

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA - THURSDAY, MAY 16, 2019
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

A. ROLL CALL

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ANNOUNCEMENTS

E. APPROVAL OF MINUTES

[Minutes](#) of the Work Session held on May 2, 2019

[Minutes](#) of the Voting Session held on May 2, 2019

F. APPROVAL OF AGENDA

G. PUBLIC COMMENT

H. ZONINGS

1. [ZA 19-02](#) - Jerry Fouts has made a request for rezoning subject to County Commission approval. He seeks to change the current zoning of RA (Residential Agriculture) to CHB (Commercial Highway Business) for the construction of a mini storage facility with 48 units. The subject property is located at TMP 081-007. *(Tabled from the April 18, 2019, Voting Session)*
2. [ZA 19-03](#) - Linda Dunlavy on behalf of Etowah Water & Sewer Authority has made a request to rezone property located at TMP 087-001 from RA (Residential Agricultural) to RPC (Residential Planned Community). The development would consist of 288 +/- lots with 78 percent to remain in open space.
3. [ZA 19-05](#) - Dawson Village Partners has made a request to rezone property located at TMP 112-019, 113-057-002, 112-109, 104-065, 104-028, 104-029, 112-018 and 104-027 from CHB (Commercial Highway Business), RA (Residential Agriculture), RPC (Residential Planned Community), CPCD (Commercial Planned Community Development) and COI (Commercial Office/Institution) to Mixed Use Village.
4. [VR 19-03](#) - Landbridge Development LLC is requesting a variance to the Land Use Resolution Article III, Section No. 306.F.7 Maximum Units per Building - No more than 12 units shall be permitted to form any one single building.

I. PUBLIC HEARING

1. Land Use Resolution Update *(2nd 2 hearings. 1st hearing was held on May 2, 2019)*

J. UNFINISHED BUSINESS

1. Consideration of RFP #333-19 - Design-Build Services for Fire Services - Station 9
(Tabled from the May 2, 2019, Voting Session)

K. NEW BUSINESS

1. Consideration of IFB #340-19 - On-Call Full-Depth Reclamation Services
2. Consideration of Proposed Agreement with Rotary Club for Outdoor Project at Rock Creek Park
3. Consideration of Request to Transfer Facility Responsibility of Station 2 Community Room
4. Consideration of Resolutions Authorizing the Disposition of Certain County Properties by Sealed Bid in Accordance with O.C.G.A § 36-9-3(a)- Interim County Attorney

L. PUBLIC COMMENT

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.

Item Attachment Documents:

Minutes of the Work Session held on May 2, 2019

**DAWSON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES – MAY 2, 2019
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
4:00 PM**

Those present were Chairman Thurmond; Commissioner Fausett, District 1; Commissioner Gaines, District 2; Commissioner Satterfield, District 3; Commissioner Nix, District 4; County Manager Headley; Interim County Attorney Davis; County Clerk Cloud; and interested citizens of Dawson County.

NEW BUSINESS

1. Presentation of Request to Retire Sheriff's Office K9 Kimbo and Transfer Ownership to Handler, Lieutenant Jessica Kraft- Sheriff Jeff Johnson
This item placed on the May 2, 2019, Voting Session Agenda.
2. Presentation of IFB #340-19 - On-Call Full-Depth Reclamation Services- Public Works Director David McKee / Purchasing Manager Melissa Hawk
This item will be placed on the May 16, 2019, Voting Session Agenda.
3. Presentation of Proposed Agreement with Rotary Club for Outdoor Project at Rock Creek Park- Parks & Recreation Director Matt Payne
This item will be placed on the May 16, 2019, Voting Session Agenda.
4. Presentation of Request to Transfer Facility Responsibility of Station 2 Community Room- Parks & Recreation Director Matt Payne
This item will be placed on the May 16, 2019, Voting Session Agenda.
5. Presentation of Request to Host Dawson County Employee Night at County Pool- Parks & Recreation Director Matt Payne
This item will be added to the May 2, 2019, Voting Session Agenda.
6. Presentation of 1st Quarter 2019 Financial Status Report- Chief Financial Officer Vickie Neikirk
This item was for information only.
7. County Manager Report
This item was for information only.
8. County Attorney Report
Interim County Attorney Davis had no information to report and said she had several items to discuss in Executive Session.

EXECUTIVE SESSION

Motion passed 4-0 to enter into Executive Session to discuss real estate and legal.
Gaines/Satterfield

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT

Item Attachment Documents:

Minutes of the Voting Session held on May 2, 2019

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – MAY 2, 2019
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

ROLL CALL: Those present were Chairman Thurmond; Commissioner Fausett, District 1; Commissioner Gaines, District 2; Commissioner Satterfield, District 3; Commissioner Nix, District 4; County Manager Headley; Interim County Attorney Hamilton; County Clerk Cloud; and interested citizens of Dawson County.

Motion passed 4-0 to come out Executive Session. Satterfield/Gaines

OPENING PRESENTATIONS:

National Small Business Week Proclamation- Chairman Thurmond

Motion passed 4-0 to approve the National Small Business Week Proclamation. Gaines/Nix

Development Authority of Dawson County (DADC) Update- DADC Chairman Brian Trapnell
DADC Chairman Trapnell presented the DADC Update with assistance from Director of Economic Development Betsy McGriff and Chamber of Commerce President Christie Moore.

INVOCATION: Chairman Thurmond

PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

None

APPROVAL OF MINUTES:

Motion passed 4-0 to approve the Minutes of the Voting Session held on April 18, 2019. Gaines/Nix

Motion passed 4-0 to approve the Minutes of the Work Session held on April 23, 2019. Satterfield/Fausett

APPROVAL OF AGENDA:

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

- Addition of No. 5 under New Business:
 - Request to Host Dawson County Employee Night at County Pool

Fausett/Gaines

PUBLIC COMMENT:

Joey Homans- Dawsonville, Georgia, said he was in attendance to comment on the item: Consideration of Request for Increased Funding for Legal Fees in 2019 under New Business. Homans said he encouraged the Board of Commissioners to approve the amount it needed for

legal fees and that he had “great respect and admiration for the law firm of Jarrard & Davis that is performing the legal services” for the county. He said that two years ago, when the board chose to make another appointment other than Homans as its legal counsel “your asserted reason was to save the taxpayers money. With this request the total legal fees would be \$410,000.” Homans said he took the “save taxpayers money” assertion as “an attack on my integrity and my character and indicated, or at least made the statement, that I was gouging or overcharging. The fact that the legal fees now are twice what they were, I submit absolve me of that...” Homans added, “I submit that what you’re paying for legal fees now by very competent legal counsel reflects that there was no overcharging, there was no gouging, and in fact now taxpayers are paying more.”

ALCOHOL LICENSE:

New Alcohol License (Retail Consumption on Premises of Beer, Wine and Distilled Spirits) - Olive Garden Holdings, LLC

Motion passed 4-0 to approve the New Alcohol License (Retail Consumption on Premises of Beer, Wine and Distilled Spirits) - Olive Garden Holdings, LLC. Satterfield/Gaines

PUBLIC HEARING:

Land Use Resolution Update (1st of 2 hearings. 2nd hearing will be held at 6 p.m. May 16, 2019)

Planning & Development Director Jameson Kinley said the county’s Land Use Resolution’s current Residential Agriculture (RA) section’s prohibited uses include: “Residential subdivisions where lots are less than five acres in size.” He said a proposed amendment would replace that with: “Residential subdivisions where lots are less than five acres in size Notwithstanding the foregoing, this prohibition shall not prevent a ‘subdivision’ resulting in the creation of exactly two lots from the original lot that is subdivided.”

Kinley said another proposed update to the Land Use Resolution includes the RA section’s Building Requirements portion, which in part currently states: “Minimum lot size: 1.5 acre or as determined by the Dawson County Health Department, whichever is greater. Except in residential subdivisions, when the minimum lot size is five acres.” He said a proposed amendment would replace that with: “Minimum lot size: 1.5 acres or such size as determined to be necessary for the protection of public health, safety and welfare by the Dawson County Health Department, whichever is greater. Notwithstanding the foregoing, the minimum lot size for residential subdivisions shall be five acres unless the subdivision constitutes the subdivision of a single parcel into exactly two parcels.” Kinley said the proposed amendment is based on the actual definition of subdivision, which is defined as all divisions of a tract or parcel of land into two or more divisions.

Kinley said a third proposed update to the Land Use Resolution includes deleting in its entirety subsection 606(F), which is part of Article VI, Section 606 Non-conforming uses. Subsection 606(F) currently states, “For commercial and business purposes, a legal non-conforming status is proven by possession of a valid, legally obtained, Dawson County business license within the past 12 months.”

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Land Use Resolution Update:

The following spoke on the Land Use Resolution Update:

- Bill Looper- Dawsonville, Georgia, said his grandson would like to build a home on his property. He said the land currently is in conservation. He said the “five-acre restriction” seems a “little excessive.” Looper said he would prefer not to break up the land since it is in conservation.

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

UNFINISHED BUSINESS:

Consideration of an Intergovernmental Agreement with the Board of Education Regarding the Public Works Complex (Discussed at the April 23, 2019, Work Session)

Motion passed 4-0 to approve the most recent version of an Intergovernmental Agreement with the Board of Education Regarding the Public Works Complex. Satterfield/Fausett

Consideration of RFP #333-19 - Design-Build Services for Fire Services – Station 9 (Tabled from the April 18, 2019, Voting Session)

Motion passed 4-0 to table RFP #333-19 - Design-Build Services for Fire Services – Station 9 until the May 16, 2019, Voting Session. Nix/Satterfield

NEW BUSINESS:

Consideration of Request to Retire Sheriff's Office K9 Kimbo and Transfer Ownership to Handler, Lieutenant Jessica Kraft

Motion passed 4-0 to approve the Request to Retire Sheriff's Office K9 Kimbo and Transfer Ownership to Handler, Lieutenant Jessica Kraft. Nix/Gaines

Consideration of a Services Agreement with Dawson County Humane Society for Treatment and Housing of Animals

Motion passed 4-0 to approve a Services Agreement with Dawson County Humane Society for Treatment and Housing of Animals. Fausett/Gaines

Consideration of FY 2019 Legacy Link Contract Addendum No. 3 for Nutrition Program Services

Motion passed 4-0 to approve the FY 2019 Legacy Link Contract Addendum No. 3 for Nutrition Program Services. Satterfield/Fausett

Consideration of Request for Increased Funding for Legal Fees in 2019

Motion passed 4-0 to approve the Request for Increased Funding for Legal Fees in 2019, with funding totaling \$250,000 coming from the General Fund's fund balance. Satterfield/Gaines

Consideration of Request to Host Dawson County Employee Night at County Pool

Motion passed 4-0 to approve the Request to Host Dawson County Employee Night at the County Pool on May 17, 2019. Nix/Gaines

PUBLIC COMMENT:

None

ADJOURNMENT:

EXECUTIVE SESSION:

Motion passed 4-0 to enter into Executive Session to discuss real estate and legal. Fausett/Gaines

Motion passed 4-0 to come out of Executive Session. Fausett/Nix

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT

Item Attachment Documents:

1. ZA 19-02 - Jerry Fouts has made a request for rezoning subject to County Commission approval. He seeks to change the current zoning of RA (Residential Agriculture) to CHB (Commercial Highway Business) for the construction of a mini storage facility with 48 units. The subject property is located at TMP 081-007. *(Tabled from the April 18, 2019, Voting Session)*

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 19-01 Tax Map & Parcel # (TMP): 081-007-001 (staff initials)
Submittal Date: 1-7-19 Time: _____ am/pm Received by: JF
Fees Assessed: \$2500 Paid: by check Commission District: _____
Planning Commission Meeting Date: Feb 19, 2019
Board of Commissioners Meeting Date: March 21, 2019

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jerry Fouta
Address: _____
Phone: _____
Listed _____ 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: 1-7-19 Applicant Signature: _____

PROPERTY OWNER/PROPERTY INFORMATION

Name: Jerry Fouta
Street Address of Property being rezoned: 2228 Shoal Creek Rd.
Rezoning from: P-A to: C-HB Total acreage being rezoned: _____
Directions to Property: Shoal Creek Rd North approx 2 miles
property on right.

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

Current Use of Property: _____

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

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

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

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North C-HB South Mixed Use East Mixed Use West ASR

Future Land Use Map Designation: Rural Residential

Access to the development will be provided from:

Road Name: Shoal Creek Rd. Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use: mini storage

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: 4000 sq. ft. No. of Parking Spaces: 4

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 *Jimmy Fouts* Date 1-7-19
Witness *Sherry Fouts* Date 1-7-19

WITHDRAWAL

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

I hereby withdraw application # _____ 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 applicant is 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.

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.

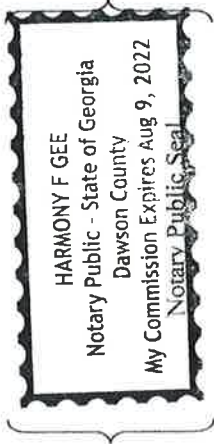
Prior to administrative action the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing adjacent to his use which will produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, 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: *Jerry Fuchs*
Applicant Printed Name: Jerry Fuchs
Application Number: ZA 19.02
Date Signed: 1-7-19

Sworn and subscribed before me

this 7 day of January, 2019.
Harmony Gee
Notary Public
My Commission Expires: August 9, 2022



PROPERTY OWNER AUTHORIZATION

I/we, Jerry Fouts, hereby swear
that I/we own the property located at (fill in address and/or tax map & parcel #):
2320 Snow Creek Rd.

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

I hereby authorize the person named below to act as the applicant or agent in pursuit of the
rezoning requested on this property. I understand that any rezoning granted, and/or conditions or
stipulations placed on the property will be binding upon the property regardless of ownership.
The 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: Jerry Fouts
Signature of applicant or agent: Jerry Fouts Date: 1-7-19

Printed Name of Owner(s): Jerry Fouts
Signature of Owner(s): Jerry Fouts Date: 1-7-19

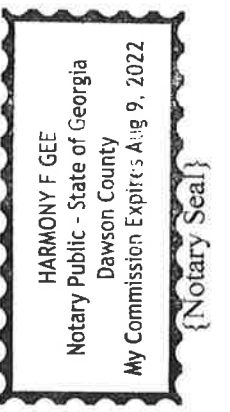
Mailing address: _____

City, State, Zip: Dawsonville, GA

Telephone Number: _____ Listed _____ Unlisted _____

Sworn and subscribed before me
this 1 day of January, 2019.

Harmory F GEE
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.)

DRI INFORMATION

IF YOUR DEVELOPMENT FALLS WITHIN ANY OF THE FOLLOWING THRESHOLDS,
PLEASE ASK PLANNING STAFF FOR DRI REVIEW CHECKLISTS.

**Table 1: Developments of Regional Impact - Tiers and Development Thresholds
Effective January 1, 2005**

Type of Development	Non-metropolitan Regions (Dawson County status eff. 1/2005)
(1) Office	Greater than 125,000 gross square feet
(2) Commercial	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 125 new lots or units
(6) Industrial	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
(11) Post-Secondary School	New school with a capacity of more than 750 students, or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels
(16) Water Supply Intakes/Reservoirs	New Facilities
(17) Intermodal Terminals	New Facilities
(18) Truck Stops	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces

Dawson County, Georgia Board of Commissioners

**Affidavit for Issuance of a Public Benefit
As Required by the Georgia Illegal Immigration Reform and Enforcement Act of 2011**

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

I am a United States citizen.

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

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

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

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

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

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

Executed in Dawsonville (city), Georgia (state)

Jerry Fouts
Signature of Applicant

Jerry Fouts
Printed Name

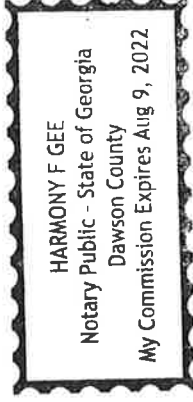
1-7-19
Date

Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 1 DAY OF January, 2019

Harmony Flee Notary Public
My Commission Expires: Aug 9, 2022



Previous Document

Next Page

Plat Book 00050 Page 00195

Next Document

Tools

Best Fit

Flip Horizontal

Flip Vertical

Rotate

Options

Printing

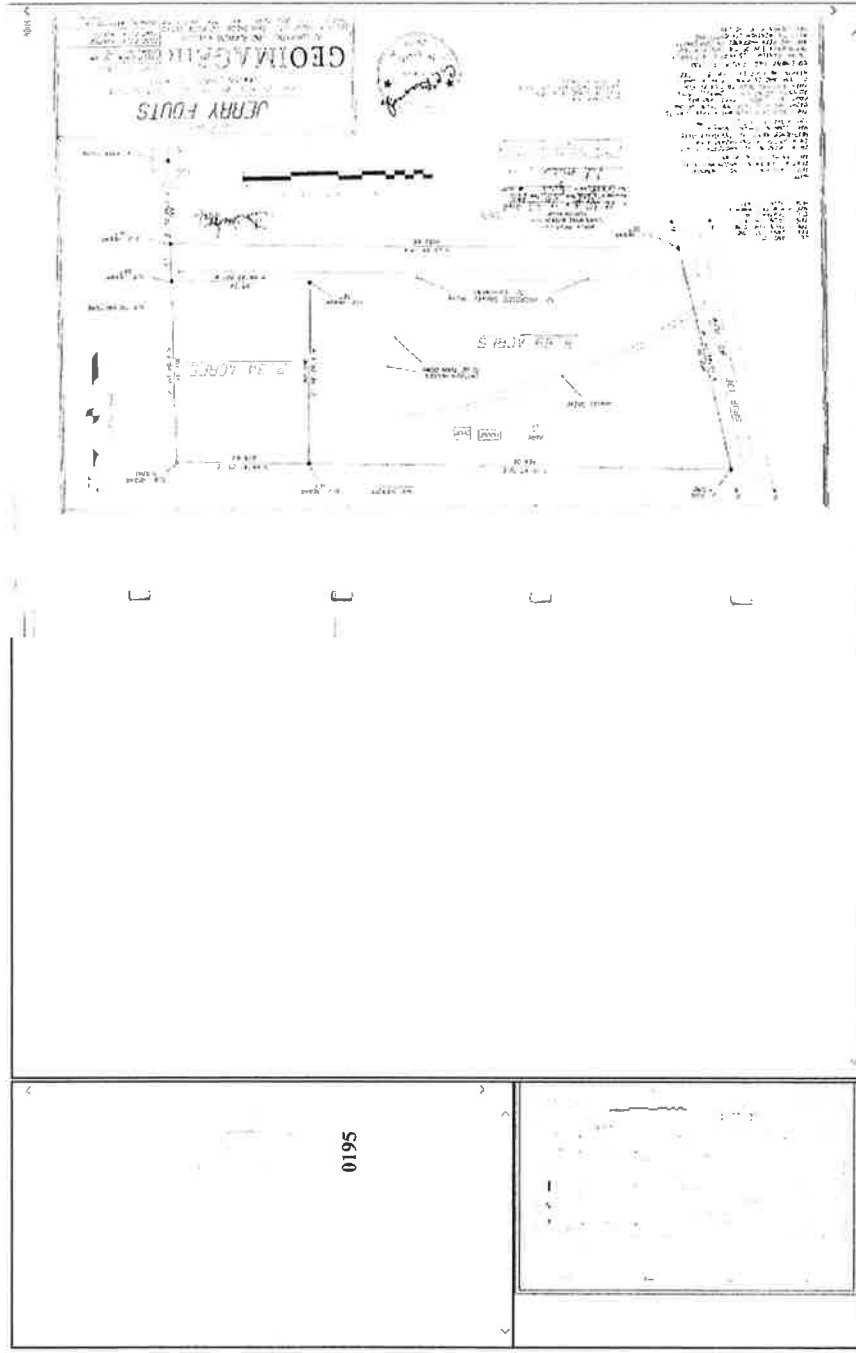
Zoom

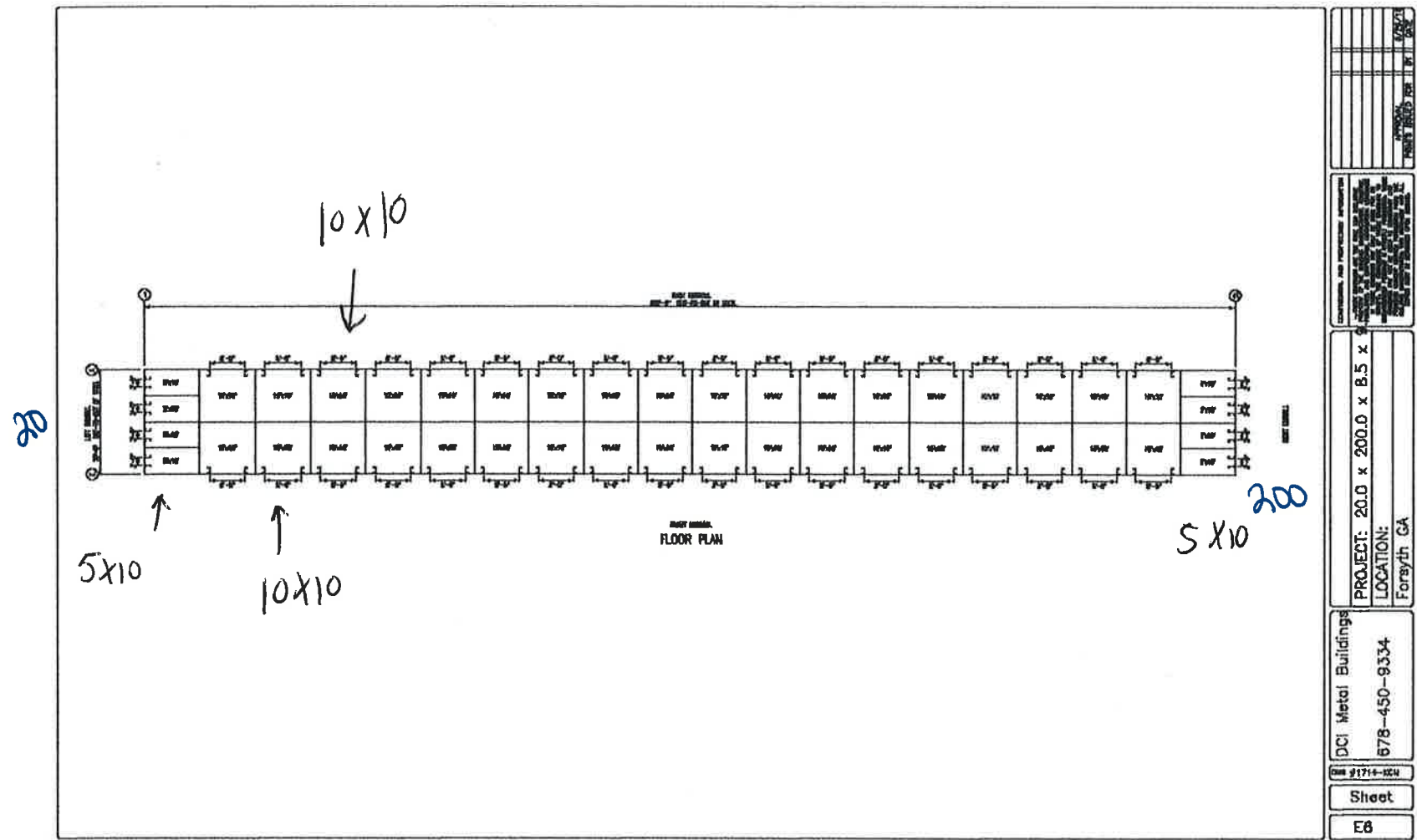
Zoom In

Zoom Out

Cancel Zoom

To zoom in closer to a section of the image, click the 'Zoom In' button, then click on the area of the image you would like to view up closer. Use the same method for 'Zoom Out' using the 'Zoom Out' button. To view the entire image at once, use the 'Best Fit' button.





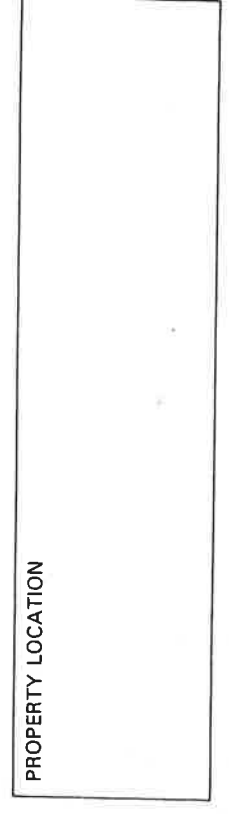
DCI Metal Buildings 678-450-9334
PROJECT: 20.0 x 200.0 x B.5 x LOCATION: Forsyth GA
Sheet
E8

Excel

INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT APPLICATION AND INSPECTION REPORT

PERMIT # C42-7-4-98 DATE PERMIT ISSUED 4-13-87 DATE SYSTEM INSP. _____

RECEIPT # _____ PROPERTY OWNER & ADDRESS _____



TELEPHONE _____ SEWAGE CONTRACTOR _____

I hereby apply for a permit to install or construct an individual sewage disposal system and agree that the system will be installed to conform to the requirements of the former Georgia Department of Public Health, Chapter 270-5-25. I understand that final inspection is required and hereby promise to notify the Dawson County Health Department upon its completion and before applying final cover at 265-2611 or 265-3223. I further realize and understand that neither this permit nor the final inspection in any way guarantee the proper operations of the sewage system nor in any way confers any guarantee or warranty of any kind.

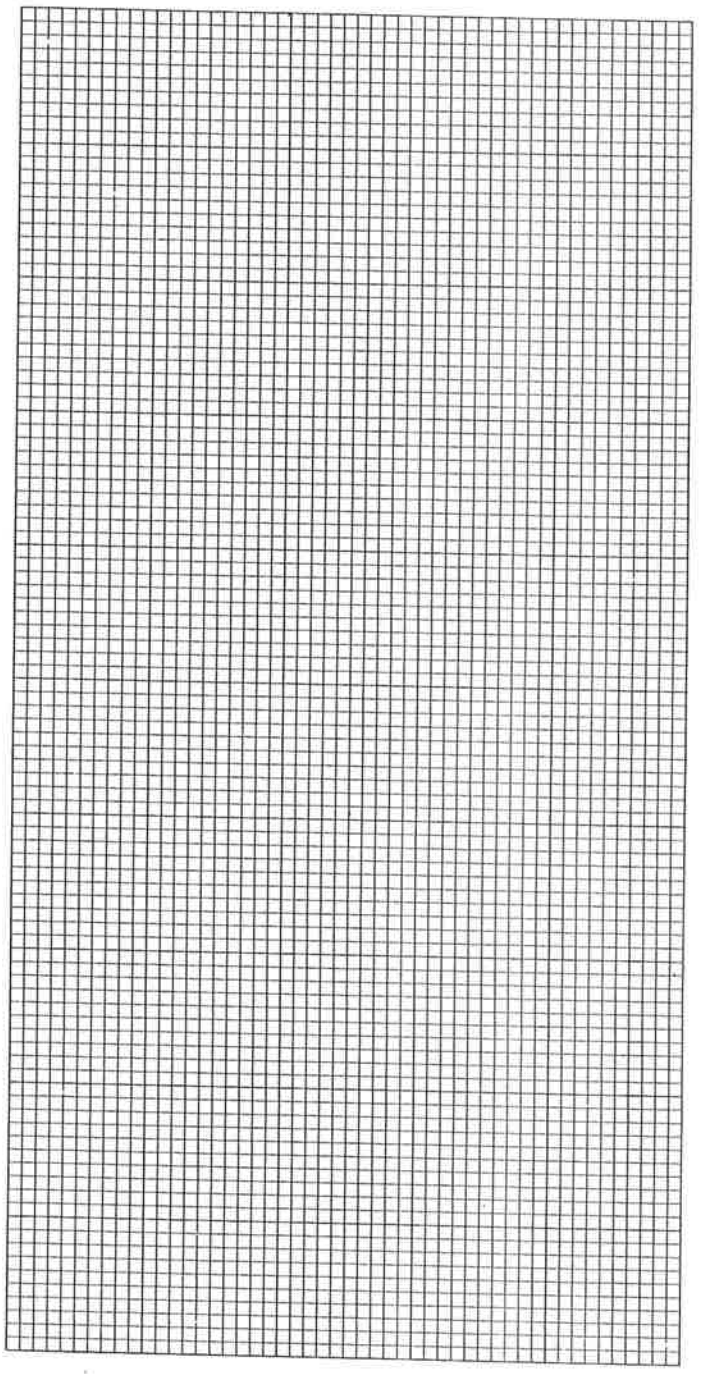
[Signature]
Owner or applicant's signature

- 1. Type water supply: _____
- 2. individual community public
- 2. 1. New system Repair 3. Existing
- 3. Perc rate CO. law
- 4. Type facility Dwelling 7 beds
- 5. No of bedrooms or gallons _____
- 6. Subdivision: yes / no _____
- 7. Lot size 4 1/2 Acres
- 8. Building line _____
- 9. Septic tank capacity min. 750 gallons
- 10. As installed _____
- 11. Dosing tank capacity _____

- 12. Distance S. T. from well _____
- 13. Min. amount of field line: _____
- Ft. sq. 524 Linear ft. 168'
- 14. Field line as installed _____
- Ft. sq. _____ Linear ft. _____
- 15. Width of trench _____
- 16. Distance between trenches _____
- 17. Trench depth, avg. _____
- 18. Distance from foundation _____
- 19. Nearest property line _____
- front, rear, side _____
- 20. Distance from well _____

Inspector: [Signature]
Inspector: DAWSON COUNTY HEALTH DEPARTMENT
P. O. BOX 245
DAWSONVILLE, GEORGIA 30534

REMARKS:



started 4-13-87

4-15-87 finished

Instruction Permit Number

Jerry Smith
Owner's Name

Dawson
County

Road

Subdivision & Lot Number

Frank Glass
Contractor's Signature

Address

WATER SUPPLY: Public Individual

NUMBER OF FIELD LINES 2

HOUSE STRUCTURE: New Existing

TOTAL LENGTH: 180 feet

TYPE OF FACILITY House

WIDTH OF TRENCH: 36 inches

SEWAGE INSTALLATION: New Existing

DEPTH OF TRENCH: 3 ft. inches

NUMBER OF BEDROOMS: 2 Gallons 1000

DISTANCE FROM FOUNDATION: 20 ft. feet

BUILDING LINE FROM ROAD:

NEAREST PROPERTY LINE: _____ feet

LOT SIZE: Depth: _____ Width: _____

DISTANCE FROM WELL: _____ feet

SEPTIC TANK CAPACITY: 1000 Gals.

FILTER MATERIAL: Size 57 Depth 12 inches

DISTANCE TANK FROM WELL: City Water

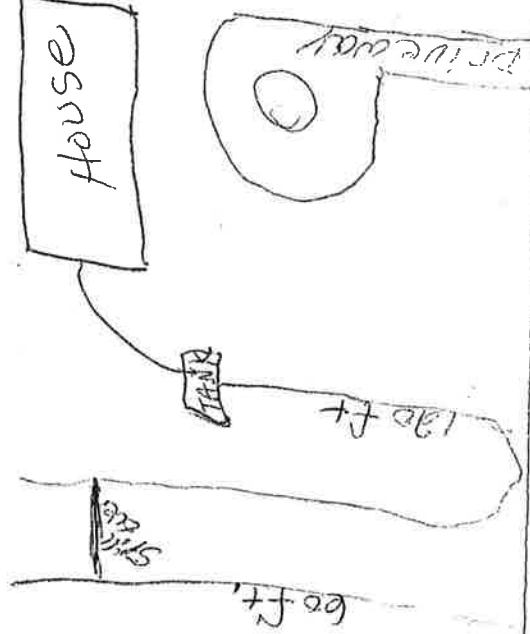
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SHOW LOCATION BELOW OF: facility, septic tank, field lines, well, spring, or public water line, nearest lot line, drive way, and distribution box, dosing tank and pump (if used)

Represents field line

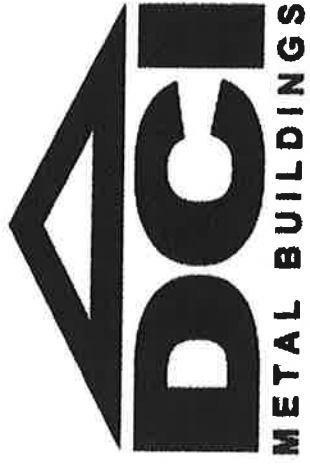
Represents solid line and sewers

SKETCH



Revised January 1, 1973

AS BUILT PLOT PLAN



908 Pine Street, Gainesville, GA. 30501 (Office 678-450-9334 Mobile 770-480-7963)

ESTIMATE

Date:
8-29-2018
Jerry Fouts
Dawsonville, Ga

Purchaser is hereby presented a proposed contract for a pre-engineered metal building as specified below:

BUILDING SPECIFICATIONS:

Pre-Engineered Metal Building Mini Storage Building

Width: 20' Length: 200' Eave Height: 8'6" Roof Pitch: .5:12

Live Load: 20 PSF Wind Load: 115 MPH

Sill Condition: Formed base trim Wall Color: Choice sig 200 Roof Color: Galvalume

All Trim: Choice sig 200 Bay Spacing: 20@10'

Column Type: Standard Girt: Flush/Bypass

Roof Panels: PBR 26 Gauge Wall Panels: PBR 26 Gauge

Warranty: 25 Years on Paint and Galvalume Finish

74

WARRANTY DEED

STATE OF GEORGIA FORSYTH County.

THIS INDENTURE, Made this 30th day of August in the year of our Lord One Thousand, Nine Hundred and Seventy Eight, between HUGH B. BOLING

of the County of FORSYTH and State of GEORGIA of the first part, and DENNIA H. FOUTS of the County of DAWSON and State of GEORGIA, of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable considerations... DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents do es grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, all that tract or parcel of land lying and being in the Fourth District and First Section of Dawson County,

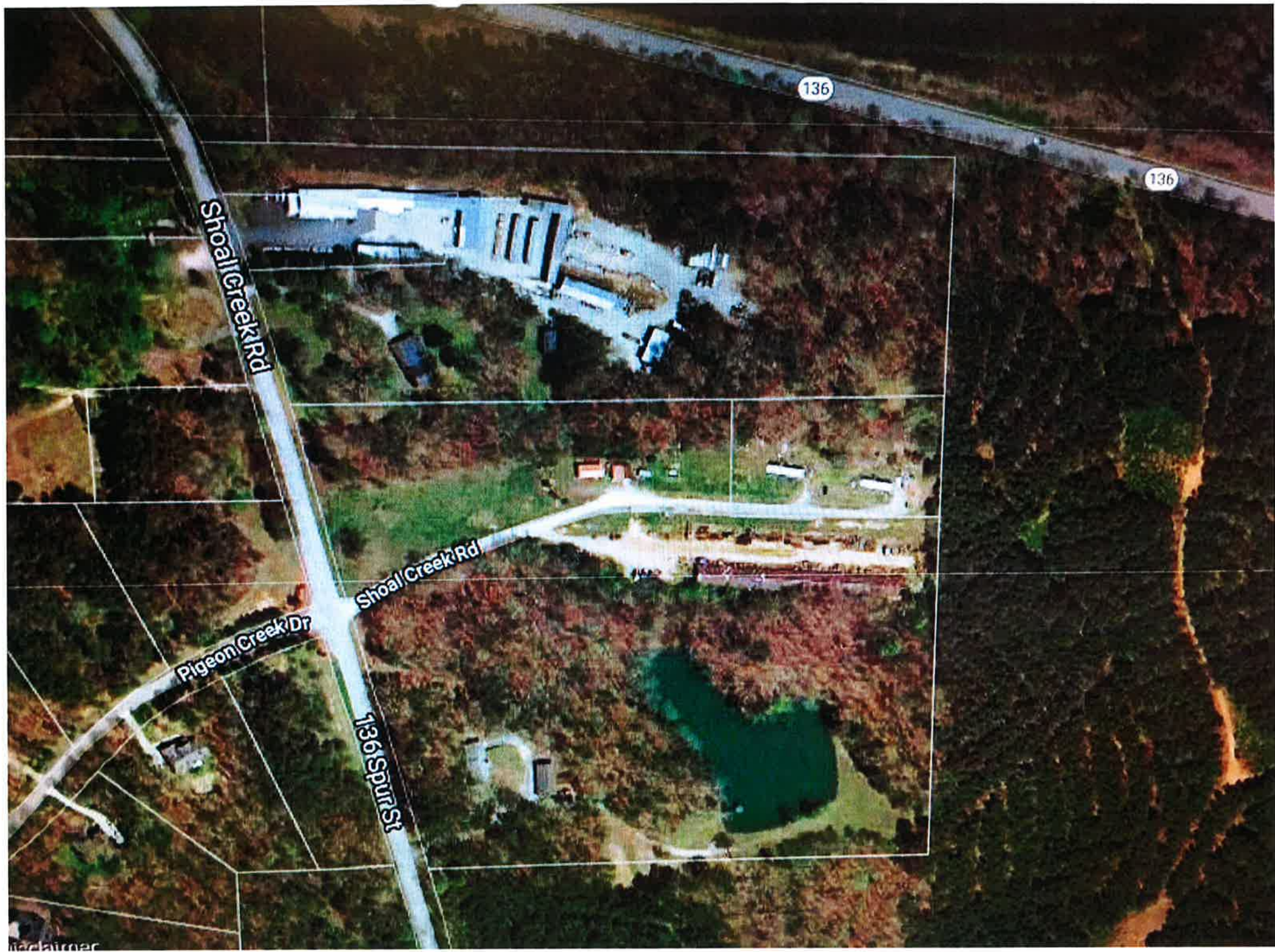
Georgia, and being part of Land Lot 165 and being more fully described as follows: BEGIN at a point where the South Line of Land Lot 165 intersects the East Right of Way of Highway 136 Spur, thence, N 13° 32' W 463.33 feet to an iron pin set, said iron pin being the TRUE POINT OF BEGINNING; thence, N 13° 32' W 452.3 feet more or less to an iron pin; thence, S 88° 51' E 1172.80 feet to an iron pin set on the East line of Land Lot 165; thence, S 00° 54' E 440 feet to an iron pin set; thence, N 88° 36' W 1070 feet to an iron pin set, said iron pin being the true point of beginning.

Said tract of land contains 11.3 acres more or less.

Dawson County, Georgia Real Estate Transfer Tax Paid \$ 81.50 Date 11-28-78 [Signature]

GEORGIA, DAWSON COUNTY CLERK'S OFFICE, SUPERIOR COURT FILED FOR RECORD at 1:10 P.M. 11-28-78 Recorded in Book 46 Page 74 This day of 11-19-78 [Signature] C. K. C.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit



January 3, 2019

To Whom It May Concern

I am requesting rezoning for the northern portion of my property located on Shoal Creek Road which borders Shoal Creek Building Supply, Inc.

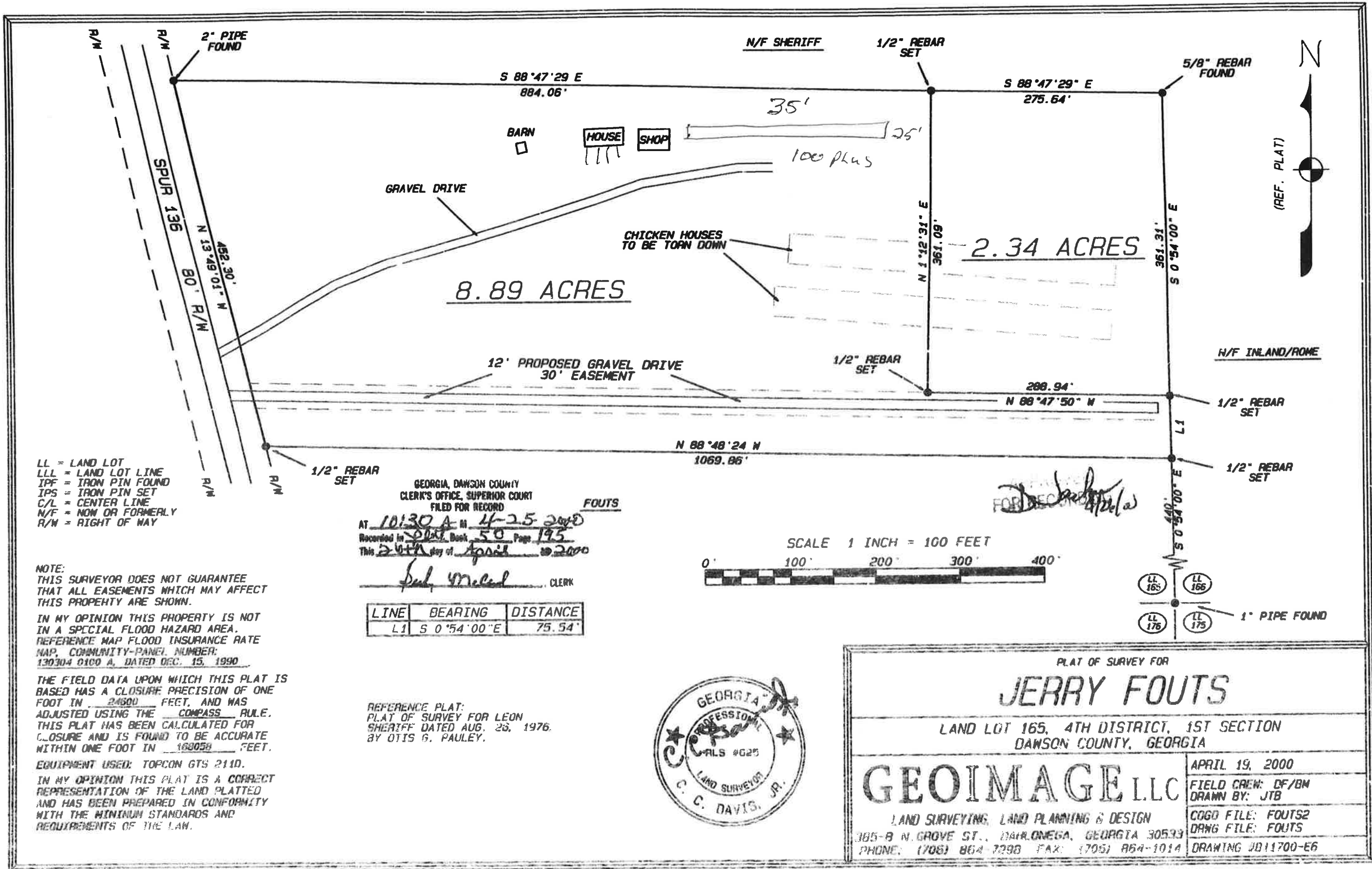
I am asking that approximately five acres be rezoned to Commercial so that I may build a Mini Storage facility. In Phase One, I would like to build forty 10' x 10' units and eight 5' x 10'. They will be constructed using Pre-Engineered Metal with a concrete floor. (See Attached)

I appreciate your help - Please feel free to contact me with any questions.

Sincerely,



Jerry Fouts



LL = LAND LOT
 LLL = LAND LOT LINE
 IPF = IRON PIN FOUND
 IPS = IRON PIN SET
 C/L = CENTER LINE
 N/F = NOW OR FORMERLY
 R/W = RIGHT OF WAY

NOTE:
 THIS SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

IN MY OPINION THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA. REFERENCE MAP FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER: 130304 0100 A, DATED DEC. 15, 1990

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24900 FEET, AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 168058 FEET.

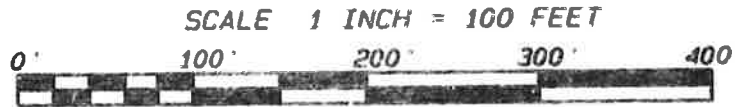
EQUIPMENT USED: TOPCON GTS 211D.

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

GEORGIA, DAWSON COUNTY
 CLERK'S OFFICE, SUPERIOR COURT
 FILED FOR RECORD
 AT 10:30 A.M. 4-25-2000
 Recorded in Book 50, Page 195
 This 25th day of April, 2000
 Sub. Milled, CLERK

LINE	BEARING	DISTANCE
L1	S 0°54'00"E	75.54'

REFERENCE PLAT:
 PLAT OF SURVEY FOR LEON
 SHERIFF DATED AUG. 28, 1976.
 BY OTIS S. PAULEY.



PLAT OF SURVEY FOR
JERRY FOUTS
 LAND LOT 165, 4TH DISTRICT, 1ST SECTION
 DAWSON COUNTY, GEORGIA

GEOIMAGE LLC
 LAND SURVEYING, LAND PLANNING & DESIGN
 385-B N. GROVE ST., DAWSON, GEORGIA 30533
 PHONE: (706) 864-7298 FAX: (706) 864-1014

APRIL 19, 2000
 FIELD CREW: DF/BM
 DRAWN BY: JTB
 COGO FILE: FOUTS2
 DRWG FILE: FOUTS
 DRAWING JB11700-E6

Item Attachment Documents:

2. ZA 19-03 - Linda Dunlavy on behalf of Etowah Water & Sewer Authority has made a request to rezone property located at TMP 087-001 from RA (Residential Agricultural) to RPC (Residential Planned Community). The development would consist of 288 +/- lots with 78 percent to remain in open space.

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 19.03 Tax Map & Parcel # (TMP): _____
Submittal Date: Feb. 6 '19 Time: 4:00 am/pm pm Received by: UNA (staff initials)
Fees Assessed: \$500 Paid: CHECK Commission District: 27
Planning Commission Meeting Date: March 19, 2019
Board of Commissioners Meeting Date: April 18, 2019

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Linda I. Dunlavy

Address: 1026 B Atlanta Ave, Decatur, GA 30030

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: Etowah Water and Sewer Authority

Street Address of Property being rezoned: 1349 Martin Road (part)

Rezoning from: RA to: RPC Total acreage being rezoned: 304.289

Directions to Property: From Atlanta, head north on GA 400, turn left on Dawson Forest Rd East. Continue
approximately 4.4 miles and the property is on the right.

Subdivision Name (if applicable): _____ Lot(s) #: 087 001

Current Use of Property: Vacant land

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

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

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

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RSR South RSR/RA East RA West RA

Future Land Use Map Designation: Planned Residential Community

Access to the development will be provided from:

Road Name: Dawson Forest Road Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use: Residential subdivision with +/- 288 lots

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

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

RESIDENTIAL

No. of Lots: 288 Minimum Lot Size: 5500 square feet (acres) No. of Units: 288

Minimum Heated Floor Area: 1200 sq. ft. Density/Acre: 0.95/acre

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

Is an Amenity Area proposed: Yes.; if yes, what? Pool, clubhouse, and tennis courts

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 2-1-19
Witness  Date 2-1-19

WITHDRAWAL

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

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

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

ZA _____

TMP#: _____

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.	<u>City of Atlanta, c/o Jennifer Andrews, Properties & Airline Affairs, PO Box 20509, Atlanta, GA 30320</u>
TMP <u>087 004</u>	2.	<u>Charles D Sams & Cherry L Richards, 715 Dawson Forest Road West, Dawsonville, GA 30531</u>
TMP <u>087 004 002</u>	3.	<u>Hank T & Emily H Bottoms, 1077 Dawson Forest Rd W, Dawsonville, GA 30534</u>
TMP <u>087 004 003</u>	4.	<u>Phillip & Jacqueline Kaye Hoang, 1023 Dawson Forest Rd, Dawsonville, GA 30534</u>
TMP <u>087 004 004</u>	5.	<u>Charles D Sams & Cherry L Richards, 715 Dawson Forest Road West, Dawsonville, GA 30534</u>
TMP <u>087 004 005</u>	6.	<u>Hoke J & Barbara A Marshall, 1505 Greenwood Ct, Canton, GA 30115</u>
TMP <u>087 004 001</u>	7.	<u>Garland G & Laurie Mills, 8091 Heardsville Circle, Cumming, GA 30028</u>
TMP <u>088 006</u>	8.	<u>Joe R Slaton, 551 Dawson Forest Rd, Dawsonville, GA 30534</u>
TMP <u>088 120</u>	9.	<u>Joe R Slaton, 551 Dawson Forest Rd, Dawsonville, GA 30534</u>
TMP <u>098 002</u>	10.	<u>Jeffrey S Bagley & Jan B Coleman, 5495 Post Rd, Cumming, GA 30040</u>
TMP <u>087 001 006</u>	11.	<u>Dawson Co. Board of Education, 517 Allen Street, Dawsonville, GA 30534</u>
TMP <u>087 001 003</u>	12.	<u>Dawson Co. BoE, River View Middle, 517 Allen Street, Dawsonville, GA 30534</u>
TMP <u>097 009</u>	13.	<u>James Holbrook, 204 Carsons Creek, Dawsonville, GA 30534</u>
TMP <u>097 002</u>	14.	<u>MLH Farms, LLC, 1637 War Hill Park Rd, Dawsonville, GA 30534</u>
TMP <u>097 001</u>	15.	<u>Thomas P Brannon, 213 Banister Rd, Dawsonville, GA 30534</u>

Use additional sheets if necessary.

List of Adjacent Property Owners (continued)

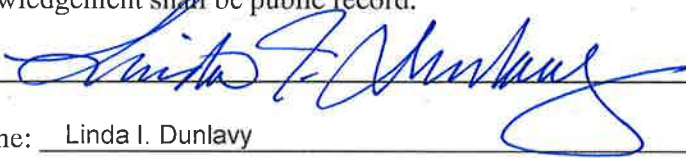
TMP	Name	Address
097 003	16.	MLH Farms, LLC, 1637 War Hill Park Rd, Dawsonville, GA 30534
097 004	17.	MLH Farms, LLC, 1637 War Hill Park Rd, Dawsonville, GA 30534
097 005 003	18.	Dawson County, 25 Justice Way, Suite 1222, Dawsonville, GA 0534
087 001 001	19.	ACCG, 25 Justice Way, Dawsonville, GA 30534
086 006	20.	Dawson Co School District, Dawson Co Bd of Educ, 517 Allen St, Dawsonville, GA 30534
096 009	21.	Jane T & Jerry Smith, 209 Thompson Rd, Dawsonville, GA 30534
086 002	22.	Overstreet Family Farm, LP, 160 Thompson Rd, Dawsonville, GA 30534
096 046	23.	Jerry L & Jane O Smith
096 030 001	24.	Overstreet Family Farm, LP, 160 Thompson Rd, Dawsonville, GA 30534
096 030	25.	Pamela Anne Bragg, 1419 Shoal Creek Rd, Dawsonville, GA 30534 ?? Entirely surrounded by 096 030 001, which abuts EWSA parcel. Include or not??
086 005	26.	??? No owner listed.

**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.

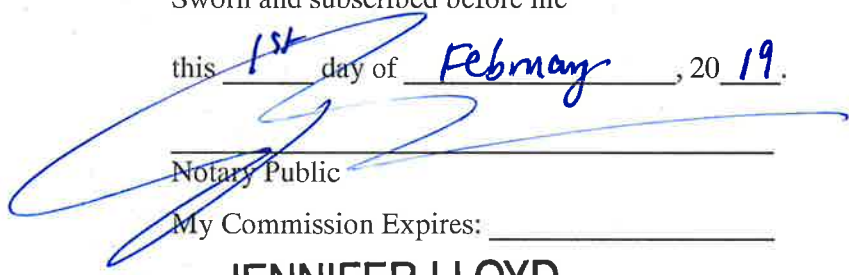
This notice and acknowledgement shall be public record.

Applicant Signature: 
Applicant Printed Name: Linda I. Dunlavy

Application Number: _____

Date Signed: 2-1-19

Sworn and subscribed before me
this 1st day of February, 2019.


Notary Public
My Commission Expires: _____

**JENNIFER LLOYD
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMM. EXPIRES
03/25/2022**

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

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

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

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

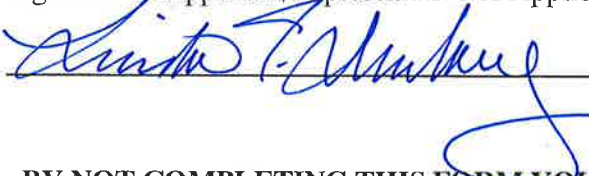
None. _____

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

Amount \$0 _____ Date: _____

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

Signature of Applicant/Representative of Applicant:

 _____ Date: 2-1-19

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

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

PROPERTY OWNER AUTHORIZATION

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

1349 Martin Road, Parcel ID 087 001

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: Linda I. Dunlavy

Signature of applicant or agent: [Signature] Date: 2-1-19

Printed Name of Owner(s): Etowah Water and Sewer Authority by Brooke Anderson, Gen. Mgr.

Signature of Owner(s): [Signature] Date: _____

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed _____
Unlisted _____

Sworn and subscribed before me this 1 day of February, 2019.

[Signature]
Notary Public

My Commission Expires: March 2022



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

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

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

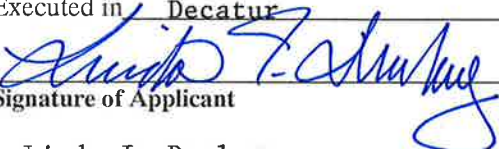
- I am a United States citizen.
- I am a legal permanent resident of the United States. (FOR NON-CITIZENS)
- I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.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

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

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

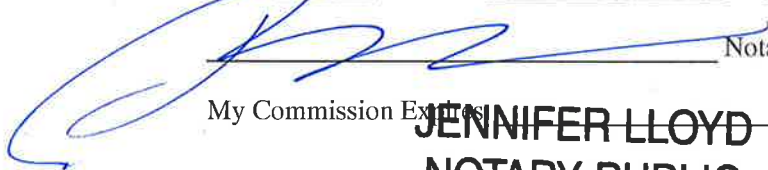
The secure and verifiable document provided with this affidavit can best be classified as:

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

Executed in Decatur (city), Georgia (state)
 2-1-19
Signature of Applicant Date
Linda I. Dunlavy Etowah Water and Sewer Authority
Printed Name Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 1st DAY OF February, 2019

 Notary Public
My Commission Expires

JENNIFER LLOYD
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMM EXPIRES
(Notary Seal)
03/25/2022

LETTER/STATEMENT OF INTENT

And

Other Material Required by
Dawson County Land Use Resolution

By

ETOWAH WATER AND SEWER AUTHORITY

To Rezone +/- 304.289 acres of Land

Located near the intersection of Dawson Forest Road and SR 9
Land Lots 983,984,989, 900, 901, 1050, 1051, 1052, 1053, 1057, 1058, 1059, 4th
District, Dawson County
Parcel Id. 087 001

Submitted for Applicant by:

Linda I. Dunlavy

Dunlavy Law Group, LLC

1026 B Atlanta Avenue

Decatur, Georgia 30030

(404) 371-4101 Phone

(404) 371-8901 Facsimile

ldunlavy@dunlavylawgroup.com

I. INTRODUCTION

This Application seeks to rezone a +/- 304.289¹ acre parcel near the intersection of Dawson Forest Road and Highway 9 in (“Subject Property”). This parcel is part of a larger tract of contiguous land owned by Etowah of approximately 945 acres. Etowah originally purchased approximately 1155 acre contiguous tract to create, upgrade and improve the provision of sewer services facilities and systems for the servicing of what is now the Georgia 400 retail/outlet center. Etowah conveyed 50.80 acres of the original tract to the County for Rock Creek Park in December of 1999. In mid-2001 an additional 116.90 acres of the original tract was sold to Georgia Power and in March of 2007 an additional 18.05 acres was sold to the Board of Education for what would ultimately be used for Riverview Elementary and Middle Schools. Etowah would like to rezone and sell the +/- 304.289 acre parcel for development of a conservation subdivision zoned RPC and developed with single family detached residences at a density of 0.94 to 0.95 units per acre.

The Subject Property is currently vacant undeveloped land with the Etowah River traversing it from west to east and burdened with a sanitary sewer line (not within a recorded easement) on the western third of the subject property. It is zoned RA and is designated on the Future Land Use Map for Planned Residential Community use. Etowah has no current use for the Subject Property and foresees no future use for it by the Authority. This Application seeks to rezone the parcel to RPC to allow for the development of this site with no more than 288 single family detached homes south of the Etowah River. The conceptual site plan depicts lots with 50 and 60 foot frontages and

¹ The site plan shows 304.288 acres, whereas the survey shows 305.233 acres.

minimum lot sizes of 5500 square feet. More than 78% of the Subject Property would remain as open space. Future residents would be served by an amenity package (club house, pool and tennis courts) fronting on Dawson Forest Road along with walking trails along the south side of the Etowah River connected to and into the community. All land north of the river within the rezoned parcel would remain natural and undisturbed. Two access points would be provided from Dawson Forest Road. There would be no access from SR 9.

Immediately to the south east of the Subject Property is Riverview Elementary and Middle Schools zoned RA. Immediately to its north is the Dawson Forest Water Reclamation Plant on Martin Road, Rock Creek Park and the Humane Society zoned RA; to the northeast is River Park and the kayak launch zoned RA; to the west is the Dawson Forest Wildlife Management Area zoned RA. Across the road from the Subject Property on SR9 and on Dawson Forest Road are sparsely scattered agricultural residences, zoned RA and RRE. The Future Land Use Map depicts the Subject property as PRC with properties to the north and east as Public/Institutional; to the south and east as Mixed Use Village and to the west as Forestry.

Included with this Letter of Intent are: a conceptual site plan depicting the conservation community proposed; an existing conditions survey, a tax map depicting the Subject Property and the larger tract with which it is associated (087 001), the Dawson County Road Map, the Dawson County Future Land Use Map 2033, the Dawson County Land Use District Map and relevant tax and zoning information regarding the subject Property and other properties within Dawson County approved for RPC or master planned communities. Counsel for the Applicant and applicant met with the Dawson

County Planning staff for a pre-application meeting on February 4, 2019, and shared the site plan and other information concerning the proposed rezoning. Because the proposed number of housing units exceeds the threshold for DRI review, the Applicant has provided the information required for the filing of a Form 1 within the contemporaneously filed application material. Finally, the Applicant is willing to hold a town hall meeting concerning the proposed rezoning should the Planning staff deem it advisable and will continue to reach out to the community to provide information concerning the proposed rezoning as it moves through the process.

II. IMPACT ANALYSIS

The Dawson County Land Use Resolution provides as follows:

Sec. 121-313. - Guidelines to be considered in granting amendment.

Whenever consideration is being given to an amendment to this chapter, 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.*

The Applicant submits the following facts and information relevant to the Guidelines set forth above:

1. The existing uses and classification of nearby property.

As detailed above all nearby property is used for either institutional/public purposes (schools, parks, water reclamation) or rural residential single family uses. However, the Future Land Use Plan envisions a Residential Planned Community, such as the one proposed by the Applicant for the Subject Property and a Mixed Use Village and Commercial developments on the south side of Dawson Forest Road. The proposed conservation neighborhood furthers the vision of the future Land Use Plan.

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

The RA designation on the subject property currently permits only one residential unit on five acre lots. This would allow a gross yield of 61 units on the Subject Property, however, due to the buffers required around the river and the sewer bisecting the western side of the Subject Property and other development constraints the net yield would likely be significantly lower. With the rising land costs in Dawson County the RA zoning designation is simply not economically viable. Even if it were, to maximize its viability an RA development would require the clear cutting of this relatively pristine property and not allow for the conservation areas proposed in the current application. It would have considerably more environmental impact on the land than the conservation approach proposed by the Applicant through the clustering of housing units and the provision of more than 78% open space.

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

It could be argued that preservation of the RA zoning for the Subject Property promotes the general health, safety, morals or general welfare of the public but it

would do so to the detriment of the future economic development of the County and contrary to the vision set forth in the Future Land Use Plan. Dawson County has numerous large lot residential uses currently but with increasing population pressures sorely needs to provide a diversity of housing types. Not all Dawson County residents desire 5 acres for their residence. The proposed community provides for smaller lots but significant attractive amenities within a forested setting adjacent to the Etowah River. Applicant submits that retention of the RA zoning classification on the Subject Property would not only be a detriment to the Applicant but to future residents of the County. Redevelopment of the Subject Property with a new, vibrant conservation community on site will generate tax dollars for the County and provide stimulus for future development, thereby likely increasing, rather than diminishing property values for the Subject Property and its surrounds.

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

As noted above, the County would improve its housing diversity and options by approving the proposed rezoning. It would receive more tax dollars and the proposed development would spur future development as envisioned in the Future Land Use Plan. The zoning would not result in a use that will or could cause an excessive burden on existing streets, public facilities or schools. There is public sewer on site; gas, water and power will be available. Its proximity to Riverview Elementary and Middle Schools provides a walking opportunity for school children cutting down on traffic in and out of the schools.

The existing infrastructure is more than adequate to handle any additional traffic generated by the proposed use. However, GDOT already has plans for road

improvements at Dawson Forest Road and SR9 with construction slated to begin in July of 2019 and completed by 2021. The proposed GDOT project would replace the existing unsignalized intersection with a double round about. The roundabout is expected to reduce accidents at the intersection and promote better traffic flow.

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

The proposed rezoning is suitable for the Subject Property because it is compatible with the Future Land Use Map, it will not stimulate any adverse environmental impacts but rather will allow for preservation of more than 78% open space, it will stimulate future growth in the area, such as providing roof tops for the envisioned Mixed Use Village and Commercial land use designations south of the Subject Property and will take a property that does not contribute to the tax base of Dawson County and put in on the tax rolls. Dawson County has approved several master planned communities to which this proposed conservation community is comparable if not superior. Those approved communities include Crystal Falls, Big Canoe, the Dawson County part of Riverview Manor, Chestatee and Gold Creek when it was in Dawson County. The proposed community compares favorably with these other approved master planned communities. Details regarding these communities is found below:²

² Some details were difficult to find due to changes in the original master plans and lack of a public data base with this information. However, relevant documents concerning these communities are found in the application packet filed with this Letter of Intent.

Name of Development	No. of acres	No. of units	Density	Lot size minimum
Big Canoe		1908		0.25
Chestatee	530	543	1.02 upa	
River Manor	25.21 (Dawson Co)	21	0.84 upa	25,500 sq. ft
Crystal Falls	1039	1013	0.975 upa	6000 sq. feet
Gold Creek	+/- 600	498	2.02 upa	5500 sq. ft

The density and lot sizes of the proposed community are within range of previously approved communities. Moreover, it is believed that the 78% of open space provided far exceeds the open space of any of the other communities. In other words, the zoning is clearly suitable in light of previous approved master planned communities and the land use classification for the Subject Property.

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.

The Applicant attempted to get the Subject Property rezoned to RPC in 2007. This previous proposal sought rezoning of 248 acres of the Subject Property for a mixed use development with 494 units (townhomes and single family detached), +/- 9.5 acres of commercial and 48% open space. This request (ZA 07-01) was unanimously denied by the Board of Commissioners. The land has been vacant and undeveloped for the entirety of the intervening 12 years.

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.

The unique facts concerning the Subject Property, while presenting a hardship to the Applicant if not rezoned, present a unique opportunity if rezoned. The heavy

vegetation on site and the Etowah River flowing through the site provide a unique development opportunity for the creation of a creative conservation community with amenities of limited availability in the County which will likely increase property values for surrounding owners and stimulate growth in this section of the County.

CONCLUSION

For all the foregoing reasons, the Applicant respectfully requests that the Subject Property be rezoned from RA to RPC pursuant to the conceptual site plan submitted herewith and any other conditions appropriate to minimize perceived impacts of the development on the surrounding community.

This 6th day of February, 2019.

Respectfully submitted,



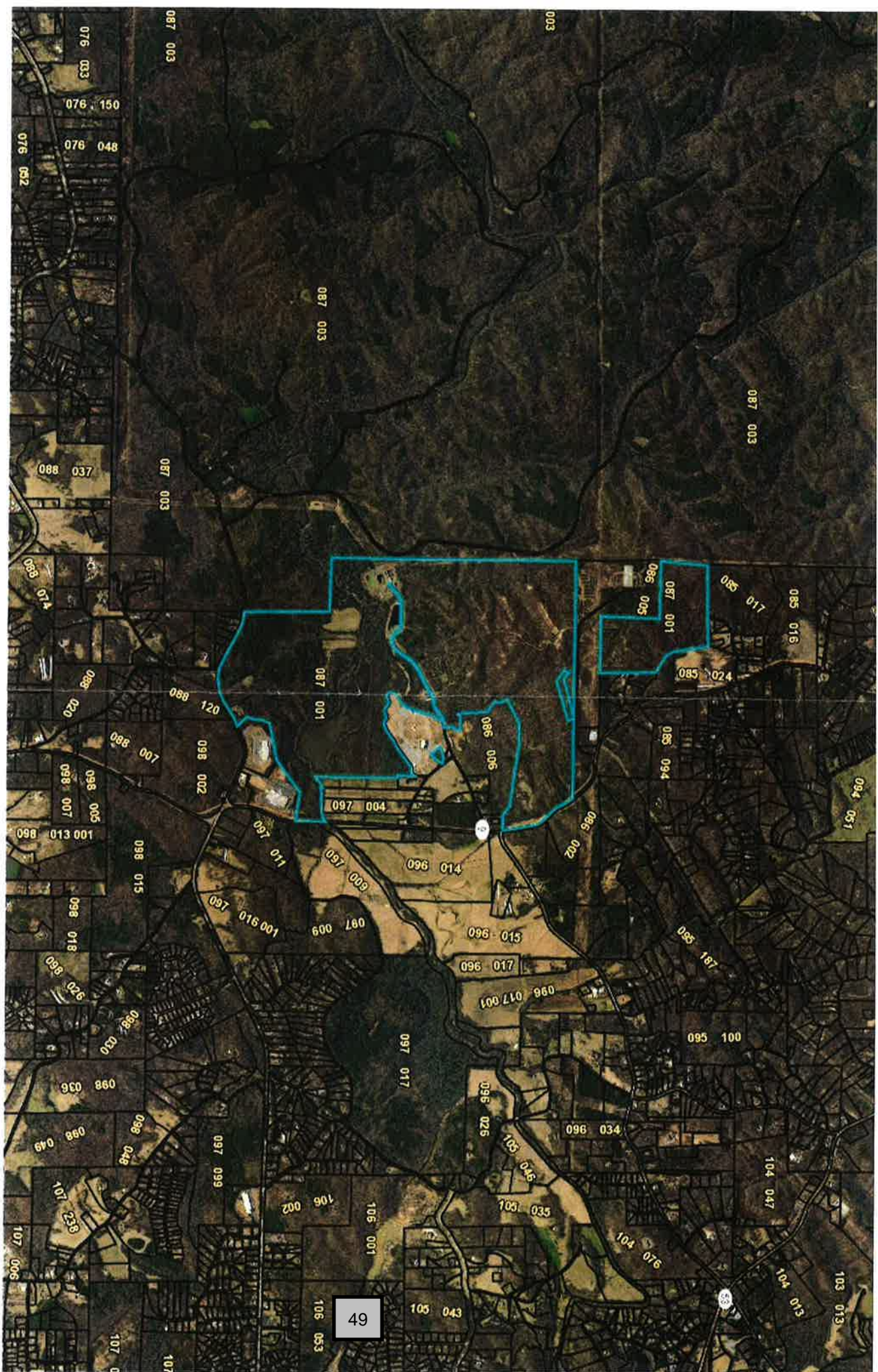
Linda I. Dunlavy
Attorney for Applicant

Dunlavy Law Group, LLC
1026 B Atlanta Avenue
Decatur, Georgia 30030
(404) 371-4101 Telephone
(404) 371-8901 Facsimile
ldunlavy@dunlavylawgroup.com

PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that the current zoning classification, to the extent that it prohibits the use proposed, constitutes an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because it bears no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Property owners in violation of the due process and equal protection rights of the property owner guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, the Applicant respectfully submits that the Board of Commissioners failure to approve the requested zoning map amendment would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.



DRI Information

Developments of Regional Impact

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DEVELOPMENT OF REGIONAL IMPACT Initial DRI Information

This form is to be completed by the city or county government to provide basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government:	Dawson County
Individual completing form:	Linda I. Dunlavy
Telephone:	404-371-4101
E-mail:	ldunlavy@dunlavylawgroup.com

*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

Proposed Project Information

Name of Proposed Project:	Dawson Forest Planned Community
Location (Street Address, GPS Coordinates, or Legal Land Lot Description):	1349 Martin Road, Parcel 087 001
Brief Description of Project:	A single family detached master planned community of 288 lots on +/- 304 acres.

Development Type:

- | | | |
|--|---|---|
| <input type="radio"/> (not selected) | <input type="radio"/> Hotels | <input type="radio"/> Wastewater Treatment Facilities |
| <input type="radio"/> Office | <input type="radio"/> Mixed Use | <input type="radio"/> Petroleum Storage Facilities |
| <input type="radio"/> Commercial | <input type="radio"/> Airports | <input type="radio"/> Water Supply Intakes/Reservoirs |
| <input type="radio"/> Wholesale & Distribution | <input type="radio"/> Attractions & Recreational Facilities | <input type="radio"/> Intermodal Terminals |
| <input type="radio"/> Hospitals and Health Care Facilities | <input type="radio"/> Post-Secondary Schools | <input type="radio"/> Truck Stops |
| <input checked="" type="radio"/> Housing | <input type="radio"/> Waste Handling Facilities | <input type="radio"/> Any other development types |
| <input type="radio"/> Industrial | <input type="radio"/> Quarries, Asphalt & Cement Plants | |

If other development type, describe:

Project Size (# of units, floor area, etc.):	288 single family detached units, 5500 sf lot minimum
Developer:	Etowah Water & Sewer Authority
Mailing Address:	P. O. Box 769, 1162 Hwy 53 East
Address 2:	
City:	Dawsonville
State:	GA
Zip:	30534
Telephone:	706-216-8474, x234
Email:	banderson@etowahwater.org
Is property owner different from developer/applicant?	<input type="radio"/> (not selected) <input type="radio"/> Yes <input checked="" type="radio"/> No
If yes, property owner:	
Is the proposed project entirely located within your local government's jurisdiction?	<input type="radio"/> (not selected) <input checked="" type="radio"/> Yes <input type="radio"/> No
If no, in what additional jurisdictions is the project located?	
Is the current proposal a continuation or expansion of a previous DRI?	<input type="radio"/> (not selected) <input type="radio"/> Yes <input checked="" type="radio"/> No
If yes, provide the following information:	Project Name: <input type="text"/> Project ID: <input type="text"/>
The initial action being requested of the local government for this project:	<input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Variance <input type="checkbox"/> Connect Sewer <input type="checkbox"/> Connect Water <input type="checkbox"/> Permit <input type="checkbox"/> Other <input type="text"/>
Is this project a phase or part of a larger overall project?	<input type="radio"/> (not selected) <input type="radio"/> Yes <input checked="" type="radio"/> No
If yes, what percent of the overall project does this project/phase represent?	
Estimated Project Completion Dates:	This project/phase: <input type="text" value="12/2019"/> Overall project: <input type="text" value="2021"/>
<input type="button" value="Submit Application"/> <input type="button" value="Save without Submitting"/> <input type="button" value="Cancel"/>	
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GDOT Improvements

GDOT holds open house for proposed Hwy. 9 and Dawson Forest Road intersection improvements

Double roundabout estimated to open in 2021



Georgia Department of Transportation Project Manager Heidi Schneider talks to a citizen about proposed double roundabout at Dawson Forest Road and Hwy. 9 during an open house May 13. - photo by Ailie Dean

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Allie Dezin
adezin@dawsonnews.com
Updated: May 23, 2018, 12:12 p.m.



Dawson County residents trickled into the lunchroom at Riverview Elementary School last Tuesday to see and hear plans for a double roundabout planned at the intersection of Hwy. 9 South and Dawson Forest Road.

Representatives with the Georgia Department of Transportation stood at various stations, passing out information and comment cards to attendees and answering questions about the proposed traffic changes.

Julie Hughes Nix, Dawson County's District 4 commissioner, was one of the first to arrive, and talked with a GDOT representative about the proximity of her home and property to the new roundabouts.

Nix lives on Dawson Forest Road East just before the intersection, but was told that the only thing that would impact her directly would be a few feet of paving at the end of her driveway.

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In fact, no right of way will have to be acquired for the project, which is estimated to cost around \$4 million.



Intersection right-of-way will have to be widened for the project, subject to the right-of-way.

The double roundabout is estimated to open in the summer or fall of 2021 after 18 to 24 months of construction. GDOT will award the contracts for the work in July of 2019, with a potential start date for construction later that summer.

The reason that two single-lane roundabouts are necessary at the crossroads is due to the existing structure of the two intersections.

According to the project plans, there are two intersections on Hwy. 9 prior to the main intersection, and both provide right-turn access to Dawson Forest Road via a connector street. There are also two intersections on Dawson Forest Road prior to the main intersection and both provide left turn access to Hwy. 9 via a connector street.

The proposed project would replace the existing unsignalized intersections with the roundabouts, which will be constructed independently of each other since the existing intersections are offset from each other.

One big roundabout, as one citizen suggested at the open house, wouldn't be feasible.

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table at tonight's city council meeting

Westboro Baptist protesters, counterprotesters demonstrate at Gainesville churches

Georgia Supreme Court issues opinion on former Mayor James Grogan's appeal

Georgia State Patrol releases details in Hwy. 136 wreck that injured five



← → ↻ <https://www.dawsonnews.com/local/gdot-holds-open-house-proposed-hwy-9-and-dawson-forest-road-intersection-improvements/> ☆ ⓘ

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Many of the citizens present at the open house were merely curious about how the traffic would flow around the intersection (something difficult to describe even when watching the GDOT-provided video diagrams) or how construction would affect their commute to work, and the question and answer session proved fruitful as many had their queries answered.

Some, however, remained resolute that the concept of two roundabouts is too much in a county still reeling from a certain Continuous Flow Intersection located at Ga. 400 and Hwy. 53, which was completed last May.

"I went to the original meeting for the (CFI), what it ended up with isn't what they originally showed," said Sarah Reed, county resident. "It's common sense versus GDOT. People in the U.S. aren't used to traffic circles unless you've lived in D.C. It's an accident waiting to happen." Reed's pessimism was shared by many, but according to Katie Strickland, District One communications officer with GDOT, once completed, the roundabouts will actually reduce conflict points and enhance safety.

"You're not going to have the high-speed angle crashes, you're not going to have the left turn crashes, you're not going to have the head-on collisions. So those three will be eliminated from these roundabouts."

Between 2009 and 2014, there were 40 crashes, 30 injuries and no fatalities at the intersection, according to Strickland.

table at tonight's city council meeting

Westboro Baptist protesters, counterprotesters demonstrate at Gainesville churches

Georgia Supreme Court issues opinion on former Mayor James Grogan's appeal

Georgia State Patrol releases details in Hwy. 136 wreck that injured five

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Dawsonville, GA 30074
478.625.5417 (T255)
www.dawsoncountypa.com @dawsonpa

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"Converting this to the roundabout could result in reducing crashes by 45.6 percent, and that was part of the study that (GDOT) did," she said.





Dawson County Transfer Station is operating under normal business hours (7 a.m.-5 p.m. Monday-Saturday). However, phones are down at the Transfer Station until further notice due to construction. Please call the Public Works department at 706-344-3501 with any questions or concerns.

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GDOT: Proposed Road Projects for Dawson County

SR 400/SR 53 CFI (Continuous Flow Intersection)

Completion date of construction is 5/10/2017. Project is on schedule.

SR 53-Hugh Stowers Road Intersection Improvement

GDOT District Engineer Sue Anne and GDOT District Traffic Operations Engineer Shane Giles are looking into the plans Dawson County has submitted. Discussions took place today with Brent Cook and his staff member regarding the possibility of restricting the access to a right in, right out from SR 53 and to SR 53. Allowing only a left turn in heading west on SR 53. What would be removed is the north bound traffic from Stowers Road turning left on to SR 53 heading toward the city.

SR 53 – SR 183 Roundabout

Issued an NTP (Notice To Proceed). Construction to begin in March or April, 2017.

SR 52 – SR 183 Roundabout

Conducted final field plans and review, in the process of right-of-way acquisition phase, scheduled to be let possibly in 2018, project is considered a priority.

Dawson Forest-53 Intersection & Thompson Creek Road Roundabout

GDOT has quick-response money available for projects under \$200,000. Depending on the estimates, there is a possibility that this project will qualify. If so, it will be considered a priority project. Possibly 2018.

SR 136-Keith Evans Road Intersection & Bailey Waters Road Roundabout

Will require BOC to authorize the Chairman to construct a support letter requesting GDOT to review.

SR 9 S & Dawson Forest Road Roundabout

Money has been authorized for engineering. There is no schedule yet looking ahead, approximately 2 years out.

SR 9 S Bridge Replacement

BOC to approve GTC easement and restrictive covenant. Once approved, GDOT contractor mobilization date should be in February, clearing in March, construction in April. Traffic will be maintained by a portable traffic light, one way at a time.

SR 136 Bridge Replacement

Bridge closure beginning February 6, 2017, for approximately 180 days to completion.

SR 53-Lumpkin Campground and Turn Lane

GDOT is working with Dawson County on funding improvements to the intersection of Lumpkin Campground and SR 53. This will be a joint project between the county & the state. The state will provide the funding and the county will do the work.

Bare Tooth Parkway Traffic Signal

State will not commit to a traffic signal at that location due to the potential impacts to the CFI intersection at SR 53 & SR 400.

Restricted Access at Intersection of Kilough & SR 400 and Outlet Mall Entrance on to SR 400

Several years ago a safety study was conducted on SR 400. Three intersections were identified as critical safety hazards: Kilough Church Road intersection, the Outlet Mall entrance, and Industrial Blvd./ Bare Tooth Pkwy. The crash data showed that most accidents occurred due to cross-over traffic. On or about 2012, GDOT constructed a median break, prohibiting cross-over traffic at the intersection of Bare Tooth Pkwy and Industrial Blvd. GDOT is proposing to install the same at the other locations per approval by the county.

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CONFLICT OF INTEREST IN ZONING
Disclosure of Financial Interests
(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

Public Hearing Dates: Planning Commission April 16, 2019 Board of Commissioners May 16, 2019



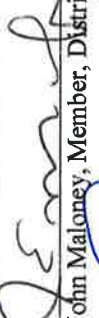


The Conflict of Interest in Zoning Actions Act (OCGA Chapter 67A) requires disclosure of property and financial interests by a public official who will consider rezoning actions. *Property Interest* is defined as ownership of real property, including any percentage of ownership less than total ownership. *Financial Interest* is defined as all direct ownership interests of the total assets or capital stock of a business entity (corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust) where such ownership interest is 10 percent or more. Disclosure must also be made if a public official has a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property or financial interest in the applicant's property.

Please indicate by circling the appropriate response if either a property or financial interest exists in the zoning application listed below. If "yes" is indicated, the attached "Disclosure of Financial Interests" form must be completed for each zoning application.

Case # ZA 19-03 Proposed Use: to rezone property from R-A to RPC for the purposed use of a 288 +/- residential planned community
 Rezoning From: R-A to RPC Location: Dawson Forest Rd. TMP#: 087 001

Applicant: Linda Dunlavy obo Etowah Water & Sewer Authority Owner(s): Etowah Water and Sewer Authority

ANNING BOARD MEMBERS

Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Emory Dooley, Member	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Billy Thurmond, Chairman</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Jason Hamby, Chairman, District 1	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Sharon Fausett, District 1</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 John Maloney, Member, District 2	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Chris Gaines, District 2</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Tim Bennett, Member, District 3	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Tim Satterfield, District 3</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Neil Hornsey, Member, District 4	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Julie Hughes-Nix, District 4</u>

BOARD OF COMMISSION MEMBERS

APPROVAL

Public Hearing of Rezoning Request

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

ZA 19-03

Date of Hearing: April 16, 2019

Applicant's Name: Etowah Water & Sewer

Address: _____

Tax Map Parcel Number: 087-001

Parcel Currently Zoned: RA


Rezoning Requested: RPL

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

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

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

maximum of 288 lots
minimum of 50% of development to remain in open space



Chairman Jason Hamby

4-16-19

Date

Dawson County Planning Commissioner

Item Attachment Documents:

3. ZA 19-05 - Dawson Village Partners has made a request to rezone property located at TMP 112-019, 113-057-002, 112-109, 104-065, 104-028, 104-029, 112-018 and 104-027 from CHB (Commercial Highway Business), RA (Residential Agriculture), RPC (Residential Planned Community), CPCD (Commercial Planned Community Development) and COI (Commercial Office/Institution) to Mixed Use Village.

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 19.05
Tax Map & Parcel # (TMP): 112 019, 113 057 002, 112 109, 104 065, 104 028, 104 029, 112 018, 104 027, 11 024 001
Submittal Date: 2-8 Time: 12:00 am/pm Received by: [Signature] (staff initials)
Fees Assessed: \$2900 Paid: check #109 Commission District: _____
Planning Commission Meeting Date: March 19, 2019
Board of Commissioners Meeting Date: April 18, 2019

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Dawson Village Partners c/o Shaun R. Adams, Esq. of Andersen Tate & Carr, P.C.

Address: 1960 Satellite Blvd., Suite 4000, Duluth, GA 30097

Phone: Listed _____ Email: _____
Unlisted _____ 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: Dec. 11, 2018 Applicant Signature: [Signature]

PROPERTY OWNER/PROPERTY INFORMATION

Name: Barry Conner (112 019, 113 057 002, 112 109, 104 065, 104 028, 104 029)/Doris Byrd Stephens (112 018)/Gordon Fishburne(104 027)/Mitigation Resource Group (111 024 001)

Street Address of Property being rezoned: Eastern Boundary: Corner Ga 400 & Lumpkin Campground Rd
Western Boundary: 1094 Etowah River Road

Rezoning from: R-A, RPC, C-HB, C-PCD, & C-CI to: MUV-Mixed Use Village District Total acreage being rezoned: 974

Directions to Property: North on Ga 400 to Lumpkin Campground Rd. Property is on the NW corner of intersection and extends north almost to Grant Rd

Subdivision Name (if applicable): Etowah Village Lot(s) #: 2,492 + 235 Assist Lvg

Current Use of Property: Agriculture

Any prior rezoning requests for property? yes if yes, please provide rezoning case #: ZA 00-14

***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? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North _____ South _____ East _____ West _____

Future Land Use Map Designation: Commercial Highway Business, Campus Style Business Park, Multi-Family, Planned Residential Community, Suburban Residential, Agriculture, & Parks/Recreation

Access to the development will be provided from:

Road Name: Ga 400, Lumpkin Campground Rd, SR 53, Etowah River Rd Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

[X] Rezoning to: MUV- Mixed Use Village [] Special Use Permit for: _____

Proposed Use: a Master Planned Community with a broad mix of uses to complement each other and the surrounding community.

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

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

RESIDENTIAL

No. of Lots: 2492+235 Assist Lvg Minimum Lot Size: 4,000 sf (acres) No. of Units: 2,727

Minimum Heated Floor Area: varies sq. ft. Density/Acre: 2.8/ac

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

Is an Amenity Area proposed: yes; if yes, what? Standard neighborhood amenities+public park, canoe launch, walking trails, museums, retail within walking distance,

COMMERCIAL & INDUSTRIAL

Building area: Retail: 538,780 SF No. of Parking Spaces: varies per use but meets Dawson Co
Office: 243,200 Regulations
Convention & Performing Arts Center: 110,000

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 2/5/19
Witness Anjala Bryant Date 2/5/19

WITHDRAWAL

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

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

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

ZA _____

TMP#: _____

List of Adjacent Property Owners

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

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

	<u>Name</u>	<u>Address</u>
TMP _____	1. See Attached List	_____
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.

Tax Map Parcel	Name	Address	City	State	Zip Code	Zoning
103-025-001	Kenneth B. Clary	5825 Glen Ridge Drive, BLDG. 2 STE. 111	Atlanta	Georgia	30328	RA
103-025	James Wesley Gasaway	7685 Chestnut Hill Road	Cumming	Georgia	30041	RA
103-005	Green William & James A Green III Trust & Ann Green Mosley	472 Indian Creek Drive	Cocoa Beach	Florida	32931	RA
111-022	Herman Chester	1689 Etowah River Road	Dawsonville	Georgia	30534	RA
111-110	Ricky Raye Nelson	3315 Shady Cover Road	Cumming	Georgia	30041	RA
111-021	Grafstein Michael H & David J Savula	253 Station Trail	Dawsonville	Georgia	30534	RSR
111-020	Grafstein Michael H & David J Savula	253 Station Trail	Dawsonville	Georgia	30534	RSR
111-024-003	Cotter Dawn & Grady B	2150 Etowah River Road	Dawsonville	Georgia	30534	RSR
112-001	McClure C N	772 Stowers Road W	Dawsonville	Georgia	30534	RSR
112-001-001	McClure C N	772 Stowers Road W	Dawsonville	Georgia	30534	RSR
112-017-001	Behrmann Heidi J	12033 Gandy Blvd N, Apt 181	St. Petersburg	Florida	33702	RA
112-105	Sweetland Investments LLC	5384 Fox Hill Drive	Norcross	Georgia	30092	RSR
112-015	Hartner Christie	317 Grant Road W	Dawsonville	Georgia	30534	RA
112-106	Wiechard Greg & Kelly	267 Grant Road W	Dawsonville	Georgia	30534	RSR
112-014	Topper Mary A	101 Grant Road West	Dawsonville	Georgia	30534	RSR
104-027	Fishburner Gordon T & Louella H	1094 Etowah River Road	Dawsonville	Georgia	30534	RA
112-108	Ray Richard	5235 HWY 53 East	Dawsonville	Georgia	30534	RA
104-067-001	Gober Family Limited Partnership	46 Riverview Drive	Dawsonville	Georgia	30534	RS
104-067-002	Thompson Mary Lelia Gober	46 Riverview Drive	Dawsonville	Georgia	30534	RS
104-067-003	Clark David W & Leigh A	56 Riverview Drive	Dawsonville	Georgia	30534	RS
104-067-006	Minor William W & Treva K	126 Riverview Drive	Dawsonville	Georgia	30534	RS
104-067-008	Link Harold H & Theresia	162 Riverview Drive	Dawsonville	Georgia	30534	RS
104-067-009	Bianchini John P & Julie M Zeidler	188 Riverview Drive	Dawsonville	Georgia	30534	RS
104-067-010	Tamasi Terry M	189 Riverview Drive	Dawsonville	Georgia	30534	RS
104-067	Chestatee LLC	8595 Dunwoody Place	Atlanta	Georgia	30350	RS
104-063	Chestatee LLC	8595 Dunwoody Place	Atlanta	Georgia	30350	RSR
104-173	McMicheal Holdings LLC C/O Richard Waites	3585 Northside Pkwy NW	Atlanta	Georgia	30327	RA
104-024	Bishop Gary	904 Etowah River Road	Dawsonville	Georgia	30534	RA
104-025	Holcombe Patricia	947 Etowah River Road	Dawsonville	Georgia	30534	RA
104-026-001	Hubbard Leland B	1017 Etowah River Road	Dawsonville	Georgia	30534	RA
103-026	Stapler Kathy T J	1933 Seed Tick Road	Dawsonville	Georgia	30534	RA
112-025-002	Red Rock LLC Woodruff Management Group C/O Brenda Duffy	5430 New Northside Drive, STE 200	Atlanta	Georgia	30339	C-HB
113-057-002	America's Home Place, INC	PO Box 1316	Gainseville	Georgia	30503	RA
113-095	Stephens Christopher B & Vaudell	995 Lumpkin Cmpgd Road N	Dawsonville	Georgia	30534	RA
113-044-010	Stephens Jr. Roger Lanier	859 Lumpkin Campground Road	Dawsonville	Georgia	30534	RA

113-044-001	Stephens Marjorie Ann	759 Lumpkin Campground Road	Dawsonville	Georgia	30534	RA
113-032-004	Stephens Edna K	445 Lumpkin Campground Road	Dawsonville	Georgia	30534	VCR
113-032-001	Stephens Russell N & Felicia D	555 Lumpkin Campground Road	Dawsonville	Georgia	30534	RA
112-098-007	Frazier Michael Wayne & Kimberly A	326 Brights Way	Dawsonville	Georgia	30534	RS
112-098-008	Pagel Keith John	334 Brights Way	Dawsonville	Georgia	30534	RS
112-098-009	Poisson Daniel C & Rebecca C	340 Brights Way	Dawsonville	Georgia	30534	RS
112-098-010	Lewis Bruce Wayne	PO Box 2703	Cumming	Georgia	30028	RS
112-098-011	Petersw Dana W & Judith M	444 Brights Way	Dawsonville	Georgia	30534	RS
112-098-035	Brantly Brian D & Stella Y	650 Brights Way	Dawsonville	Georgia	30534	RS
112-098-015	Matson Thomas D & Cathy A	645 Brights Way	Dawsonville	Georgia	30534	RS
112-023	Parker Jeffery K	209 Martin Road	Dawsonville	Georgia	30534	RA

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: Shaun R. Adams, Esq.

Application Number: _____

Date Signed: 2/5/19

Sworn and subscribed before me

this 5th day of February, 2019.

Angela Gratz

Notary Public

My Commission Expires: Jan. 2, 2023



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

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

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

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

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

Amount \$ _____ Date: _____

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

Signature of Applicant/Representative of Applicant:

_____ Date: _____

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

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

PROPERTY OWNER AUTHORIZATION

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

112 019, 112 109, 112 013, 104 028, 104 029,
104 065 and 113 057 002

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: Shaun R. Adams, Esq. of Andersen, Tate & Carr, P.C.

Signature of applicant or agent: [Signature] Date: 2/5/19

Printed Name of Owner(s): Barry Conner, America's Home Place & Lumpkin Campground, LLC

Signature of Owner(s): [Signature] Date: 2/5/19

Mailing address: _____

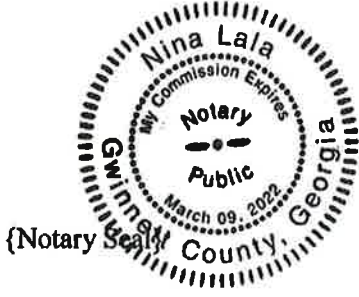
City, State, Zip: _____

Telephone Number: Listed Unlisted _____

Sworn and subscribed before me this 5 day of February, 2019.

[Signature]
Notary Public

My Commission Expires: March 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.)

PROPERTY OWNER AUTHORIZATION

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

112018

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: Shaun R. Adams, Esq. of Andersen, Tate & Carr, P.C.

Signature of applicant or agent: [Signature] Date: 2/15/19

Printed Name of Owner(s): Chris Stephens

Signature of Owner(s): Chris Stephens Date: 2/15/19

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed Unlisted _____

Sworn and subscribed before me this 8 day of February, 2019.

Rachel Baxter
Notary Public

My Commission Expires: 2/12/2022



(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.)

PROPERTY OWNER AUTHORIZATION

I/we, Gordon Fishburne Louella H. Fishburne, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

1094 Etowah River Rd.

Dawsonville, Ga. 30534

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

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

Printed Name of applicant or agent: Shaun R. Adams, Esq. of Andersen, Tate & Carr, P.C.

Signature of applicant or agent: [Signature] Date: 2/5/19

Printed Name of Owner(s): Gordon Fishburne Louella H. Fishburne

Signature of Owner(s): Gordon Fishburne Louella H. Fishburne Date: 2/7/19

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed Unlisted _____

Sworn and subscribed before me this 7th day of February, 2019.

[Signature]
Notary Public

My Commission Expires: Aug. 26, 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.)

PROPERTY OWNER AUTHORIZATION

I/we, Gordon Fishburne Louella H. Fishburne, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

1094 Etowah River Rd.

Dawsonville, Ga. 30534

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

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

Printed Name of applicant or agent: Shaun R. Adams, Esq. of Andersen, Tate & Carr, P.C.

Signature of applicant or agent: [Signature] Date: 2/5/19

Printed Name of Owner(s): Gordon Fishburne Louella H. Fishburne

Signature of Owner(s): Gordon Fishburne Louella H. Fishburne Date: 2/7/19

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed xxx-xxx-xxxx
Unlisted _____

Sworn and subscribed before me this 7th day of February, 2019.

[Signature]
Notary Public

My Commission Expires: Aug. 26, 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.)

DRI INFORMATION

IF YOUR DEVELOPMENT FALLS WITHIN ANY OF THE FOLLOWING THRESHOLDS,
PLEASE ASK PLANNING STAFF FOR DRI REVIEW CHECKLISTS.

**Table 1: Developments of Regional Impact - Tiers and Development Thresholds
Effective January 1, 2005**

Type of Development	Non-metropolitan Regions (Dawson County status eff. 1/2005)
(1) Office	Greater than 125,000 gross square feet
(2) Commercial	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 125 new lots or units
(6) Industrial	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
(11) Post-Secondary School	New school with a capacity of more than 750 students, or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels
(16) Water Supply Intakes/Reservoirs	New Facilities
(17) Intermodal Terminals	New Facilities
(18) Truck Stops	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces

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:

US PASSPORT

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 Dawson Vill (city), GA (state)

Signature of Applicant

Yong Pan

Date 2-8-2019

Name of Business Dawson Village Partners, LLC.

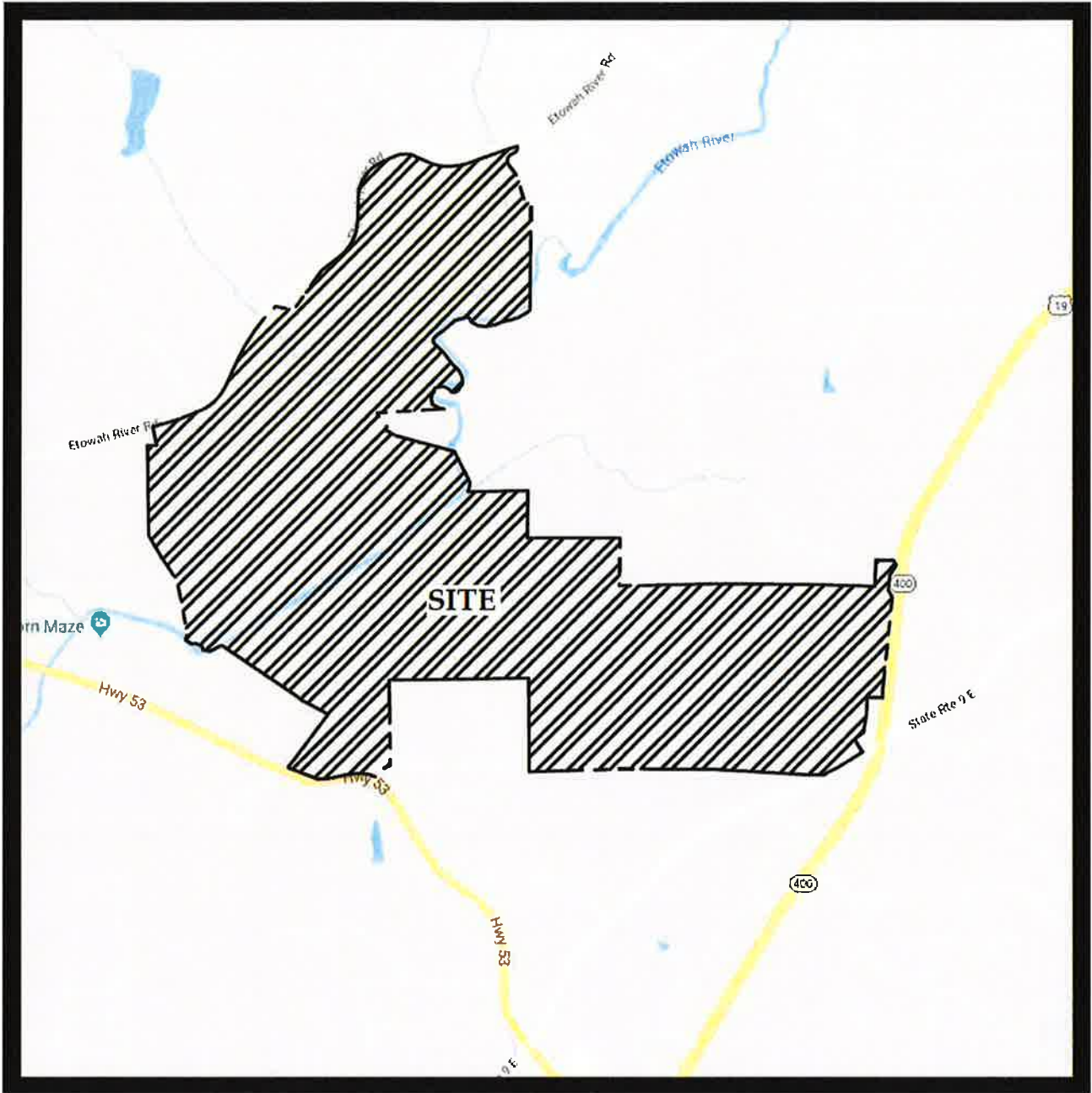
SUBSCRIBED AND SWORN BEFORE ME ON

THIS 8th DAY OF February, 2019

[Signature] Notary Public

My Commission Expires: Aug. 26, 2022





MAP DATE: GOOGLE © 2015

SITE LOCATION MAP

N.T.S.

Owner Information

STEPHENS DORIS BYRD
C/O MYRA AMOS
1431 PIEDMONT DR NE
DALTON, GA 30721

Payment Information

Status	Paid
Last Payment Date	11/14/2018
Amount Paid	\$453.81

Property Information

Parcel Number	112.018
District	1 DAWSON COUNTY UNINCORPORATED
Acres	69.76
Description	LL 133 134 166 167 LD 135
Assessed Value	\$187,440
Appraised Value	\$468,600

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	13025
Account Number	38081
Due Date	12/01/2018

Taxes

Base Taxes	\$453.81
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Owner Information

FISHBURNE GORDON T & LOUELLA H
1094 ETOWAH RIVER RD
DAWSONVILLE, GA 30534

Payment Information

Status	Paid
Last Payment Date	10/11/2018
Amount Paid	\$503.10

Property Information

Parcel Number	104 027
District	1 DAWSON COUNTY UNINCORPORATED
Acres	7
Description	LL 74 LD 135
Property Address	1094 ETOWAH RIVER RD
Assessed Value	\$94,800
Appraised Value	\$237,000

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	5026
Account Number	37101
Due Date	12/01/2018

Taxes

Base Taxes	\$503.10
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Owner Information

MITIGATION RESOURCE GROUP LLC
931 MONROE DR NE
SUITE A-102 #302
ATLANTA, GA 30308

Payment Information

Status	Paid
Last Payment Date	11/29/2018
Amount Paid	\$6,457.32

Property Information

Parcel Number	111 024 001
District	1 DAWSON COUNTY UNINCORPORATED
Acres	193.43
Description	LL 13 14 15 47 48 49 533 534 561 562 LD 135
Property Address	1892 ETOWAH RIVER RD
Assessed Value	\$270,000
Appraised Value	\$675,000

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	9652
Account Number	52663
Due Date	12/01/2018

Taxes

Base Taxes	\$6,457.32
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Owner Information

LUMPKIN CAMPGROUND ROAD LLC
P O BOX 1316
GAINESVILLE, GA 30503

Payment Information

Status	Paid
Last Payment Date	11/19/2018
Amount Paid	\$2,553.74

Property Information

Parcel Number	112 019
District	1 DAWSON COUNTY UNINCORPORATED
Acres	352.69
Description	LL 135 136 137 138 139 161 162 163 164
Assessed Value	\$2,488,920
Appraised Value	\$6,222,300

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	8743
Account Number	38082
Due Date	12/01/2018

Taxes

Base Taxes	\$2,553.74
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Owner Information

CONNER BARRY
P O BOX 1316
GAINESVILLE, GA 30503

Payment Information

Status	Paid
Last Payment Date	11/19/2018
Amount Paid	\$1,095.79

Property Information

Parcel Number	104 028
District	1 DAWSON COUNTY UNINCORPORATED
Acres	76.6
Description	LL 49 74 75 76 106 107 LD 13-5
Assessed Value	\$474,080
Appraised Value	\$1,185,200

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	2979
Account Number	37102
Due Date	12/01/2018

Taxes

Base Taxes	\$1,095.79
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Owner Information

CONNER BARRY
P O BOX 1316
GAINESVILLE, GA 30503

Payment Information

Status	Paid
Last Payment Date	11/19/2018
Amount Paid	\$2,143.86

Property Information

Parcel Number	104 029
District	1 DAWSON COUNTY UNINCORPORATED
Acres	175.4
Description	LL 73 74 107 108 109 132 133 LD 13-5
Assessed Value	\$519,040
Appraised Value	\$1,297,600

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	2980
Account Number	37103
Due Date	12/01/2018

Taxes

Base Taxes	\$2,143.86
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Owner Information

CONNER BARRY
P O BOX 1316
GAINESVILLE, GA 30503

Payment Information

Status	Paid
Last Payment Date	11/19/2018
Amount Paid	\$403.94

Property Information

Parcel Number	112 109
District	1 DAWSON COUNTY UNINCORPORATED
Acres	56.09
Description	LL 106 107 LD 13-5
Assessed Value	\$209,440
Appraised Value	\$523,600

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	2981
Account Number	47554
Due Date	12/01/2018

Taxes

Base Taxes	\$403.94
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Owner Information

CONNER BARRY
P O BOX 1316
GAINESVILLE, GA 30503

Payment Information

Status	Paid
Last Payment Date	11/19/2018
Amount Paid	\$403.94

Property Information

Parcel Number	112 109
District	1 DAWSON COUNTY UNINCORPORATED
Acres	56.09
Description	LL 106 107 LD 13-5
Assessed Value	\$209,440
Appraised Value	\$523,600

Bill Information

Record Type	Property
Tax Year	2018
Bill Number	2981
Account Number	47554
Due Date	12/01/2018

Taxes

Base Taxes	\$403.94
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

Rezoning Narrative

Dawson Village Partners, LLC | Etowah Village, Ga 400 | February 2019

The applicant, Dawson Village Partners, LLC requests the Rezoning of Parcel Numbers: 112 019, 112 109, 112 018, 104 027, 104 028, 104 029, 104 065, 113 057 002, 112 025 002, and 111 024 001 from R-A, RPC, C-HB, C-PCD, & C-CI to MUV- Mixed Use Village District in order to build a Master Planned Community on 974 acres bordered on the East by Ga 400 and Lumpkin Campground Road and on the West by Etowah River Road. The site is the former location of the defunct Southern Catholic College. The existing zoning, based upon the Southern Catholic Master Plan, permits a variety of uses of which most are mirrored within the proposed development plans: Retail, Office, Multi-Family and Single-Family Residences. The applicant wishes to modify the arrangement of these uses and add additional parcels to create a viable alternative use for this tract that will become an asset to Dawson County.

The gross density for all residential components combined is 2.8 units/acre. This remarkable development will consist of the following uses:

- 338,000 Square Feet of Retail/Service Space. This area will be designed with an Avalon-Urban Village Life-Style, incorporating Residential Living on the 2nd & 3rd Story above the Retail Area.
- 243,200 Square Feet of Class A Office Space with a building height up to 10 Stories
- A Convention and Performing Arts Center
- Site for a future Fire Station on Ga 400
- An Historic Chinese Cultural Center providing Public Awareness of the Chinese Arts, Gardens, Herbal Medicine, and Lifestyle. This area will also provide an additional 199,000 Square Feet of Retail Space, Restaurants, and Retail Service including a 4-Story Hotel.
- 800 Units of Multi-Family Living
- 101 Units of Single-Family Attached Homes
- A 350-Unit Continuing Care Retirement Community providing for both Independent and Assisted Living
- 604 Single Family Detached Homes divided within 3 separate neighborhoods
- 273 acres Preserved for Parks and Greenspace
- A 40-acre Public Park on the Etowah River, complete with Canoe Launch
- A Winery and Vineyard

The property is bisected by the Etowah River and bordered on the West by Etowah River Road. It is bordered on the east by Ga 400, and on the North and South by various Residential and Agricultural properties. This property is designated as Commercial-Highway, Multi-Family, Campus-Style Business Park, Planned Residential, Suburban Residential, Agriculture, and Parks/Recreation on the Future Land Use Plan which is what was used to guide our Master Plan. The proximity to a major transportation corridor warrants a higher density in order to condense development, concentrate growth along arterial roads, and minimize the impact on secondary roads.

The proposed Retail Village will contain shopping, offices, and restaurants that will be integrated into the Residential Neighborhoods providing a walkable and sustainable live-work-play community. It will also serve the surrounding area and become a sister-destination to the Outlet Mall expanding the shopping visitor's experience in Dawson County. The architecture will portray a traditional village and will complement the streetscape.

The Cultural Center is expected to be a Regional Destination for tourists drawing not only from the Outlet Mall, but from the entire Southeastern US Region. A similar Center was opened in Portland in 2000 and draws 170,000 visiting tourist per year. The Hotel, Conference Center, and Fine-Dining Restaurants will

provide a much-needed overnight option for out-of-state and international tourists visiting the outlet mall. Maximizing the stay and experience of tourists maximizes the income for Dawson County. Medical Offices providing organic and holistic medicinal solutions will be located here to both educate and treat the proposed, as well as, the existing local residents.

Pocket Parks and Sidewalks will be integrated throughout the Master-Planned community to create pedestrian-friendly environment and provide social gathering areas for the residents. By decreasing the size of the lots, we increased open space. We are preserving a remarkable 233 acres of Open Space. This land will be utilized to create large usable and meaningful green areas that can realistically sustain wildlife habitats and be enjoyed by the entire community. In addition, 40 acres on the Etowah River is being established as a Public Park and will provide a much-needed north location for a canoe launch on the Etowah River. The applicant's vision/hope is that this Park will serve as a stimulus for the County to initiate a Greenway connection from this Park along the river down to Rock Creek Park.

The residential neighborhoods will be integrally connected to the proposed retail areas to provide a true Live, Work, Play destination for the community. The 400-home neighborhood on the west side of the Etowah River will be age-restricted to 55 and older. The neighborhood will be a vibrant senior living retirement community in Dawsonville promoting an active lifestyle including resort-style amenities specifically with Senior Citizens in mind. To appease County concerns regarding the traffic impact to local roads, we will not open this neighborhood until the bridge connecting the west side to the east side of the Etowah River is in place and functioning. This coupled with the fact that it is a Senior's Community, will insure that the traffic impact to Etowah River Road is minimal.

The Primary access points for the community will be Ga 400 and Lumpkin Campground Rd just west of Ga 400. Minor ingress/egress will be provided to Etowah River Road, SR 53, and Grant Road at Ga 400. A Traffic Study has been performed and Traffic improvements identified by the Study will be implemented throughout the development phases as they are warranted. The nature of the proposed Mixed-Use Development greatly reduces traffic by providing easy access to most needs within the community. It is also well documented that Senior-Oriented Developments, similar to this, generate far less traffic than traditional neighborhoods.

Dawson Village

Mixed Use development project

LEGEND:

- A. Village Style Retail, Service and Office uses
- B. Fire Station
- C. Retail, Service
- D. Convention and Performing Art Center
- E. Luxury Boutique Hotel with Garden Access
- F. Chinese Classical Garden, Cultural Museum, Retail and Service
- G. High End Garden Style Apartments
- H. High End Single Family Attached Dwellings
- I. Assisted Living and Independent Living Facility
- J. Active Adult Single Family Detached Dwellings
- K. High End Single Family Detached Dwellings
- L. High End Single Family Detached Dwellings
- M. Retail, Service and Convenience Store
- N. 55+ Single Family Detached Dwellings
- O. Country Community Park
- P. Retail, Services, Vineyard and Hotel
- Q. Community Outdoor Activity Space (Horse Riding, Hunting, Fishing, etc)







MEMORANDUM

TO: Jameson Kinley, Director
Dawson County Planning and Development
Other Interested Parties

FROM: Adam Hazell, AICP, Planning Director

DATE: March 22, 2019

SUBJECT: DRI Project Review, Dawson County

PROJECT: DRI-2905, Etowah Village

The Georgia Mountains Regional Commission (GMRC) has completed the review of the project identified above. Based on comments received and staff analysis of this project, conducted in accordance with the Georgia Department of Community Affairs' Procedures for the Review of Developments of Regional Impact, the GMRC finds that the proposed action does **NOT** present any potential adverse inter-jurisdictional impacts. Please note that this finding is advisory only and assumes the project will proceed as presented to the GMRC and will comply with all applicable local, State and federal rules and regulations.

Copies of the staff review, any comments from interested stakeholders and any recommendations have been included with this memo. They should be considered and addressed by the local government in its final determination and review/permitting procedures for the finding to remain as stated.



DRI #2905 – Etowah Village

STATEMENT OF FINDING

Based on the information provided, comments received, a review of the local comprehensive plan and prevailing DRI review criteria, the GMRC staff analysis finds that this project does **NOT** present any potential adverse inter-jurisdictional impacts. The finding assumes the project will proceed as presented to the GMRC and only if the project complies with all applicable local, State and federal rules and regulations and if the following advisory comments and recommendations are considered and addressed.

Summary of Staff Review

- This project is a proposal for a mixed-use village of approximately 775 acres, centering around a traditional Chinese Garden with retail, offices, luxury hotel and conference center, CCRC facilities, active adult housing, apartments, winery & vineyard, museum, fire station, and a 40 ac park including a canoe launch. Proposal includes 2,727 residential units, 300 rooms lodging, More than 100,000 sf of recreational facilities plus a 40ac park.
- The development calls for a variety of uses stretching from GA 400, with a mix of commercial and lodging near the highway giving way to a blend of residential types and scales as the property moves west. The property sits about 1 mile north of the major intersection of GA 400 and GA 53 which marks the top end of a mile stretch of regional commercial power centers anchored by the North Georgia Premium Outlets. Overall, the subject property is within a major development corridor for the county and has been targeted by local plans for comparable scale activity. *No regional concerns regarding utilities.*
- The application indicates the presence of wetlands, floodplains, and water supply watersheds on the site. According to the applicant *“The site will maintain stream buffers and direct storm drainage into detention and water quality facilities. Proposed impacts to streams or wetlands will be minimized and will be mitigated for if they’re necessary. ... Additional buffers proposed on the Etowah River (with the exception of the Canoe Launch). Impacts to the water supply will be minimized utilizing water quality features to achieve 80% TSS removal project-wide. Additionally, all stormwater discharges will travel through opens spaces within the proposed development and not directly into the River.*

Stream and wetland disturbances will be kept to a minimum, but road crossings will be necessary to access portions of the property. Disturbances will be



kept under 0.5 ac of wetlands, and 300 lf of streams. Minor encroachments will be necessary to cross Etowah River and base flood elevations will be evaluated to ensure proposed structures and existing upstream properties are not adversely impacted.” Assuming compliance with State and local regulations, no regional concerns regarding environmental protection. However, best environmental practices are encouraged regarding stormwater management.

- According the traffic analysis provided “*the development will produce approximately 40,800 trips per day with about 1,800 occurring in the AM peak hour and 2,500 occurring in the PM peak hour. ... The existing conditions for the study intersections are adequate with the exception of two stopcontrolled intersections (Thompson/Etowah River Road at SR 53 and Grant Road at GA 400). The LOS of those intersections is driven by the small amount of traffic on the side streets and the high volume on the state routes. The intersections do not produce long queues and thus the existing conditions warrant no mitigation. The addition of project traffic and driveways does present worsened conditions at multiple intersections.*” Proposed improvements include:
 - Project entry 4 at SR 53: Signalized Continuous Green T
 - SR 9E at SR 53: Add left and right turn lanes on both legs of SR 9E. Add right turn lane on SR 53 WB
 - Project entry 3 at SR 9E: Signal may be warranted; WB free flow right needed; heavy SB left turn traffic; roundabout may work
 - SR 9E at GA 400: Dual EB lefts needed (add two lanes)

The conceptual design does feature a notable volume of internal cul-de-sacs, funneling traffic to one of 6 access points, 4 of which are on or immediately adjacent to GA 400. While this area will harbor the most traffic due to commercial activities, it may also bottle the traffic flowing into and out from the site along the sole GA 53 access point and/or Stowers Road. Given the isolation of some residential pods (namely E and F) there is some concern over the caliber of interconnectedness between these areas and the other uses and access points. Emphasizing high quality pedestrian connections as well as maintaining the area in a safe and clean manner to imbue a sense of community would aid not only in the accessibility of these pods but also strengthen their commercial appeal over time.

Assuming the applicants proposed recommendations (or comparable measures) are implemented, there are no regional concerns regarding traffic or transportation infrastructure.



CONSISTENCY REVIEW	
Is the proposed DRI compliant with ...	Comment
<i>The GMRC Regional Plan?</i>	Yes, though ensuring quality pedestrian connections within the development would be considered an improvement.
<i>Other State or regional plans for the area?</i>	Yes
<i>Applicable Service Delivery Agreements and/or land use management measures?</i>	Yes
<i>Projected capacity for utilities and services?</i>	Yes
<i>Are there any potential inter-jurisdictional conflicts identified by the GMRC?</i>	No significant or standing conflict was raised or identified by staff.

Outside Comments Received

(Copies of full comments can be found as submitted attached to this report.)

- Northwest Georgia RC

From: [Julianne Meadows](#)
To: [Adam Hazell](#)
Subject: RE: Notice of DRI review - 2905
Date: Thursday, February 28, 2019 12:00:19 PM

Adam,

Looks like an interesting project. NWGRC has reviewed and has no comment on the proposed development.

Julianne Meadows

Northwest Georgia Regional Commission
1 Jackson Hill Drive/ PO Box 1798
Rome GA 30162-1798
www.nwgrc.org
(706) 295-6485

From: Adam Hazell <ahazell@gmrc.ga.gov>
Sent: Thursday, February 28, 2019 10:38 AM
To: Jameson Kinley (jkinley@dawsoncounty.org) <jkinley@dawsoncounty.org>; Harmony Gee (hgee@dawsoncounty.org) <hgee@dawsoncounty.org>
Cc: 'robbie.irvin@dawsonville-ga.gov' <robbie.irvin@dawsonville-ga.gov>; Bob Bolz <citymanager@dawsonville-ga.gov>; Bruce Georgia <Bruce.Georgia@LumpkinCounty.GOV>; syamala@hallcounty.org; VDBernstein@forsythco.com; 'dlwebb@forsythco.com' <dlwebb@forsythco.com>; Jeff Watkins <jwatkins@cherokeega.com>; mstallings@cherokeega.com; khenson@gilmercounty-ga.gov; rbuckingham@pickenscountyga.gov; Julianne Meadows <jmeadows@nwgrc.org>
Subject: RE: Notice of DRI review - 2905

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.

Good morning, everyone.

Please note that the document marked "site plan" in the Etowah Village email was added in error and is from another project. The site plan for the Etowah village project is included within the traffic study on pages 21 and 23. My apologies for the confusion.

Adam

CONFLICT OF INTEREST IN ZONING
Disclosure of Financial Interests
(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

Public Hearing Dates: Planning Commission April 16, 2019 Board of Commissioners May 16, 2019

The Conflict of Interest in Zoning Actions Act (OCGA Chapter 67A) requires disclosure of property and financial interests by a public official who will consider rezoning actions. *Property Interest* is defined as ownership of real property, including any percentage of ownership less than total ownership. *Financial Interest* is defined as all direct ownership interests of the total assets or capital stock of a business entity (corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust) where such ownership interest is 10 percent or more. Disclosure must also be made if a public official has a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property or financial interest in the applicant's property.

Please indicate by circling the appropriate response if either a property or financial interest exists in the zoning application listed below. If "yes" is indicated, the attached "Disclosure of Financial Interests" form must be completed for each zoning application.

Case # ZA 19-05 Proposed Use: to rezone property from R-A, RPC, C-HB, CPCD, C-OI to a MUV
 Rezoning From: R-A, RPC, C-HB, COCD, C-OI to MUV Location: Lumpkin Campground Rd & GA Hwy 400 to Etowah River Rd.
 TMP#: 112 019, 113 057 002, 112 109, 104 065, 104 028, 104 029, 112 018, 104 027

Applicant: Dawson Village Partners, LLC Owner(s): Barry Conner, Chris Stephens obo Doris Byrd Stephens, Gordon & Louella Fishburne

98 LANNING BOARD MEMBERS

Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Emory Dooley, Member	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Billy Thurmond, Chairman</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Jason Hamby, Chairman, District 1	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Sharon Fausett, District 1</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 John Maloney, Member, District 2	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Chris Gaines, District 2</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Tim Bennett, Member, District 3	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Tim Saterfield, District 3</u>
Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	 Neil Hornsey, Member, District 4	Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Julie Hughes-Nix, District 4</u>

BOARD OF COMMISSION MEMBERS

Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Billy Thurmond, Chairman</u>
Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Sharon Fausett, District 1</u>
Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Chris Gaines, District 2</u>
Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Tim Saterfield, District 3</u>
Property <input type="checkbox"/> Yes <input type="checkbox"/> No	Financial <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Julie Hughes-Nix, District 4</u>

DENIAL

Public Hearing of Rezoning Request

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

ZA 14-05

Date of Hearing: 4-16-19

Applicant's Name: Dawson Village Partners

Address: _____

Tax Map Parcel Number: TMP112019--

Parcel Currently Zoned: CHB RA RPL CPD + C01

Rezoning Requested: Mixed Use Village

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

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

This recommendation for denial was based on the following:

that it would affect the health safety & general welfare of citizens.
Environmental impact to the Etowah River floodplain



Chairman Jason Hamby

4-16-19

Date

Dawson County Planning Commissioner

Item Attachment Documents:

4. VR 19-03 - Landbridge Development LLC is requesting a variance to the Land Use Resolution Article III, Section No. 306.F.7 Maximum Units per Building - No more than 12 units shall be permitted to form any one single building.

DAWSON COUNTY VARIANCE APPLICATION

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

VR 19.03 Tax Map & Parcel # (TMP): 113 085
Current Zoning: C+H Commission District #: _____
Submittal Date: Feb 7, 19 Time: 10:54 am/pm Received by: Urg (staff initials)
Fees Assessed: \$300 Paid: check
Planning Commission Meeting Date: March 19, 2019

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Landbridge Development, LLC
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: February 5, 2019 Applicant Signature: 

PROPERTY INFORMATION

Street Address of Property: 65 North 400 Center Lane, Dawsonville, GA 30534

Land Lot(s): LL 283-282 Tract 1 District: LD 13 Section: S-1

Subdivision/Lot: _____ Building Permit #: _____ (if applicable)

Directions to the Property: From the intersection of GA-53 & US-19, travel northwesterly for 0.1 mile, turn right on North 400 Center Lane, continue for 0.1 mile, the property is on the left.

REQUESTED ACTION

A Variance is requested from the requirements of Article # III Section # 306 RMF of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: _____

Type of Variance requested:

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

_____ instead of the required distance of _____ 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): F.7. Allow up to 16 units per building.

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: Efficient apartment buildings (industry standard) are 8 units per floor, which results in fewer buildings and less impact to site.
- _____

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Allowing 16 unit buildings will permit less impact to greenspace and allow construction monies to be spent on amenities and building components.

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: 16 unit buildings as proposed are industry standard and conform to all local, state, and national codes.

4. Describe why granting this variance would support the general objectives within this Resolution: The request is in keeping with local and regional trends for apartment buildings.

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.)

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:  Date: 2/6/2019
Signature of Witness:  Date: 2/6/2019

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.

PROPERTY OWNER AUTHORIZATION

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

65 NORTH 400 CENTER LANE, DAWSONVILLE, GA 30534
TAX DISTRICT 1 (UNINCORPORATED), PARCEL NUMBER 113 085

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: LANDBRIDGE DEVELOPMENT, LLC

Signature of applicant or agent: _____

Date: 2/5/19

Printed Name of Owner(s): WJS DAWSON, LLC

Signature of Owner(s): _____

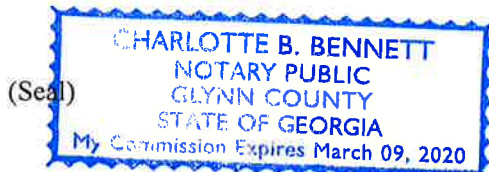
Date 2/5/2019

Sworn and subscribed before me this 5th day of February, 2019.

Charlotte Bennett

Notary Public

My Commission Expires: 3/9/2020



(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.)

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>113 092</u>	1. <u>D53 LLC</u> Northeast Georgia Primary Care Inc	<u>355 Brogdon Road, Suite 211, Suwanee, GA 30024</u>
TMP <u>113 179</u>	2. <u>Neighborhood Health Care</u> Nanrob Properties LP & 657 Mission	<u>743 Spring Street NE, Gainesville, GA 30501</u>
TMP <u>113 180</u>	3. <u>C/O Brenda Bernheim</u>	<u>4984 Vistazo West, Belvedere Tiburon, CA 94920</u>
TMP <u>113 040</u>	4. <u>Howe H Clay & Kathleen</u>	<u>1 CVS Drive Occ. Exp. Dept., Woonsocket, RI 02895</u>
TMP <u>113 085 003</u>	5. <u>Cutchin Company LLC</u>	<u>PO Box 978, Gainesville, GA 30503</u>
TMP <u>113 085 009</u>	6. <u>Colvis Investments LLC</u>	<u>647 Gardinia Glen, Escondido, CA 92025</u>
TMP <u>113 114</u>	7. <u>Colvis Investments LLC</u>	<u>647 Gardinia Glen, Escondido, CA 92025</u>
TMP <u>113 121</u>	8. <u>Waffle House Inc</u>	<u>PO Box 6450, Norcross, GA 30091</u>
TMP <u>113 122</u>	9. <u>Fuentes Daniel</u>	<u>412 Pine Ridge Court, Woodstock, GA 30188</u>
TMP <u>113 087</u>	10. <u>PAR Dawson LLC</u>	<u>50 Cinema Lane, St. Simons Island, GA 31522</u>
TMP <u>113 085 004</u>	11. <u>Autozone Inc</u>	<u>123 South Front Street (Dept. 8088), Memphis, TN 38101</u>
TMP <u>113 085 005</u>	12. <u>Armando Castillo LLC</u>	<u>6429 Grand Marina Circle, Gainesville, GA 30506</u>
TMP <u>113 085 002</u>	13. <u>Mahadev Inc</u>	<u>5133 Aurelia Trail, Suwanee, GA 30024</u>
TMP <u>113 085 006</u>	14. <u>WJS Dawson LLC</u> Spirit Master Funding IX LLC	<u>50 Cinema Lane, St. Simons Island, GA 31522</u> <u>2727 North Hardwood Street, Suite 300</u>
TMP <u>113 042</u>	15. <u>C/O Spirit SPE Manager LLC</u>	<u>Dallas, TX 75201</u>

Use additional sheets if necessary.



7000 Peachtree Dunwoody Road
Suite 4-100
Atlanta, GA 30328
Phone: (770) 481-0853
Fax: (770) 481-0854

February 6, 2019

Dawson County Planning and Development
25 Justice Way, Suite 2322
Dawsonville, GA 30534

RE: Peaks of Dawsonville
65 North 400 Center Lane Dawsonville, GA 30534
Tax Parcels # 113 085
Rezoning/Variance Applications

To Whom It May Concern:

Landbridge Development, LLC, seeks support for the rezoning of the above listed property from Dawson County C-HB to RMF. This proposed change would allow for the construction of the Peaks of Dawsonville, a Multi-Family Development of 80 units. This development will help to address issues and opportunities identified within the Dawson County Comprehensive Plan. Under Housing specifically they state, "The new housing market currently provides few options beyond single-family homes on large lots and limits options that would meet residents' needs at all stages of life", and "Zoning regulations that segregate housing types and do not provide for mixed use development". The Plan lists that "Multi-family housing near Georgia 400, between Georgia 53 and Dawson Forest Road, can provide housing for people working in the retail center."

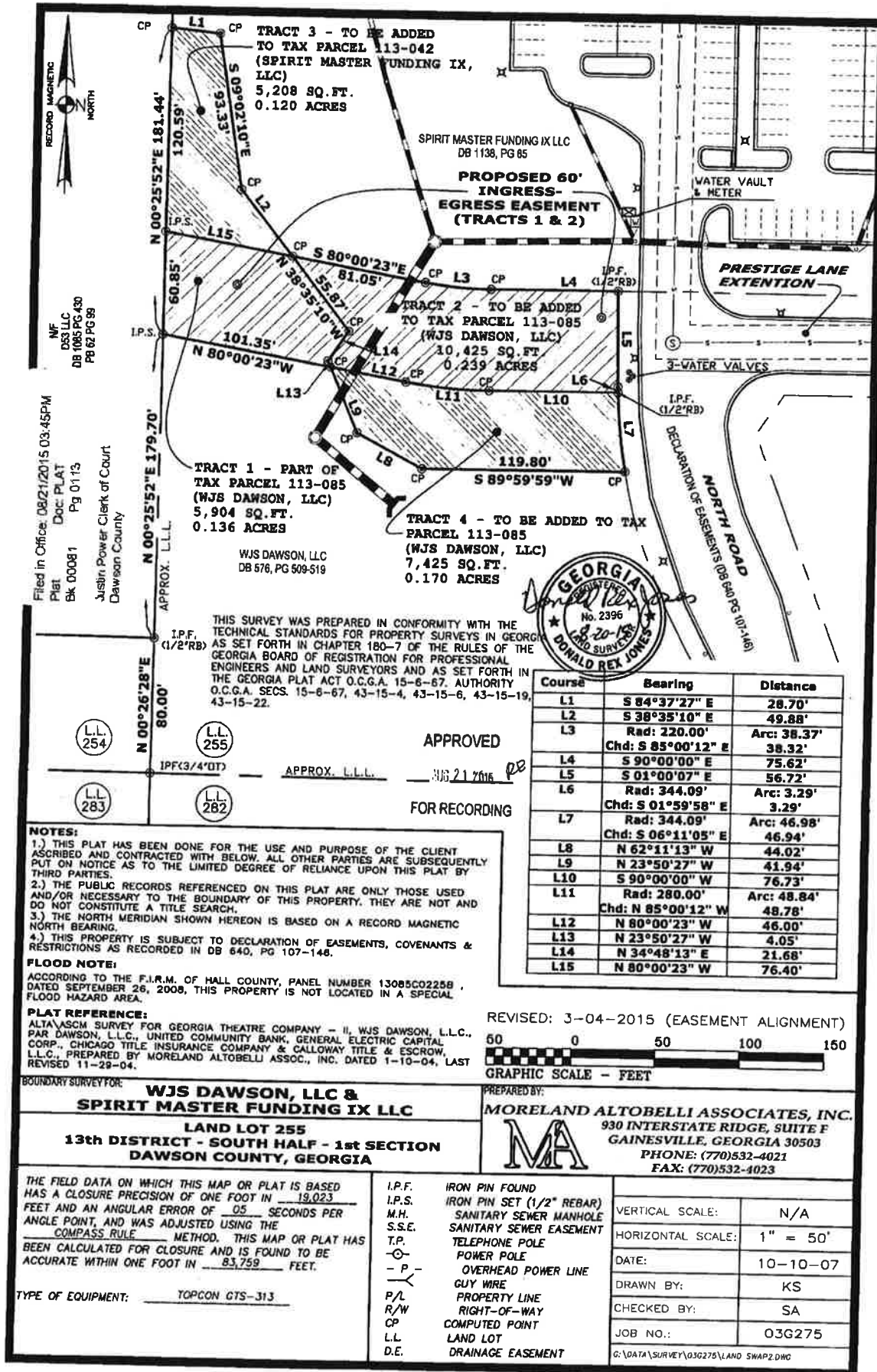
The property is owned by WJS Dawson, LLC, and is a ± 14.28 acre tract of vacant land. The proposed development will include new construction of 80 one, two, and three-bedroom garden style apartment homes (or 5.6 units/per acre) and a community building that will house the onsite management office along with additional resident amenities.

The Development of the proposed apartment community is anticipated to commence summer 2020 with a proposed completion of summer 2021.

The proposed Peaks of Dawsonville will be developed through the Georgia Department of Community Affairs LIHTC Program and will be subject to a Declaration of Land Use Restricted Covenant ("LURC") that will be recorded at closing. This LURC defines the number and type of units that will be constructed/operated on the property; dictates the owner's representations, covenants, and warranties such as performance agreements and maintenance of site amenities. Additionally the LURC lists out all additional site, use, occupancy restrictions, with a detailed amenity and supportive services list. The Georgia Department of Community Affairs requires Annual Owner Certifications and conducts physical inspections and compliance audits every two to three years to make sure properties are well maintained and managed per their program requirements. The community will also have an executed Management Plan to provide onsite Management to include management and maintenance staff to operate and maintain the property. Third party contractors may be used for landscaping and other maintenance items that fall outside of their typical maintenance activities.

Sincerely,

Gary R. Hammond, Jr





**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
2018 - 15006	113 085 / 1 LL 283-282 TRACT 1 LD 13 S-1 FMV: 2570400	\$20901.05	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$20901.05	\$0.00
Totals:		\$20901.05	\$0.00	\$0.00	\$20901.05	\$0.00

Paid Date: 12/3/2018

Charge Amount: \$20901.05

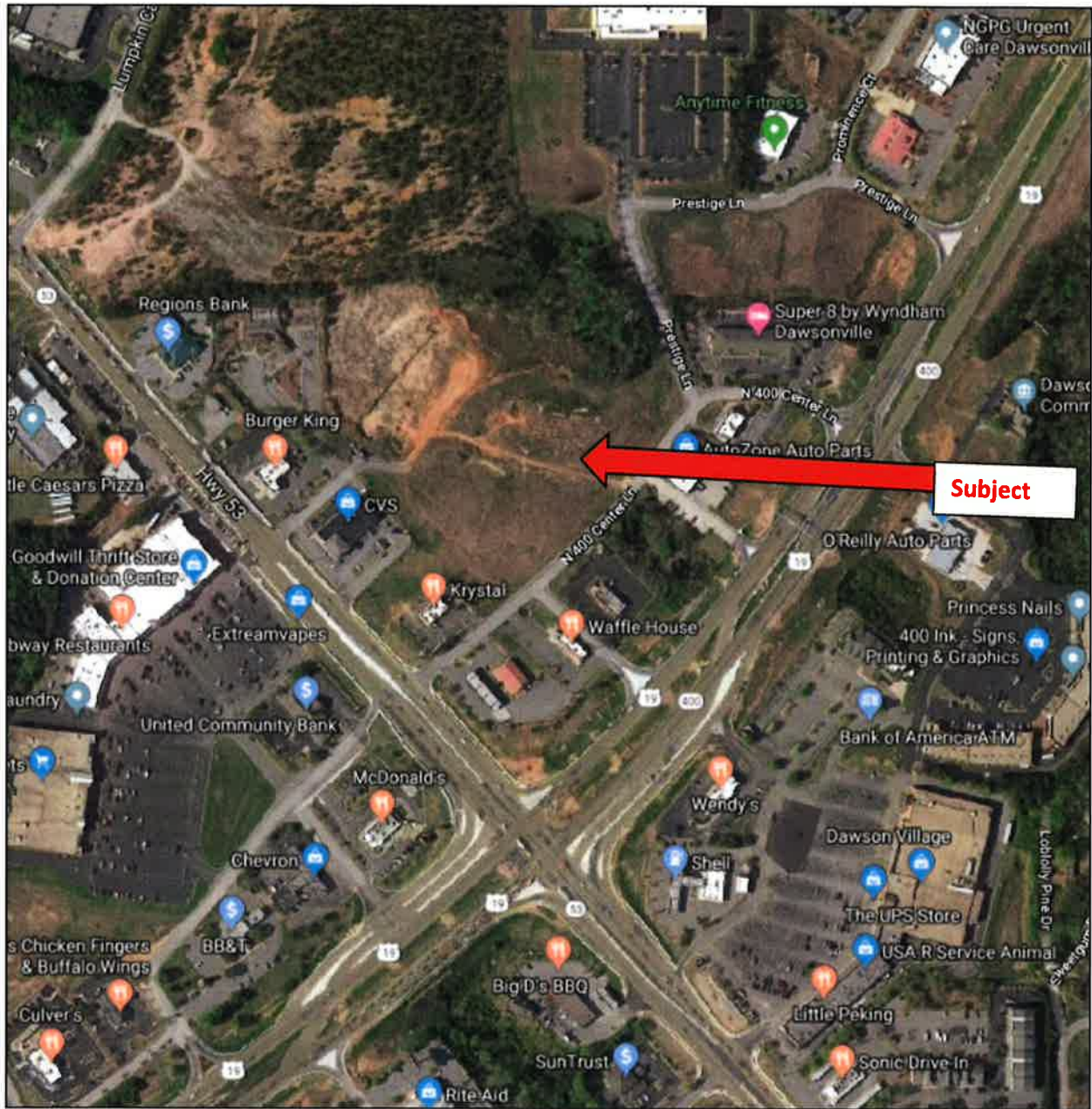
WJS DAWSON LLC
50 CINEMA LANE

ST SIMONS ISLAND, GA 31522



Scan this code with your mobile phone to view this bill

Aerial Location Map



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 Drivers License

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

Executed in Atlanta (city), Georgia (state)
[Signature] Date 2/6/2019
Signature of Applicant
Gary R. Hammond, Jr. Name of Business Landbridge Development, LLC
Printed Name

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 6th DAY OF February, 20 19
[Signature] Notary Public
My Commission Expires: 10/20/19



DENIAL

PUBLIC HEARING OF VARIANCE REQUEST

We, the Dawson County Planning Commission, do hereby **DENY** the following request:

VR #: 19-03 DATE OF HEARING: 3-19-19

Applicant's Name: Landbridge Development, LLC

Address: _____

Tax Map Parcel & Parcel Number: _____ Parcel Zoned: C-HB

Variance Request For: 16 units per building v/s 12 units



Chairman Jason Hamby
Dawson County Planning Commissioner

3-19-19

Date



7000 Peachtree Dunwoody Road
Suite 4-100
Atlanta, GA 30328
Phone: (770) 481-0853
Fax: (770) 481-0854

April 25, 2019

SENT VIA EMAIL

SEND TO: { Mr. Jameson Kinley
Director
Dawson County Planning and Development
25 Justice Way, Suite 2322
Dawsonville, GA 30531

RE: VR 19-03, Maximum Number of Units Per Building
Appeal Request - 3/19/2019 Planning Commission decision

Dear Mr. Kinley:

As you are aware, on March 19, 2019, the Planning Commission heard and denied my request for an increase to 16-unit buildings at the proposed Peaks of Dawsonville community. Please accept this letter to request an appeal to the Board of Commissioner to approve my request at their May 16, 2019, regular meeting.

Sincerely,

Gary R. Hammond, Jr.

GRH/

Peaks Dawsonville - Variance Appeal 20190425

Appeal
\$225.00
To: Dawson County

Item Attachment Documents:

1. Land Use Resolution Update (*2nd 2 hearings. 1st hearing was held on May 2, 2019*)



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session:

Prepared By: Harmony Gee

Voting Session: 5/2/2019

Presenter: Jameson Kinley _____

Public Hearing: Yes No

Agenda Item Title: Land Use Resolution Update

Background Information:

At the recommendation of the Planning Commission, 3 updates to the Land Use Resolution have been suggested to the Board of Commissioners.

Current Information:

Two public hearings for the Land Use Resolution updates must be held – May 2 and May 16, 2019.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: _____

Date:

Finance Dept. Authorization: _____

Date: _____

County Manager Authorization: _____

Date: _____

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF DAWSON COUNTY, GEORGIA TO AMEND THE LAND USE RESOLUTION TO REVISE THE RESTRICTIONS ON THE SUBDIVISION OF A SINGLE PARCEL OF PROPERTY INTO EXACTLY TWO PARCELS; AND TO ELIMINATE THE ABILITY OF A COMMERCIAL BUSINESS TO USE THE POSSESSION OF A BUSINESS LICENSE AS EVIDENCE OF LEGAL NONCONFORMING STATUS

Section I. The Board of Commissioners of Dawson County, Georgia hereby amends the Land Use Resolution of Dawson County as follows:

- A. In Article III, Section 309 R-A Residential Agricultural/Residential Exurban, by deleting subsection 309(B)(1) in its entirety and replacing it with the following:

“1. Residential subdivisions where lots are less than five (5) acres in size. Notwithstanding the foregoing, this prohibition shall not prevent a “subdivision” resulting in the creation of exactly two lots from the original lot that is subdivided.”

- B. In Article III, Section 309 R-A Residential Agricultural/Residential Exurban, by deleting subsection 209(C)(1) in its entirety and replacing it with the following:

“1. Minimum lot size: 1.5 acres or such size as determined to be necessary for the protection of public health, safety and welfare by the Dawson County Health Department, whichever is greater. Notwithstanding the foregoing, the minimum lot size for residential subdivisions shall be five (5) acres unless the subdivision constitutes the subdivision of a single parcel into exactly two (2) parcels.

Minimum lot width at building line: 175 feet.

Minimum depth: 200 feet.”

- C. In Article VI, Section 606 Non-conforming Uses, by deleting subsection 606(F) in its entirety;

Section II. All other provisions of the Land Use Resolution of Dawson County, Georgia shall remain the same.

Section III. If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, then such invalidity shall not be construed (1) to affect the portions of the ordinance not held to be invalid or (2) to affect the application of this ordinance to other circumstances. It is hereby declared to be the intent of the Board of Commissioner of Dawson County, Georgia to provide for separable and divisible parts, and the Board of Commissioners hereby adopts any and all parts not held invalid.

Section IV. All resolutions or ordinances or parts of resolutions or ordinances in conflict with the terms of this ordinance are hereby repealed, but it is hereby provided that any resolution or ordinance that may be applicable hereto and aid in carrying out or making effective the intent, purpose, and provisions hereof, which shall be liberally construed in favor of Dawson County, is hereby adopted as a part hereof.

So Ordained, Resolved, Adopted and Approved this ___ day of _____, 2019.

**DAWSON COUNTY BOARD
OF COMMISSIONERS**

ATTEST

By: _____

By: _____

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

Dates of Public Hearings:

Dates of Advertisements:

Section 309 R-A

B. Prohibited Uses.

“1. **Residential subdivisions** where lots are less than five **(5) acres in size.**”

In Article III, Section 309 R-A Residential Agricultural/Residential Exurban, by deleting subsection 309(B)(1) in its entirety and **replacing** it with the following:

“1. **Residential subdivisions** where lots are less than five (5) acres in size.

Notwithstanding the foregoing, this prohibition shall not prevent a “subdivision” resulting in the creation of exactly two lots from the original lot that is subdivided.”

Section 309 R-A

C. Building Requirements

“1. Minimum lot size: 1.5 acre or as determined by the Dawson County Health Department, whichever is greater. **Except in residential subdivisions, when the minimum lot size is 5-acres.**

Minimum width at building line: 175 feet

Minimum depth: 200 feet”

B. In Article III, Section 309 R-A Residential Agricultural/Residential Exurban, by **deleting** subsection 209(C)(1) in its entirety and **replacing** it with the following:

“1. Minimum lot size: 1.5 acres or such size as determined to be necessary for the protection of public health, safety and welfare by the Dawson County Health Department, whichever is greater.

Notwithstanding the foregoing, the minimum lot size for residential subdivisions shall be five (5) acres unless the subdivision constitutes the subdivision of a single parcel into exactly two (2) parcels.

Minimum lot width at building line: 175 feet.

Minimum depth: 200 feet.”

Definition

As defined on page 136 of Land Use Resolution

Subdivision - Subdivision means all divisions of a tract or parcel of land **into two (2)** or more lots, building sites, or other divisions for the purpose, whether immediate or future, or sale, or building development. See also The Dawson County Subdivision Regulations

Section 606 Non-conforming Uses

“F. For commercial and business purposes, a legal non-conforming status is proven by possession of a valid, legally obtained, Dawson County **Business License** within the past 12 months”

C. In Article VI, Section 606 Non-conforming Uses, by **deleting** subsection 606(F) in its entirety;

Item Attachment Documents:

1. Consideration of RFP #333-19 - Design-Build Services for Fire Services - Station 9
(Tabled from the May 2, 2019, Voting Session)



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 04/11/2019

Prepared By: Melissa Hawk

Voting Session: 04/18/2019

Presenter: David McKee/Melissa Hawk

Public Hearing: Yes No

Agenda Item Title: RFP #333-19 Design-Build Services for Fire Services – Station 9 Presentation

Background Information:

The SPLOST VI resolution specifies that a portion of the revenue funds received will construct a fire station and community center.

Current Information:

The Purchasing Department released a Design-Build method RFP for design services and construction on February 8, 2019. Five (5) evaluators reviewed the technical responses to establish the highest scored proposer. Pricing received for the A & E tasks and a Guaranteed Maximum Price was received for construction. Three (3) proposals received. CT Darnell Construction scored the highest, with a total of points of 62.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
324	3500	541100	\$1,750,000.00	\$1,717,206.40	\$1,000,000.00	\$717,206.40
Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
					\$736,271.00	

Recommendation/Motion: To accept the proposals submitted and award a contract to CT Darnell Construction, not to exceed the amount of \$1,736,271, upon the justified increase of the county's stated cost limitations AND to approve the transfer of XXX funds in the amount of \$736,271 to this project.

Department Head Authorization: David McKee

Date: 03/27/2019

Finance Dept. Authorization: Vickie Neikirk

Date: 4/4/19

County Manager Authorization: DH

Date: 4/4/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Presentation



War Hill Park

Photo by: Michelle Wittmer Grabowski



RFP #333-19 DESIGN-BUILD SERVICES FOR FIRE SERVICES – STATION 9

WORK SESSION – APRIL 11, 2019



Background and Overview



- ❖ The SPLOST VI resolution specifies that a portion of the revenue funds received will construct a fire station and community center.
- ❖ Davis Engineering completed the property survey on Land Lot 57, located in District 4. Dawson County then purchased XXX acres located at 3145 Sweetwater Juno Road in Dawsonville in late 2018 for this purpose.
- ❖ Mill Creek Environmental completed the Phase 1 Environmental Study around the same timeframe.
- ❖ Facilities, Fire Services and Public Works worked together to create the rough concept plan depicted in the Scope of Services of this Request for Proposal.
- ❖ A design-build methodology was chosen to reduce total project time and to allow for one contract for both design and construction services.
- ❖ Design-Build Services Agreement
 - Term- Award date until final acceptance of the project by the County.

Procurement Approach and Procedure



BID ACCORDING TO POLICY

- ✓ Advertised in Legal Organ
- ✓ Posted on County Website
- ✓ Posted on Georgia Procurement Registry
- ✓ Emailed notification through vendor registry
- ✓ Notification through County's Facebook and Twitter accounts
- ✓ Notification through Chamber of Commerce
- ❑ **3 proposals received**

Design-Build RFP Description



- ❖ Inter-workings of a Design-Build Project:
 - The County developed a RFP that contains the following:
 - Defined Scope of Services.
 - Established Stated Cost Limitations (SCL) which is the total budget for the project of \$1,000,000.00.
 - Evaluation criteria and weight is set.
 - Pre-construction, a meeting is set to review and finalize GMP costs.

- ❖ The proposers provide:
 - Technical proposals defining their approach to the project and submit references.
 - Cost proposal included:
 - A per phase cost of the design portion of the project.
 - A total construction cost.
 - All costs combined equal the Guaranteed Maximum Price for the project.
 - Awarded proposer must provide detailed costs of all phases of design and construction to justify the final cost of total project.

Scope of Services



- ❖ Some of the scope of services include:
 - Preliminary Design Phase – preliminary drawings and a management plan submitted to the County for review, changes and approval.
 - Detailed Schematic Design Phase – drawings created to scale including all disciplines of construction, preliminary construction cost and schedule submitted to the County for review, changes and approval.
 - Final Design Phase – development of construction drawing and specifications.
 - Contractor to submit the guaranteed maximum price change order to the County for review, changes and approval.
 - Construction of the complex.
 - Close-out of the project and keys 130 epted by the County.

County Responsibilities



❖ Some of the County responsibilities include:

- Permitting
- Gates and fencing
- Install security cameras post-construction
- Perform approval roll test on subgrade prior to paving
- Review plans and the GMP for approval and set costs to Contractor
- Review all invoices received by Contractor which will include invoices from sub-contractors and suppliers.

Evaluation Committee



- ❖ Facilities Director, James Tolbert
- ❖ Emergency Services, Fire Chief/EMA Director, Danny Thompson
- ❖ Emergency Services, Division Chief of Operations, Danny Speaks
- ❖ Public Works Director, David McKee
- ❖ Public Works Project Manager, Bryan Young

- ❖ Facilitator – Melissa Hawk, Purchasing Manager

Evaluation Criteria and Proposer Scores Summary



COMPANY	COMPANY BACKGROUND AND STRUCTURE	EXPERIENCE & QUALIFICATIONS OF DEDICATED STAFF	PROJECT UNDERSTANDING/ APPROACH TO SCOPE OF WORK	REFERENCES	MANAGEMENT PLAN	TECHNICAL SCORE	Cost/ FINANCIAL	Total SCORE
Charles Black Construction Co	42	62	82	42	37	53	8	61
CT Darnell Construction	38	60	78	34	32	48	14	62
Everlast Construction Group	33	45	66	30	28	40	20	60

Evaluation weight for this RFP is 65% technical and 35% price.

Scores rounded to the nearest whole number

Offers Received



Tasks	Charles Black Construction Co	CT Darnell Construction	Everlast Construction Group
Preliminary Design Phase	\$47,009.00	\$60,000.00	\$14,000.00
Detailed Schematic Design Phase	\$47,009.00	\$52,000.00	\$20,000.00
Final Design Phase	\$47,009.00	\$36,289.00	\$22,500.00
Construction of the Fire Station 9	\$2,350,445.00	\$1,587,982.00	\$906,500.00
Total	\$2,491,472.00	\$1,736,271.00	\$963,000.00
High/Low Variance	1,528,472.00	773,271.00	0.00
Value of 1 point			
249147.20			
Grade Reduction	6.13	3.10	0.00
Point (Max. 10)	3.87	6.90	10.00
Fee Grade (pts x 3.5)	7.73	13.79	20.00

NOTE: Fee Grade is determined by calculating the difference between highest and lowest cost. This factors into a grade reduction for each proposer except for the lowest price proposer. The grade reduction is deducted from the maximum points. This number is then multiplied by the Cost weight.

Staff Recommendation



Staff respectfully requests the Board to accept the proposals submitted and to award a contract to CT Darnell, not to exceed the amount of \$1,736,271.00, upon the justified increase of the County's stated cost limitations of \$1,000,000.00, to complete the scope of services within the RFP. The BOC will need to approve the transfer of \$736,271.00 from XXX to this SPLOST VI project.

THANK YOU

Item Attachment Documents:

1. Consideration of IFB #340-19 - On-Call Full-Depth Reclamation Services



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 5/2/2019

Prepared By: Melissa Hawk

Voting Session: 5/16/2019

Presenter: David McKee/Melissa Hawk

Public Hearing: Yes No

Agenda Item Title: IFB #340-19 On-Call Full Depth Reclamation Services

Background Information:

The BOC approved budget for road work through operational funds and the GDOT LMIG grant funds. Dawson County has grown and traffic has increased over the past few years. The need to maintain and/or repair roads has become more frequent than that which can be managed in house.

Current Information:

The IFB was released with a sample job at Hightower Parkway at SR53 to the end of the pavement. 2 bids were received. The lowest, most responsive bid was submitted by ShepCo Paving, Inc. in the amount of \$203,500. The pricing received for this sample project will be set for the life of the contract per job at \$6.25/SY for 10" cement reclaimed base; \$152.00/TN for Portland Cement – 55/lbs SY; \$6.00/SY for haul-off excess material, if required. The lump sum for traffic control/mobilization will vary for each job.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
Various			\$			

Recommendation/Motion: Staff recommends to accept the bids received and to award a 1-year contract to ShepCo for on-call FDR at prices submitted with 2, 1-year optional renewals.

Department Head Authorization: David McKee

Date: 4/12/2019

Finance Dept. Authorization: Vickie Neikirk

Date: 4/25/19

County Manager Authorization: DH

Date: 4/25/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Presentation



War Hill Park

Photo by: Michelle Wittmer Grabowski



IFB #340-19 ON-CALL FULL DEPTH RECLAMATION SERVICES

WORK SESSION – MAY 2, 2019



Background and Overview



- ❖ The Board of Commissioners approved budget for road work through operation funds and GDOT LMIG grant funds.
- ❖ Dawson County has grown and traffic has increased over the past few years. The roads need to be maintained and/or repaired more often than previously
- ❖ The IFB was released with a sample job at Hightower Parkway at SR53 to end of the pavement. This method was used to ensure accurate pricing.
- ❖ Two bids were received.

Procurement Approach and Procedure



BID ACCORDING TO POLICY

- ✓ Advertised in Legal Organ
- ✓ Posted on County Website
- ✓ Posted on Georgia Procurement Registry
- ✓ Emailed notification through vendor registry
- ✓ Notification through County's Facebook and Twitter accounts
- ✓ Notification through Chamber of Commerce

Scope of Services



❖ Contractor Responsibilities:

- Contractor will only be responsible for the FDR and applicable testing. Dawson County Public Works will perform the paving of all roads upon the Contractor providing acceptable testing results.
- Contractor shall ensure all connector roads to each project shall be edge milled and overlapped, if required, to make a smooth transition. The County will make the final decision on all work required.
- Contractor will ensure all curb and/or sidewalks, crosswalks, driveways ties-in, intersections and turn lanes are included in each FDR project.
- Contractor will ensure all striping and signage, where required, being used during and upon completion of each FDR project meets MUTCD.
- Contractor will be responsible for all traffic control and safety temporary striping for each FDR project and meets MUTCD.

Scope of Services - Continued



❖ Contractor Responsibilities:

- Contractor will ensure that ALL work performed meets the requirements of the current Georgia DOT Standard Specifications for Construction of Roads and Bridges including all applicable supplemental additions and revisions thereto which by reference are hereby made a part of this agreement. This includes methods of measurement and payment for all work.
- Contractor shall premix all jobs prior to adding concrete.
- Contractor shall ensure access to local residents for each project approved at all times, unless otherwise approved in writing by the Dawson County Public Works Director.
- Contractor shall provide a five (5) year warranty on all work completed.
- Contractor shall complete an estimate for each project to be approved by the Dawson County Public Works Director before any work begins.

Offers Received



Line Item	Item Description	Estimated Quantity	UOM	Blount Construction Co, Inc.		ShepCo Paving, Inc.		
				Unit Cost	Total Estimated Cost	Unit Cost	Total Estimated Cost	
Hightower Parkway .42 Miles/American Way .11 Miles/Easy Street .19 Miles - Approximately .72 Miles						Hightower Parkway .42 Miles/American Way .11 Miles/Easy Street .19 Miles - Approximately .72 Miles		
1	Traffic Control, Mobilization	1	LS	\$34,000.00	\$34,000.00	\$70,000.00	\$70,000.00	
2	10" Cement Reclaimed Base	10,800	SY	\$12.75	\$137,700.00	\$6.25	\$67,500.00	
3	Portland Cement - 55lb/SY	300	TN	\$186.00	\$55,800.00	\$152.00	\$45,600.00	
4	Haul-off Excess Material	2500	SY	\$4.50	\$11,250.00	\$6.00	\$15,000.00	
5	Reset grade to curb line, if required	270	LS	\$21.00	\$5,670.00	\$20.00	\$5,400.00	
					TOTAL COST	\$244,420.00	TOTAL COST	\$203,500.00

Staff Recommendation



Staff recommends to accept the bids received and to award a 1-year contract to ShepCo for on-call FDR at prices submitted with 2, 1-year optional renewals.

THANK YOU

Item Attachment Documents:

2. Consideration of Proposed Agreement with Rotary Club for Outdoor Project at Rock Creek Park



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Parks & Recreation _____

Work Session: 05.02.19

Prepared By: Matt Payne

Voting Session: 05.16.19

Presenter: Matt Payne

Public Hearing: Yes _____ No no

Agenda Item Title: Presentation of Proposed Agreement with Rotary Club for Outdoor Project at Rock Creek Park

Background Information:

In 2013, the Dawson County Parks & Recreation department and the Rotary Club of Dawson County entered into a partnership that gifted the citizens of Dawson County with the "Rotary Island" splash pad at Rock Creek Park. A new project has been discussed to provide Dawson County with another venue supplied by the Rotary Club of Dawson County that would house outdoor pickleball courts, batting cages, and an outdoor basketball area.

Current Information:

Presently, Rock Creek has an outdoor basketball court area that would be transformed into the new venue provided by the Rotary Club of Dawson County.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: _____

Date:

Finance Dept. Authorization: Vickie Neikirk

Date: 4/23/19

County Manager Authorization: DH

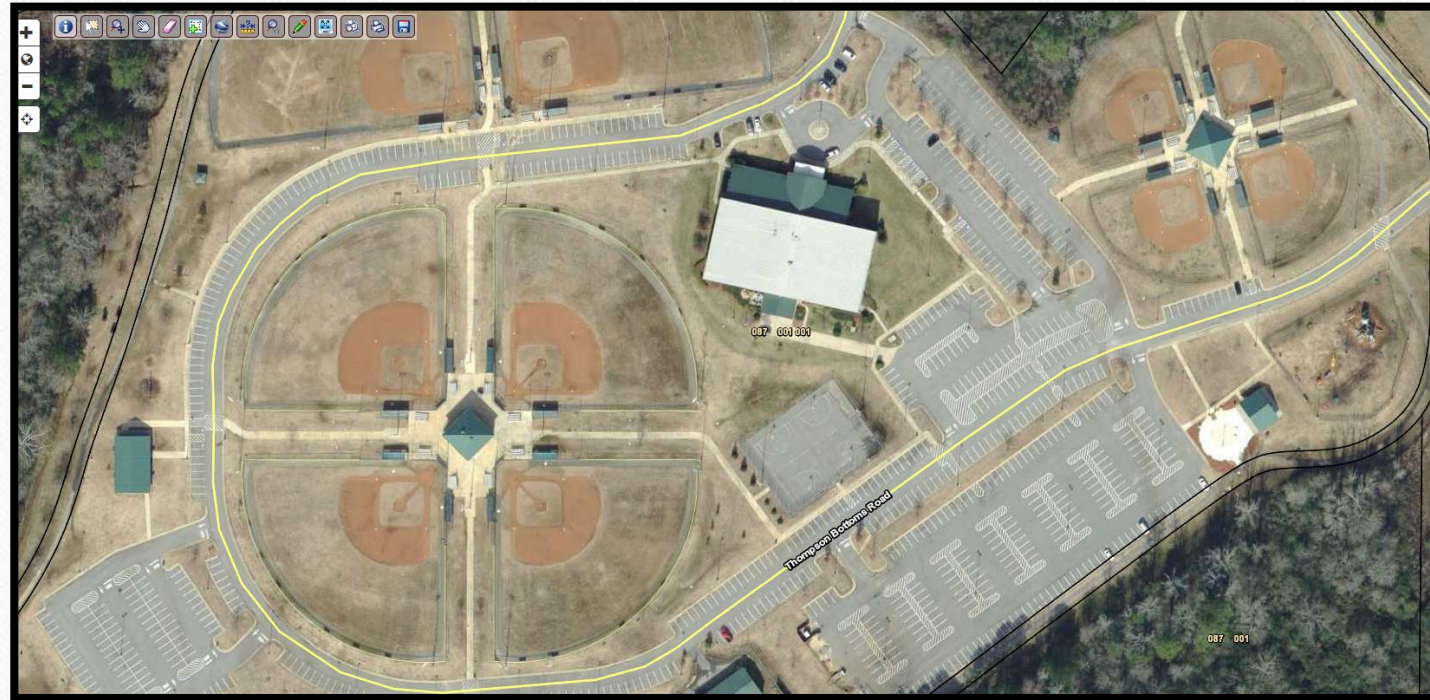
Date: 4/23/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Activity Court



Activity Court



- Project – Convert 2 Existing Asphalt Basketball Courts into 4 Pickleball Courts, 4 Baseball Batting Cages, 1 Basketball Half Court

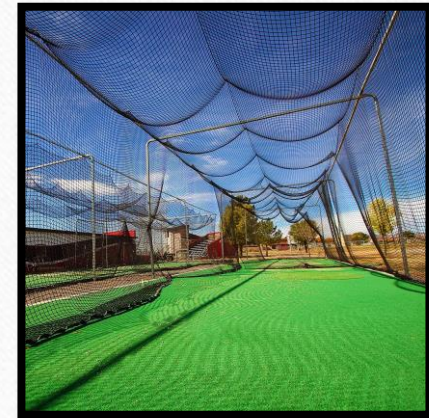
Activity Court



Existing Basketball Courts



Proposed Pickleball Courts
Baseball Batting Cages
Basketball Half Court



Item Attachment Documents:

3. Consideration of Request to Transfer Facility Responsibility of Station 2 Community Room



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Parks & Recreation

Work Session: 05.02.19

Prepared By: Matt Payne

Voting Session: 05.16.19

Presenter: Matt Payne

Public Hearing: Yes No no

Agenda Item Title: Presentation of Request to Transfer Facility Responsibility of Station 2 Community Room

Background Information:

Dawson County Parks & Recreation department currently facilitates the community room at Station 2 for rentals to the community.

Current Information:

The Dawson County branch of the Chestatee Regional Library System has approached the Parks & Recreation department about assuming responsibility for the facilitating of the community room at Station 2. According to records, in 2018 the Dawson County Parks & Recreation department collected approximately \$5,300 in rental fees for the facility.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: _____

Date: _____

Finance Dept. Authorization: Vickie Neikirk

Date: 4/23/19

County Manager Authorization: DH

Date: 4/23/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Item Attachment Documents:

4. Consideration of Resolutions Authorizing the Disposition of Certain County Properties by Sealed Bid in Accordance with O.C.G.A § 36-9-3(a)- Interim County Attorney

**A RESOLUTION BY THE DAWSON COUNTY BOARD OF COMMISSIONERS
AUTHORIZING DISPOSITION OF COUNTY PROPERTY IN ACCORDANCE WITH
O.C.G.A. § 36-9-3(a)**

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

WHEREAS, the County holds title to certain property designated as **tax parcel 016B-096** by the Dawson County Tax Assessor’s Office and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Board of Commissioners has determined that the County no longer has a use for the Property and that it would be in the best public interest to dispose of said Property by sealed bid to the highest responsible bidder in accordance with O.C.G.A. § 36-9-3(a).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF DAWSON COUNTY, GEORGIA AS FOLLOWS:**

1. The Property is hereby authorized to be advertised for sale by sealed bid, with sale to be made to the highest responsible bidder; *provided, however*, that in accordance with O.C.G.A. § 36-9-3(a), the County shall have the right to reject any and all bids or cancel the proposed sale.

2. The Board of Commissioners directs staff to publish legal notice of the proposed sale of the Property in accordance with O.C.G.A. § 36-9-3(a). Bids received shall be opened in public at the time and place stated in the legal notice. A tabulation of all bids received shall be available for public inspection following the opening of all bids. All such bids shall be retained and kept available for public inspection for a period of not less than 60 days from the date on which such bids are opened.

BE IT RESOLVED this _____ day of _____, 2019

DAWSON COUNTY BOARD OF COMMISSIONERS

Billy Thurmond, Chairman

Attest:

Clerk to the Board

EXHIBIT A
LEGAL DESCRIPTION
DAWSON COUNTY TAX PARCEL
016B-096

All that tract or parcel of land lying and being in Land Lot 313 of the 5th District, 2nd Section, Dawson County, Georgia, being Lot 7096 of the Toland Mountain Neighborhood of Big Canoe Subdivision, as per plat recorded in Plat Book 5, Page 73 in the Office of the Clerk of the Superior Court of said County, said Plat being incorporated herein and made a part hereof by reference.

**A RESOLUTION BY THE DAWSON COUNTY BOARD OF COMMISSIONERS
AUTHORIZING DISPOSITION OF COUNTY PROPERTY IN ACCORDANCE WITH
O.C.G.A. § 36-9-3(a)**

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

WHEREAS, the County holds title to certain property designated as **tax parcel 082-006-001** by the Dawson County Tax Assessor's Office and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Board of Commissioners has determined that the County no longer has a use for the Property and that it would be in the best public interest to dispose of said Property by sealed bid to the highest responsible bidder in accordance with O.C.G.A. § 36-9-3(a).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DAWSON COUNTY, GEORGIA AS FOLLOWS:

1. The Property is hereby authorized to be advertised for sale by sealed bid, with sale to be made to the highest responsible bidder; *provided, however*, that in accordance with O.C.G.A. § 36-9-3(a), the County shall have the right to reject any and all bids or cancel the proposed sale.

2. The Board of Commissioners directs staff to publish legal notice of the proposed sale of the Property in accordance with O.C.G.A. § 36-9-3(a). Bids received shall be opened in public at the time and place stated in the legal notice. A tabulation of all bids received shall be available for public inspection following the opening of all bids. All such bids shall be retained and kept available for public inspection for a period of not less than 60 days from the date on which such bids are opened.

BE IT RESOLVED this _____ day of _____, 2019

DAWSON COUNTY BOARD OF COMMISSIONERS

Billy Thurmond, Chairman

Attest:

Clerk to the Board

EXHIBIT A
LEGAL DESCRIPTION
DAWSON COUNTY TAX PARCEL
082-006-001

All that tract or parcel of land lying and being in Land Lots 302, 303, 310, and 311 of the 4th District, 1st Section of Dawson County, Georgia, consisting of 75.82 acres, more or less, together with all improvements located thereon, and being more particularly set out on a plat of survey dated June 27, 1997, revised August 26, 1997, and prepared for Sales Depot by David W. Bealle, G.R.L.S. This Plat is recorded in Plat Book 49, page 75, Dawson County Records, and is incorporated herein by reference for a more detailed description.

**A RESOLUTION BY THE DAWSON COUNTY BOARD OF COMMISSIONERS
AUTHORIZING DISPOSITION OF COUNTY PROPERTY IN ACCORDANCE WITH
O.C.G.A. § 36-9-3(a)**

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

WHEREAS, the County holds title to certain property designated as **tax parcel 016-098** by the Dawson County Tax Assessor’s Office and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Board of Commissioners has determined that the County no longer has a use for the Property and that it would be in the best public interest to dispose of said Property by sealed bid to the highest responsible bidder in accordance with O.C.G.A. § 36-9-3(a).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DAWSON COUNTY, GEORGIA AS FOLLOWS:

1. The Property is hereby authorized to be advertised for sale by sealed bid, with sale to be made to the highest responsible bidder; *provided, however*, that in accordance with O.C.G.A. § 36-9-3(a), the County shall have the right to reject any and all bids or cancel the proposed sale.

2. The Board of Commissioners directs staff to publish legal notice of the proposed sale of the Property in accordance with O.C.G.A. § 36-9-3(a). Bids received shall be opened in public at the time and place stated in the legal notice. A tabulation of all bids received shall be available for public inspection following the opening of all bids. All such bids shall be retained and kept available for public inspection for a period of not less than 60 days from the date on which such bids are opened.

BE IT RESOLVED this _____ day of _____, 2019

DAWSON COUNTY BOARD OF COMMISSIONERS

Billy Thurmond, Chairman

Attest:

Clerk to the Board

EXHIBIT A
LEGAL DESCRIPTION
DAWSON COUNTY TAX PARCEL
016-098

All that tract or parcel of land lying and being in Land Lot 300 of the 5th District, 2nd Section, Dawson County, Georgia, being Lot No. 6319 of Disharoon Valley of Big Canoe Subdivision, per plat recorded in Plat Book 5, Page 69, Dawson County, Georgia records. Said plat and the record thereof are herein incorporated for a full and complete legal description.

**A RESOLUTION BY THE DAWSON COUNTY BOARD OF COMMISSIONERS
AUTHORIZING DISPOSITION OF COUNTY PROPERTY IN ACCORDANCE WITH
O.C.G.A. § 36-9-3(a)**

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

WHEREAS, the County holds title to certain property designated as **tax parcel 107-271** by the Dawson County Tax Assessor’s Office and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Board of Commissioners has determined that the County no longer has a use for the Property and that it would be in the best public interest to dispose of said Property by sealed bid to the highest responsible bidder in accordance with O.C.G.A. § 36-9-3(a).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DAWSON COUNTY, GEORGIA AS FOLLOWS:

1. The Property is hereby authorized to be advertised for sale by sealed bid, with sale to be made to the highest responsible bidder; *provided, however*, that in accordance with O.C.G.A. § 36-9-3(a), the County shall have the right to reject any and all bids or cancel the proposed sale.

2. The Board of Commissioners directs staff to publish legal notice of the proposed sale of the Property in accordance with O.C.G.A. § 36-9-3(a). Bids received shall be opened in public at the time and place stated in the legal notice. A tabulation of all bids received shall be available for public inspection following the opening of all bids. All such bids shall be retained and kept available for public inspection for a period of not less than 60 days from the date on which such bids are opened.

BE IT RESOLVED this _____ day of _____, 2019

DAWSON COUNTY BOARD OF COMMISSIONERS

Billy Thurmond, Chairman

Attest:

Clerk to the Board

EXHIBIT A
LEGAL DESCRIPTION
DAWSON COUNTY TAX PARCEL
107-271

All that tract or parcel of land lying and being in Land Lot 498 of the South half of the 13th District of Dawson County, Georgia, and being 1.379 acres as shown on survey for Dawson County by Youngman Surveying, Inc., dated November 9, 1995, and recorded in Plat Book 38, Page 21, Dawson County, Georgia Plat Records. Said plat is incorporated herein and made a part hereof by reference.

**A RESOLUTION BY THE DAWSON COUNTY BOARD OF COMMISSIONERS
AUTHORIZING DISPOSITION OF COUNTY PROPERTY IN ACCORDANCE WITH
O.C.G.A. § 36-9-3(a)**

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

WHEREAS, the County holds title to certain property designated as **tax parcel 023-001** by the Dawson County Tax Assessor’s Office and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Board of Commissioners has determined that the County no longer has a use for the Property and that it would be in the best public interest to dispose of said Property by sealed bid to the highest responsible bidder in accordance with O.C.G.A. § 36-9-3(a).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DAWSON COUNTY, GEORGIA AS FOLLOWS:

1. The Property is hereby authorized to be advertised for sale by sealed bid, with sale to be made to the highest responsible bidder; *provided, however*, that in accordance with O.C.G.A. § 36-9-3(a), the County shall have the right to reject any and all bids or cancel the proposed sale.

2. The Board of Commissioners directs staff to publish legal notice of the proposed sale of the Property in accordance with O.C.G.A. § 36-9-3(a). Bids received shall be opened in public at the time and place stated in the legal notice. A tabulation of all bids received shall be available for public inspection following the opening of all bids. All such bids shall be retained and kept available for public inspection for a period of not less than 60 days from the date on which such bids are opened.

BE IT RESOLVED this _____ day of _____, 2019

DAWSON COUNTY BOARD OF COMMISSIONERS

Billy Thurmond, Chairman

Attest:

Clerk to the Board

EXHIBIT A
LEGAL DESCRIPTION
DAWSON COUNTY TAX PARCEL
023-001

All that tract or parcel of land lying and being in Land Lot 303 of the 5th District, 2nd Section, Dawson County, Georgia, and being lot 3052 of the Wet Mountain Neighborhood of Big Canoe Subdivision, as per plat recorded in Plat Book 4, Page 123, Dawson County records (hereinafter called the "Plat"), said Plat being incorporated herein and made a part hereof by reference.

**A RESOLUTION BY THE DAWSON COUNTY BOARD OF COMMISSIONERS
AUTHORIZING DISPOSITION OF COUNTY PROPERTY IN ACCORDANCE WITH
O.C.G.A. § 36-9-3(a)**

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

WHEREAS, the County holds title to certain property designated as **tax parcel 015-068** by the Dawson County Tax Assessor’s Office and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Board of Commissioners has determined that the County no longer has a use for the Property and that it would be in the best public interest to dispose of said Property by sealed bid to the highest responsible bidder in accordance with O.C.G.A. § 36-9-3(a).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF DAWSON COUNTY, GEORGIA AS FOLLOWS:**

1. The Property is hereby authorized to be advertised for sale by sealed bid, with sale to be made to the highest responsible bidder; *provided, however*, that in accordance with O.C.G.A. § 36-9-3(a), the County shall have the right to reject any and all bids or cancel the proposed sale.

2. The Board of Commissioners directs staff to publish legal notice of the proposed sale of the Property in accordance with O.C.G.A. § 36-9-3(a). Bids received shall be opened in public at the time and place stated in the legal notice. A tabulation of all bids received shall be available for public inspection following the opening of all bids. All such bids shall be retained and kept available for public inspection for a period of not less than 60 days from the date on which such bids are opened.

BE IT RESOLVED this _____ day of _____, 2019

DAWSON COUNTY BOARD OF COMMISSIONERS

Billy Thurmond, Chairman

Attest:

Clerk to the Board

EXHIBIT A
LEGAL DESCRIPTION
DAWSON COUNTY TAX PARCEL
015-068

All that tract or parcel of land lying and being in Land Lot 278 of the 5th District, 2nd Section of Dawson County, Georgia, being Lot 6295 Disharoon Valley of the Big Canoe Subdivision, as shown on a plat of survey recorded in Plat Book 4, Page 91, Dawson County, Georgia records, which plat is incorporated herein and made a part hereof by reference.