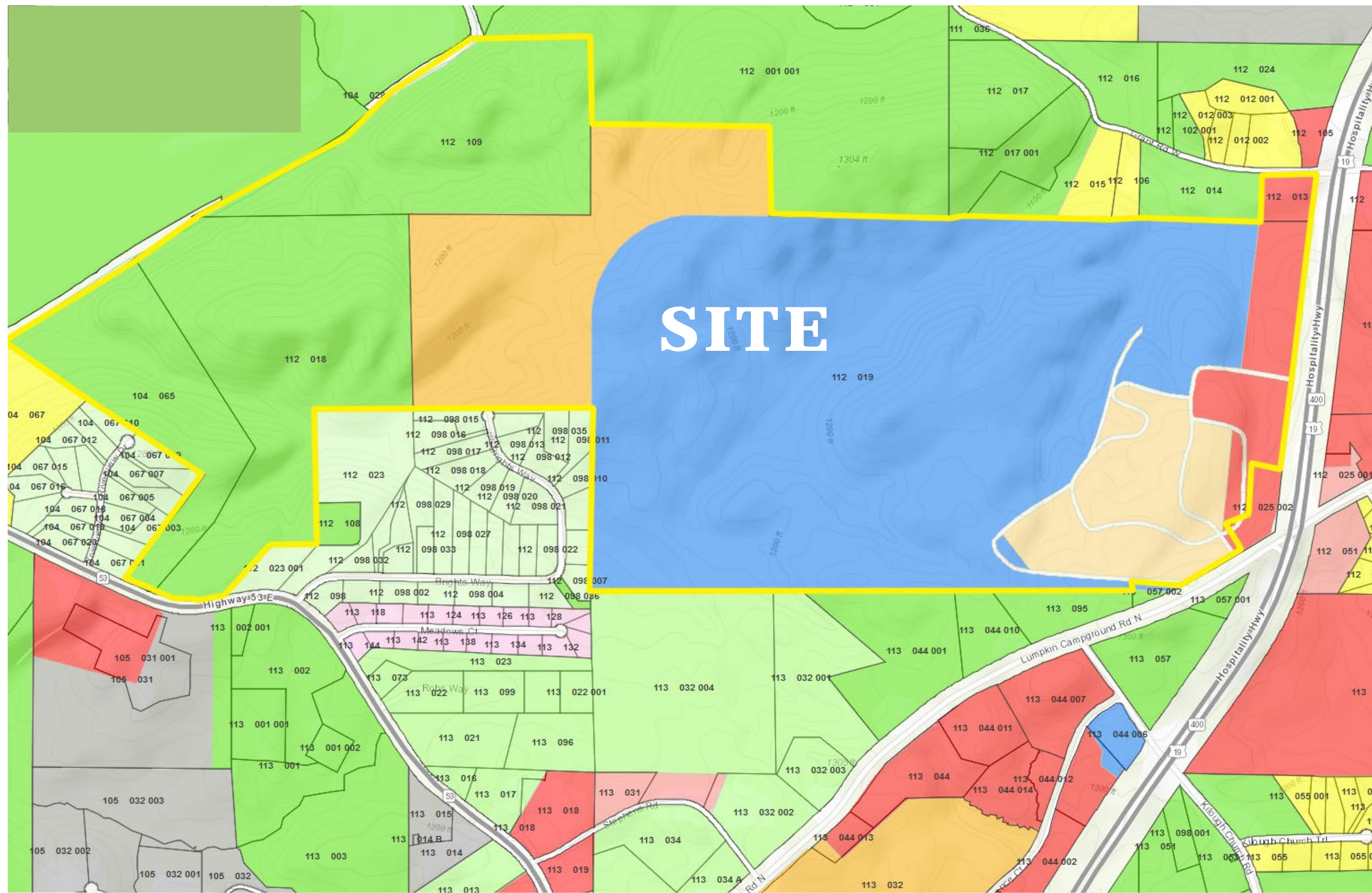
## **Future Land Use**

The site also has two future land use designations: Residential Town and Office Professional.


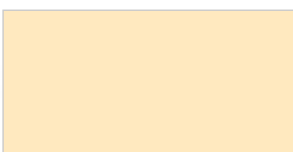

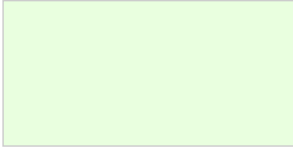
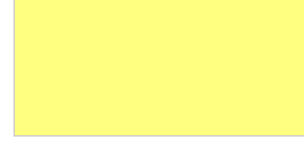









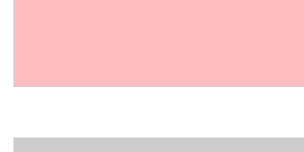




## **Proposed Zoning**

The Etowah Bluffs proposal—comprising both The Township and The Preserve at Etowah Bluffs—consists of 518 acres zoned entirely Mixed Use Village.

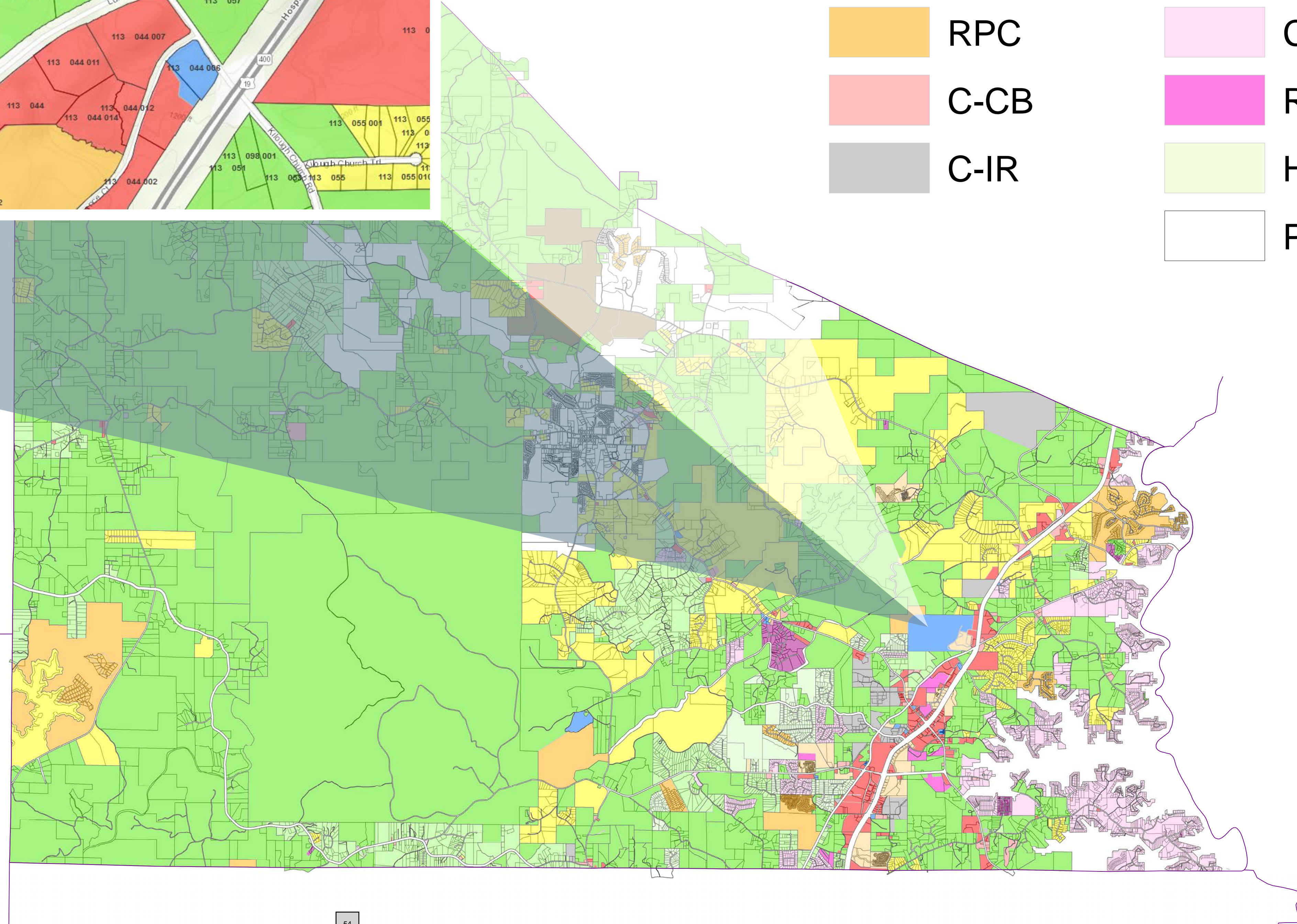




## Legend

	County_Line		C-PCD
	RA		RS
	RSR		C-OI
	VCR		VC
	C-HB		MUV
	RSRMM		CT
	RPC		C-RB
	C-CB		RMF
	C-IR		HD
			Parcels

# DAWSON COUNTY ZONING

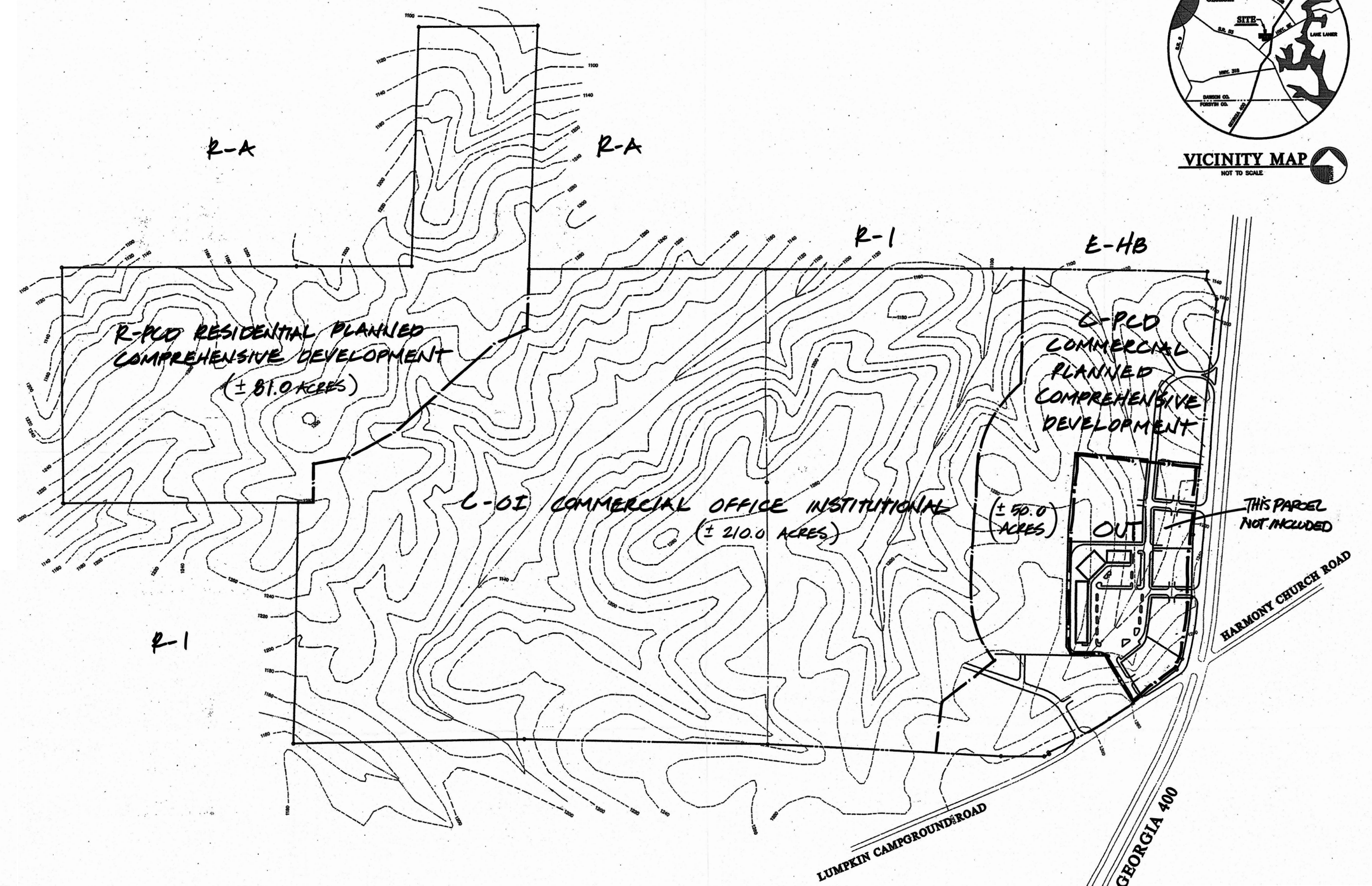
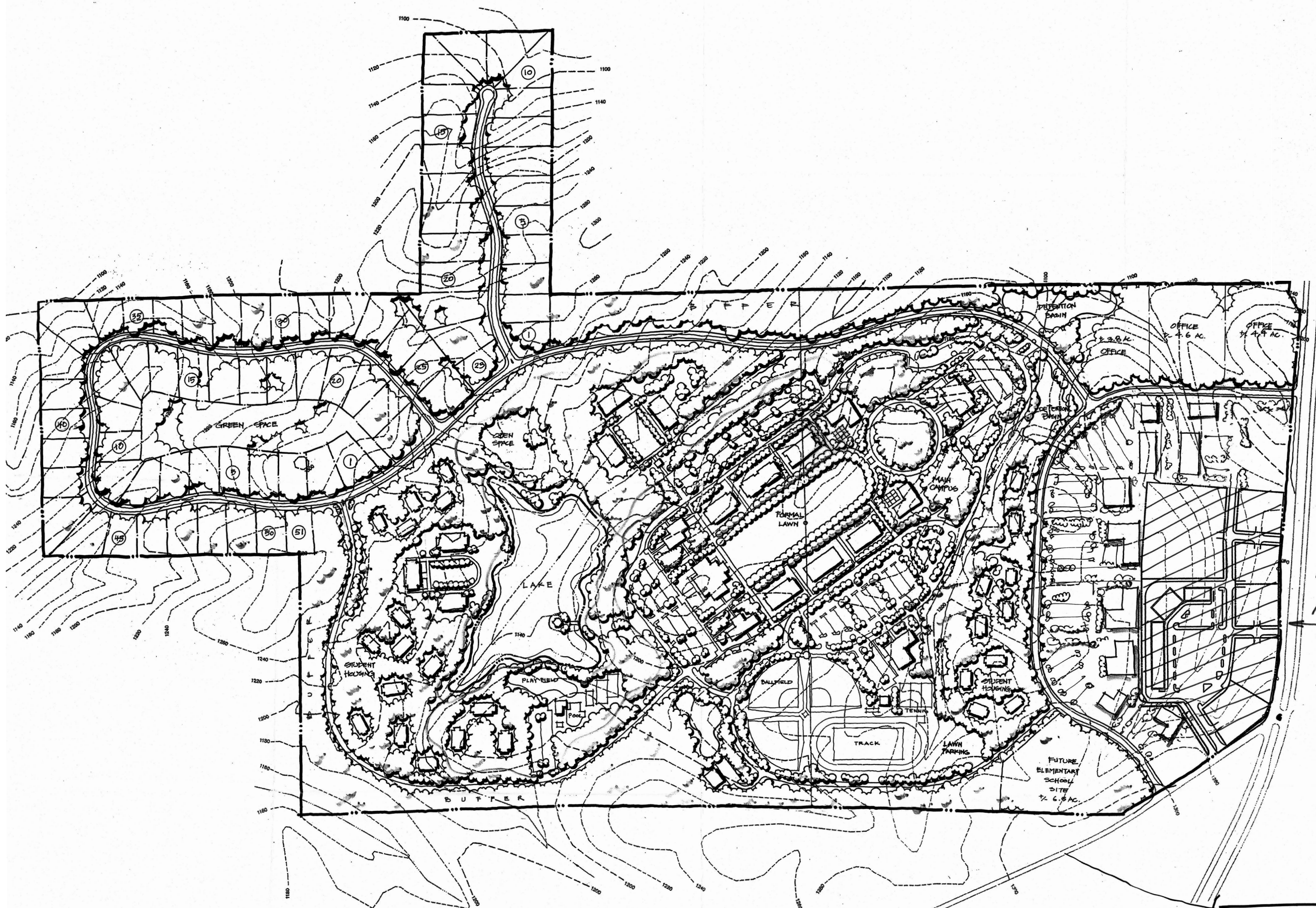




# CURRENT ZONING SITE PLAN

## APPROVED NOVEMBER 2000

In November of 2000, 340 acres of the site were rezoned to C-OI, R-PCD, and C-PCD for the purpose of the future development of a college with campus, living area, and business offices. The site was proposed to be developed over the course of 50 years, and was originally slated to include the college institutional buildings, 50 single-family housing units, a hotel, apartments, and retail stores. The original plans only included a 60-foot wide buffer around the entire perimeter of the property.



**LEFT:** The approved rezoning site plan from November, 2000. The plan shows the original college campus layout with the residential development in the northwestern corner of the site, and the commercial/hotel component along GA 400.

**ABOVE:** The approved site plan shown in terms of land use and zoning.



# PLAN COMPARISON

## CURRENT ZONING PLAN VS. PROPOSED ZONING PLAN

### Plan Comparison Narrative

The ‘current’ zoning plan, also known as the ‘approved’ zoning plan was approved by the Dawson County Board of Commissioners in November, 2000. The original intent of the site was for it to be developed as Southern Catholic College campus, with student housing, a hotel, a commercial/retail component, institutional buildings, and a 50-lot subdivision toward the northwestern corner of the site.

The original plan only covered approximately 340 acres. The approved zoning conditions provide more insight about the extent of the development; it would be developed in three phases over the course of 50 years, filling out more space once the enrollment of students increased year over year. The total build-out was estimated to be valued at about \$400 million dollars.

The proposed zoning site plan, also known as Etowah Bluffs, differs from the current zoning plan in a few ways. First, the site comprises over 500 acres, extending all the way back to the Etowah River, from GA 400 and Lumpkin Campground Road. The entire site would be zoned MUV (Mixed-Use Village) instead of the various zoning districts that were approved with the 2000 plan (see table for comparison). Additionally, the build-out timeframe for Etowah Bluffs would be only around 10 years.

It is difficult to compare the two projects on a square-footage basis alone, because many elements of the original Southern Catholic were vague, according to the originally-approved site plan and the BOC minutes. However, the plans did include apartment-style housing for the student body (approximately 2,000 students targeted for enrollment), as well as 50 single-family detached lots. Although it is unclear how many apartment units the Southern Catholic plan included, assuming at least half of the student body lived on campus, and one room was shared by two students, then there would be at least 500 apartment-style units for student housing constructed. The proposed Etowah Bluffs plan includes a total of 986 units, of which 586 would be single-family detached. Only 300 units of the proposed housing in Etowah Bluffs would be multi-family, and the provided units would be Class-A, upscale units, as opposed to student dormitories. The total overall residential density in Etowah Bluffs would be only 1.88 units per acre, which is less than what is permitted

Development Standards	Current Zoning Site Plan	Proposed Zoning Site Plan (after build-out)
<b>Site Acreage</b>	340 acres	<b>518.274 acres</b>
<b>Zoning Districts used</b>	C-OI, R-PCD, C-PCD	Mixed-Use Village (MUV)
<b>Est. Build Out Value</b>	\$400 Million	\$400 Million
<b>Est. Build Out Timing</b>	50 years	10 years
<b>Est. Annual Tax Revenue</b>	Minimal/\$0-Non-profit facility	\$2 million/year (after build-out)
<b>Residential Units Total</b>	Unclear	986 units
<b>Single-family detached</b>	50 units	586 lots
<b>Single-family attached</b>	None	100 homes
<b>Multi-family/apartments</b>	Housing for 2000 students	300 units
<b>Overall Residential Density</b>	Unclear	1.88 UPA
<b>Office/Institutional Square Footage</b>	80-acre town center	44,420 square feet
<b>Commercial Square Footage</b>		30,000 square feet
<b>Industrial Square Footage</b>		250,000 square feet
<b>Hotel Space</b>		Not currently a planned use within this development
<b>Buffer</b>	60-foot buffer around perimeter; 80 feet along major thoroughfares	50-foot minimum, entire perimeter + conservation space

by the MUV district.

Perhaps the biggest difference between the two plans is the emphasis on a mix of commercial uses. While the current zoning plan allowed for ‘town-center style commercial,’ the plan and the BOC minutes are unclear about exactly how much space was proposed, and what uses would be permitted. The plan shows approximately 80 acres reserved for commercial space, which would also include room for a 250-key hotel.

The Etowah Bluffs plan reiterates the University of Georgia’s findings on the need for balance in sustainable growth by placing an equal

emphasis on the commercial component of the site plan. The unique ‘village green’ style commercial would encompass 30,000 square feet of commercial/retail/restaurant space alone. The plan also includes 44,000+ square feet of flexible office and professional space, in addition to 250,000 square feet of light industrial space.

The larger area of the Etowah Bluffs plan (518 acres) enables this variety in land uses that is proven to provide balanced and sustainable growth in exurban municipalities. Finally, the land use intensity on-site is further balanced with over 200 acres of preservation space (two thirds the size of the current plan area!).



# LAND USE COMPARISON

## COMPREHENSIVE PLAN

Land Use	Description	Number of Units or Square Footage	Density or Intensity	General Range of Land Area Needed (acres)	Range of % Total Land Area in Activity Center
Detached (cluster) homes	Fee-simple lots	0-1500 units	2.8 units per acre overall	158-340	32-34%
Townhouses/attached condominiums	Freestanding	200-1000 units	2.8 units per acre overall	25-125	5-13%
Apartments/condominiums, 650 – 1850 square feet per unit, 1250 square feet average	2 <sup>nd</sup> & 3 <sup>rd</sup> floors of mixed-use buildings	100-300 units	125,000-375,000 square feet	Included with employment	
Employment uses: Office, retail, service, restaurants, civic, institutional	In mixed-use building or freestanding	150,000 - 250,000 square feet		7-20	1-2%
Parking structure(s) for employment uses and apartments/condominiums	65%-100% of spaces for	815-2080 spaces	1 per 300 square feet	10-25	2%-3%
Landscaping, parks, recreation, open space	30% of Total			150-300	30%
Miscellaneous	10% of total			50-100	10%
Roads	20% of total			100-200	20%
<b>TOTAL (acres)</b>				<b>500-1000</b>	<b>100%</b>

ETOWAH BLUFFS LAND USE BREAKDOWN				
LAND USE	DESCRIPTION	RANGE OF % TOTAL LAND AREA IN ACTIVITY CENTER (PER COMP PLAN)	TOTAL % OF LAND AREA (PER SITE PLAN)	LAND AREA OF USE PROPOSED (ACRES)
<b>DETACHED HOMES</b>	Fee simple lots	32% - 34%	17%	88.9
<b>TOWNHOUSES/ ATTACHED CONDOMINIUMS</b>	Freestanding	5% - 13%	1%	5.86
<b>APARTMENTS</b>	Buildings only	1% -2%	1%	2.7
<b>EMPLOYMENT USES</b>	Buildings only		2%	8.4
<b>LANDSCAPING/ PARKS/RECREATION /OPEN SPACE</b>	All remaining site area	30%	69%	356.64
<b>ROADS &amp; PARKING FOR EMPLOYMENT &amp; APARTMENTS</b>	All paved lanes, circulation, parking spaces, and garages	23%	7%	36.5
<b>MISC.</b>	Stormwater ponds		3%	15.77
<b>OUTPARCEL FOR PUBLIC USE</b>		10%	1%	3.5
<b>TOTAL SITE AREA</b>	518.274	100%	100%	518.274

### Land Use Comparison: Comprehensive Plan vs. Proposed Zoning Plan

The above tables show the target land use breakdown for the Mixed Use Village District in Dawson County (specified in the most recent Comprehensive Plan; left) and the proposed land use breakdown for Etowah Bluffs (right).

The target land use breakdown provides ballpark acreages and site percentages of each land use for sites ranging in size from 500 to 1,000 acres.

In general, the proposed land use breakdown of the proposed Etowah Bluffs site plan is aligned with the breakdown specified in the Comprehensive Plan. The biggest difference between the Etowah Bluffs and the Comprehensive Plan land use breakdowns is the amount of space allotted for landscaping, parks, recreation, amenities, and open space. The Comprehensive Plan calls for 30 percent of the site area to be set aside for these uses, however, the Etowah Bluffs site plan proposes more than double that percentage for the same uses. This is largely attributed to the significant area of the site left completely undisturbed for conservation uses, in addition to the areas

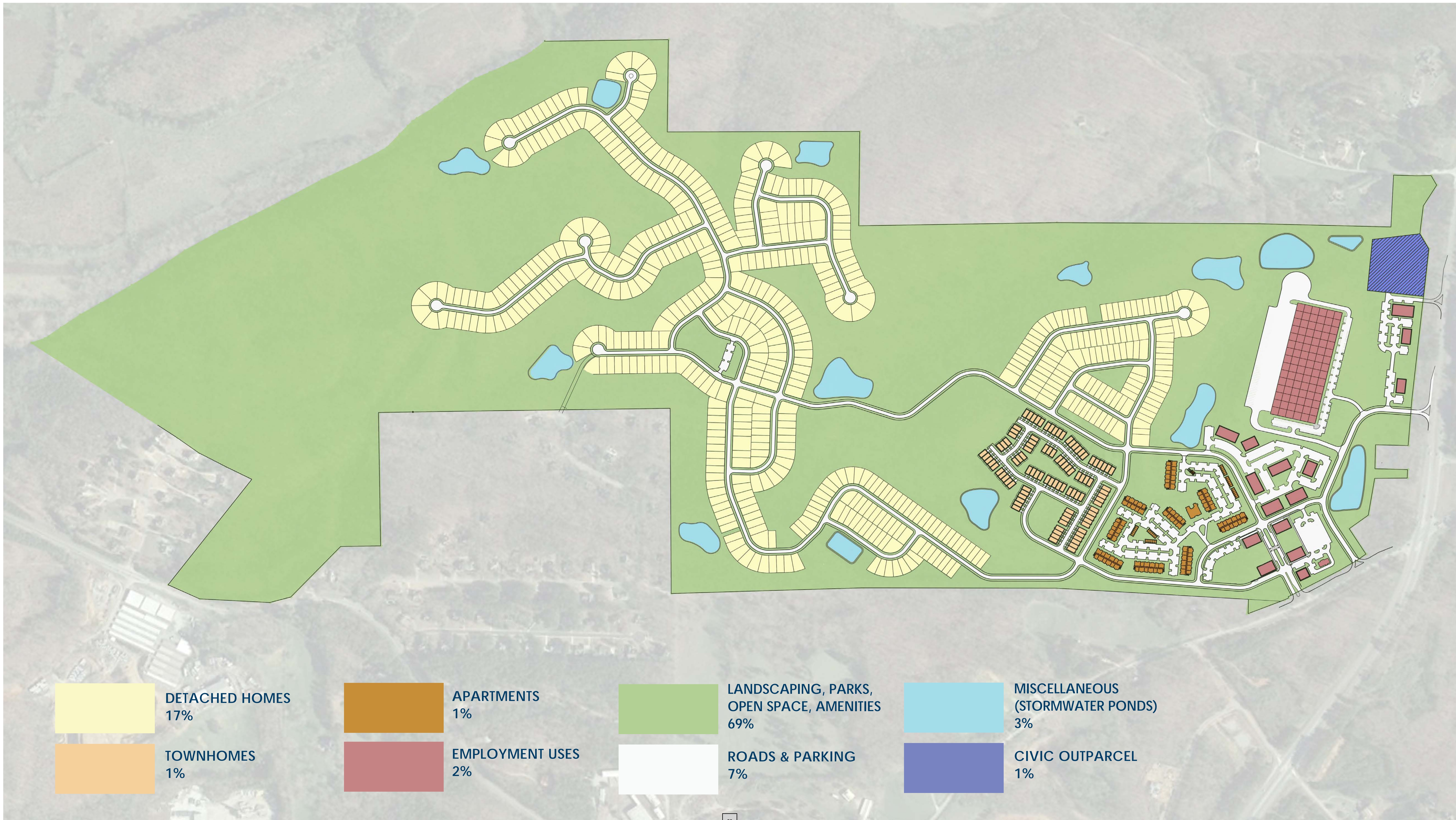
left for landscaping, amenities, and usable open space. Other uses are largely in or under target range, which, again, can be explained by the disproportionately large amount of space reserved for conservation or open space.

The following pages show the percentage of each land use specified in the Comprehensive Plan as they are proposed for Etowah Bluffs.



# LAND USE BREAK DOWN

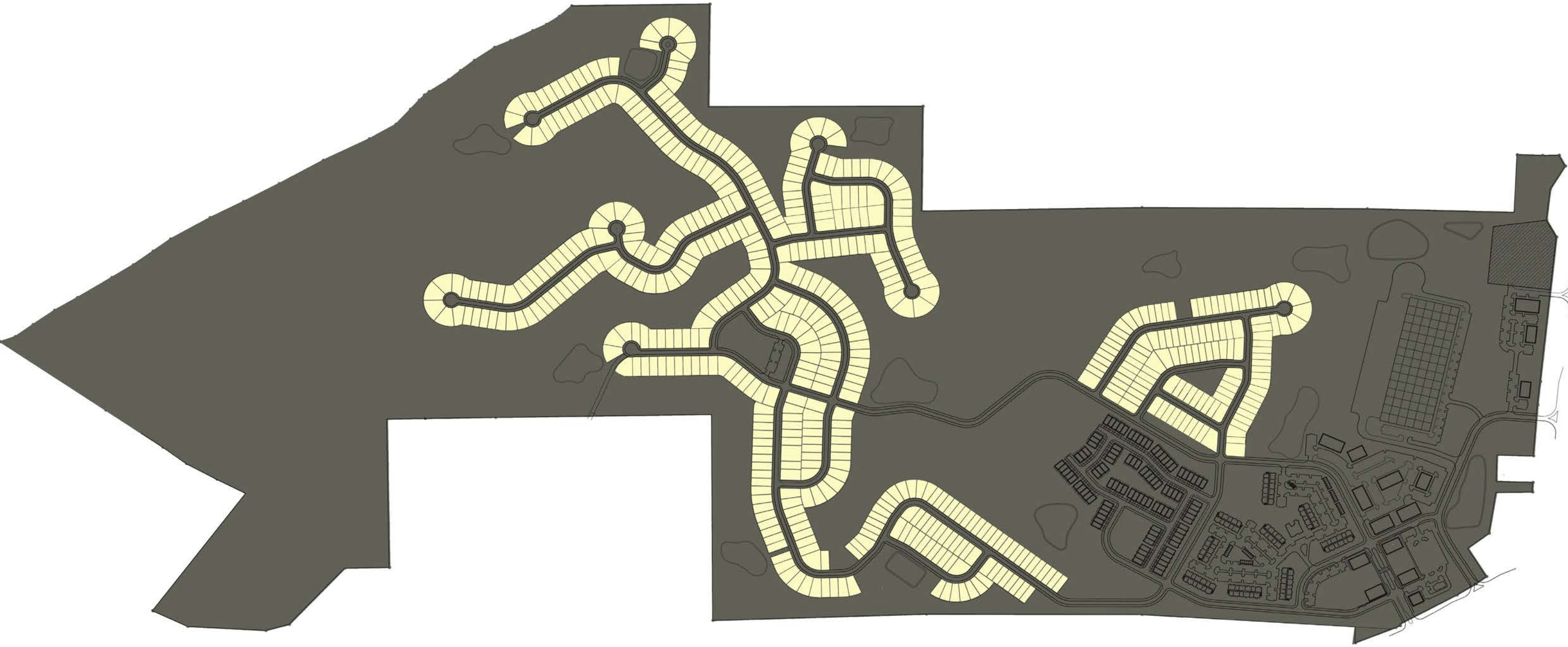
## PROPOSED PLAN



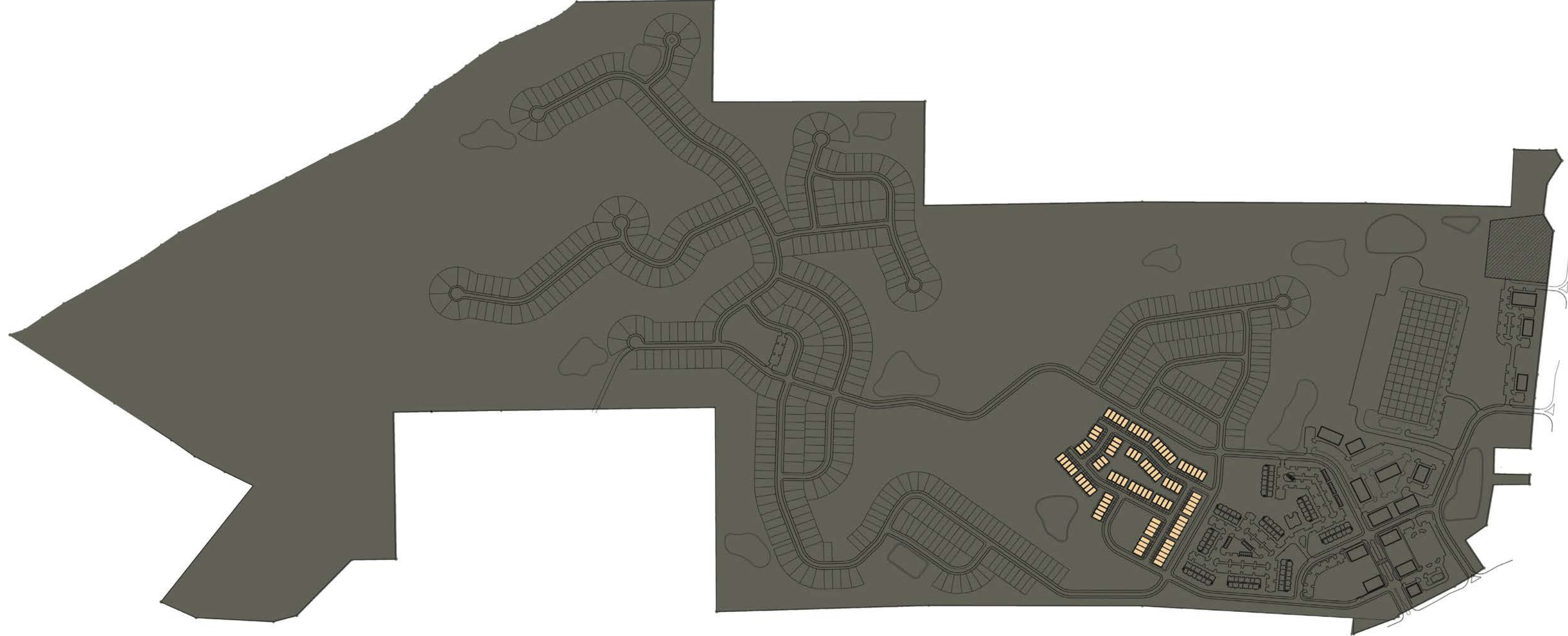


# LAND USE BREAK DOWN

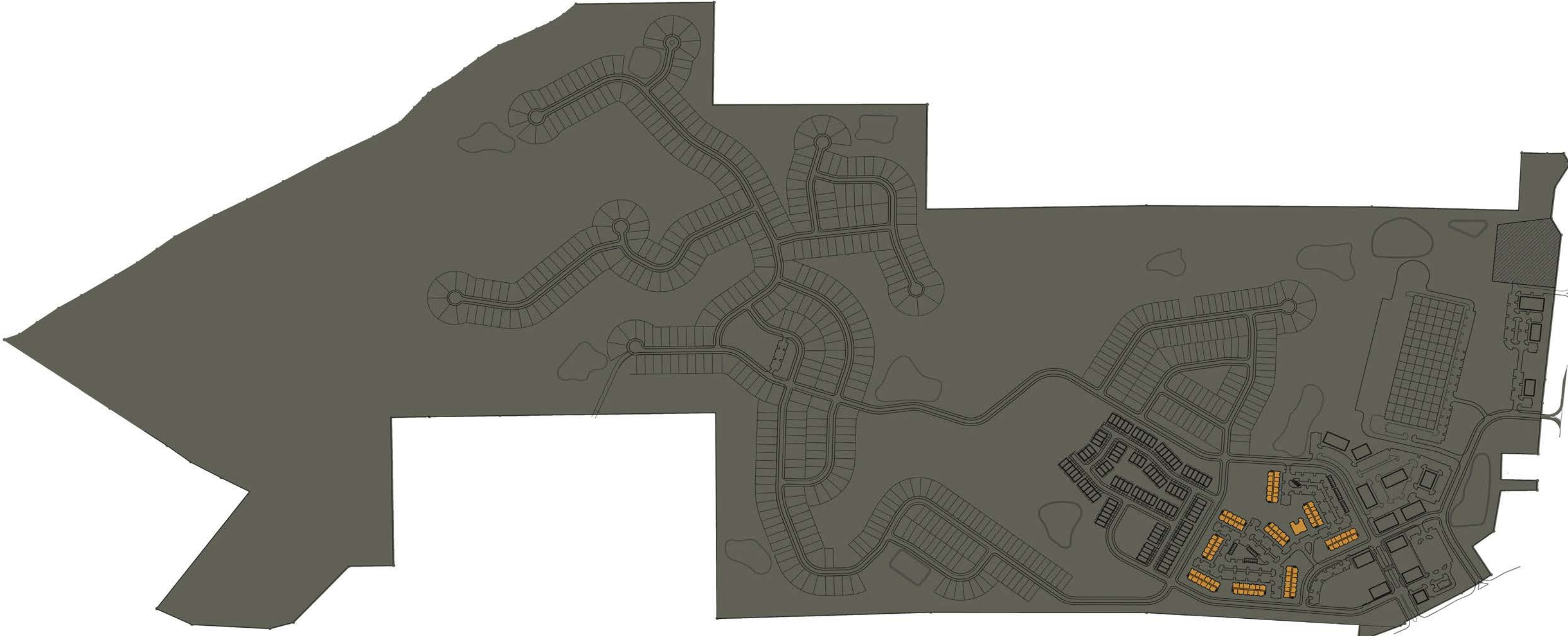
## PROPOSED PLAN



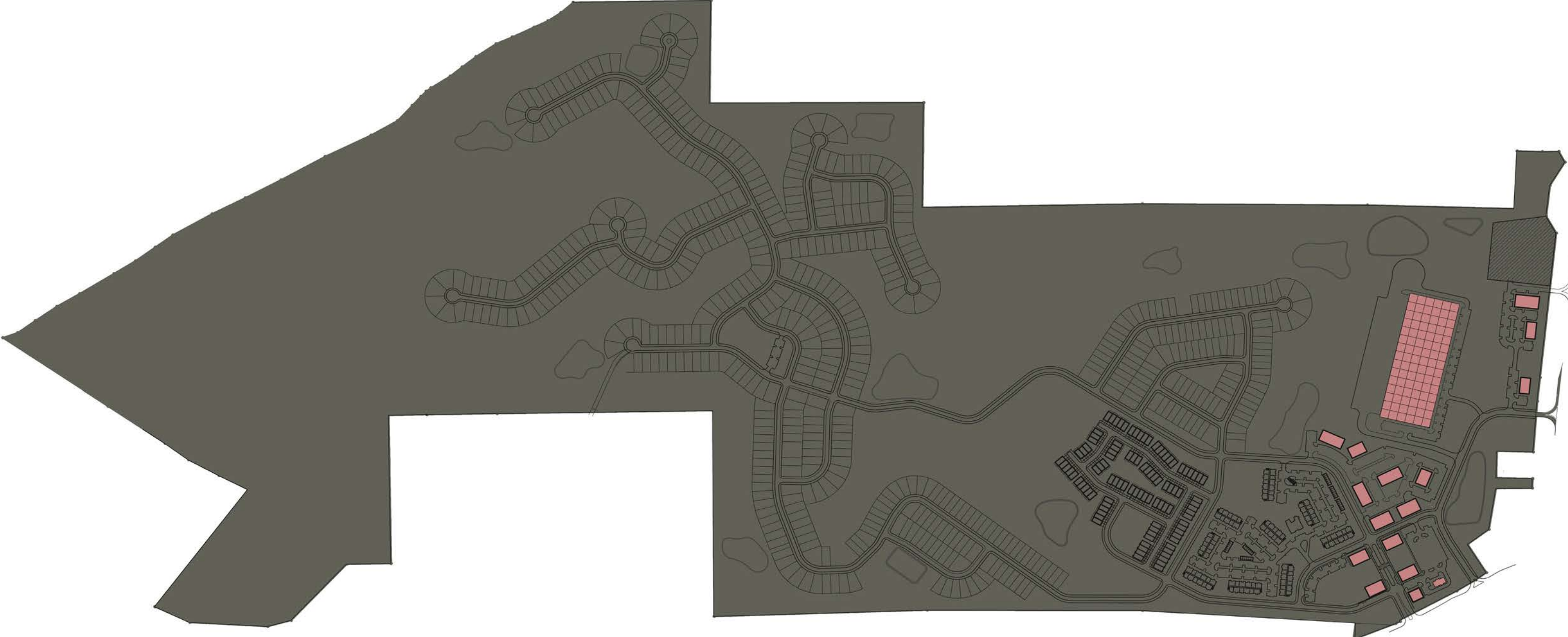
**DETACHED HOMES**  
17%



**TOWNHOMES**  
1%



**APARTMENTS**  
1%

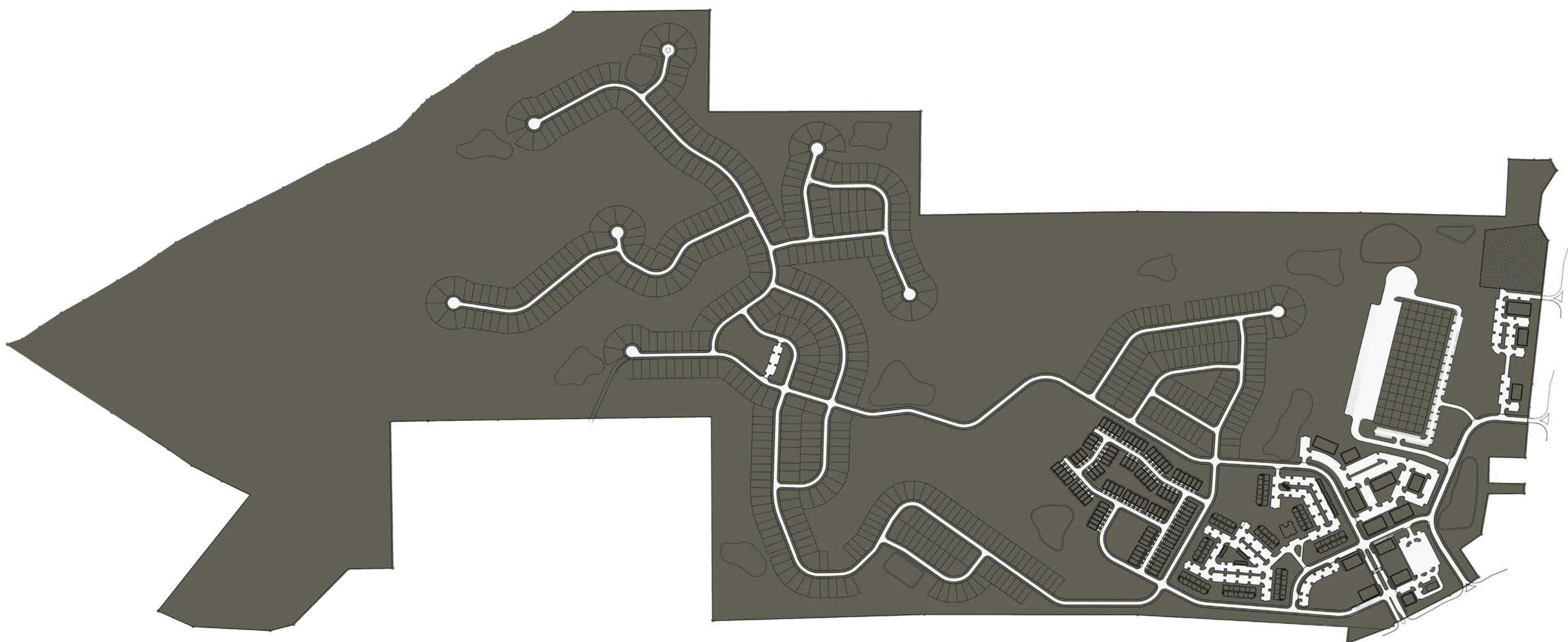


**EMPLOYMENT USES**  
2%

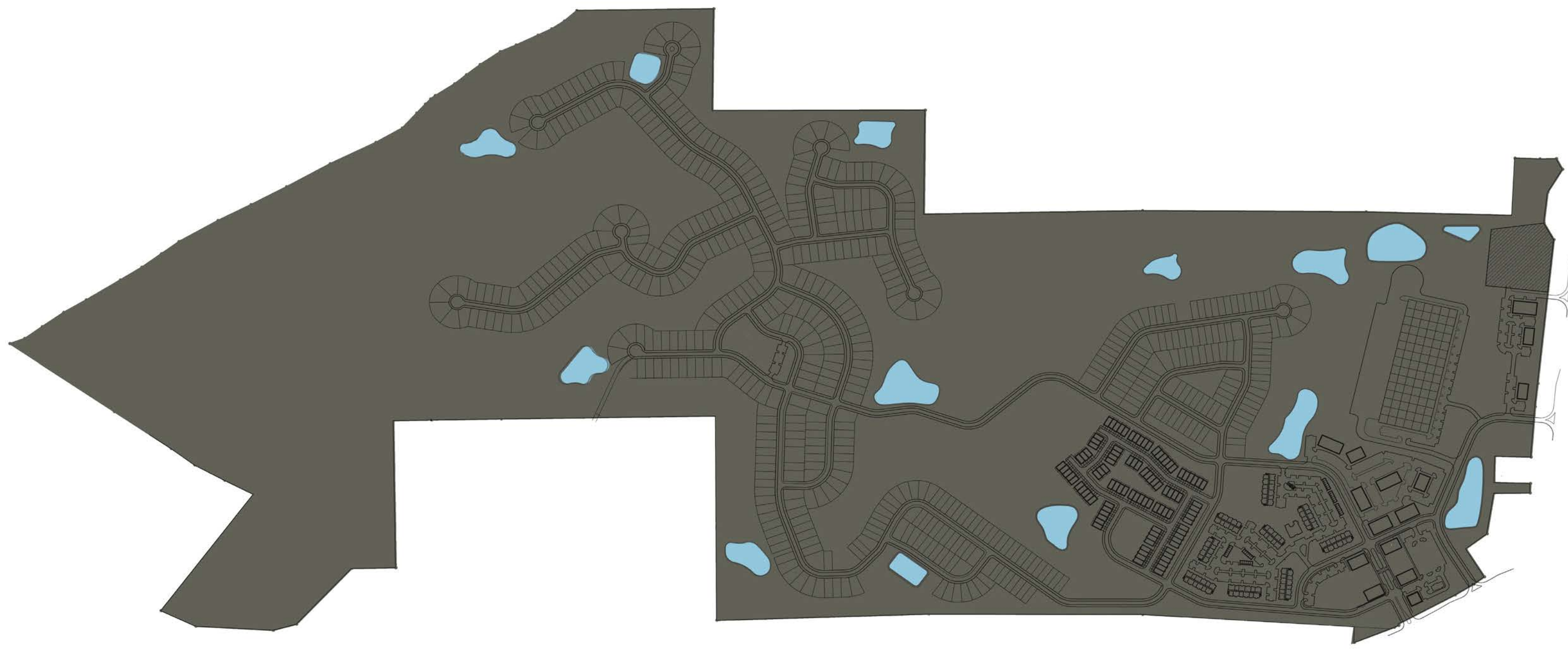


# LAND USE BREAK DOWN

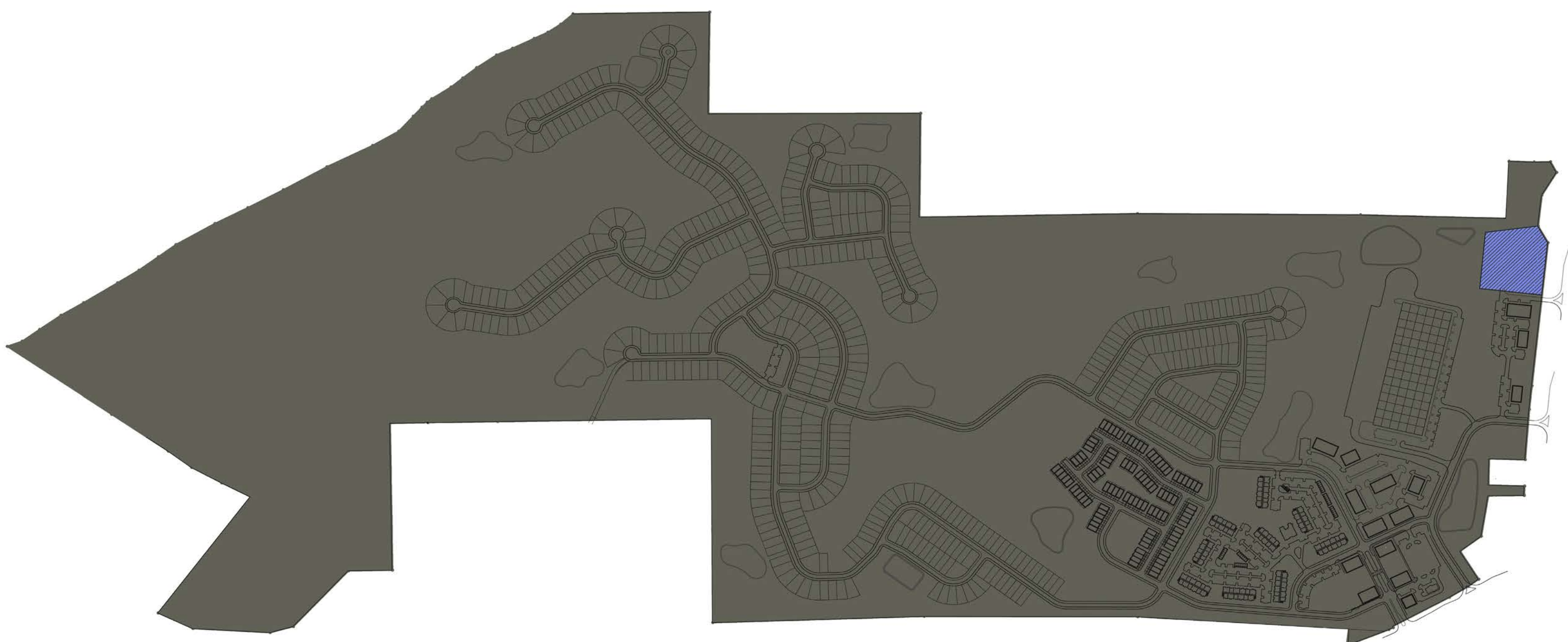
## PROPOSED PLAN



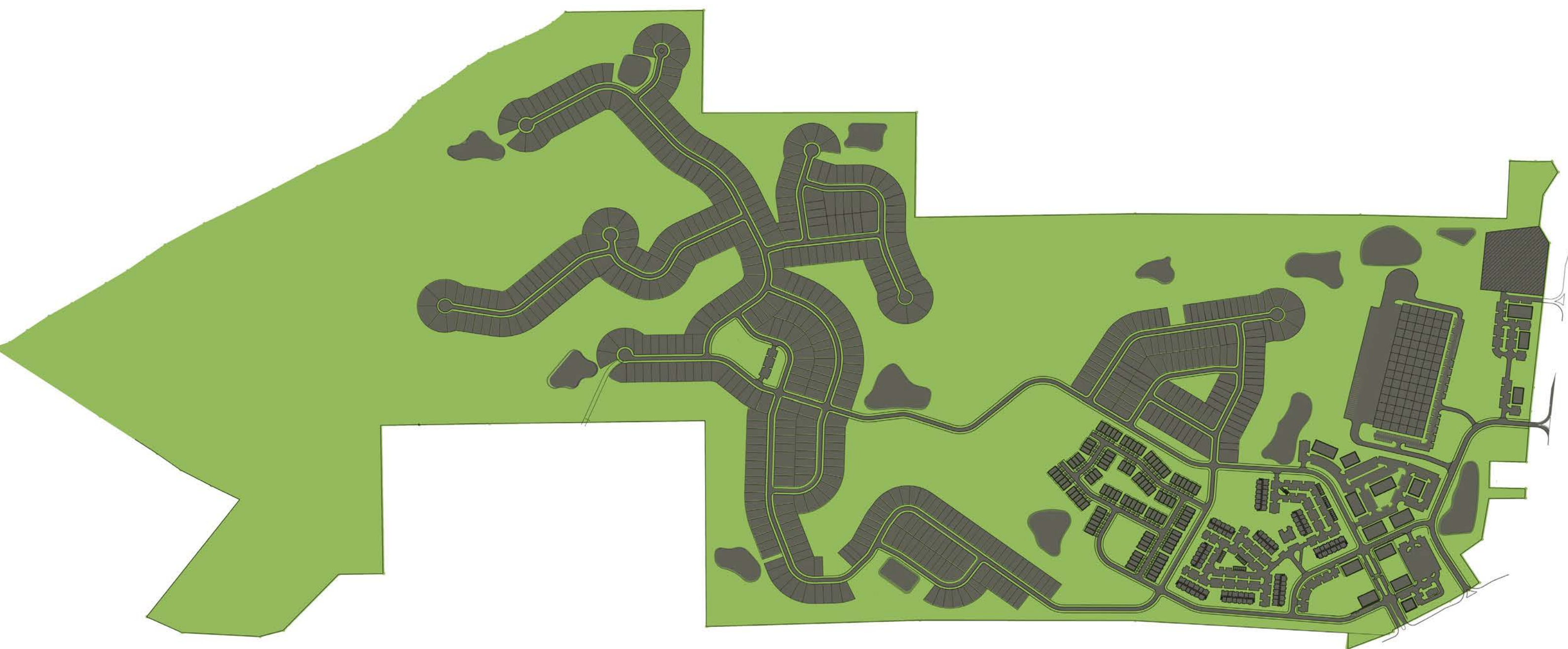
ROADS & PARKING  
7%



MISCELLANEOUS  
(STORMWATER PONDS)  
3%

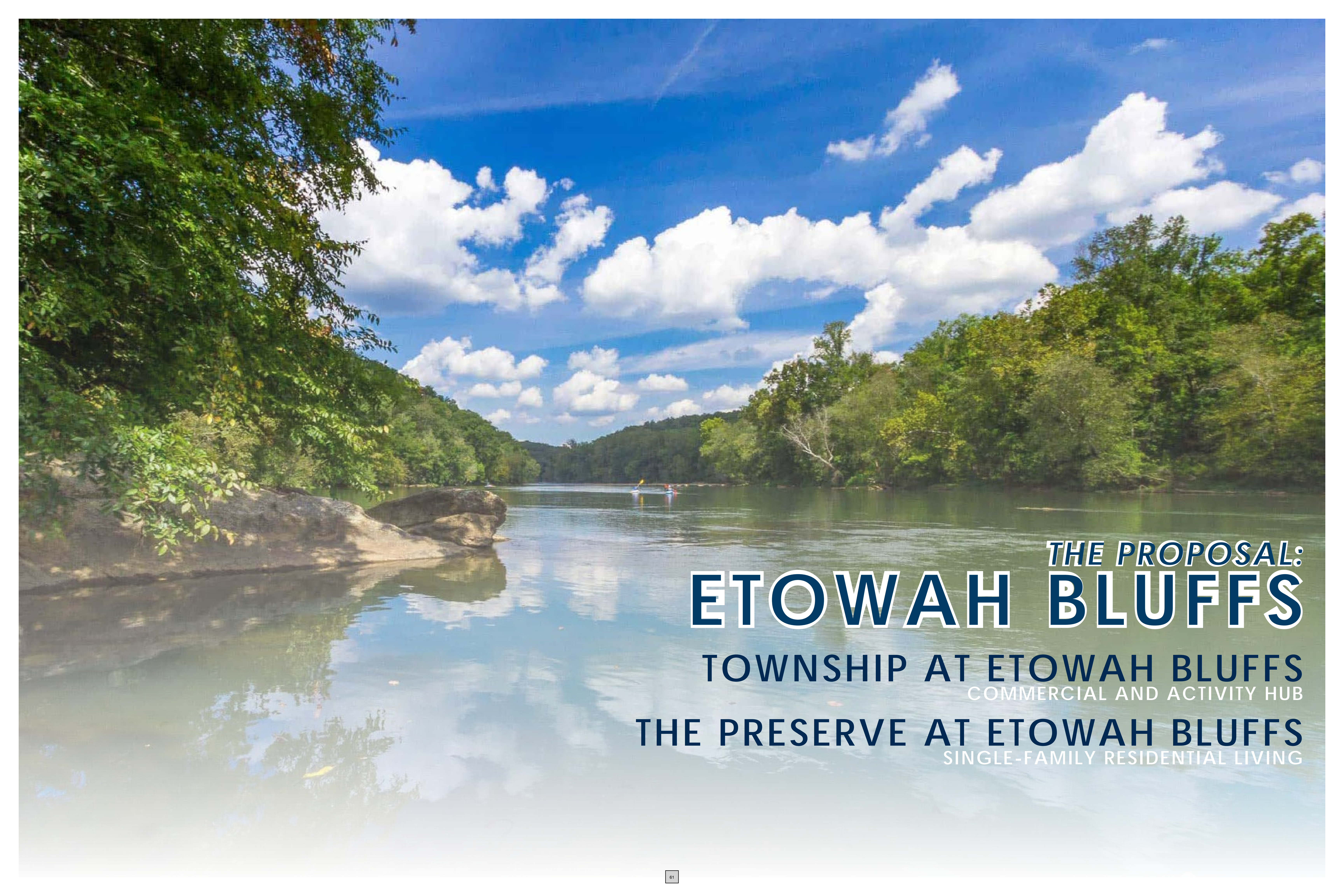


CIVIC OUTPARCEL  
1%



LANDSCAPING, PARKS,  
OPEN SPACE, AMENITIES  
69%





*THE PROPOSAL:*

# ETOWAH BLUFFS

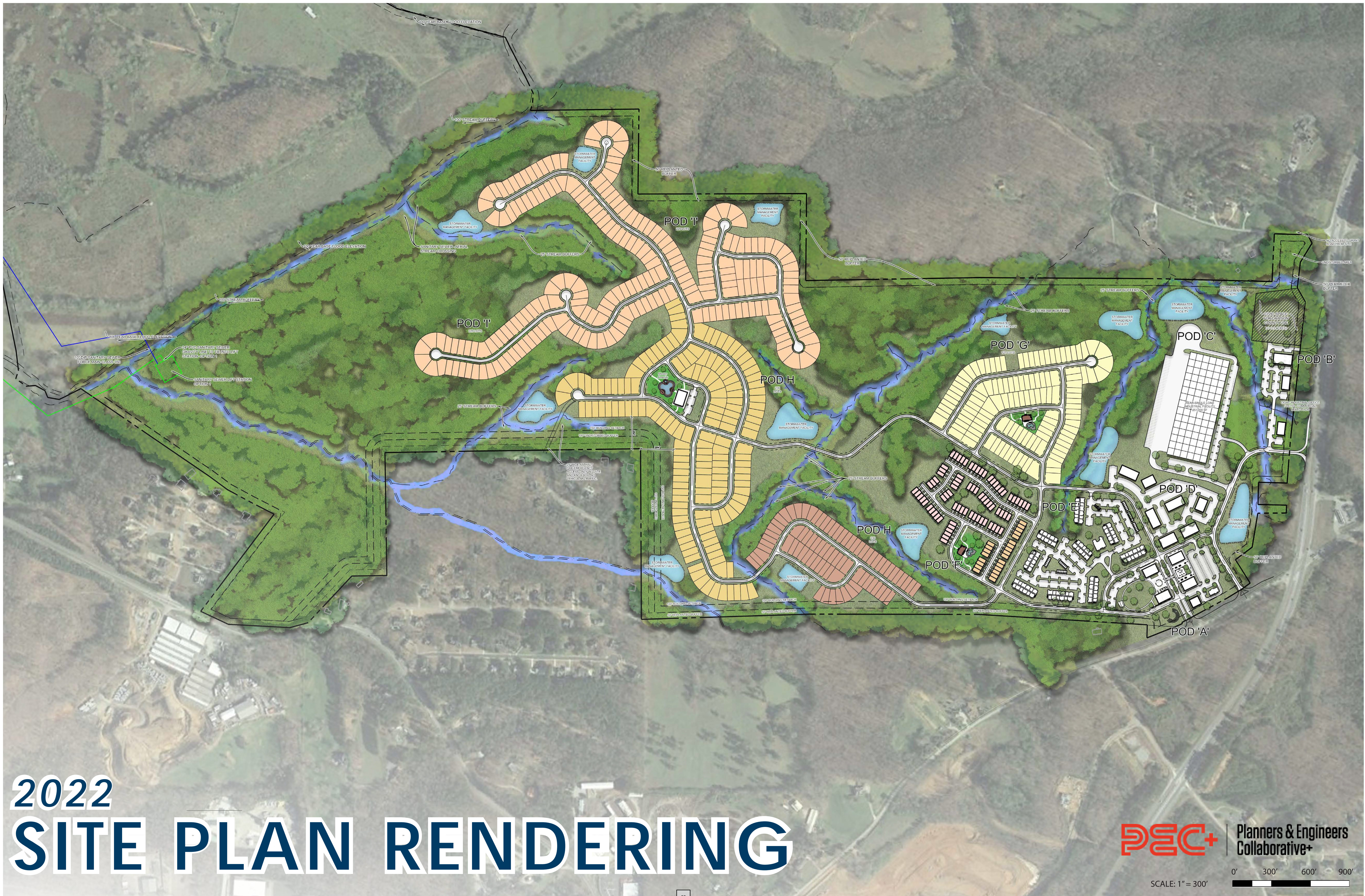
**TOWNSHIP AT ETOWAH BLUFFS**

COMMERCIAL AND ACTIVITY HUB

**THE PRESERVE AT ETOWAH BLUFFS**

SINGLE-FAMILY RESIDENTIAL LIVING

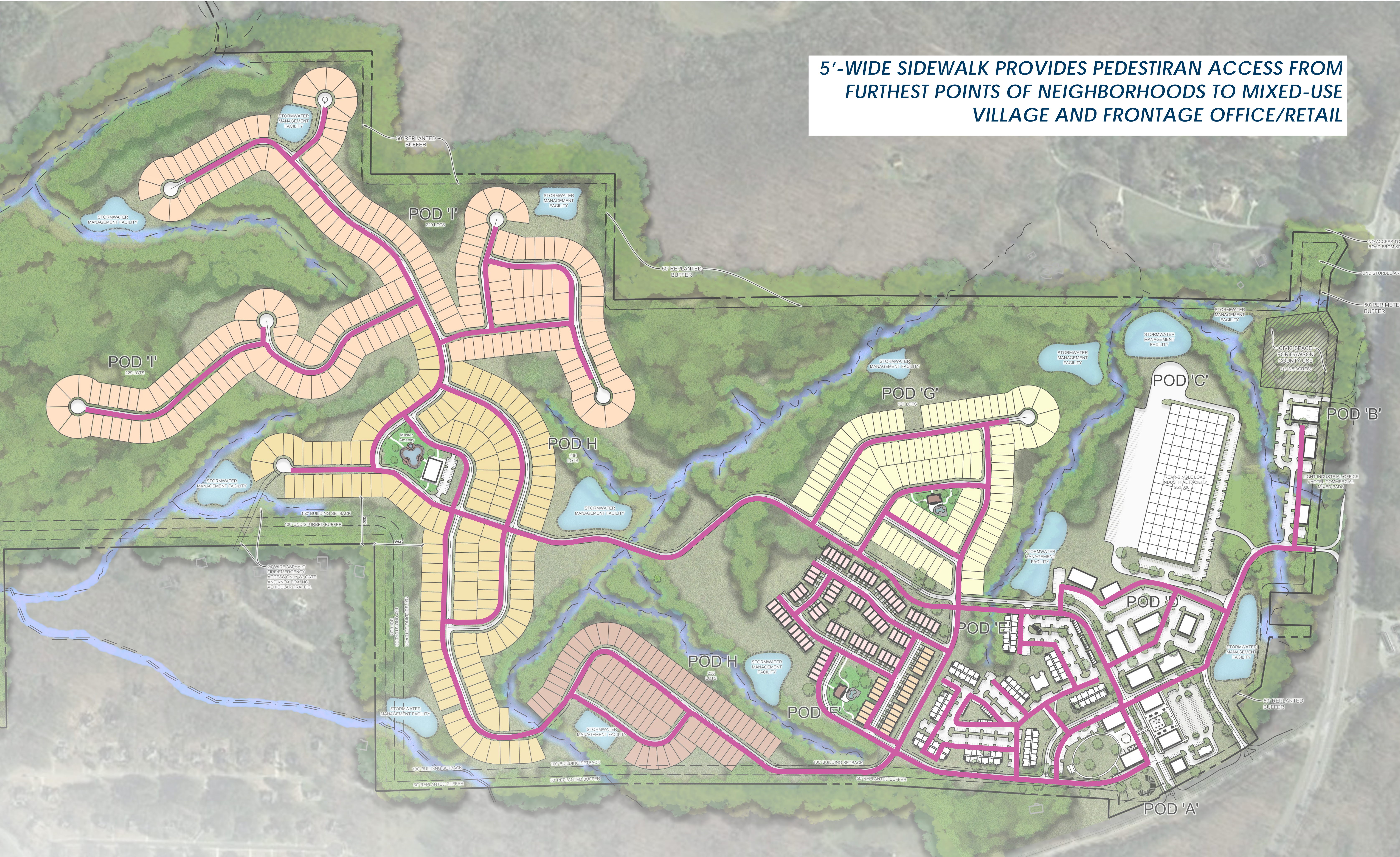




# 2022 SITE PLAN RENDERING



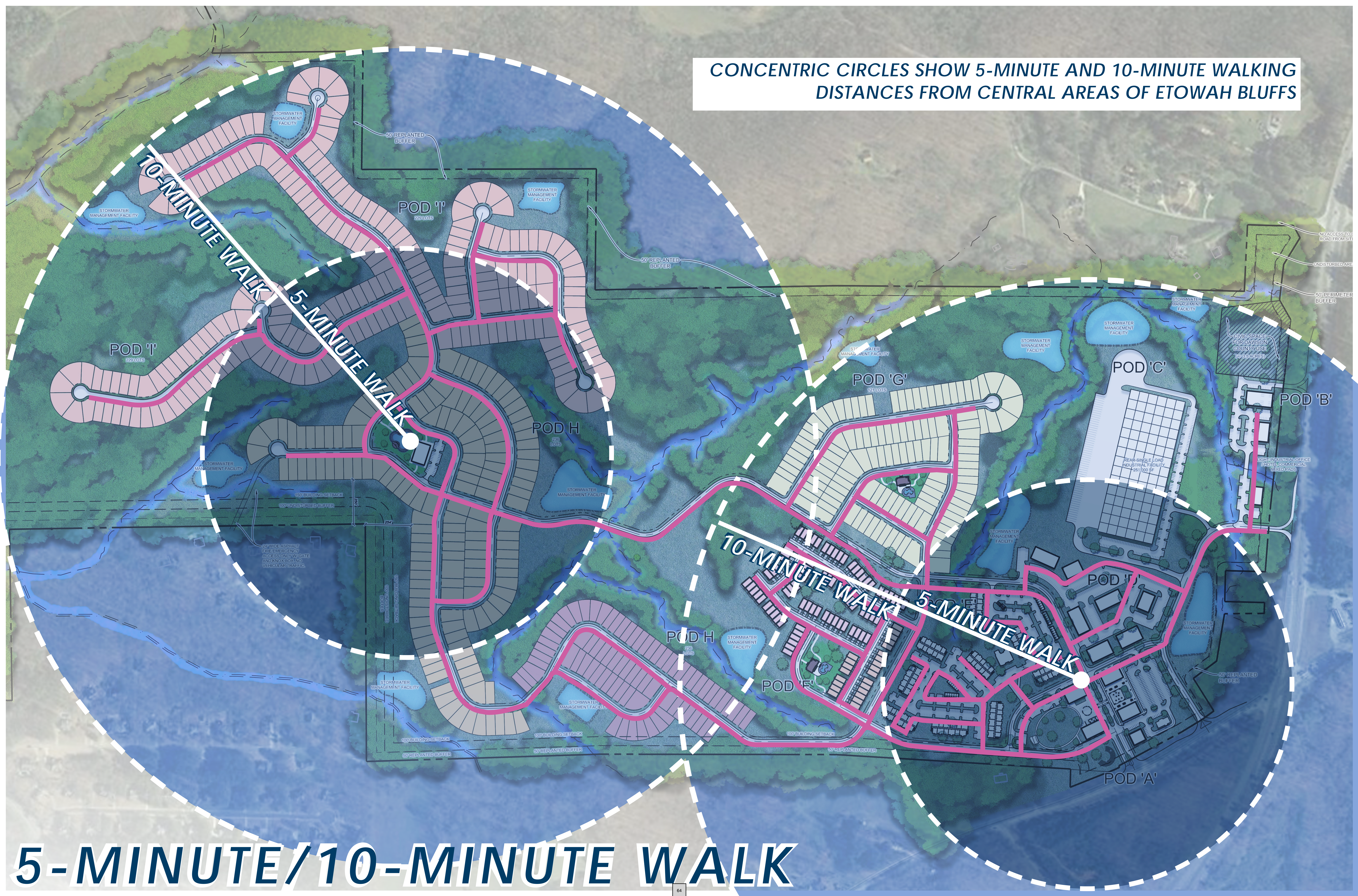
**5'-WIDE SIDEWALK PROVIDES PEDESTIRAN ACCESS FROM FURTHEST POINTS OF NEIGHBORHOODS TO MIXED-USE VILLAGE AND FRONTAGE OFFICE/RETAIL**



# PEDESTRIAN CONNECTIVITY



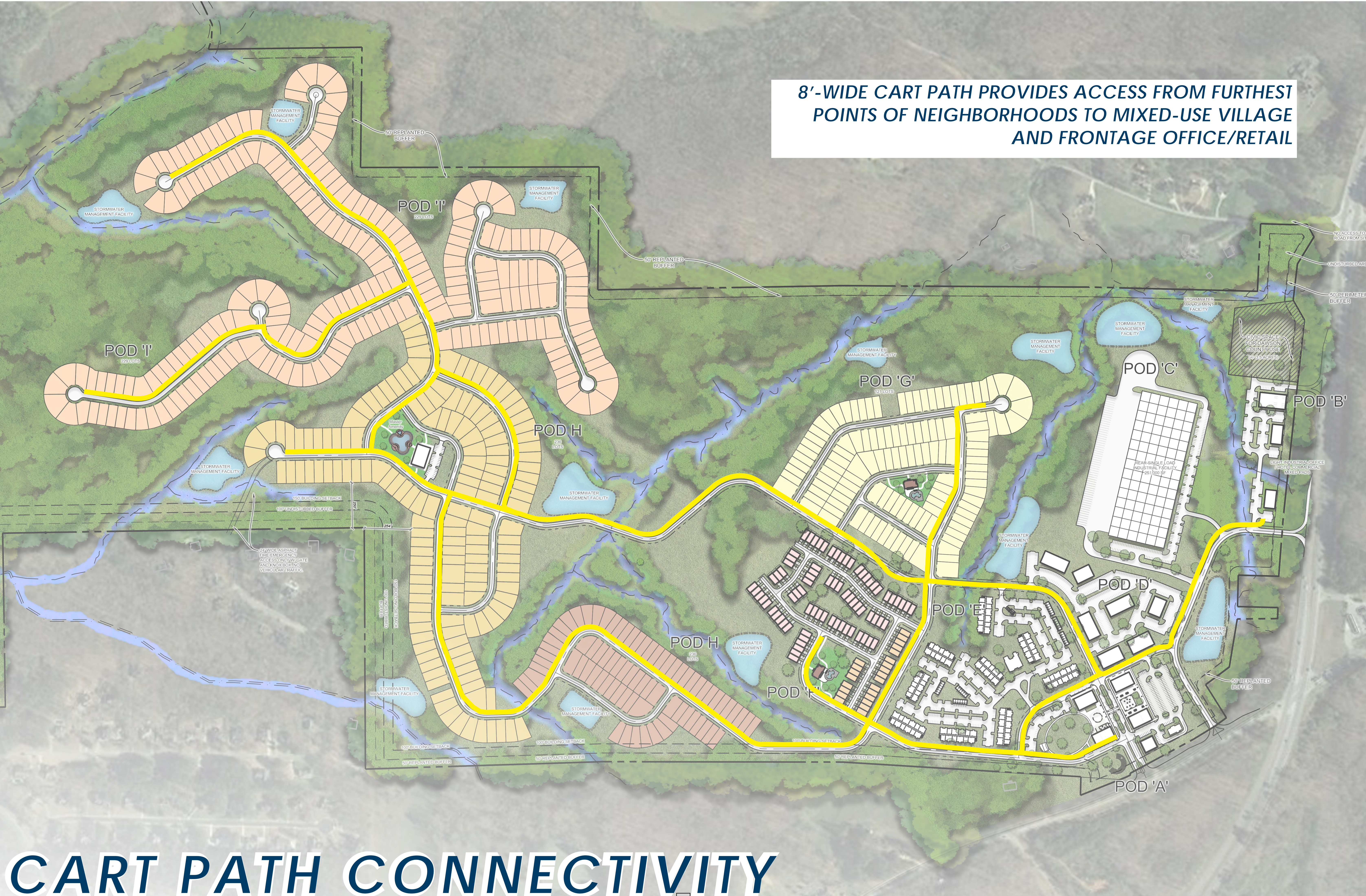
CONCENTRIC CIRCLES SHOW 5-MINUTE AND 10-MINUTE WALKING DISTANCES FROM CENTRAL AREAS OF ETOWAH BLUFFS



**5-MINUTE/10-MINUTE WALK**



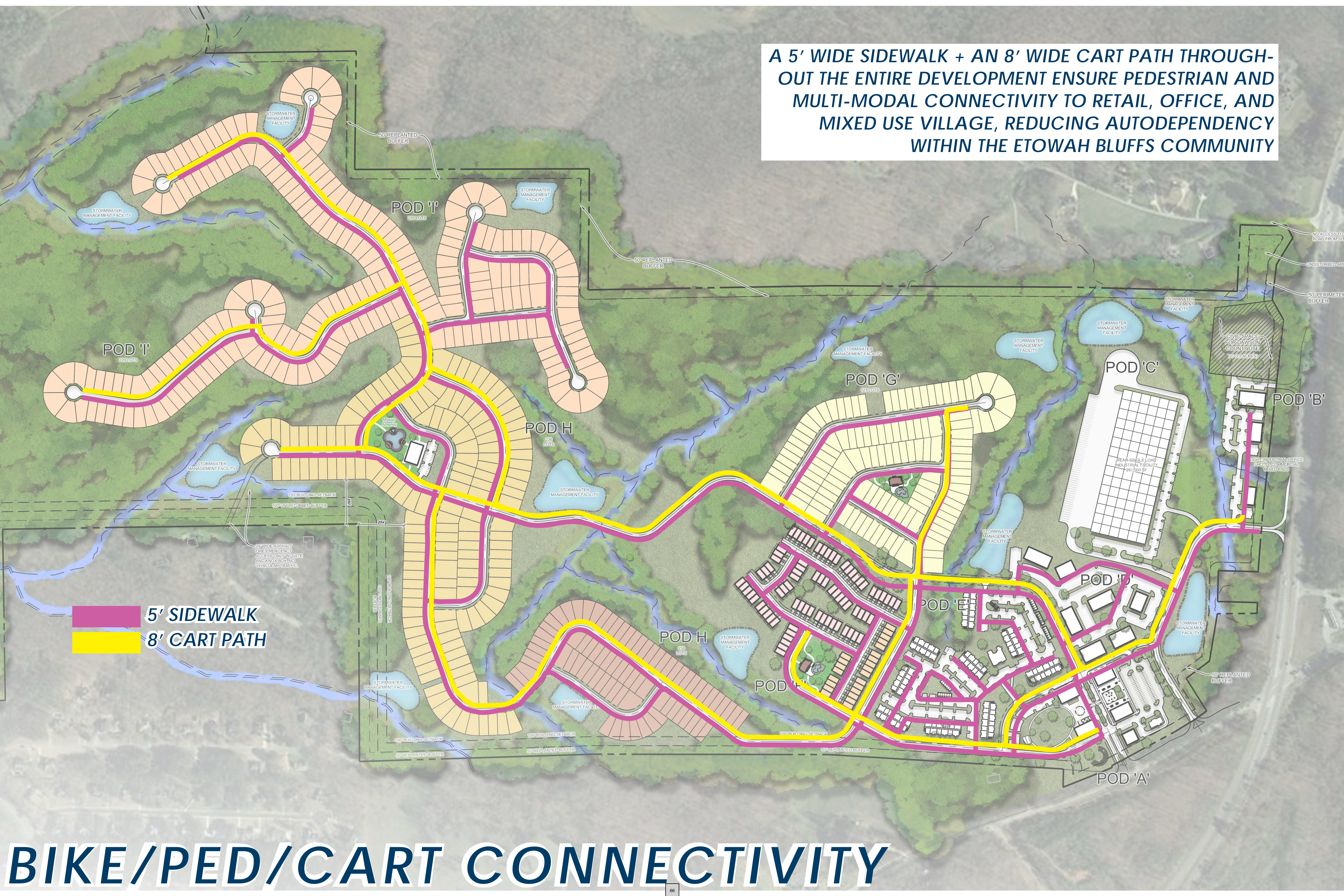
**8'-WIDE CART PATH PROVIDES ACCESS FROM FURTHEST POINTS OF NEIGHBORHOODS TO MIXED-USE VILLAGE AND FRONTAGE OFFICE/RETAIL**



# CART PATH CONNECTIVITY



**A 5' WIDE SIDEWALK + AN 8' WIDE CART PATH THROUGH-  
OUT THE ENTIRE DEVELOPMENT ENSURE PEDESTRIAN AND  
MULTI-MODAL CONNECTIVITY TO RETAIL, OFFICE, AND  
MIXED USE VILLAGE, REDUCING AUTODEPENDENCY  
WITHIN THE ETOWAH BLUFFS COMMUNITY**



**5' SIDEWALK**  
**8' CART PATH**

# **BIKE/PED/CART CONNECTIVITY**





**TOWNSHIP**  
*at ETOWAH BLUFFS*  
COMMERCIAL ACTIVITY HUB



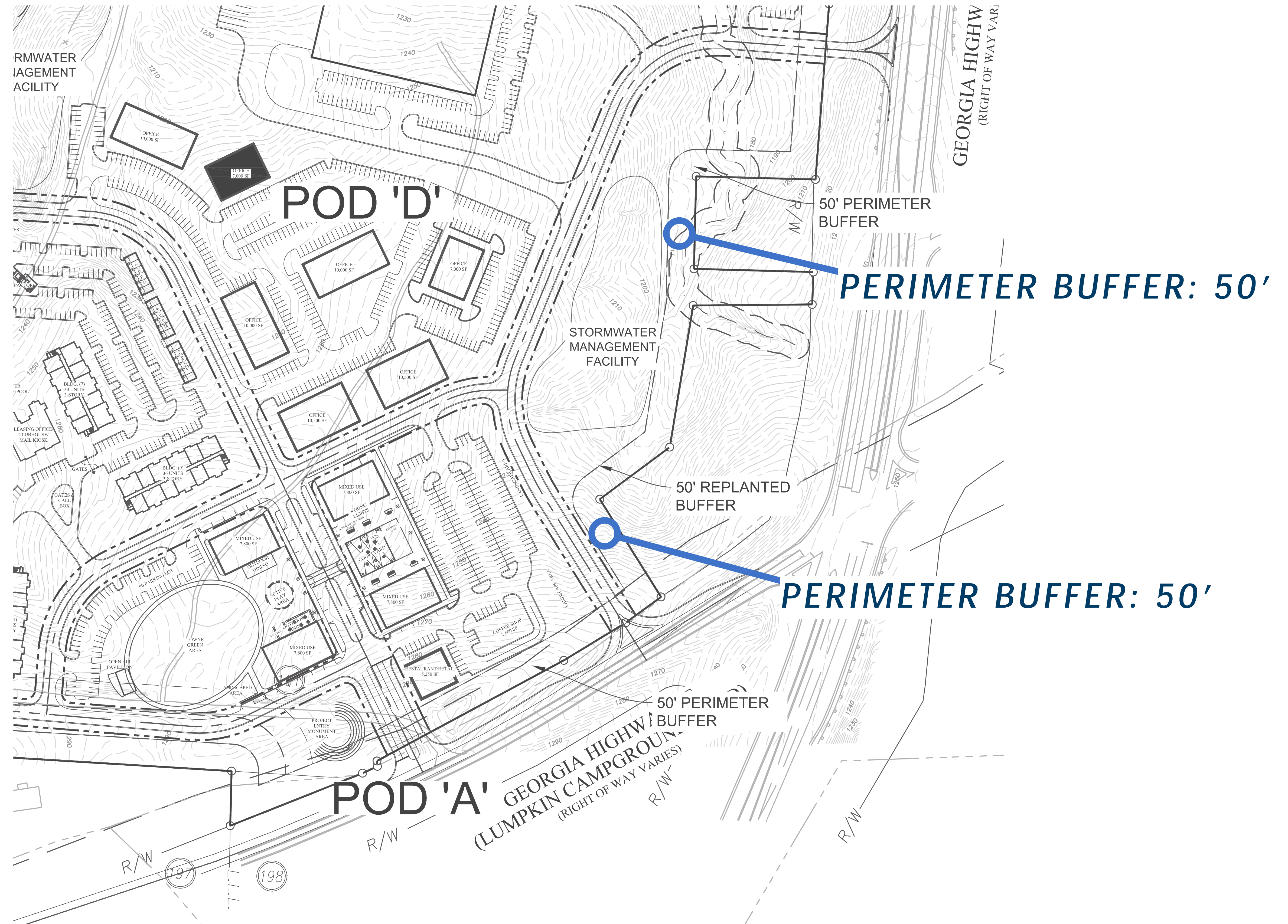
# TOWNSHIP TECHNICAL SPECIFICATIONS

Commercial/office uses in Pods A and D utilize overall site setbacks.

Prescribed setbacks are shown on the plans.

For all uses in Pods A and D, the 50-foot perimeter buffer applies.

Uses will be separated from one another within the exterior setbacks as generally shown on plans.



## STANDARDS FOR OFFICE/COMMERCIAL USES, PODS A & D



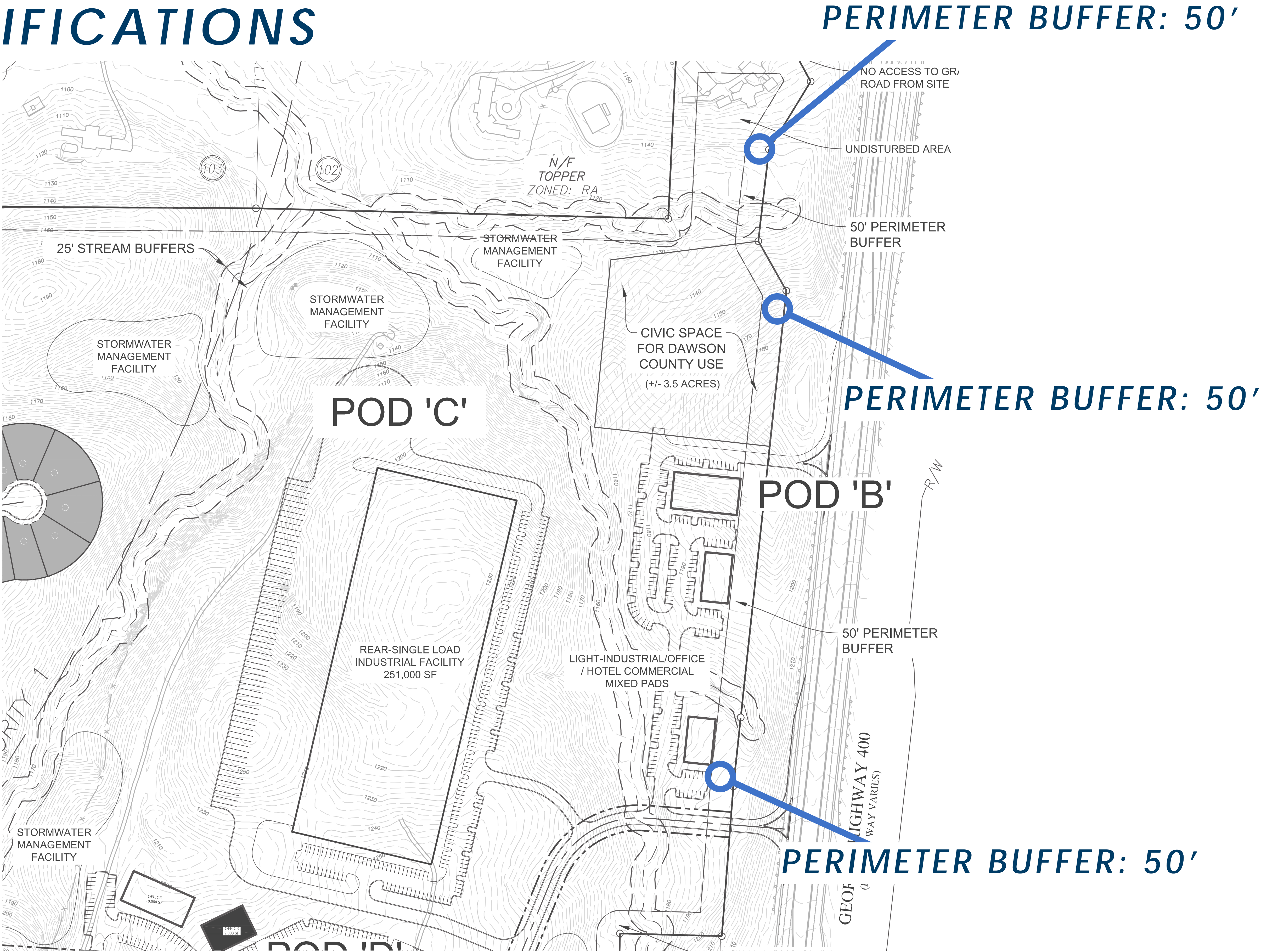
# TOWNSHIP TECHNICAL SPECIFICATIONS

Industrial/commercial uses in Pods B and C utilize overall site setbacks.

Prescribed setbacks are shown on the plans.

For all uses in Pods B and D, the 50-foot perimeter buffer applies.

Uses will be separated from one another within the exterior setbacks as generally shown on plans.



## STANDARDS FOR INDUSTRIAL/COMMERCIAL USES, PODS B & C



# TOWNSHIP

## at ETOWAH BLUFFS

LIVE, WORK, PLAY



# COMMERCIAL & ACTIVITY HUB

PODS A-E



# TOWNSHIP

## at ETOWAH BLUFFS

### LIVE, WORK, PLAY

The proposal for the eastern third of the site is a mixture of commercial, industrial, office, and multi-family residential uses, making the Township truly a place to live, work and play.

The focus and intent of these pods is to generate jobs and provide housing to support that growth.

The site benefits from major visibility along the GA 400 and Lumpkin Campground Road frontages, which this proposal seizes on!

Pod A: 38,000 square feet of retail, commercial, and restaurant/cafe space.

Pod B: 44,000 square feet of office/industrial park.

Pod C: 250,000 square feet of light industrial which includes warehousing and innovation space

Pod D: 38,000 square feet of professional/medical office

Pod E: 300 multi-family apartments

See rendering for approximate locations, and accompanying photos for design precedents and visioning.



**POD B: OFFICE INDUSTRIAL / FLEX (44,420 SF)**



**POD C: INDUSTRIAL SINGLE REAR LOAD (251,000 SF)**



**PODS A-E:**



**POD A: RETAIL RESTAURANTS (29,800 SF)**



**POD D: OFFICE/MEDICAL OFFICE (38,000 SF)**



**POD E: MULTI-FAMILY (300 UNITS)**





**Introducing: Township at Etowah Bluffs**

Township at Etowah Bluffs constitutes the front third of the Etowah Bluffs site, divided into five pods of development.

**Pod A: Mixed Use Village**

Pod A is proposed to be a Mixed Use Village developed in two phases. More details about the phasing and design elements can be found on the Mixed Use Village summary pages.

**Pod B: Office Industrial/Flex Space**

Pod B would consist of approximately 44,000 square feet of flexible floor space. Uses in this pod could include business headquarters, light industrial ‘maker’ spaces for creative professionals, or even professional office suites. The site unlocks flexibility in use and usability with direct access to and visibility from GA 400.

**TOWNSHIP**  
*at ETOWAH BLUFFS*  
**LIVE, WORK, PLAY**

**Pod C: Light Industrial Flex Space**

Pod C is proposed to be developed as a single-loaded industrial facility, with 250,000 square feet of space. The pad would be equipped with truck loading space, thru-traffic pathways for trucks and vehicles, and truck parking space. This pod would be set back off of GA 400 behind Pod B, but would still have unmatched access to the major roadways. Pod C would also be flexible in terms of uses—but preference will be given to user proposals that include job/employment intense functions.

**Pod D: Professional Office Suites**

Pod D would include approximately 38,000 square feet of professional office space. This pod would be set back off of the major roadways, but would still have access to Lumpkin Campground Road, and the residential pods. This space is ideal for medical office suites, or professional service suites looking to expand practices in Dawson County.

**Pod E: Class-A Multi-Family**

Pod E is the only residential pod of Township, consisting of 300 units of Class-A multi-family housing. This



pod is the best of both worlds in terms of accessibility and security: it has almost direct access to Lumpkin Campground Road, but will be entirely gated. The apartments would be upscale, high-quality units with state-of-the-art amenities, including a resort-style pool and cabana. The multi-family residences would also have direct pedestrian access to the commercial, retail, and office pods.

**Live, Work, Play**

Township at Etowah Bluffs truly embodies the ‘Live, Work, Play’ mantra. With a breadth of potential for businesses small and large, not to mention dining and professional services, Township is the beating heart of Etowah Bluffs.





**Pod A** will become the Mixed Use Village. The Mixed Use Village will be developed in two phases: Phase I, hardscape and landscape build out, and Phase II, mixed-use buildings final build out. In Phase I, food trucks will be used to generate interest and visibility (and name recognition) for the development. Phase II will utilize the momentum from Phase I for the complete build out. Both phases will include the large gathering green, the complete parking, landscaping, patios and decor. The following pages describe the two phases, how they will work and transition, and show the visioning elements that will define and ‘brand’ the spaces.

## *TOWNSHIP AT ETOWAH BLUFFS*

# MIXED USE VILLAGE



# MIXED USE VILLAGE PHASES I & II

## PHASE I LANDSCAPE/HARDSCAPE BUILD-OUT WITH FOOD TRUCKS AND REMOVABLE FURNITURE



## PHASE II FULL BUILD-OUT OF PERMANENT COMMERCIAL/RETAIL MIXED USE STRUCTURES



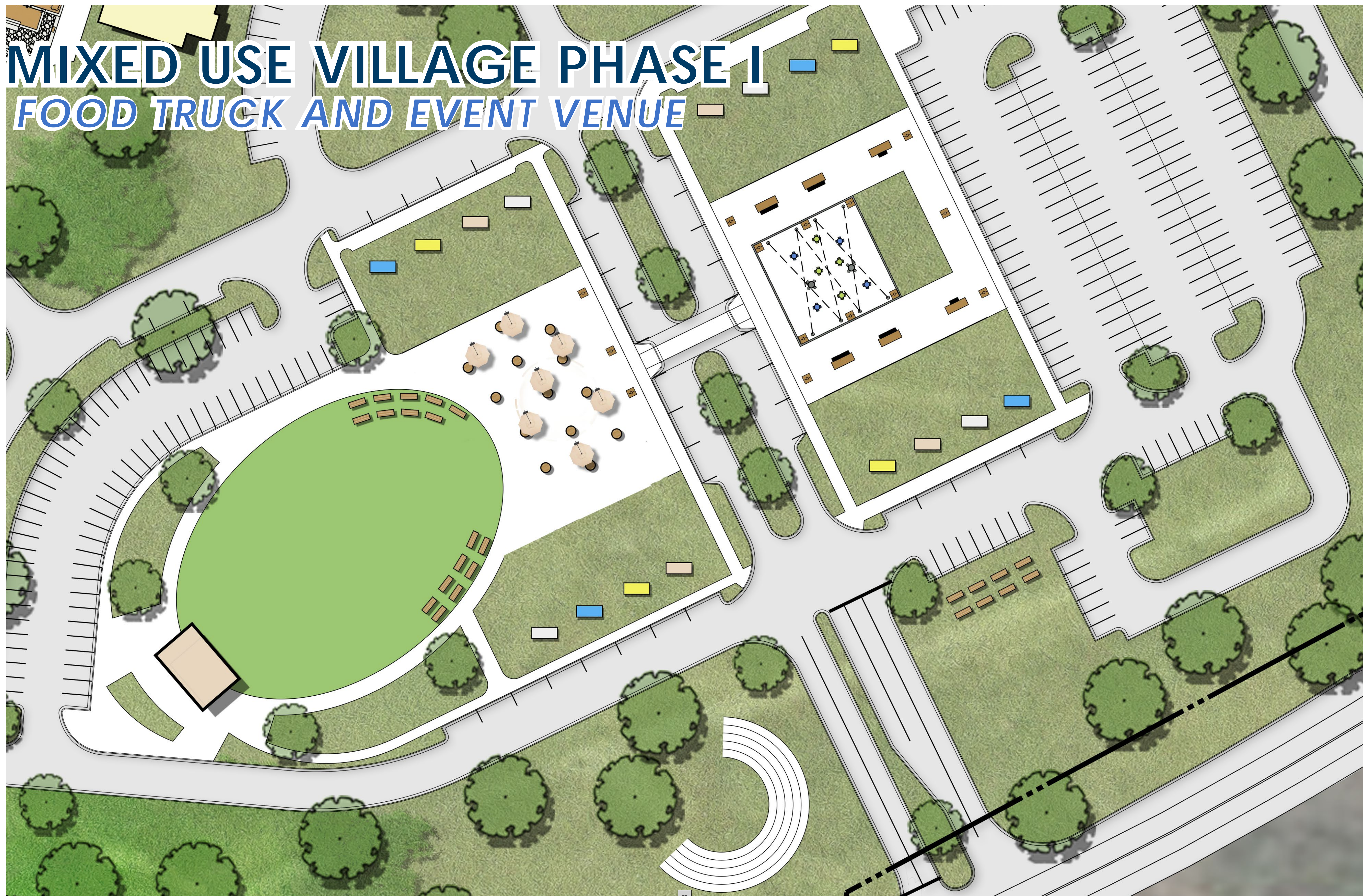
The Mixed-Use Village (Pod A) will be constructed in two phases. Phase I (left rendering) will include both hardscape and landscape build out. During this phase, the seating areas, gathering green, flexible field and other amenities in this Pod will be fully constructed. In lieu of permanent structures, the hallmark of Phase I will be the food trucks and pop-up vendors invited to set up on-site. The purpose of this phase is to generate interest, excitement, and visibility for the overall development, as a promise of the exciting permanent businesses to come. Other extremely popular ‘destination retail’ and town center developments have used this model with great success.

Phase II (right rendering) will be the full build out of the Pod, including the permanent mixed-use buildings. The permanent buildings will be constructed in the same ‘mountain modern’ style. Although the model will shift from ‘pop-up’ to ‘permanent’ between Phases I and II, it is expected that the excitement generated from visibility, name recognition, branding, and the high-quality vendors of Phase I will mark the ultimate build out of Phase II a success.



# MIXED USE VILLAGE PHASE I

## FOOD TRUCK AND EVENT VENUE



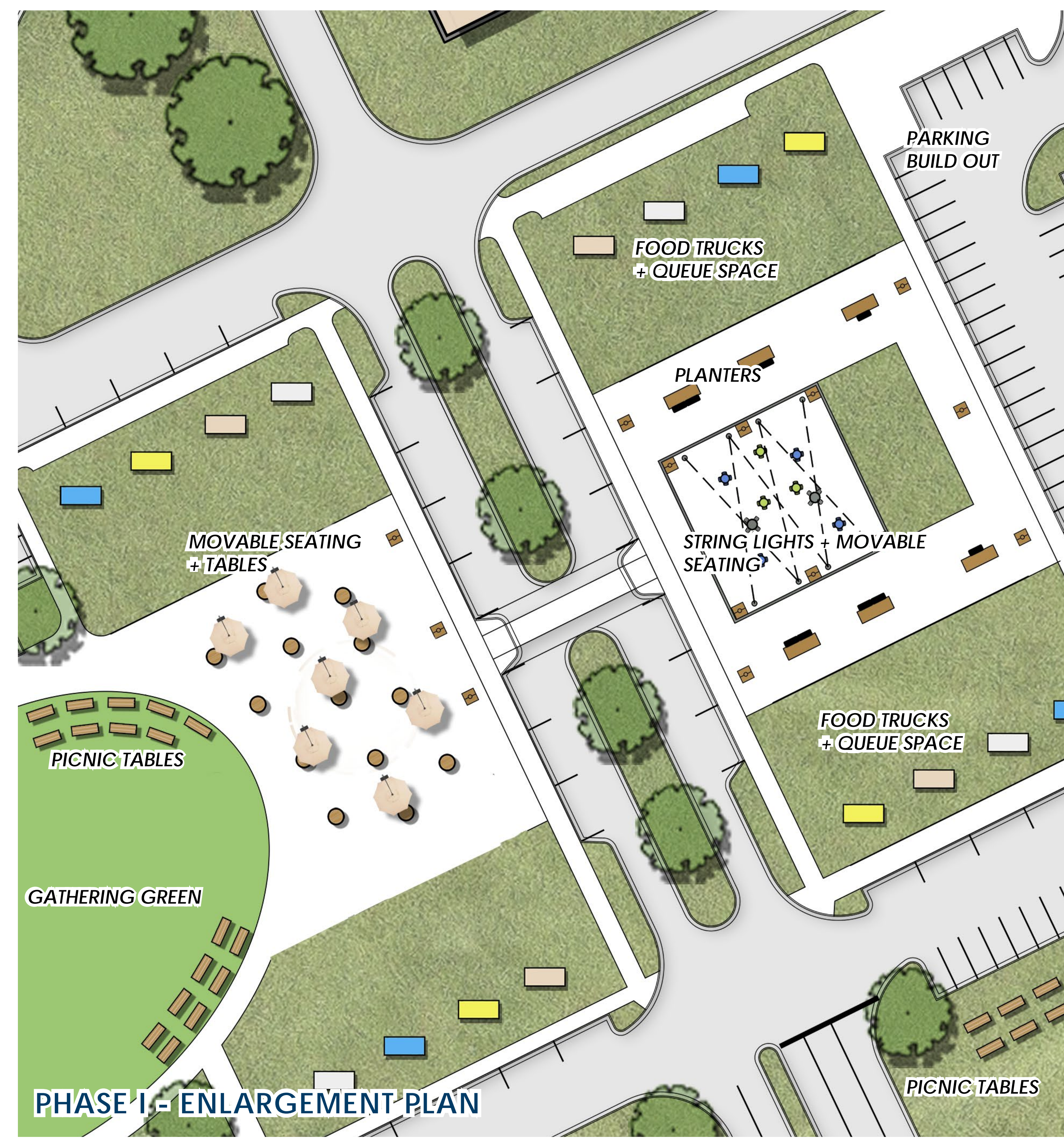


# MIXED USE VILLAGE PHASE I

## FOOD TRUCK AND EVENT VENUE



PHASE I - FOOD TRUCK FESTIVAL CONCEPT



PHASE I - ENLARGEMENT PLAN





# MIXED USE VILLAGE: POP-UP GATHERING SPACES



The *POP-UP GATHERING SPACES* board gives ideas of the various types of temporary pop-up spaces that could be featured in Phase I of the Mixed Use Village.

Fun, bright colors give a care-free feeling with a modern twist. Guests are encouraged to spend time in the space and gather together in the various configurations of movable furniture.

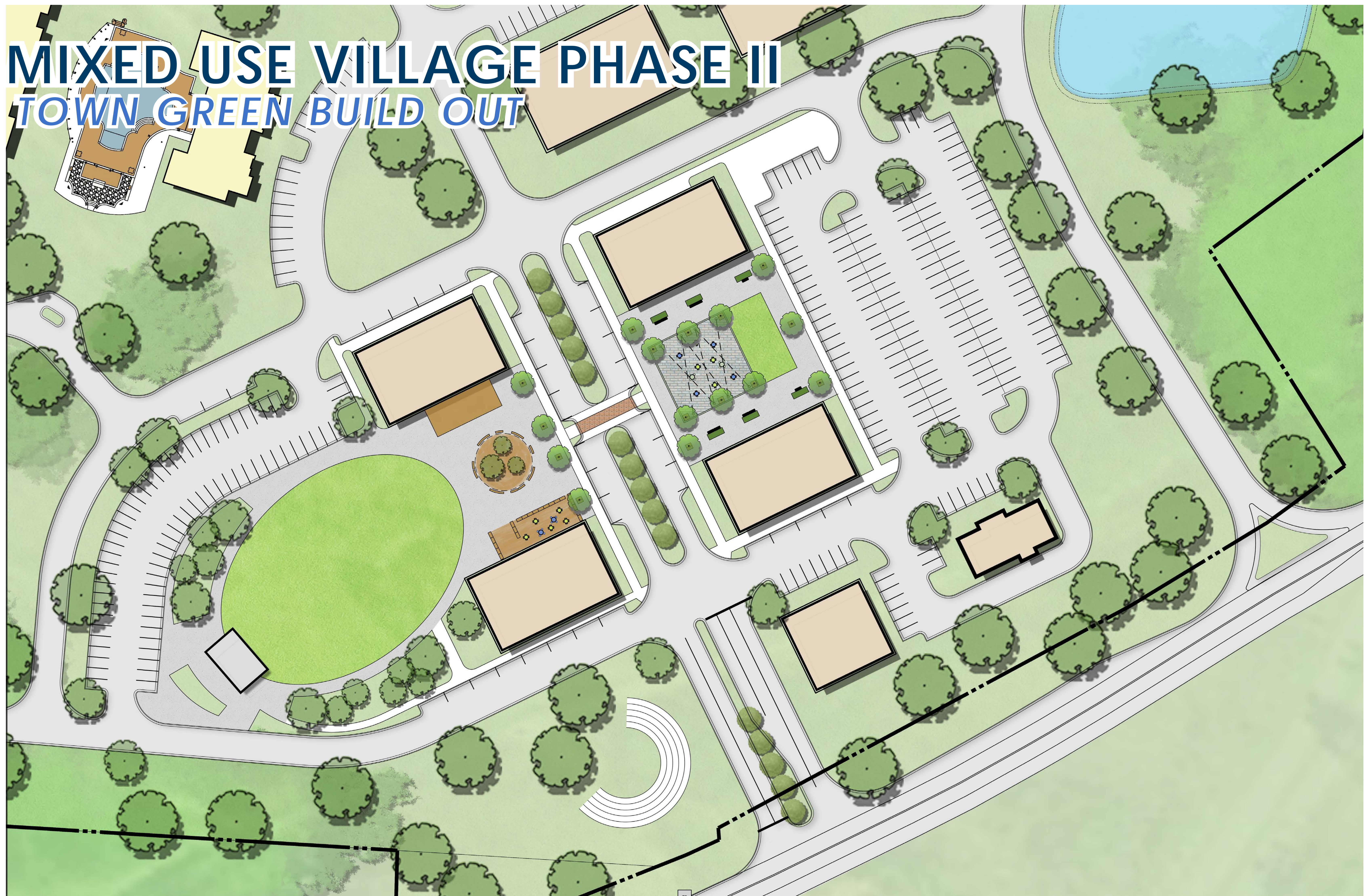
Types of temporary furniture could include folding chairs and tables, patio furniture, sun screens and umbrellas, and picnic tables with benches.





# MIXED USE VILLAGE PHASE II

## TOWN GREEN BUILD OUT





# MIXED USE VILLAGE PHASE II

## TOWN GREEN BUILD OUT





# MIXED USE VILLAGE PHASE II

## TOWN GREEN BUILD OUT



The final build out of the Mixed-Use Village will include a collection of attractive, inviting spaces that are characteristic of the most popular regional town centers. Small specialty shops, local businesses and boutiques, and unique restaurants are the vision to complete this area.

Small, trendy shops and restaurants, with some more popular chain options could thrive in this area. Ample outdoor seating, landscaping, and decor will provide an inviting look that encourages patrons to stay, relax, explore, and return.

Comparable developments include the Avalon in Alpharetta, Suwanee Town Center in Suwanee, and Peachtree Corners Town Center in Peachtree Corners.





# MIXED USE VILLAGE: *PERMANENT GATHERING SPACES*



The *PERMANENT GATHERING SPACES* visioning board provides ideas of how the open spaces and patios could be styled when the Phase II build out has been completed. This visioning board also includes ideas of textures, materials, decorations and landscaping to create inviting, exciting places to eat, play, and shop. Permanent gathering spaces would be styled to complement the textures and materials of the overall development, which could include wood or stone benches and planters, and wooden awnings or trellises. The permanent gathering spaces could also include removable elements from Phase I (Pop-Up Gathering) such as movable chairs, tables, and umbrellas.

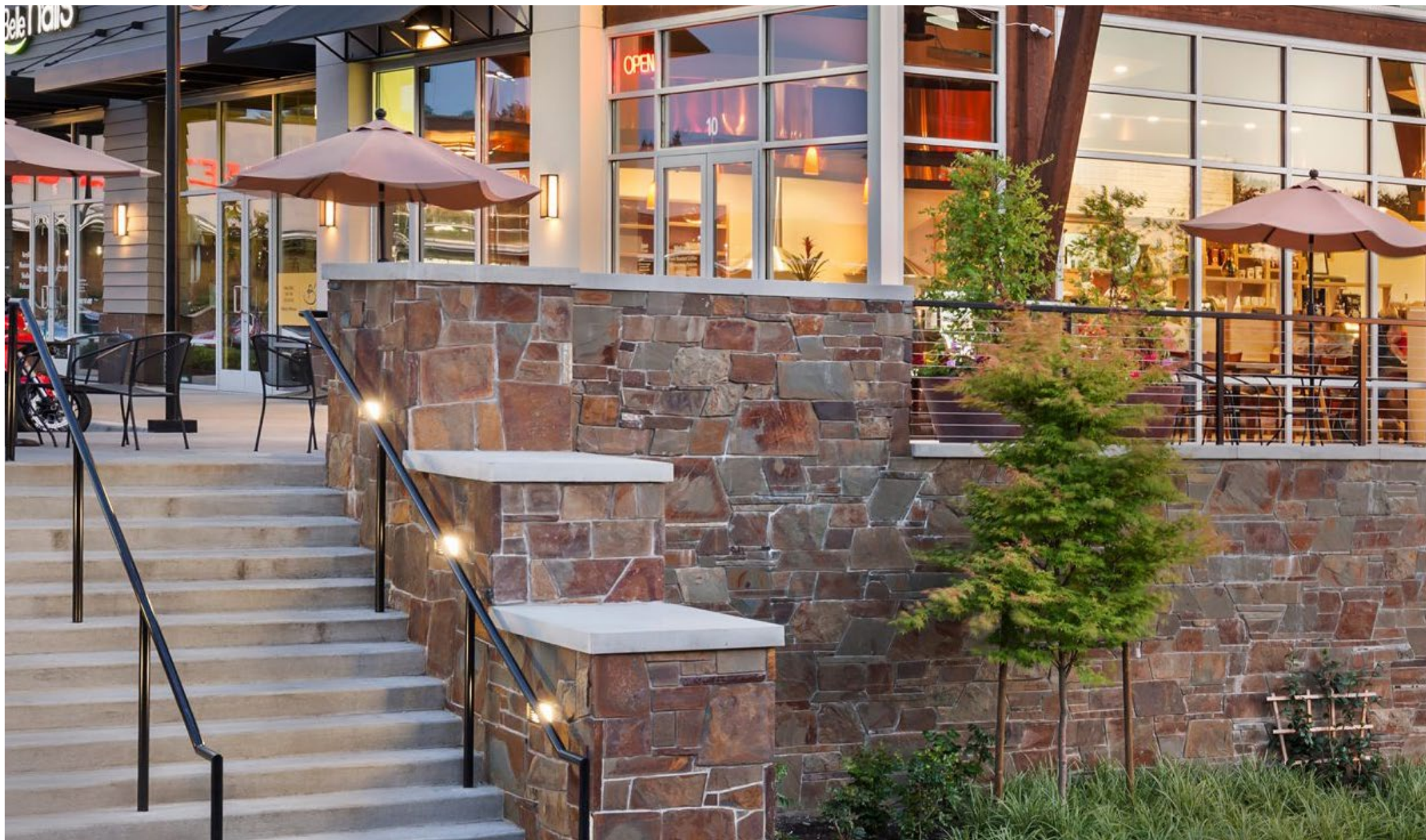




# MIXED USE VILLAGE: MATERIALS VISIONING



The *MATERIALS VISIONING* board showcases the types of materials, colors, and textures that are proposed for the Mixed Use Village. Design elements will incorporate textures and materials that are modern, rustic, organic, and airy to capture the ‘modern mountain’ feel of the Mixed Use Village at Etowah Bluffs.





# MIXED USE VILLAGE PHASE II: ARCHITECTURAL PRECEDENTS





# OFFICE/PROFESSIONAL TOWNSHIP at ETOWAH BLUFFS

**Pod B** (see sample image of example building, below) would consist of approximately 44,000 square feet of flexible floor space. Uses in this pod could include business headquarters, light industrial ‘maker’ spaces for creative professionals, or even professional office suites. The site unlocks flexibility in use and usability with direct access to and visibility from GA 400.

**Pod D** (see sample image of example building, right) would include approximately 38,000 square feet of professional office space. This pod would be set back off of the major roadways, but would still have access to Lumpkin Campground Road, and the residential pods. This space is ideal for medical office suites, or professional service suites looking to expand practices in Dawson County.





# LIGHT INDUSTRIAL FLEX

## *TOWNSHIP at ETOWAH BLUFFS*

**Pod C** (see sample images of buildings, below) is proposed to be developed as a single-loaded industrial facility, with 250,000 square feet of space. The pad would be equipped with truck loading space, thru-traffic pathways for trucks and vehicles, and truck parking space. This pod would be set back off of GA 400 behind Pod B, but would still have unmatched access to the major roadways.

Pod C would also be flexible in terms of uses—but preference will be given to user proposals that include job/employment intense functions.



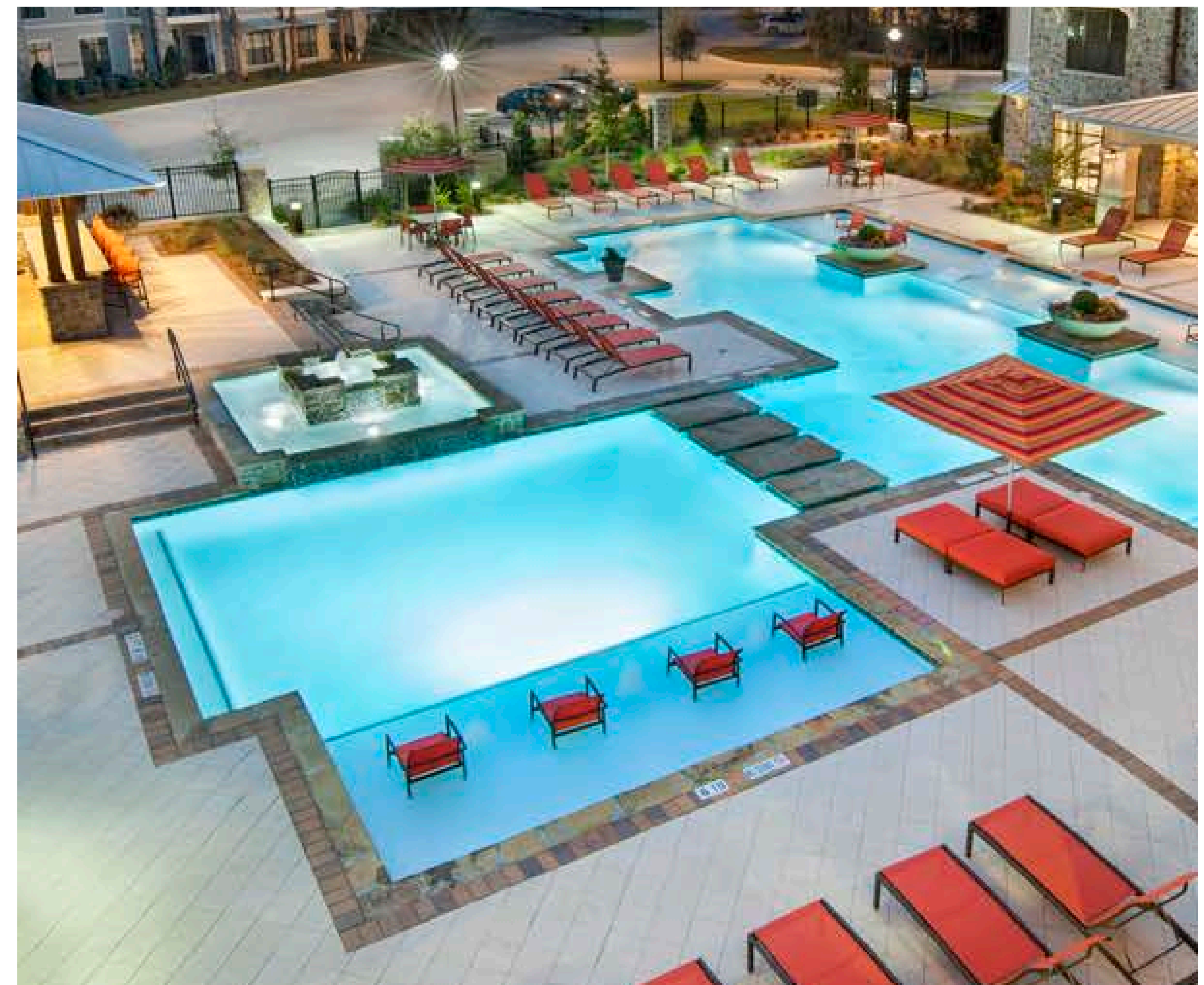


# CLASS-A MULTI-FAMILY TOWNSHIP *at ETOWAH BLUFFS*



**Pod E** is the only residential pod of Township, consisting of 300 units of Class-A multi-family housing. This pod has almost direct access to Lumpkin Campground Road, but the residences will be entirely gated. The apartments would be upscale, high-quality units with state-of-the-art amenities, including a resort-style pool and cabana. The multi-family residences would also have direct pedestrian access to the commercial, retail, and office pods.

See next page for additional sample photos of amenity space.





CEMENTITIOUS BOARD & BATTEN SIDING

CEMENTITIOUS SHAKE SIDING  
ARCHITECTURAL SHINGLE ROOFING

STAINED CEDAR WOOD POST

CEMENTITIOUS LAP SIDING

CEMENTITIOUS PANEL

ALUMINUM WINDOW

# MUTLI-FAMILY MATERIALS & SAMPLE ELEVATION





**THE PRESERVE**  
*at ETOWAH BLUFFS*  
SINGLE-FAMILY PRODUCTS



**CENTURY**  
**COMMUNITIES**  
A HOME FOR EVERY DREAM



# THE PRESERVE

## TECHNICAL SPECIFICATIONS

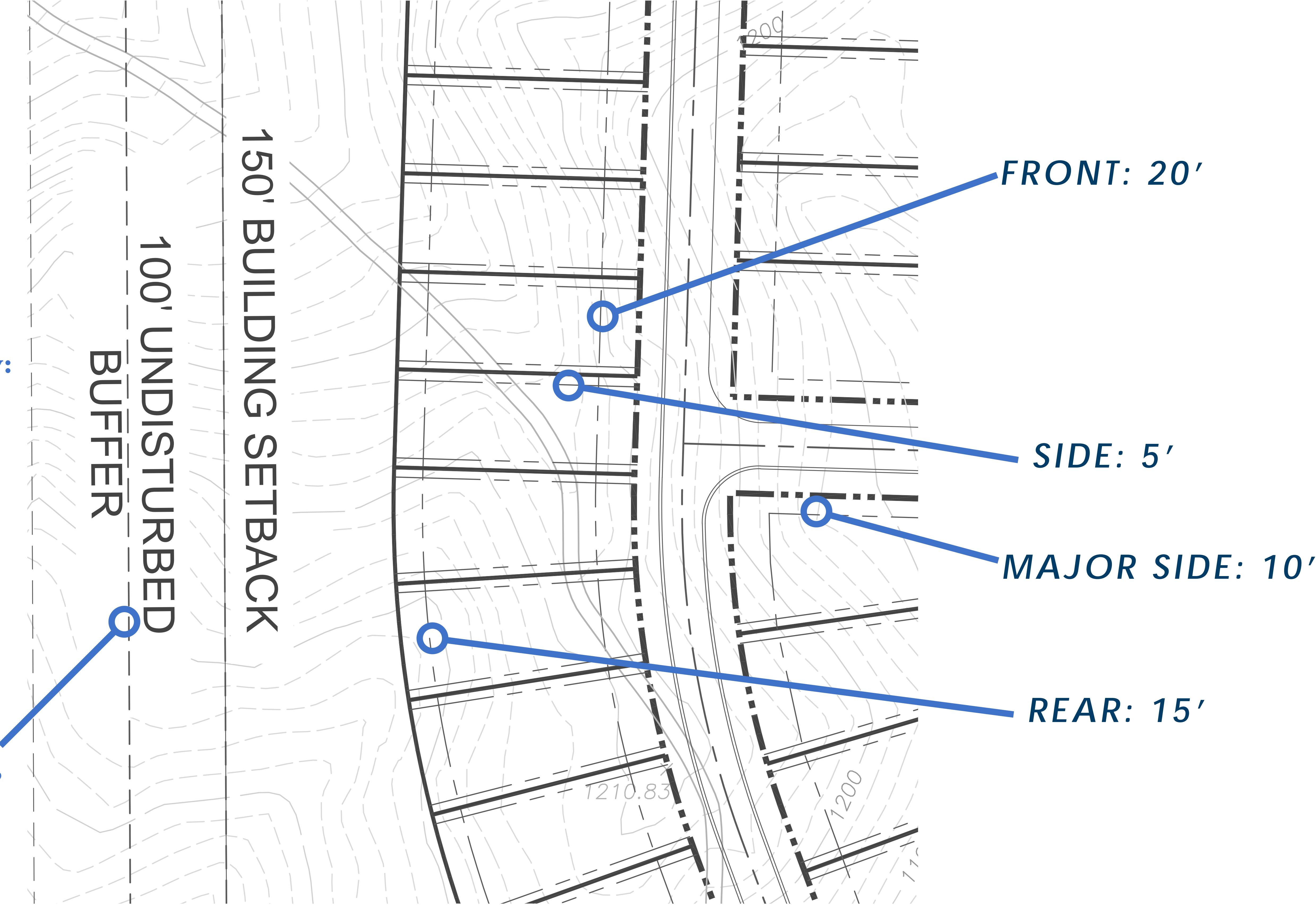
Setback standards are typical for all single-family detached lots, regardless of lot size.

Prescribed setbacks apply to all lots, Pods G-I.

For all single family detached lots, the following setbacks apply:

- Front: 20'
- Side: 5'
- Major Side: 10'
- Rear: 15'

Overall/Exterior property setbacks and buffers stand alone, but all lots are located outside of external setbacks and buffers



## TYPICAL SINGLE-FAMILY DETACHED LOTS PODS G-I



# THE PRESERVE

## TECHNICAL SPECIFICATIONS

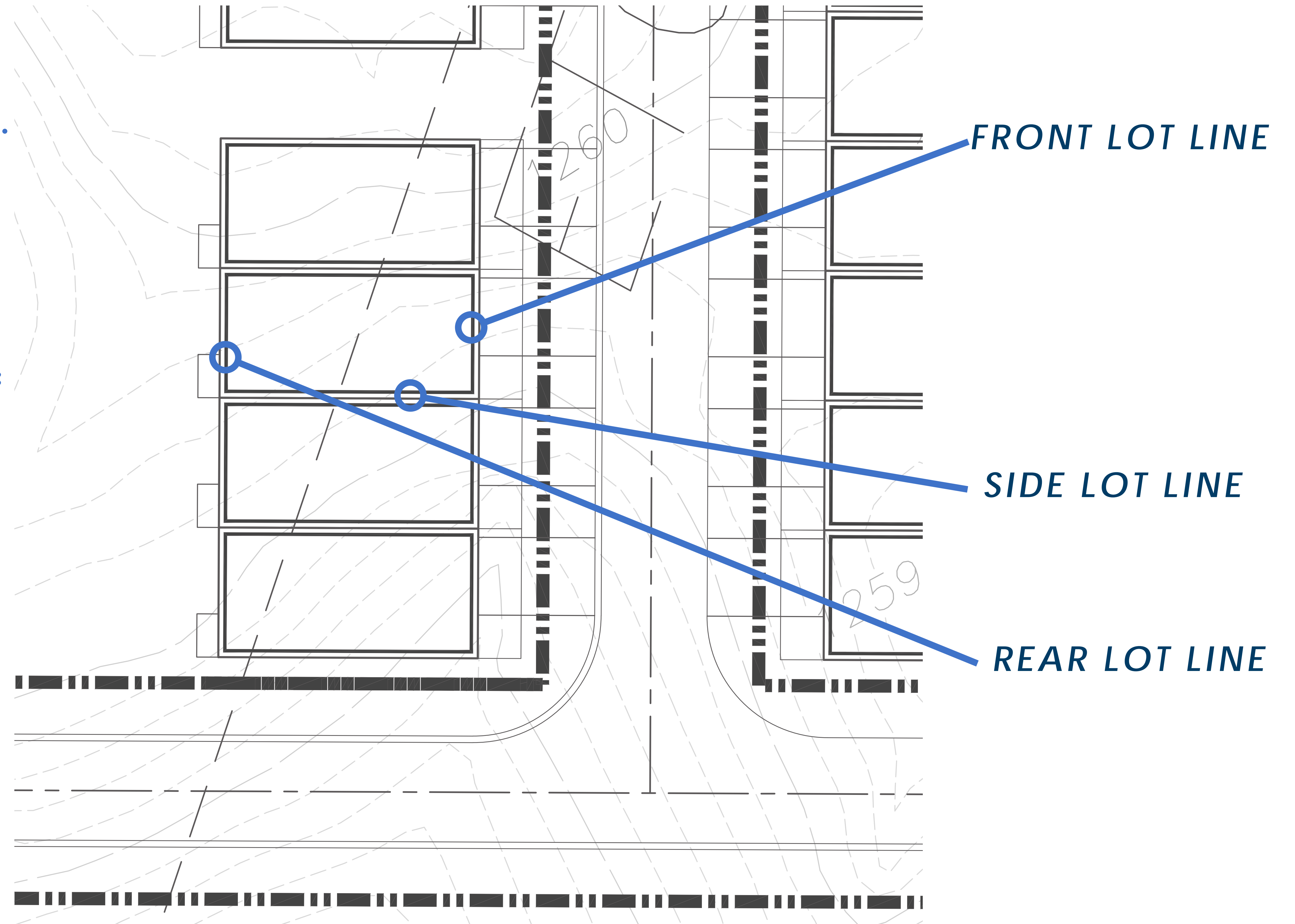
Setback standards are typical for all single-family attached lots (townhomes) regardless of townhome size/dimension or direction.

Prescribed setbacks apply to all homes in Pod F.

Townhome 'lots' are the unit footprint. Setbacks are as follows:

Front: 0'  
Side: 0'  
Major Side: 0'  
Rear: 0'

Overall/Exterior property setbacks and buffers apply, and all townhome lots are located outside of external setbacks and buffers.



## TYPICAL TOWNHOME LOTS POD F



# THE PRESERVE

## at ETOWAH BLUFFS

SERENITY IN SECLUSION



# SINGLE-FAMILY RESIDENTIAL LIVING PODS F-I



# THE PRESERVE

*at ETOWAH BLUFFS*  
*SERENITY IN SECLUSION*

Just past the Township at Etowah Bluffs activity hub lies The Preserve at Etowah Bluffs: a vast system of interconnected neighborhoods nestled amidst the forest. A relaxed lifestyle is a priority for The Preserve. Seclusion and preservation are two key elements of this plan, but with the added bonus of proximity to amenities and entertainment!

The homes in the four pods of The Preserve are perfect for any phase of life: for new families, young professionals, mature adults, and seniors looking to age in place. With such variety in product, there's something for everyone!

Below is a summary of each pod. See photos for sample products!

Pod F: Senior Attached Homes (100 Lots)

Pod G: Single-Family Detached (121 Lots)

Pod H: Single-Family Detached (236 Lots)

Pod I: Single-Family Detached (229 Lots)







**Introducing the Preserve at Etowah Bluffs**

The Preserve at Etowah Bluffs comprises the back two-thirds of the 523-acre site. Set back off of the major roadways, The Preserve offers a series of inter-connected single-family neighborhoods that are suitable for any phase of life. The four pods of The Preserve include one with independent senior attached homes, and three additional pods of single-family detached lots, for a total of 686 new residences.

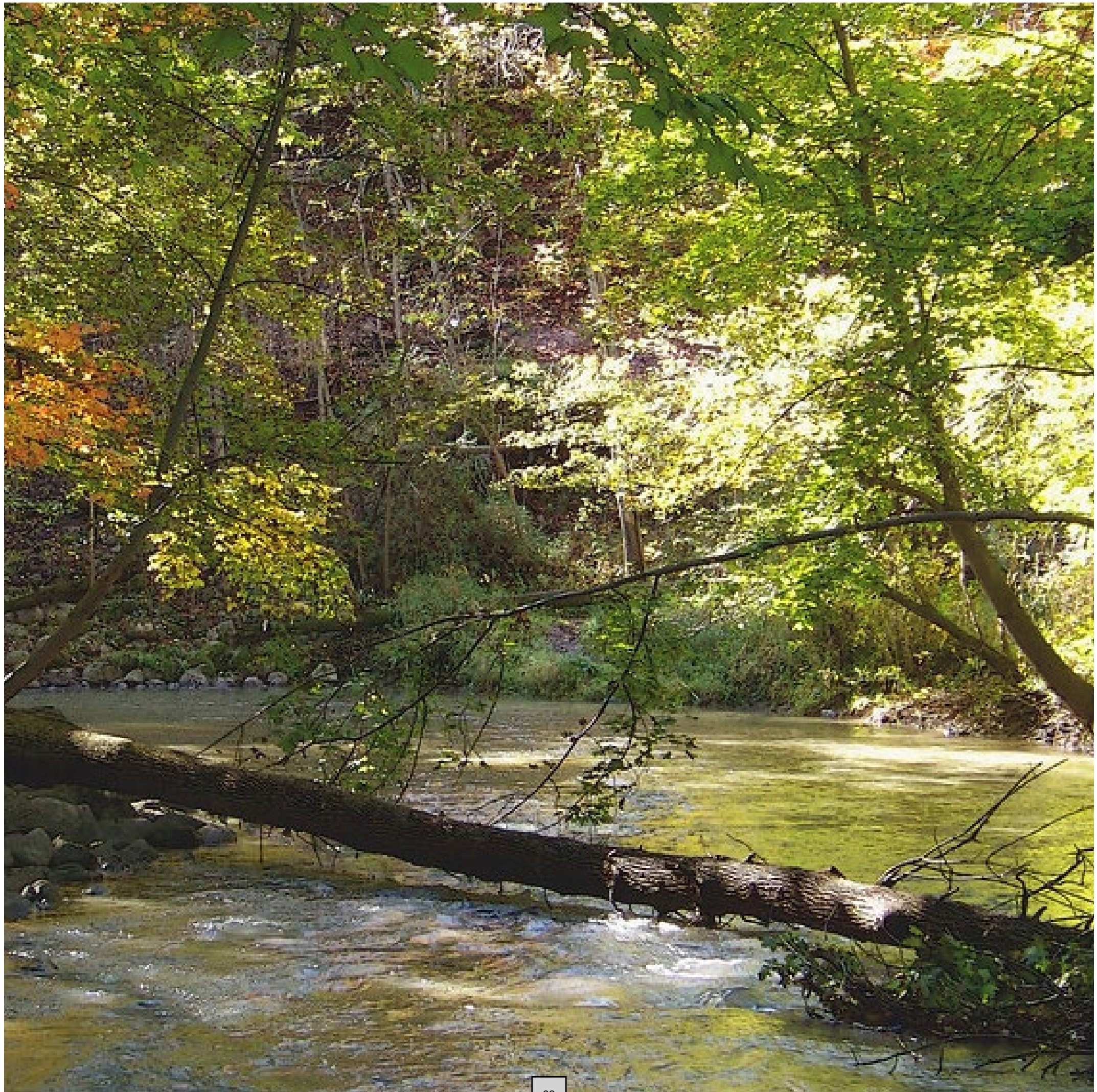
Building off of the research from the University of Georgia’s department of Agriculture and Economics,

**THE PRESERVE**  
*at ETOWAH BLUFFS*  
**SERENITY IN SECLUSION**

The Preserve leverages smaller lot sizes to minimize the burden on existing and proposed utilities, while maximizing preservation space. The neighborhood pods are designed to be in the ‘conservation subdivision style’, which will preserve over 200 acres of the 518-acre site for conservation uses. The Preserve at Etowah Bluffs neighborhoods are nestled amongst the streams and abundance of natural features that currently exist on the site, instead of working against them. The existing tree cover will be left largely intact around the perimeter of the site, providing natural buffers for the surrounding neighborhoods and developments.

**Pod F: Independent Senior Attached homes**

Pod F would contain 100 attached homes which will be located toward the front of the development and will be targeted at independent seniors. Units in this pod will include front- and rear-loaded townhomes, and will have their own master amenity area.



**Pod G: 40-foot-wide detached lots**

Pod G consists of 121 small lots opposite the stream from the light-industrial facility, and will be fully screened from it by utilizing the natural features. Lots in this pod are the smallest of the detached single-family pods, at 40-foot wide. Homes in this pod will be smaller, single-story ranch-style homes.



**Pod H: 40- to 50-foot-wide detached lots**

Pod H consists of 236 lots and extends back from the more dense housing, nestled amongst the many streams on-site. The largest pod in the development, lots range in size from 40- to 50-foot wide. Homes in this pod would be single-family ranch-style and two-story homes. Additionally, a resort-style master amenity will be located in this pod, so that it is central to the other residential pods.

**Pod I: 40- to 50-foot-wide detached lots**

Pod I consists of 229 lots in the most secluded, forested part of the site. Homes in this pod are closest to the Etowah River, and are surrounded by natural features and foliage. Lots in this pod range in size from 40- to 50-foot-wide. This pod would have two-story homes with the largest amount of square-footage; perfect for growing families.



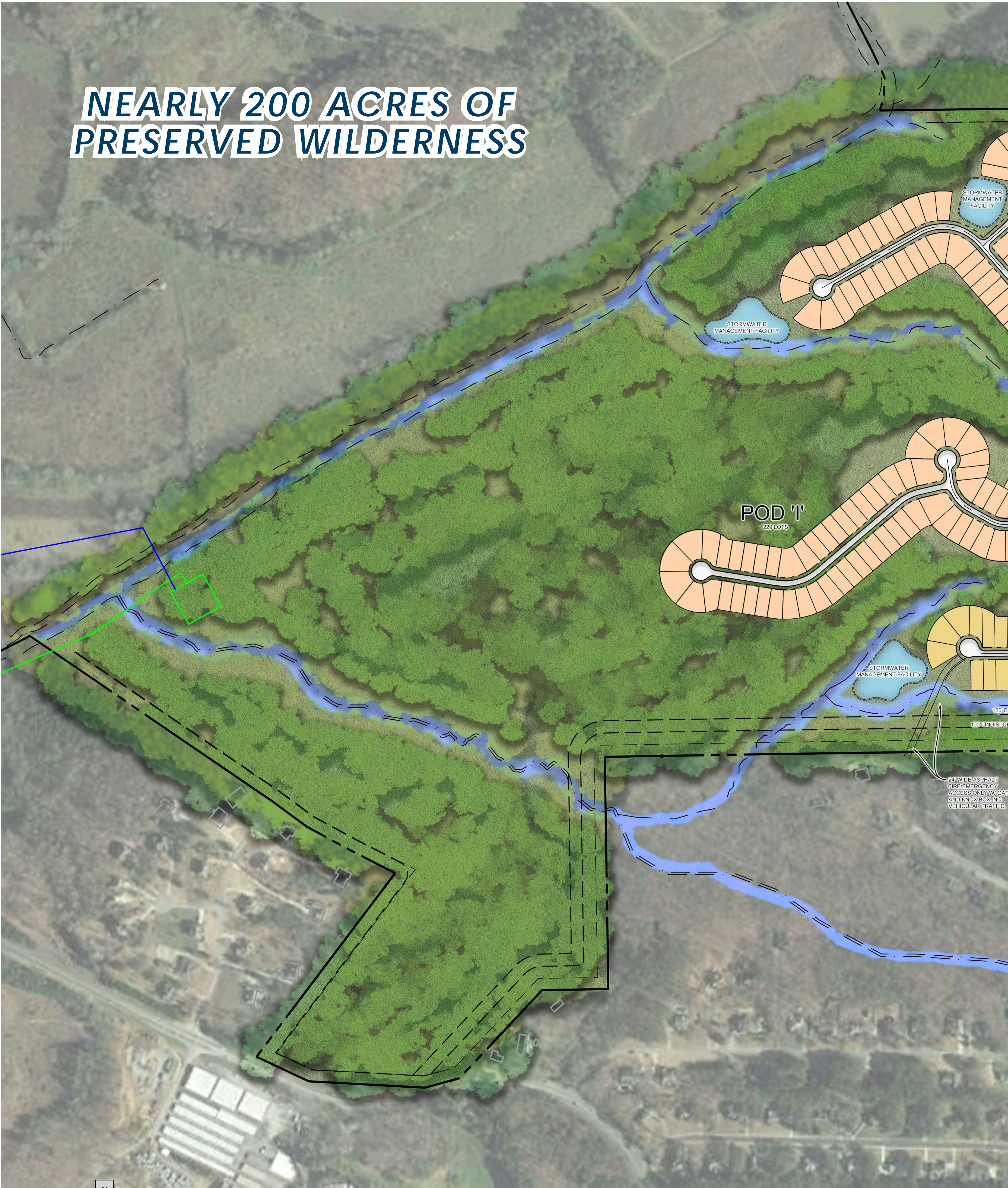
# EMPHASIS ON PRESERVATION

## Nature as a Priority

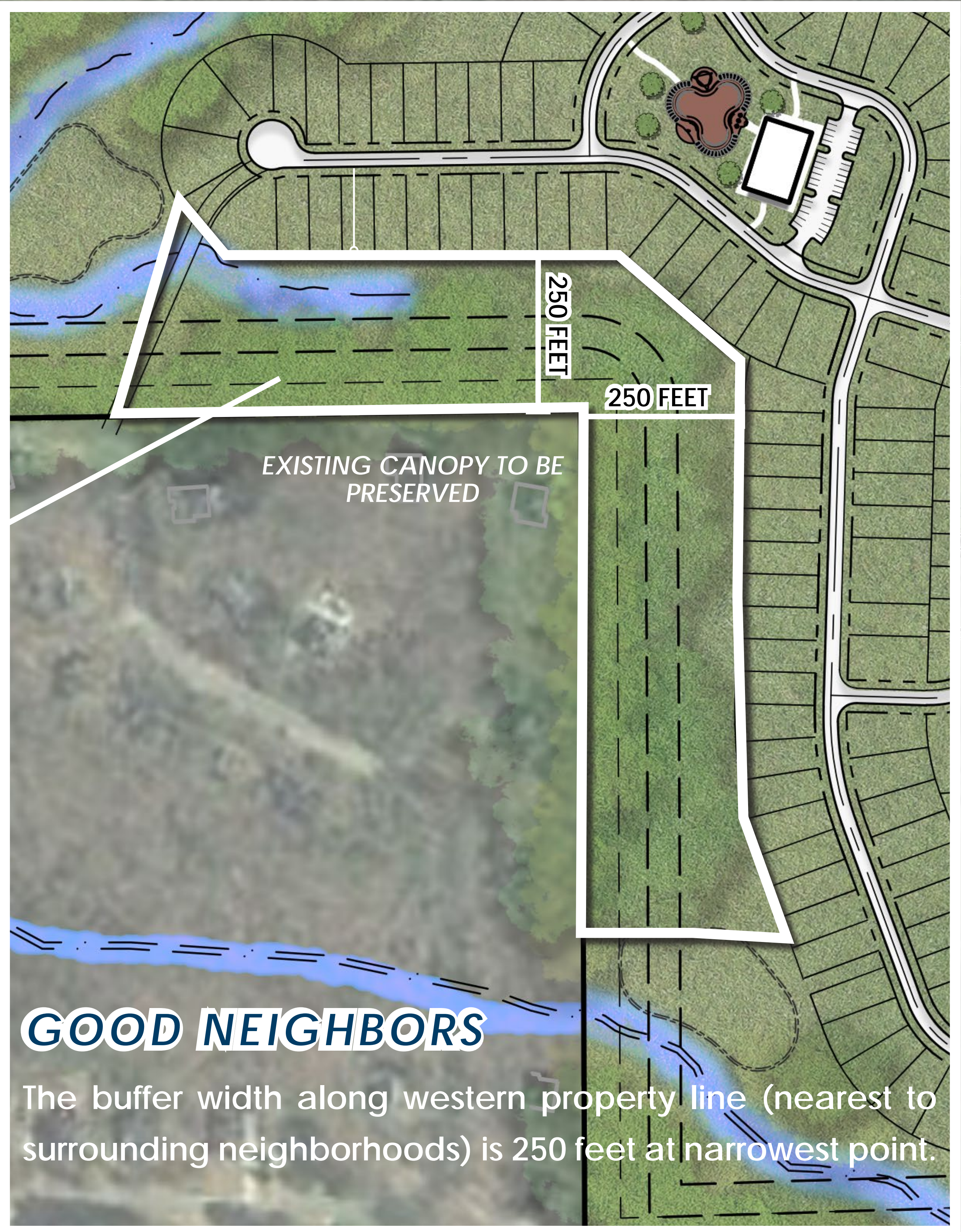
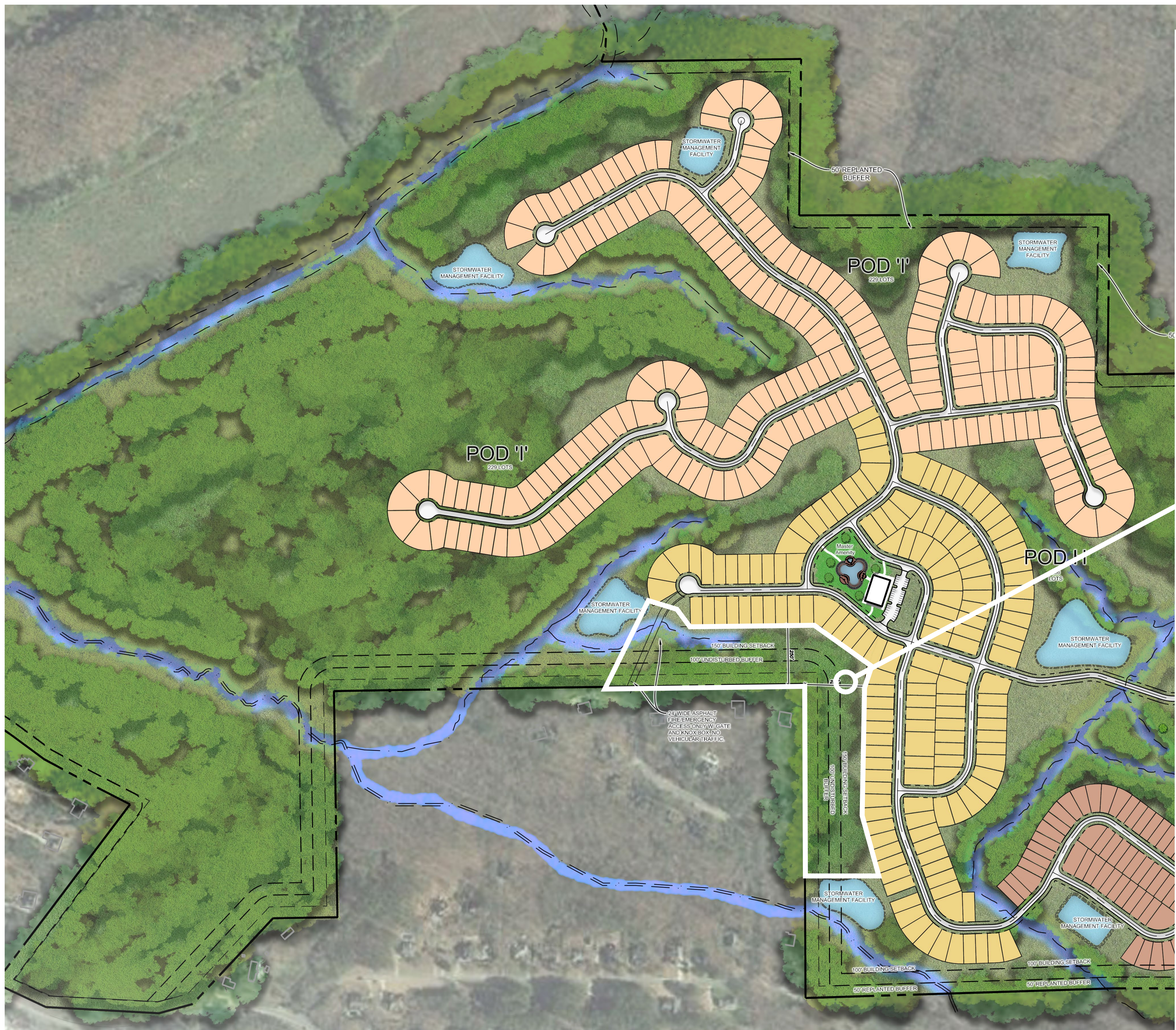
Nearly two-thirds of the site is proposed to feature a mixture of lower-intensity residential uses.

The residences will be interspersed throughout the existing, forested area, working in harmony with the natural features. This site plan aims to preserve the natural areas and ecosystems surrounding the Etowah River.

Nearly 200 acres of the site will be left in a natural, forested state!





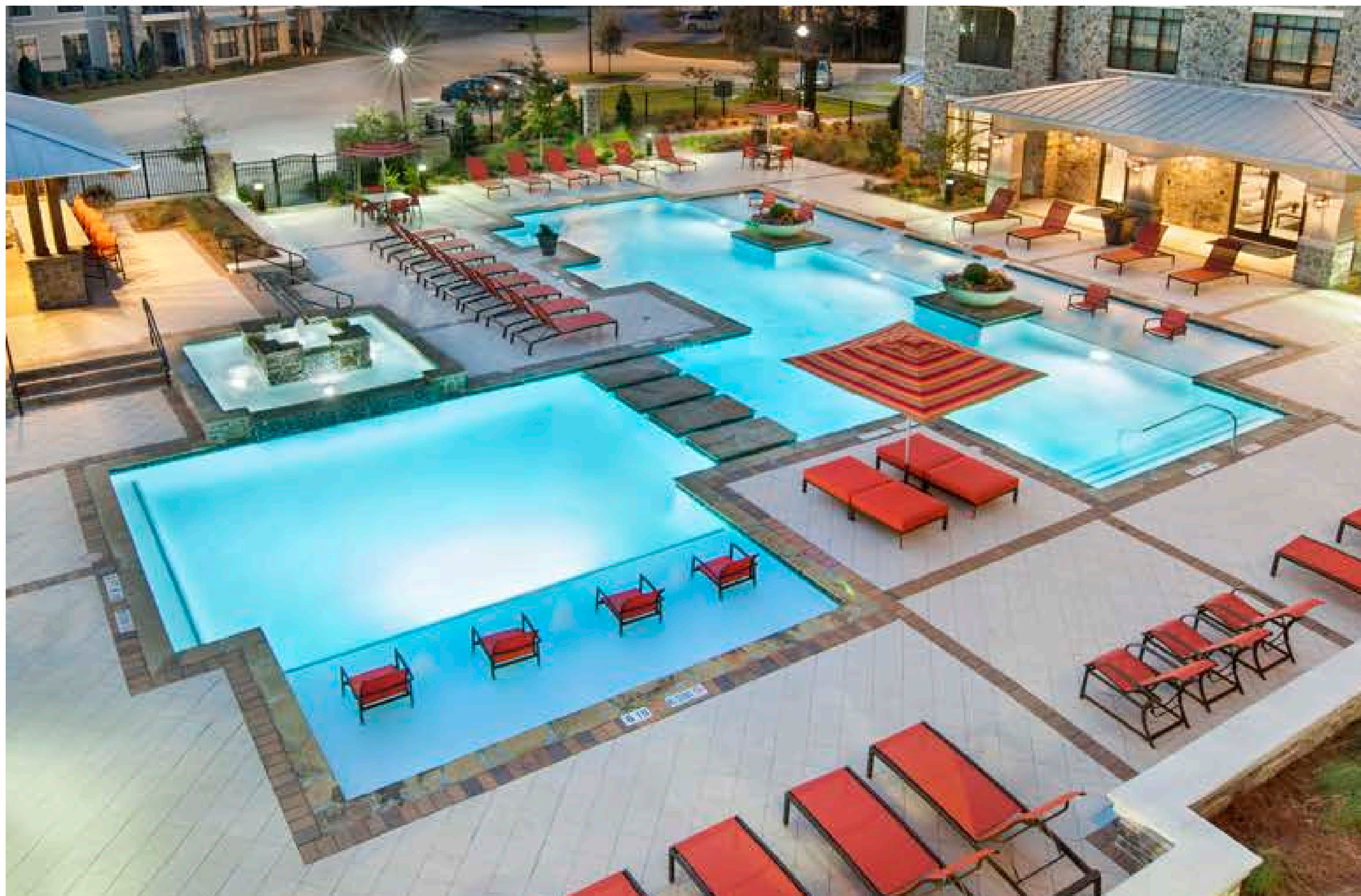


**GOOD NEIGHBORS**

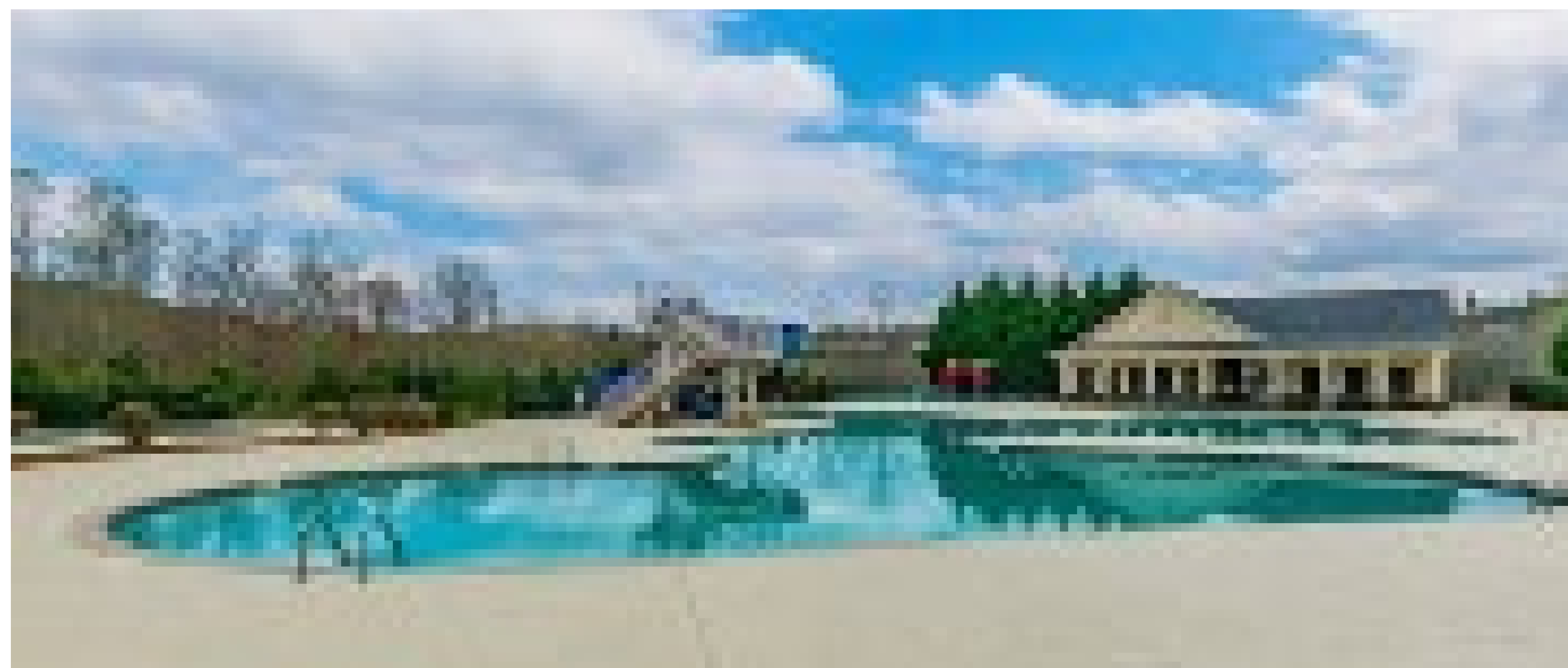
The buffer width along western property line (nearest to surrounding neighborhoods) is 250 feet at narrowest point.

**EMPHASIS ON PRESERVATION**

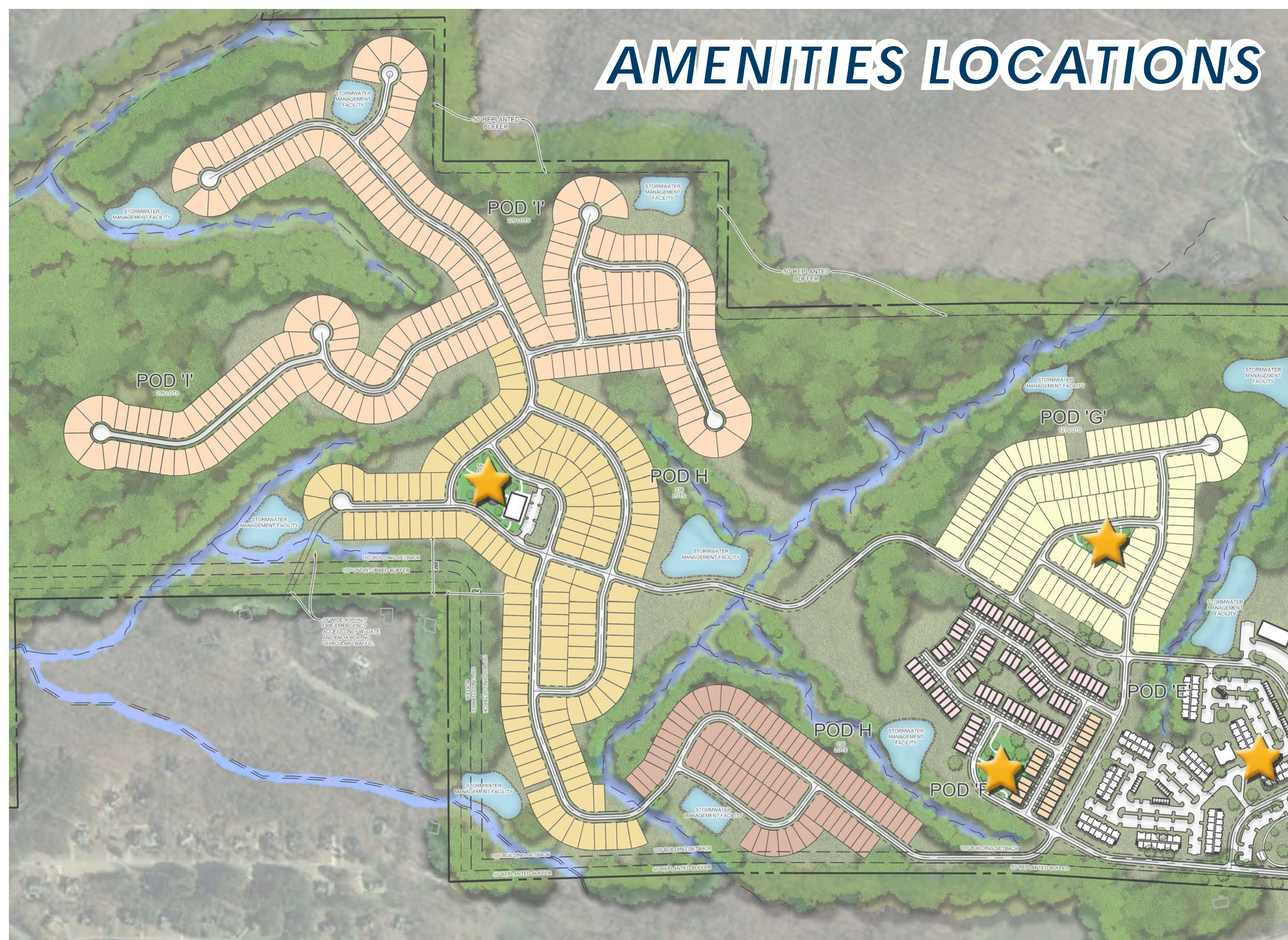




Amenities will be located throughout the 518-acre development. The attached single-family and multi-family will have their own dedicated amenity areas, while the single-family detached homes will share two central amenity areas. The images represent samples of the kind of amenities that would be built. See map for all locations.



**EXCELLENT  
AMENITIES**



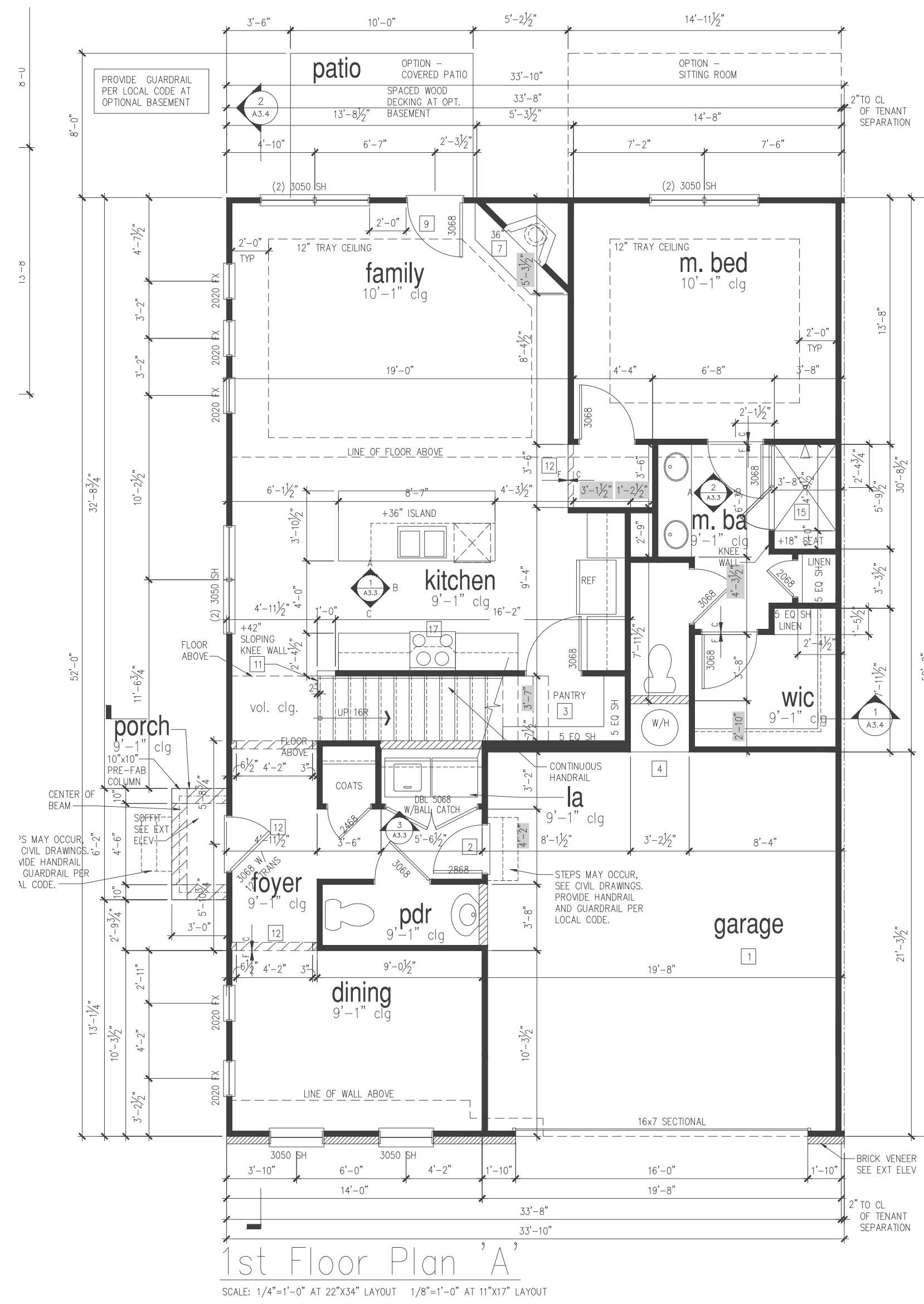


# ATTACHED HOMES

## THE PRESERVE at ETOWAH BLUFFS



Pod F Standards	
Minimum Unit Size	1800 square feet
Minimum Lot Width	30 feet
Building Setback	
	Front 27 feet from FOC to building face
	Rear 40 feet back-to-back
	Side 20 feet side-to-side
Minimum Building Separation	20 feet
Maximum Height	30 feet
Maximum Building Coverage	Coverage is measured for entire pod
Parking	2 spaces per unit



SERENITY IN SECLUSION



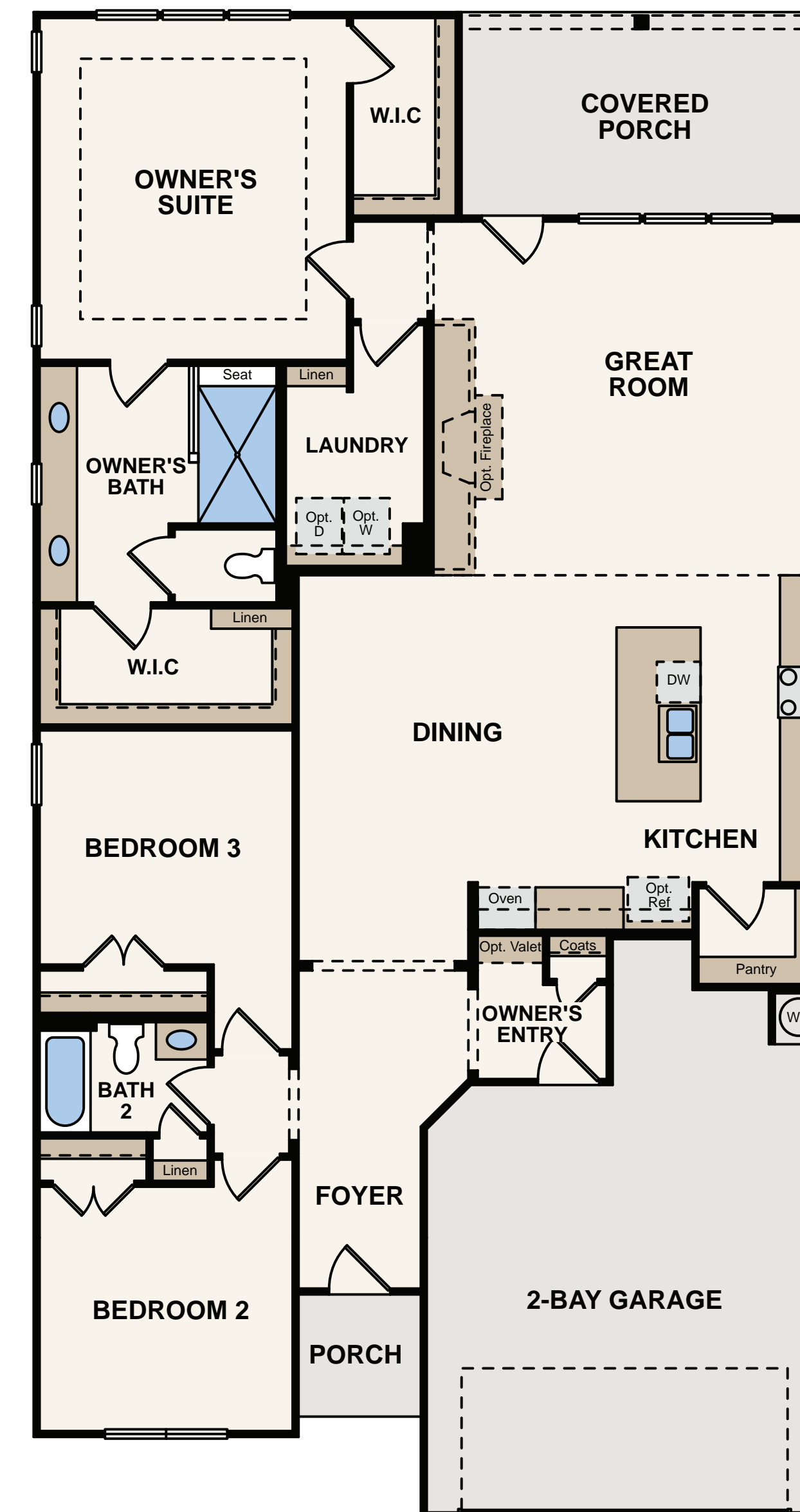
# SIENNA

## SINGLE-FAMILY DETACHED *THE PRESERVE at ETOWAH BLUFFS*

2,100 SQ FT | 1-STORY | 3 BEDROOMS |  
2-3 BATHROOMS | 2 BAY GARAGE



Pod G Standards	
Minimum Lot Size	4,800 square feet
Minimum Lot Width	40 feet
Building Setback	
	Front 15 feet, or 27 feet from FOC to building face
	Rear 25 feet
	Side None (see min. building separation)
Minimum Building Separation	10 feet
Maximum Height	30 feet
Maximum Building Coverage	65%
Parking	4 spaces per unit



**SERENITY IN SECLUSION**



# YELLOW JASMINE

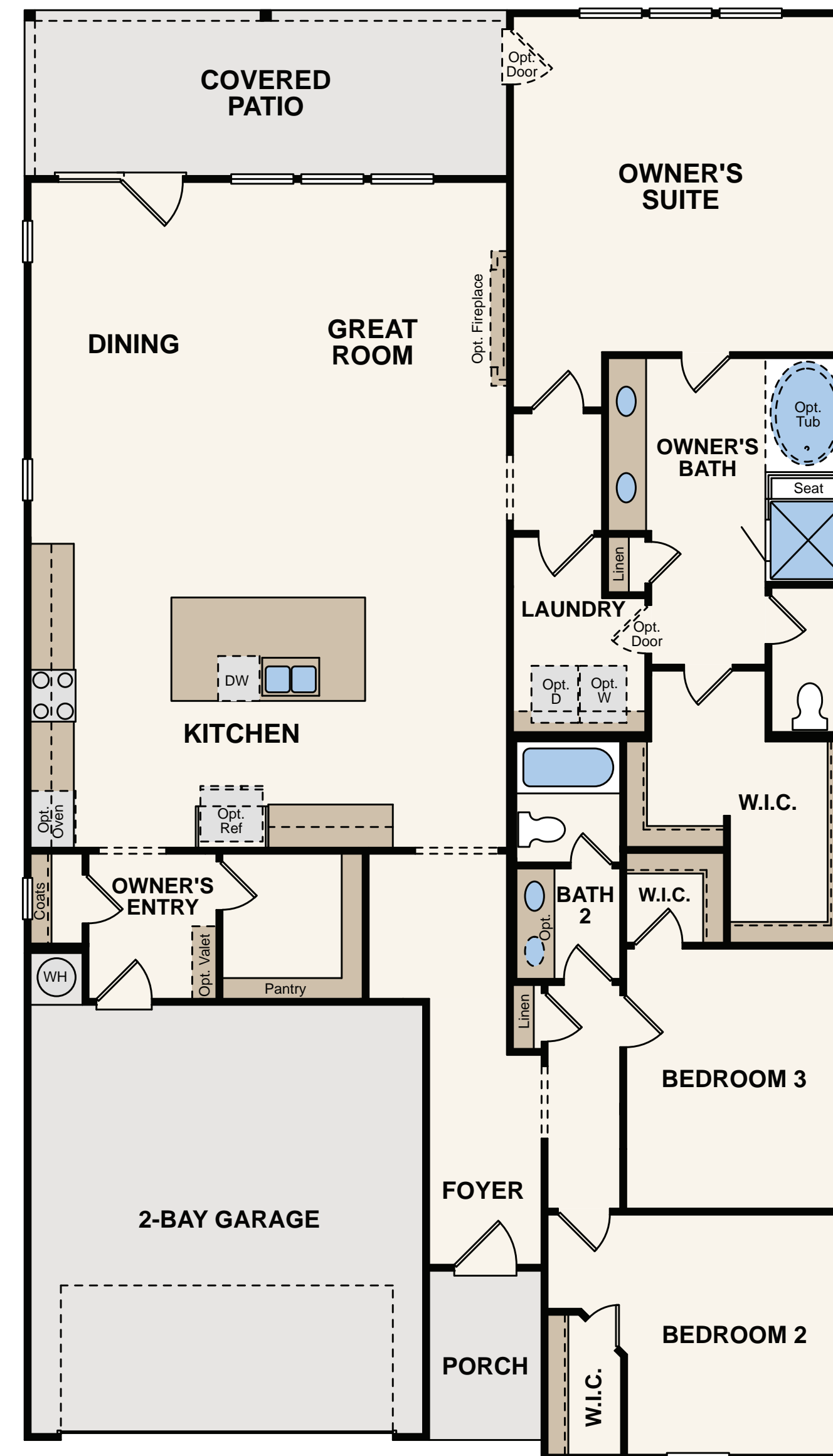
## SINGLE-FAMILY DETACHED

*THE PRESERVE at ETOWAH BLUFFS*

2,100 SQ FT | 1-STORY | 3 BEDROOMS |  
2 BATHROOMS | 2 BAY GARAGE



Pod G Standards	
Minimum Lot Size	4,800 square feet
Minimum Lot Width	40 feet
Building Setback	
	Front 15 feet, or 27 feet from FOC to building face
	Rear 25 feet
	Side None (see min. building separation)
Minimum Building Separation	10 feet
Maximum Height	30 feet
Maximum Building Coverage	65%
Parking	4 spaces per unit



**SERENITY IN SECLUSION**



# TEA OLIVE

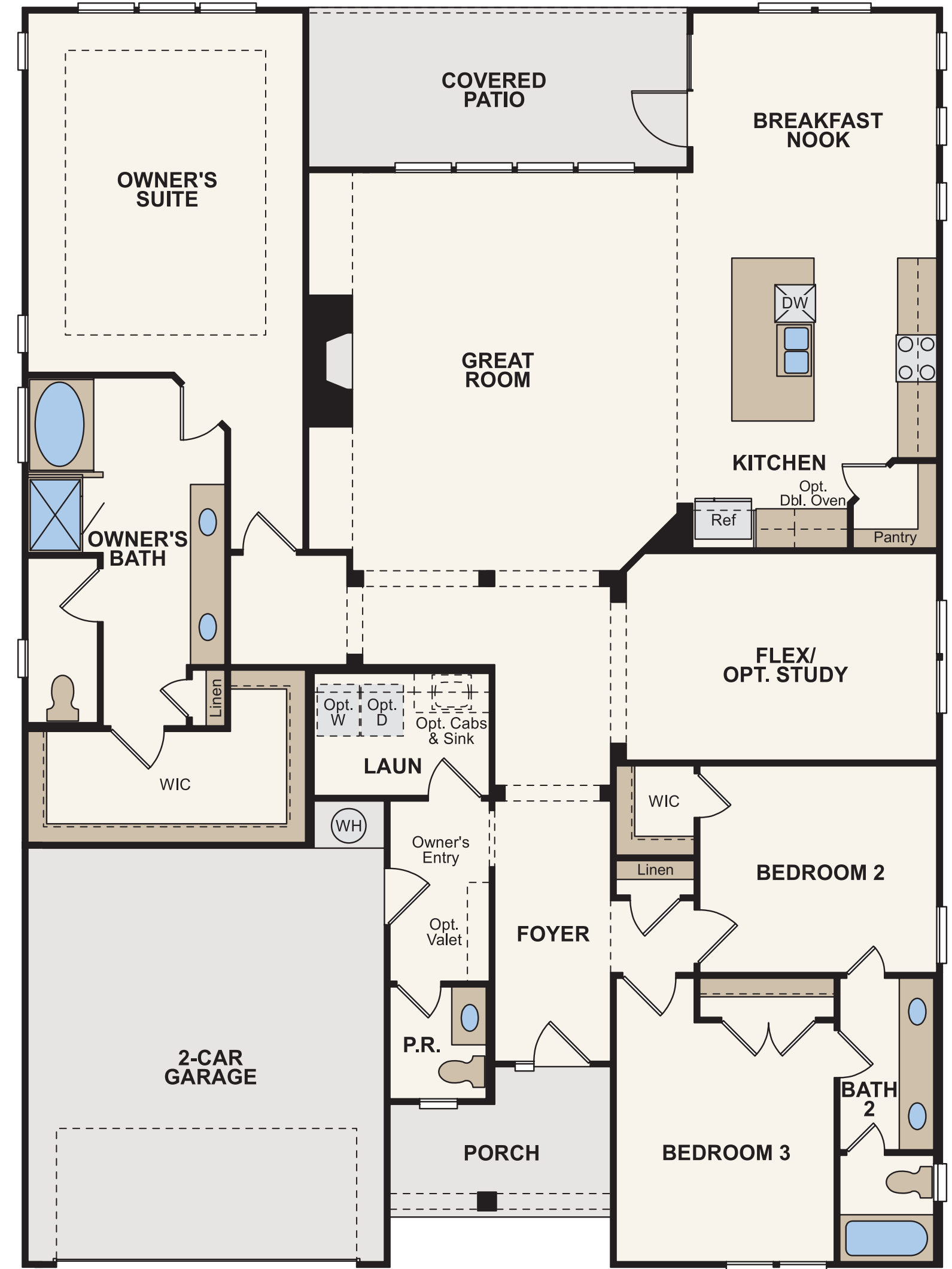
## SINGLE-FAMILY DETACHED

*THE PRESERVE at ETOWAH BLUFFS*

2,500 SQ FT | 1-STORY | 3 BEDROOMS |  
2.5 BATHROOMS | 2 BAY GARAGE



Pod H Standards	
Minimum Lot Size	4,900 square feet
Minimum Lot Width	40 feet
Building Setback	
	Front 15 feet, or 27 feet from FOC to building face
	Rear 25 feet
	Side None (see min. building separation)
Minimum Building Separation	10 feet
Maximum Height	35 feet
Maximum Building Coverage	65%
Parking	4 spaces per unit



**SERENITY IN SECLUSION**



# GREY BIRCH

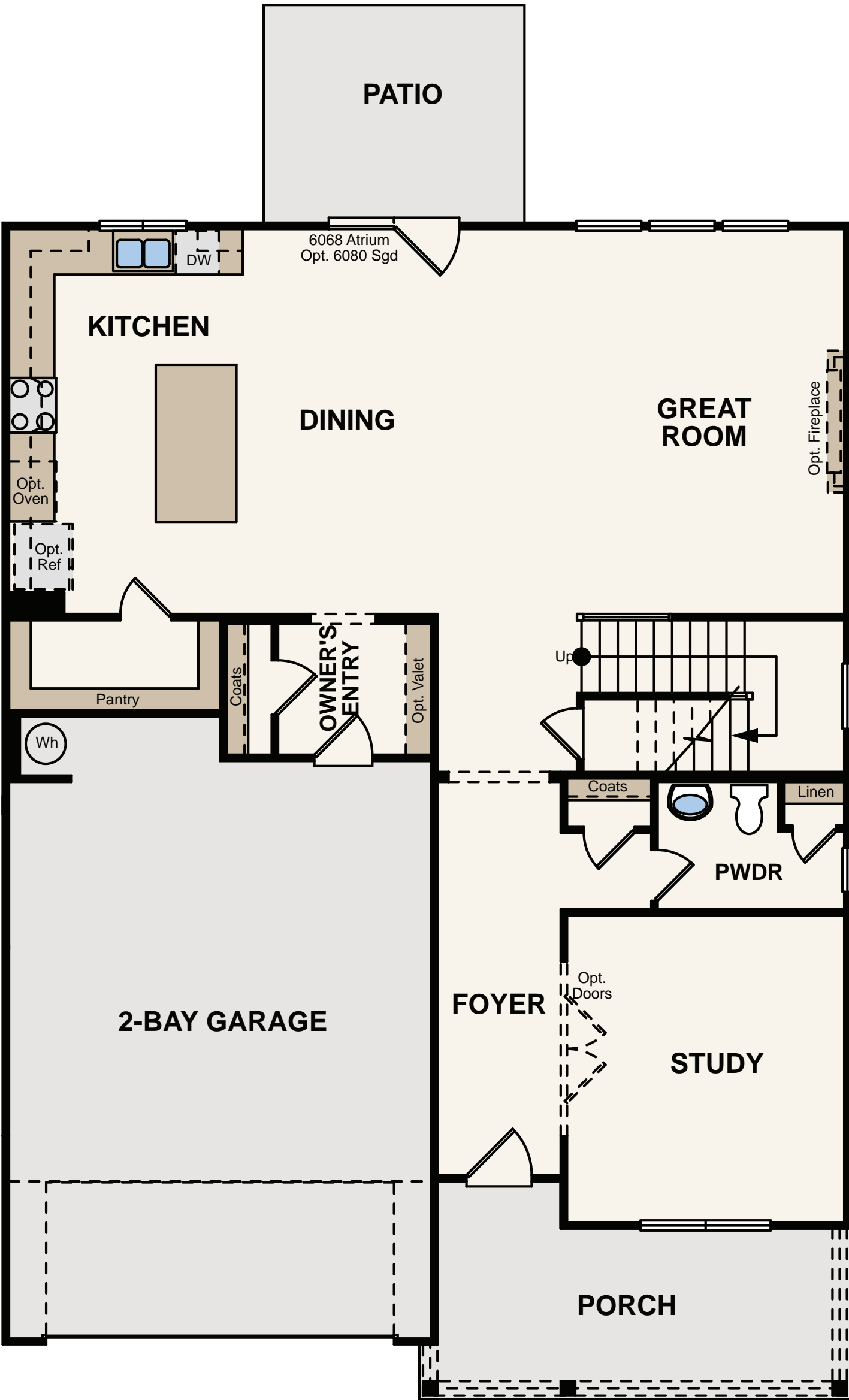
## SINGLE-FAMILY DETACHED

*THE PRESERVE at ETOWAH BLUFFS*

3,000 SQ FT | 2-STORIES | 4-6 BEDROOMS |  
2.5-4.5 BATHROOMS | 2 BAY GARAGE



Pod H Standards	
Minimum Lot Size	4,900 square feet
Minimum Lot Width	40 feet
Building Setback	
	Front 15 feet, or 27 feet from FOC to building face
	Rear 25 feet
	Side None (see min. building separation)
Minimum Building Separation	10 feet
Maximum Height	35 feet
Maximum Building Coverage	65%
Parking	4 spaces per unit



**SERENITY IN SECLUSION**



# SILVER MAPLE

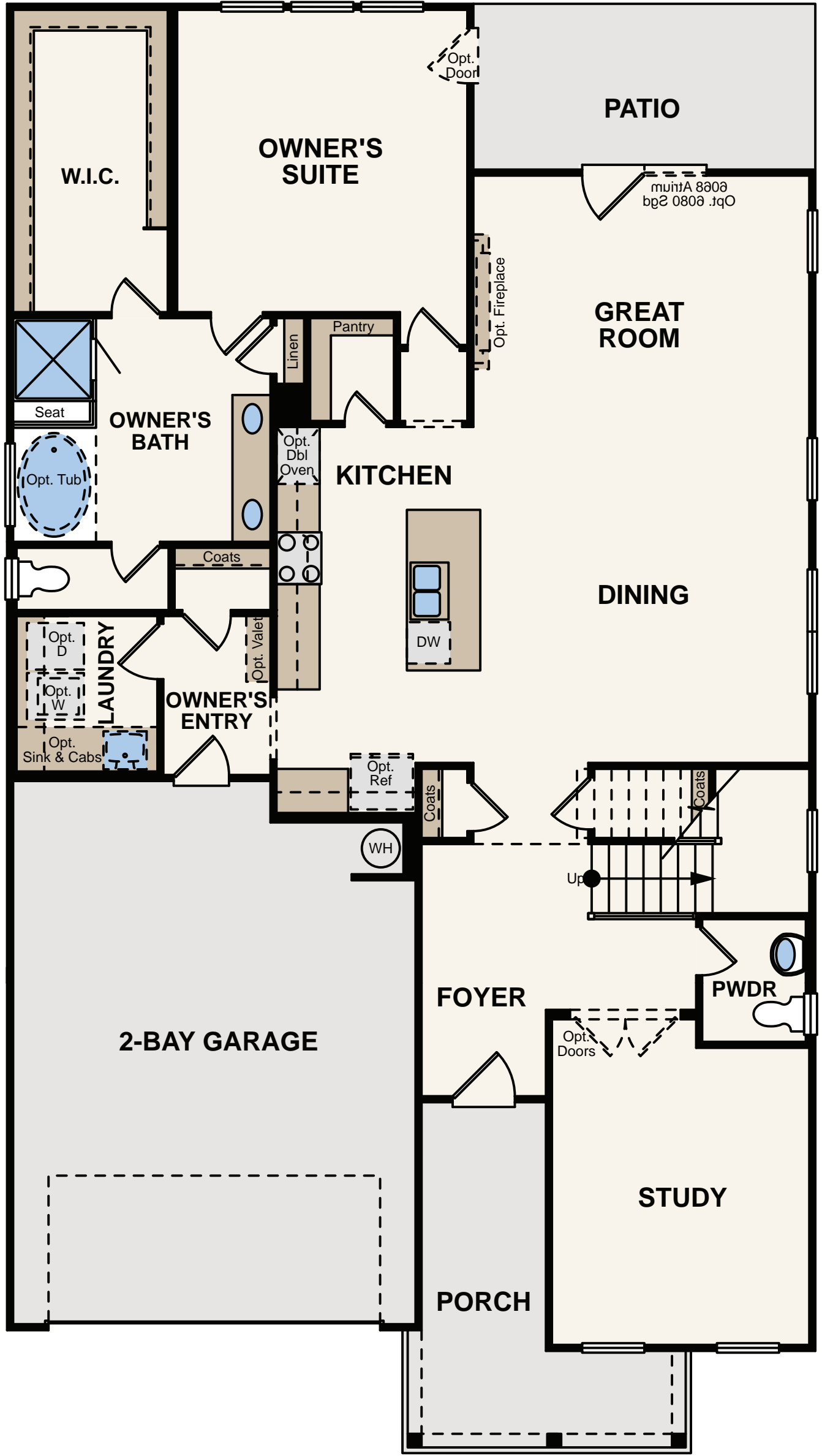
## SINGLE-FAMILY DETACHED

*THE PRESERVE at ETOWAH BLUFFS*

3,100 SQ FT | 2-STORIES | 5 BEDROOMS |  
3.5 BATHROOMS | 2 BAY GARAGE



Pod I Standards	
Minimum Lot Size	6,000 square feet
Minimum Lot Width	40 feet
Building Setback	
Front	15 feet, or 27 feet from FOC to building face
Rear	25 feet
Side	None (see min. building separation)
Minimum Building Separation	10 feet
Maximum Height	35 feet
Maximum Building Coverage	65%
Parking	4 spaces per unit



**SERENITY IN SECLUSION**



# SYCAMORE

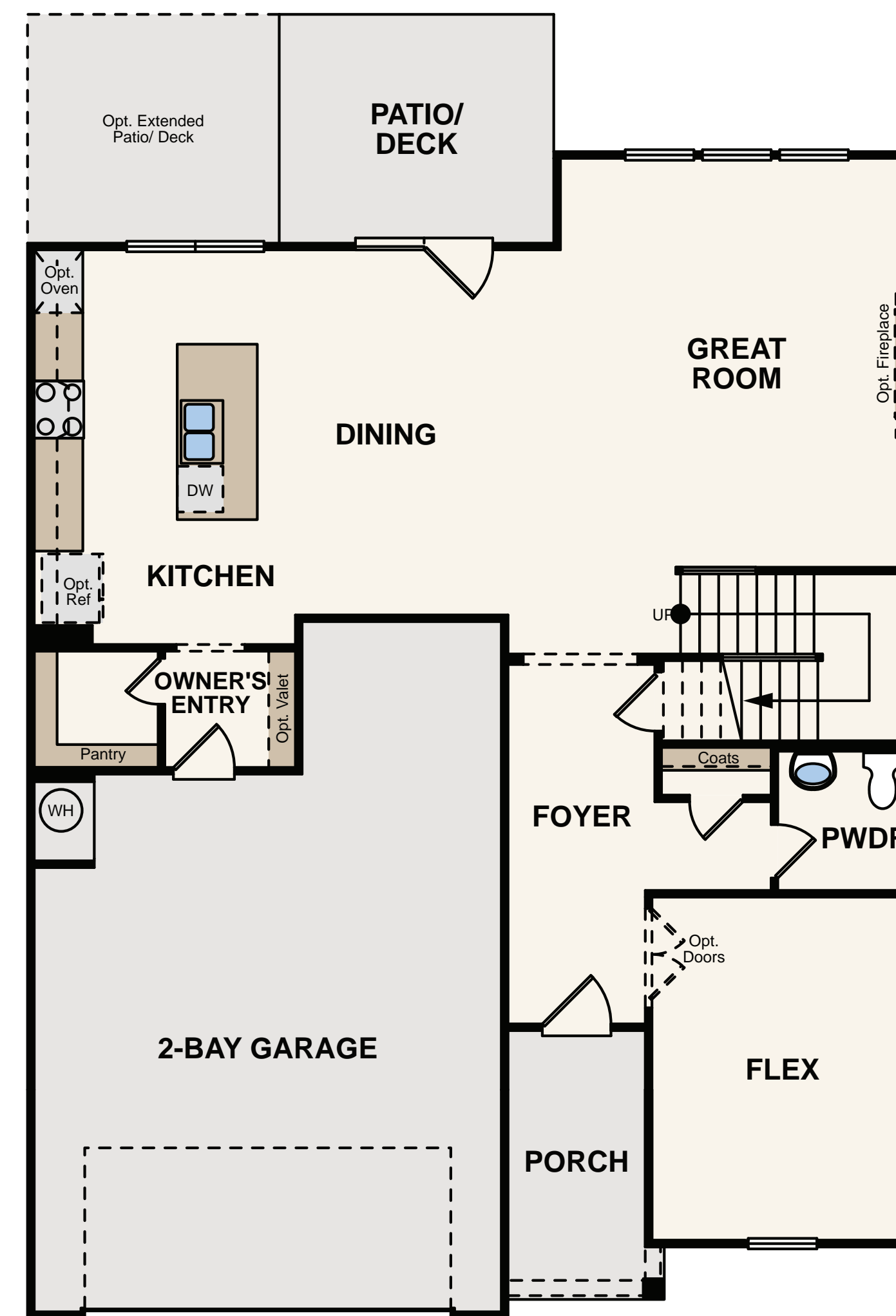
## SINGLE-FAMILY DETACHED

*THE PRESERVE at ETOWAH BLUFFS*

2,700 SQ FT | 2-STORIES | 4 BEDROOMS |  
3.5 BATHROOMS | 2 BAY GARAGE



Pod I Standards	
Minimum Lot Size	6,000 square feet
Minimum Lot Width	40 feet
Building Setback	
	Front 15 feet, or 27 feet from FOC to building face
	Rear 25 feet
	Side None (see min. building separation)
Minimum Building Separation	10 feet
Maximum Height	35 feet
Maximum Building Coverage	65%
Parking	4 spaces per unit



**SERENITY IN SECLUSION**





# ETOWAH BLUFFS





# Dawson County Emergency Services

Danny Thompson, EMA Director/Fire Chief  
Jason Dooley, Division Chief Operations & Training  
Jeff Bailey, Division Chief Fire Marshall  
Robby Lee, Division Chief EMS/Administration

393 Memory Lane  
Dawsonville, Georgia 30534  
(706) 344-3666 Office  
(706) 344-3669 Fax

---

Date: March 8, 2022  
To: Dawson County Planning Commission  
From: Jeff Bailey  
Subj: ZA 22-04  
Fox Creek Properties  
Etowah Bluffs

Good afternoon,

In reviewing the requested zoning change, I would again express the same concerns noted in my comments on the previous request (ZA 20-08). While not in opposition of this zoning change, or proposed land development, the scale and complexity of the development warrants serious consideration of impacts that must be anticipated and planned for. This large of an increase in the number of structures and people to protect will absolutely increase the number of calls for service from Dawson County Emergency Services. This proposed development could potentially result in growth *over a ten-year period* that could have otherwise taken fifty years to take place.

It would not be unrealistic to expect an increase in the County's permanent population of nearly twenty percent based on the number of residential occupancies proposed. The daily transient population will further increase this to over thirty percent. The sheer number of structures and population increase will impact Emergency Services' capabilities to provide acceptable service levels. These projections are in addition to all the other residential and commercial building projects already permitted, underway, pending, and yet forthcoming. Dawson County is experiencing previously unwitnessed growth and if this growth is to continue, we need to start increasing public safety capabilities now and not after being outpaced by it.

Emergency Services already finds itself without enough ambulances available in the County for EMS transport. This necessitates that we rely on mutual aid requests to surrounding services to fill the gap, and results in increased response times. The same holds true for fire suppression and rescue operations as well. With the current number of stations, apparatus, and personnel; a single-family residential fire *severely* hinders our ability to effectively respond to any additional calls. The frequency of multiple calls being simultaneously dispatched is already increasing, and will certainly not be decreasing.

---

#### Mission Statement

Dawson County Emergency Services is committed to the preservation of life and protection of property of the citizens of Dawson County.



If this zoning request is approved and building permits are issued to begin the proposed land development, the need for a second aerial apparatus (ladder truck/quint) will also exponentially increase; along with the need for an additional pumper, med unit, staffing, and station to house them. These items all require significant time and money to acquire and must be considered concurrently with the approval of projects such as this, and not in reaction to them after approval.

Sincerely,

  
Jeff Bailey  
Fire Marshal

  
Danny Thompson  
Fire Chief

---

Mission Statement

Dawson County Emergency Services is committed to the preservation of life and protection of property of the citizens of Dawson County.



**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Caren Martin  
**Case Docket #** .....VR 22-08  
**Request**.....Front set back reduction from 40’ to 20’  
**Proposed Use** .....The construction of a primary residence.  
**Size**..... .41 acres+/-  
**Existing Zoning** .....VCR  
**Applicable Regulations**.....Dawson County Land Use Resolution  
Article III, Section 309.C.3  
**Location** .....Lot 34 Eagle Ridge Rd.  
**Tax Parcel #**..... 012 048  
**Meeting Date**.....April 19, 2022

---

**Applicant Proposal**

Ms. Martin wishes to construct a primary residence for a client and is seeking a front variance of 20’ to allow them to do so.

**History and Existing Land Use**

The parcel lies within the established mountain community of Tomahawk Mountain with small lots that were platted prior to zoning regulations.

**Staff Analysis**

To be considered for a variance, the following four (4) criteria must be addressed:

- 1.) *That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and a strict and literal interpretation of the code would not allow the proposed home to be constructed.*



Due to extreme terrain the original build was forced to be in close proximity to the ridge line on which the roadway was constructed. This has therefore reduced the amount of front yard space which is outside of the building setbacks established for this zoning district.

*2.) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district.*

Tomahawk Mountain was subdivided in 1965 before the enactment of zoning regulations within Dawson County. With the addition of setbacks in regards to these parcels within this particular development, most any structure will require a variance, due to the steep topography.

*3.) The granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and*

*4.) That the granting of the variance would support general objectives contained within this Resolution.*

The granting of the variance will not be detrimental to the public health, safety, or welfare. It could be argued that it would improve property values. Prior to this request for a front setback, there were nine previous approved requests. The previous approvals range from 7' to 30' reductions of front setbacks.



Picture of subject property:





# DAWSON COUNTY VARIANCE APPLICATION

**\*\*This portion to be completed by Zoning Administrator\*\***

VR 22-08 Tax Map & Parcel # (TMP): 012-017  
Current Zoning: VCL Commission District #: 1  
Submittal Date: 3-9-22 Time: 1:57 am/pm Received by: mn (staff initials)  
Fees Assessed: \$350 Paid: check  
Planning Commission Meeting Date: April 19, 2022

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: CAREN ABERNATHY MARTIN  
Address: \_\_\_\_\_  
Phone: Listed \_\_\_\_\_ Email: Business \_\_\_\_\_  
Unlisted \_\_\_\_\_ Personal  
Status:  Owner [ ] Authorized Agent [ ] Lessee [ ] Option to purchase

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

I have  /have not \_\_\_\_\_ participated in a Pre-application meeting with Planning Staff. BY PHONE 2/14/2022

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

Meeting Date: 2/14/2022 PHONE CALL W/ HARMONY GEE Applicant Signature: Caren Abernathy Martin

## PROPERTY INFORMATION

Street Address of Property: LOT 34 EAGLE RIDGE RD. DAWSONVILLE, GA.  
30534

Land Lot(s): 34 District: \_\_\_\_\_ Section: \_\_\_\_\_

Subdivision/Lot: LOT 34 TOMAHAWK MTN Building Permit #: \_\_\_\_\_ (if applicable)

22 MAR 9 1:57 PM



Directions to the Property: HEAD EAST ON TUCKER AVE, TURN LEFT ON SHOAL CREEK RD, LEFT ON TO GA 136 WEST (7 MILES) SLIGHT RIGHT GA 136/CA 183 (1.7 MILES) TURN LEFT GA 136W GO ABOUT 3 MILES AND EAGLE RIDGE RD IS ON THE LEFT. FOLLOW GRAVEL RD 0.6 MILES - MY PROPERTY IS "GAZEBO LOT" ON THE RIGHT.

**REQUESTED ACTION**

A Variance is requested from the requirements of Article # V1 Section # 121-164 of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: 20' SETBACK VARIANCE (AS OPPOSED TO 40')

Type of Variance requested:

Front Yard  Side Yard  Rear Yard variance of 20' feet to allow the structure to:  
 be constructed;  remain a distance of 20' feet from the:  
 property line,  road right of way, or  other (explain below):

instead of the required distance of 40' required by the regulations.

- Lot Size Request for a reduction in the minimum lot size from \_\_\_\_\_ to \_\_\_\_\_
- Sign Variance for: \_\_\_\_\_
- Home Occupation Variance to operate: \_\_\_\_\_ business
- Other (explain request): \_\_\_\_\_

If there are other variance requests for this site in past, please list case # and nature of variance: \_\_\_\_\_

Variations to standards and requirements of the Regulations, with respect to open area, setbacks, yard area, lot coverage, height, and other quantitative requirements may be granted if, on the basis of the application, investigation, and other evidence submitted by the applicant, all four (4) expressly written findings below are made:

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: EAGLE RIDGE RD IS ON A MOUNTAIN RIDGE AND BUILDING 40' OFF THE ROAD MAKES BUILDING MORE DIFFICULT, MORE COSTLY AND NOT AS "FLAT" OR SAFE.



2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: THIS IS LOCATED ON A GRAVEL  
RURAL "PRIVATE" ROAD IN A SMALL PRIVATE  
COMMUNITY. THERE IS NO "THRU TRAFFIC" ON  
THIS ROAD.

3. Describe why granting a variance would not be detrimental to the public health, safety, morals or welfare and not be materially injurious to properties in the near vicinity: SINCE THIS IS A SMALL  
PRIVATE GRAVEL ROAD, THERE IS MINIMAL TRAFFIC,  
THERE WILL BE NO OBSTRUCTIONS TO CAUSE HAZARDOUS  
DRIVING CONDITIONS. THIS ROAD IS ONLY USED BY RESIDENTS.

4. Describe why granting this variance would support the general objectives within this Resolution:

I WOULD BE ABLE TO TAKE ADVANTAGE OF "FLATER" MORE  
SUITABLE PLACE TO BUILD MY CABIN ON A SECURE, SOUND  
CRAWLSPACE. IT WOULD BE SAFER AND SOUNDER FOR  
CONSTRUCTION, NOT ~~OFF~~ OFF THE INCLINE.

**Submit clear explanation of all four questions above. You may add sheets if necessary.**

(Variances should not be granted if the need arises as a result of action by the applicant or previous owner.)

SEE ATTACHED →

'22 MAR 9 1:57 PM



MOST HOMES ON EAGLE RIDGE ROAD ARE SET CLOSER TO THE GRAVEL ROAD, DUE TO THE FACT THAT IT IS ACTUALLY A MOUNTAIN RIDGE. OF COURSE, I WANT MY CABIN TO BE BUILT AS FAR FROM THE ROAD AS POSSIBLE.

I HAVE INCLUDED PICTURES TO SHOW SOME OTHER CABINS AND HOMES AND THEIR LOCATION.

I PLAN TO BUILD A SMALL CABIN AND TO BE RESPECTFUL TO THE OTHER HOMEOWNERS ON EAGLE RIDGE RD AND MEMBERS OF THE TOMAHAWK MOUNTAIN CIVIC ASSOCIATION.

THIS 20' FOOT VARIANCE WOULD HELP ME BE ABLE TO CONSTRUCT A SOUND HOME AND I WOULD BE ABLE TO USE "FLAT" LAND TO BUILD A SOUND FOUNDATION AND THEREFORE A MORE ECONOMICAL AND APPROPRIATE HOME

FOR THIS COMMUNITY. ALSO LEAVING DAWSON CO. REQUIRE 1200 SQ FT HOME WHICH ALSO MAKES A VARIANCE NECESSARY TO BUILD

122 MAR 9 1:57 PM



VR# 22.08

TMP# 012.017

### 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 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 and Parcel Number listing any parcel(s) adjoining or adjacent to parcel where variance or rezone is being requested.**

<u>Parcel #</u>	<u>Name</u>	<u>Address</u>
TMP <u>012036</u>	1. DAVID PAUL WALTON	1381 EAGLE RIDGE RD DAWSONVILLE, GA
TMP <u>012018</u>	2. JAMES E MARGARET SMITH	1420 EAGLE RIDGE RD DAWSONVILLE, GA
TMP <u>012016</u>	3. DOUGLAS CONGLETON	LOT 35 EAGLE RIDGE RD / 2822 BROOKWEST DR MARIETTA GA
TMP <u>012051</u>	4. DANA DOUGHERTY SAMS	1619 EAGLE RIDGE RD
TMP <u>012037</u>	5. VALERIE MATHEWS REVOC LYG TRUST	1333 EAGLE RIDGE RD. DAWSONVILLE
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.

22 MAR 9 1:57 PM



**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 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 special use or rezoning 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 of Applicant or Agent: Carrie Adams / Matt Date: 3/7/2022  
Signature of Witness: Steph M. Ly Date: 3/7/2022

\*\*\*\*\*

**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 office 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 that written request and publication the 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 Commission. Further the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fee may be made unless directed by the Board of Commissioners.



**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:

GEORGIA DRIVER'S LICENSE (ATTACHED)

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 SOUNDWEE (city), GA (state)

Caren Abernathy Martin

Signature of Applicant

2/14 / 2022

Date

CAREN ABERNATHY MARTIN

Printed Name

N/A

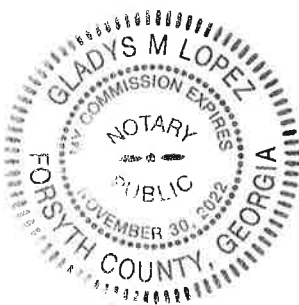
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 7 DAY OF March, 20 22

Gladys M. Lopez Notary Public

My Commission Expires: 11/30/2022



(Seal)

'22 MAR 9 1:59 PM









July 17, 2019

Ms. Caren Abernathy Martin

**Subject: Level 3 Soil Report**  
Parcel ID: 012 017  
Adjacent to 1420 Eagle Ridge Road  
Dawsonville, Dawson County, Georgia 30534

Dear Ms. Martin,

Mill Creek Environmental, LLC is pleased to be of assistance on this project. This soil report was prepared in accordance with the Georgia Department of Public Health Manual for On-Site Sewage Management Systems.

A soil survey was conducted at the subject property on July 17, 2019. The soils were classified as belonging to the Hayesville and Tallapoosa Soil Series. The Hayesville and Tallapoosa Soil Series should have the ability to function as a suitable absorption field with proper design, installation, and maintenance.

Soil boring locations and soil series are shown on the attached site plan. Suitability codes and estimated absorption rates are shown on the attached Level 3 Soil Report. If you have any questions or if we can be of further assistance, please call us at (706) 579-1607.

Sincerely,  
Mill Creek Environmental, LLC

Drew Heimlich  
Staff Biologist

Dan Centofanti, PG  
Technical Director

22 MAR 9 2:01 PM



**COUNTY:** Dawson **DATE:** July 17, 2019

**CONTACT:** Ms. Caren Abernathy Martin

**SITE LOCATION ADDRESS:** Adjacent to 1420 Eagle Ridge Road, Dawsonville, Georgia 30534

**PHONE NUMBER:**

**SCALE:** 1"= 60'

**SUITABILITY CODE DESCRIPTIONS & GENERAL NOTES:**

**SUITABILITY CODE A:**

THESE SOILS ARE SUITABLE FOR INSTALLATION OF ON-SITE SYSTEMS WITH PROPER SYSTEM DESIGN, INSTALLATION, AND MAINTENANCE. POSITION OF THE SITE OR OTHER SOIL AND LANDSCAPE CONSIDERATIONS MAY REQUIRE THE DRAIN FIELD AREA TO BE GREATER THAN THE MINIMUM AND/OR THE DRAIN FIELD DESIGN TO REQUIRE EQUAL DISTRIBUTION OR LEVEL FIELD INSTALLATION.

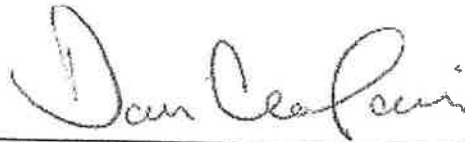
Miscellaneous Notes:

All borings are staked in the field and labeled.

This soil report is in accordance with the standards and regulations set forth in the Georgia Department of Public Health Manual for On-Site Sewage Management Systems, January 2014. Mill Creek Environmental, LLC does not issue permits for, install, maintain or guarantee the performance of any on-site sewage management system. The County Health Department has the authority to permit on-site sewage management systems on this property and may have a different view of the soil conditions. The County Health Department has final jurisdiction over permitting and regulating on-site sewage management systems.

Any alteration to this report without my expressed, written consent and approval will render this report null and void. Any alteration to the site after the date on which the fieldwork was performed may change the nature and suitability of the site.

This report was completed by Certified Soil Classifier:



Dan Centofanti, PG  
Georgia Professional Geologist # 1321



22 MAR 9 2:01 PM



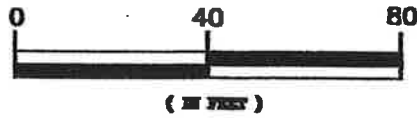
Dan Centofanti, PG  
Georgia Professional Geologist #1321



I certify that this Level 3 soil survey meets the minimum design requirements established by the Georgia Department of Public Health Manual for Onsite Sewage Management Systems.

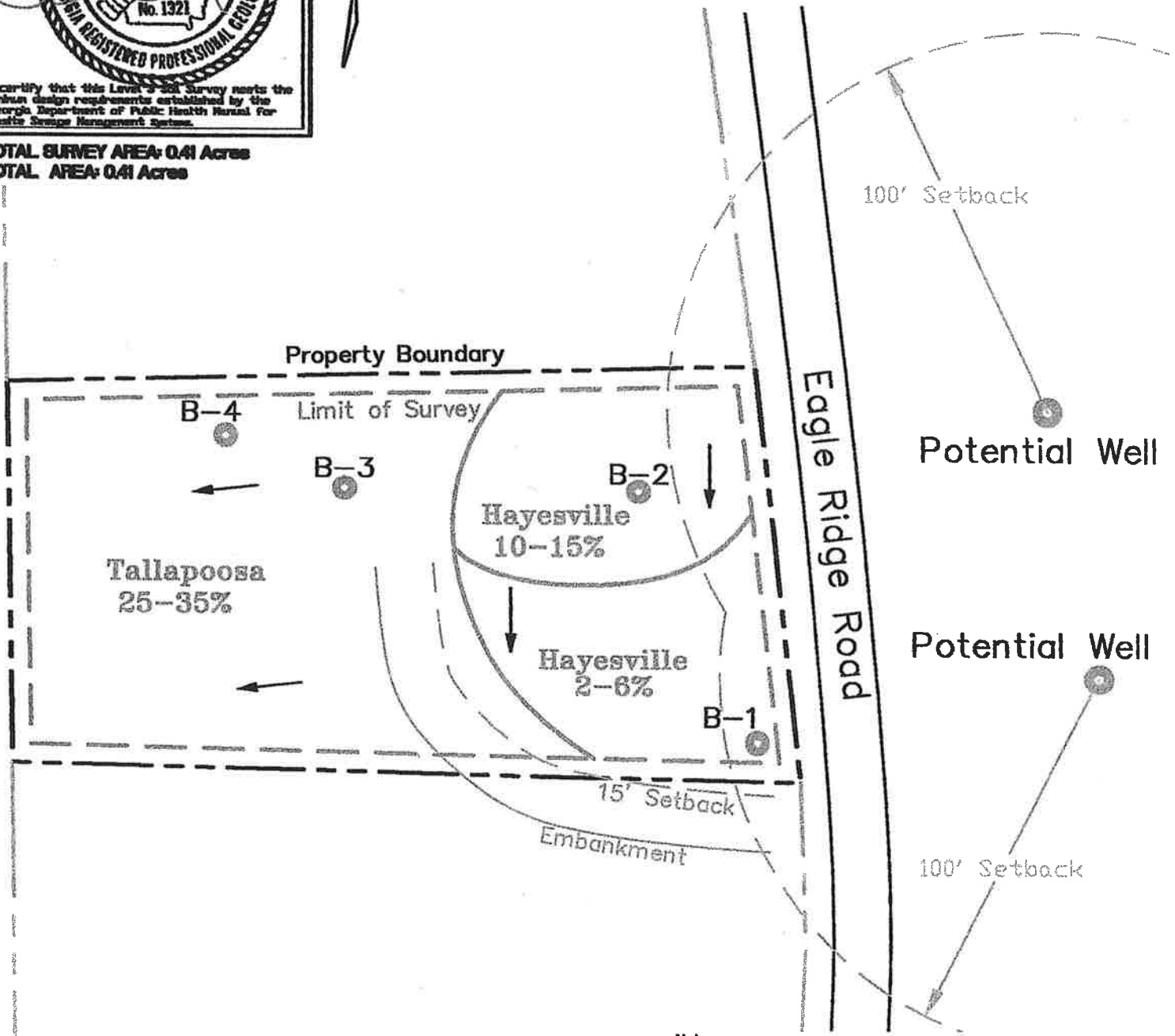
TOTAL SURVEY AREA: 0.41 Acres  
TOTAL AREA: 0.41 Acres

GRAPHIC SCALE



LEGEND

- Auger Refusal
- B-1 Soil Boring
- ↘ Direction of Slope
- ~ Soil Boundary (dashed where inferred)



**Note:**  
This is NOT a survey, boundary information is approximate. Boundaries were digitized from a tax map obtained from the Dawson County online tax assessor website. Mill Creek Environmental, LLC makes no guarantees of boundary information. This map is intended to show soil test locations and soil boundaries.



**LEVEL 3 SOIL SURVEY**  
Ms. Caren Abernathy Martin  
Adjacent to 1420 Eagle Ridge Road  
Dawsonville, Dawson County, Georgia  
SA-19164-1 7/17/2019

**MILL CREEK ENVIRONMENTAL, LLC**  
1818 Perimeter Road  
Dawsonville, Georgia 30534  
706-579-1607



## LEVEL 3 SOIL REPORT

<b>COUNTY:</b> Dawson	<b>DATE:</b> July 17, 2019
<b>CONTACT:</b> Ms. Caren Abernathy Martin	
<b>SITE LOCATION ADDRESS:</b> Adjacent to 1420 Eagle Ridge Road, Dawsonville, Georgia 30534	
<b>PHONE NUMBER:</b>	
<b>SCALE:</b> 1" = 60'	

### SOIL PROPERTIES

SOIL BORING NUMBER	SOIL SERIES <sup>(2)</sup> (SEE SUITABILITY CODES)	SLOPE <sup>(1)</sup> (RANGES OF SOIL TYPE)	RESTRICTIVE/ REFUSAL LAYER <sup>(3)</sup> (INCHES BGS)	DEPTH TO <sup>(4)</sup> SEASONAL HIGH H <sub>2</sub> O TABLE (INCHES BGS)	ABSORPTION RATE <sup>(5)</sup> AT RECOMMENDED TRENCH DEPTH (MIN/INCH)	RECOMMENDED <sup>(1)</sup> TRENCH DEPTH (INCHES BGS)	SUITABILITY <sup>(6)</sup> CODE
		<i>(Verified)</i>	<i>(Verified)</i>	<i>(Verified)</i>	<i>(Predicted)</i>	<i>(Verified)</i>	
B-1	Hayesville Soil Series	2-6%	>72	>72	45	24-36	A
B-2	Hayesville Soil Series	10-15%	>72	>72	45	24-36	A
B-3	Tallapoosa Soil Series	25-35%	53	>53	45	18-28	A
B-4	Tallapoosa Soil Series	25-35%	>44	>44	45	18-20	A

- 1 Based on field observations.
- 2 Based on USDA NRCS descriptions.
- 3 Based on Georgia DPH Manual for On-Site Sewage Systems, Table CT-1.
- 4 Based on Soil Classifier interpretation of site conditions and soil classification.
- 5 BGS = Below Ground Surface

22 MAR 9 2:01 PM





**Public Health**  
Prevent. Promote. Protect.

## Dawson County Environmental Health

189 Hwy. 53 W., Ste. 102, Dawsonville, GA 30534  
PH: 706-265-2930 FAX: 706-265-7529 • [www.phdistrict2.org](http://www.phdistrict2.org)

---

Zachary Taylor, M.D., M.S., Health Director

---

March 8, 2022

Caren Martin

Re: Pre-purchase Evaluation of Tomahawk Mountain Estates, Lot 34, Dawson County, GA

Ms. Martin,

A pre-purchase evaluation has been performed at the subject location. This evaluation revealed that a septic system permit can be issued on this lot.

The front of the property is fairly level, which is assumed to be the best location for the construction of a home. The back of the level area falls off steeply to the lower 2/3 of the property which is mapped as a Tallapoosa soil, with borings showing auger refusal at 44" and 53". For this subdivision, this area has a relatively gentle slope at 25% to 30%. Because of the 44" depth of auger refusal, a test pit will be required in this area when an application for a septic permit has been submitted.

With a 45 minutes/inch percolation rate, a two-bedroom home will require 130 linear feet of primary drainfield (if using a drainfield product that receives a 35% reduction), and 200 linear feet of reserve area. The reserve area is set aside for future repair/replacement.

It may even be possible for a three-bedroom system to be permitted, but further study will be required to determine this.

When you submit an application for the septic system construction permit, we will need an original copy of the level III soil survey.

Do not hesitate to contact me if you have any questions.

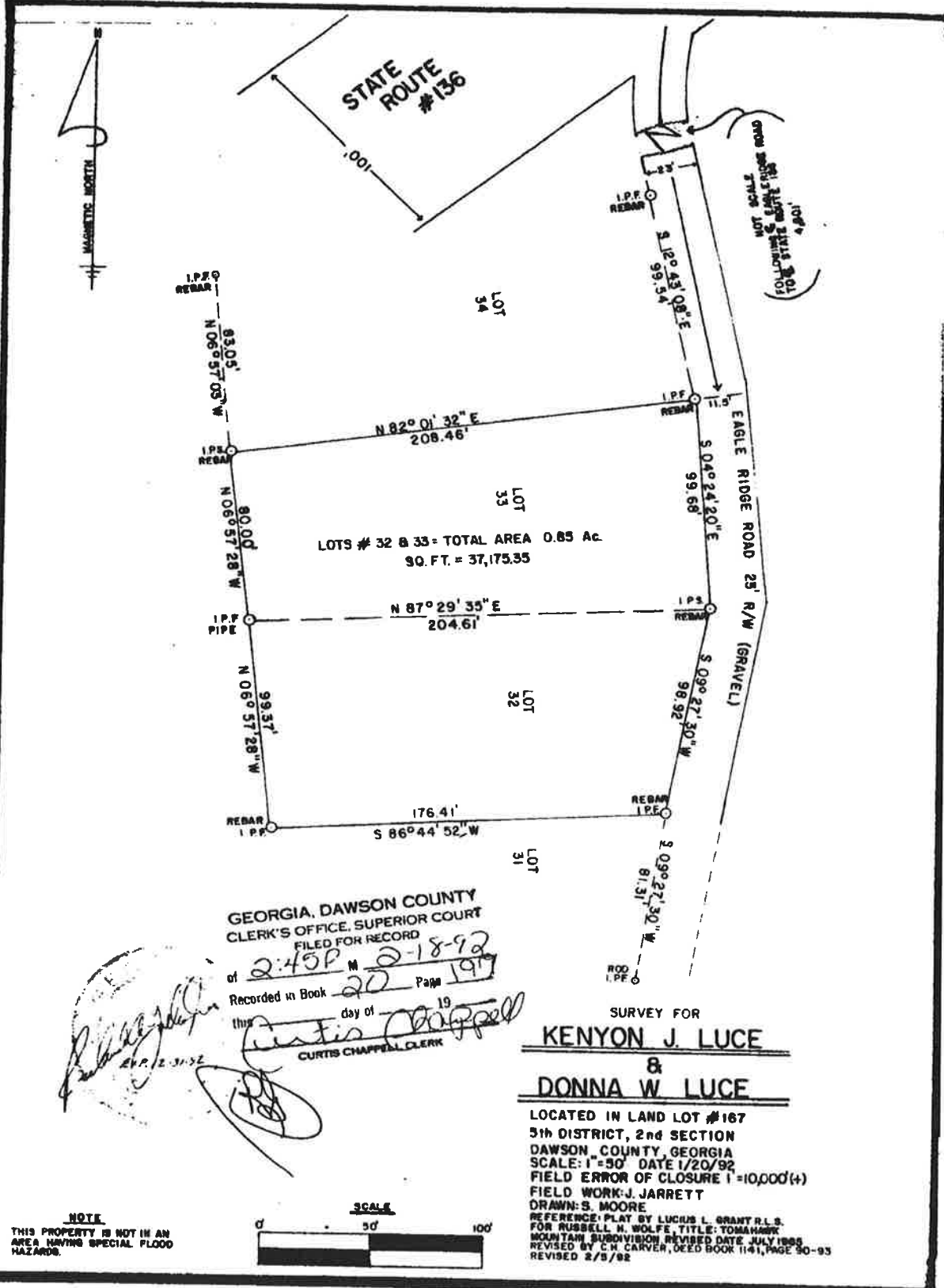
Thank you,

  
George W. "Bill" Ringle  
Environmental Health Manager

**Please note: This is not a permit. A preliminary site inspection has been performed on the basis of information provided by the applicant, the current site conditions, and on current regulations and policies. If the information, site conditions, regulations, and/or policies, etc. change after the date inspected, these recommendations or comments will be invalidated. The comments provided are not considered a permit approval or guarantee of permit issuance.**

'22 MAR 9 1:58 PM





STATE ROUTE #136



I.P.P. REBAR

N 06° 57' 03" W  
83.05'

I.P.P. REBAR

N 06° 57' 28" W  
90.00'

I.P.P. PIPE

N 06° 57' 28" W  
99.37'

N 06° 57' 28" W  
99.37'

REBAR I.P.P.

N 82° 01' 32" E  
208.46'

N 87° 29' 35" E  
204.61'

S 86° 44' 52" W  
176.41'

I.P.P. REBAR

S 12° 43' 08" E  
99.54'

I.P.P. REBAR

S 04° 24' 20" E  
99.68'

I.P.P. REBAR

S 09° 27' 30" W  
98.92'

REBAR I.P.P.

S 09° 27' 30" W  
81.31'

ROD I.P.P.

GRASSY ROAD  
27' 10" W  
100' 4" E  
TO STATE ROUTE 136

EAGLE RIDGE ROAD 25' R/W (GRAVEL)

LOTS # 32 & 33 - TOTAL AREA 0.85 Ac  
SQ. FT. = 37,175.35

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

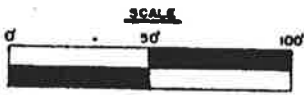
of 2:45 P M 2-18-92  
Recorded in Book 20 Page 197

this day of 19  
Curtis Chappell  
CURTIS CHAPPELL, CLERK

SURVEY FOR  
**KENYON J. LUCE**  
&  
**DONNA W. LUCE**

LOCATED IN LAND LOT #167  
5th DISTRICT, 2nd SECTION  
DAWSON COUNTY, GEORGIA  
SCALE: 1" = 50' DATE 1/20/92  
FIELD ERROR OF CLOSURE 1 = 10,000(+)  
FIELD WORK: J. JARRETT  
DRAWN: S. MOORE  
REFERENCE: PLAT BY LUCIUS L. GRANT R.L.S.  
FOR RUSSELL H. WOLFE, TITLE: TOMAHAWK  
MOUNTAIN SUBDIVISION REVISED DATE JULY 1988  
REVISED BY C.H. CARVER, DEED BOOK 1141, PAGE 30-33  
REVISED 2/5/92

**NOTE**  
THIS PROPERTY IS NOT IN AN  
AREA HAVING SPECIAL FLOOD  
HAZARDS.



22 MAR 9 1:58 PM



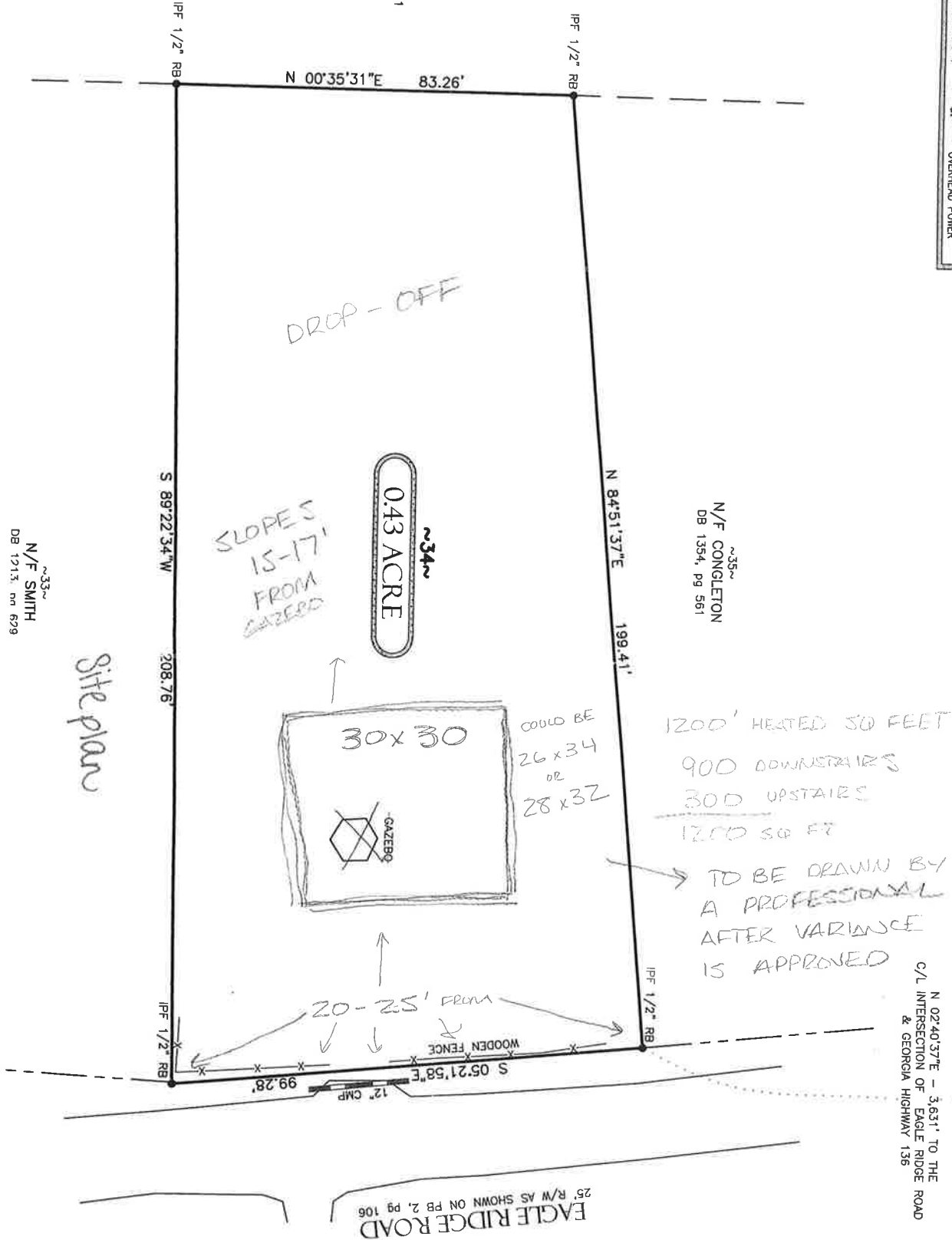
UNLESS OTHERWISE LABELED)

- FIRE HYDRANT (FH)
- WATER METER (WM)
- WATER VALVE (WV)
- POWER BOX (PBX)
- POWER POLE (PP)
- ADJOINER
- LAND LOT LINE (LLL)
- RIGHT OF WAY (R/W)
- FENCE
- OVERHEAD POWER

SPC - GA WEST ZONE

N/F SAMS  
DB 1296, pg. 301  
PB 2, pg. 224

**CITATIONS**  
TAKEN WITH A  
MENT.  
A CLOSURE  
671 FEET, AND  
ECOND PER  
THE LEAST  
ATED FOR  
E A PRECISION  
UTE AND SHALL  
E SEARCH OR  
SUBJECT TO ANY  
R RESTRICTIONS





**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
13013 Year-Bill No 2021 - 8951	012 017 / 001 LOT 34 TOMAHAWK MTN LL 167 LD 5-2  FMV: \$40,780.00	369.06	0.00 Fees 0.00	0.00	369.06	369.06	0.00
						Paid Date 11/8/2021 13:49:53	Current Due 0.00
Transactions:	13013 - 13013 Totals	369.06	0.00	0.00	369.06	369.06	0.00

Paid By :

MARTIN CAREN ABERNATHY

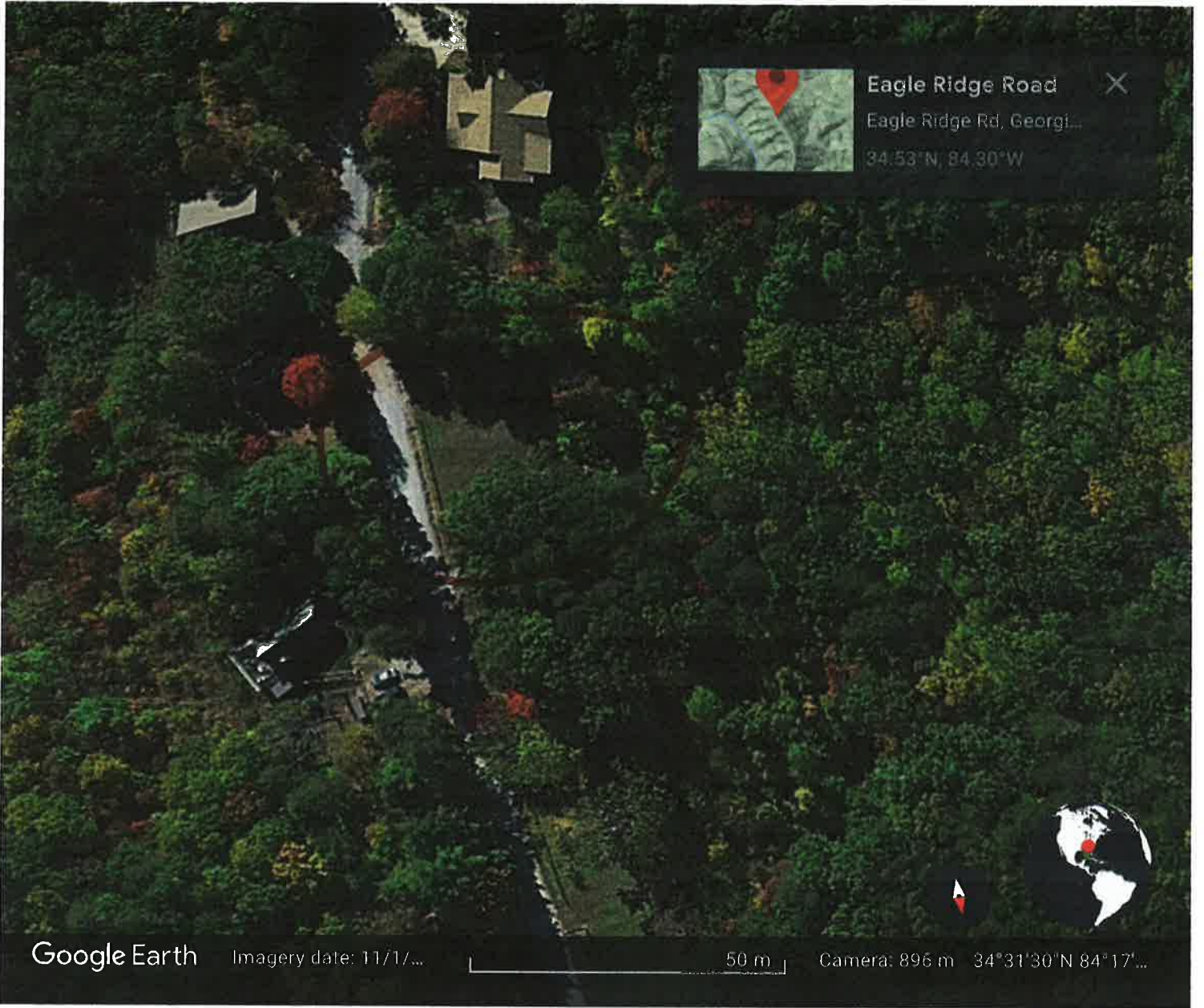
MARTIN CAREN ABERNATHY

Cash Amt: 0.00  
 Check Amt: 369.06  
 Charge Amt: 0.00  
 Change Amt: 0.00  
 Refund Amt: 0.00  
 Overpay Amt: 0.00

Check No 159  
 Charge Acct

22 MAR 9 1:58 PM





Eagle Ridge Road ✕  
 Eagle Ridge Rd, Georgi...  
 34.53°N, 84.30°W

Google Earth Imagery date: 11/17/... 50 m Camera: 896 m 34°31'30"N 84°17'...

'22MAR 9 1:58PM



**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Andrew Eckert

**Case Docket #** .....VR 22-09

**Request**.....Side & Rear set back reduction from 5’&  
10’ to 0’

**Proposed Use** .....The construction of an accessory structure.

**Size**..... .695 acres+/-

**Existing Zoning** .....VCR

**Applicable Regulations**.....Dawson County Land Use Resolution  
Article III, Section 309.C.4

**Location** .....232 Lake Circle

**Tax Parcel #** ..... L21-055

**Meeting Date**.....April 19, 2022

---

**Applicant Proposal**

Mr. Eckert wishes to construct a detached garage and is seeking a side and rear variance of 5’ and 10’, respectfully to a zero setback on each to allow him to do so.

**History and Existing Land Use**

The parcel lies within the established lake community of Holiday Hideaway with small lots that were platted prior to zoning regulations.

**Staff Analysis**

To be considered for a variance, the following four (4) criteria must be addressed:

- 1.) *That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and a strict and literal interpretation of the code would not allow the proposed home to be constructed.*



2.) *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district.*

The applicant states that the lot is difficult to build upon and wishes to construct a garage in close proximity to the residence due to the current garage being insufficient for their desired use.

3.) *The granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and*

4.) *That the granting of the variance would support general objectives contained within this Resolution.*

The applicant states that the proposed garage would add visual appeal and added value to the tax base of the area.



Picture of subject property:





# DAWSON COUNTY VARIANCE APPLICATION

**\*\*This portion to be completed by Zoning Administrator\*\***

VR 22 09 Tax Map & Parcel # (TMP): L21-055  
Current Zoning: VCC Commission District #: 3  
Submittal Date: 2-22-22 Time: 9:39 am/pm Received by: chgl (staff initials)  
Fees Assessed: 350- Paid: CC  
Planning Commission Meeting Date: 4-19-22

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: ANDREW ECKERT  
Address: \_\_\_\_\_  
Phone: Listed \_\_\_\_\_ Email: \_\_\_\_\_ Business \_\_\_\_\_  
Unlisted \_\_\_\_\_ Personal \_\_\_\_\_  
Status:  Owner [ ] Authorized Agent [ ] Lessee [ ] Option to purchase

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

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

## PROPERTY INFORMATION

Street Address of Property: 232 Lake Circle, Dawsonville, GA 30534  
Land Lot(s): 514 & 527 District: 13<sup>th</sup> Section: 1<sup>ST</sup>  
Subdivision/Lot: Holiday Hills - D-Way Building Permit #: \_\_\_\_\_ (if applicable)



Directions to the Property: 53 to Nix Road - Follow to END  
232' is on the Right in Caledonia

**REQUESTED ACTION**

A Variance is requested from the requirements of Article # \_\_\_\_\_ Section # \_\_\_\_\_ of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: would like to build A Detached Garage  
in Rear / side of Property - Request to build to lot line

Type of Variance requested:

Front Yard  Side Yard  Rear Yard variance of 5' side & 10' rear feet to allow the structure to:  
 be constructed;  remain a distance of 0 feet from the: \_\_\_\_\_  
 property line,  road right of way, or  other (explain below):

instead of the required distance of 5' side / 10' rear required by the regulations.

Lot Size Request for a reduction in the minimum lot size from \_\_\_\_\_ to \_\_\_\_\_  
 Sign Variance for: \_\_\_\_\_  
 Home Occupation Variance to operate: \_\_\_\_\_ business  
 Other (explain request): \_\_\_\_\_

If there are other variance requests for this site in past, please list case # and nature of variance: \_\_\_\_\_

Variations to standards and requirements of the Regulations, with respect to open area, setbacks, yard area, lot coverage, height, and other quantitative requirements may be granted if, on the basis of the application, investigation, and other evidence submitted by the applicant, all four (4) expressly written findings below are made:

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: \_\_\_\_\_  
Lot is difficult to Build A garage Close to house &  
Variance will help



2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: \_\_\_\_\_

Conrad home's garage does it Allow for proper  
space to use as garage

3. Describe why granting a variance would not be detrimental to the public health, safety, morals or welfare and not be materially injurious to properties in the near vicinity: \_\_\_\_\_

would construct garage to match Conrad home &  
provide shelter

4. Describe why granting this variance would support the general objectives within this Resolution: \_\_\_\_\_

The detached garage would not visual appeal  
to home and add to homes value.

**Submit clear explanation of all four questions above. You may add sheets if necessary.**

(Variances should not be granted if the need arises as a result of action by the applicant or previous owner.)



VR# \_\_\_\_\_

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 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 and Parcel Number listing any parcel(s) adjoining or adjacent to parcel where variance or rezone is being requested.**

*Tax Map?*

Name

Address

L21 062 001 ← PA

- TMP \_\_\_\_\_ 1. Richard Driggs 230 LAKE CIRCLE, Dawsonville, GA  
30534
- 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.

'22FEB22 9:39AM



**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 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 special use or rezoning 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 of Applicant or Agent: A. DSO Date: 2-22-22

Signature of Witness: Margaret A. Brown Date: 2-22-22

\*\*\*\*\*

**WITHDRAWAL**

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

I hereby withdraw application #: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Withdrawal of Application:**

Withdrawals of any application may be accommodated within the Planning & Development office 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 that written request and publication the 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 Commission. Further the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fee may be made unless directed by the Board of Commissioners.

22 FEB 22 9:39 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.

✓  
[Signature]  
[Signature]

I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Dawsonville (city), GA (state)

[Signature]  
Signature of Applicant

2-22-2022  
Date

Armen Eckert  
Printed Name

N/A  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 22nd DAY OF February, 2022

Margaret A. Honn Notary Public

My Commission Expires \_\_\_\_\_



(Seal)

'22FEB22 9:39AM



## Harmony Gee

---

**From:** Ringle, Bill <Bill.Ringle@dph.ga.gov>  
**Sent:** Monday, February 28, 2022 9:58 AM  
**To:** Andrew Eckert  
**Subject:** Re: 232 Lake Circle

The email will do it.

**George W. "Bill" Ringle**  
Environmental Health Manager  
*Dawson County Environmental Health*  
189 Hwy 53 West  
Suite 102  
Dawsonville, GA 30534  
phone 706-265-2930  
fax 706-265-7529

---

**From:** Andrew Eckert  
**Sent:** Monday, February 28, 2022 9:53 AM

**Subject:** Re: 232 Lake Circle

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Bill....

I am working with Harmony on the variance as we speak - she mentioned that i need a note from the Health Department that we can move forward. Is this email suffice or is something else needed?

Thanks for your help in advance

Regards

Andrew

---

**From:** Ringle, Bill <Bill.Ringle@dph.ga.gov>  
**Sent:** Monday, February 28, 2022 9:41 AM

**Subject:** 232 Lake Circle

Lacey,

The owner of the subject location wants to build a detached garage on the right side of his home. The septic system is located to the rear of the house and will not be encroached upon by the proposed garage.



Filed 03/15/2022 09:29AM  
Bk 00087 Pg 0092  
Plat Doc: PLAT

Penalty: \$0.00 Interest: \$0.00  
Participants: 7511394907  
JUSTIN POWER, Clerk of Superior  
Court  
DAWSON County, Georgia

OWNER: ANDREW ECKERI  
CONTACT: ANDREW ECKERT  
ADDRESS: 232 LAKE CIRCLE, DAWSONVILLE,  
GA 30534  
SITE ADDRESS: 232 LAKE CIRCLE,  
DAWSONVILLE, GA 30534  
PHONE:

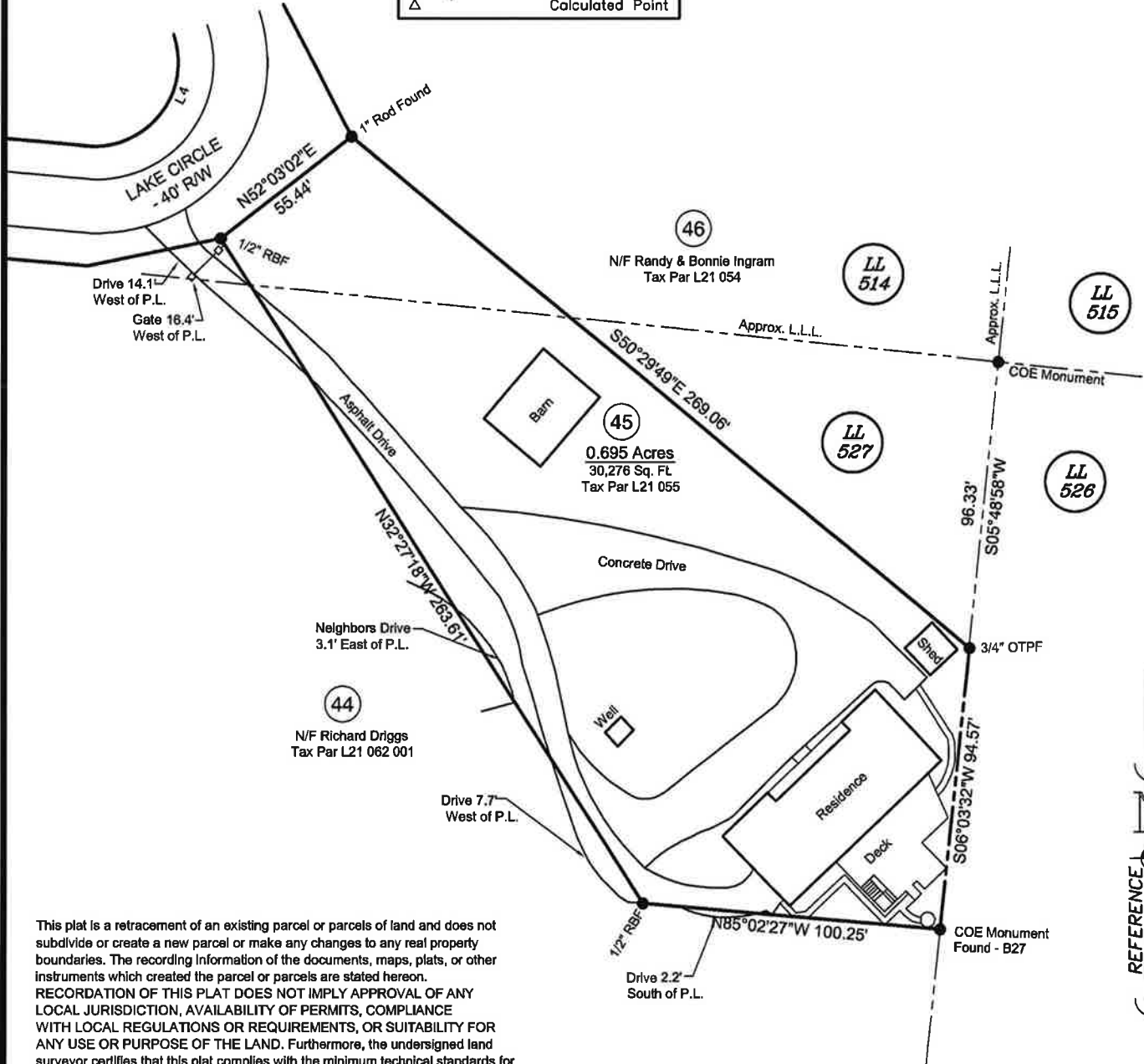
**NOTES:**

- 1.) Field Data: Closure Precision - 1/88,122'. Angular Error = 04"/STA.
- 2.) Measurements were taken with a Carlson BRX5 on 09/20/2020 and were balanced using the Compass Rule.
- 3.) Bearings are based on Reference 1.
- 4.) Plat Precision - 1/100,000"±.
- 5.) No portion of this property is located in a Special Flood Area as indicated on F.I.R.M. Map No. 13085C0250C, dated 04/04/2018.

**REFERENCES:**

- 1.) A SURVEY FOR SARAH WILLENE WORLEY BY BUSBEE & POSS LAND SURVEYING COMPANY, DATED 09-21-2011.
- 2.) ENCROACHMENT AGREEMENT RECORDED IN DEED BOOK 604 PAGE 208.
- 3.) INGRESS/EGRESS EASEMENT RECORDED IN DB 149 PAGE 421.

LEGEND	
OTPF	Open Top Pin Found
CTPF	Crimp Top Pin Found
CTPS	Crimp Top Pin Set
RBF	Rebar Found
RBS	Rebar Set
B/L	Building Line
UP	Utility Pole
N or F	Now or Formerly
-x-x-	Fence
-#-#-	Overhead Wire
~	Not to Scale
△	Calculated Point



This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

*William J. Gilbert*  
William J. Gilbert Ga. RLS # 2843  
Dated: January 24, 2022



**landtec**  
Surveying

205 WILLIAMS BRIDGE ROAD,  
TOCCOA, GEORGIA 30577  
PHONE: (678)780-8832

137  
RETRACEMENT BOUNDARY SURVEY  
OF 232 LAKE CIRCLE FOR:  
**ANDREW & SONDR A  
ECKERT**  
LOCATED IN:

DRAWN:	WJG
CC:	WJG
DATE:	01/24/2022
SCALE:	1"=40'











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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2021 - 4345	L21 055 / 1 LT 45 HOLIDAY HIDAWAY S/D FMV: 675000	\$6063.48	\$0.00  Fees: \$0.00 \$0.00	\$0.00	\$6063.48	\$0.00
<b>Totals:</b>		<b>\$6063.48</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$6063.48</b>	<b>\$0.00</b>

**Paid Date:** 11/29/2021

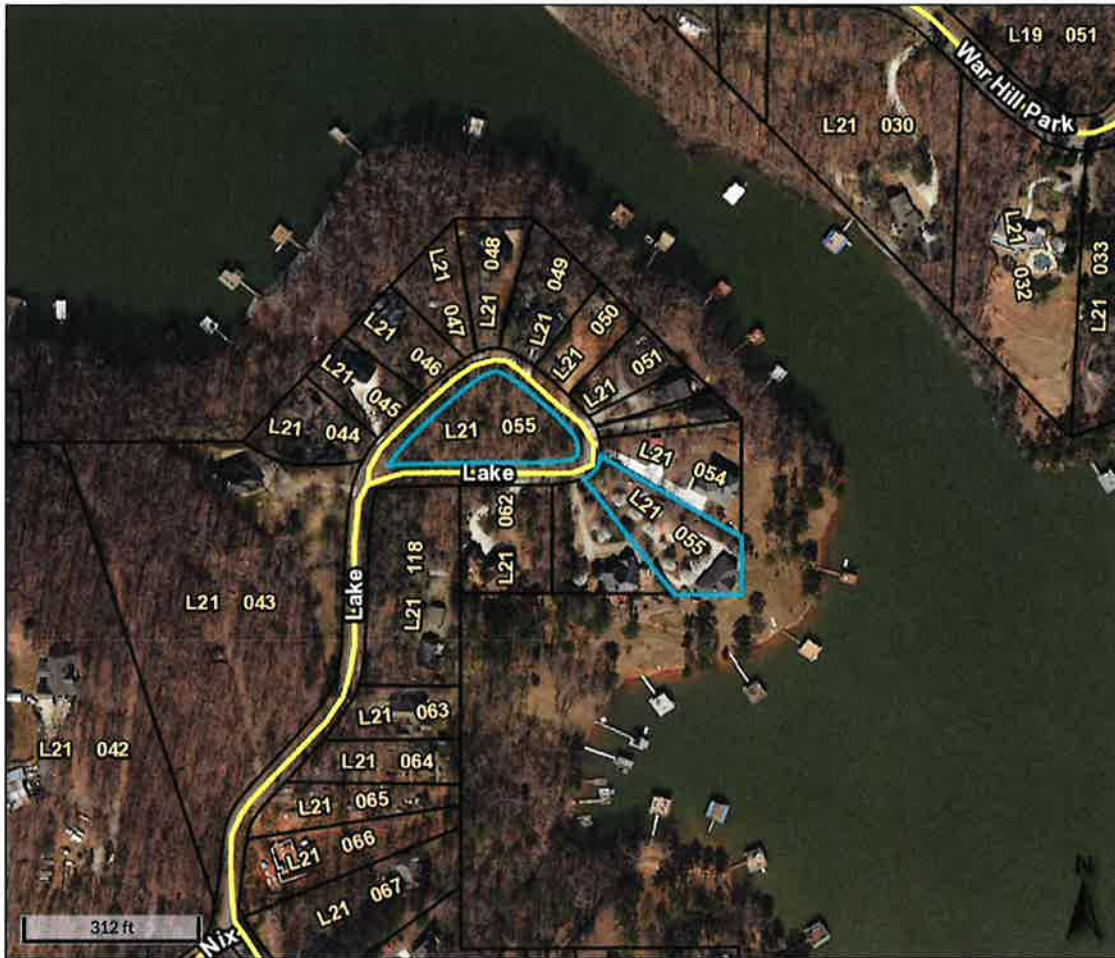
**Charge Amount:** \$6063.48

ECKERT ANDREW D & SONDR A J



Scan this code with your mobile phone to view this bill





Overview



Legend



Parcel ID: L21055  
Alt ID: 1976  
Owner: ECKERT ANDREW D & SONDRAJ  
Acres: 1.47  
Assessed Value: \$675000

Date created: 3/22/2022  
Last Data Uploaded: 3/21/2022 11:23:31 PM

Developed by 



# DAWSON COUNTY VARIANCE APPLICATION

**\*\*This portion to be completed by Zoning Specialist\*\***

VR 22.D Tax Map & Parcel # (TMP): 051.049  
Current Zoning: B.A Commission District #: 1  
Submittal Date: 3.10.2008 Time: 2:49 am/pm pm Received by: Ugee (staff initials)  
Fees Assessed: \$350 Paid: \$350 Check  
Planning Commission Meeting Date: April 19, 2008

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Joseph Byess  
Address: \_\_\_\_\_  
Phone: Listed \_\_\_\_\_ Email: \_\_\_\_\_ Business \_\_\_\_\_  
Unlisted \_\_\_\_\_ Personal \_\_\_\_\_  
Status:  Owner [ ] Authorized Agent [ ] Lessee [ ] Option to purchase

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

I have  /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: 3.10.2008 Applicant Signature: \_\_\_\_\_

## PROPERTY INFORMATION

Street Address of Property: 8653 Hwy 136 W Dawsonville GA 30534  
Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_  
Subdivision/Lot: \_\_\_\_\_ Building Permit #: \_\_\_\_\_ (if applicable)  
Directions to the Property: From Dawson County Courthouse - Head Northwest  
on Shoal Creek Rd to stop sign at Hwy 136, Turn left onto  
Hwy 136 travel west on 136 approximately 6 miles property is on left 8653 is on  
Mailbox.



**REQUESTED ACTION**

A Variance is requested from the requirements of Article # III Section # 319 Table 3.2 of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: would like to have a metal building constructed on my property

Type of Variance requested:

- Front Yard  Side Yard  Rear Yard variance of 17' feet to allow the structure to:
- be constructed;  remain a distance of 8 feet from the: \_\_\_\_\_
- property line,  road right of way, or  other (explain below): \_\_\_\_\_

instead of the required distance of 35 required by the regulations.

- Lot Size Request for a reduction in the minimum lot size from \_\_\_\_\_ to \_\_\_\_\_
- Sign Variance for: \_\_\_\_\_
- Home Occupation Variance to operate: \_\_\_\_\_ business
- Other (explain request): \_\_\_\_\_

If there are other variance requests for this site in past, please list case # and nature of variance: \_\_\_\_\_

Variances to standards and requirements of the Regulations, with respect to open area, setbacks, yard area, lot coverage, height, and other quantitative requirements may be granted if, on the basis of the application, investigation, and other evidence submitted by the applicant, all four (4) expressly written findings below are made:

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: I only have one other place on property to put building and it would require me to remove 10 large OAK Trees and do considerably more grading.

2216R10 2-29-11



2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: My property is a narrow property while other properties in Area are larger as well as more of a block shape. I would have to put building in front of my house to meet code without variances being granted.

3. Describe why granting a variance would not be detrimental to the public health, safety, morals or welfare and not be materially injurious to properties in the near vicinity: \_\_\_\_\_

I do not believe granting variance would be detrimental to anyone's health or safety, morals or welfare. I do believe that a nice building would enhance my property value as well as my neighbors property value.

4. Describe why granting this variance would support the general objectives within this Resolution:

Granting this variance would allow me to construct building in the best possible location for my property.

**Submit clear explanation of all four questions above. You may add sheets if necessary.**

(Variances should not be granted if the need arises as a result of action by the applicant or previous owner.)

22 APR 10 2:45 PM



**PROPERTY OWNER AUTHORIZATION**

I/we Joseph M and Selena A Byess hereby swear that I/we own the property located at (fill in address and / or tax map & parcel #):

8653 Hwy 136 West 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 variance requested on this property. I understand that any variance granted, and / or conditions 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 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: Joseph M. Byess Selena A. Byess Date: 3/10/2022

Printed Name of Owner(s): Joseph M Byess Selena A. Byess

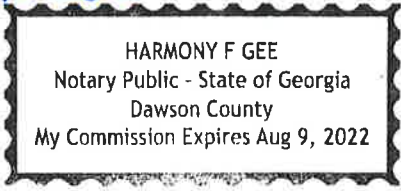
Signature of Owner(s): \_\_\_\_\_ Date \_\_\_\_\_

Sworn and subscribed before me this 10 day of March, 2022.

Harmony GEE  
\_\_\_\_\_  
Notary Public

My Commission Expires: August 9, 2022

(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.)

22 MAR 15 2:01 PM



**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 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 and Parcel Number listing any parcel(s) adjoining or adjacent to parcel where variance or rezone is being requested.**

	<u>Name</u>	<u>Address</u>
TMP _____	1. Jimmy and Anniesue Chester	8789 Hwy 136 West Dawsonville, Ga 30534
TMP _____	2. Renee J. Langley	8617 Hwy 136 West Dawsonville Ga 30534
TMP _____	3. Walter Adams	8720 Hwy 136W Dawsonville, GA 30534
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.

22 MAR 10 2:49 PM



**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 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 special use or rezoning 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 of Applicant or Agent: Forrest Byers Date: 3/10/2022  
Signature of Witness: Jenny Lee Date: 3/10/2022

\*\*\*\*\*

**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 office 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 that written request and publication the 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 Commission. Further the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fee may be made unless directed by the Board of Commissioners.

22 MAR 24 PM



**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), GA (state)

Joseph Byers  
Signature of Applicant

3/10/2022  
Date

Joseph Byers  
Printed Name

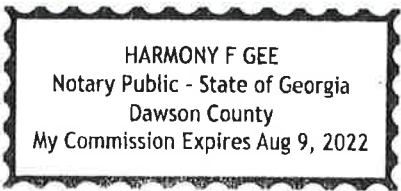
\_\_\_\_\_  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 10 DAY OF March, 2022

Harmony F GEE Notary Public

My Commission Expires: August 9, 2022



(Seal)

22 MAR 10 2:49 PM



## Harmony Gee

---

**From:** Joseph Byess  
**Sent:** Thursday, March 10, 2022 4:45 PM  
**To:** Harmony Gee  
**Subject:** Fwd: 8653 Hwy 136 W

In case you didn't get this

Thanks

Joe

Sent from my iPhone

Begin forwarded message:

**From:** "Ringle, Bill" <Bill.Ringle@dph.ga.gov>  
**Date:** March 10, 2022 at 10:38:54 AM EST

**Subject: 8653 Hwy 136 W**

Lacey,

Mr. Byess is planning to construct a metal building on his property at the subject location. The building will be approximately 20' from the older portion of his septic system (permit #212; installed 11/18/1993), so will not encroach upon it. The newer drainfield (permit # 042-SM-2013-05025; installed 4/18/2013) is located on the opposite side of the driveway.

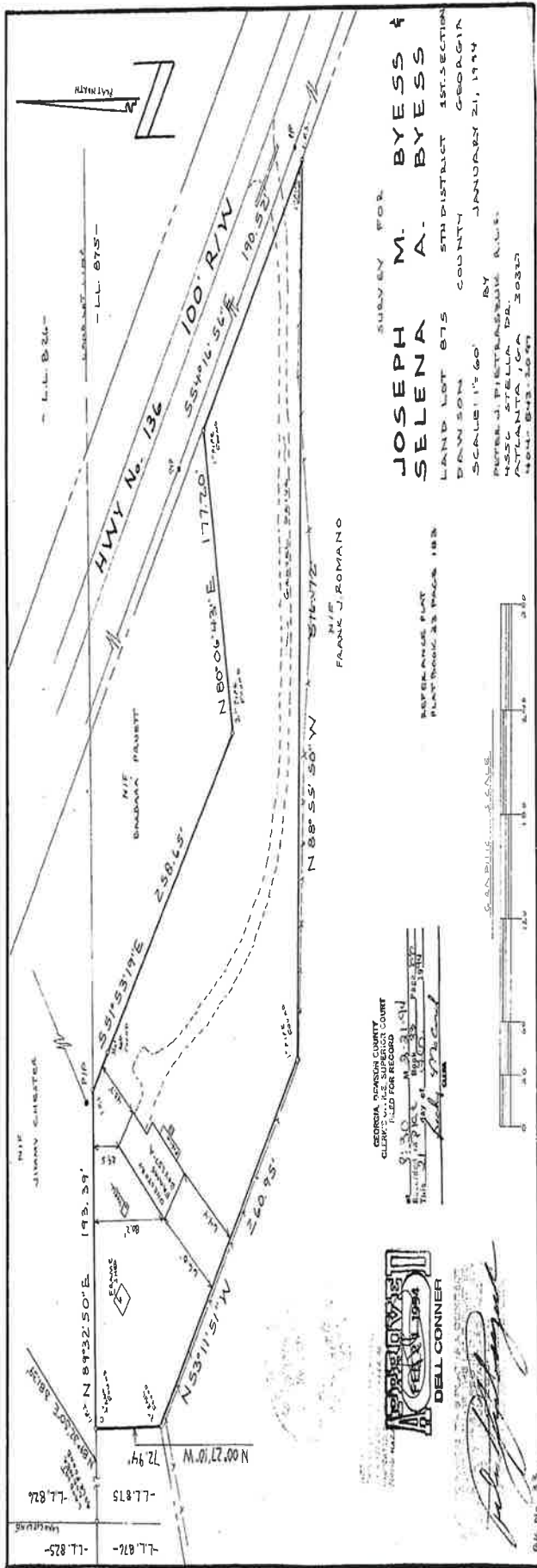
We do not see the need to make a site visit for this project.

Thank you,  
Bill

**George W. "Bill" Ringle**  
Environmental Health Manager  
*Dawson County Environmental Health*  
189 Hwy 53 West  
Suite 102  
Dawsonville, GA 30534  
phone 706-265-2930  
fax 706-265-7529



Recorded Plat



SUBJECT FOR  
**JOSEPH M. BYESS &  
 SELENA A. BYESS**  
 LAND LOT 875 5TH DISTRICT 1ST SECTION  
 DRAWN COUNTY GEORGIA  
 SCALE 1" = 60' BY  
 PETER J. PIETRASZAK R.L.S.  
 1206 N. WILSON BLVD.  
 ATLANTA, GA 30330  
 404-843-2047  
 JANUARY 21, 1994

NIP  
 FRANK J. ROMANO

GEORGIA DEPARTMENT OF REVENUE  
 CLAIMS T-220 FOR RECORD

RECORDED  
 FEB 11 1994  
 DEPT. OF REVENUE

**DELL CONNER**

*[Signature]*



-1 -L. 826-

LAND

54°16'50"

JOS EPH  
SEL ENA  
LAND LOT 87

HWY No. 136

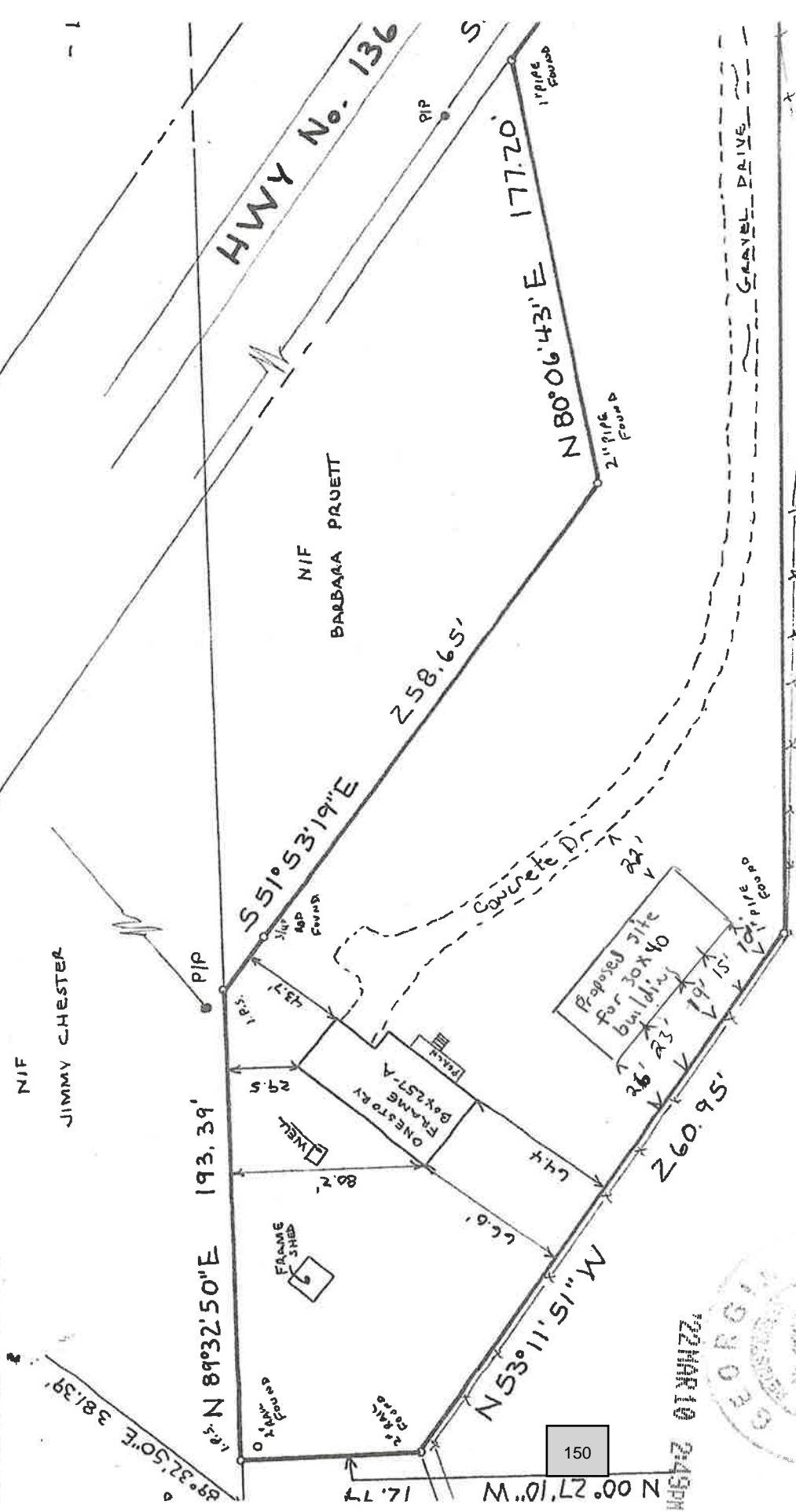
BARBAA PRUETT  
NIF

NIF  
FRANK J. ROMANO

REFERENCE PLAT  
PLAT BOOK 33 PAGE 183

Site Plan

NIF  
JIMMY CHESTER



150

22MAY10 2:49PM



THIS PROPERTY IS NOT OUTLINED  
 AS A HAZARDOUS WASTE AREA AS  
 INDICATED BY THE OFFICIAL  
 USE HAZARD MAPS.

N 88°55'50\"W 516.77Z

N 80°06'43\"E 177.70'  
2\" pipe FOUND  
1\" pipe FOUND

S 51°53'19\"E 258.65'

N 53°11'51\"W 260.95'

193.39'

N 89°32'50\"E

89°32'50\"E 381.39'

WELL

FRAME SHED

ONE STORY  
FRAMING  
BOX 257-A

Proposed site  
for 30x40  
building

GRAVEL DRIVE

N 00°27'10\"W 12.74'



Printed: 2/27/2022 7:16:19 PM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2021 - 2132	051 049 / 1 LL 875 LD 5-1 FMV: 192420	\$1696.15	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$1696.15	\$0.00
<b>Totals:</b>		<b>\$1696.15</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1696.15</b>	<b>\$0.00</b>

**Paid Date:** 10/28/2021

**Charge Amount:** \$1696.15

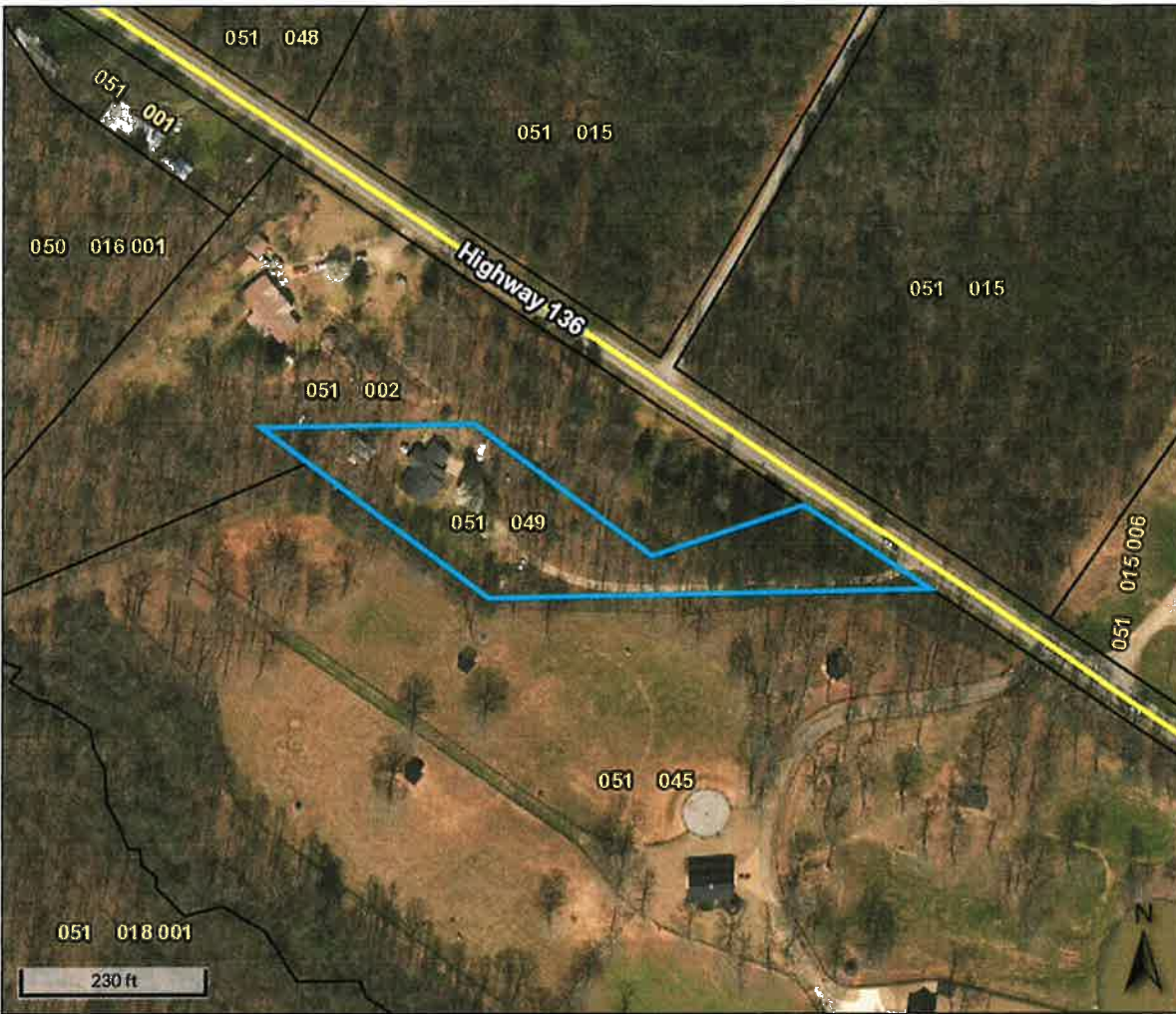
BYESS JOSEPH M & SELENA A



Scan this code with your  
 mobile phone to view this  
 bill

20210227 2:49 PM





Overview



Legend

□ Parcels

Parcel ID: 051 049  
Alt ID: 4864  
Owner: BYESS JOSEPH M & SELENA A  
Acres: 2  
Assessed Value: \$192420

Date created: 2/27/2022  
Last Data Uploaded: 2/25/2022 11:30:49 PM

Developed by  Schneider  
GEOSPATIAL

22 MAR 19 2:43 PM



**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Joe Byess  
**Case Docket #** .....VR 22-10  
**Request**.....Side Set back reduction from 20’ to 8’  
**Proposed Use** .....The construction of an accessory structure.  
**Size**..... 2 acres+/-  
**Existing Zoning** .....R-A  
**Applicable Regulations**.....Dawson County Land Use Resolution  
Article III, Section 319 Table 3.2  
**Location** .....8653 Hwy 136 West  
**Tax Parcel #**..... 051-049  
**Meeting Date**.....April 19, 2022

---

**Applicant Proposal**

Mr. Byess wishes to construct a detached accessory and is seeking a side variance of 12’ to a 8’ setback on the side to allow him to do so. The applicant states that the only other location on his parcel would require additional grading and the removal of several large oak trees.

**History and Existing Land Use**

The applicant has owned this parcel for over 30 years and has an existing primary residence.

**Staff Analysis**

To be considered for a variance, the following four (4) criteria must be addressed:

- 1.) *That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and a strict and literal interpretation of the code would not allow the proposed home to be constructed.*



- 2.) *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district.*

The applicant seeks to construct a detached garage on his parcel on a portion that would allow him to preserve several, large caliper specimen trees. Adjoining parcel is pasture land and the adjoining residential visual impact would be minimal.

- 3.) *The granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and*  
4.) *That the granting of the variance would support general objectives contained within this Resolution.*

No detriment to public health, safety or welfare has been noted in this analysis.



Picture of subject property:







## ZA22-10

Planning Commission Meeting April 19, 2022  
Board of Commission Hearing May 19, 2022

---

### Applicant Proposal

The applicant is seeking to zone the property from RSR (Residential Sub Rural) to R-A (Residential Agriculture) for agricultural purposes. The applicant is a multi-generational farmer and seeks to expand their existing farm activities.

<b>Applicant</b>	George & Phyliss Robinson
<b>Amendment #</b>	ZA 22-10
<b>Request</b>	Rezone Property from RSR to RA
<b>Proposed Use</b>	Agriculture Uses
<b>Current Zoning</b>	RSR
<b>Future Land Use</b>	Sub-Rural Residential
<b>Acreage</b>	15.63
<b>Location</b>	Dawson Forest Road West
<b>Commercial Square footage</b>	0
<b>Road Classification</b>	Local
<b>Tax Parcel</b>	088-001 & 087-004
<b>Dawson Trail Segment</b>	
<b>Commission District</b>	4
<b>DRI</b>	No



Direction	Existing Zoning	Existing Use
North	RSR	Single Family Residential
South	RSR	Single Family Residential
East	RA	Single Family Residential
West	RA	Vacant (Dawson Forest)

**According to the Comprehensive Plan and accompanying Future Land Use Plan**, the subject property is identified as ***Sub-Rural Residential***. The primary area of unincorporated Dawson County designed as Sub-Rural Residential is bounded by the forest belt and Dawson Forest on the west, Lumpkin County line on the north, and the agricultural belt to the south and east. In the southern part of this area, there is extensive residential development, but the northern part of this area is mostly undeveloped. Though this area may receive new development at gross densities of up to 0.67 unit per acre (1.0 acre with public water), it is not targeted for major development. Public water service may be extended into much of this area, particularly the southern half, during the planning horizon (year 2028). It is desirable that conservation subdivision principles be followed in this area in order to encourage the permanent protections of open space or retention of farm and forest lands.

**County Agency Comments:**

Environmental Health Department: No comments returned as of 4-12-2022

Emergency Services: "No comments."

Etowah Water & Sewer Authority: No comments returned as of 4-12-2022

**Planning and Development:** The applicant proposes to expand agricultural activities in an area of rural and residential uses. The future land use language encourages the protection of open space, forest lands, and farms. Provided the agricultural activities do not include poultry or value-added agricultural activities, the rezoning should not impact adjacent property owners. The R-A district allows a variety of accessory uses with a minimum of fifteen acres.

Public Works Department: No comments returned as of 4-12-2022



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

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



Residential agricultural/residential exurban districts are areas that are either primarily agricultural in land use with residential or other use incidental to the agricultural use, or areas that are not under intensive development pressures and are in relatively large parcels. Agricultural uses range from horticulture, animal husbandry, poultry, and forestry, including intensively managed tree farms to non-managed woodlands. The conservation of prime agricultural and forestry land use from intensive development into other uses is a primary objective of this classification and is encouraged. Some prime agricultural land is geographically located on land with constraints on intensive residential or commercial development, such as steep forested slopes or river valley floor plains; therefore, careful consideration should be given to changes in those areas.

(1) *Permitted principal uses.*

- a. Principal uses that are allowed by right or by special use approval are listed on Table 3.1 at the end of this article.
- b. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.1 and are contained in section 121-74 of this article.

(2) *Allowed accessory uses.*

- a. Customary and essential accessory farm buildings and uses are allowed and include barns and other livestock structures, storage sheds, used for the day-to-day operation of such activities, for the storage or preservation of said crops, products and foodstuffs raised or grown on said parcel, and roadside stands for the sale of products grown on that property only and that comply with the requirements of this section.
- b. Accessory structures shall be no larger than the footprint of the primary structure or one-half the gross square footage, whichever is greater, with the exception that when the lot size is three acres or greater, the size of the accessory structure shall not be regulated in size, but shall meet all setback requirements.
- c. One guest quarters or caretaker/employee residence is allowed per tract of land in accordance with section 121-71(2)f.
- d. Home occupations are allowed if requirements in article VI, section 121-181 are met.
- e. Direct marketing of produce is allowed in a farm market, on-farm market or roadside stand no greater than 500 square feet of building area, unless a variance is approved.
- f. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product is a permitted use in a farming operation if more than 50 percent of the stored, processed or merchandised products are produced by the farm operator. Meat processing and food franchises or franchise products are prohibited.
- g. Agricultural farm operations may include any or all of the following agriculturally related uses and some non-agriculturally related uses so long as the general character of the farm is maintained.
  1. Value-added agricultural activities such as education tours, wedding venues and similar special event facilities with a minimum of 15 acres, and/or processing facilities, etc. Wedding venues and similar special event facilities may sell and serve alcohol provided an appropriate alcohol license is held by the property owner or the alcohol is served in accordance with the catering requirements and a valid caterer's license.
  2. Bakeries selling baked goods containing produce grown on site.
  3. Playground areas or equipment, not including motorized vehicles or rides.
  4. Petting farms, animal display and pony rides.
  5. Wagon, sleigh and hay rides.
  6. Nature trails.
  7. Open air or covered picnic areas with restrooms.
  8. Educational classes, lectures, seminars.



9. Historical agricultural exhibits.
  10. Kitchen facilities and/or tasting rooms for processing/cooking or serving of items for sale containing produce and crops grown on site.
  11. Gift shops for the sale of agricultural products and non-agricultural products such as antiques or crafts, limited to 1,000 square feet building area.
- h. If any agricultural farm includes the listed uses in section 121-69(2)d, then adequate parking facilities must be provided in the form of the following:
1. A minimum of 20 parking spaces must be provided.
  2. Parking facilities may be located on a grass or gravel area. All parking areas shall be defined by either gravel, cut lawn, sand or other visible marking.
  3. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.
  4. Paved parking areas must meet all design, landscaping and screening and setback requirements set forth by Dawson County codes and regulations.
  5. All lighting, parking and otherwise shall meet the commercial lighting requirements of the Land Use Ordinance.
- (3) *Allowed temporary uses.* The following temporary uses are allowed:
- a. Seasonal U-pick fruits and vegetable operations.
  - b. Seasonal Outdoor mazes of agricultural origin such as straw bales or corn, small-scale outdoor entertainment such as a car show, art fair or music concert, fun houses or haunted houses, non-profit benefits, and festivals with a special use business permit.
- (4) *Prohibited uses.*
- a. Any principal use not shown on Table 3.1 as allowed in a zoning district, whether by right or with approval as a special use, is specifically prohibited.
  - b. In addition, meat processing or manufacturing operations related to allowed agricultural uses are prohibited. Horses are also prohibited on lots less than three acres.
- (5) *Building requirements.* The minimum area, yard, and building requirements in the R-A Residential Agricultural District are as set forth in Table 3.2.
- (6) *Special district requirements.* Agricultural districts include uses of land primarily for active farming activities and will result in odors, noise, dust and other effects, which may not be compatible with adjacent single-family development. Future abutting developers in non-RA land use districts shall be provided with a "Notice of RA Adjacency" at the time of application for a building or occupancy permit for property adjacent to an RA District. Prior to administrative action on either the land use district or the issuance of a building or occupancy permit the applicant therefore shall be required to sign a waiver on a form prepared by the planning and development director which will indicate 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 the 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. Any such notice or acknowledgment provided to or executed by a landowner adjoining a tract in an RA District shall be a public record.





Aerial View

h Lane

Etowah Parkway

Dawson Forest Road W.

Jewell Slaton Road



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

N



Scale: 1:2,791

Dawson County

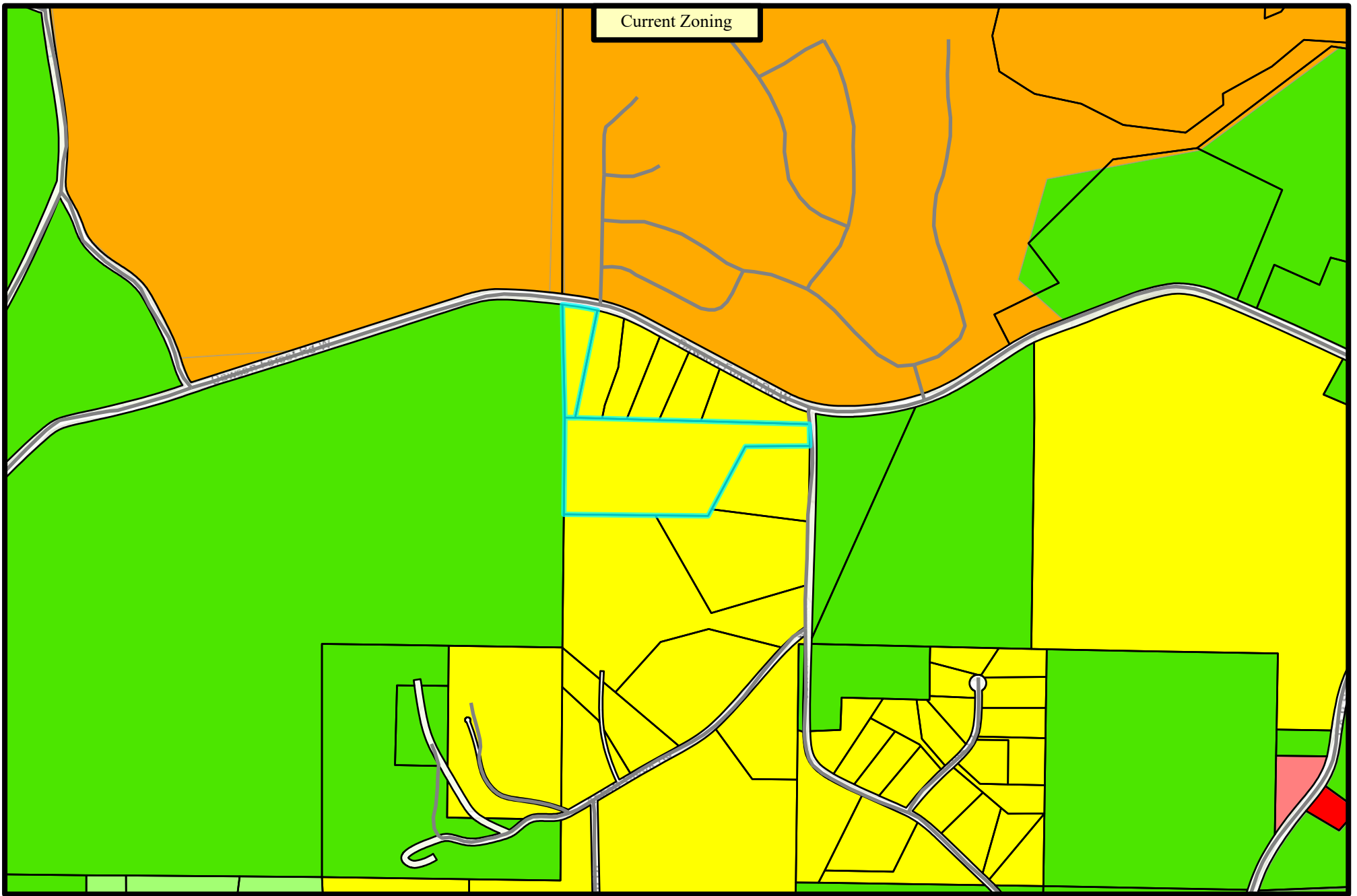
Planning and Development

161

Site Report

Parcel #: 088-001 & 087-004  
Current Zoning: RSR  
FLU: RSR  
Application #: ZA 22-10







Current Zoning



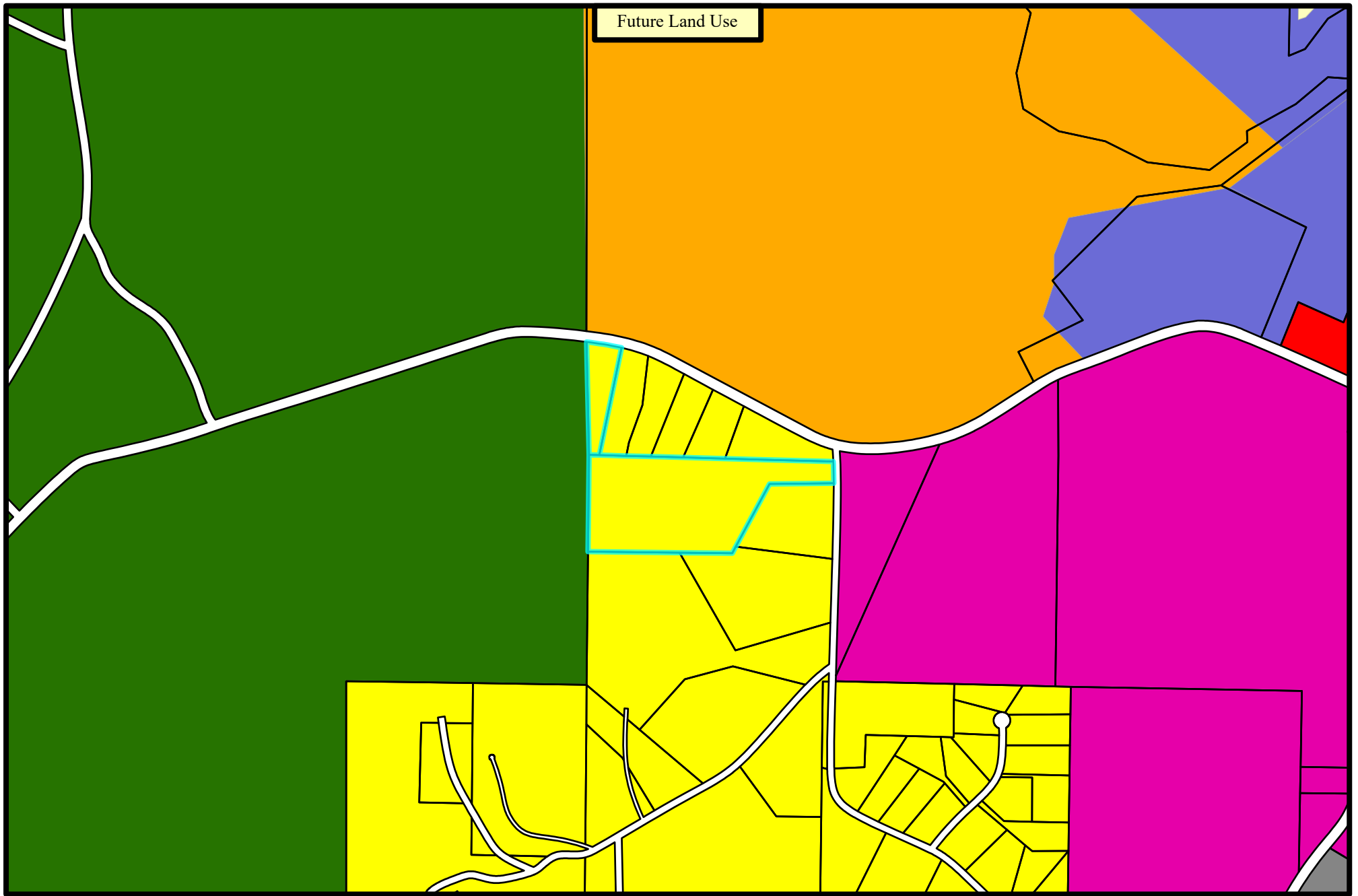
DAWSON COUNTY DISCLAIMS ANY RESPONSIBILITIES, LIABILITIES OR DAMAGES FROM THE USE OF THIS MAP. THIS MAP IS ONLY FOR DISPLAY PURPOSES.

N  
  
 Scale: 1:10,646

Dawson County  
 Planning and Development  
  
 Staff Report

Parcel #:088-001 & 087-004  
 Current Zoning: RSR  
 FLU: RSR  
 Application #: ZA 22-10







Future Land Use



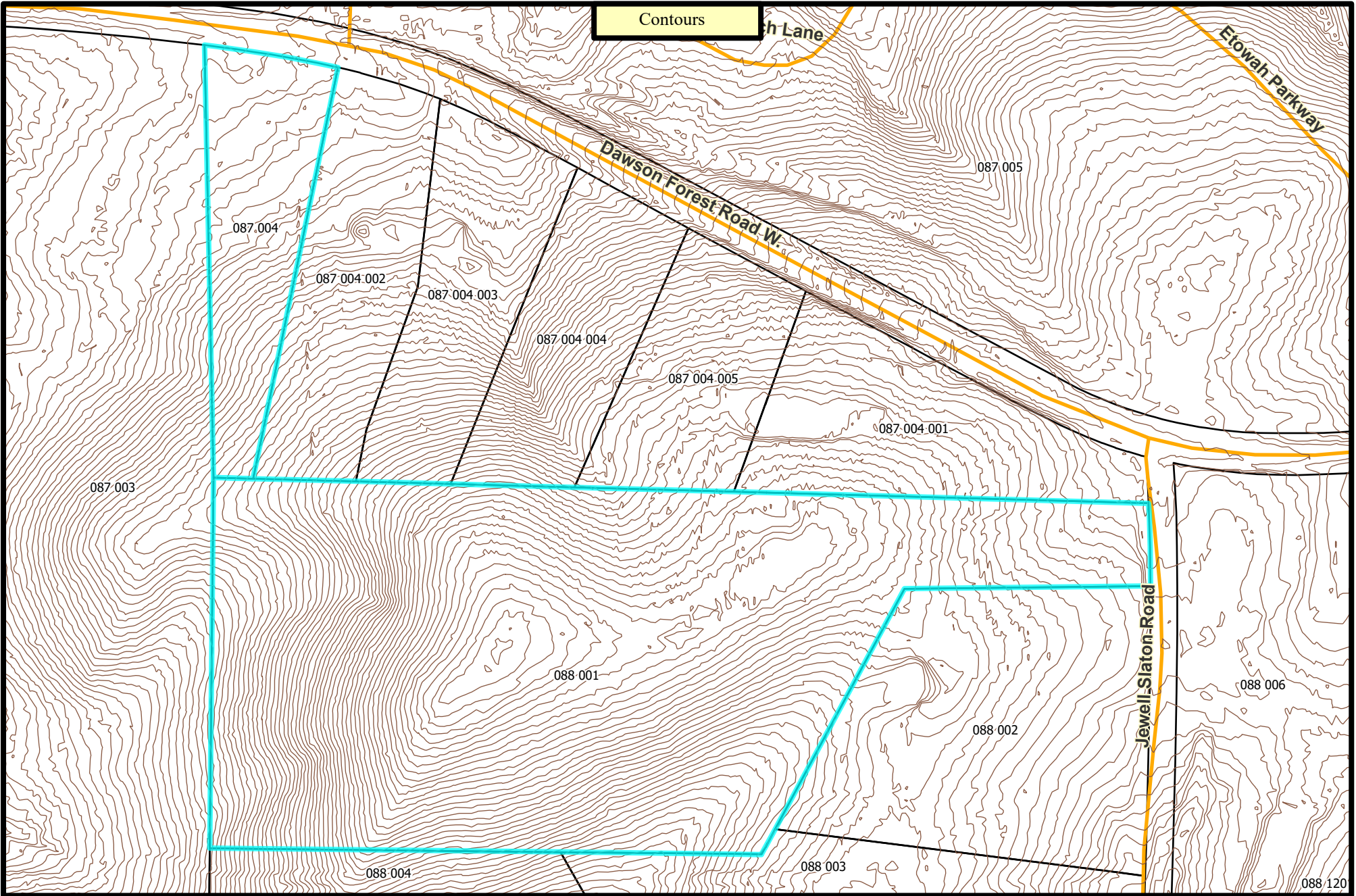
DAWSON COUNTY DISCLAIMS ANY RESPONSIBILITIES, LIABILITIES OR DAMAGES FROM THE USE OF THIS MAP. THIS MAP IS ONLY FOR DISPLAY PURPOSES.

N  
  
 Scale: 1:10,646

Dawson County  
 Planning and Development  
  
 Staff Report

Parcel #: 088-001 & 087-004  
 Current Zoning: RSR  
 FLU: RSR  
 Application #: ZA 22-10





Contours

h Lane

Etowah Parkway

Dawson Forest Road W.

Jewell Slaton Road

087.004

087.004.002

087.004.003

087.004.004

087.004.005

087.004.001

087.003

088.001

088.002

088.004

088.003

088.006

088.120



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

N



Scale: 1:2,791

Dawson County

Planning and Development

164

Site Report

Parcel #: 088-001 & 087-004  
 Current Zoning: RSR  
 FLU: RSR  
 Application #: ZA 22-10



### DAWSON COUNTY REZONING APPLICATION

\*\*\*This portion to be completed by Zoning Administrator\*\*\*

ZA 22-09 Tax Map & Parcel # (TMP): 088-001 + 087-004

Submittal Date: 2-28-22 Time: 12:19 am/pm  Received by: WJG (staff initials)

Fees Assessed: 250- Paid: Check Commission District: 4

Planning Commission Meeting Date: April 19, 2022

Board of Commissioners Meeting Date: May 19, 2022

#### APPLICANT INFORMATION (or Authorized Representative)

Printed Name: George & Phyllis Robinson

Address: \_\_\_\_\_

George: \_\_\_\_\_ Phyllis: \_\_\_\_\_

Phone: Phyllis  Listed \_\_\_\_\_ Email: Business \_\_\_\_\_  
 Unlisted \_\_\_\_\_  Personal \_\_\_\_\_

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

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

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

If not, I agree \_\_\_\_\_ /disagree \_\_\_\_\_ to schedule a meeting the week following the submittal deadline.  
on or about

Meeting Date: February 4, 2021 Applicant Signature: Phyllis Robinson

#### PROPERTY OWNER/PROPERTY INFORMATION

Name: George & Phyllis Robinson

Street Address of Property being rezoned: 715 Dawson Forest Rd W & 1115 Dawson Forest Rd W

Parcel 088001 Parcel 087004

Rezoning from: RSR to: RA Total acreage being rezoned: 15.63

Directions to Property (if no address): \_\_\_\_\_

Hwy 9 5.4 miles to Dawson Forest Rd. Turn right (1st exit at roundabout)

715 Dawson Forest Rd W is 0.13 miles on the left, just past Jewell Station Rd.



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

Current Use of Property: Residential RSR

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

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

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

If yes, what section? North \_\_\_\_\_ South \_\_\_\_\_

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RSR South RSR East RA / RSR West RA

Future Land Use Map Designation: RSR

Access to the <sup>Family Farm</sup> ~~development~~ will be provided from:

Road Name: Dawson Forest Rd W Type of Surface: paved asphalt

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: RA [ ] Special Use Permit for: \_\_\_\_\_

Proposed Use: Family Farm - Market Garden - CSA

Existing Utilities:  Water  Sewer  Gas  Electric

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

**RESIDENTIAL** N/A

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~~ <sup>Amenity</sup> Area proposed: \_\_\_\_\_; if yes, what? \_\_\_\_\_

**COMMERCIAL & INDUSTRIAL** N/A

Building area: \_\_\_\_\_ No. of Parking Spaces: \_\_\_\_\_

22 FEB 22 10:51 AM



**George and Phyllis Robinson  
715 Dawson Forest Rd W  
Dawsonville GA 30534**

**LETTER OF INTENT TO DOWNZONE RSR PROPERTY TO RA**

**Parcel 088001**

**Parcel 087004**

**February 18,2022**

We are a multi-generational family farm and are in the process of building our homes on the property for each of the family members and had our property re-surveyed into the appropriately sized parcels and filed with Dawson County Clerk of Court in May 2021. New parcel plats are included in our re-zoning request, although they are not currently shown on the Dawson County website. We currently operate an indoor vertical farm growing organic microgreens to sell to our local community. We plan to have a market garden in the future as we build out our farm. Under the current RSR zoning, we are only allowed to sell our produce from the end of our driveway, we can only have a small private garden and we are allowed a greenhouse, but not allowed to sell items from the greenhouse. Our property is currently surrounded by large plots of land, some of which are already zoned RA – To the west and immediately adjacent to our property is the 25,500-acre Dawson Forest Wildlife Management Area (Dawson State Forest) zoned RA as well as other RA zoned properties on Dawson Forest Rd and Jewell Slaton Rd.

The property owners, George and Phyllis Robinson met with the Dawson County Planning staff for a pre-application meeting on or about February 4, 2021.

**CONCLUSION**

For all the foregoing reasons, the Applicants respectfully request that the Subject Property be downzoned from RSR to RA.

  
George Robinson

  
Phyllis Robinson

22FEB22 12:29PM



**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 *George Robinson*

Date 2/24/22

Signature *Phyllis Robinson*

Date 2/22/22

Witness *James J. Lee*

**WITHDRAWAL**

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

I hereby withdraw application # \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Withdrawal of Application:**

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

2022 FEB 22 10 56 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 <u>087 003</u>	1. City of Atlanta (10,130 Acres)	Properties and Airline Affairs Attn Jennifer Andrews PO Box 20509, Atlanta GA 30320
TMP <u>087 004 002</u>	2. Hank & Emily Bolhams	1077 Dawson Forest Rd W, Dawsonville 30534
TMP <u>087 004 003</u>	3. Phillip & Jaqueline Hoang	1023 Dawson Forest Rd W, Dawsonville 30534
TMP <u>087 004 004</u>	4. George & Phyllis Robinson (Applicant)	715 Dawson Forest Rd W, Dawsonville 30534
TMP <u>087 004 005</u>	5. Hoke & Barbara Marshall (Empty lot)	1505 Greenwood Ct., Canton GA 30115
TMP <u>087 004 001</u>	6. Garland & Laurie Mills (Boarded up House, Vandalized, Abandoned)	8091 Heardsville Circle, Cumming GA 30028
TMP <u>088 002</u>	7. Clanton, Tim & Tracie (5 acres)	84 Jewell Slaton Rd, Dawsonville 30534
TMP <u>088 003</u>	8. Samantha Sundell (7 acres)	210 Jewell Slaton Rd, Dawsonville 30534
TMP <u>088 004</u>	9. Zackery & Samantha Sundell (15 acres)	" " " " " "
TMP <u>088 006</u>	10. Joseph & Pamela Stalon (7 acres)	229 Astler Court, Canton GA 30114
TMP <u>087 005</u>	11. Dawson Forest Partners GA LLC (160 Acres)	3840 Windermere Pkwy ste 402, Cumming GA 30041
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

Use additional sheets if necessary.

2270221210



# 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: *George Robinson* *Phyllis Robinson*

Applicant Printed Name: George Robinson Phyllis Robinson

Application Number: \_\_\_\_\_

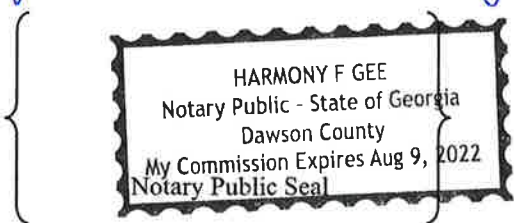
Date Signed: \_\_\_\_\_

Sworn and subscribed before me

this 28 day of July, 2020.

*Harmony F GEE*  
Notary Public

My Commission Expires: August 9, 2022



2020 JUL 28 11:23 AM



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

N/A

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.

N/A

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

N/A

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.

20110221 09:59 AM



**PROPERTY OWNER AUTHORIZATION**

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

087 004

098 001

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

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

Printed Name of applicant or agent: George Robinson Phyllis Robinson

\* Signature of applicant or agent: [Handwritten Signatures] Date: 2/22/22

\*\*\*\*\*

Printed Name of Owner(s): George Robinson Phyllis Robinson

\* Signature of Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

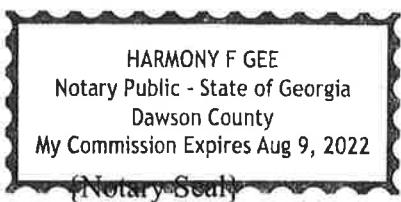
Mailing address: 415 Dawson Forest Rd W

City, State, Zip: Dawsonville GA 30534

Telephone Number: (Listed)  
Unlisted \_\_\_\_\_

Sworn and subscribed before me this 28 day of July, 2022.

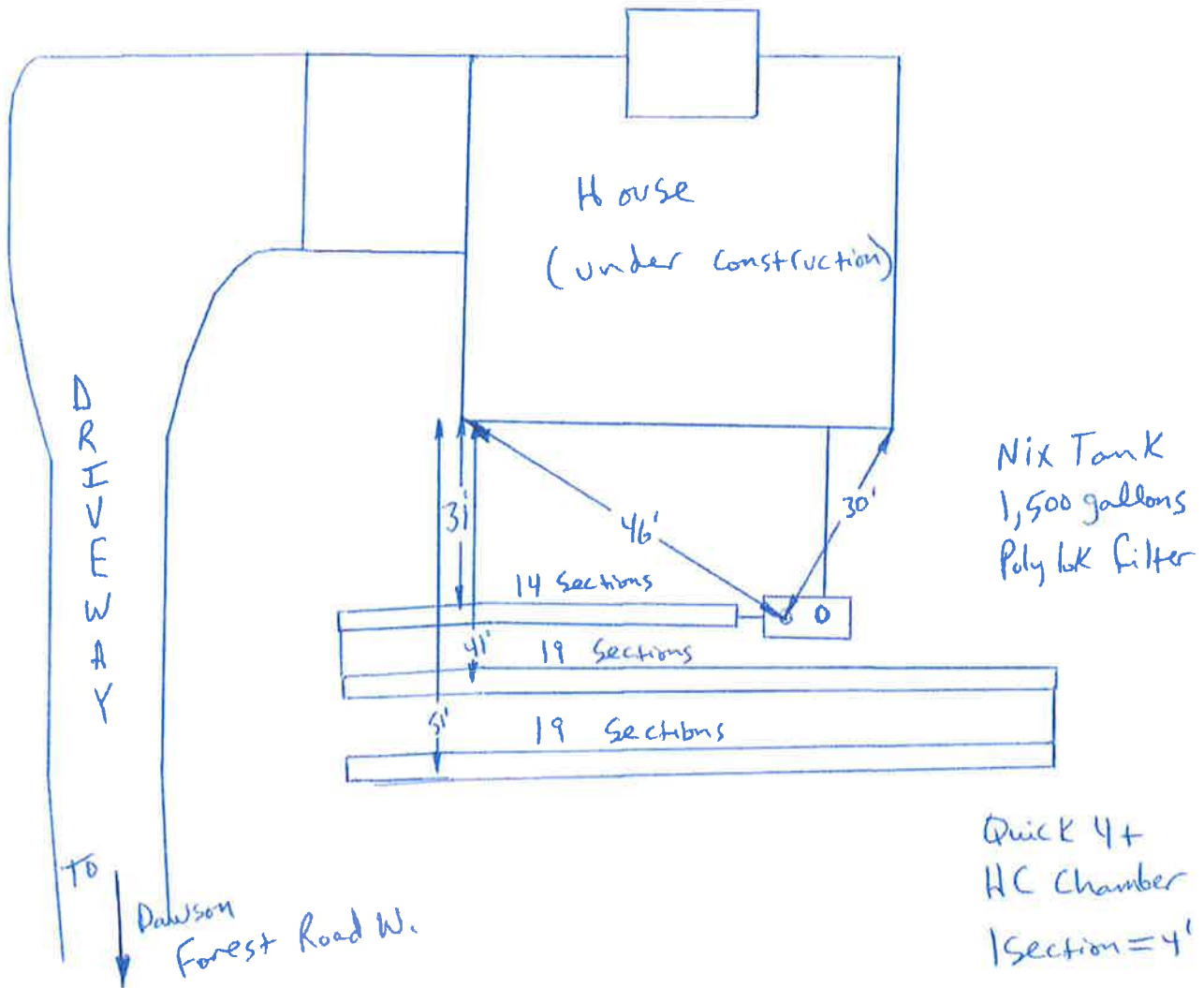
[Handwritten Signature]  
Notary Public  
My Commission Expires: August 9, 2022



(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)

20210822 12:19M





Inspected by: George W. "Bill" Ringle *GWR*  
Dawson County Environmental Health

Date: October 19, 2020

22FEB22 12:20PM











# DAWSON COUNTY REZONING APPLICATION

\*\*\*This portion to be completed by Zoning Administrator\*\*\*

ZA 28.11 Tax Map & Parcel # (TMP): Dog 014  
Submittal Date: 3.11.22 Time: 8:51 am/pm Received by: lhg (staff initials)  
Fees Assessed: 300 Paid: check Commission District: 1  
Planning Commission Meeting Date: April 19, 2022  
Board of Commissioners Meeting Date: May 19, 2022

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Tyler Burt

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: April 19, 2022 Applicant Signature: Jonathan Burt

## PROPERTY OWNER/PROPERTY INFORMATION

Name: Martha Wright

Street Address of Property being rezoned: 1375 Cleve Wright Rd.

Rezoning from: RA to: RSRMM Total acreage being rezoned: 2 acres

Directions to Property (if no address): \_\_\_\_\_

2022  
APR 19  
10:30 AM



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

Current Use of Property: Residential

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

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

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

If yes, what section? North \_\_\_\_\_ South \_\_\_\_\_

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RA South RA East RA West RA

Future Land Use Map Designation: RR - Rural Residential

Access to the development will be provided from:

Road Name: Cleve Wright Type of Surface: Gravel

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: RSRMM  Special Use Permit for: \_\_\_\_\_

Proposed Use: Residential with existing Manufactured Home

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 1 Minimum Lot Size: 1.5 (acres) No. of Units: 1

Minimum Heated Floor Area: \_\_\_\_\_ sq. ft. Density/Acre: 5

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Is an Amenity Area proposed: N/A; if yes, what? \_\_\_\_\_

**COMMERCIAL & INDUSTRIAL**

Building area: \_\_\_\_\_ No. of Parking Spaces: \_\_\_\_\_

2025



Robbie Henderson Surveying & Planning  
2450 Freedom Pkwy Suite 111  
Cumming, GA 30041  
706-654-2015  
info@rhs.llc



**MARCH 10, 2022**

Dawson County  
Zoning Department  
25 Justice Way Suite 2322  
Dawsonville, GA 30534

**RE: Letter of Intent – 1375 Cleve Wright Rd., Parcel ID 068-015**

To whom it may concern,

Tyler Burt is submitting an application for rezoning for a property of which he has the option to purchase.

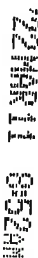
The property is currently zoned RA – Residential Exurban/Agricultural. The request is to rezone a portion of the property to RSRMM – Residential Sub-Rural Manufactured/Moved to allow for the existing mobile home and 2 acres of land to be transferred to a family member, while retaining the remainder of the property with the applicant. The request is in line with future land use map and the character of the surrounding area.

If you have any questions about the proposal, please don't hesitate to contact the applicant, Tyler, or our office, as we have prepared the site plan for the rezoning application.

**Respectfully,**

A handwritten signature in black ink, appearing to read "Heather McKeldin".

Heather McKeldin | Survey Technician  
Robbie Henderson Surveying and Planning  
Heather@rhs.llc | (706) 654-2015





**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	<u>Jonathan Lyle BS</u>	Date	<u>3/10/2022</u>
Witness	<u>Alan Bull</u>	Date	<u>3/10/2022</u>

**WITHDRAWAL**

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

I hereby withdraw application # \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Withdrawal of Application:**

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

Dawson County



ZA \_\_\_\_\_

TMP#: \_\_\_\_\_

**List of Adjacent Property Owners**

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

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

	<u>Name</u>	<u>Address</u>
TMP <u>068 015</u>	1. Linda Brown	1361 Cleve Wright Rd. Dawsonville, GA 30534
TMP <u>068 016</u>	2. Lamar & Renee Burt	1347 Cleve Wright Rd. Dawsonville, GA 30534
TMP <u>068 036 001</u>	3. Larry & Jennifer Wright	603 Old Henry Grady Rd. Dawsonville, GA 30534
TMP <u>068 036</u>	4. Larry & Gloria Wright	601 Old Henry Grady Rd. Dawsonville, GA 30534
TMP <u>068 013</u>	5. Lillie Luckie	443 Old Henry Grady Rd. Dawsonville, GA 30534
TMP <u>080 011</u>	6. Albert Vaughters	89 Old Henry Grady Rd. Dawsonville GA 30534
TMP <u>068 011</u>	7. Anna Sue Grant	672 Old Henry Grady Rd. Dawsonville, GA 30534
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: Jonathon Tyler Burt

Applicant Printed Name: Jonathon Tyler Burt

Application Number: \_\_\_\_\_

Date Signed: 3/10/2022

Sworn and subscribed before me

this 10 day of March, 2022.

Erin Shayne Brock  
Notary Public

My Commission Expires: August, 28 2022



2022







**PROPERTY OWNER AUTHORIZATION**

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

1375 Cleve Wright Rd Dawsonville GA 30534

Tax M/P 068-015

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: Jonathan Tyler Burt  
Signature of applicant or agent: Jonathan Tyler Burt Date: 3/10/2022

\*\*\*\*\*  
Printed Name of Owner(s): Martha Chester Martha  
Signature of Owner(s): Martha Chester Date: 3-10-22

Mailing address: \_\_\_\_\_  
City, State, Zip: Dawsonville Ga 30534  
Telephone Number: Listed \_\_\_\_\_  
Unlisted \_\_\_\_\_

Sworn and subscribed before me  
this 10 day of March, 2022.  
Erin Shayne Brock  
Notary Public  
My Commission Expires: August 28 2022



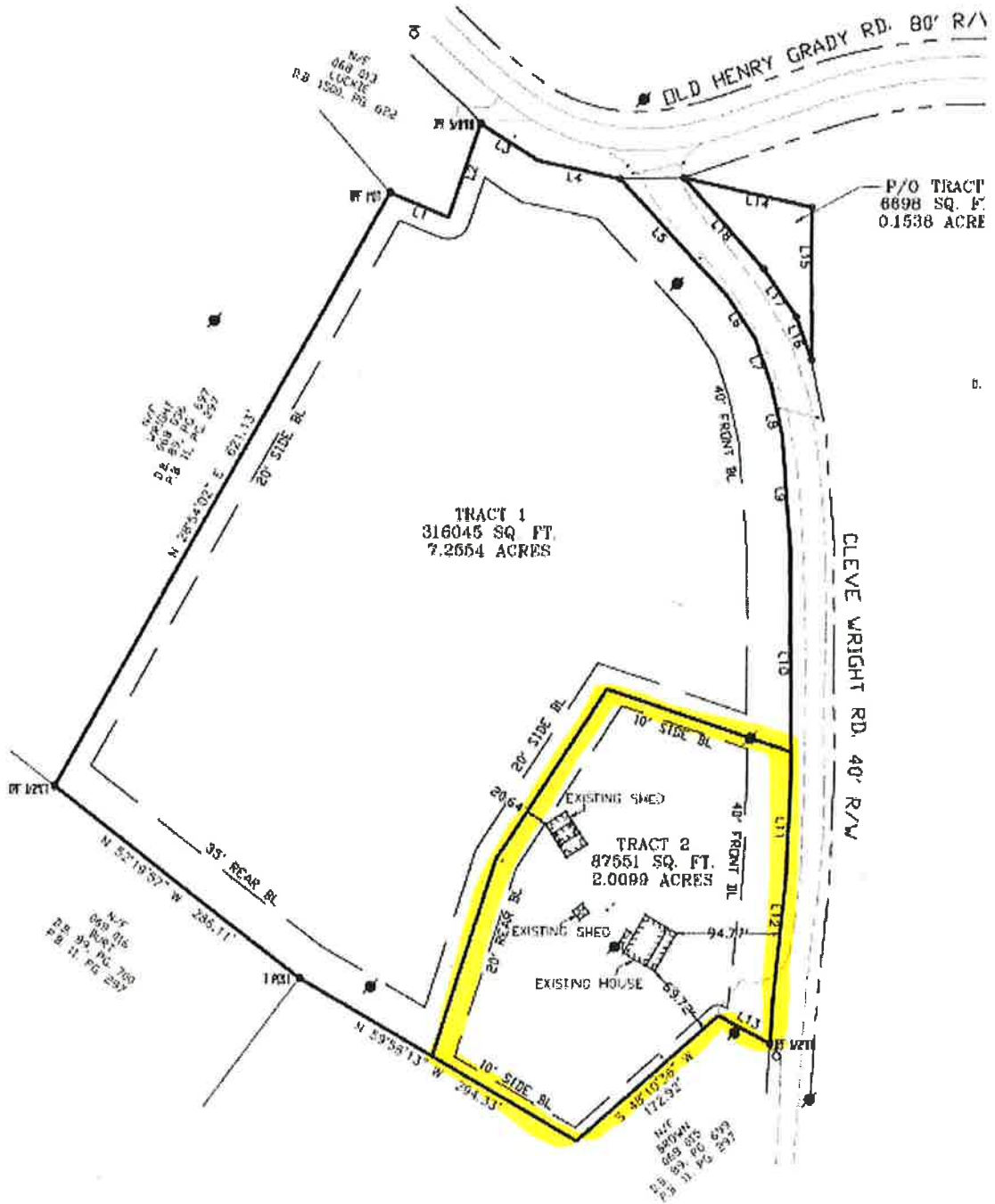
(The complete names of all owners must be listed; if the owner is a partnership, the names of all partners must be listed; if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet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

2022

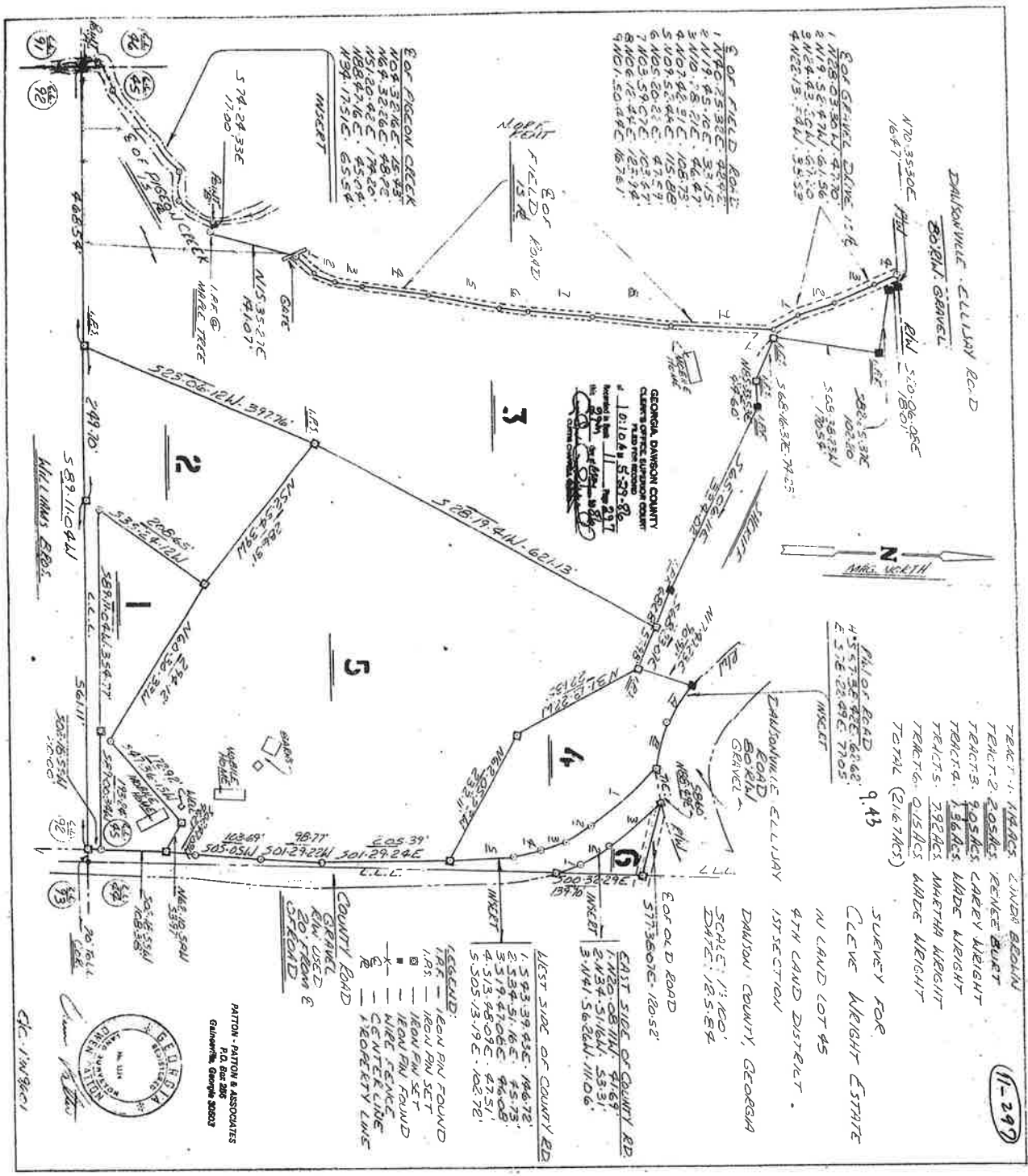
03



FRONT-40', SIDE-20', REAR-33'  
 ETBACKS: FRONT-40', SIDE-10', REAR-20'







TRACT 1. 116 ACRES. LINDA BEALIN  
 TRACT 2. 20 ACRES. RENEE BURT  
 TRACT 3. 90 ACRES. CAREY WRIGHT  
 TRACT 4. 136 ACRES. MADE WRIGHT  
 TRACT 5. 292 ACRES. MARETH WRIGHT  
 TRACT 6. 215 ACRES. MADE WRIGHT  
 TOTAL (2167 ACES)

PILOT ROAD 9.45  
 4.573278 E. 64.62'  
 2.578281 E. 61.103'

SURVEY FOR  
 CLEVE WRIGHT ESTATE  
 IN LAND LOT 45  
 4TH LAND DISTRICT.  
 DANSON COUNTY, GEORGIA  
 1ST SECTION

SCALE: 1" = 100'  
 DATE: 10-5-89

EAST SIDE OF COUNTY RD.  
 1. 1120.0311 41.69'  
 2. 1134.5161 53.31'  
 3. 1141.5621 110.6'

WEST SIDE OF COUNTY RD.  
 1. 593.3943 E. 146.72'  
 2. 534.5116 E. 45.75'  
 3. 519.4708 E. 46.48'  
 4. 513.4509 E. 47.51'  
 5. 505.1319 E. 108.72'

LEGEND:  
 I.P.F. - IRON PIN FOUND  
 I.P.S. - IRON PIN SET  
 I.P.M. - IRON PIN FOUND  
 W.F. - WIRE FENCE  
 C.F. - CENTERLINE  
 R. - PROPERTY LINE

PAITON, PAITON & ASSOCIATES  
 P.O. Box 248  
 Columbus, Georgia 31902











## ZA 22-11

Planning Commission Meeting April 19, 2022  
Board of Commission Hearing May 19, 2022

---

### Applicant Proposal

The applicant is seeking to zone the property from R-A (Residential Agriculture) to RSRMM (Residential Sub-Rural Manufactured Moved).

<b>Applicant</b>	Tyler Burt
<b>Amendment #</b>	ZA 22-11
<b>Request</b>	Rezone Property from R-A to RSRMM
<b>Proposed Use</b>	Subdivide a two-acre parcel from a tract that is 9.4 acres in size; the two-acre parcel must be rezoned due to the proposed size of the tract and for the placement of a manufactured home.
<b>Current Zoning</b>	<b>R-A</b>
<b>Future Land Use</b>	Rural Residential
<b>Acreage</b>	2 acres
<b>Location</b>	1375 Cleve Wright Road
<b>Commercial Square footage</b>	0
<b>Road Classification</b>	Local
<b>Tax Parcel</b>	068-014
<b>Dawson Trail Segment</b>	n/a
<b>Commission District</b>	1
<b>DRI</b>	No



<b>Direction</b>	<b>Existing Zoning</b>	<b>Existing Use</b>
North	R-A	Single Family Residential
South	R-A	Single Family Mobile Home
East	R-A	Vacant Pasture Land
West	R-A	Single Family Residential

**According to the Comprehensive Plan and accompanying Future Land Use Plan,** the subject property is identified as **Rural Residential** – 130,680 square feet (3 Acre) the Rural Residential category seeks to preserve the pastoral landscape of the west of the county, limiting the need for public improvements and celebrating the natural landscape that remains both a scenic value to the community and a critical facet of supporting the environment and natural resources. This future land use category corresponds to lands west of the forest greenbelt which runs west of Dawsonville’s proposed developed area. This area currently includes exurban and rural residences, farms, and forests. A three-acre lot size ensures that this area remains rural and very low density residential, so as to prevent the need to extend facilities and services to that area. It is desirable that conservation subdivision principles be followed in this area in order to encourage the set-asides of open space or retention of farm and forest lands.

**County Agency Comments:**

Environmental Health Department: No comments returned as of 4-12-2022

Emergency Services: “No comment.”

Etowah Water & Sewer Authority: No comments returned as of 4-12-2022

**Planning and Development:** The only zoning district assigned to the Rural Residential future land use is Residential Agriculture (RA). At the time of the Comprehensive Plan adoption in 2019 a three-acre parcel was considered appropriate to preserve the rural lifestyle; currently the minimum lot size in the RA zoning district is five acres. Although there are parcels in the vicinity that are less than five acres in size, the introduction of the RSRMM district designation into this community is not consistent with the zoning patterns.

Public Works Department: No comments returned as of 4-12-2022



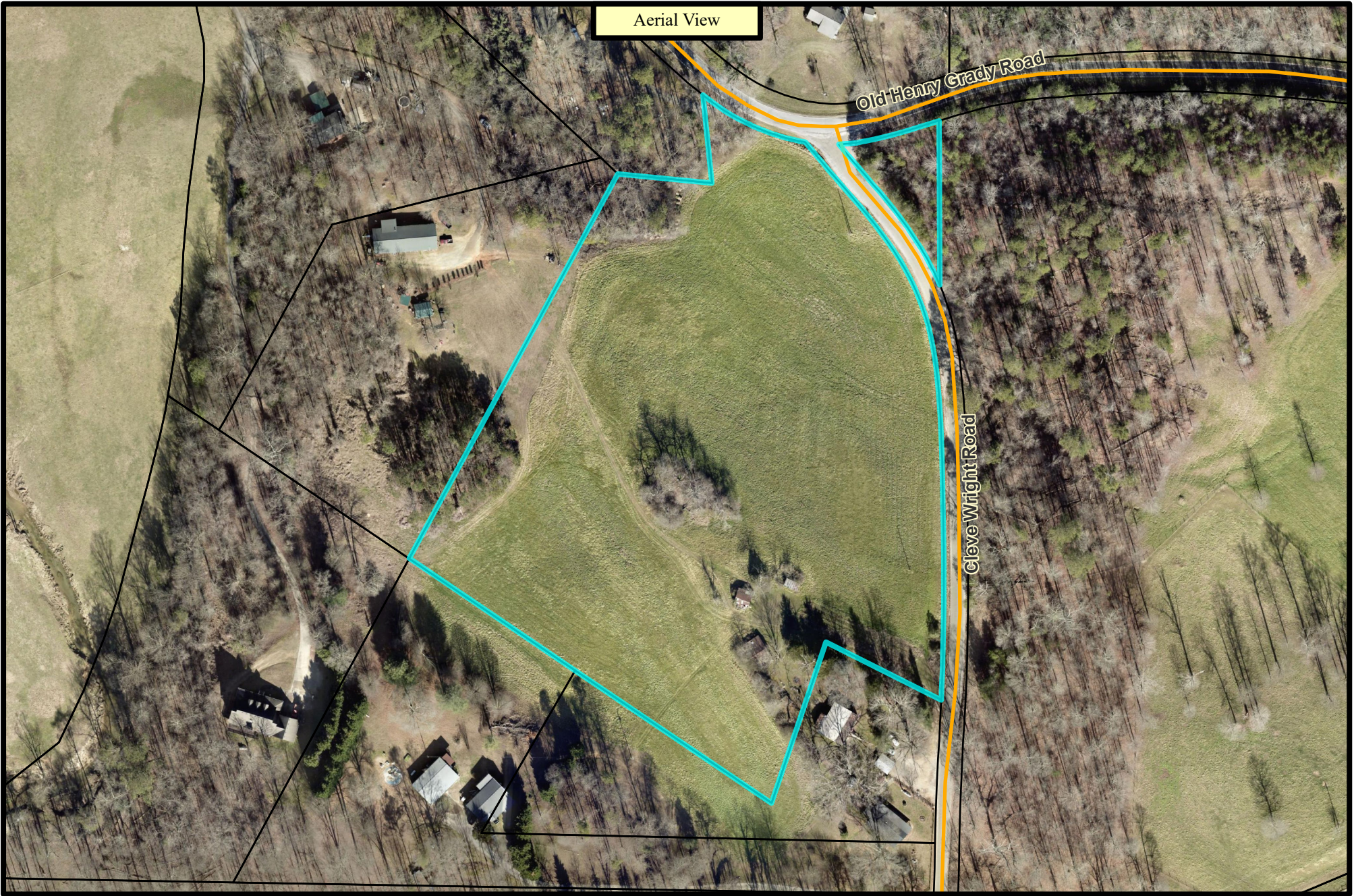
**THE PLANNING COMMISSION SHALL MAKE ITS RECOMMENDATIONS  
BASED ON THE FOLLOWING CRITERIA:**

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









Aerial View

Old Henry Grady Road

Cleve Wright Road



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

N



Scale: 1:2,326

Dawson County

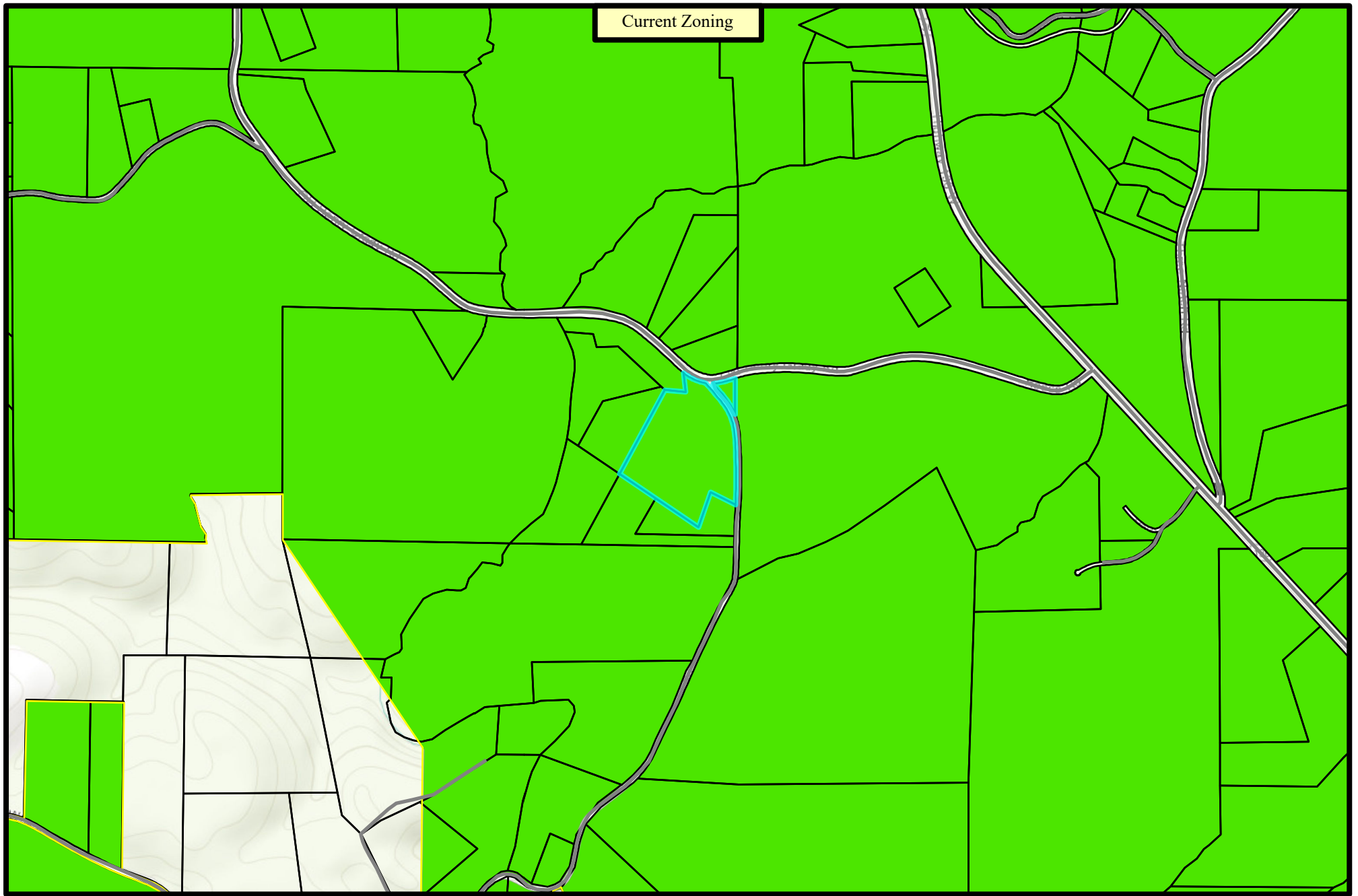
Planning and Development

191

Site Report

Parcel #:068-014  
Current Zoning: RA  
FLU: RR  
Application #: ZA 22-11





Current Zoning



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

N



Scale: 1:10,646

Dawson County

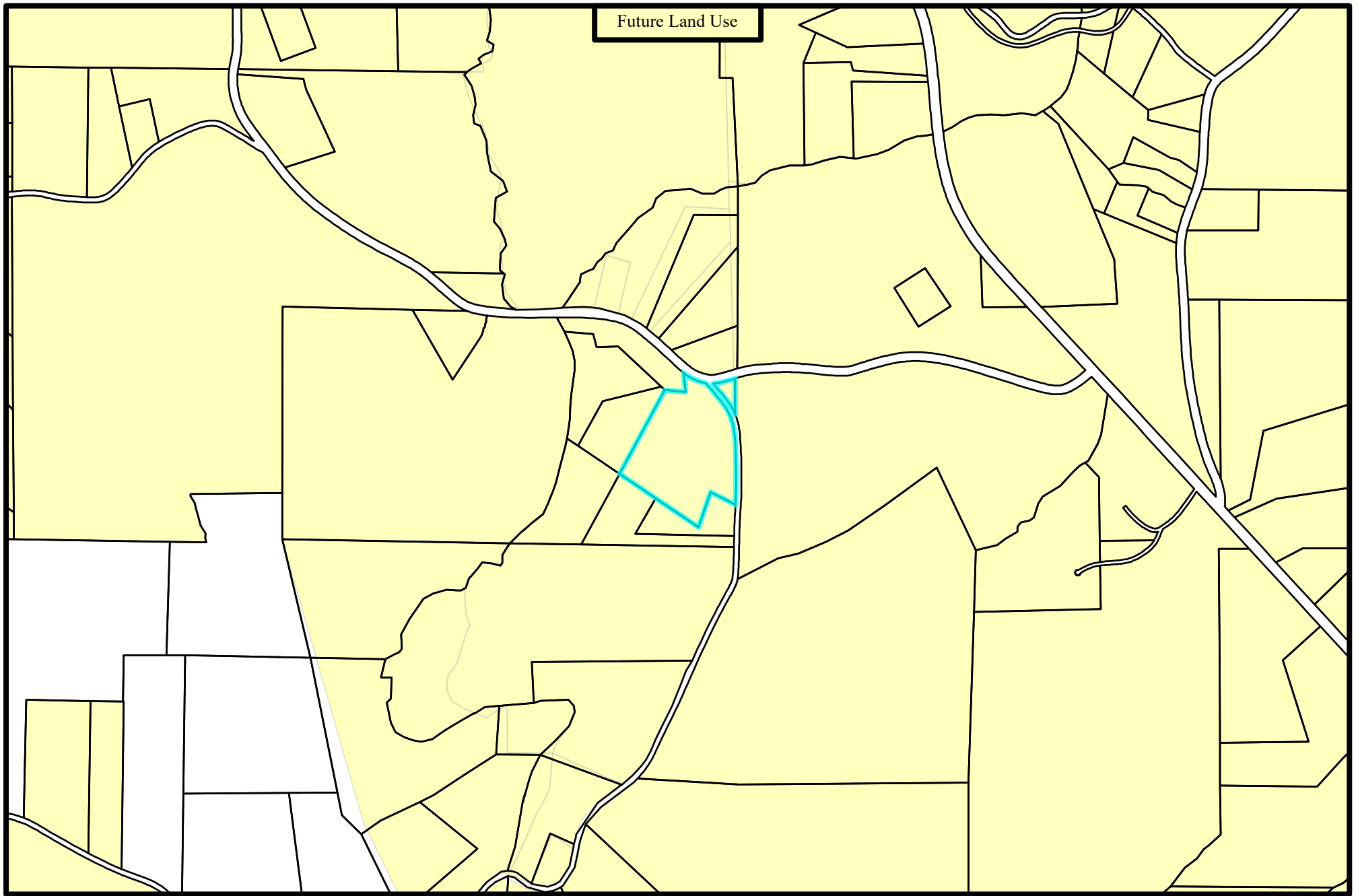
Planning and Development

192

Site Report

Parcel #:068-014  
Current Zoning: RA  
FLU: RR  
Application #: ZA 22-11





Future Land Use



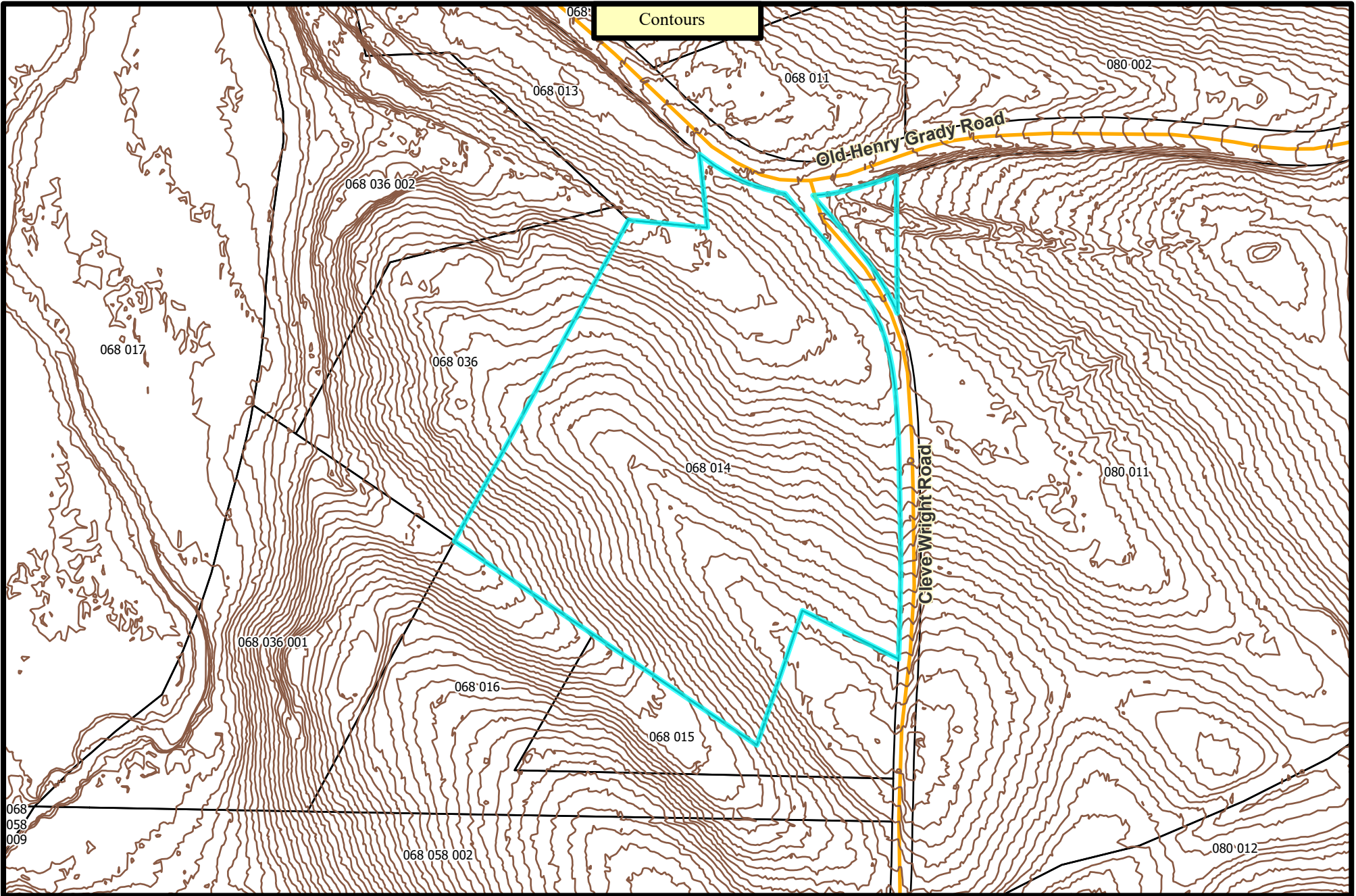
DAWSON COUNTY DISCLAIMS ANY RESPONSIBILITIES, LIABILITIES OR DAMAGES FROM THE USE OF THIS MAP. THIS MAP IS ONLY FOR DISPLAY PURPOSES.

N  
Scale: 1:10,646


Dawson County  
Planning and Development  
193  
Staff Report


Parcel #: 068-014  
Current Zoning: RA  
FLU: RR  
Application #: ZA 22-11





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

N  
  
 Scale: 1:2,791

Dawson County  
 Planning and Development  
 194  
 Staff Report

Parcel #: 068-014  
 Current Zoning: RA  
 FLU: RR  
 Application #: ZA 22-11





# DAWSON COUNTY BOARD OF COMMISSIONERS Planning and Development

February 11, 2022

Planning

Zoning

Code Enforcement

GIS

Building Permits  
and  
Inspections

Business Licenses

Alcohol Licenses

911 Mapping

Animal Control

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


Re: Minor Comprehensive Plan Update

Mr. Hazell,

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

Thank you.

Sincerely,

  
Robbie Irvin  
County Planner

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



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

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

(1) *Permitted uses.*

- a. Principal uses that are allowed by right or by special use approval are listed on Table 3.1 at the end of this article.
- b. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.1 and are contained in section 121-74 of this article.
- c. Allowed accessory uses include private garages, swimming pools, home workshops, tennis courts, children's play houses, small gardens, non-commercial greenhouses, and home offices that meet the requirements of this section and article VI, section 121-181.
  1. Accessory uses must be located on a parcel that is currently occupied by a principal residential structure.
  2. Accessory structures shall be no larger than the footprint of the primary structure or one-half the gross square footage, whichever is greater, with the exception that when the lot size is three acres or greater, the size of the accessory structure shall not be regulated in size but shall meet all setback requirements.
  3. The use of an accessory building for a home occupation is prohibited.
  4. Minimum setbacks for accessory structures:  
Front yard - 40 feet;  
  
Side yard - 5 feet; and  
  
Rear yard - 10 feet.

(2) *Prohibited uses.*

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

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

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

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



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

(1) *Permitted uses.*

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

(2) *Prohibited uses.*

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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





**Sub-Rural Residential**

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

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

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

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

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

**Strategies**

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





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

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

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

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

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







## Lakeside Residential

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

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

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

## Strategies

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





## Commercial Highway

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

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

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





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







## Light Industrial

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

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

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

### *Strategies*

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



**Sec. 121-69. R-A Residential Agricultural/Residential Exurban.**

Residential agricultural/residential exurban districts are areas that are either primarily agricultural in land use with residential or other use incidental to the agricultural use, or areas that are not under intensive development pressures and are in relatively large parcels. Agricultural uses range from horticulture, animal husbandry, poultry, and forestry, including intensively managed tree farms to non-managed woodlands. The conservation of prime agricultural and forestry land use from intensive development into other uses is a primary objective of this classification and is encouraged. Some prime agricultural land is geographically located on land with constraints on intensive residential or commercial development, such as steep forested slopes or river valley floor plains; therefore, careful consideration should be given to changes in those areas.

(1) *Permitted principal uses.*

- a. Principal uses that are allowed by right or by special use approval are listed on Table 3.1 at the end of this article.
- b. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.1 and are contained in section 121-74 of this article.

(2) *Allowed accessory uses.*

- a. Customary and essential accessory farm buildings and uses are allowed and include barns and other livestock structures, storage sheds, used for the day-to-day operation of such activities, for the storage or preservation of said crops, products and foodstuffs raised or grown on said parcel, and roadside stands for the sale of products grown on that property only and that comply with the requirements of this section.
- b. Accessory structures shall be no larger than the footprint of the primary structure or one-half the gross square footage, whichever is greater, with the exception that when the lot size is three acres or greater, the size of the accessory structure shall not be regulated in size, but shall meet all setback requirements.
- c. One guest quarters or caretaker/employee residence is allowed per tract of land in accordance with section 121-71(2) f.
- d. home occupations are allowed if requirements in article VI, section 121-181 are met.
- e. Direct marketing of produce is allowed in a farm market, on-farm market or roadside stand no greater than 500 square feet of building area, unless a variance is approved.
- f. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product is a permitted use in a farming operation if more than 50 percent of the stored, processed or merchandised products are produced by the farm operator. Meat processing and food franchises or franchise products are prohibited.
- g. Agricultural farm operations may include any or all of the following agriculturally related uses and some non-agriculturally related uses so long as the general character of the farm is maintained.
  - 1. Value-added agricultural activities such as education tours, wedding venues and similar special event facilities with a minimum of 15 acres, and/or processing facilities, etc. Wedding venues and similar special event facilities may sell and serve alcohol provided an appropriate alcohol license is held by the property owner or the alcohol is served in accordance with the catering requirements and a valid caterer's license.
  - 2. Bakeries selling baked goods containing produce grown on site.
  - 3. Playground areas or equipment, not including motorized vehicles or rides.



4. Petting farms, animal display and pony rides.
  5. Wagon, sleigh and hay rides.
  6. Nature trails.
  7. Open air or covered picnic areas with restrooms.
  8. Educational classes, lectures, seminars.
  9. Historical agricultural exhibits.
  10. Kitchen facilities and/or tasting rooms for processing/cooking or serving of items for sale containing produce and crops grown on site.
  11. Gift shops for the sale of agricultural products and non-agricultural products such as antiques or crafts, limited to 1,000 square feet building area.
- h. If any agricultural farm includes the listed uses in section 121-69(2) d. then adequate parking facilities must be provided in the form of the following:
1. A minimum of 20 parking spaces must be provided.
  2. Parking facilities may be located on a grass or gravel area. All parking areas shall be defined by either gravel, cut lawn, sand or other visible marking.
  3. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.
  4. Paved parking areas must meet all design, landscaping and screening and setback requirements set forth by Dawson County codes and regulations.
  5. All lighting, parking and otherwise shall meet the commercial lighting requirements of the Land Use Ordinance.
- (3) *Allowed temporary uses.* The following temporary uses are allowed:
- a. Seasonal U-pick fruits and vegetable operations.
  - b. Seasonal Outdoor mazes of agricultural origin such as straw bales or corn, small-scale outdoor entertainment such as a car show, art fair or music concert, fun houses or haunted houses, non-profit benefits, and festivals with a special use business permit.
- (4) *Prohibited uses.*
- a. Any principal use not shown on Table 3.1 as allowed in a zoning district, whether by right or with approval as a special use, is specifically prohibited.
  - b. ~~In addition, M~~meat processing or manufacturing operations related to allowed agricultural uses are prohibited.
  - c. Horses are ~~also~~ prohibited on lots less than three acres.
- (5) *Building requirements.* The minimum area, yard, and building requirements in the R-A Residential Agricultural District are as set forth in Table 3.2., unless a variance is granted.
- (6) *Special district requirements.* Agricultural districts include uses of land primarily for active farming activities and will result in odors, noise, dust and other effects, which may not be compatible with adjacent single-family development. Future abutting developers in non-RA land use districts shall be provided with a "Notice of RA Adjacency" at the time of application for a building or occupancy permit





## DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: March 03, 2022

Prepared by: Sharon O. Farrell, Director

Voting Session: March 17, 2022

Presenter: Sharon O. Farrell

Public Hearing: Yes \_\_\_\_ No

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

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

Current Information:

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

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Approval to place on public hearing agenda

Department Head Authorization: SOFarrell

Date: 02/22/2022

Finance Dept. Authorization: Vickie Neikirk

Date: 2/22/22

County Manager Authorization: David Headley

Date: 2-22-2022

County Attorney Authorization: \_\_\_\_

Date: \_\_\_\_

Comments/Attachments:

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



**ARTICLE XI. - VARIANCES (from Chapter 133 Subdivisions)**

Sec. 133-328. - Purpose.

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

Sec. 133-329. - Conditions.

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

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

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

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

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

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

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



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

Sec. 133-331. - Variance procedures.

The following procedures apply:

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

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

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

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

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



Sec. 133-334. - Investigations and reports.

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

Sec. 133-335. - Revocation.

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

Sec. 133-336. - Limitations of reapplication.

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

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

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



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