

**DAWSON COUNTY PLANNING COMMISSION**  
**MEETING Agenda – Tuesday, October 20, 2020**  
**DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM**  
**25 JUSTICE WAY, DAWSONVILLE GEORGIA 30534**  
**6:00 PM**

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**A. MEETING CALLED TO ORDER**

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**E. ANNOUNCEMENTS:**

There will be a Planning Commission Meeting, November 17<sup>th</sup> 2020

**F. APPROVAL OF MINUTES:**

September 15, 2020

**G. APPROVAL OF THE AGENDA**

**H. STATEMENT OF DISCLOSURE:**

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

**I. OLD BUSINESS:**

Presentation of ZA 20-08 Fox Creek Properties, Inc. is requesting to rezone TMP 112-109, 104-065, 112-019, 112-013, 113-057-002, 112-018 from R-A, RPC, C-HB, CPCD, C-OI to Mixed Use Village for the purpose of developing single family, multi-family, retail/commercial/office, hotel, and light industrial uses. (GA 400 & Lumpkin Campground Rd.) *(tabled from the August 18th Planning Commission where the first Public Hearing was held)*

**J. NEW BUSINESS:**

**Application for Variance:**

1. Presentation of VR 20-19 Ken Powalowski is requesting to vary from the Dawson County Land Use Resolution Article III, Section 309.C.3 front and rear setback reductions from required 40' & 20' for the construction of a primary residence. TMP L17-063 (88 Sunrise Drive Athens Boat Club).
2. Presentation of VR 20-20 Greg Scott is requesting to vary from the Dawson County Land Use Resolution Article III, Section 309.C.3 front setback reduction from required 40' to 20' for the construction of a primary residence. TMP L21-008 (Lakewood Drive).
3. Presentation of VR 20-21 Dawson Forest Partners GA, LLC is requesting to vary from the Dawson County Land Use Resolution Article III, Section 314.L.1, 2, 3 regarding roads and utilities in residential planned communities. TMP 087-001 (Dawson Forest Rd).

**Application for Rezoning:**

4. [Presentation](#) of ZA 20-15 Arquim Velasquez is requesting to rezone TMP L15-116-009 from R-A to Commercial Highway Intensive for the purpose of opening a landscape supply. (GA 53 East)
5. Presentation of ZA 20-16 Jim King obo Debra Barnaby is requesting to rezone .8 acres of TMP L08-115-004 from R-A to R-L (Residential Lakefront). (Nix Bridge Road)
6. Presentation of ZA 20-17 JC Jones is requesting to rezone TMP 110-025 from RSR to RSRMM (Residential Sub-Rural Manufactured Moved) for the purpose of moving in a stick-built home (Cothran Road)
7. Presentation of ZA 20-18 The Pacific Group, Inc. is requesting to rezone TMP 106-053 & 106-052 from RS (Residential Suburban) to RS3 (Residential Suburban 3) for the purpose of developing 183 residential lot subdivision (Dawson Forest Road)

**2021 Submittal and Meeting Dates:**

8. 2021 Rezoning/Variance Submittal Dates and Meeting Schedule

**K. UPDATES BY PLANNING & DEVELOPMENT:**

**L. ADJOURNMENT**

*Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 706-344-3666, extension 44514. The county will make reasonable accommodations for those persons*

# DAWSON COUNTY REZONING APPLICATION

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

ZA 20-08 Tax Map & Parcel # (TMP): \_\_\_\_\_  
Submittal Date: 7-10-2020 Time: 11:27 (am/pm) Received by: WJG (staff initials)  
Fees Assessed: 3500- Paid: check Commission District: \_\_\_\_\_  
Planning Commission Meeting Date: August 18  
Board of Commissioners Meeting Date: Sept. 17

## APPLICANT INFORMATION (or Authorized Representative)

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

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

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

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

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

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

Meeting Date: \_\_\_\_\_ Applicant Signature: 

## PROPERTY OWNER/PROPERTY INFORMATION

Name: LUMPKIN CAMPGROUND ROAD LLC

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

Rezoning from: R-1 RESIDENTIAL AGRICULTURAL  
RPC RESIDENTIAL PLANNED COMMUNITY  
C-16 HIGHWAY BUSINESS COMMERCIAL DISTRICT  
C-100 COMMERCIAL PLANNED COMPREHENSIVE  
D DEVELOPMENT DISTRICT  
C-91 COMMERCIAL OFFICE INSTITUTIONAL DISTRICT to: MUV - MIXED USE VILLAGE Total acreage being rezoned: ~~517~~ 517 ACRES

Directions to Property: THE NORTHWESTERN SIDE OF LUMPKIN CAMPGROUND RD NW (STATE ROUTE 9 E)  
AND GA 400 BETWEEN HWY 53 AND ETOWAH RIVER ROAD.

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Subdivision Name (if applicable): DAWSON VILLAGE (PROPOSED) Lot(s) #: \_\_\_\_\_

Current Use of Property: VACANT

Any prior rezoning requests for property? ~~NO~~ Y if yes, please provide rezoning case #: ZA 19-05 + ZA 19-15

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

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

If yes, what section? NORTH

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

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

Future Land Use Map Designation: PLANNED RESIDENTIAL COMMUNITY

Access to the development will be provided from:

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

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

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

Proposed Use: SINGLE FAMILY DETACHED LOTS, MULTI-FAMILY UNITS, COMMERCIAL/RETAIL/RESTAURANT, AND LIGHT INDUSTRIAL SPACE

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: ~~888~~ <sup>941</sup> LOTS Minimum Lot Size: 4800 - 7200 sq ft per lot (acres) No. of Units: ~~888~~ <sup>288</sup> UNITS

Minimum Heated Floor Area: \_\_\_\_\_ sq. ft. Density/Acre: 1.8 UPA

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Is an Amenity Area proposed: YES; if yes, what? POOL/MASTER AMENITY FOR GARDEN APARTMENTS

**COMMERCIAL & INDUSTRIAL**

Building area: 54,000 SQ FT No. of Parking Spaces: 3.25 spaces per 500 sqft of commercial

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**APPLICANT CERTIFICATION**

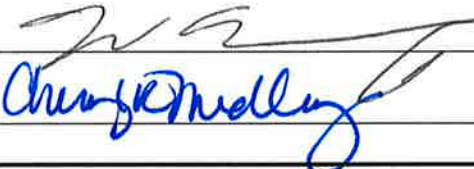
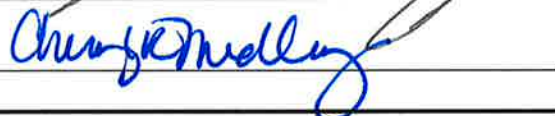
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

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 | 7/8/20   |
| Witness   |  | Date | 7/8/2020 |

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

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

20 JUL 10 11:27 AM

**List of Adjacent Property Owners**

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

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

|                        | <u>Name</u>               | <u>Address</u>                |
|------------------------|---------------------------|-------------------------------|
| TMP <u>104 029</u>     | 1. BARRY CONNER           | NO PHYSICAL ADDRESS           |
| TMP <u>104 028</u>     | 2. BARRY CONNER           | NO PHYSICAL ADDRESS           |
| TMP <u>112 001 001</u> | 3. CN MCCLURE             | GRANT ROAD W                  |
| TMP <u>112 017 001</u> | 4. HEIDI BEHRMANN         | GRANT ROAD W                  |
| TMP <u>112 015</u>     | 5. CHRISTIE HARTNER       | 317 GRANT ROAD                |
| TMP <u>112 106</u>     | 6. GREG WIECHARD          | 267 GRANT ROAD W              |
| TMP <u>112 014</u>     | 7. MARILOU/PHILLIP TORRE  | 101 GRANT ROAD W              |
| TMP <u>112 025 002</u> | 8. RED ROCK LLC           | NO PHYSICAL ADDRESS           |
| TMP <u>113 057 002</u> | 9. AMERICA'S HOMEPLACE    | NO PHYSICAL ADDRESS           |
| TMP <u>113 095</u>     | 10. CHRISTOPHER STEPHENS  | 995 LUMPKIN CAMPGROUND ROAD N |
| TMP <u>113 044 010</u> | 11. ROGER LANIER STEPHENS | 859 LUMPKIN CAMPGROUND ROAD N |
| TMP <u>113 032 001</u> | 12. RUSSELL STEPHENS      | NO ADDRESS GIVEN              |
| TMP <u>113 032 004</u> | 13. EDNA STEPHENS         | NO ADDRESS GIVEN              |
| TMP <u>113 044 001</u> | 14. MARJORIE ANN STEPHENS | 759 LUMPKIN CAMPGROUND ROAD N |
| TMP <u>112 098 007</u> | 15. MICHAEL WAYNE FRAZIER | 326 BRIGHTS WAY               |

Use additional sheets if necessary.

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ZA 2008

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

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

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

Use additional sheets if necessary.

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ZA 20-08

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

**List of Adjacent Property Owners**

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

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

Name

Address

|                        |                  |                     |
|------------------------|------------------|---------------------|
| TMP <u>104 067 010</u> | 1. TERRY T BURCH | 189 RIVERVIEW DRIVE |
| TMP _____              | 2. _____         | _____               |
| TMP <u>104 067</u>     | 3. CHESATEE LLC  | NO ADDRESS GIVEN    |
| TMP _____              | 4. _____         | _____               |
| TMP _____              | 5. _____         | _____               |
| TMP _____              | 6. _____         | _____               |
| TMP _____              | 7. _____         | _____               |
| TMP _____              | 8. _____         | _____               |
| TMP _____              | 9. _____         | _____               |
| TMP _____              | 10. _____        | _____               |
| TMP _____              | 11. _____        | _____               |
| TMP _____              | 12. _____        | _____               |
| TMP _____              | 13. _____        | _____               |
| TMP _____              | 14. _____        | _____               |
| TMP _____              | 15. _____        | _____               |

Use additional sheets if necessary.

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: 

Applicant Printed Name: FOX CREEK PROPERTIES, INC.

Application Number: ZA 20.08

Date Signed: 7/8/20

Sworn and subscribed before me

this 8th day of July, 2020.



Notary Public

My Commission Expires: 01/08/2024



20 JUL 10 11:28 AM

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

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

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

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

N/A


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

Amount \$ N/A 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: 7/8/20

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

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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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

(PARCEL IDs: 112 109)

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

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

Printed Name of applicant or agent: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

Printed Name of Owner(s): BARRY CONNER

Signature of Owner(s): Barry Conner Date: 7/8/20

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

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

Telephone Number: Listed  
Unlisted

Sworn and subscribed before me this 8 day of July, 20 20.

Nikela Verrill  
Notary Public

My Commission Expires: 1-16-23



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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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

(PARCEL IDs: 112 109

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

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

Printed Name of applicant or agent: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent:  Date: \_\_\_\_\_

\*\*\*\*\*

Printed Name of Owner(s): BARRY CONNER

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

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

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

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

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_ {Notary Seal}

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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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

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

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

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

Printed Name of applicant or agent: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

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

Signature of Owner(s): Barry Conner Date: 7-8-20

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

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

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

Sworn and subscribed before me this 8 day of July, 20 20.

Nikki Verrill  
Notary Public

My Commission Expires: 1-16-23



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

20 JUL 10 11:28 AM

# PROPERTY OWNER AUTHORIZATION

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

(PARCEL IDs: \_\_\_\_\_ 113 057 002, 112 013, 112 018)

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

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

Printed Name of applicant or agent: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent:  Date: \_\_\_\_\_

\*\*\*\*\*

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

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

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

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

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

Sworn and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_ {Notary Seal}

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

JUL 10 11:28AM

**PROPERTY OWNER AUTHORIZATION**

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

(PARCEL IDs: 104 065, 112 019)

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

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

Printed Name of applicant or agent: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

Printed Name of Owner(s): LUMPKIN CAMPGROUND ROAD, LLC

Signature of Owner(s): Barry Conner Date: 7/8/20

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

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

Telephone Number: \_\_\_\_\_

Listed

Unlisted

Sworn and subscribed before me this 8 day of July, 2020

Nikki Verrill

Notary Public

My Commission Expires: 1-16-23



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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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

(PARCEL IDS: 112 010, 112 109, 104 065, 113 057 002, 112 013, 112 018)

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

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

Printed Name of applicant or agent: FOX CREEK PROPERTIES, INC.

Signature of applicant or agent:  Date: \_\_\_\_\_

\*\*\*\*\*

Printed Name of Owner(s): LUMPKIN CAMPGROUND ROAD, LLC

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

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

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

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

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

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

{Notary Seal}

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

2011-10-11 11:28 AM



**From:** [Wentworth, Laurie](#)  
**To:**  
**Subject:** Rezoning Request  
**Date:** Thursday, July 9, 2020 5:02:47 PM

---

Hello Hayley,

We are in receipt of the parcel numbers you requested our department review for septic for your rezoning request. We will review them and provide an email to the county regarding any requirements from our department.

Thanks,

Laurie J. Wentworth  
Environmental Health Specialist  
Dawson County Environmental Health Department  
189 Highway 53 West, Suite 102  
Dawsonville, GA 30534  
(706) 265-2930  
(706) 265-7529 (fax)  
[Laurie.Wentworth@dph.ga.gov](mailto:Laurie.Wentworth@dph.ga.gov)

20 JUL 10 11:29 AM

**JAMES M. WALTERS**  
 Attorney at Law  
 Suite 103  
 311 Green St. N.W.  
 Gainesville, GA 30503  
 (770) 536-3264  
 DAWSON COUNTY, GEORGIA  
 REAL ESTATE TRANSFER TAX  
 PAID \$ 45.00  
 DATE 11-29-07  
Becky McCord  
 BECKY MCCORD, CLERK  
 SUPERIOR COURT

042-07-001893  
 GEORGIA, DAWSON COUNTY  
 CLERKS OFFICE, SUPERIOR COURT  
 FILED FOR RECORD  
 AT 10:15A M. 11-29-07  
 Recorded in Deed Book 841 Page 645-646  
 This 29 day of Nov. 20 07  
Becky McCord, Clerk

State of Georgia, Hall County

THIS INDENTURE, Made the 26<sup>th</sup> day of November in the year of our Lord Two Thousand, and Seven between RAYFORD DONALD STEPHENS, of the First Part and AMERICA'S HOME PLACE, INC. of the Second Part

Parcel 113 057 002

WITNESSETH: That the said party of the First Part for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Party of the Second Part its heirs and assigns, all the following described property, to wit:

**SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.**

TO HAVE AND TO HOLD the said tract or parcel of land, 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 and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, its heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

[Signature] (SEAL)  
 Unofficial Witness RAYFORD DONALD STEPHENS

[Signature] (SEAL)  
 Notary Public, Hall County, GA Cheryl Walters

Notary Public  
 Hall County, Georgia  
 Comm. Expires: Jan. 10, 2011

Clerk's Office, \_\_\_\_\_ Superior Court  
 Filed for record at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
 \_\_\_\_\_, 20\_\_\_\_  
 Recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_  
 \_\_\_\_\_, 20\_\_\_\_  
 \_\_\_\_\_, Clerk

2011101109AM

EXHIBIT 'A'

All that tract or parcel of land lying and being in Land Lot 198 , South Half, 13<sup>th</sup> District, 1<sup>st</sup> Section, Dawson Co. GA and being shown and delineated on plat of survey prepared for Don Stephens by Trail and Son, Inc., Ga. Reg. Sur. dated March, 2007 and being more particularly described according to said survey as follows:

Parcel 113 057 002

Begin at a rock found at the common corner of Land Lots 162, 161, 197 and 198; thence along the Land Lot Lines of Land Lot 161 and 198 South 89 degrees 06 minutes 37 seconds East 242.64 feet to an iron pin set; thence leaving said Land Lot Lines South 65 degrees 43 minutes 03 seconds West 116.11 feet to a right of way to a right of way concrete marker found; thence South 27 degrees 28 minutes 56 seconds East 10.26 feet to a concrete marker found; thence a chord distance and degree South 68 degrees 05 minutes 38 seconds West 151.75 feet to a point on the dividing line of Land Lots 197 and 198; thence along said dividing Land Lot Lines North 00 degrees 21 minutes 00 seconds West 117.24 feet to a rock found being the POINT OF BEGINNING. Containing 0.343 acres according to said survey.



20 JUL 10 10 29 AM

JAMES M. WALTERS  
Attorney at Law  
Suite 103  
311 Green St. N.W.  
Gainesville, GA 30503  
(770) 536-3264

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

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

AT 10:20A M 3-4-05  
Recorded in Deed Book 652 Page 260-262  
This 4 day of March 20 05

PAID \$ 8,483.90  
DATE 3-4-05

LIMITED WARRANTY DEED  
Becky McCord, Clerk

Becky McCord  
BECKY MCCORD, CLERK  
SUPERIOR COURT

State of Georgia, Hall County

THIS INDENTURE, Made the 2<sup>nd</sup> day of March in the year of our Lord Two Thousand and Five between SOUTHERN CATHOLIC, INC. of the county of Dawson and State of Georgia, of the First Part and LUMPKIN CAMPGROUND ROAD, LLC of the county of Hall and State of Georgia of the Second Part

Parcel 112 019

WITNESSETH: That the said party of the First Part for and in consideration of the sum of TEN DOLLARS AND NO/100 in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Party of the Second Part its heirs and assigns, all the following described property, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

SEE PERMITTED EXCEPTION ATTACHED AS EXHIBIT 'B' HERETO.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, his heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the said party of the first part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

SOUTHERN CATHOLIC, INC.

*[Signature]*  
*[Signature]*

BY: *[Signature]* (SEAL)  
JERRY WASHCROFT  
ITS: PRESIDENT

Notary Public, Hall County, GA

CHERYL T. WALTERS  
NOTARY PUBLIC  
HALL COUNTY, GEORGIA  
COMM. EXPIRES JAN. 5, 2007

(CORPORATE SEAL AFFIXED)

Clerk's Office, \_\_\_\_\_ Superior Court  
Filed for record at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
\_\_\_\_\_, 19\_\_\_\_  
Recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, Clerk

EXHIBIT 'A'

All that tract or parcel of land lying and being in Land Lots 105, 135, 136, 137, 138, 162, 163 and 164, South Half, 13<sup>th</sup> District, Dawson County, GA and being shown and delineated on plat of survey prepared for Lumpkin Campground Road, LLC by John T. Gaston, Ga. Reg. Sur. dated December 27, 2004 and being more particularly described according to said survey as follows:

Parcel 112 019

BEGIN AT a crimped top pipe found at the intersection of Land Lots 163, 162, 196 and 197; thence North 88 degrees 21 minutes 48 seconds West 1309.40 feet to a 2 Inch pipe found located at the common corner of Land Lots 164, 163, 195 and 196; thence South 89 degrees 44 minutes 25 seconds West 1297.05 to a rod found and being the common corner of Land Lots 165, 164, 194 and 195; thence North 1 degree 14 minutes 09 seconds East 1317.09 feet to a standing rock found at the common corner of Land Lots 135, 136, 165 and 164; thence North 89 degrees 18 minutes 32 seconds West 1312.51 feet to a nail found in rock pile being the common corner of Land Lots 134, 135, 166 and 165; thence North 0 degrees 26 minutes 45 seconds East 1298.88 feet to a nail found in rock pile being the common corner of Land Lots 107, 106, 134 and 135; thence South 89 degrees 14 minutes 47 seconds East 1309.21 feet to a nail found in rock pile being the common corner of Land Lots 106, 105, 135 and 136; thence North 2 degrees 12 minutes 35 seconds East 667.56 feet to an iron pin found; thence South 88 degrees 37 minutes 59 seconds East 1301.05 feet to an iron pin found; thence South 2 degrees 06 minutes 50 seconds West 671.03 feet to a painted rock found being the common corner of Land Lots 105, 104, 136 and 137; thence South 89 degrees 27 minutes 01 second East 1337.37 feet to a pipe found being the common corner of Land Lots 104, 103, 137 and 138; thence South 88 degrees 07 minutes 40 seconds East 1367.80 feet to an iron pin found; thence South 00 degrees 04 minutes 15 seconds East 830.14 feet to a point in the centerline of graded road; thence along the centerline of graded road the following calls: a chord distance and degree South 23 degrees 22 minutes 20 seconds West 429.83 feet to a point; thence South 18 degrees 38 minutes 12 seconds West 440.23 feet to a point; thence a chord distance and degree South 40 degrees 57 minutes 02 seconds West 376.81 feet to a point; thence South 63 degrees 15 minutes 52 seconds West 168.70 feet to an iron pin found; thence a chord distance and degree South 57 degrees 25 minutes 03 seconds West 152.80 feet to an iron pin found; thence South 51 degrees 34 minutes 15 seconds West 187.83 feet to an iron pin found; thence leaving said graded road South 38 degrees 25 minutes 45 seconds East 529.76 feet to an iron pin found; thence North 84 degrees 56 minutes 42 seconds West 669 feet to a crimped top pin found being the POINT OF BEGINNING. Containing 273.673 acres according to said survey.

AP

20 JUL 10 11:59 AM

Filed in Office: 09/19/2019 11:43AM  
Deed Doc: WD  
Bk 01367 Pg 0579-0582  
Georgia Transfer Tax Paid : \$600.00  
Justin Power Clerk of Court  
Dawson County  
0422019001600

**JAMES M. WALTERS**  
Attorney at Law  
Suite 103  
311 Green St. N.W.  
Gainesville, GA 30503  
(770) 536-3264

Parcel 112 018

**LIMITED  
WARRANTY DEED**

State of Georgia, Hall County

THIS INDENTURE, Made the 18<sup>th</sup> day of September in the year of our Lord Two Thousand and Nineteen between **MYRA AMOS, CHRISTOPHER STEPHENS, ANDREW STEPHENS A/K/A MICHAEL ANDREW STEPHENS, AND ROBERT STEPHENS**, of the First Part and **AMERICA'S HOME PLACE, INC.** 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 CONSIDERATION** in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Party of the Second Part its heirs and assigns, all the following described property, to wit:

**SEE EXHIBIT 'A' ATTACHED HERETO AND  
INCORPORATED HEREIN BY REFERENCE.**

**SUBJECT TO PERMITTED EXCEPTIONS ATTACHED AS  
EXHIBIT 'B'.**

20 JUL 10 11 29 AM

TO HAVE AND TO HOLD the said tract or parcel of land, 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 and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

112 018

AND THE SAID party of the first part, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, its heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the said party of the first part.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Unofficial Witness

[Signature] (SEAL)  
MYRA AMOS

Andrew Stephens (SEAL)  
ANDREW STEPHENS A/K/A  
MICHAEL ANDREW STEPHENS AS  
ATTORNEY IN FACT FOR  
CHRISTOPHER STEPHENS PER POA  
RECORDED DEED BOOK 1367  
PAGE 576  
DAWSON CO GA DEED RECORDS

Michael Andrew Stephens (SEAL)  
ANDREW STEPHENS A/K/A

ANDREW STEPHENS  
[Signature] (SEAL)  
ROBERT STEPHENS

MICHAEL

[Signature]  
Notary Public  
My Commission Expires:

Notary Seal Affixed:



20 JUL 10 11:29 AM

EXHIBIT 'A'

Parcel 112 018

All that tract or parcel of land lying and being in Land Lots 133, 134, 166, 167, 192, and 193 of the south half of the 13th District, 1st Section of Dawson County, Georgia, and being more particularly described as follows:

BEGINNING at a rock pile found at the southeast corner of Land Lot 134 and going thence along the south line of Land Lot 134 south 89 degrees 55 minutes 47 seconds west 659.99 feet to an iron pin found; going thence south 0 degrees 03 minutes 09 seconds east 948.55 feet to an iron pin found; going thence south 89 degrees 57 minutes 17 seconds west 270.05 feet to an iron pin found; going thence south 43 degrees 59 minutes 49 seconds west 494.30 feet to an iron pin found on the north right of way of State Hwy. #53 (right-of-way varies); going thence along the curvature of the north right of way of State Hwy. #53 the following courses and distances; South 75 degrees 33 minutes 51 seconds west 147.32 feet to a right-of-way monument; westerly in an arc 483.86 feet to a right of way monument, which arc is subtended by a chord north 86 degrees 03 minutes 35 seconds west 474.06 feet to the right of way monument; north 63 degrees 57 minutes 23 seconds west 49.50 feet to a point; thence leaving the north right of way of State Hwy. #53 and going north 44 degrees 45 minutes 00 seconds east 673.61 feet to an iron pin found; going thence north 28 degrees 48 minutes 56 seconds east 500.42 feet to an iron pin found; going thence north 22 degrees 39 minutes 00 seconds west 1707.41 feet to a point in the center of the Etowah River; going thence along the centerline of the Etowah River north 61 degrees 23 minutes 14 seconds east 196.07 feet to a point; thence leaving the centerline of the Etowah River and going south 90 degrees 00 minutes 00 seconds east 1695.46 feet to a rock pile found at the northeast corner of Land Lot 134; going thence along the east line of Land Lot 134 south 0 degrees 18 minutes 49 seconds east 1298.91 feet to a rock pile found at the southeast corner of Land Lot 134, which rock pile found is the POINT OF BEGINNING.

The above-described property containing 69.76 acres, according to plat of survey for Doris Byrd Stephens by Richard W. Cannon, dated February 1, 1996, and recorded in Plat Book 37, page 61, Dawson County, Georgia Plat Records. Said plat is incorporated herein and made a part hereof by reference.

MA  
MAS  
RS

20 JUL 10 1 02 PM '02



JAMES M. WALTERS  
Attorney at Law  
Suite 103  
311 Green St. N.W.  
Gainesville, GA 30503

PT-61-042-2007-001077

GEORGIA, DAWSON COUNTY  
CLERKS OFFICE, SUPERIOR COURT  
FILED FOR RECORD  
AT 11:15A M 6-15-07  
Recorded in Deed Book 816 Page 644-645  
This 15 day of June 20 07

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

PAID \$ 983.20

DATE 6-15-07

WARRANTY DEED

Clerk

*Becky MacCord*  
BECKY MACCORD, CLERK  
SUPERIOR COURT

State of Georgia, Hall County

THIS INDENTURE, Made the 14<sup>th</sup> day of June in the year of our Lord Two Thousand, and Seven between EDWARD P. BUZZELL AND VIRGINIA M. BUZZELL of the State of Georgia, of the First Part and LUMPKIN CAMPGROUND ROAD, LLC of the county of Hall and State of Georgia of the Second Part

Parcel 104 065

WITNESSETH: That the said parties of the First Part for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto Party of the Second Part its heirs and assigns, all the following described property, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

AND THE SAID parties of the first part, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, its heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

*James M. Walters*  
Unofficial Witness  
*Cheryl Walters*  
Notary Public, Hall County, Georgia  
Comm. Expires: Jan. 10, 2011

*Edward P. Buzzell* (SEAL)  
EDWARD P. BUZZELL  
*Virginia M. Buzzell* (SEAL)  
VIRGINIA M. BUZZELL

Clerk's Office, \_\_\_\_\_ Superior Court  
Filed for record at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
, 20\_\_\_\_  
Recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_  
, \_\_\_\_\_, 20\_\_\_\_  
, \_\_\_\_\_, Clerk

20 JUL 19 11:29 AM

EXHIBIT 'A'

All that tract or parcel of land lying and being in Land Lots 132, 133, 167 & 192, 13<sup>th</sup> District, 1<sup>st</sup> Section, Dawson Co. GA and being shown and delineated on plat of survey prepared for Barry Conner, LLC by Phillips Land Surveying, Ga. Reg. Sur. dated March 20, 2007 and being more particularly described according to said survey as follows:

BEGIN at an iron pin found on the Northerly right of way of State Highway 53 being the common corner with The Gates of Etowah Subdivision; thence leaving said right of way North 38 degrees 16 minutes 02 seconds East 939.74 feet to an iron pin found; thence North 61 degrees 42 minutes 53 seconds West 197.78 feet to an iron pin found; thence North 60 degrees 25 minutes 51 seconds West 209.05 feet to an iron pin; thence North 52 degrees 25 minutes 08 seconds West 178.40 feet to a point; thence North 54 degrees 28 minutes 18 seconds West 420.17 feet to an iron pin found; thence North 54 degrees 27 minutes 02 seconds West 741.64 seconds to a point in the centerline of Etowah River; thence along said centerline of Etowah River in a Northerly and Easterly direction 1304.24 feet to a point; thence leaving said Etowah River South 22 degrees 14 minutes 37 seconds East 1720.44 feet to an iron pin found; thence South 29 degrees 08 minutes 31 seconds West 500.16 feet to an iron pin found; thence South 44 degrees 49 minutes 01 seconds West 659.11 feet to an iron pin set on the Northerly right of way of State Route 53; thence along said right of way North 67 degrees 22 minutes 35 seconds West 195.64 feet to an iron pin found being the POINT OF BEGINNING. Containing 36.48 acres according to said survey.

Parcel 104 065

*[Handwritten signature]*

*[Handwritten signature]*

20 JUL 10 11:29 AM

JAMES M. WALTERS DAWSON COUNTY, GEORGIA  
 Attorney at Law REAL ESTATE TRANSFER TAX  
 Suite 103 PAID \$ 1682.00  
 311 Green St. N.W. DEED 7-10-06  
 Gainesville, GA 30501 Deedy  
 (770) 536-3264

GEORGIA, DAWSON COUNTY  
 CLERK'S OFFICE, SUPERIOR COURT  
 FILED FOR RECORD  
 AT 10:45 A.M. 7/7/06  
 Recorded in Deed Book 749 Page 517-518  
 This 10 day of July 2006  
 Becky McCord, CLERK  
 SUPERIOR COURT  
 Becky McCord, Clerk

WARRANTY DEED

Parcel 112 109

State of Georgia, Hall County

THIS INDENTURE, Made the 30<sup>th</sup> day of June in the year of our Lord Two Thousand and Six between ELIZABETH B. PIRKLE FAMILY, L.P. of the county of Hall and State of Georgia, of the First Part and BARRY CONNER of the county of Hall 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 CONSIDERATION in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Party of the Second Part his heirs and assigns, all the following described property, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 and behoof of the said party of the second part, his heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part, for its heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, his heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of: ELIZABETH B. PIRKLE FAMILY, L.P.  
 BY: Elizabeth B. Pirkle (SEAL)  
 ELIZABETH B. PIRKLE  
 General Partner  
 Frankie Jane Pitts (SEAL)  
 FRANKIE JANE PITTS  
 General Partner

*James M. Walters*  
 Notary Public, Hall County, GA

JUNE C. WHELCHER  
 NOTARY PUBLIC  
 HALL COUNTY, GEORGIA  
 COMM. EXPIRES: 8-11-06  
 Clerk's Office, Superior Court  
 Filed for record at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
 \_\_\_\_\_, 19\_\_\_\_  
 Recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_  
 \_\_\_\_\_, 19\_\_\_\_  
 \_\_\_\_\_, Clerk

20 JUL 10 11 29 AM

EXHIBIT 'A'

All that tract or parcel of land lying and being in Land Lots 106 and 107, 13<sup>th</sup> District, (South Half), 1<sup>st</sup> Section, Dawson County, GA and being shown and delineated on plat of survey prepared for Barry Conner by Christopher E. Moore and Associates, Inc., Reg. Sur. dated June 27, 2006, and being more particularly described according to said survey as follows:

Parcel 112 109

BEGIN at a rock found being the common corner of Land Lots 76, 77, 105 and 106; thence South 05 degrees 29 minutes 17 seconds West 1324.09 feet to a nail found in rock pile being the common corner of Land Lots 106, 105, 135 and 136; thence North 85 degrees 57 minutes 58 seconds West 1309.37 feet to a nail found in rock pile being the common corner of Land Lots 107, 106, 134 and 135; thence North 86 degrees 00 minutes 34 seconds West 1319.03 feet to rebar found being the common corner of Land Lots 108, 107, 133 and 134; thence North 03 degrees 59 minutes 26 seconds East 216.42 feet to a point in the center of Etowah River; thence along the centerline of Etowah River in a Northerly and Easterly direction 2,170.43 feet to a point; thence leaving said Etowah River South 85 degrees 58 minutes 07 seconds East 837.93 feet to a rock found being the common corner of Land Lots 76, 77, 105 and 106 and the POINT OF BEGINNING. Containing 56.0910 acres according to said survey.

EBP  
758

20 JUL 10 11:30 AM

JAMES M. WALTERS  
Attorney at Law  
Suite 103  
311 Green St. N.W.  
Gainesville, GA 30503

042-07-001482

GEORGIA, DAWSON COUNTY  
CLERKS OFFICE, SUPERIOR COURT  
FILED FOR RECORD

Parcel 112 013

AT 10:30A.M. 8-30-07  
Recorded in Deed Book 829 Page 601-602  
This 30 day of August 20 07

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

PAID \$ 562.00  
DATE 8-30-07

BECKY MCCORD, CLERK  
SUPERIOR COURT  
WARRANTY DEED, *McCORD*, Clerk

State of Georgia, Hall County

THIS INDENTURE, Made the 22<sup>nd</sup> day of August in the year of our Lord Two Thousand, and Seven between PAUL W. NICHOLS AND NANCY S. NICHOLS of the First Part and AMERICA'S HOME PLACE, INC. of the Second Part

WITNESSETH: That the said parties of the First Part for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto Party of the Second Part its heirs and assigns, all the following described property, to wit:

**SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.**

TO HAVE AND TO HOLD the said tract or parcel of land, 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 and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

AND THE SAID parties of the first part, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, its heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

*Cheryl Walters*  
Official-Witness Cheryl Walters  
Notary Public  
Hall County, Georgia  
Notary Public, Hall County, GA Expires: Jan. 10, 2011

*Paul W. Nichols* (SEAL)  
PAUL W. NICHOLS  
*Nancy S. Nichols* (SEAL)  
NANCY S. NICHOLS

Clerk's Office, \_\_\_\_\_ Superior Court  
Filed for record at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
\_\_\_\_\_, 20\_\_\_\_  
Recorded in Deed Book \_\_\_\_\_, Page  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, Clerk

Parcel 112 013

**EXHIBIT 'A'**

All that tract or parcel of land lying and being in Land Lot 101, South Half of the 13<sup>th</sup> District, 1<sup>st</sup> Section, Dawson County, GA and being shown and delineated on plat of survey prepared for Nancy S. And Paul W. Nichols by Jick A. Page, Jr., GA. Reg. Sur. dated October 8, 1988 and being recorded in the Clerk's Office of the Superior Court of Dawson Co. GA in Plat Book 24, page 21. Said plat and the record thereof are herein incorporated for a full and complete legal description. Containing **2.00 acres** according to said survey.

Also conveyed is All that tract or parcel of land lying and being in Land Lot 102 of the 13-S Land District of Dawson County, GA and being more particularly described as follows:

**BEGINNING** at a point 250 feet left of and opposite station 234+43.90 on the survey centerline of Ga. Highway Project APD-056-1(33), Dawson County; running thence North 06 degrees 10 minutes 08 seconds East a distance of 156.10 feet to a point 250 feet left of and opposite station 236+00 on said centerline; thence North 30 degrees 54 minutes 62 seconds East a distance of 173.14 feet to a point 180 feet left of and opposite station 237+50 on said centerline; thence South 20 degrees 58 minutes 30 seconds West a distance of 127.10 feet to a point 210 feet left of and opposite station 236+34.35 on said centerline; thence South 06 degrees 10 minutes 08 seconds East a distance of 186.73 feet to a point 210 feet left of and opposite station 234+47.62 on said centerline; thence North 89 degrees 08 minutes 11 seconds West a distance of 40.17 feet back to the **POINT OF BEGINNING**.

All of the above property being shown and delineated on plat of survey prepared for Paul W. Nichols and Nancy s. Nichols by Jick A. Page, Ga. Reg. Sur. dated December 20, 1995 and being incorporated herein by reference.

*X PUN*  
*X NSN*

20 JUL 10 11:30 AM

**NOTES:**

1. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF GEORGIA BY THE STATE OF GEORGIA.
2. THE STATE OF GEORGIA HAS THE RIGHT TO TAKE ANY AND ALL LOTS FOR PUBLIC USE.
3. THE STATE OF GEORGIA HAS THE RIGHT TO TAKE ANY AND ALL LOTS FOR PUBLIC USE.
4. THE STATE OF GEORGIA HAS THE RIGHT TO TAKE ANY AND ALL LOTS FOR PUBLIC USE.

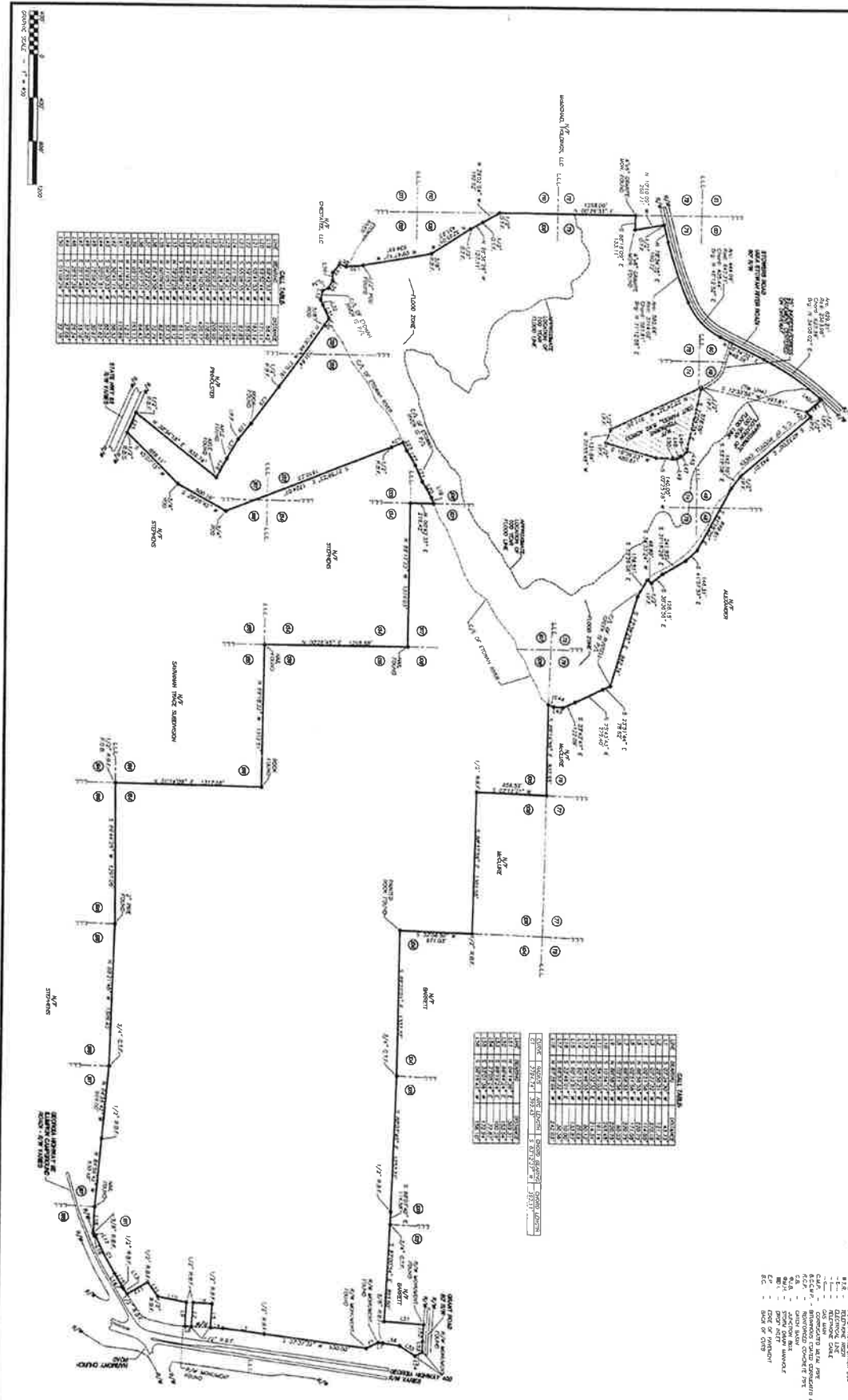
**REFERENCES:**

1. A COPY OF THE ORIGINAL RECORDS OF THE STATE OF GEORGIA.
2. A COPY OF THE ORIGINAL RECORDS OF THE STATE OF GEORGIA.
3. A COPY OF THE ORIGINAL RECORDS OF THE STATE OF GEORGIA.
4. A COPY OF THE ORIGINAL RECORDS OF THE STATE OF GEORGIA.

**STATE WATERS BUFFER:**

NO LOTS ARE TO BE CONVEYED TO THE STATE OF GEORGIA WITHIN THE STATE WATERS BUFFER.

**AREA: 699.62 ACRES**



**NOTE:**

THIS PLAT IS TO BE CONVEYED TO THE STATE OF GEORGIA BY THE STATE OF GEORGIA.

THE STATE OF GEORGIA HAS THE RIGHT TO TAKE ANY AND ALL LOTS FOR PUBLIC USE.

THE STATE OF GEORGIA HAS THE RIGHT TO TAKE ANY AND ALL LOTS FOR PUBLIC USE.

THE STATE OF GEORGIA HAS THE RIGHT TO TAKE ANY AND ALL LOTS FOR PUBLIC USE.

- LEGEND:**
- 4111 - ROAD AND DRIVE
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  - 4200 - ROAD AND DRIVE

**COMPOSITE PLAT FOR:**  
**AMERICA'S HOME PLACE, INC.**  
 LOCATED IN:  
 LAND LOTS 48, 49, 50, 73, 74, 75, 76, 105, 106, 107,  
 108, 109, 132, 133, 135, 136, 137, 138, 139, 161,  
 162, 163, 164, 167 & 168 SOUTH HALF OF THE 13th LAND DISTRICT  
 DAWSON COUNTY, GEORGIA

**Partlow & Hooper, Inc.**  
 16755 N. 10th St. - Lake Park, GA 30133  
 PHONE: 404-241-1111 FAX: 404-241-1112

**REVISIONS:**

| DATE       | REVISION | COMMENTS          |
|------------|----------|-------------------|
| 11-11-2007 | NO. 001  | OPTIONAL PROPERTY |

**SCALE:** 1" = 400'  
**DATE:** 04 - 12 - 2007  
**PROJECT NO.:** 06-094-02



**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 |
|----------------|--|-----------------|-------------------------------------|---------------|-----------------|---------------------|
| 2019 - 8668    | 104 065 / 1<br>LL 133 167 192LD13-1<br>FMV: 303700 | \$292.75        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$292.75        | \$0.00              |
| <b>Totals:</b> |  | <b>\$292.75</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$292.75</b> | <b>\$0.00</b>       |

**Paid Date:** 11/4/2019

**Charge Amount:** \$292.75

LUMPKIN CAMPGROUND ROAD LLC



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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 |
|----------------|---|----------------|-------------------------------------|---------------|----------------|---------------------|
| 2019 - 320     | 113 057 002 / 1<br>.34 AC LL 198 LD 13-S<br>FMV: 9300 | \$88.78        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$88.78        | \$0.00              |
| <b>Totals:</b> |   | <b>\$88.78</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$88.78</b> | <b>\$0.00</b>       |

Paid Date: 11/4/2019

Charge Amount: \$88.78

AMERICA'S HOME PLACE INC



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**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 |
|----------------|--|-----------------|-------------------------------------|---------------|-----------------|---------------------|
| 2019 - 2909    | 112 109 / 1<br>LL 106 107 LD 13-S<br>FMV: 523800 | \$415.14        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$415.14        | \$0.00              |
| <b>Totals:</b> |  | <b>\$415.14</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$415.14</b> | <b>\$0.00</b>       |

**Paid Date: 11/4/2019**

**Charge Amount: \$415.14**

CONNER BARRY



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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 |
|----------------|--|------------------|-------------------------------------|---------------|------------------|---------------------|
| 2019 - 8669    | 112 019 / 1<br>LL 135 136 137 138 139 161 162 163<br>164<br>FMV: 6222300 | \$2622.90        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$2622.90        | \$0.00              |
| <b>Totals:</b> |  | <b>\$2622.90</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$2622.90</b> | <b>\$0.00</b>       |

**Paid Date: 11/4/2019**

**Charge Amount: \$2622.90**

LUMPKIN CAMPGROUND ROAD LLC



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**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 |
|----------------|---|------------------|--|---------------|------------------|---------------------|
| 2019 - 13151   | 112 018 / 1<br>LL 133 134 166 167 LD 135<br>FMV: 468600 | \$4473.63        | \$4007.53<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$8481.16        | \$0.00              |
| <b>Totals:</b> |   | <b>\$4473.63</b> | <b>\$4007.53</b>                       | <b>\$0.00</b> | <b>\$8481.16</b> | <b>\$0.00</b>       |

**Paid Date:** 11/22/2019

**Charge Amount:** \$8481.16

STEPHENS DORIS BYRD



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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 |
|----------------|--|------------------|-------------------------------------|---------------|------------------|---------------------|
| 2019 - 322     | 112 013 / 1<br>LL 102 LD 12-1<br>FMV: 207652 | \$1982.32        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$1982.32        | \$0.00              |
| <b>Totals:</b> |  | <b>\$1982.32</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$1982.32</b> | <b>\$0.00</b>       |

Paid Date: 11/4/2019

Charge Amount: \$1982.32

AMFRICAS HOME PLACE INC



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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 |
|----------------|--|-----------------|-------------------------------------|---------------|-----------------|---------------------|
| 2019 - 8668    | 104 065 / 1<br>LL 133 167 192LD13-1<br>FMV: 303700 | \$292.75        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$292.75        | \$0.00              |
| <b>Totals:</b> |  | <b>\$292.75</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$292.75</b> | <b>\$0.00</b>       |

Paid Date: 11/4/2019

Charge Amount: \$292.75

LUMPKIN CAMPGROUND ROAD LLC



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20 JUL 10 11:30 AM

7/10/2020

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

Re: **Letter of Intent**  
**Lumpkin Campground Road @ GA 400 ± 517 Acres**  
Planners and Engineers Collaborative, Inc. Project No. 18232.01

Dear Planning and Zoning officials,

This rezoning application is being submitted on behalf of the applicant and developer. This application proposes to rezone the approximately 517-acre property located at the northwestern corner of Lumpkin Campground Road and GA 400 from R-A (Residential Agricultural), RPC (Residential Planned Community), C-HB (Highway Business Commercial), C-PCD (Commercial Planned Comprehensive Development District) and C-OI (Commercial Office Institutional District) to MUV-Mixed Use Village. This rezoning would facilitate the creation of a new, mixed-use development consisting of a variety of residential, commercial, recreational, and office uses.

The approximately 517-acre property is comprised of six separate tracts with the following parcel ID numbers: 112 109, 104 065, 112 019, 112 013, 113 057 002, and 112 018. The requested rezoning would consolidate the six tracts to under one singular zoning district (MUV) to facilitate the complex mixed-use project.

**Existing Conditions:**

The uses surrounding the property include:

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

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

**Proposed Development**

The proposed development consists of eight 'pods' lettered A-H which would vary in size and land use. In total, there are 941 single-family lots, 288 multi-family housing units, 125 hotel rooms, approximately 60,000 square feet of commercial/retail/office space, and 30-acres of light industrial uses proposed on the site.

Pods A-D consist of the non-residential and multi-family uses. Pod A is near the intersection of Lumpkin Campground Road and GA 400, and would be where nearly 50,000 square feet of the proposed retail/commercial uses would be located. There is also a fire station proposed in this pod, which would have bays for three trucks.

Pod B would consist of the multi-family dwellings within walking distance of the commercial uses in Pod A. The apartments would have their own master amenity area.

Pod C would be located north of Pod B, set back slightly from the main external thoroughfares. This pod is generally slated for light industrial and medical uses, but is left open on the plan to indicate the flexibility of this space (approximately 30 acres).



Pod D would be located in the northeastern corner of the site and would have visible frontage (and right-in/right-out access) on GA 400. This pod is proposed to have the remaining approximately 10,000 square feet of retail/commercial space, as well as a 125-key hotel.

Pods E through H are set back off of GA 400 and Lumpkin Campground Road, and are slated for the lower-density residential component of the development. The single-family residential component would gain access from Lumpkin Campground Road and would have its own master amenity area. In total, there would be 941 lots proposed for these pods (collectively). The layout of these pods would follow the natural terrain and features of the site, including the many streams criss-crossing the property.

#### **Zoning Rationale**

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

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

#### **Conclusion**

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

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

Sincerely,  
**Planners and Engineers Collaborative, Inc.**

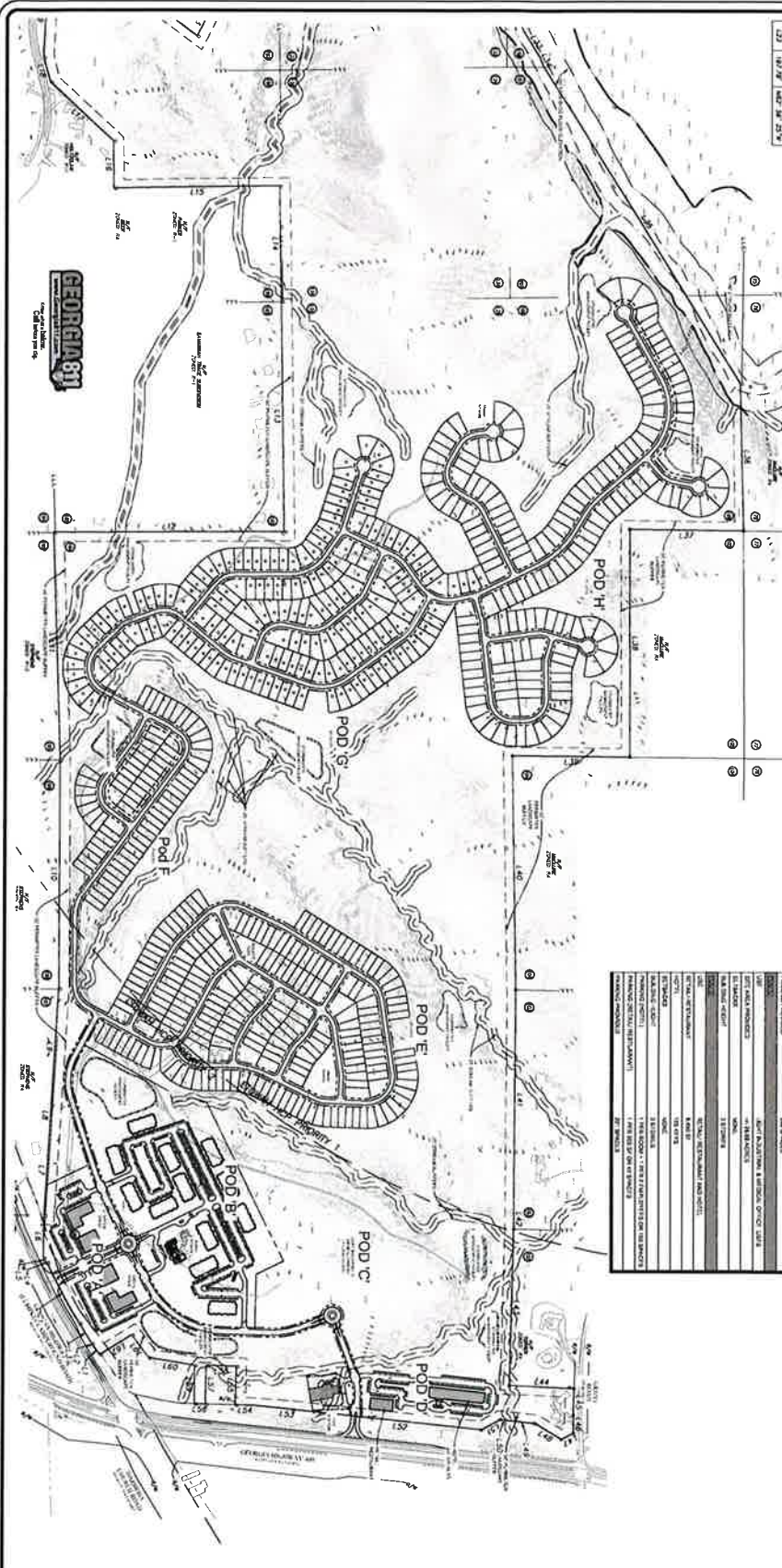
Kenneth J. Wood, P.E., LEED AP  
President

For the Firm

kjw/ht/dp



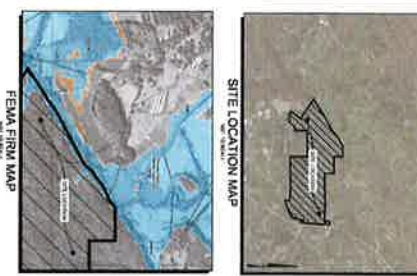
# Site Plan



| Pod   | Lot # | Area (sq ft) | Area (sq ft) | Area (sq ft) |
|-------|-------|--------------|--------------|--------------|
| Pod A | 1     | 12,500       | 12,500       | 12,500       |
|       | 2     | 12,500       | 12,500       | 12,500       |
|       | 3     | 12,500       | 12,500       | 12,500       |
|       | 4     | 12,500       | 12,500       | 12,500       |
|       | 5     | 12,500       | 12,500       | 12,500       |
|       | 6     | 12,500       | 12,500       | 12,500       |
|       | 7     | 12,500       | 12,500       | 12,500       |
|       | 8     | 12,500       | 12,500       | 12,500       |
|       | 9     | 12,500       | 12,500       | 12,500       |
|       | 10    | 12,500       | 12,500       | 12,500       |
| Pod B | 11    | 12,500       | 12,500       | 12,500       |
|       | 12    | 12,500       | 12,500       | 12,500       |
|       | 13    | 12,500       | 12,500       | 12,500       |
|       | 14    | 12,500       | 12,500       | 12,500       |
|       | 15    | 12,500       | 12,500       | 12,500       |
|       | 16    | 12,500       | 12,500       | 12,500       |
|       | 17    | 12,500       | 12,500       | 12,500       |
|       | 18    | 12,500       | 12,500       | 12,500       |
|       | 19    | 12,500       | 12,500       | 12,500       |
|       | 20    | 12,500       | 12,500       | 12,500       |
| Pod C | 21    | 12,500       | 12,500       | 12,500       |
|       | 22    | 12,500       | 12,500       | 12,500       |
|       | 23    | 12,500       | 12,500       | 12,500       |
|       | 24    | 12,500       | 12,500       | 12,500       |
|       | 25    | 12,500       | 12,500       | 12,500       |
|       | 26    | 12,500       | 12,500       | 12,500       |
|       | 27    | 12,500       | 12,500       | 12,500       |
|       | 28    | 12,500       | 12,500       | 12,500       |
|       | 29    | 12,500       | 12,500       | 12,500       |
|       | 30    | 12,500       | 12,500       | 12,500       |
| Pod D | 31    | 12,500       | 12,500       | 12,500       |
|       | 32    | 12,500       | 12,500       | 12,500       |
|       | 33    | 12,500       | 12,500       | 12,500       |
|       | 34    | 12,500       | 12,500       | 12,500       |
|       | 35    | 12,500       | 12,500       | 12,500       |
|       | 36    | 12,500       | 12,500       | 12,500       |
|       | 37    | 12,500       | 12,500       | 12,500       |
|       | 38    | 12,500       | 12,500       | 12,500       |
|       | 39    | 12,500       | 12,500       | 12,500       |
|       | 40    | 12,500       | 12,500       | 12,500       |
| Pod E | 41    | 12,500       | 12,500       | 12,500       |
|       | 42    | 12,500       | 12,500       | 12,500       |
|       | 43    | 12,500       | 12,500       | 12,500       |
|       | 44    | 12,500       | 12,500       | 12,500       |
|       | 45    | 12,500       | 12,500       | 12,500       |
|       | 46    | 12,500       | 12,500       | 12,500       |
|       | 47    | 12,500       | 12,500       | 12,500       |
|       | 48    | 12,500       | 12,500       | 12,500       |
|       | 49    | 12,500       | 12,500       | 12,500       |
|       | 50    | 12,500       | 12,500       | 12,500       |

**GENERAL NOTES:**

- PROJECT IS TO BE REVIEWED BY LOCAL JURISDICTIONS.
- PROVIDE TO BE REVIEWED BY LOCAL JURISDICTIONS.
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| REVISIONS: | NO. | DATE | DESCRIPTION |
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| REVISIONS: | NO. | DATE | DESCRIPTION |
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|            | 10  |      |             |

**CONCEPTUAL MASTER PLAN**

SCALE: 1" = 300'

DATE: JANUARY 28, 2020

PROJECT: 1623201

INS: SCOTT S. DINEEN, V.P. & DESIGN PROFESSIONAL

DESIGN: SCOTT S. DINEEN, V.P. & DESIGN PROFESSIONAL

LANDSCAPE ARCHITECTURE: SCOTT S. DINEEN, V.P. & DESIGN PROFESSIONAL

CIVIL ENGINEERING: SCOTT S. DINEEN, V.P. & DESIGN PROFESSIONAL

LAND SURVEYING: SCOTT S. DINEEN, V.P. & DESIGN PROFESSIONAL

PLANNERS AND ENGINEERS COLLABORATIVE

350 RESEARCH COURT ■ PEACHTREE CORNERS, GEORGIA 30092 ■ (770) 453-2741 ■ FAX (770) 451-3918

**DAWSON VILLAGE**

A MASTER PLANNED MIXED-USE DEVELOPMENT FOR FOX CREEK DEVELOPMENT

"WE PROVIDE SOLUTIONS"

**PLANNERS AND ENGINEERS COLLABORATIVE**

SITE PLANNING ■ LANDSCAPE ARCHITECTURE ■ CIVIL ENGINEERING ■ LAND SURVEYING

■ 350 RESEARCH COURT ■ PEACHTREE CORNERS, GEORGIA 30092 ■ (770) 453-2741 ■ FAX (770) 451-3918

DRI#3146

# 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:

Individual completing form:

Telephone:

E-mail:

\*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 VILLAGE (PROPOSED)

Location (Street Address, GPS Coordinates, or Legal Land Lot Description):

THE NORTHWESTERN SIDE OF LUMPKIN CAMPGROUND RD NW (STATE ROUTE 9 E) AND GA 400

Brief Description of Project:

A MIXED USE DEVELOPMENT WITH RESTAURANT, RETAIL, MULTI-FAMILY RESIDENTIAL, LIGHT INDUSTRIAL, PROFESSIONAL OFFICE, HOTEL, AND SINGLE-FAMILY DETACHED USES.

#### Development Type:

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

If other development type, describe:

2025 RELEASE UNDER E.O. 14176

|  |   |        |      |
|--|---|--------|------|
| Project Size (# of units, floor area, etc.):   | 941 SINGLE-FAMILY LOTS, 3-BAY FIRE STATION, 288 MULTI-FAMILY APARTMENT UNITS, 125-KEY HOTEL, APPROX. 60,000 SF OF COMMERCIAL/OFFICE/RETAIL USES   |        |      |
| Developer:   | FOX CREEK PROPERTIES, INC.  |        |      |
| Mailing Address:   |   |        |      |
| Address 2:   |   |        |      |
|  | City:   | State: | Zip: |
| Telephone:   |   |        |      |
| Email:   |   |        |      |
| Is property owner different from developer/applicant?  | <input type="radio"/> (not selected) <input checked="" type="radio"/> Yes <input type="radio"/> No  |        |      |
| If yes, property owner:  | BARRY CONNER (NAMED AS HIMSELF AND OTHER PROFESSIONAL ENTITIES ON AUTHORIZATION)  |        |      |
| 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<br>YES - DAWSON COUNTY   |        |      |
| 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="radio"/> Rezoning<br><input type="radio"/> Variance<br><input type="radio"/> Connect Sewer<br><input type="radio"/> Connect Water<br><input type="radio"/> Permit<br><input type="radio"/> 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"/><br>Overall project: 2030   |        |      |
| <input type="button" value="Submit Application"/> <input type="button" value="Save without Submitting"/> <input type="button" value="Cancel"/> |   |        |      |
| <a href="#">Back to Top</a>  |   |        |      |

# Developments of Regional Impact

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[Thresholds](#)

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## DEVELOPMENT OF REGIONAL IMPACT Additional DRI Information

This form is to be completed by the city or county government to provide information needed by the RDC for its review of the proposed DRI. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

### Local Government Information

|                              |  |
|------------------------------|--|
| Submitting Local Government: |  |
| Individual completing form:  |  |
| Telephone:                   |  |
| Email:                       |  |

### Project Information

|                           |                            |
|---------------------------|----------------------------|
| Name of Proposed Project: | DAWSON VILLAGE (PROPOSED)  |
| DRI ID Number:            |                            |
| Developer/Applicant:      | FOX CREEK PROPERTIES, INC. |
| Telephone:                |                            |
| Email(s):                 |                            |

### Additional Information Requested

|   |  |
|---|--|
| Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.) | <input type="radio"/> (not selected) <input type="radio"/> Yes <input checked="" type="radio"/> No |
| If yes, has that additional information been provided to your RDC and, if applicable, GRTA?   | <input type="radio"/> (not selected) <input type="radio"/> Yes <input type="radio"/> No            |

If no, the official review process can not start until this additional information is provided.

### Economic Development

|   |  |
|---|--|
| Estimated Value at Build-Out:   | \$400 million  |
| Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development: | \$2 million  |
| Is the regional work force sufficient to fill the demand created by the proposed project?                               | <input type="radio"/> (not selected) <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Will this development displace any existing uses?   | <input type="radio"/> (not selected) <input checked="" type="radio"/> Yes <input type="radio"/> No |

If yes, please describe (including number of units, square feet, etc):

AGRICULTURAL LAND WILL BE CONVERTED INTO MIXED USE LAND BUT NO EXISTING STRUCTURES OR USES WILL BE DISRUPTED/DISPLACED BY THIS PROPOSAL

**Water Supply**

Name of water supply provider for this site: ETOWAH WATER & SEWER AUTHORITY

What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)? 0.45 MGD

Is sufficient water supply capacity available to serve the proposed project?  (not selected)  Yes  No

If no, describe any plans to expand the existing water supply capacity:  
N/A

Is a water line extension required to serve this project?  (not selected)  Yes  No

If yes, how much additional line (in miles) will be required?  
NO, BUT A WATER MAIN UPGRADE ALONG LUMPKIN CAMPGROUND ROAD FROM AN EXISTING 8" TO A 12" WILL BE REQUIRED

**Wastewater Disposal**

Name of wastewater treatment provider for this site: ETOWAH WATER & SEWER AUTHORITY

What is the estimated sewage flow to be generated by the project, measured in Millions of Gallons Per Day (MGD)? 0.40 MGD

Is sufficient wastewater treatment capacity available to serve this proposed project?  (not selected)  Yes  No

If no, describe any plans to expand existing wastewater treatment capacity:  
N/A

Is a sewer line extension required to serve this project?  (not selected)  Yes  No

If yes, how much additional line (in miles) will be required?  
0.5 MILES

**Land Transportation**

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day? (If only an alternative measure of volume is available, please provide.) traffic study forthcoming

Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project?  (not selected)  Yes  No

Are transportation improvements needed to serve this project?  (not selected)  Yes  No

If yes, please describe below:

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1) Project entry 1 at SR 9E: Signal may be warranted; WB free flow right needed; heavy SB left turn traffic; roundabout may work 2) SR 9E at GA 400: Dual EB lefts needed (add two lanes)

### Solid Waste Disposal

How much solid waste is the project expected to generate annually (in tons)? 9,255 tons/year

Is sufficient landfill capacity available to serve this proposed project?  (not selected)  Yes  No

If no, describe any plans to expand existing landfill capacity:  
N/A

Will any hazardous waste be generated by the development?  (not selected)  Yes  No

If yes, please explain:  
YES, POTENTIALLY FROM MEDICAL OFFICES WHICH WILL BE HANDLED AS MEDICAL HAZARDOUS WASTES.

### Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed? 20%

Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management:  
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 if necessary.

### Environmental Quality

Is the development located within, or likely to affect any of the following:

- 1. Water supply watersheds?  (not selected)  Yes  No
- 2. Significant groundwater recharge areas?  (not selected)  Yes  No
- 3. Wetlands?  (not selected)  Yes  No
- 4. Protected mountains?  (not selected)  Yes  No
- 5. Protected river corridors?  (not selected)  Yes  No
- 6. Floodplains?  (not selected)  Yes  No
- 7. Historic resources?  (not selected)  Yes  No
- 8. Other environmentally sensitive resources?  (not selected)  Yes  No

If you answered yes to any question above, describe how the identified resource(s) may be affected:  
Yes, Etowah River. Additional buffers proposed on the Etowah River. Impacts to the water supply will be minimized utilizing water quality features to achieve 80% TSS removal project-wide. Additionally, all storm water discharges will travel through opens spaces within the proposed development and not directly into the River.  
Yes. Stream and wetland disturbances will be kept to a minimum. Disturbances will be kept under 0.5 ac of wetlands, and 300 lf of streams.

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20 JUL 10 11:31 AM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

X I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Atlanta (city), Georgia (state)

[Signature]  
Signature of Applicant

7/8/2020  
Date

William M Evans, Jr.  
Printed Name

Fox Creek Properties Inc  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 8th DAY OF July, 2020

Karen Sides Notary Public

My Commission Expires: 01/08/2024

2020 JUL 10 11:51 AM

{Notary Seal







**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Fox Creek Properties, Inc.

**Amendment #** .....ZA 20-08

**Request**.....Rezone Property from CHB (Commercial Highway Business), R-A (Residential Agriculture), RPC (Residential Planned Community), CPCD (Commercial Planned Community Development), COI (Commercial Office Institution) to MUV (Mixed Use Village)

**Proposed Use** .....Mixed Use Village consisting of a comprehensive development ranging from single family residential through light industrial

**Current Zoning** .....CHB (Commercial Highway Business), R-A (Residential Agriculture), RPC (Residential Planned Community), CPCD (Commercial Planned Community Development), C-OI (Commercial Office Institution)

**Size**.....517± acres

**Location** ..... Corner of Lumpkin Campground Rd and GA Hwy 400 with frontage along Hwy 53 & Grant Road

**Tax Parcel** .....112 019, 113 057 002, 112 109, 104 065, 112 018 and 112 013

**Planning Commission Date** .....August 18<sup>th</sup>, 2020

**Board of Commissioners Date**..... September 17<sup>th</sup>, 2020

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**Applicant Proposal**

The proposed development consists of 8 “pods”. There are 941 single family lots, 288 multi-family housing units, 125 hotel rooms, approximately 60,000 square feet of commercial/retail/office space, and 30 acres of light industrial.

**History and Existing Land Uses**

The purposed development centers on the previous Southern Catholic College location. The land was cleared and a single building was started when the development was abandoned. It currently sits vacant.

| <b>Adjacent Land Uses</b> | <b>Existing zoning</b> | <b>Existing Use</b>   |
|---------------------------|------------------------|-----------------------|
| North                     | R-A                    | Residential & Farming |
| South                     | C-HB                   | Commercial            |
| East                      | C-HB                   | Commercial            |
| West                      | RSR/R-A                | Residential           |

**Development Support and Constraints**

The limitations of this project revolves around two major constraints. First is water and sewer availability with Etowah Water and Sewer Authority. The other is environmental factors such as steep terrain and multiple stream buffers throughout these parcels. As a Mixed Use Village zoning classification, this will have to get a second look through the zoning process, if approved. We will be looking at these much closer if approved.

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

According to the 2013-2033 Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Residential Planned Community/Rural Residential/Suburban Residential.

**Public Facilities/Impacts**

**Engineering Department** – No comments returned.

**Environmental Health Department** –

No comments necessary due to Etowah Water and Sewer facilitating the water and sewer treatment of the development.

**Emergency Services** – Please see the attached memo from Fire Marshal Jeff Bailey.

**Etowah Water & Sewer Authority** –“Off-site extensions/upgrades will be required to provide water and sewer service to the development as well as on-site to be funded by the developer.”

**Dawson County Sheriff's Office** – “As of right now, the police protection is not adequate in the area. Request for additional staffing would be necessary. Increase in residential/retail anticipated to result in increased calls for service.”

**Board of Education** –“Additional students would be accommodated by adding additional teaching staff. Each school has capacity to grow by several hundred students. The school system has capacity at each location listed above. The district also has multiple tracts of land to build schools as needed in the future.

**Georgia Department of Transportation** – Additional coordination with GDOT will be necessary for this project.

### **Analysis**

- Planned growth is always preferable. This concept plan follows the ideals of our comprehensive plan in that it show the majority of commercial along 400 and Lumpkin Campground. It feathers in the less intensive apartments behind the commercial through to the single family lots.
- With a manageable 1.8 unit per acre spread over 500+ acres, this will make is much easier to obtain the 30 % open space requirement. This allow for better buffers to streams and more strategic placement of storm water management facilities. This allows us to better plan and mitigate environmental impact.
- Current zoning allows for the majority of this project to commence without rezoning. Rezoning to MUV allows for more county/community input into the physical planning process and the county will get a better consistent and uniform product. These types of developments better lend themselves to long term sustainability.
- MUV is a two part zoning process. At this stage we are looking at 7 factors
  - 1) Proposed Uses
    - Keeping the proposed Light Industrial, Retail, and Hotel at the front of the development near Hwy 400 this goes with the general character of what we look for in growth along the GA 400 Corridor with those types of uses highway facing and the residential portion further off of the road.
  - 2) Number of units per use
    - 941 single-family lots
    - 288 multi-family units
    - 125 hotel rooms
    - 60,000 square feet of commercial/retail/office space
    - 30 acres being designated as light industrial
  - 3) Designated Areas of Use
    - See Site Plan
  - 4) Open Space, Amenities, Road Systems, Access Points
    - Open Space 41.3 % roughly 215 acres (required 156 acres or 30 %)
    - Three separate amenities areas are associated with residential portions of the development.

- Road systems for concept plan we understand the intent would have 2 access points on GA 400 & Lumpkin Campground. Further discussion regarding road systems and coordination with GDOT will be necessary.
- 2 access points: Lumpkin Campground Rd. & Georgia 400  
\*does not meet subdivision regulations
- 5) Proposed Name of the Development
  - Currently the proposed name is Dawson Village and will need to be amended due to an existing development within the county (Legacy Kroger) having the same name.
- 6) Location of all wetlands and streams as those terms are defined under State and Federal Law
  - Per site plan this does not encroach on any wetlands and stays off of appropriate stream buffers.
- 7) Public & Private Streets
  - Not listed on site plan

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

- A. The existing uses and classification of nearby property.**  
Adjacent properties to the North and West are residentially zoned and consistent with the Future Land Use Map. Adjacent Properties to the South and East are zoned commercially and consistent with the Future Land Use Map.
- B. The extent to which property values are diminished by the particular land use classification.**  
There should be no diminishment of property values.
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.**  
There should be no destruction of property values.
- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**  
The addition of a fire station and additional retail options would serve the proposed and surrounding public.
- E. The suitability of the subject property for the proposed land use classification.**  
The property is suitable for the proposed land use classification due to the location and close proximity to GA 400.
- F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**  
The property (TMP 112 019) has been vacant since 2005. The other parcels are vacant land.

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

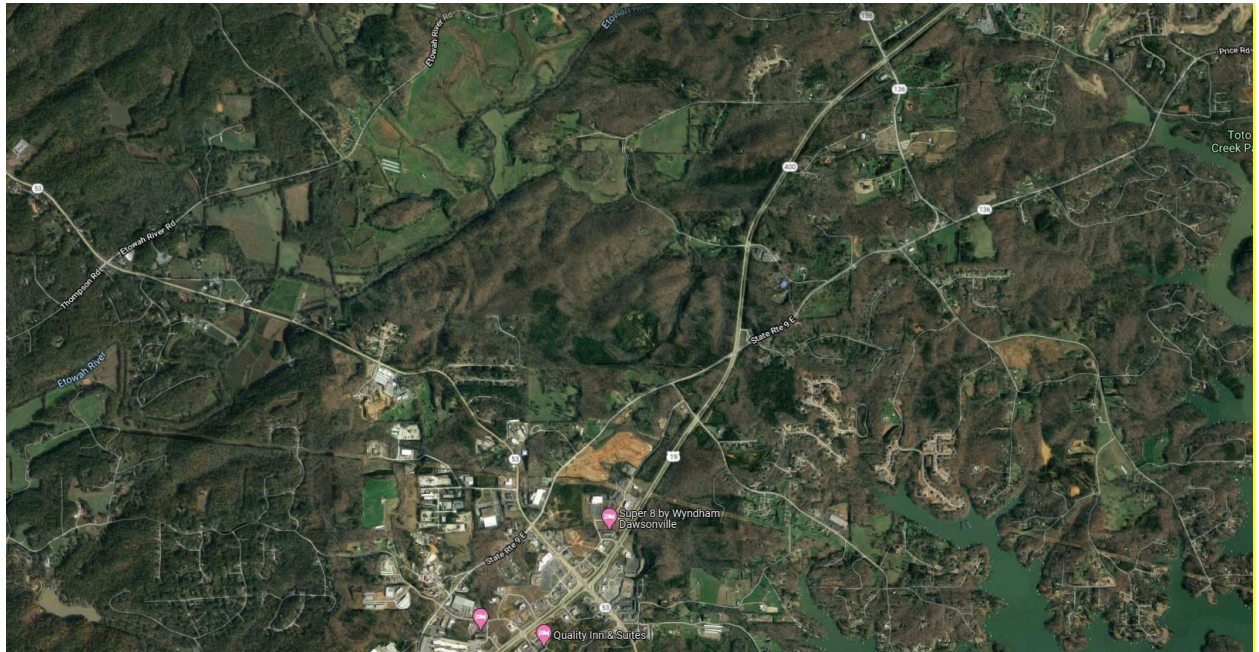
The purposed development would bring additional tax revenue to the county with the retail stores, restaurants, hotel and industrial in adjunct to the jobs that this would provide to area residents. The development would also bring an additional 1250 (approximate) homes in the form of residential multifamily and single family, with the before mentioned, comes traffic, crime and public safety concerns from citizens.

Pictures of Property:





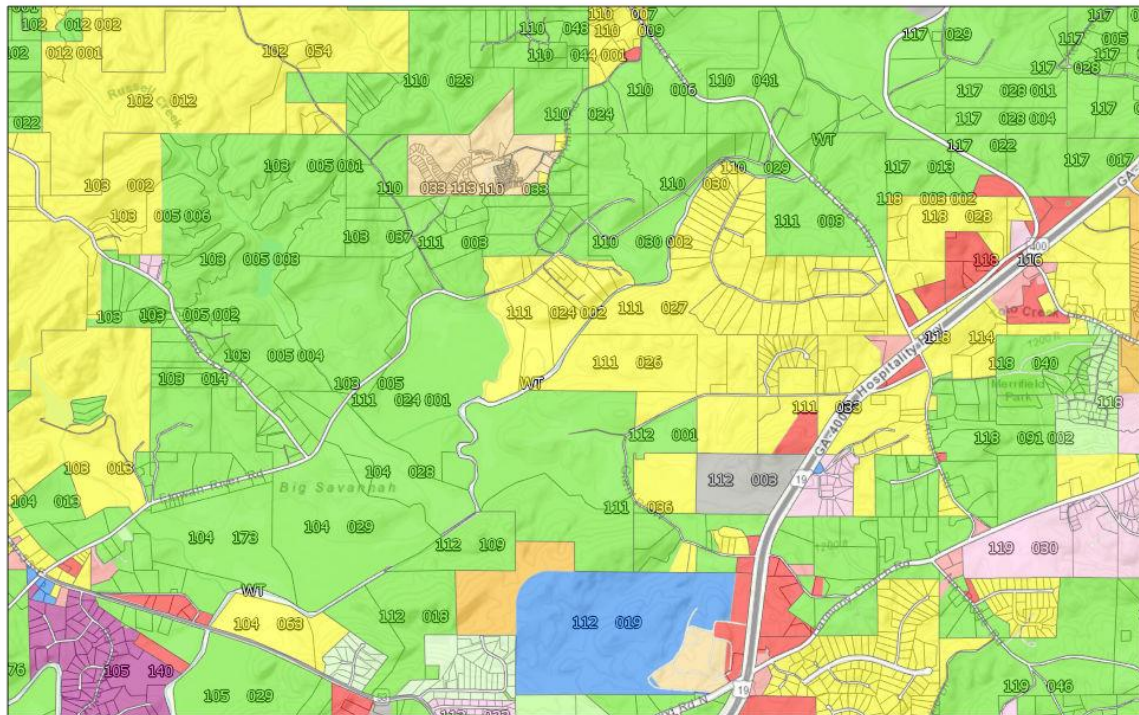
Aerial:





Current Zoning Map:

Dawson County



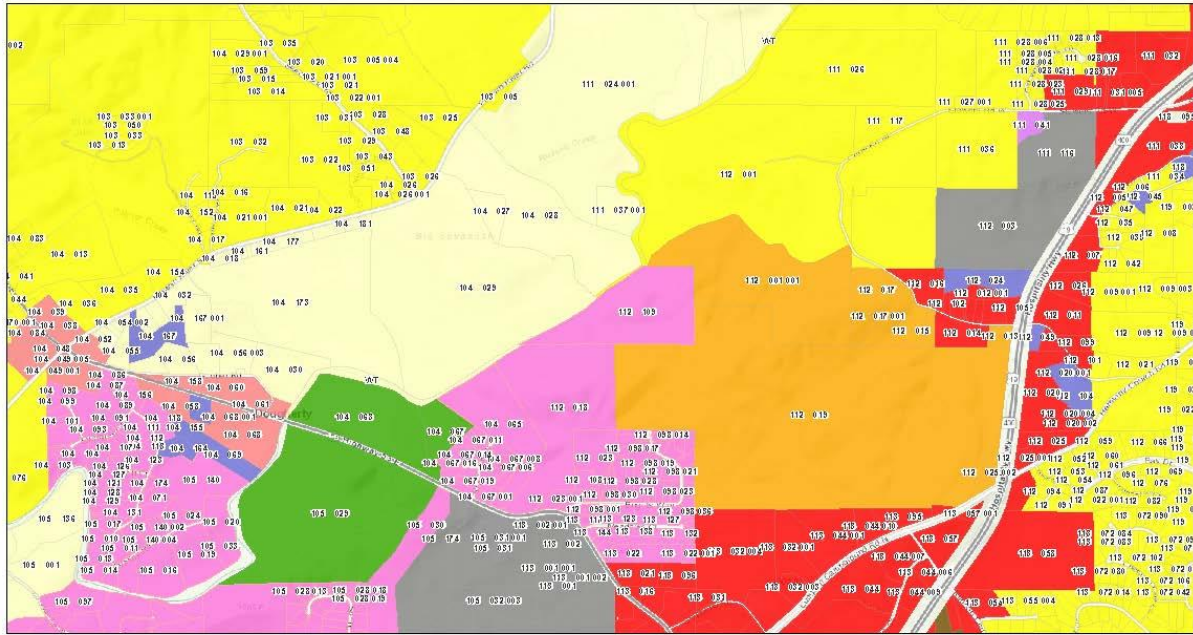
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|        |       |      |       |      |        |
|--------|-------|------|-------|------|--------|
| Zoning | VCR   | RPC  | C-PCD | VC   | Parcel |
| RA     | C-HB  | C-CB | RS    | CT   |        |
| RSR    | RSRMM | C-IR | C-OI  | C-RB |        |

1:36,112  
 0 0.25 0.5 1 mi  
 0 0.4 0.8 1.6 km  
 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, ...  
 Planning and Development  
 Esri, HERE, GARMIN, INCREMENT P, USGS, METINASA, EPA, USDA |

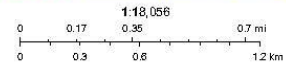
Future Land Use Map:

Future Land Use Map



August 13, 2020

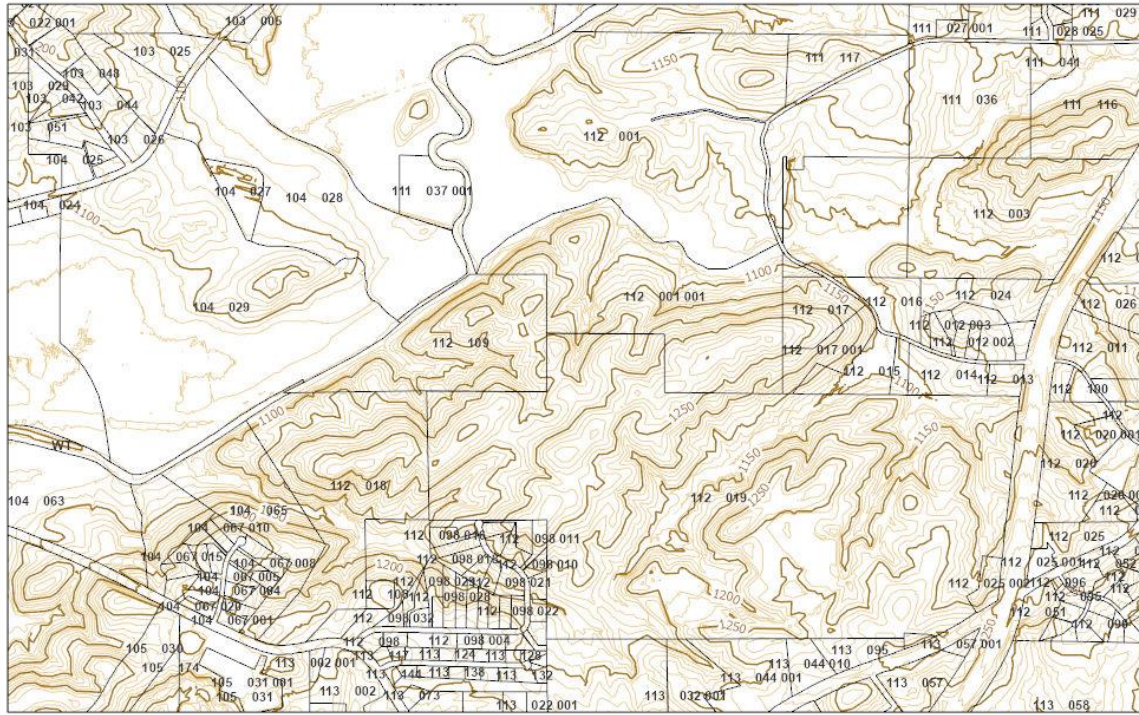
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|     | SRR  | PRC  | RA  | SR   | CHB   | MFR   | LI   | PI   | OP   |
|     |  |  |   |  |   |   |  |  |  |
|     |  |  |   |  |   |   |  |  |  |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, and the GIS User Community

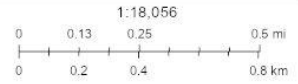
Topography:

Topo Map



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Dawson County

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# DAWSON COUNTY VARIANCE APPLICATION

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

VR 20.19 Tax Map & Parcel # (TMP): L17-003  
Current Zoning: VCC Commission District #: 3  
Submittal Date: 9.10.2020 Time: \_\_\_\_\_ am/pm Received by: [Signature] (staff initials)  
Fees Assessed: \$350- Paid: check 5312  
Planning Commission Meeting Date: October 20, 2020

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Ken Powalowski  
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: 9.10.2020 Applicant Signature: [Signature]

## PROPERTY INFORMATION

Street Address of Property: 88 Sunrise Drive Dawsonville GA 30534  
Athens Boat Club  
Land Lot(s): 385 Parcel L17 063 District: District 01 Section: \_\_\_\_\_  
Subdivision/Lot: Athens Boat Club Parcel L17 063 Building Permit #: \_\_\_\_\_ (if applicable)  
Directions to the Property: 53 east toward Gainsville, Left on War Hill Park Rd, Left on Athens Boat Club Dr,  
Left on Dogwood Drive, Gate code 2704 thru gate past club house/doc, continue on Hickory trail, Left on Sunrise Dr

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**REQUESTED ACTION**

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

If other, please describe: Property Line set back

Type of Variance requested:

Front Yard  Side Yard  Rear Yard variance of 23.5 fr / 8.5 rear feet to allow the structure to:

be constructed;  remain a distance of 17.5 fr/ 11.5 rear feet from the: Property Line

property line,  road right of way, or  other (explain below):

instead of the required distance of 40 feet front setback / 20 feet rear setback required by the regulations.

Lot Size Request for a reduction in the minimum lot size from \_\_\_\_\_ to \_\_\_\_\_

Sign Variance for: \_\_\_\_\_

Home Occupation Variance to operate: \_\_\_\_\_ business

Other (explain request): \_\_\_\_\_

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

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

- Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: The ABC neighborhood was originally implemented in the 1960s with smaller lot sizes than current county lot size requirements dictate. We have been members of ABC community for several years enjoying the lifestyle and our family. We would like to improve living conditions by upgrading our trailer to a more comfortable 2 bedroom stick-built home where we can retire in the near future living near our family in Athens Boat Club.

2020 SEP 10 1:43 PM

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: The lot size is approximately 3/4 of an acre which creates challenges  
Positioning a small 2 bedroom home on the lot with both primary and back up septic space requirements. Per our attached  
plan, we have demonstrated the and septic system will fit with slight intrusion of the home footprint into the front and rear  
set back lines/requirements.

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: We are wishing to build a new home replacing the  
existing 2 bedroom mobile home established in the 1970s. Currently other lots are building new homes as well. Our new  
home will comply with county septic requirements. The planned house footprint setback encroachment will blend with surrounding  
homes as most existing homes within ABC have similar or more severe front, back, and side setback encroachments.

4. Describe why granting this variance would support the general objectives within this Resolution:  
The variance approval would allow us to replace a deteriorating structure with a new planned retirement home remaining  
in a community we love staying close to our family.

**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.)

Letter of Intent

*I plan to replace existing 2 bedroom trailer with new stick built 2 bedroom home as my primary residence.*



20SEP10 1:44PM

**PROPERTY OWNER AUTHORIZATION**

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

88 Sunrise Drive Dawsonville GA 30534, LL385 LD 13-s, Parcel L17 063 (Newly purchase August 2020)

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: Ken Powalowski

Signature of applicant or agent: [Signature] Date: 9/10/20

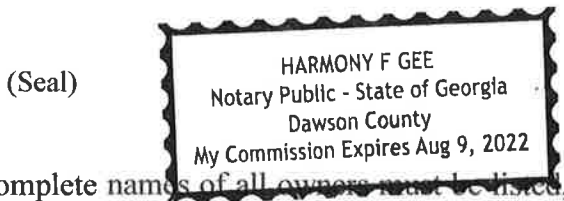
Printed Name of Owner(s): Ken Powalowski

Signature of Owner(s): \_\_\_\_\_ Date 9/10/20

Sworn and subscribed before me this 10 day of September, 2020.

[Signature]  
Notary Public

My Commission Expires: August 9, 2022



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

20SEP10 1:44PM



**List of Adjacent Property Owners**

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

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

Name

Address

|                    |     |  |                   |
|--------------------|-----|--|-------------------|
| TMP <u>L17 060</u> | 1.  | Brady Lance, behind center of property     | 91 Sunset Trail   |
| TMP <u>L17 071</u> | 2.  | Kenneth Ruffner, behind (left) of property | 107 sunset trail  |
| TMP <u>L17 059</u> | 3.  | Linda Sasser, behind (right)               | 73 sunset trail   |
| TMP <u>L17 064</u> | 4.  | Frank Hamilton, right side of property     | 72 sunrise drive  |
| TMP <u>L17 062</u> | 5.  | Gerri Murphy, left side of property        | 102 sunrise drive |
| 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.

20 SEP 10 1:44 PM

**APPLICANT CERTIFICATION**

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

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

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

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

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

Signature of Applicant or Agent:  Date: 9-10-20  
 Signature of Witness:  Date: 9.10.2020

\*\*\*\*\*

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

Withdrawals of any application may be accommodated within the Planning & Development 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.

SEP 10 1:44PM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

  X   I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in \_\_\_\_\_ (city), \_\_\_\_\_ (state)

  *[Signature]*    
Signature of Applicant

  9-20-20    
Date

\_\_\_\_\_  
Printed Name

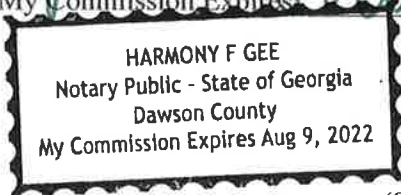
\_\_\_\_\_  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS   10   DAY OF   September  , 20  20  

  *[Signature]*   Notary Public

My Commission Expires   August 9, 2022  



(Seal)

20 SEP 10 1:44 PM

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

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

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

20 SEP 10 144M

**Official Tax Receipt**  
**Nicole Stewart**  
**DAWSON COUNTY Tax Commissioner**

25 Justice Way Suite 1222  
 Dawsonville, GA 30534

| Trans No                            | Property ID/District Description                        | Original Due | Interest & Penalty   | Prev Paid | Amount Due | Amount Paid | Transaction Balance |
|-------------------------------------|---|--------------|----------------------|-----------|------------|-------------|---------------------|
| 12328<br>Year-Bill No<br>2019 - 502 | L17 063 / 001<br>LL 385 LD 13-S<br><br>FMV: \$26,040.00 | 248.59       | 0.00<br>Fees<br>0.00 | 0.00      | 248.59     | 248.59      | 0.00                |
| Transactions:                       | 12328 - 12328 Totals                                    | 248.59       | 0.00                 | 0.00      | 248.59     | 248.59      | 0.00                |

Paid By :

ARROWSMITH KENT D & LINDA

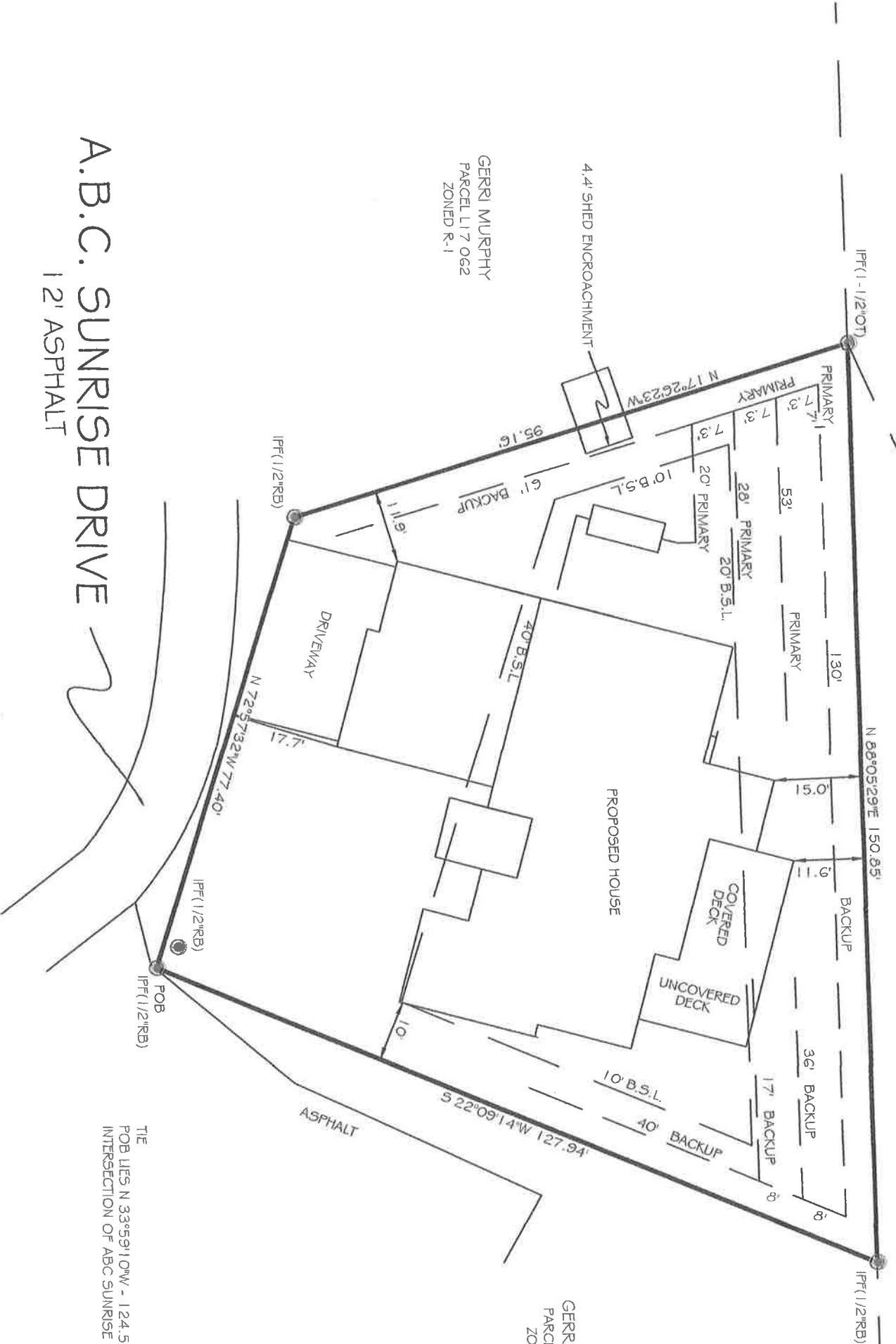
ARROWSMITH KENT D

Cash Amt: 0.00  
 Check Amt: 248.59  
 Charge Amt: 0.00  
 Change Amt: 0.00  
 Refund Amt: 0.00  
 Overpay Amt: 0.00

Check No 3530  
 Charge Acct

Paid Date  
 11/20/2019 10:49:40  
 Current Due  
 0.00

20 SEP 10 1:44 PM



GERRI MURPHY  
 PARCEL L17 062  
 ZONED R-1

GERRI MURPHY  
 PARCEL L17 064  
 ZONED R-1

A.B.C. SUNRISE DRIVE  
 12' ASPHALT

TIE  
 POB LIES N 33°59'10"W - 124.53' FROM A NAIL F  
 INTERSECTION OF ABC SUNRISE DRIVE & BURNT F

20 SEP 10 1:44 PM

As required by subsection (d) of O.G.C.A. Section 15-6-67, I hereby certify that this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should

BILL OF SALE

FOR AND IN CONSIDERATION of the Payment of the sum of NO/100 DOLLARS ) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, by KEN A. and JACQUELINE POWALOWSKI, the receipt and sufficiency where of is hereby acknowledged, the undersigned, KENT ARROWSMITH, does hereby convey all of their right, title and interest in and to the Personal Property described in Exhibit A (88 Sunrise Drive) attached hereto and made part hereof by reference. KENT ARROWSMITH warrants that he has good title in and to the above described personal property this document hereby conveys and transfers to KEN A. and JACQUELINE POWALOWSKI all of his said interest.

KENT ARROWSMITH hereby warrants that there are no liens or encumbrances against said personal property. IN WITNESS WHEREOF, the undersigned have set their hand and affixed their seal this day of, \_\_\_\_\_.

Bill of Sale Contingencies:

- 1. The Sale of 386 Holly Circle Personal Property from Ken A. and Jacqueline Powalowski to new owners completing successfully. Should the Sale of the 386 Holly Circle Personal Property be denied, for any reason, the Sale 88 Sunrise Drive Personal Property is null and void. All deposits and payments, if any, shall be refunded.

Signed, sealed, and delivered in the presence of:

Adrian Smith

Witness \_\_\_\_\_ Date \_\_\_\_\_

Kent Arrowsmith \_\_\_\_\_ 07/21/2020

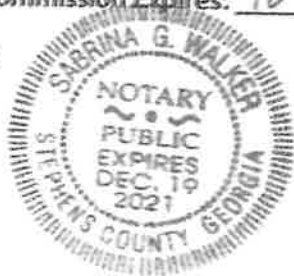
Seller \_\_\_\_\_ Date \_\_\_\_\_

Sabrina G Walker  
\_\_\_\_\_  
\_Notary

My Commission Expires: 12-19-2021

(Seal)

1 of 2



20 SEP 10 1:45 PM

Exhibit A - 88 Sunrise

After recording, return to:

Brian G. Smoote, Esq.  
Smoote & Associates, P.C.  
4340 Roswell Road  
Building C, Suite 202  
Atlanta, Georgia 30342

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX  
*[Signature]*  
BECKY McCORD, CLERK  
SUPERIOR COURT

LIMITED WARRANTY DEED

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

AT 11:00 A M 12-13-02  
Recorded in Dec Book 446 Page 533 534  
This 13 day of June 2002  
*[Signature]* Clerk

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made the 1<sup>st</sup> day of December, 2001, between, KENT D. ARROWSMITH, as party or parties of the first part, hereinafter called Grantor, and LINDA ADELMAN, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors, and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Seventy Thousand Dollars (\$70,000), paid through the form of a promissory note, paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and by these presents does grant bargain, sell, alien, convey unto the said Grantee, the below described tract or parcel of land more fully and completely described as follows:

ALL OF THE LEASEHOLD ESTATE in and to that certain tract or parcel of land located in Land Lot 385 of the South Half of the 13<sup>th</sup> District, 1<sup>st</sup> Section, Dawson County, Georgia, and being known as Lot 112, Athens Boat Club, Inc., and being a part of Athens Boat Club, Inc., as shown on that certain Plat recorded at Plat Book 1, page 11, Dawson County, Georgia records.

Initials *[Handwritten initials]*



Purchase Agreement

Offer to Purchase property 88 Sunrise Drive (description Attached Exhibit A) in the amount of

Buyer: Kenneth & Jacqueline Powalowski

Seller: Kent Arrowsmith

Sale Contingencies:

- 1 - Transfer of Seller's ABC membership to Buyer
- 2 - Sale and successful closing of Buyer's ABC home, 386 Holly Circle
- 3 - Inspection and approval of septic system

Bill of sale would be signed and notarized upon transfer of funds from Buyer to Seller.

Buyer Ken Powalowski Date: 7-21-20

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

Seller Kent Arrowsmith Date: July 17 2020

Attached is a draft copy of the bill of sale for your consideration that I created for the sale of 88 ABC Sunrise Dr, Dawsonville GA 30534. in the amount of \_\_\_\_\_ sale would be contingent upon the transfer of your existing ABC membership as well , the sale of our current property located at 386 Holly Cir., Dawsonville GA 30534 and septic inspection and approval.

20 SEP 10 1:45 PM

THIS BLOCK IS RESERVED FOR  
 CURB OF THE SURVEY COURSE

**SURVEY REFERENCES**  
 1 - PARCEL ID U7 063  
 2 - ZONED R-1

**SET BACKS**  
 FRONT - 40 FEET  
 SIDE - 10 FEET  
 REAR - 20 FEET

**SURVEY NOTES**

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA UNLESS THIS DATA IS BASED UPON A COULDER RECORD OR ONE FOOT IN / 4.225 FEET AND AN ANGLE ERROR OF 03 PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS CALCULATED USING THE COMPASS RULE. THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND TRACTS FOUND TO BE ACCURATE TO WITHIN 1 FOOT IN 132,164 FEET. THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND DEEDS SHOWN ON IT SHOWING RECORDS OR UNRECORDED. NAD 83 DATA WAS USED TO CORRECT THE RECORDS USING A NAD 83 TO NAD 2011 TRANSFORMATION. THE RECORD WAS CORRECTED & 27-2020 ON THIS PROJECT. AS SHOWN ON FLOOD INSURANCE RATE MAP OF DAWSON COUNTY, GEORGIA, COMMUNITY PANELS NUMBERS 130950250C EFFECTIVE DATE 4/4/16. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA NOR IN A FUTURE FLOOD HAZARD AREA.

**REVISIONS**

|       |  |
|-------|--|
| REV 1 |  |
| REV 2 |  |
| REV 3 |  |
| REV 4 |  |
| REV 5 |  |



The Drawings, Specifications and Schedules prepared by G.W.B. & Associates, Inc. for the Project are instruments of service. G.W.B. & Associates, Inc. shall retain all copyright and other reserved rights, including the copyright.

**KEN POWALOWSKI**  
 SITE PLAN FOR  
 LOT B-30 ATHENS BOAT CLUB  
 Lying in Land Lot 365  
 South Half Dist. 13, Sect. 1  
 Dawson County, Georgia  
 Sept. 1, 2020 ~ Scale: 1"=20'  
 0.2722 Acre - 11,847 S.F.

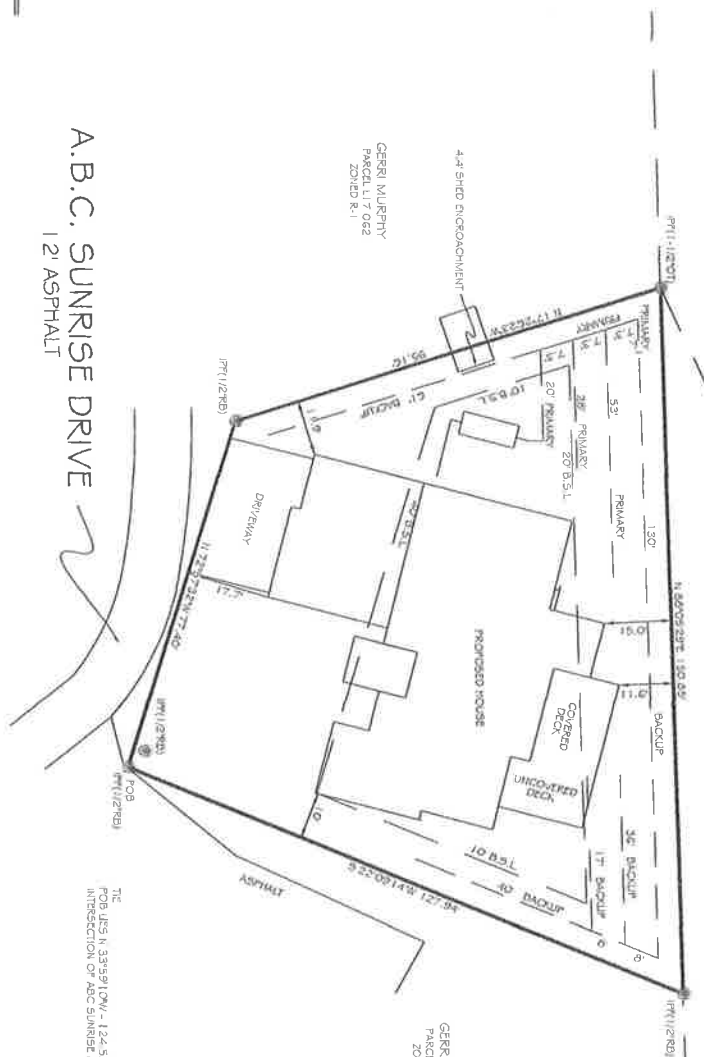


**PROPERTY ADDRESS**  
 29 ABC SUNSET DRIVE  
 DAWSONVILLE, GA 30534

**SURVEY AUTHORIZED BY**  
 KEN POWALOWSKI

**LAND SURVEYING CONSULTANTS**  
**G.W. BAGWELL & ASSOCIATES, INC.**  
 DIBA BAGWELL & BENNETT  
 LAND SURVEYING CONSULTANTS  
 P.O. BOX 531, CUMMING, GA 30028  
 4115 MINI TRAIL, CUMMING, GA 30041  
 PHONE: (770)530-8205 - (770)540-7261

**A.B.C. SUNRISE DRIVE**  
 12' ASPHALT

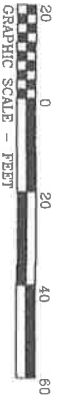


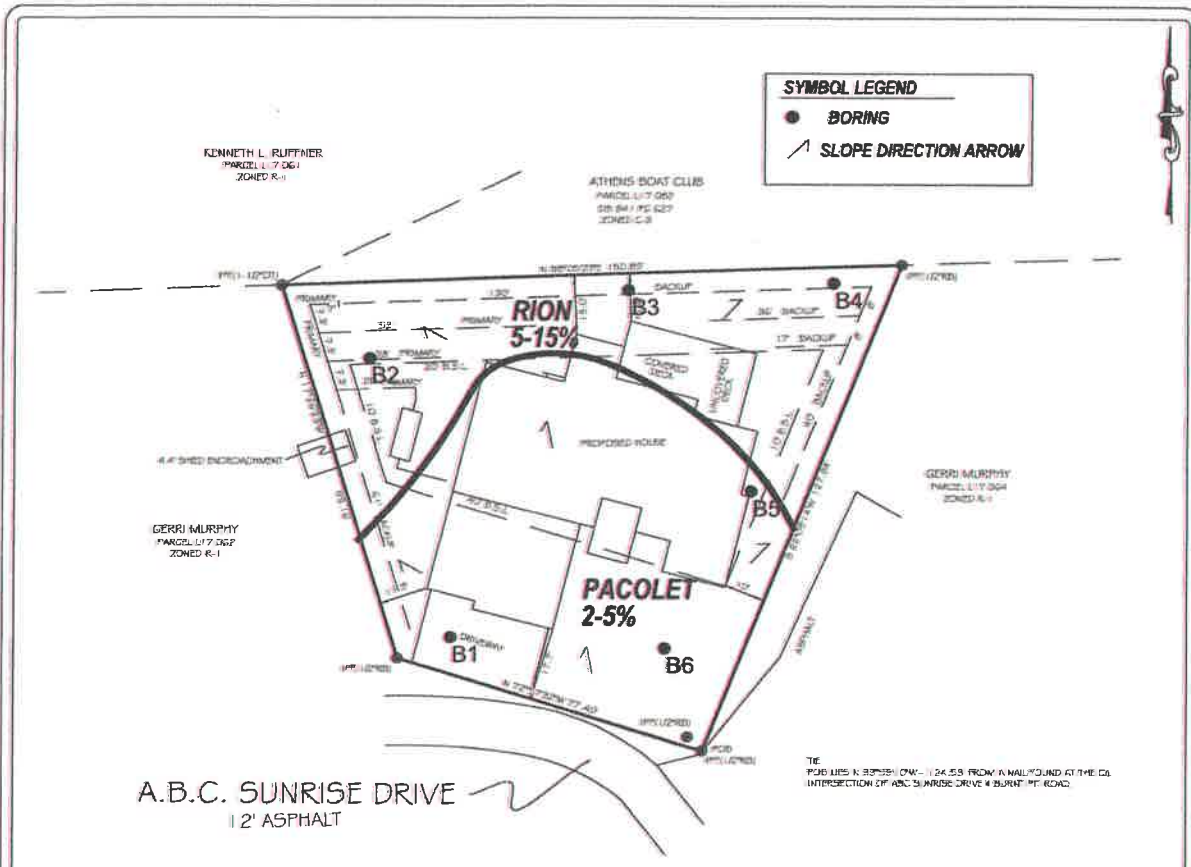
THE  
 JOB LIES N 3359 10W - 124.53' FROM A NAIL FOUND AT THE CL  
 INTERSECTION OF ABC SUNRISE DRIVE & BURST PIT ROAD.



**LEGEND**

- 1. BC = BACK OF CURB
- 2. BEL = BUILDING SETBACK LINE
- 3. CL = CENTER LINE
- 4. CL = CENTER LINE
- 5. CNF = CORRUPTED METAL PIPE
- 6. CT = CURB TOP
- 7. DL = DEVIATION (M)
- 8. DP = EDGE OF PAVEMENT
- 9. DR = DRIVE
- 10. FFI = FACE OF FINISH FOR CONCRETE
- 11. FFI = IRON PIN FOUND
- 12. FFI = IRON PIN SET NO. 4 REBAR
- 13. LL = LAND LOT
- 14. LL = LAND LOT LINE
- 15. LL = LAND LOT LINE
- 16. MTS = MET TO SCALE
- 17. OT = OPEN TOP
- 18. PLU = PROPERTY LINE
- 19. POB = POINT OF BEGINNING
- 20. RB = REBAR
- 21. RB = REBAR
- 22. RCP = REINFORCED CONCRETE PIPE
- 23. RW = RIGHT OF WAY
- 24. SW = SWAY
- 25. SW = SWAY
- 26. SW = SWAY
- 27. SW = SWAY
- 28. SW = SWAY
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- 59. SW = SWAY
- 60. SW = SWAY





A.B.C. SUNRISE DRIVE  
12' ASPHALT

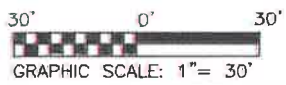
THE POINTS IN BOREHOLE C-1 (24.53) FROM A WALL FOUND AT THE CA INTERSECTION OF ABC SUNRISE DRIVE & BURNT PE. ROAD.

| SOIL UNIT | PRED. SLOPE GRADIENT % | DEPTH TO BEDROCK (in) | DEPTH TO HIGH WATER TABLE INDICATORS (in) | INSTALLATION ZONE (in) | ESTIMATED PERC RATE (min/in) | SOIL SUITABILITY CODE |
|-----------|------------------------|-----------------------|---|------------------------|------------------------------|-----------------------|
| Pacolet   | 2-5                    | >72                   | >72                                       | 40-48                  | 45                           | A                     |
| Rion      | 5-15                   | >72                   | >72                                       | 30-42                  | 45                           | A                     |

- NOTE:
- 1) If the area proposed for septic system construction is graded or filled to any extent, this report and the recommendations herein are void.
  - 2) Soil borings were located using a Trimble global positioning system. The survey provided by G.W. Bagwell & Associates. This firm assumes no responsibility for the accuracy of the property boundary. The residence and septic system components shown here are conceptual and were designed by others.
  - 3) There were no wells observed on or adjacent to the property.
  - 4) Ensure that any area proposed for septic system installation, including future reserve area, is properly landscaped such that surface water drainage and ponding does not occur. This includes ensuring that runoff from driveway, hardscape and gutters is diverted away from any component of the septic system.

SOIL SUITABILITY CODES:

A) These soils are considered suitable for a conventional septic system and should function satisfactorily given proper design, installation and maintenance.



SOIL INVESTIGATION-LEVEL III  
LOT B-30, ATHENS BOAT CLUB  
30 SUNRISE DRIVE  
L.L. 286, 19TH DISTRICT  
DAWSON COUNTY, GEORGIA  
FOR KEN POWALOWSKI

SCALE: 1" = 30'  
SHEET 1 OF 1  
CHECKED BY: KWH  
DRAWN BY: KWH  
REVIEWED BY: KWH  
SEPTEMBER 8, 2020

HORIZON ENVIRONMENTAL, INC.  
4530 BLOOMING WAY  
FLOWERY BRANCH, GEORGIA 30542  
KEVIN W. HERNDON, GA SOIL CLASSIFIER  
(404) 444-0259 - horizonsoils@gmail.com

486 7745 407 9884

20 SEP 10 1:44 PM



Overview



Legend

-  Parcels
-  Roads

Parcel ID: L17 063  
Alt ID: 1575  
Owner: ARROWSMITH KENT D  
Acres: 0.23  
Assessed Value: \$26043

Date created: 9/10/2020  
Last Data Uploaded: 9/9/2020 11:48:26 PM

Developed by 

20 SEP 10 1:44 PM

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Ken Powalowski

**Case Docket #** .....VR 20-19

**Request**.....Front set back reduction from 40’ to 17.5’  
and Rear set back reduction from 20’ to  
11.5’

**Proposed Use** .....The construction of a new residence

**Size**..... .23 +/-

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

**Applicable Regulations**.....Dawson County Land Use Resolution  
Article III, Section 309.C.3

**Location** .....Sunrise Drive

**Tax Parcel #** ..... L17 069

**Meeting Date**.....October 20, 2020

---

**Applicant Proposal**

The applicant intends to demolish the existing two-bedroom mobile home on the parcel and replace it with a two-bedroom stick built home.

**History and Existing Land Use**

The subject parcel is situated in Athens Boat Club a lake neighborhood that was established prior to the Dawson County zoning ordinance adoptions. The current owner purchased the property in July of 2020 with the intentions of constructing a new residence.

## **Staff analysis**

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

- 1.) *That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and a strict and literal interpretation of the code would not allow the proposed home to be constructed.*
- 2.) *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district.*
- 3.) *The granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and*
- 4.) *That the granting of the variance would support general objectives contained within this Resolution.*

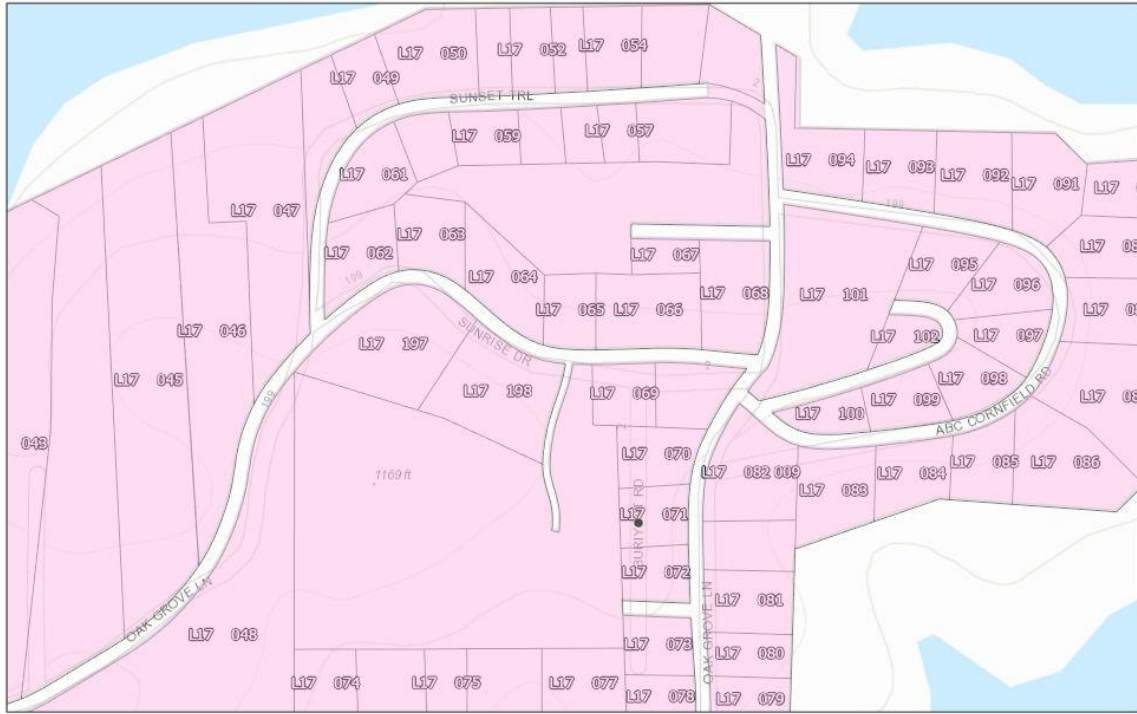
The original lots within the development were divided before zoning regulations were put into place. Any improvement to the lot would require a variance. The removal of the mobile home and the construction of a stick built home would, if anything increase property values. The general objectives of the ordinance are to have orderly growth and development. This variance, as presented, should not undermine those objectives.

Picture of subject property:



**Existing zoning:**

**Dawson County Current Zoning**



2/11/2020, 3:36:25 PM

Zoning Parcel  
VCR

1:2,267  
0 0.01 0.03 0.06 mi  
0 0.03 0.05 0.1 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

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



Future Land Use:

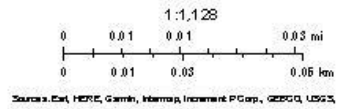
Future Land Use Map



February 11, 2020

FLU

RL



Topo:

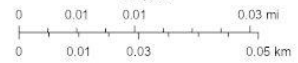
### Topo Map



9/30/2020, 3:26:22 PM

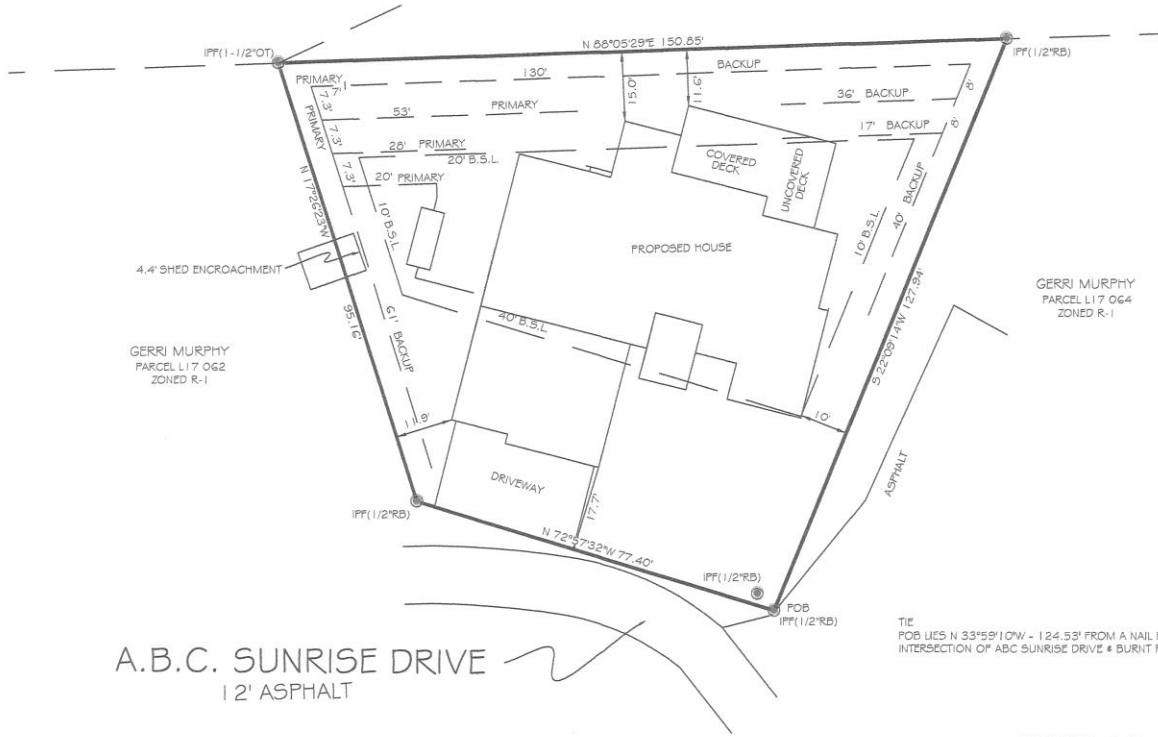
 Parcels

1:1,128



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

**Site Plan:**



A.B.C. SUNRISE DRIVE  
12' ASPHALT

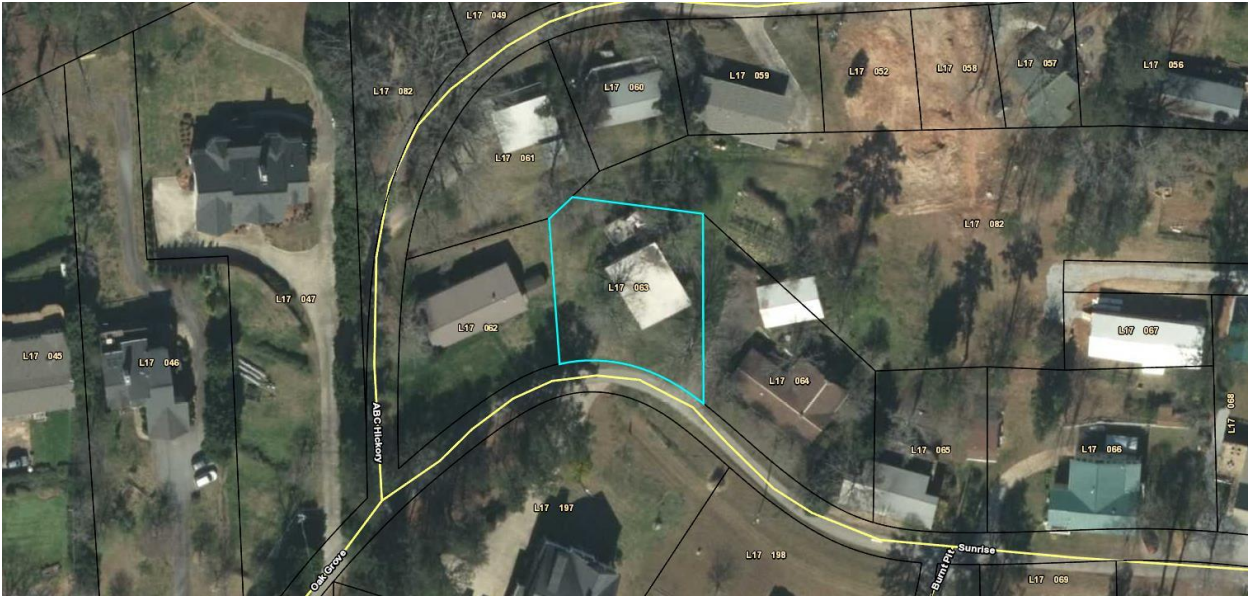
20SEP10 1:44PM

20  
GRA

As required by subsection (d) of O.G.C.A. Section 15-6-67, I hereby certify that this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should

THIS  
TITLE

**Aerial Photo:**



# DAWSON COUNTY VARIANCE APPLICATION

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

VR 20.19 Tax Map & Parcel # (TMP): L17-003  
Current Zoning: VCC Commission District #: 3  
Submittal Date: 9.10.2020 Time: \_\_\_\_\_ am/pm Received by: [Signature] (staff initials)  
Fees Assessed: \$350- Paid: check 5312  
Planning Commission Meeting Date: October 20, 2020

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Ken Powalowski  
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: 9.10.2020 Applicant Signature: [Signature]

## PROPERTY INFORMATION

Street Address of Property: 88 Sunrise Drive Dawsonville GA 30534  
Athens Boat Club  
Land Lot(s): 385 Parcel L17 063 District: District 01 Section: \_\_\_\_\_  
Subdivision/Lot: Athens Boat Club Parcel L17 063 Building Permit #: \_\_\_\_\_ (if applicable)  
Directions to the Property: 53 east toward Gainsville, Left on War Hill Park Rd, Left on Athens Boat Club Dr,  
Left on Dogwood Drive, Gate code 2704 thru gate past club house/doc, continue on Hickory trail, Left on Sunrise Dr

2020 SEP 10 1:43 PM

**REQUESTED ACTION**

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

If other, please describe: Property Line set back

Type of Variance requested:

Front Yard  Side Yard  Rear Yard variance of 23.5 fr / 8.5 rear feet to allow the structure to:

be constructed;  remain a distance of 17.5 fr/ 11.5 rear feet from the: Property Line

property line,  road right of way, or  other (explain below):

instead of the required distance of 40 feet front setback / 20 feet rear setback required by the regulations.

Lot Size Request for a reduction in the minimum lot size from \_\_\_\_\_ to \_\_\_\_\_

Sign Variance for: \_\_\_\_\_

Home Occupation Variance to operate: \_\_\_\_\_ business

Other (explain request): \_\_\_\_\_

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

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

- Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: The ABC neighborhood was originally implemented in the 1960s with smaller lot sizes than current county lot size requirements dictate. We have been members of ABC community for several years enjoying the lifestyle and our family. We would like to improve living conditions by upgrading our trailer to a more comfortable 2 bedroom stick-built home where we can retire in the near future living near our family in Athens Boat Club.

20 SEP 10 1:43 PM

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: The lot size is approximately 3/4 of an acre which creates challenges  
Positioning a small 2 bedroom home on the lot with both primary and back up septic space requirements. Per our attached  
plan, we have demonstrated the and septic system will fit with slight intrusion of the home footprint into the front and rear  
set back lines/requirements.

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: We are wishing to build a new home replacing the  
existing 2 bedroom mobile home established in the 1970s. Currently other lots are building new homes as well. Our new  
home will comply with county septic requirements. The planned house footprint setback encroachment will blend with surrounding  
homes as most existing homes within ABC have similar or more severe front, back, and side setback encroachments.

4. Describe why granting this variance would support the general objectives within this Resolution:  
The variance approval would allow us to replace a deteriorating structure with a new planned retirement home remaining  
in a community we love staying close to our family.

**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.)

### Letter of Intent

*I plan to replace existing 2 bedroom trailer with new stick built 2 bedroom home as my primary residence.*



20SEP10 1:44PM

# PROPERTY OWNER AUTHORIZATION

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

88 Sunrise Drive Dawsonville GA 30534, LL385 LD 13-s, Parcel L17 063 (Newly purchase August 2020)

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: Ken Powalowski

Signature of applicant or agent: [Signature] Date: 9/10/20

Printed Name of Owner(s): Ken Powalowski

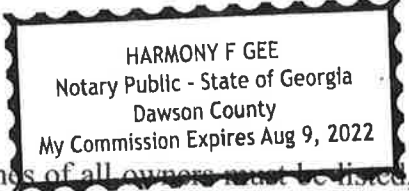
Signature of Owner(s): \_\_\_\_\_ Date 9/10/20

Sworn and subscribed before me this 10 day of September, 2020.

[Signature]  
Notary Public

My Commission Expires: August 9, 2022

(Seal)



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

20SEP10 1:44PM



**List of Adjacent Property Owners**

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

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

Name

Address

|                    |     |  |                   |
|--------------------|-----|--|-------------------|
| TMP <u>L17 060</u> | 1.  | Brady Lance, behind center of property     | 91 Sunset Trail   |
| TMP <u>L17 071</u> | 2.  | Kenneth Ruffner, behind (left) of property | 107 sunset trail  |
| TMP <u>L17 059</u> | 3.  | Linda Sasser, behind (right)               | 73 sunset trail   |
| TMP <u>L17 064</u> | 4.  | Frank Hamilton, right side of property     | 72 sunrise drive  |
| TMP <u>L17 062</u> | 5.  | Gerri Murphy, left side of property        | 102 sunrise drive |
| 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.

20 SEP 10 1:44 PM

**APPLICANT CERTIFICATION**

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

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

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

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

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

Signature of Applicant or Agent:  Date: 9-10-20  
 Signature of Witness:  Date: 9.10.2020

\*\*\*\*\*

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

Withdrawals of any application may be accommodated within the Planning & Development 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.

SEP 10 1:44PM



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

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

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

20 SEP 10 144M

**Official Tax Receipt**  
**Nicole Stewart**  
**DAWSON COUNTY Tax Commissioner**

25 Justice Way Suite 1222  
 Dawsonville, GA 30534

| Trans No                            | Property ID/District Description                        | Original Due | Interest & Penalty   | Prev Paid | Amount Due | Amount Paid                                    | Transaction Balance             |
|-------------------------------------|---|--------------|----------------------|-----------|------------|--|---------------------------------|
| 12328<br>Year-Bill No<br>2019 - 502 | L17 063 / 001<br>LL 385 LD 13-S<br><br>FMV: \$26,040.00 | 248.59       | 0.00<br>Fees<br>0.00 | 0.00      | 248.59     | 248.59<br><br>Paid Date<br>11/20/2019 10:49:40 | 0.00<br><br>Current Due<br>0.00 |
| Transactions:                       | 12328 - 12328 Totals                                    | 248.59       | 0.00                 | 0.00      | 248.59     | 248.59   | 0.00                            |

Paid By :

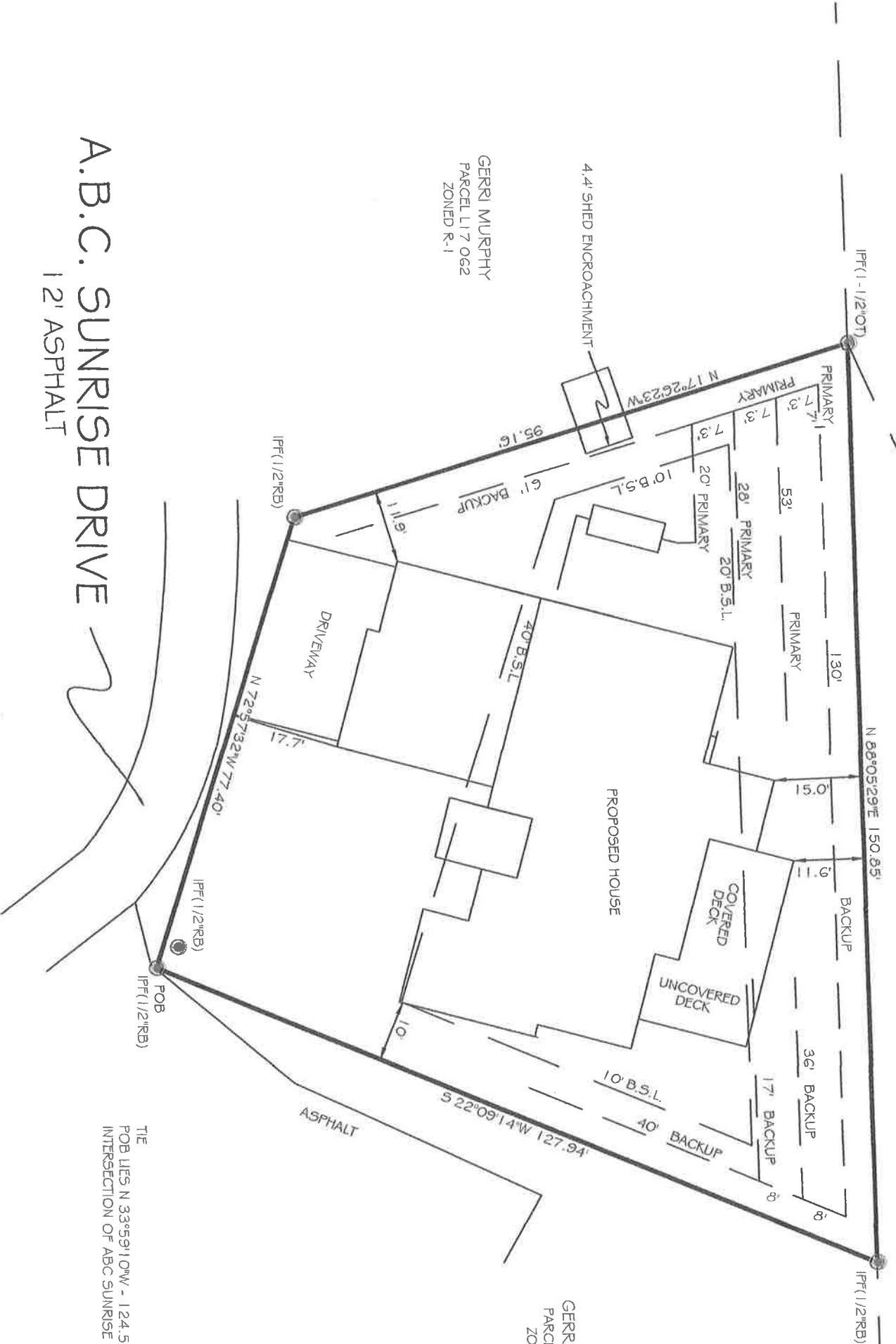
ARROWSMITH KENT D & LINDA

Cash Amt: 0.00  
 Check Amt: 248.59  
 Charge Amt: 0.00  
 Change Amt: 0.00  
 Refund Amt: 0.00  
 Overpay Amt: 0.00

ARROWSMITH KENT D

Check No 3530  
 Charge Acct

20 SEP 10 1:44 PM



GERRI MURPHY  
 PARCEL L17 062  
 ZONED R-1

GERRI MURPHY  
 PARCEL L17 064  
 ZONED R-1

A.B.C. SUNRISE DRIVE  
 12' ASPHALT

TIE  
 POB LIES N 33°59'10"W - 124.53' FROM A NAIL F  
 INTERSECTION OF ABC SUNRISE DRIVE & BURNT F

20 SEP 10 1:44 PM

As required by subsection (d) of O.G.C.A. Section 15-6-67, I hereby certify that this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should



BILL OF SALE

FOR AND IN CONSIDERATION of the Payment of the sum of NO/100 DOLLARS ) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, by KEN A. and JACQUELINE POWALOWSKI, the receipt and sufficiency where of is hereby acknowledged, the undersigned, KENT ARROWSMITH, does hereby convey all of their right, title and interest in and to the Personal Property described in Exhibit A (88 Sunrise Drive) attached hereto and made part hereof by reference. KENT ARROWSMITH warrants that he has good title in and to the above described personal property this document hereby conveys and transfers to KEN A. and JACQUELINE POWALOWSKI all of his said interest.

KENT ARROWSMITH hereby warrants that there are no liens or encumbrances against said personal property. IN WITNESS WHEREOF, the undersigned have set their hand and affixed their seal this day of, \_\_\_\_\_.

Bill of Sale Contingencies:

- 1. The Sale of 386 Holly Circle Personal Property from Ken A. and Jacqueline Powalowski to new owners completing successfully. Should the Sale of the 386 Holly Circle Personal Property be denied, for any reason, the Sale 88 Sunrise Drive Personal Property is null and void. All deposits and payments, if any, shall be refunded.

Signed, sealed, and delivered in the presence of:

Adrian Smith

Witness \_\_\_\_\_ Date \_\_\_\_\_

Kent Arrowsmith \_\_\_\_\_ 07/21/2020

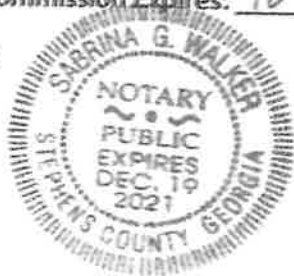
Seller \_\_\_\_\_ Date \_\_\_\_\_

Sabrina G Walker  
\_\_\_\_\_  
\_Notary

My Commission Expires: 12-19-2021

(Seal)

1 of 2



20 SEP 10 1:45 PM

Exhibit A - 88 Sunrise

After recording, return to:

Brian G. Smoote, Esq.  
Smoote & Associates, P.C.  
4340 Roswell Road  
Building C, Suite 202  
Atlanta, Georgia 30342

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX  
*[Signature]*  
BECKY McCORD, CLERK  
SUPERIOR COURT

LIMITED WARRANTY DEED

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

AT 11:00 A M 10-12-02  
Recorded in Dec Book 446 Page 533 534  
This 12 day of June 2002  
*[Signature]* Clerk

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made the 1<sup>st</sup> day of December, 2001, between, KENT D. ARROWSMITH, as party or parties of the first part, hereinafter called Grantor, and LINDA ADELMAN, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors, and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Seventy Thousand Dollars (\$70,000), paid through the form of a promissory note, paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and by these presents does grant bargain, sell, alien, convey unto the said Grantee, the below described tract or parcel of land more fully and completely described as follows:

ALL OF THE LEASEHOLD ESTATE in and to that certain tract or parcel of land located in Land Lot 385 of the South Half of the 13<sup>th</sup> District, 1<sup>st</sup> Section, Dawson County, Georgia, and being known as Lot 112, Athens Boat Club, Inc., and being a part of Athens Boat Club, Inc., as shown on that certain Plat recorded at Plat Book 1, page 11, Dawson County, Georgia records.

Initials *[Handwritten initials]*



Purchase Agreement

Offer to Purchase property 88 Sunrise Drive (description Attached Exhibit A) in the amount of

Buyer: Kenneth & Jacqueline Powalowski

Seller: Kent Arrowsmith

Sale Contingencies:

- 1 - Transfer of Seller's ABC membership to Buyer
- 2 - Sale and successful closing of Buyer's ABC home, 386 Holly Circle
- 3 - Inspection and approval of septic system

Bill of sale would be signed and notarized upon transfer of funds from Buyer to Seller.

Buyer Ken Powalowski Date: 7-21-20

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

Seller Kent Arrowsmith Date: July 17 2020

Attached is a draft copy of the bill of sale for your consideration that I created for the sale of 88 ABC Sunrise Dr, Dawsonville GA 30534. in the amount of \_\_\_\_\_ sale would be contingent upon the transfer of your existing ABC membership as well , the sale of our current property located at 386 Holly Cir., Dawsonville GA 30534 and septic inspection and approval.

20 SEP 10 1:45 PM

THIS BLOCK IS RESERVED FOR  
**CLASS OF THE SURVEY COAST**

- SURVEY REFERENCES**
- 1 - PARCEL ID U7 063
  - 2 - ZONED R-1

**SET BACKS**

FRONT - 40 FEET  
 SIDE - 10 FEET  
 REAR - 20 FEET

**SURVEY NOTES**

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA UNLESS THIS DATA IS BASED UPON A COASPER RECORD OR ONE FOOT IN / 4.225 FEET AND AN ANGLE ERROR OF 03 PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS CALCULATED USING THE COMPASS RULE. THE PLAT HAS BEEN CALCULATED FOR CLOSED AND TRACTS FOUND TO BE ACCURATE TO WITHIN 1 FOOT IN 132,164 FEET. THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND DEEDS SHOWN ON IT SHOWING RECORDED OR UNRECORDED. NAD 83 DATA WAS USED TO CALCULATE THE PROPERTY USING A MICRON DTM 550 TOTAL STATION. THE NETWORK WAS COMPLETED 6-27-2020 ON THIS PROJECT.

AS SHOWN ON FLOOD INSURANCE RATE MAP OF DAWSON COUNTY, GEORGIA. COMMUNITY PANELS NUMBER: 1309502550C EFFECTIVE DATE 4/4/16. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA NOR IN A FUTURE FLOOD HAZARD AREA.

**REVISIONS**

|       |  |
|-------|--|
| REV 1 |  |
| REV 2 |  |
| REV 3 |  |
| REV 4 |  |
| REV 5 |  |



**KEN POWALOWSKI**  
 SITE PLAN FOR  
 LOT B-30 ATHENS BOAT CLUB  
 Lying in Land Lot 365  
 South Half Dist. 13, Sect. 1  
 Dawson County, Georgia  
 Sept. 1, 2020 ~ Scale: 1" = 20'  
 0.272 Acre ~ 11,847 S.F.

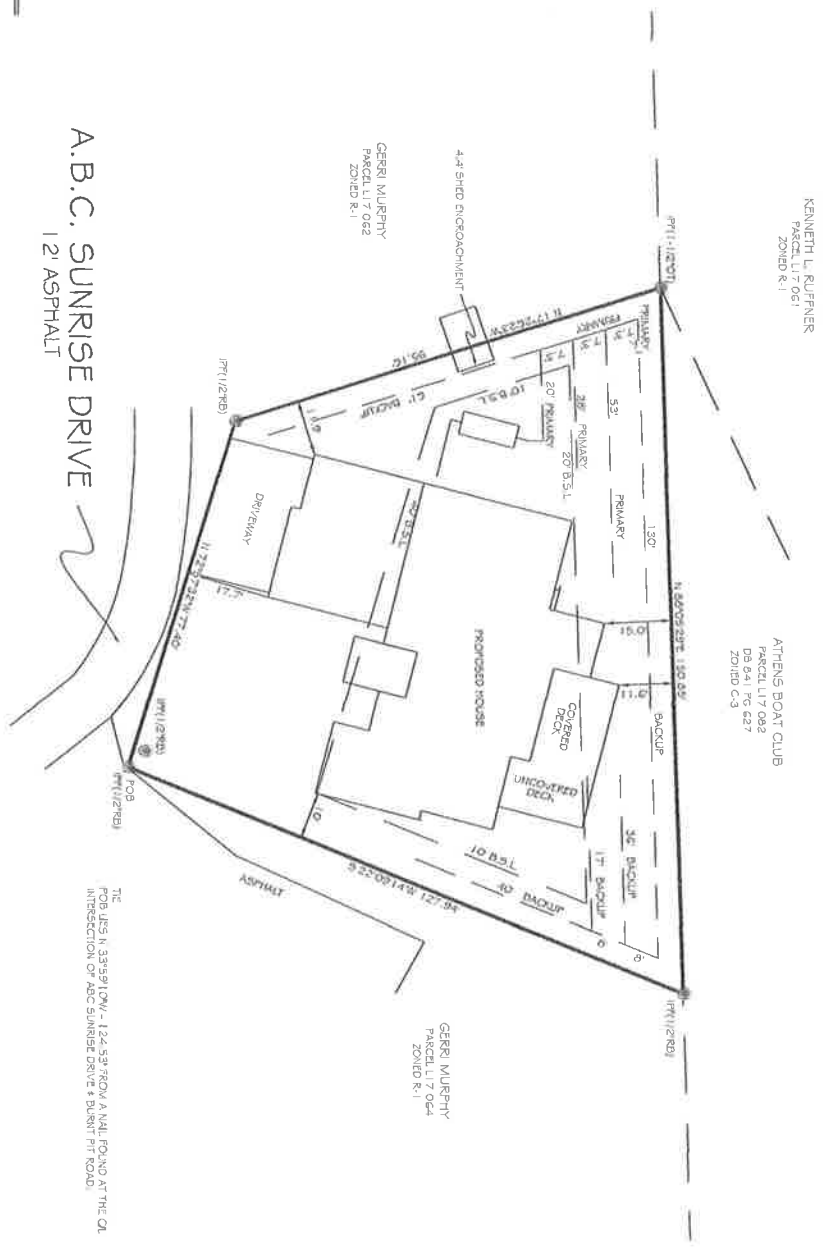


**PROPERTY ADDRESS**  
 28 ABC SUNSET DRIVE  
 DAWSONVILLE, GA 30534

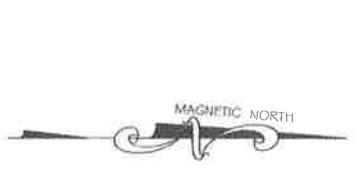
**SURVEY AUTHORIZED BY**  
 KEN POWALOWSKI

**LAND SURVEYING CONSULTANTS**  
**G.W. BAGWELL & ASSOCIATES, INC.**  
 DIBA BAGWELL & BENNETT  
 LAND SURVEYING CONSULTANTS  
 P.O. BOX 531, CUMMING, GA 30028  
 4115 MINI TRAIL, CUMMING, GA 30041  
 PHONE: (770)530-8205 - (770)540-7281

**A.B.C. SUNRISE DRIVE**  
 12' ASPHALT

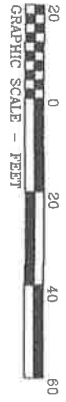


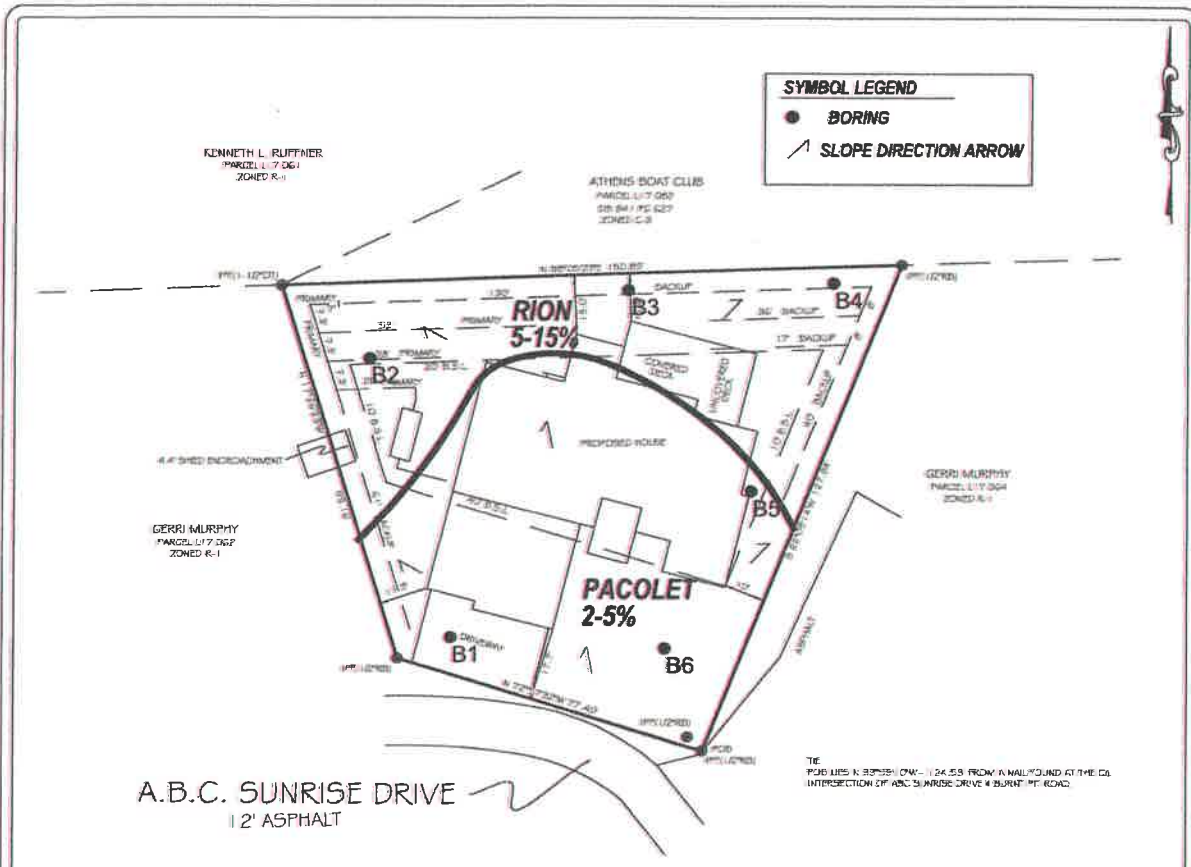
THE  
 JOB LIES N 33° 59' 10\"/>



**LEGEND**

- 1. BC = BACK OF CURB
- 2. BEL = BUILDING SETBACK LINE
- 3. CL = CENTER LINE
- 4. CLU = CENTER LINE UNIMPAVED FOUND
- 5. CNF = CORRUPTED METAL PIPE
- 6. CT = CURB TOP
- 7. DL = ELEVATION (FT)
- 8. DP = EDGE OF PAVEMENT
- 9. DR = DRIVE
- 10. FH = FACE OF FACE OF CURB, ELEV.
- 11. FR = IRON PIN FOUND
- 12. FR = IRON PIN SET NO. 4 REBAR
- 13. LL = LAND LOT
- 14. LL = LAND LOT LINE
- 15. LL = LAND LOT PROPERTY
- 16. MTS = LOT TO SCALE
- 17. OT = OPEN TOP
- 18. PLU = PROPERTY LINE
- 19. ROB = POINT OF BEGINNING
- 20. RB = REAR BACK
- 21. RB = REAR YARD
- 22. RCP = REINFORCED CONC. PIPE
- 23. RW = RIGHT OF WAY
- 24. SW = SW CORNER
- 25. SW = SW CORNER
- 26. SW = SW CORNER
- 27. SW = SW CORNER
- 28. SW = SW CORNER
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- 58. SW = SW CORNER
- 59. SW = SW CORNER
- 60. SW = SW CORNER





A.B.C. SUNRISE DRIVE  
12' ASPHALT

THE POINTS IN BOREHOLE C-1 (24.53) FROM A WALL FOUND AT THE CORNER INTERSECTION OF ABC SUNRISE DRIVE & BURNT PE. ROAD.

| SOIL UNIT | PRED. SLOPE GRADIENT % | DEPTH TO BEDROCK (in) | DEPTH TO HIGH WATER TABLE INDICATORS (in) | INSTALLATION ZONE (in) | ESTIMATED PERC RATE (min/in) | SOIL SUITABILITY CODE |
|-----------|------------------------|-----------------------|---|------------------------|------------------------------|-----------------------|
| Pacolet   | 2-5                    | >72                   | >72                                       | 40-48                  | 45                           | A                     |
| Rion      | 5-15                   | >72                   | >72                                       | 30-42                  | 45                           | A                     |

- NOTE:
- 1) If the area proposed for septic system construction is graded or filled to any extent, this report and the recommendations herein are void.
  - 2) Soil borings were located using a Trimble global positioning system. The survey provided by G.W. Bagwell & Associates. This firm assumes no responsibility for the accuracy of the property boundary. The residence and septic system components shown here are conceptual and were designed by others.
  - 3) There were no wells observed on or adjacent to the property.
  - 4) Ensure that any area proposed for septic system installation, including future reserve area, is properly landscaped such that surface water drainage and ponding does not occur. This includes ensuring that runoff from driveway, hardscape and gutters is diverted away from any component of the septic system.

SOIL SUITABILITY CODES:

A) These soils are considered suitable for a conventional septic system and should function satisfactorily given proper design, installation and maintenance.



SOIL INVESTIGATION-LEVEL III  
LOT B-30, ATHENS BOAT CLUB  
30 SUNRISE DRIVE  
L.L. 286, 19TH DISTRICT  
DAWSON COUNTY, GEORGIA  
FOR KEN POWALOWSKI

SCALE: 1" = 30'  
SHEET 1 OF 1  
CHECKED BY: KWH  
DRAWN BY: KWH  
REVIEWED BY: KWH  
SEPTEMBER 8, 2020

HORIZON ENVIRONMENTAL, INC.  
4530 BLOOMING WAY  
FLOWERY BRANCH, GEORGIA 30542  
KEVIN W. HERNDON, GA SOIL CLASSIFIER  
(404) 444-0259 - horizonsoils@gmail.com

20 SEP 10 1:44 PM

486 7745 407 9884



Overview



Legend

-  Parcels
-  Roads

Parcel ID: L17 063  
Alt ID: 1575  
Owner: ARROWSMITH KENT D  
Acres: 0.23  
Assessed Value: \$26043

Date created: 9/10/2020  
Last Data Uploaded: 9/9/2020 11:48:26 PM

Developed by 

20 SEP 10 1:44 PM

# DAWSON COUNTY VARIANCE APPLICATION

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

VR 20.20 Tax Map & Parcel # (TMP): L21-008  
Current Zoning: VCK Commission District #: 3  
Submittal Date: 9.10.2020 Time: 4:08 PM Received by: Unge (staff initials)  
Fees Assessed: 350- Paid: check  
Planning Commission Meeting Date: October 20, 2020

## APPLICANT INFORMATION (or Authorized Representative)

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

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

I have \_\_\_\_\_ /have not  participated in a Pre-application meeting with Planning Staff.  
If not, I agree  /disagree \_\_\_\_\_ to schedule a meeting the week following the submittal deadline.  
Meeting Date: 9-9-2020 Applicant Signature: Greg Scott

## PROPERTY INFORMATION

Street Address of Property: 275 Lakewood Dr Dawsonville GA  
Land Lot(s): 513 District: 13 Section: 1  
Subdivision/Lot: 26/25 and partial 24 Building Permit #: \_\_\_\_\_ (if applicable)  
Directions to the Property: war hill park road turn right on Lakewood Dr to dead end

**REQUESTED ACTION**

A Variance is requested from the requirements of Article # 3 Section # 302 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 20 feet to allow the structure to:  
[  ] be constructed; [ ] remain a distance of 20 feet from the: \_\_\_\_\_  
[  ] property line, [  ] road right of way, or [ ] other (explain below):

instead of the required distance of 40 feet 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): To have enough room for septic feild lines in back side of house and replacemeT

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: due to the shape of the lot it is making it difficult to have a 4 bed room septic on the back basement side and replacement area in the front

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2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: The road is a private dead end road and the has never been a turn around at the end of the road always just a driveway to the property

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: we would be building a more expensive house that would be raising the value

4. Describe why granting this variance would support the general objectives within this Resolution: by granting us the variance it would allow us to build and improve the property with the need<sup>ed</sup> area to have Enough Septic Drain Lines

**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.)

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### PROPERTY OWNER AUTHORIZATION

I / we MICHAEL A STAPICK AND JENNIFER J STAPICK hereby swear that I / we own the property located at (fill in address and / or tax map & parcel #):

275 LAKEWOOD DR, DAWSONVILLE GA 30534

PARCEL 10 L21 008

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: Greg Scott

Signature of applicant or agent: [Signature] Date: 9/10/20

Printed Name of Owner(s): MICHAEL A STAPICK, JENNIFER J STAPICK

Signature of Owner(s): [Signature] Date 9/10/20

Sworn and subscribed before me this 10 day of September, 2020.

Susan L Drussell  
Notary Public

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



(Seal)

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

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VR# 70.70

TMP# L21-008

**List of Adjacent Property Owners**

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

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

Name

Address

- TMP \_\_\_\_\_ 1. US Corps of Engineers
- TMP L21 009 2. David Harben, Patti Fox, Jennifer Wallace 255 Lakewood Drive
- TMP L19 052 001 3. Crystal & Richard Patmore 204 Lakewood Drive
- 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.

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**APPLICANT CERTIFICATION**


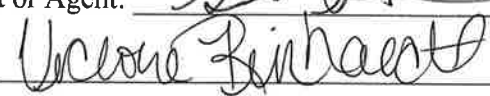
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

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: 9/8-2020  
Signature of Witness:  Date: 9/8-2020

\*\*\*\*\*

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

Withdrawals of any application may be accommodated within the Planning & Development 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.

20 SEP 10 4:03 PM

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

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Dawsonville (city), GA (state)

[Signature]  
Signature of Applicant

9/8/2020  
Date

Greg Scott  
Printed Name

Greg Scott Construction Inc  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 8 DAY OF September, 20 20

[Signature] Notary Public

My Commission Expires: Dec. 1, 2023



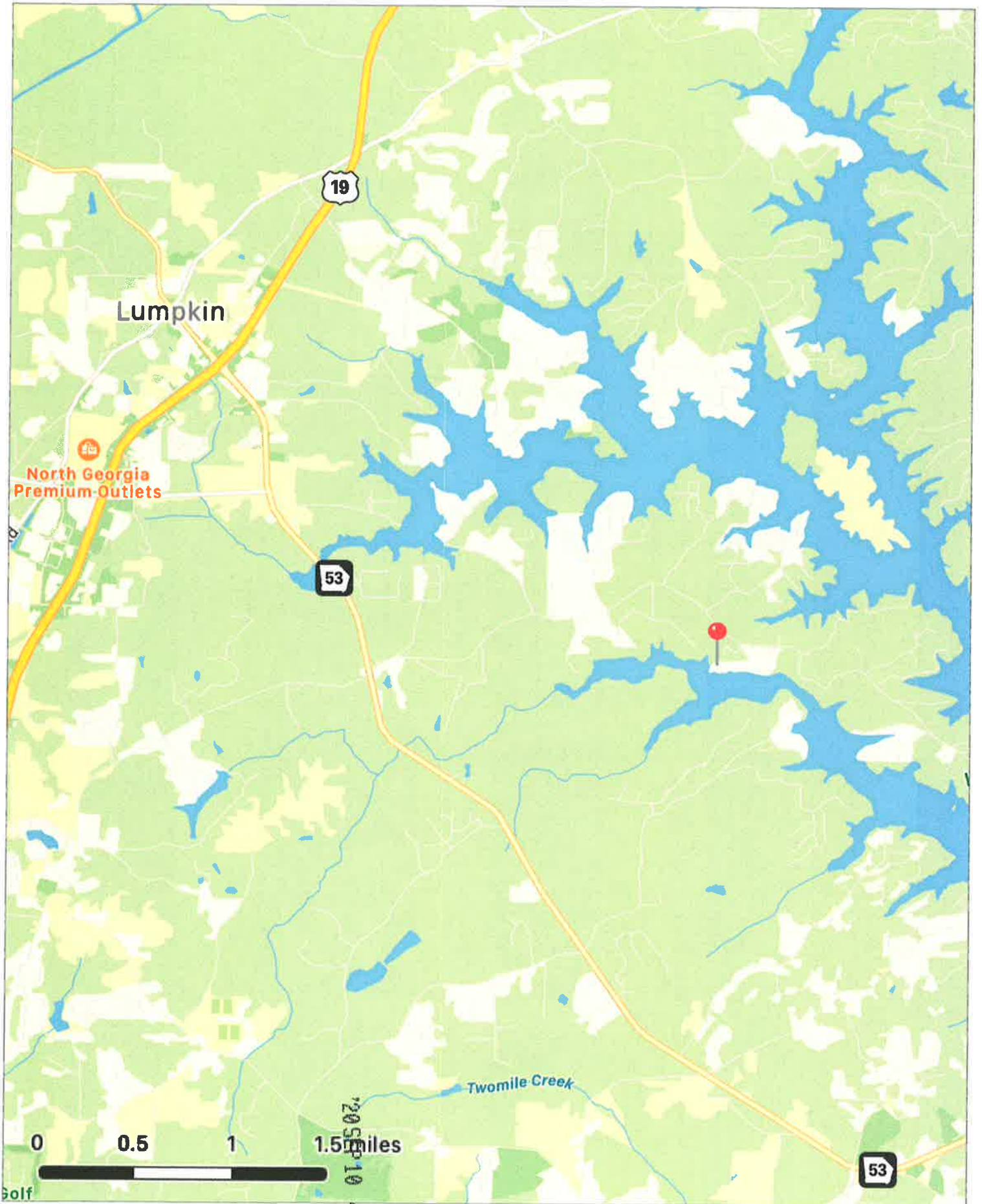
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### Secure and Verifiable Documents Under O.C.G.A. § 50-36-2

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

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

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August 25, 2020

Greg Scott Construction

Attention: Greg Scott

**Subject: Level 3 Soil Report**  
Parcel ID: L21 008  
275 Lakewood Drive  
Dawsonville, Dawson County, Georgia 30534

Dear Mr. Scott,

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

A soil survey was conducted at the subject property on August 24, 2020. The soils were classified as belonging to the Fannin and Fannin (Wet) Soil Series. The Fannin Soil Series should have the ability to function as a suitable absorption field with proper design, installation, and maintenance. A shallow seasonal water table was encountered in the Fannin (Wet) Soil Series. These soils are unsuitable for a conventional septic system and should be avoided unless an alternate system is approved by the local health department.

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

Sincerely,  
**Mill Creek Environmental, LLC**

Christopher Smith  
Staff Geologist

Stephen Johnson, PG  
Senior Project Manager

## LEVEL 3 SOIL REPORT

|  |
|--|
| <b>COUNTY:</b> Dawson <b>DATE:</b> August 24, 2020   |
| <b>CONTACT:</b> Mr. Greg Scott   |
| <b>SITE LOCATION ADDRESS:</b> Parcel ID: L21 008, 275 Lakewood Drive, Dawsonville, Georgia 30534 |
| <b>PHONE NUMBER:</b>   |
| <b>SCALE:</b> 1"= 40'  |

### SOIL PROPERTIES

| SOIL BORING NUMBER | SOIL SERIES <sup>(2)</sup><br><i>(SEE SUITABILITY CODES)</i> | SLOPE <sup>(1)</sup><br><i>(RANGES OF SOIL TYPE)</i> | RESTRICTIVE/ REFUSAL LAYER <sup>(1)</sup><br><i>(INCHES BGS)</i> | DEPTH TO SEASONAL HIGH H <sub>2</sub> O TABLE <sup>(1)</sup><br><i>(INCHES BGS)</i> | ABSORPTION RATE <sup>(3)(4)</sup> AT RECOMMENDED TRENCH DEPTH<br><i>(MIN/INCH)</i> | RECOMMENDED <sup>(1) (2)</sup> TRENCH DEPTH<br><i>(INCHES BGS)</i> | SUITABILITY <sup>(4)</sup> CODE |
|--------------------|--|--|--|---|--|--|---------------------------------|
|                    |  | <i>(Verified)</i>                                    | <i>(Verified.)</i>   | <i>(Verified)</i>   | <i>(Predicted)</i>   | <i>(Verified)</i>  |                                 |
| B-1                | Fannin Soil Series   | 2-6%   | >72  | 66  | 50   | 24-36  | A                               |
| B-2                | Fannin (Wet) Soil Series                                     | 10-15%   | >22  | 10  | See Code   | See Code   | C                               |
| B-3                | Fannin Soil Series   | 6-10%  | >72  | 56  | 50   | 24-32  | A                               |
| B-4                | Fannin Soil Series   | 6-10%  | >72  | 58  | 50   | 24-34  | A                               |

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

20SEP10 4:03PM

**COUNTY:** Dawson **DATE:** August 24, 2020

**CONTACT:** Mr. Greg Scott

**SITE LOCATION ADDRESS:** Parcel ID: L21 008, 275 Lakewood Drive, Dawsonville, Georgia 30534

**PHONE NUMBER:**

**SCALE:** 1"= 40'

**SUITABILITY CODE DESCRIPTIONS & GENERAL NOTES:**

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

**SUITABILITY CODE C:** BECAUSE OF FLOODING, SHALLOW SEASONAL WATER TABLES, SOIL HORIZONS WITH VERY SLOW PERCOLATION RATE, PERCHED WATER TABLES, OR IMPERFECT DRAINAGE, THESE SOILS ARE NOT SUITABLE FOR INSTALLATION OF A CONVENTIONAL ON-SITE SYSTEM WITHOUT SITE MODIFICATIONS, SPECIAL DESIGNS OR INSTALLATION. PROPERTIES OF THE SOIL AND SITE MAY REQUIRE THE DRAIN FIELD AREA TO BE GREATER THAN THE MINIMUM AND/OR THE DRAIN FIELD DESIGN TO REQUIRE EQUAL DISTRIBUTION OR LEVEL FIELD INSTALLATION. NON-CONVENTIONAL SYSTEMS AND INSTALLATION MUST BE APPROVED BY THE LOCAL ENVIRONMENTAL HEALTH SPECIALIST.

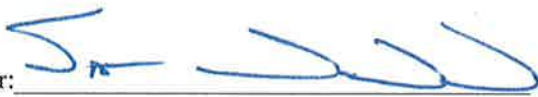
Miscellaneous Notes:

All borings are staked in the field and labeled.

This soil report is in accordance with the standards and regulations set forth in the Georgia Department of Public Health Manual for On-Site Sewage Management Systems, June 2019. Mill Creek Environmental, LLC does not issue permits for, install, maintain or guarantee the performance of any on-site sewage management system. The County Health Department has the authority to permit on-site sewage management systems on this property and may have a different view of the soil conditions. The County Health Department has final jurisdiction over permitting and regulating on-site sewage management systems.

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

This report was completed by Certified Soil Classifier:



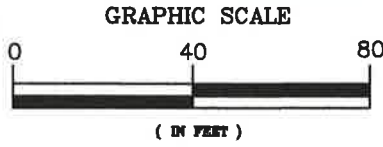
Stephen Johnson, PG  
Georgia Professional Geologist # 910



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Notes: This is not a survey, boundary information is approximate. Boundaries were digitized from a plat provided by the client. Mill Creek Environmental, LLC makes no guarantees of boundary information. This map is intended to show soil test locations and soil boundaries.

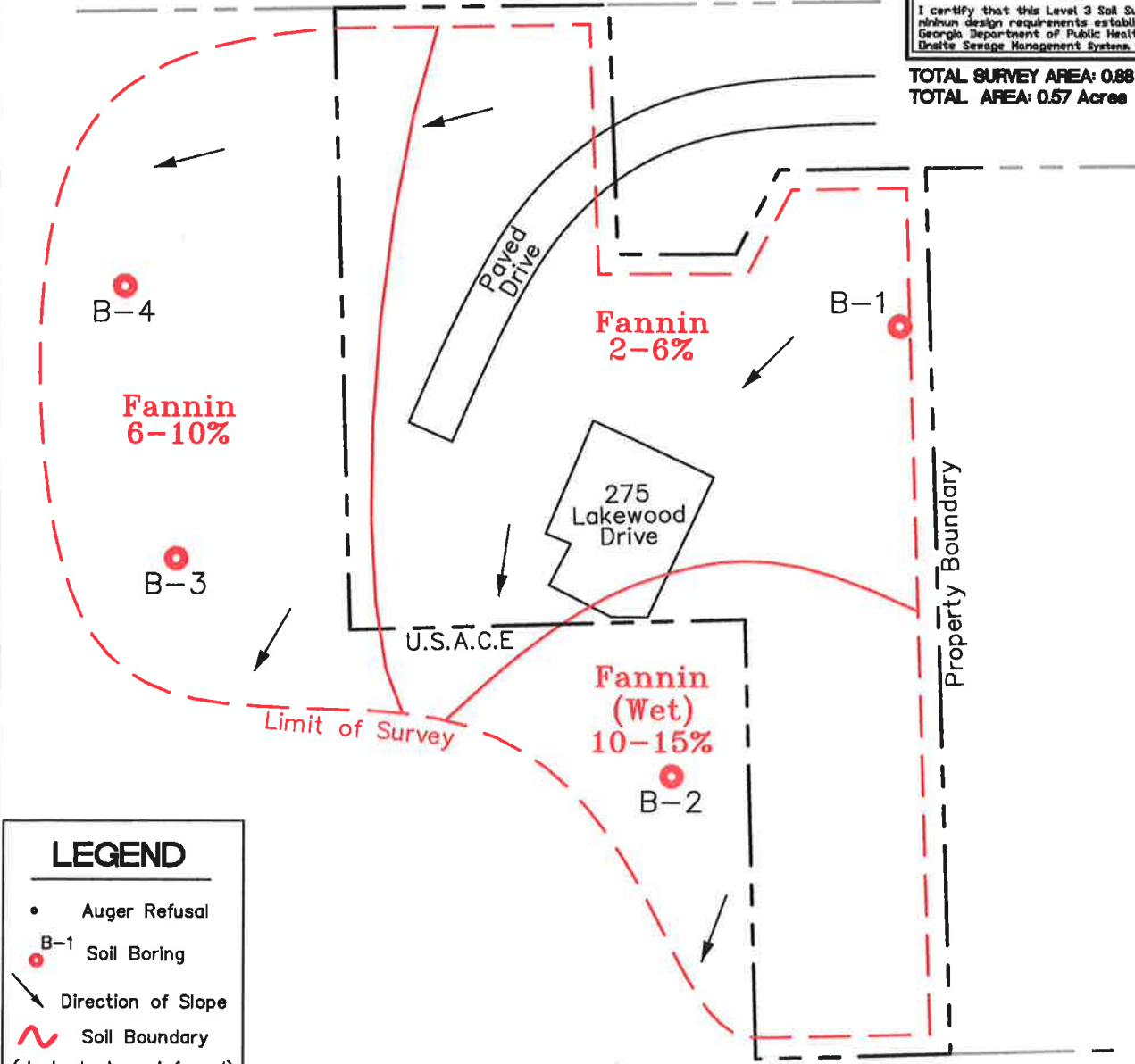
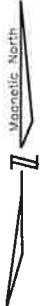


Stephen Johnson, PG  
Georgia Professional Geologist #910



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

TOTAL SURVEY AREA: 0.88 Acres  
TOTAL AREA: 0.57 Acres



**LEGEND**

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



**LEVEL 3 SOIL SURVEY**  
 Greg Scott Construction  
 Parcel ID: L21 008  
 275 Lakewood Drive  
 Dawsonville, Dawson County, Georgia  
 SA-20255-1 8/24/2020

**MILL CREEK ENVIRONMENTAL, LLC**  
 4055 Highway 53 East  
 Dawsonville, Georgia 30534  
 706-579-1607

10/24/2020 4:03 PM

From: Terry, Jonathan  
Subject: 275 Lakewood Dr.  
Date: September 3, 2020 at 12:52 PM  
To:  
Cc:



Mr. Scott,

Thank you for meeting us on-site yesterday. After our discussion and consultation with Matt Gravitt, I spent some time reviewing the soil report and proposed septic design. I am unable to permit this lot for the proposed 4 bedroom home with dimensions 71' x 55' to be located as staked on-site. I scaled your proposed home onto a copy of the plat and there doesn't appear to be enough room on the lot for a primary and replacement septic system within the suitable soil areas. An engineered site plan will be necessary for further review due to the size of the home, location of the existing/proposed driveway, offset of the lot in the front, and the marginal Fannin Wet soil. Please submit a site plan showing the proposed house construction, septic design and replacement, as well as all other requirements listed on the attached document. I also recommend having the soil classifier perform additional evaluations of the area labeled Fannin Wet on the soil report. Additional borings within that area may allow for a conventional or drip emitter system design based on the data provided. Please make sure the engineer consults with Matt about the primary system design so that we can be sure it is feasible.

Please feel free to contact me by email or contact the Dawson EH office if you have questions.

Sincerely,  
Jonathan D. Terry  
Deputy Director Environmental Health  
District 2 Public Health

Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private or sensitive information. If you received this message in error, please delete it and contact me.

SECTION F | Dispersal Systems

Form 6.F Engineered Site Plan Checklist

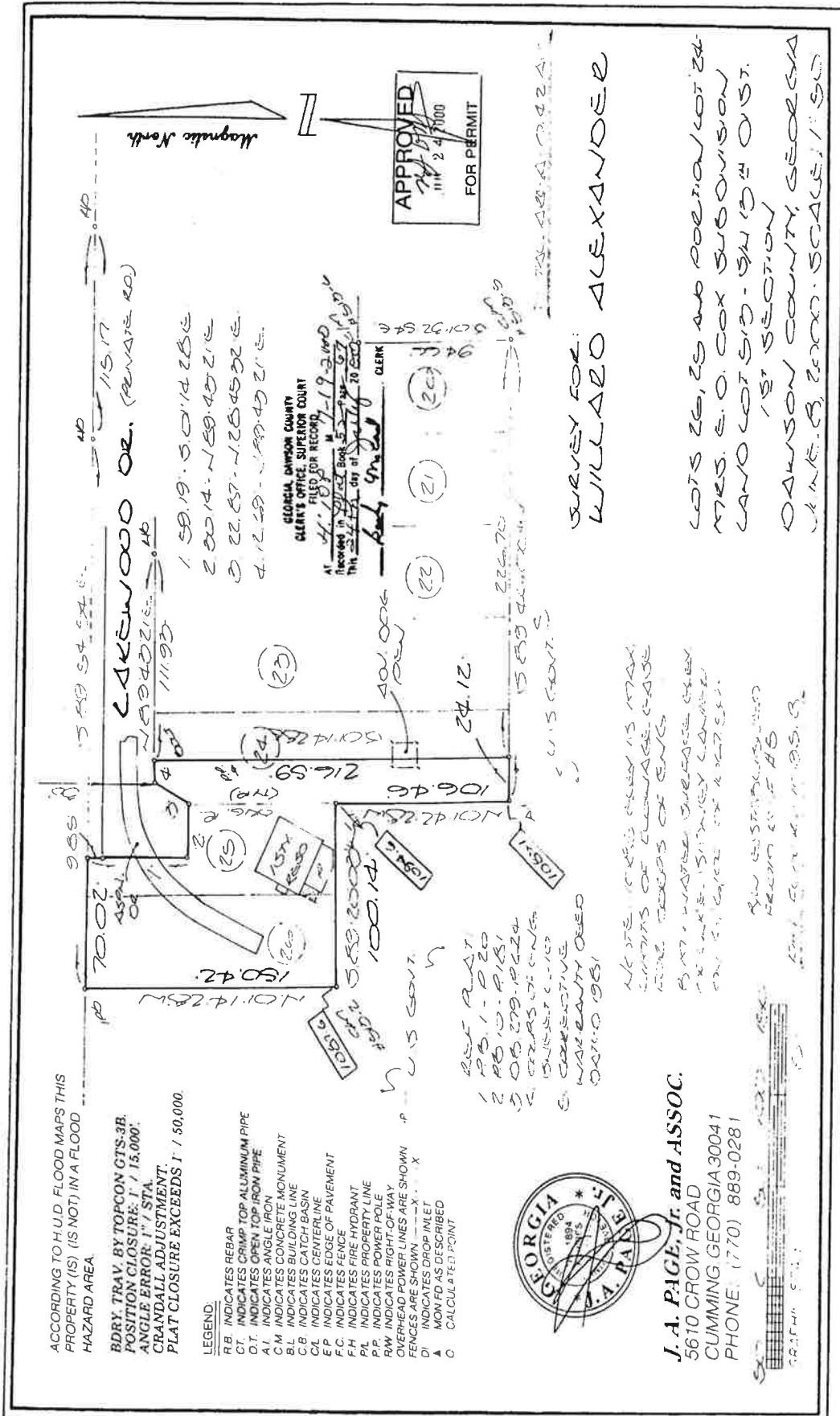
| GEORGIA DEPARTMENT OF PUBLIC HEALTH<br>OSSMS Engineered Site Plan Checklist  |  |
|--|--|
| A site plan may be required when more information and detail is needed to determine compliance with the regulations. Sites with marginal soil conditions, restrictive topographic features or other factors that limit the amount of suitable area available for the installation and replacement of an on-site sewage management system may require an engineered plan from a State registered engineer. The following requirements will determine compliance with the state regulations. The site plan must include the following: |  |
| <input type="checkbox"/>   | Site plan drawn to a minimum 1" to 40' scale.                                      |
| <input type="checkbox"/>   | Topographic delineations on 2-foot contours showing existing and/or finish grades. |

20 SEP 10 4:03 PM

|   |       |
|---|-------|
| Topographic delineations on 2-foot contours showing existing above ground structures.   |       |
| Location and dimensions of residence (s) or building (s), including setback distances from property lines.  |       |
| Location of driveway (s), paved areas, pools, and other structures.   |       |
| Location of underground utility lines, water lines or wells (on or within 100 ft. of the property).   |       |
| Location of streams, lakes, bodies of water, drainage ways, easements, wetlands or floodplains on property.   |       |
| Finish floor elevations, including basement.  |       |
| Elevation and location of plumbing stub-out.  |       |
| Scaled drawing of the on-site sewage management system including replacement area. Drawing to include primary treatment (septic tank or aerobic treatment unit), dosing/pump tank (if applicable), and absorption field layout (including type and size). Pump size and manufacturer, including pump calculations (if applicable).                                  |       |
| A level 3 or level 4 soil report (as applicable) and map overlaid on the site plan. Absorption fields within 20 feet of soil transition lines shall be verified by the soil classifier for accuracy.  |       |
| Engineered site plans shall bear the seal and signature of the designer and include the following statement: I certify this on-site sewage management system meets the minimum design requirements established by the Department of Public Health. I have made a site visit to verify the system can be installed as designed in accordance with these regulations. |       |
| Comments:   |       |
| Environmental Health Specialist:  | Date: |
| <i>Site plans with deficiencies shall be returned to the engineer within 3 working days with the deficiencies noted and the process of appeal.</i>  |       |

20 SEP 10 4:04 PM

20SEP10 4:04PM



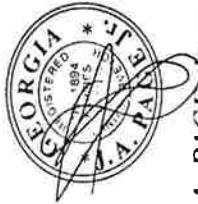
ACCORDING TO H.U.D. FLOOD MAPS THIS PROPERTY (S) (IS NOT) IN A FLOOD HAZARD AREA.

BDRY. TRAV. BY TOPCON GTS-3B  
POSITION CLOSURE: 1" / 15,000'  
ANGLE ERROR: 1" / STA.  
CRANDALL ADJUSTMENT.  
PLAT CLOSURE EXCEEDS 1" / 50,000.

**LEGEND:**

- R.B. INDICATES REBAR
- C.T. INDICATES CRIMP TOP ALUMINUM PIPE
- O.T. INDICATES OPEN TOP IRON PIPE
- C.A. INDICATES ANGLE IRON
- C.M. INDICATES CONCRETE MONUMENT
- C.B. INDICATES BUILDING CORNER
- C.L. INDICATES CENTER LINE
- E.P. INDICATES CENTER OF PAVEMENT
- F.C. INDICATES FENCE
- F.H. INDICATES FIRE HYDRANT
- P.L. INDICATES PROPERTY LINE
- P.P. INDICATES POWER POLE
- R.W. INDICATES RIGHT-OF-WAY
- O.P. OVERHEAD POWER LINES ARE SHOWN
- FENCES ARE SHOWN --- X --- X
- DI INDICATES DROP INLET
- MON FD AS DESCRIBED
- ▲ CALCULATED POINT

- 1 R.F. 1 - P. 20
- 2 R.F. 1 - P. 181
- 3 O.B. 179 - P. 224
- 4 O.B. 179 - P. 224
- 5 O.B. 179 - P. 224
- 6 O.B. 179 - P. 224
- 7 O.B. 179 - P. 224
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- 47 O.B. 179 - P. 224
- 48 O.B. 179 - P. 224
- 49 O.B. 179 - P. 224
- 50 O.B. 179 - P. 224



**J. A. PAGE, Jr. and ASSOC.**  
5610 CROW ROAD  
CUMMING, GEORGIA 30041  
PHONE: (770) 889-0281

APPROVED FOR PERMIT  
DATE: 11/11/24  
BY: [Signature]

SURVEY FOR:  
WILLIARD ALEXANDER

LOTS 26, 25 AND PORTION LOT 24 -  
MRS. S.O. COX SUBDIVISION  
LAND LOT 513 - 94 1/2 0 ST.  
187 SECTION  
DAWSON COUNTY, GEORGIA  
1/4 N.E. 1/8, 2000' SCALE, 1:50

#000000



**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 |
|----------------|--|------------------|-------------------------------------|---------------|------------------|---------------------|
| 2019 - 13235   | L21 008 / 1<br>LOTS 25 26 PT 24 E D COX LL 513 LD<br>13-S<br>FMV: 374200 | \$3572.41        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$3572.41        | \$0.00              |
| <b>Totals:</b> |  | <b>\$3572.41</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$3572.41</b> | <b>\$0.00</b>       |

**Paid Date:** 10/21/2019

**Charge Amount:** \$3572.41

STIPICK JENNIFER J & MICHAEL A



Scan this code with your mobile phone to view this bill

20 SEP 10 4:04 PM



**qPublic.net™ Dawson County, GA**

**Summary**

**Parcel Number** L21 009  
**Location Address** 255 LAKEWOOD DR  
**Legal Description** LOT 23 PORTION OF LOT 24 & TRACT#3-B E D COX  
 (Note: Not to be used on legal documents)  
**Class** R3-Residential  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
**Tax District** UNINCORPORATED (District 01)  
**Millage Rate** 23.867  
**Acres** 0.55  
**Neighborhood** UL - Lake Lanier - Water Front (Dockable) (289901)  
**Homestead Exemption** No (S0)  
**Landlot/District** N/A

[View Map](#)



**Owner**

DAVID HARBEN PATTI FOX JENNIFER  
 WALLICE  
 TRUSTEES OF THE LAKE HOUSE PROPERTY  
 TRUST

**Land**

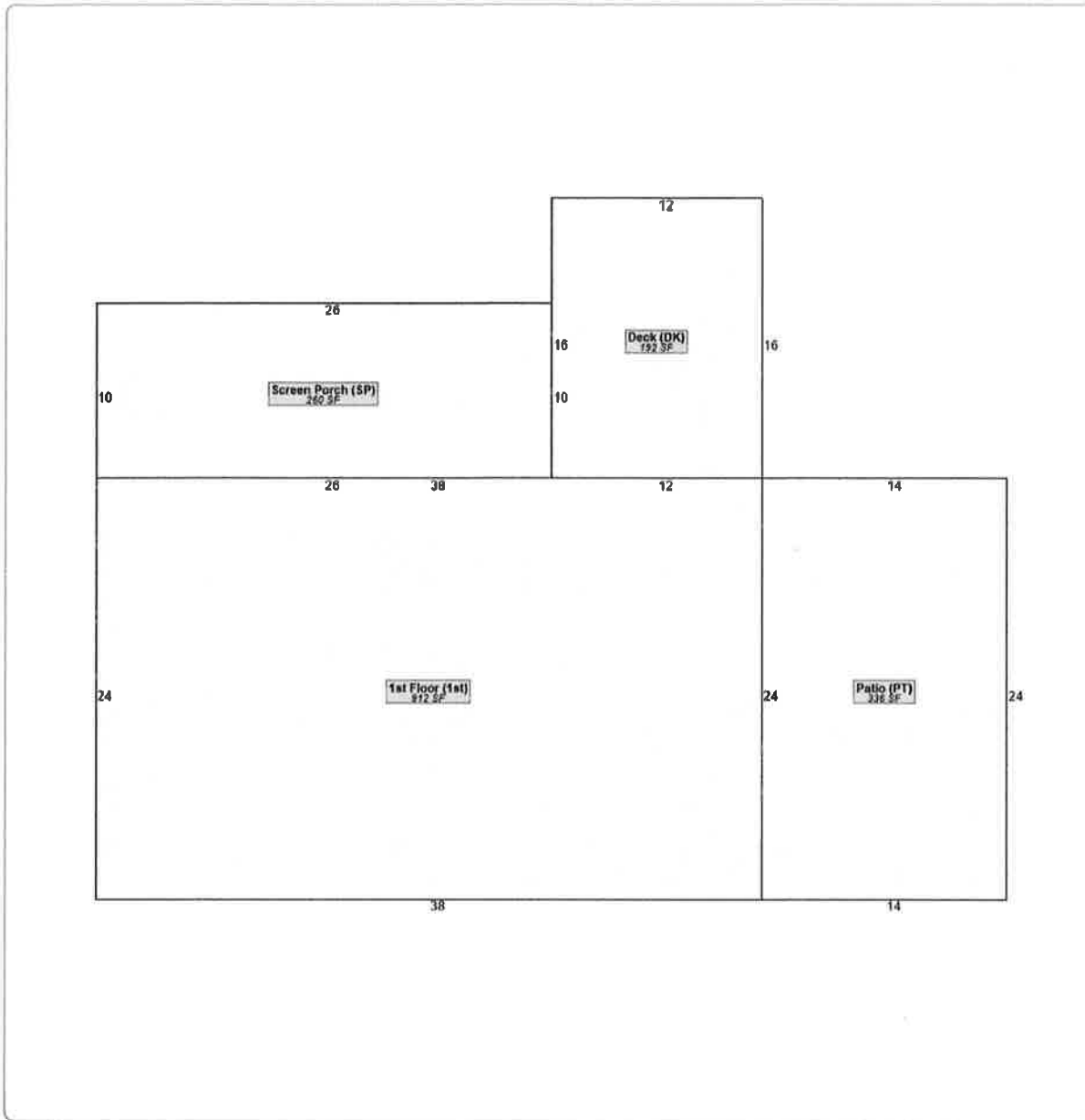
| Type        | Description               | Calculation Method | Frontage | Depth | Acres | Lots |
|-------------|---------------------------|--------------------|----------|-------|-------|------|
| Residential | Res-Lake-Open Water (250) | Front Feet         | 107      | 222   | 0.55  | 1    |

**Residential Improvement Information**

**Style** One Family (Detached)  
**Heated Square Feet** 912  
**Interior Walls** Sheetrock  
**Exterior Walls** Wood/Cedar  
**Foundation** Masonry/Crawl  
**Attic Square Feet** 0  
**Basement Square Feet** 0  
**Year Built** 1970  
**Roof Type** Architectural Shingles  
**Flooring Type** Carpet/Hrdwd/Tile  
**Heating Type** Central Heat/AC  
**Number Of Rooms** 4  
**Number Of Bedrooms** 2  
**Number Of Full Bathrooms** 1  
**Number Of Half Bathrooms** 0  
**Number Of Plumbing Extras** 0  
**Value** \$72,800  
**Condition** Average  
**Fireplaces\Appliances** Const 1 sty 1 Box 1  
**House Address** 255 LAKEWOOD DR

**Accessory Information**

| Description             | Year Built | Dimensions/Units | Identical Units | Value    |
|-------------------------|------------|------------------|-----------------|----------|
| Boat Hoist/Lift         | 2010       | 0x0 / 1          | 0               | \$2,500  |
| Dock: Alum-2 Story-3 AV | 2010       | 32x32 / 0        | 1               | \$35,000 |
| Paving: Asphalt         | 1999       | 0x0 / 2000       | 0               | \$2,000  |
| Homesite Imp: 3 Avg     | 1970       | 0x0 / 1          | 1               | \$5,000  |
| Garage (Detached)       | 1970       | 20x25 / 0        | 1               | \$10,500 |



No data available for the following modules: Rural Land, Conservation Use Rural Land, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes, Permits.

The Dawson County Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

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[GDPR Privacy Notice](#)

Last Data Upload: 9/9/2020, 2:00:51 PM

Version 2.3.84





**qPublic.net™ Dawson County, GA**

**Summary**

Parcel Number L19 052 001  
 Location Address 204 LAKEWOOD DR  
 Legal Description LL 460 LD 13-1  
 (Note: Not to be used on legal documents)  
 Class R3-Residential  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 Tax District UNINCORPORATED (District 01)  
 Millage Rate 23.867  
 Acres 1.04  
 Neighborhood UL - Lake Lanier - Water Front (Dockable) (289901)  
 Homestead Exemption Yes (S1)  
 Landlot/District N/A

[View Map](#)



**Owner**

PATMORE CRYSTAL B & RICHARD

**Land**

| Type        | Description               | Calculation Method | Frontage | Depth | Acres | Lots |
|-------------|---------------------------|--------------------|----------|-------|-------|------|
| Residential | Res-Lake-Open Water (250) | Front Feet         | 54       | 284   | 1.04  | 0    |

**Residential Improvement Information**

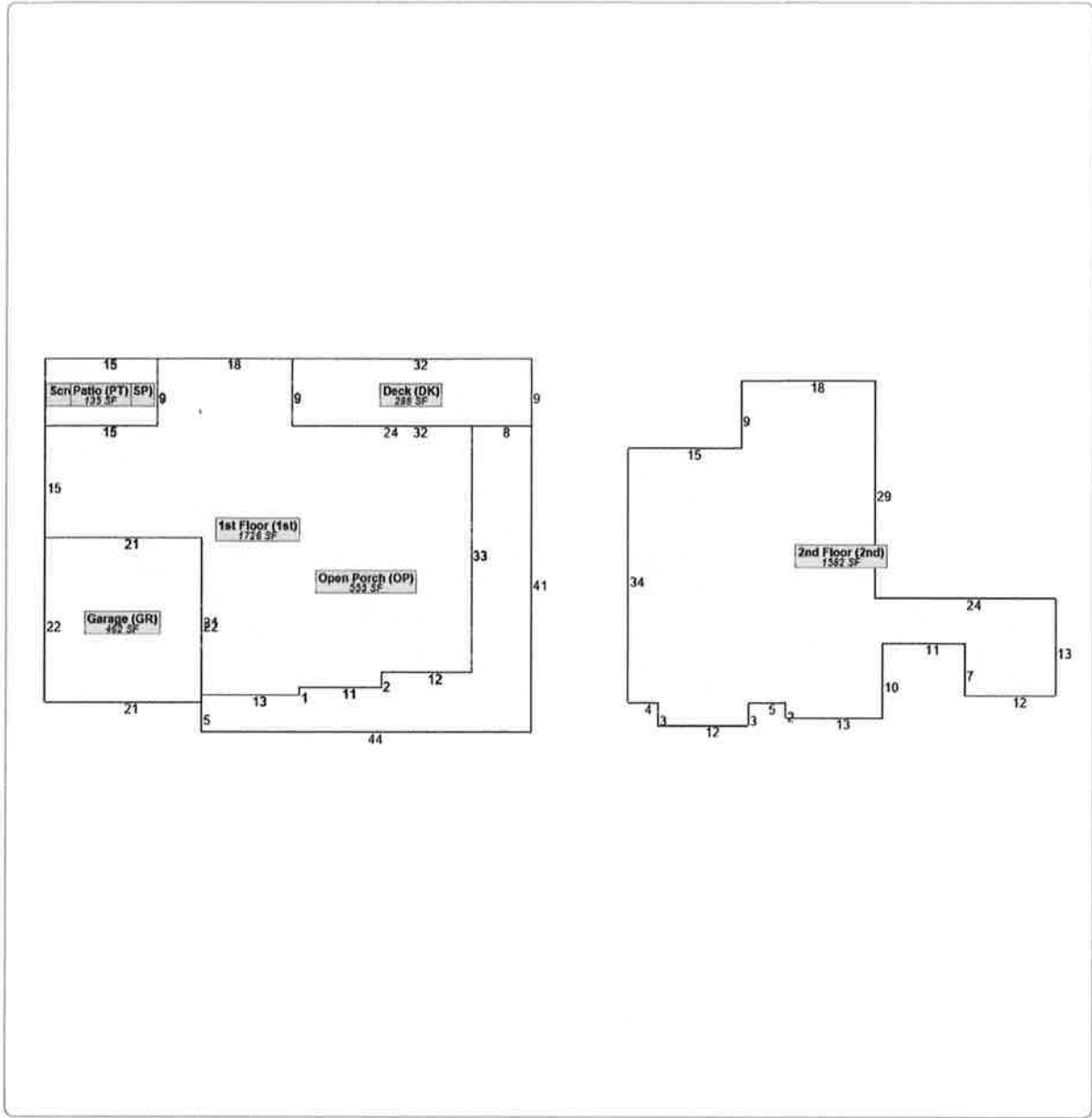
Style One Family (Detached)  
 Heated Square Feet 3308  
 Interior Walls Sheetrock  
 Exterior Walls Cement Fiber/Brick/Stone  
 Foundation Basement  
 Attic Square Feet 0  
 Basement Square Feet 1726 Unfinished  
 Year Built 1998  
 Roof Type Architectural Shingles  
 Flooring Type Carpet/Hrdwd/Tile  
 Heating Type Central Heat/AC  
 Number Of Rooms 0  
 Number Of Bedrooms 4  
 Number Of Full Bathrooms 3  
 Number Of Half Bathrooms 1  
 Number Of Plumbing Extras 8  
 Value \$345,800  
 Condition Average  
 Fireplaces\Appliances Const 2 sty 1 Box 1  
 House Address 204 LAKEWOOD DR

**Accessory Information**

| Description              | Year Built | Dimensions/Units | Identical Units | Value    |
|--------------------------|------------|------------------|-----------------|----------|
| Dock: Steel-2 Story-3 AV | 1998       | 24x24 / 1024     | 1               | \$17,900 |
| Paving: Concrete         | 1998       | 12x150 / 1800    | 1               | \$3,600  |
| Homesite Imp: 3 Avg      | 1998       | 1x1 / 1          | 1               | \$5,000  |

**Sales**

| Sale Date  | Deed Book / Page | Plat Book / Page | Sale Price | Reason                      | Grantor              | Grantee                     |
|------------|------------------|------------------|------------|-----------------------------|----------------------|-----------------------------|
| 11/13/2009 | 933 171          |                  | \$430,000  | Fair Market Sale (Improved) | MORRIS ANGELA J DREW | PATMORE CRYSTAL B & RICHARD |
| 9/15/1998  | 337 2 80         |                  | \$0        | Gift                        | MORRIS JOHN          | MORRIS ANGELA J DREW        |
| 3/26/1998  | 265 3 78         |                  | \$165,000  | Fair Market Sale (Vacant)   | HUTCHINSON T E       | MORRIS JOHN                 |



No data available for the following modules: Rural Land, Conservation Use Rural Land, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes, Permits.

The Dawson County Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

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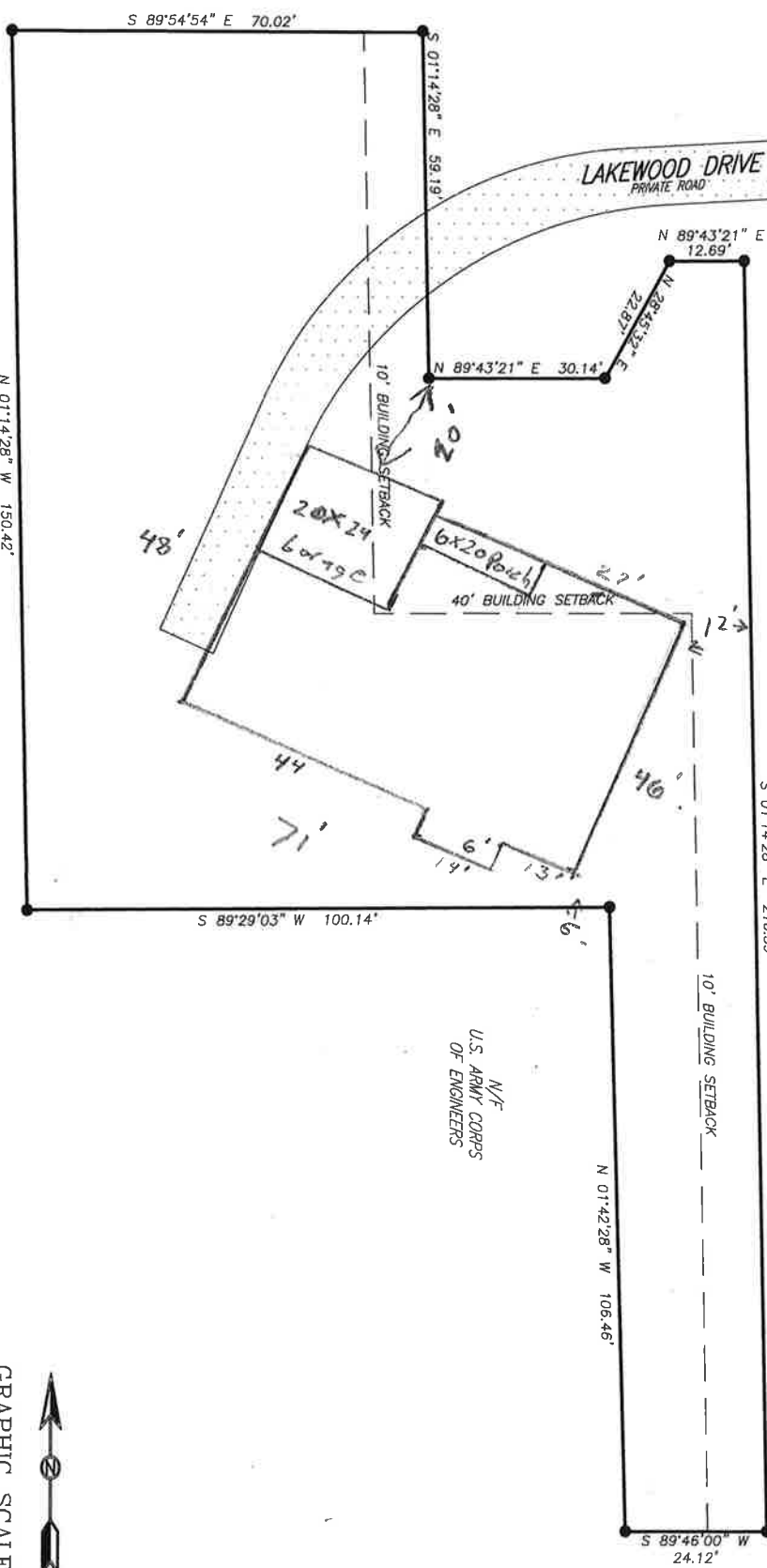
Last Data Upload: 9/9/2020, 2:00:51 PM

Version 2.3.84

**FLOOD NOTE:**  
THIS PROPERTY DOES NOT LIE WITHIN A  
FEDERAL FLOOD HAZARD AREA PER FIRM  
PANCL 130850230C  
DATED APRIL 4, 2018

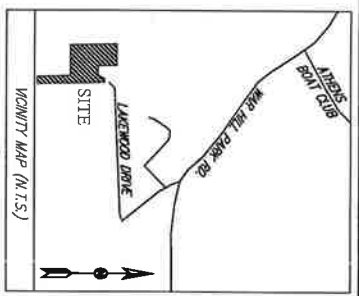
**TOTAL ACREAGE: 0.42 ACRE**

**REFERENCE:**  
BOUNDARY INFORMATION TAKEN FROM PLAT  
PREPARED BY J.A. PAGE, JR. AND  
ASSOCIATES, DATED 6/8/2000 FOR HILLARD  
ALEXANDER.

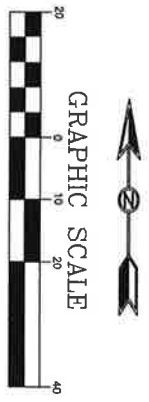


**PROPERTY OWNER:**  
TRUSTEES OF THE LAKE  
HOUSE PROPERTY TRUST  
MAP L21 009  
DB 1179, PG 258  
PB 10, PG 191

**PROJECT PERMITTEE:**  
24-HOUR CONTACT:  
MR. GREG SCOTT  
205 BROWNS POINT  
DANSONVILLE, GA 30534  
(878) 410-7400



**NOTICE: DANSON COUNTY, 24-HOURS BEFORE COMMENCEMENT OF GRADING**



| <b>SITE PLAN</b><br>275 LAKEWOOD DRIVE<br>S/H 13TH DAWSON COUNTY, GEORGIA<br>123 1ST SECTION   |             | <table border="1"> <thead> <tr> <th>REVISION</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td>INITIAL SUBMITTAL</td> </tr> </tbody> </table> | REVISION    | DATE | DESCRIPTION |     |           | INITIAL SUBMITTAL |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
|--|-------------|---|-------------|------|-------------|-----|-----------|-------------------|----------|-----|-------|-------------|---------|--------|--------|----------|---|-----------|--------|-------------|----------|---|
| REVISION   | DATE        | DESCRIPTION   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
|  |             | INITIAL SUBMITTAL   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| <table border="1"> <tr> <td>DRAWN BY:</td> <td>RSB</td> </tr> <tr> <td>CHECKED BY:</td> <td>JMO</td> </tr> <tr> <td>LAND LOT:</td> <td>513</td> </tr> <tr> <td>DISTRICT:</td> <td>S/H 13TH</td> </tr> <tr> <td>SECTION:</td> <td>1ST</td> </tr> <tr> <td>CITY:</td> <td>DANSONVILLE</td> </tr> <tr> <td>COUNTY:</td> <td>DANSON</td> </tr> <tr> <td>DATES:</td> <td>9/9/2020</td> </tr> </table> | DRAWN BY:   | RSB   | CHECKED BY: | JMO  | LAND LOT:   | 513 | DISTRICT: | S/H 13TH          | SECTION: | 1ST | CITY: | DANSONVILLE | COUNTY: | DANSON | DATES: | 9/9/2020 | <table border="1"> <tr> <td>SHEET NO.</td> <td>1 OF 1</td> </tr> <tr> <td>PROJECT NO.</td> <td>2020-316</td> </tr> </table> | SHEET NO. | 1 OF 1 | PROJECT NO. | 2020-316 | <p><b>IDES</b><br/> <b>DAVIS</b><br/>         ENGINEERING &amp; SURVEYING<br/>         133 PROMENADE COURT<br/>         DANSONVILLE, GA 30534<br/>         PHONE: (706) 261-1344<br/>         FAX: (578) 348-9177<br/>         DAVISENGINEERS.COM</p> |
| DRAWN BY:  | RSB         |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| CHECKED BY:  | JMO         |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| LAND LOT:  | 513         |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| DISTRICT:  | S/H 13TH    |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| SECTION:   | 1ST         |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| CITY:  | DANSONVILLE |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| COUNTY:  | DANSON      |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| DATES:   | 9/9/2020    |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| SHEET NO.  | 1 OF 1      |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |
| PROJECT NO.  | 2020-316    |   |             |      |             |     |           |                   |          |     |       |             |         |        |        |          |   |           |        |             |          |   |

N/E  
U.S. ARMY  
CORPS OF  
ENGINEERS

N/E  
U.S. ARMY  
CORPS  
OF ENGINEERS

N/E  
U.S. ARMY  
CORPS  
OF ENGINEERS

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Greg Scott  
**Case Docket #** .....VR 20-20  
**Request**.....Front set back reduction from 40' to 20  
**Proposed Use** .....The construction of a residence  
**Size**..... .42 +/-  
**Existing Zoning** .....VCR  
**Applicable Regulations**.....Dawson County Land Use Resolution  
Article III, Section 302  
**Location** .....275 Lakewood Drive  
**Tax Parcel #** ..... L21 008  
**Meeting Date**.....October 20, 2020

---

**Applicant Proposal**

The applicant intends build a larger home on the property than what is currently. The variance is needed because of the existing home and septic field.

**History and Existing Land Use**

The current home was built in 1960. The current zoning is VCR.

## **Staff analysis**

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

- 1.) *That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and a strict and literal interpretation of the code would not allow the proposed home to be constructed.*
- 2.) *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district.*
- 3.) *The granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and*
- 4.) *That the granting of the variance would support general objectives contained within this Resolution.*

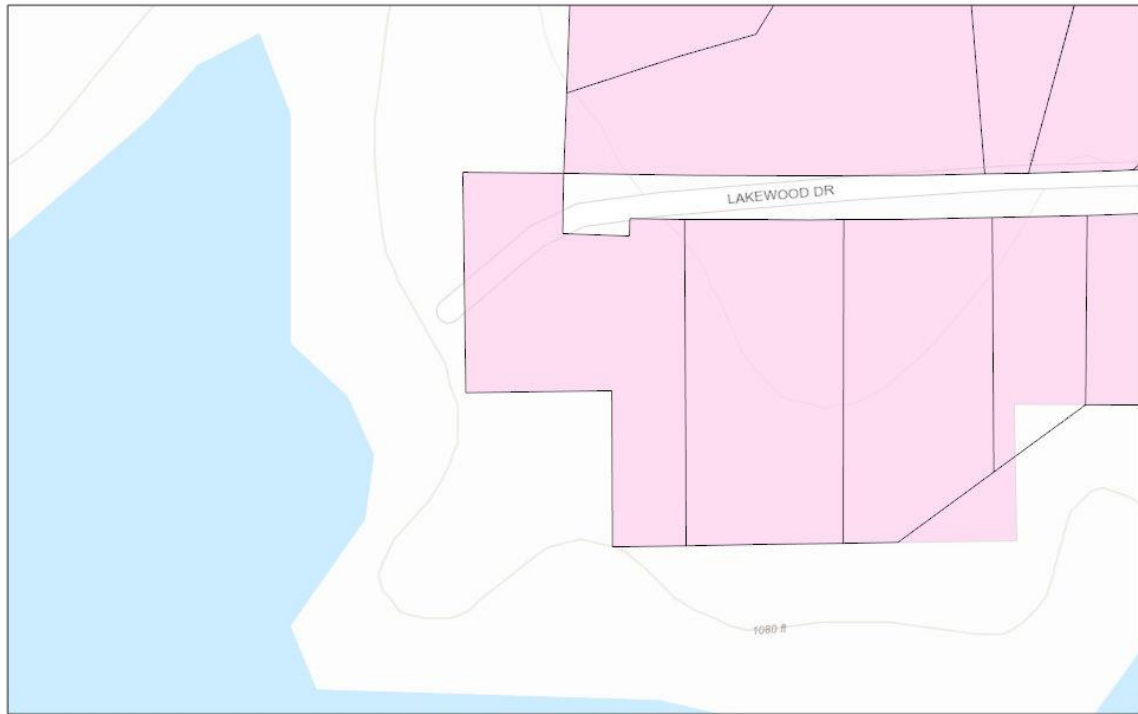
It is not unusual for homes to be demoed and rebuilt in this area. This reconstruction would improve the property value of this and the surrounding properties. This property being at the end on the street does not pose any issues with granting this variance. Granting this variance would not be detrimental to any public health or safety and would support the general objectives of our Land Use Resolution.

Picture of subject property:



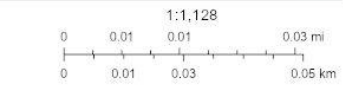
**Existing zoning:**

**Dawson County Current Zoning**



9/30/2020, 3:34:43 PM

Parcels Zoning  
VCR



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

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

# Future Land Use:

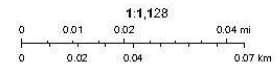
## Future Land Use Map



September 30, 2020

FLU

RL

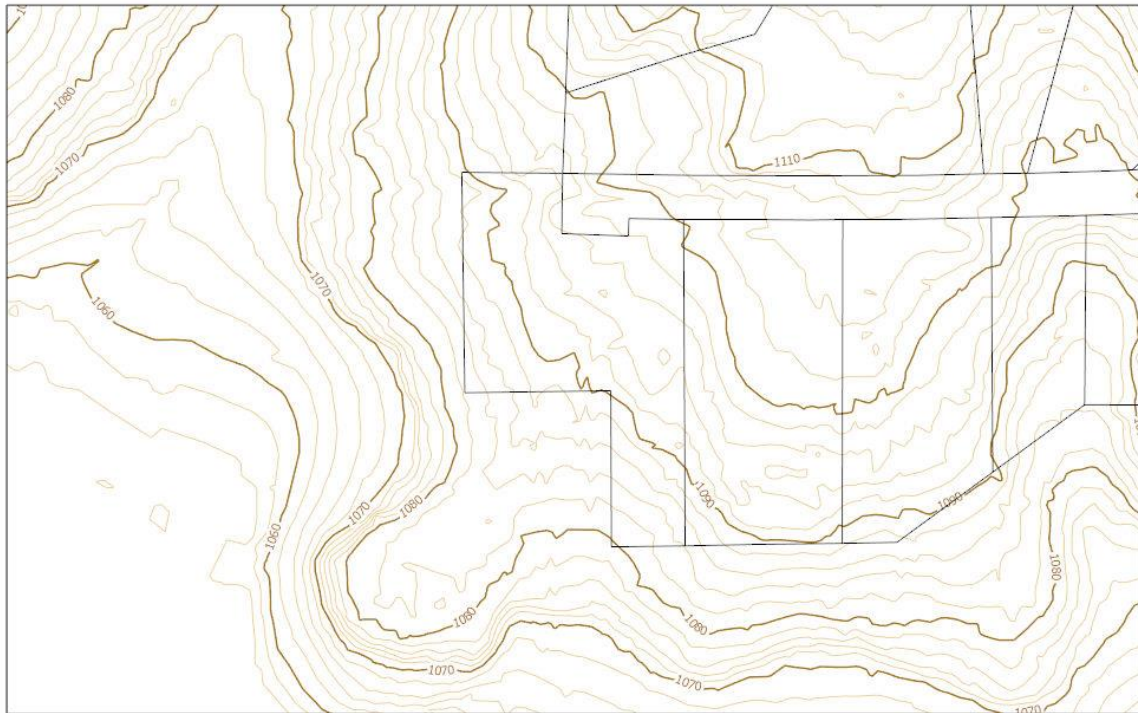


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, OpenStreetMap contributors, and the GIS User Community



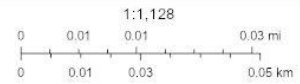
Topo:

### Topo Map



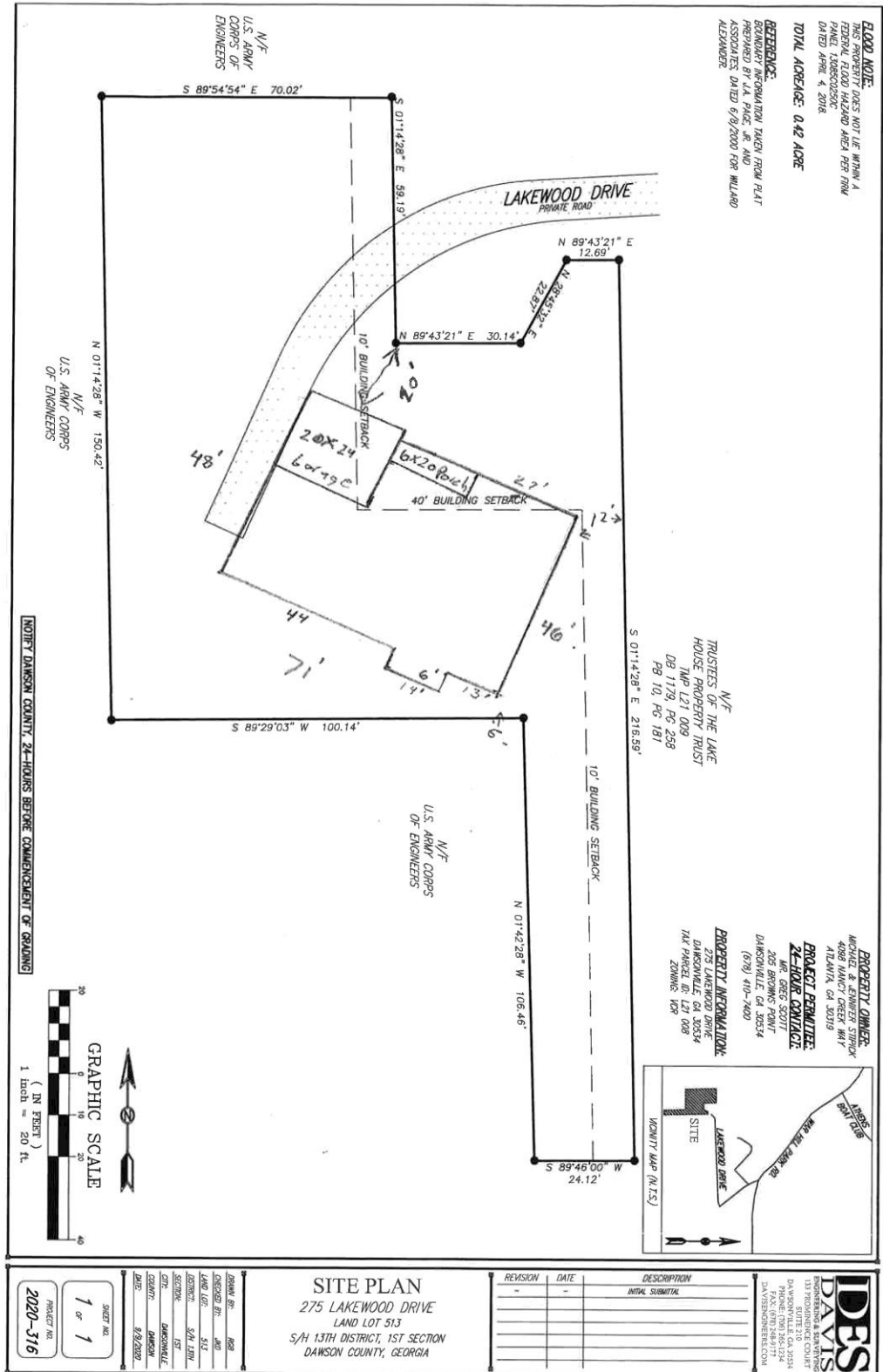
9/30/2020, 3:36:35 PM

▭ Parcels



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

# Site Plan:



**Aerial Photo:**



# DAWSON COUNTY VARIANCE APPLICATION

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

VR 20.21 Tax Map & Parcel # (TMP): 087.001  
Current Zoning: RPC Commission District #: 4  
Submittal Date: 9.11.2020 Time: 10:54 @ am/pm Received by: urjel (staff initials)  
Fees Assessed: 350. Paid: \_\_\_\_\_  
Planning Commission Meeting Date: October 20, 2020

## **APPLICANT INFORMATION** (or Authorized Representative)

Printed Name: Dawson Forest Partners GA, LLC  
Address: \_\_\_\_\_  
\_\_\_\_\_

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

Status:  Owner  Authorized Agent  Lessee  Option to purchase Closing on the property on/before Sept. 30th 2020

**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: TBD Applicant Signature: \_\_\_\_\_

## **PROPERTY INFORMATION**

Street Address of Property: A portion of Dawson County Tax Parcel #087 001

Land Lot(s): 983, 984, 989-991, 1050-1053, 1057-1059 District: 4th Section: 1st

Subdivision/Lot: \_\_\_\_\_ Building Permit #: \_\_\_\_\_ (if applicable)

Directions to the Property: The parcel to the left of Riverview Elementary School

20SEP11 10:54AM

**REQUESTED ACTION**

A Variance is requested from the requirements of Article # \_\_\_\_\_ Section # 314.L. of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: Vary from Section #314.L. Roads and Utilities, Items 1-3 associated with Private Roads. The applicant wishes to build and dedicate all Roads to Dawson County. Roads will be built to Dawson County Standards.

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):

Applicant will construct streets according to County Standards, but wants streets to be Public.

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): \_\_\_\_\_

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

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

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: Private Streets create a burden on the Home Owners Association and are more difficult to market than traditional Public Streets. In order to create a more marketable neighborhood, we would like the Streets to be Public. Many neighborhoods (like Chestatee) began as Private Streets but eventually the citizens request to have the County take them over. By doing this from the beginning, the Streets will be inspected by the County to make certain they are built for future durability.

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2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Only the RPC zoning district requires Private Streets. The other Residential Districts require Public Streets.

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: This variance will not be detrimental to the public health, safety, morals, or welfare to nearby properties as those properties have Public Streets too.

4. Describe why granting this variance would support the general objectives within this Resolution:  
As stated, the RPC Zoning District is the only District that requires Private Streets. The other Residential Districts require Public Streets.

**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.)

20 SEP 11 10:54 AM

**PROPERTY OWNER AUTHORIZATION**

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

A portion of Dawson County Tax Parcel #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 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: George Harvey

Signature of applicant or agent: \_\_\_\_\_

Date: 9/10/2020

Printed Name of Owner(s): George Harvey

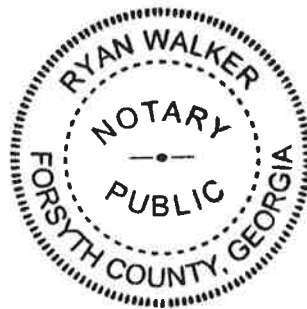
Signature of Owner(s): \_\_\_\_\_

Date: 9/10/2020

Sworn and subscribed before me this 10<sup>th</sup> day of September, 2020.

Ryan Walker  
Notary Public

My Commission Expires: 06/22/2024



(Seal)

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

20SEP11 10:54AM

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

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

### List of Adjacent Property Owners

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

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

|                  | <u>Name</u>                              | <u>Address</u>                                 |
|------------------|--|--|
| TMP #087 001 006 | 1. Dawson County Board of Education      | 517 Allen St, Dawsonville, GA 30534            |
| TMP #087 001 003 | 2. Dawson County Board of Education      | 517 Allen St, Dawsonville, GA 30534            |
| TMP #086 005     | 3. Georgia Power Company                 | 241 Ralph McGill Blvd NE, Atlanta, GA 30308    |
| TMP #097 001     | 4. Brannon Thomas                        | 195 Bannister Road, Dawsonville, GA 30534      |
| TMP #087 001 001 | 5. ACCG                                  | 25 Justice Way, Dawsonville, GA 30534          |
| TMP #087 003     | 6. City of Atlanta Attn Jennifer Andrews | PO Bo 20509, Atlanta, GA 30320                 |
| TMP #087 001 007 | 7. Dawson County Humane Society, nc      | 633 Martin Road, Dawsonville, GA 30534         |
| TMP #097 002     | 8. MLH Farms LLC                         | 1637 War Hill Park Rd, Dawsonville, GA 30534   |
| TMP #097 003     | 9. MLH Farms LLC                         | 1637 War Hill Park Rd, Dawsonville, GA 30534   |
| TMP #097 004     | 10. MLH Farms LLC                        | 1637 War Hill Park Rd, Dawsonville, GA 30534   |
| TMP #097 005 003 | 11. Dawson County                        | 25 Justice Way STE 1222, Dawsonville, GA 30534 |
| TMP #088 120     | 12. Slaton Joe R                         | 158 vy Hall Ln, Dallas, GA 30132               |
| TMP #088 006     | 13. Slaton Joe R                         | 158 vy Hall Ln, Dallas, GA 30132               |
| TMP #096 030 001 | 14. Overstreet Family Farm LP            | 160 Thompson Rd, Dawsonville, GA 30534         |
| TMP #086 006     | 15. Dawson County School District        | 517 Allen St, Dawsonville, GA 30534            |

Use additional sheets if necessary.

20 SEP 11 10:54 AM



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

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

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

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

|                  | <u>Name</u>                       | <u>Address</u>                                   |
|------------------|-----------------------------------|--|
| TMP #096 009     | 1. Smith Jerry L & Jane T         | 209 Thompson Rd, Dawsonville, GA 30534           |
| TMP #096 046     | 2. Smith Jerry L & Jane T         | 209 Thompson Rd, Dawsonville, GA 30534           |
| TMP #086 002     | 3. Overstreet Family Farm LP      | 160 Thompson Rd, Dawsonville, GA 30534           |
| TMP #087 004     | 4. Sams Charles Darrin            | 715 Dawson Forest Rd West, Dawsonville, GA 30534 |
| TMP #087 004 002 | 5. Bottoms Hank T & Emily H       | 1077 Dawson Forest Rd W, Dawsonville, GA 30534   |
| TMP #087 004 003 | 6. Hoang Phillip & Jaqueline Kaye | 1023 Dawson Forest Rd W, Dawsonville, GA 30534   |
| TMP #087 004 004 | 7. Sams Charles Darrin            | 715 Dawson Forest Rd West, Dawsonville, GA 30534 |
| TMP #087 004 005 | 8. Marshall Hoke J & Barbara A    | 1505 Greenwood Ct, Canton, GA 30115              |
| TMP #097 009     | 9. Holbrook James & Sheila B      | 612 Woodbrook Farm Rd, Dawsonville, GA 30534     |
| TMP #096 013     | 10. Parker Jeffery K & Karen H    | 209 Martin Rd, Dawsonville, GA 30534             |
| TMP _____        | 11. _____                         | _____  |
| TMP _____        | 12. _____                         | _____  |
| TMP _____        | 13. _____                         | _____  |
| TMP _____        | 14. _____                         | _____  |
| TMP _____        | 15. _____                         | _____  |

Use additional sheets if necessary.

20SEP11 05:44

**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: 9/10/2020  
Signature of Witness: [Handwritten Signature] \_\_\_\_\_ Date: 9/10/2020

\*\*\*\*\*

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

Withdrawals of any application may be accommodated within the Planning & Development 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.

20SEP11 10:54AM

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

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

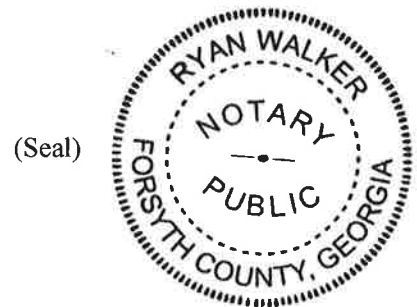
Executed in Cumming (city), Georgia (state)  
9-10-2020  
Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_  
George Harvey \_\_\_\_\_  
Printed Name \_\_\_\_\_ Name of Business Dawson Forest Partners GA, LLC

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 10<sup>th</sup> DAY OF September, 20 20

Ryan Walker Notary Public

My Commission Expires: 06/22/2024



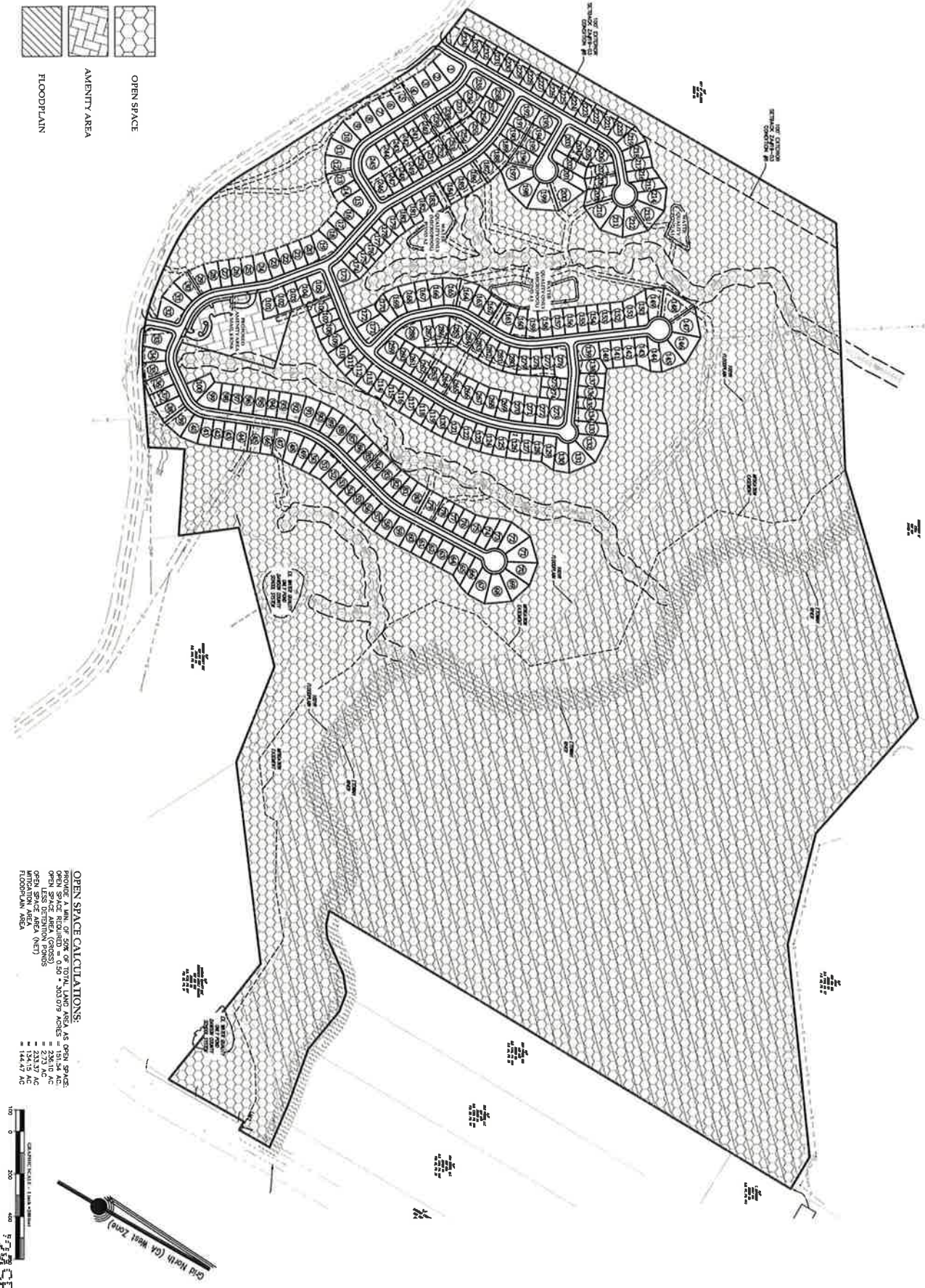
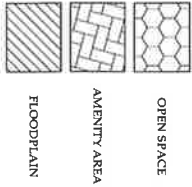
20 SEP 11 10:54 AM

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

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

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

20SEP11 10:54AM



**OPEN SPACE CALCULATIONS:**  
 PROPOSED PLANNING OF 100% LAND AREA AS OPEN SPACE:  
 OPEN SPACE AREA (GROSS) = 228.10 AC  
 OPEN SPACE AREA (NET) = 223.37 AC  
 INTRODUCTION AREA = 134.15 AC  
 FLOODPLAIN AREA = 146.47 AC

0 200 400  
 GRAPHIC SCALE - Linear Measurement  
 1" = 200'



| <p><b>FOR REVIEW ONLY</b></p>  | <p><b>GEORGIABUILD</b><br/>         1-800-243-8272<br/>         400 Peachtree Street, N.E.<br/>         Atlanta, GA 30308</p> | <p>PROJECT:<br/> <b>DAWSON FORREST TRACT</b></p>  | <p>OWNER/DEVELOPER:<br/> <b>D.R. HORTON</b><br/>         8800 ROSWELL ROAD<br/>         BLDG B, SUITE 100<br/>         ATLANTA, GA 30359<br/>         PHONE: (770) 750-7926</p>                     |  |  |  |  |  |  |  |  |  |            |  |   |
|--|---|---|---|--|--|--|--|--|--|--|--|--|------------|--|---|
|  | <p>STAMP:</p>   | <p>24-HOUR CONTACT:<br/> <b>CERIS A. WHITTAKER</b><br/>         (404) 901-9258<br/>         EMAIL: <a href="mailto:ceris@drhorton.com">ceris@drhorton.com</a></p> | <p>LOCATED IN:<br/>         LAND LOTS 981, 984, 989, 990,<br/>         991, 1050, 1051, 1052, 1053, 1057,<br/>         4th DISTRICT, 1058&amp; 1059 SECTION<br/>         DAWSON COUNTY, GEORGIA</p> |  |  |  |  |  |  |  |  |  |            |  |   |
| <p>DRAWING DATE: 2020-05-18</p>  | <p>SHEET TITLES:<br/> <b>OVERALL OPEN SPACE PLAN</b></p>  | <p>24-HOUR CONTACT:<br/> <b>CERIS A. WHITTAKER</b><br/>         (404) 901-9258<br/>         EMAIL: <a href="mailto:ceris@drhorton.com">ceris@drhorton.com</a></p> | <p>24-HOUR CONTACT:<br/> <b>CERIS A. WHITTAKER</b><br/>         (404) 901-9258<br/>         EMAIL: <a href="mailto:ceris@drhorton.com">ceris@drhorton.com</a></p>                                   |  |  |  |  |  |  |  |  |  |            |  |   |
| <p>SHEET REVISIONS:</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | NO.   | DESCRIPTION   | DATE  |  |  |  |  |  |  |  |  |  | <p>141</p> | <p>PROJECT:<br/> <b>DAWSON FORREST TRACT</b></p> | <p>OWNER/DEVELOPER:<br/> <b>D.R. HORTON</b><br/>         8800 ROSWELL ROAD<br/>         BLDG B, SUITE 100<br/>         ATLANTA, GA 30359<br/>         PHONE: (770) 750-7926</p> |
| NO.  | DESCRIPTION   | DATE  |   |  |  |  |  |  |  |  |  |  |            |  |   |
|  |   |   |   |  |  |  |  |  |  |  |  |  |            |  |   |
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|  |   |   |   |  |  |  |  |  |  |  |  |  |            |  |   |
| <p>DATE: 5/18/2020</p> <p>BY: [Signature]</p> <p>SCALE: 1/4" = 100'</p> <p>PROJECT: 2018-01-01</p> <p>DATE: 5/18/2020</p> <p>BY: [Signature]</p> <p>SCALE: 1/4" = 100'</p> <p>PROJECT: 2018-01-01</p>  | <p>141</p>  | <p>PROJECT:<br/> <b>DAWSON FORREST TRACT</b></p>  | <p>OWNER/DEVELOPER:<br/> <b>D.R. HORTON</b><br/>         8800 ROSWELL ROAD<br/>         BLDG B, SUITE 100<br/>         ATLANTA, GA 30359<br/>         PHONE: (770) 750-7926</p>                     |  |  |  |  |  |  |  |  |  |            |  |   |

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Dawson Forest Partners GA, LLC  
**Case Docket #** .....VR 20-21  
**Request**.....Roads to be dedicated to the county  
**Proposed Use** .....Roads to be dedicated to the county  
**Size**..... 304.289 +/-  
**Existing Zoning** .....RPC  
**Applicable Regulations**.....Dawson County Land Use Resolution  
Article III, Section 314(L)  
**Location** .....Dawson Forest Road  
**Tax Parcel #** ..... Portion of 087-001  
**Meeting Date**.....October 20, 2020

---

**Applicant Proposal**

The applicant intends build the roads in this development to county standards. Once construction is complete, then turn the roads over to the county for continuance maintenance.

**History and Existing Land Use**

This property was rezoned last year for this RPC development.

## **Staff analysis**

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

- 1.) *That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and a strict and literal interpretation of the code would not allow the proposed home to be constructed.*
- 2.) *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district.*
- 3.) *The granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity; and*
- 4.) *That the granting of the variance would support general objectives contained within this Resolution.*

The Board of Commissioners will ultimately have the decision, once the roads are complete, whether or not to accept the roads into the county maintenance program. This variance would allow them to apply for that once they are completed and finished to the county's standards. The applicant would not be able to apply now because it would be a violation of zoning. Ultimately there is no hardship or extraordinary circumstances. Granting of this variance would not guarantee that the roads would be accepted by the county, it would only allow them to apply for the acceptance.

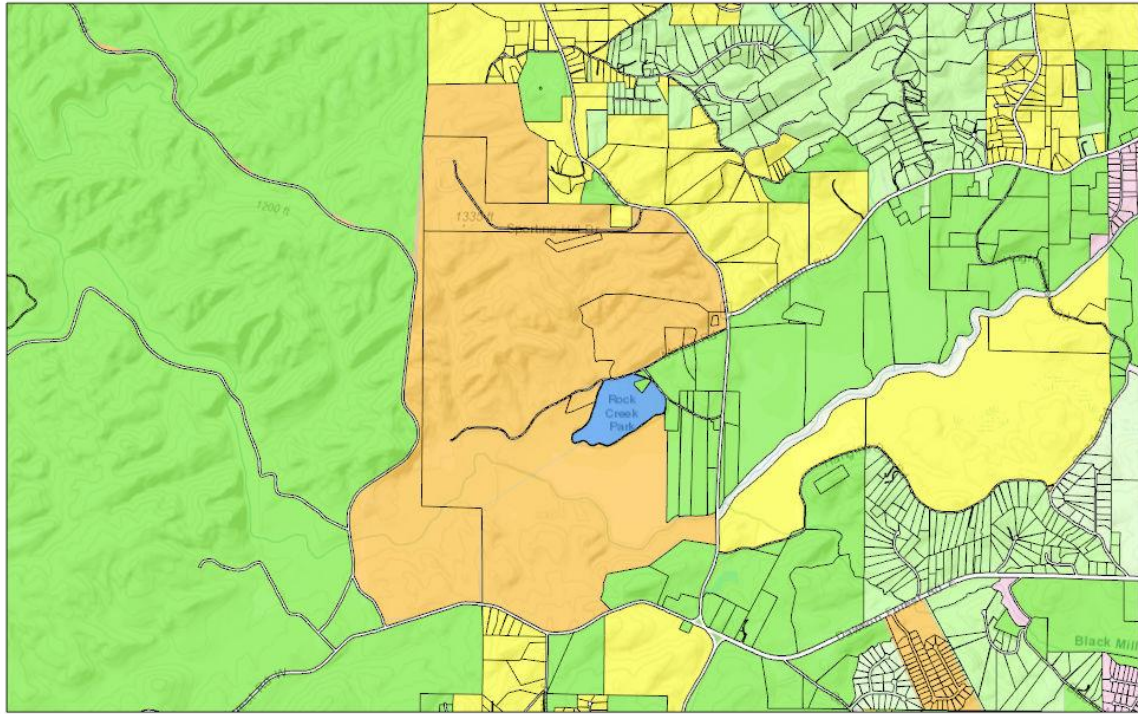
**Picture of subject property:**





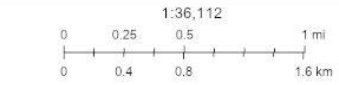
**Existing zoning:**

**Dawson County Current Zoning**



9/30/2020, 3:41:56 PM

- |         |        |      |    |
|---------|--------|------|----|
| Parcels | Zoning | VCR  | RS |
| RA      | RSRMM  | C-01 |    |
| RSR     | RPC    | C-RB |    |

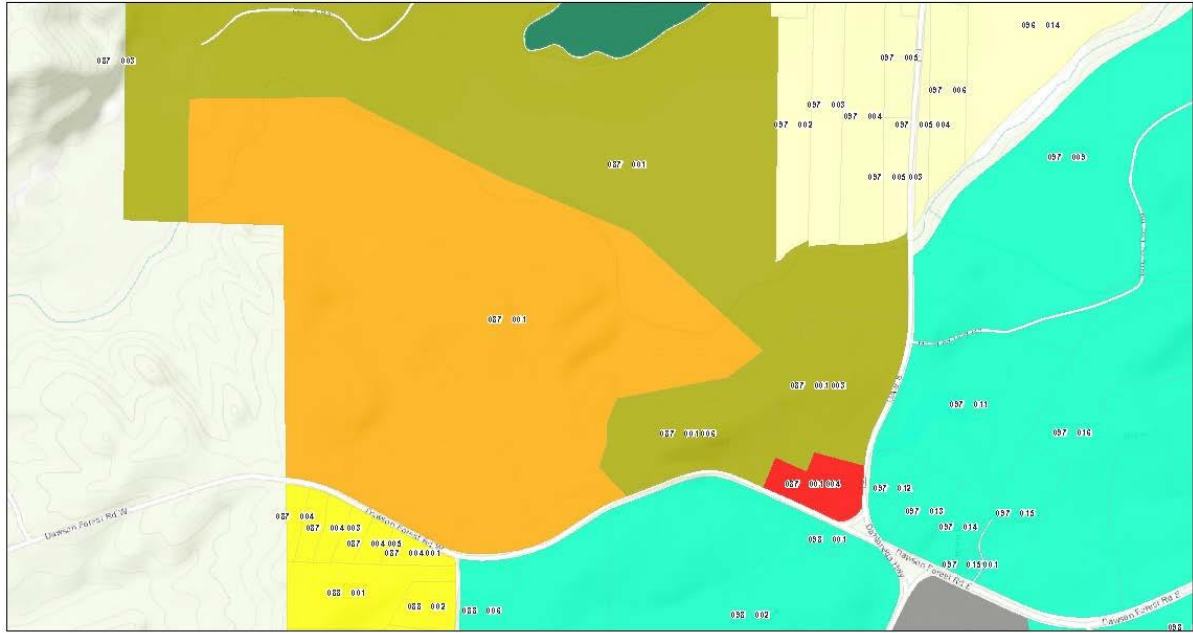


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

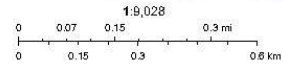
Planning and Development  
Esri, HERE, Garmin, INCREMENT P, USGS, METINASA, EPA, USDA |

# Future Land Use:

## Future Land Use Map



September 30, 2020  
 FLU SRR CHB PI PARK  
 PRC RR LI MUV



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Topo:

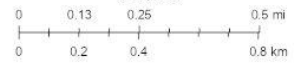
Topo Map



9/30/2020, 3:39:40 PM

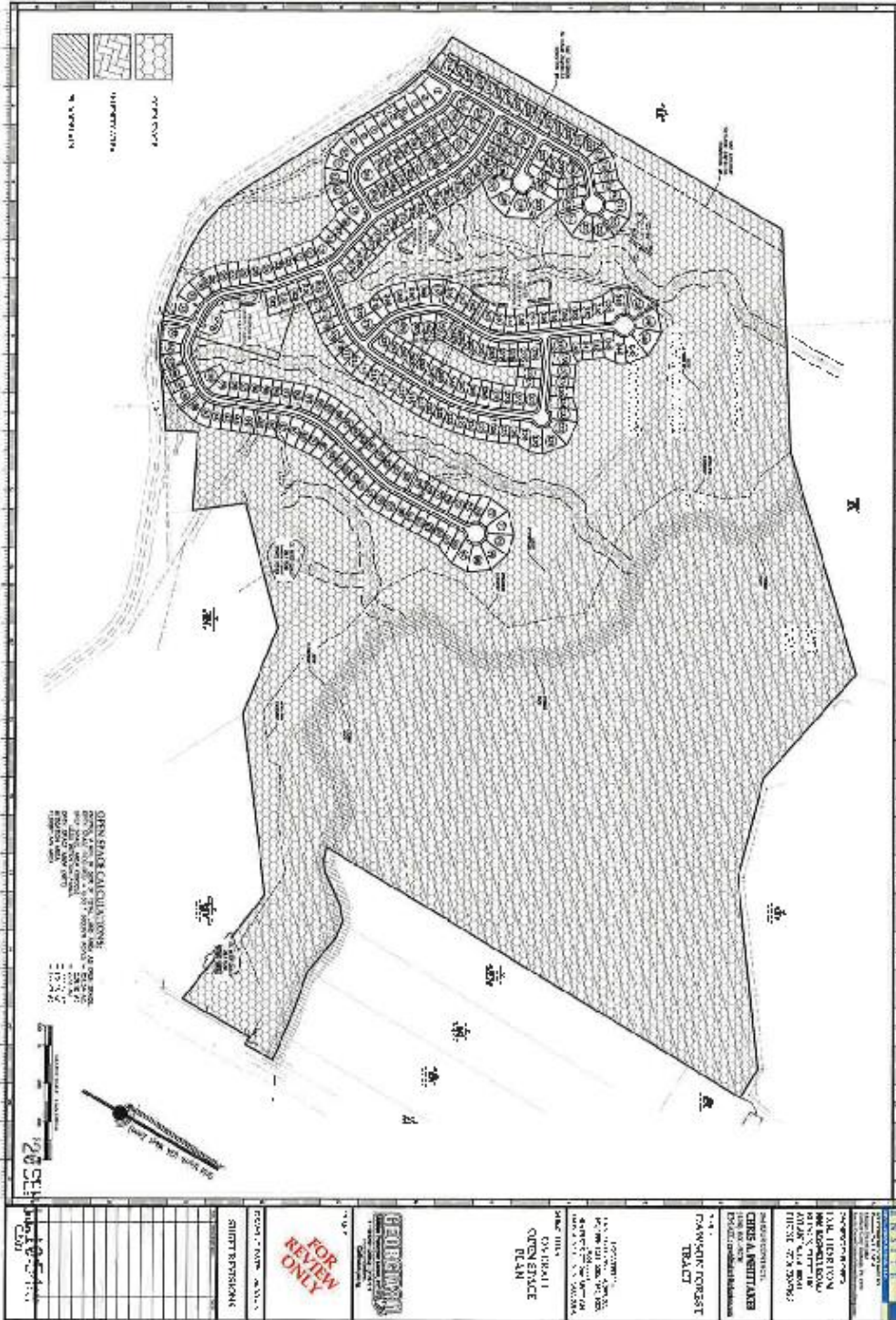
Parcels

1:18,056



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

Site Plan:





**DAWSON COUNTY REZONING APPLICATION**

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

ZA 20-15 Tax Map & Parcel # (TMP): L15-116-009  
Submittal Date: 9.9.2020 Time: 10:20 am/pm Received by: Ungel (staff initials)  
Fees Assessed: 3500 Paid: check Commission District: \_\_\_\_\_  
Planning Commission Meeting Date: October 20, 2020  
Board of Commissioners Meeting Date: November 19, 2020

**APPLICANT INFORMATION** (or Authorized Representative)

Printed Name: Arquim Velasquez

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

Phone:  Listed  Unlisted Email:  Business  Personal

Status:  Owner  Authorized Agent  Lessee  Option to purchase

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

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

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

Meeting Date: \_\_\_\_\_ Applicant Signature: Arquimider Velasquez

**PROPERTY OWNER/PROPERTY INFORMATION**

Name: Deborah P. Wehant

Street Address of Property being rezoned: \_\_\_\_\_

Rezoning from: \_\_\_\_\_ to: \_\_\_\_\_ Total acreage being rezoned: 6.76 Acres

Directions to Property: GA Hwy 53 and Sandown Subdv. Phase III

20 SEP 9 10:20 AM

Subdivision Name (if applicable): Sonoran Lot(s) #: 467 and 468

Current Use of Property: N/A

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 \_\_\_\_\_ South \_\_\_\_\_ East \_\_\_\_\_ West \_\_\_\_\_

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

Access to the development will be provided from:

Road Name: Hwy 53 Type of Surface: \_\_\_\_\_

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: C-HI  Special Use Permit for: Landscape Supplies

Proposed Use: Landscape

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

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

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

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

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

**COMMERCIAL & INDUSTRIAL**

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

20 SEP 9 10:20 AM

**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 *Agustin Velazquez* Date 08/28/2020  
Witness *Jammy J. [unclear]* Date \_\_\_\_\_

---

**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.

20 SEP 9 10:20 AM



ZA 20.15

TMP#: L15.116.009

**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>L15 116</u>     | 1. <u>Hill + Beans Holdings LLC</u>                           | <u>55 War Hill Park Rd</u>  |
| TMP _____              | 2. <del><u>Fanco Investments LLC</u></del>                    | <del><u>Adjoining to Dawsonville</u></del>  |
| TMP <u>L15 116 006</u> | 3. <u>Isaura Pantoja ; Eduardo Alvarez</u>                    | <u>6625 PAYTON Rd. Cumming 30041</u><br><u>DOGWOOD LN, Dawsonville</u>            |
| TMP <u>L15 116 004</u> | 4. <u>Samuel Martin</u>                                       | <u>2987 MIDDLECREEK WAY Cumming 30041</u><br><u>DOGWOOD LN, Dawsonville</u>       |
| TMP <u>L15 116 005</u> | 5. <u>Sackie L Townley</u>                                    | <u>1061 WARHILL PARK RD Dawsonville 30534</u><br><u>DOGWOOD LANE, Dawsonville</u> |
| TMP <u>L15 129</u>     | 6. <u>John W Mullinax ; JUDITH</u>                            | <u>228 Sundown Dr. Dawsonville</u>  |
| TMP <u>L15 130</u>     | 7. <u>JASON ; Tina Bolton</u>                                 | <u>204 Sundown Dr. Dawsonville 30534</u>  |
| TMP <u>L15 131</u>     | 8. <u>Ronald Patrick Bowers</u>                               | <u>188 Sundown Way Dawsonville 30534</u>  |
| TMP <u>L15 132</u>     | 9. <u>Christian C LA Whitaker</u>                             | <u>170 Sundown Dr. Dawsonville 30534</u>  |
| TMP <u>L15 133</u>     | 10. <sup><u>Garman</u></sup> <u>Jeffery ; Bethany Bowling</u> | <u>142 Sundown Dr. Dawsonville 30534</u>  |
| TMP <u>L15 134</u>     | 11. <u>Timothy Gillette</u>                                   | <u>136 Sun Down Dr. Dawsonville 30534</u>   |
| TMP <u>L15 135</u>     | 12. <u>Charlette R. Oliver</u>                                | <u>128 Sun Down Dr. Dawsonville 30534</u>   |
| TMP <u>L15 136</u>     | 13. <u>Thomas Rice McDeGrave</u>                              | <u>4460 Clipper Bay rd. Duluth 30096</u>  |
| TMP <u>L15 013</u>     | 14. <u>Carlos Guzman</u>                                      | <u>58 Sundown Dr. Dawsonville 30534</u>   |
| TMP <u>L15 118 002</u> | 15. <u>DANNY ; DARNELL PUGIT</u>                              | <u>P.O. Box 1592 Dawsonville 30534</u>  |

Use additional sheets if necessary.

20 SEP 9 10:20 AM

## 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: Arguimidez Urzua

Applicant Printed Name: Arguimidez Urzua

Application Number: ZA 20.15

Date Signed: Sept 9-9-20 Arguimidez Urzua

Sworn and subscribed before me

this 9 day of 9, 2020.

[Signature]  
Notary Public

My Commission Expires: 9-22-23



20 SEP 9 10:20 AM

N/A

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

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

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

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

\_\_\_\_\_

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

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

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

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

Signature of Applicant/Representative of Applicant:

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

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

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

20 SEP 9 10:20 AM

# PROPERTY OWNER AUTHORIZATION

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

GA Hwy 53 Lying in Land lots 467 and 468  
South half 13<sup>th</sup> District, 1<sup>st</sup> section Dawson county, GA  
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: Arquim Velasquez  
Signature of applicant or agent: Arquim Velasquez Date: 08/28/2020

\*\*\*\*\*

Printed Name of Owner(s): Arquim Velasquez  
Signature of Owner(s): Arquim Velasquez Date: 9-9-20  
Mailing address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: Listed \_\_\_\_\_  
Unlisted \_\_\_\_\_

Sworn and subscribed before me  
this 09 day of September, 2020.  
Molly Debbisue Holmes  
Notary Public  
My Commission Expires: 9-22-23



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

20 SEP 9 10:20 AM

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

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

- 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)

Arguimide Velasquez  
Signature of Applicant

9-9-20  
Date

Arguimide Velasquez  
Printed Name

The Madrus Lawcare Service  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 09 DAY OF September, 20 20

[Signature] Notary Public

My Commission Expires: 9-22-23



20 SEP 9 10:20 AM

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

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

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

20 SEP 9 10:20 AM

To whom this matter may concern,

This is a letter of intent regarding Parcel # L15 116 09, currently zoned rural, owned by Arquimidez Velasquez. It is my intention to operate a landscape supply business from this location. No building will be constructed in order to operate. Products sold will be mulch, pinestraw, firewood and topsoil. This business is currently licensed and operating at 18 Blueridge Overlook Dawsonville, Ga. 30534 and will be operating in the same manor. In following with the guidelines set forth by planning and zoning, I am requesting to be rezoned accordingly as CHB Commercial Highway Business.

Thank you for your consideration

Arquimidez Velasquez

20 SEP 9 10:21AM

25 Justice Way Suite 1222  
Dawsonville, GA 30534

| Trans No                              | Property ID/District Description                              | Original Due | Interest & Penalty   | Prev Paid | Amount Due | Amount Paid | Transaction Balance |
|---------------------------------------|---|--------------|----------------------|-----------|------------|-------------|---------------------|
| 22525<br>Year-Bill No<br>2019 - 14713 | L15 116 009 / 001<br>LL 467 468 13-1<br><br>FMV: \$152,500.00 | 1,455.89     | 0.00<br>Fees<br>0.00 | 0.00      | 1,455.89   | 1,455.89    | 0.00                |
| Transactions:                         | 22525 - 22525 Totals  | 1,455.89     | 0.00                 | 0.00      | 1,455.89   | 1,455.89    | 0.00                |

Paid By :

WEHUNT DEBORAH P

WEHUNT DFRORAH P

Cash Amt: 0.00

Check Amt: 1,455.89

Charge Amt: 0.00

Change Amt: 0.00

Check No 2105

Refund Amt: 0.00

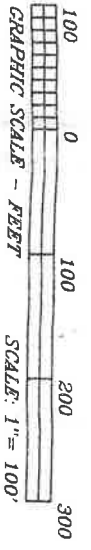
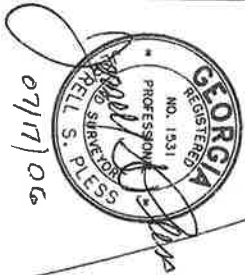
Charge Acct

Overpay Amt: 0.00

20SEP 9 10:21AM



SURVEYOR:  
 JERRILL S. PLESS #1591  
 4637 NORFOLK RD.  
 GAINESVILLE, GA 30606  
 PHONE - (770) 983-3240



DATE(S) SURVEYED: JUL/10/2006  
 DATE(S) DRAWN: JUL/17/2006

**DEBORAH P. WEHUNT**  
 LYING IN LAND LOT(S) 467 & 468  
 SOUTH HALF 13th DISTRICT, 1st SECTION  
 DAWSON COUNTY, GEORGIA  
 6.76 ACRE(S)

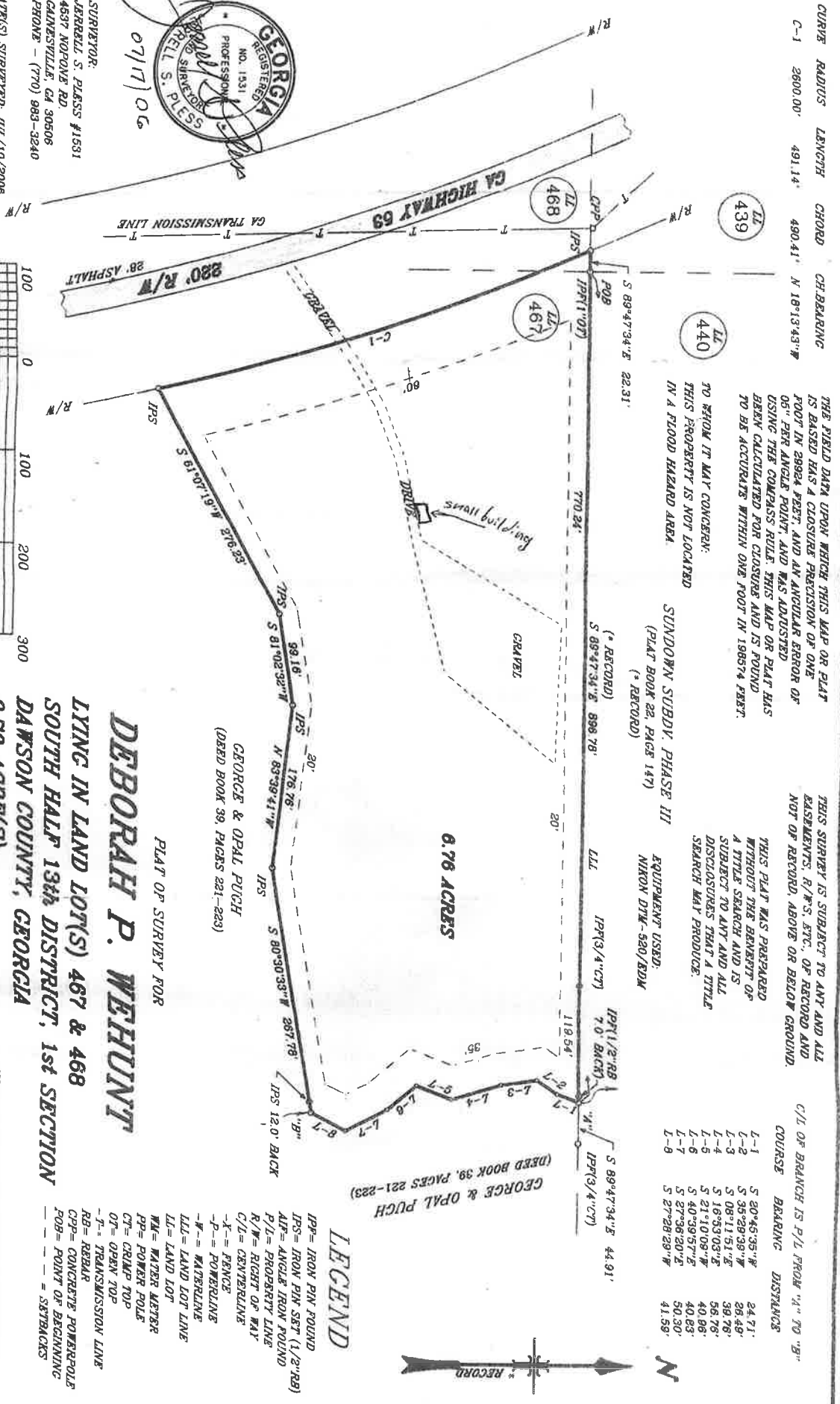
PLAT OF SURVEY FOR

GEORGE & OPAL PUGH  
 (DEED BOOK 39, PAGES 221-223)

**LEGEND**

- IPW= IRON PIN FOUND
- IPS= IRON PIN SET (1/2"RB)
- AIP= ANGLE IRON POUND
- P/L= PROPERTY LINE
- R/W= RIGHT OF WAY
- C/L= CENTERLINE
- X- = FENCE
- P- = POWERLINE
- W- = WATERLINE
- LL= LAND LOT LINE
- LL= LAND LOT
- WM= WATER METER
- PP= POWER POLE
- CT= CRAMP TOP
- OT= OPEN TOP
- F- = TRANSMISSION LINE
- RB= REBAR
- CPW= CONCRETE POWERPOLE
- FOB= POINT OF BEGINNING
- - - = STRACKS

NOTE: THERE IS A 25' STRACK BUFFER FROM THE TOP OF BANK ON EACH SIDE OF STREAM.



| CURVE | RADIUS   | LENGTH  | CHORD   | CH BEARING   |
|-------|----------|---------|---------|--------------|
| C-1   | 2600.00' | 491.14' | 490.41' | N 16°13'43"W |

| C/L OR BRANCH IS P/L FROM "A" TO "B" | COURSE       | BEARING | DISTANCE |
|--------------------------------------|--------------|---------|----------|
| L-1                                  | S 20°45'35"W | 24.71'  |          |
| L-2                                  | S 35°29'39"W | 26.49'  |          |
| L-3                                  | S 08°11'51"E | 39.76'  |          |
| L-4                                  | S 16°53'03"E | 56.78'  |          |
| L-5                                  | S 21°10'08"W | 40.86'  |          |
| L-6                                  | S 40°39'57"E | 40.83'  |          |
| L-7                                  | S 27°36'20"E | 50.30'  |          |
| L-8                                  | S 27°28'59"W | 41.59'  |          |

THIS FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 28994 FEET AND AN ANGULAR ERROR OF 05" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 198574 FEET.

TO WHOM IT MAY CONCERN:  
 THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.

SUNDOWN SUBDIV. PHASE III  
 (PLAT BOOK 22, PAGE 147)  
 (\* RECORD)

EQUIPMENT USED:  
 NIKON DTM-580/EDM  
 (\* RECORD)

THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, R/W'S, ETC., OF RECORD AND NOT OF RECORD, ABOVE OR BELOW GROUND.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES THAT A TITLE SEARCH MAY PRODUCE.



**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Arquimedes Velasquez

**Amendment #** .....ZA 20-15

**Request**.....Rezone Property from R-A (Residential Agriculture) to C-HI (Commercial Highway Intensive)

**Proposed Use** .....To open a landscaping supply store

**Current Zoning** .....R-A (Residential Agriculture)

**Size**.....6.76± acres

**Location** .....Hwy 53 East

**Tax Parcel** .....L15 116 009

**Planning Commission Date** .....October 20, 2020

**Board of Commission Date** .....November 19, 2020

**Applicant Proposal**

The applicant intends to develop the subject property for the purpose of opening a landscape supply business with no structures on the parcel. They would off mulch, pine straw, firewood and topsoil. This business currently is licensed to operate at 18 Blueridge Overlook.

**History and Existing Land Uses**

The current use of the property is vacant land. A driveway to the purposed location is in place.

| <b>Adjacent Land Uses</b> | <b>Existing zoning</b> | <b>Existing Use</b> |
|---------------------------|------------------------|---------------------|
| North                     | VCR                    | Residential         |
| South                     | R-A                    | Residential         |
| East                      | R-A                    | Residential         |
| West                      | C-HB                   | Commercial          |

**Development Support and Constraints**

The parcel will need to install a commercial entrance per GDOT’s recommendation and there are also topography and residential buffers that will need to be considered.

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

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

**Public Facilities/Impacts**

**Engineering Department** –“Asphalt, moderate to heavy traffic flow. All access will be the responsibility of GDOT. The applicant shall acquire permits for the driveway access from the GDOT District Office.”

**Environmental Health Department** – No comments returned.

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

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

**Dawson County Sheriff’s Office** – No comments returned.

**Board of Education** – No facility additions would be necessary.

**Georgia Department of Transportation** –A commercial driveway permit will be necessary.

**Analysis**

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

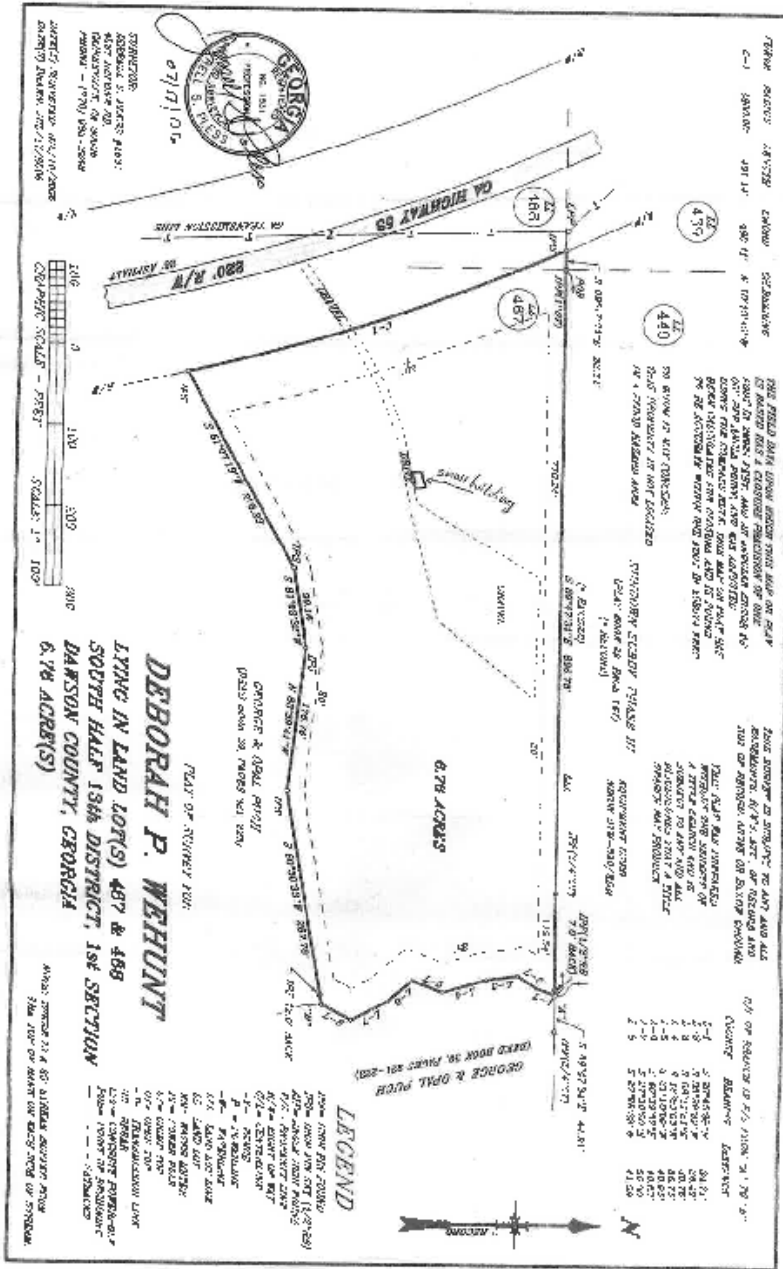
**The following observations should be noted with respect to this request:**

- A. The existing uses and classification of nearby property.**  
There is a residential VCR neighborhood directly to the north. Boarding the rest of the property is Residential- Agriculture properties with little or no development. Across Highway 53, there are commercially zoned properties.
- B. The extent to which property values are diminished by the particular land use classification.**  
There should be no diminishment of property values.
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.**  
There should be no destruction of property values.
- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**  
There is little gain to the public compared to the hardship of the property being zoned agriculture and located in a spot of potential commercial growth.
- E. The suitability of the subject property for the proposed land use classification.**  
The property is suitable for the purposed land use classification.
- F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**  
The property is vacant land.
- G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.**  
The current Residential Agriculture zoning classification does not fit in the area nor in the future designation of commercial.

Pictures of Property:

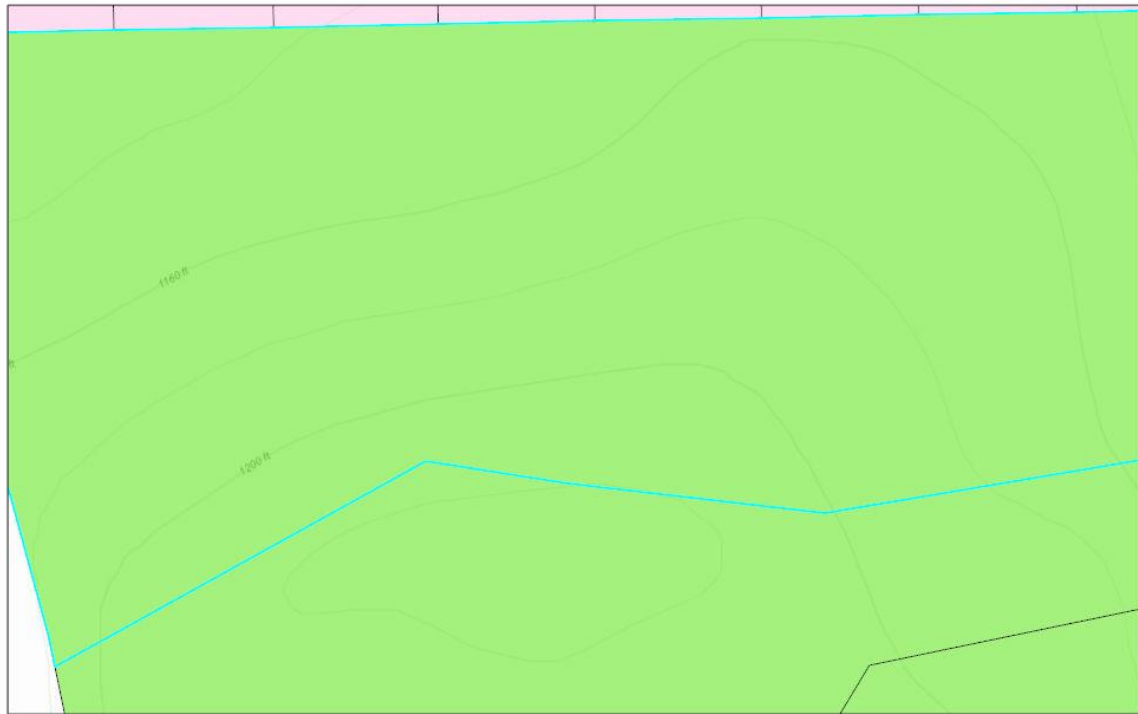


Plat:



Current Zoning Map:

Dawson County Current Zoning



9/30/2020, 2:54:40 PM

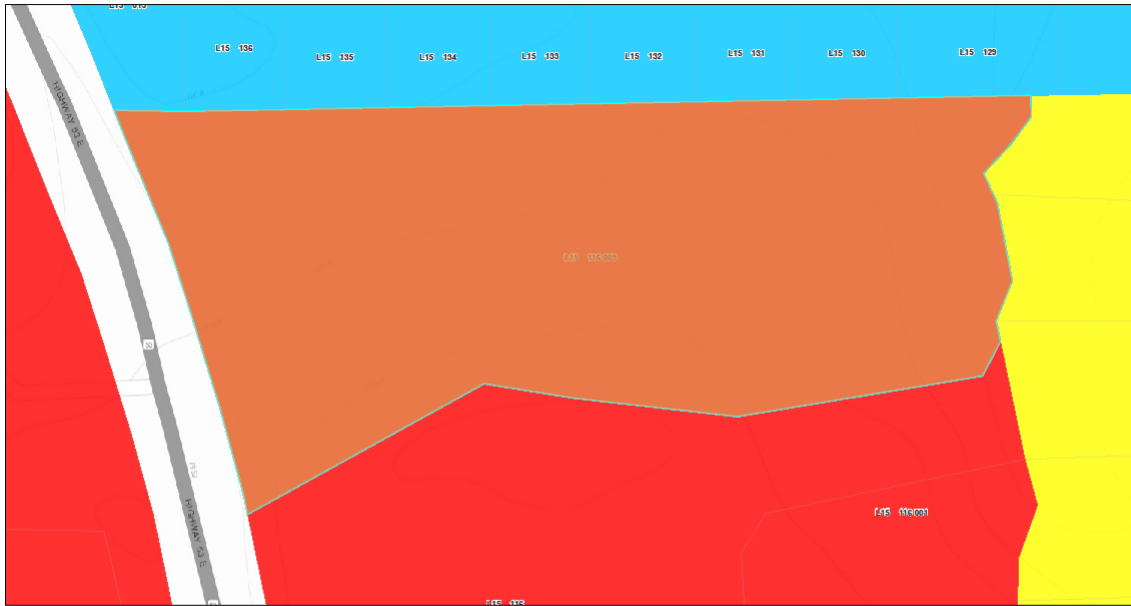
Parcels Zoning VCR  
RA

1:1,128  
0 0.01 0.01 0.03 mi  
0 0.01 0.03 0.05 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,  
Planning and Development  
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

# Future Land Use Map:

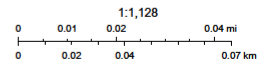
## Future Land Use



September 30, 2020

FLU

- SRR
- RL
- CHB

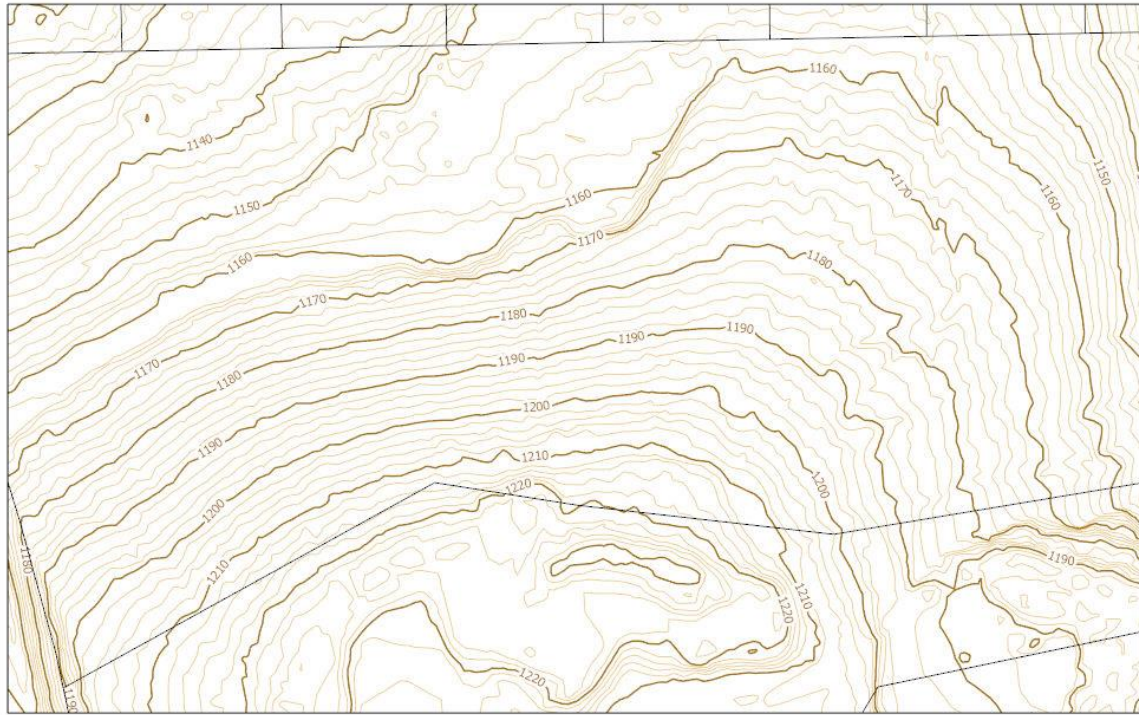


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, OpenStreetMap contributors, and the GIS User Community



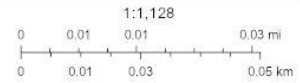
Topography:

Topo Map



9/30/2020, 2:58:38 PM

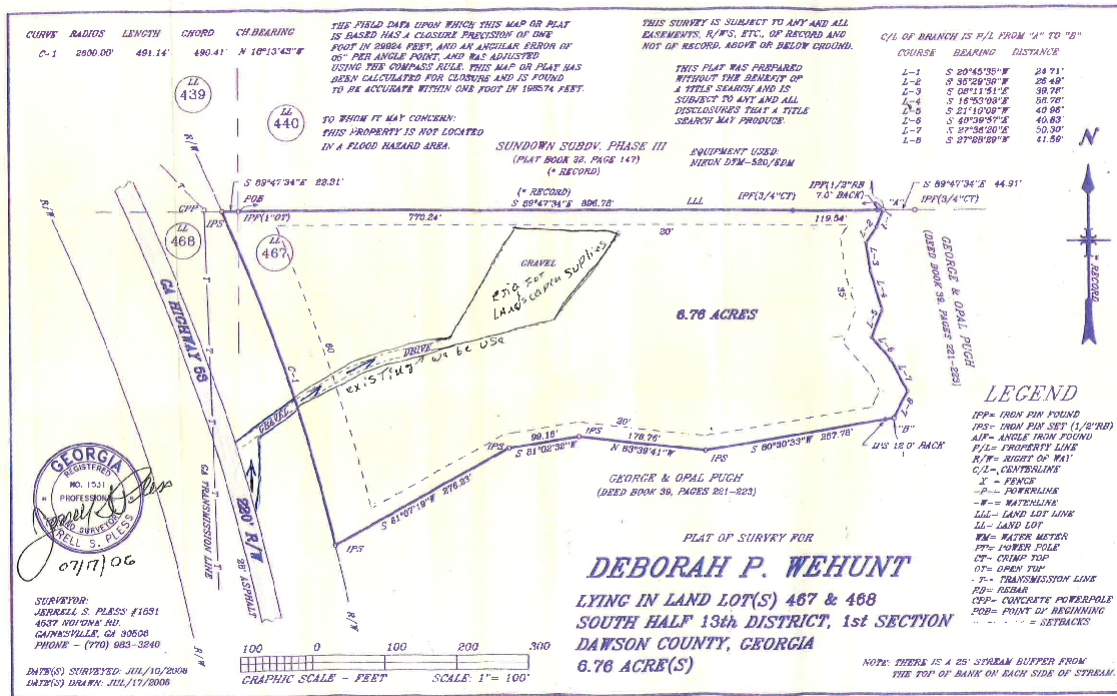
Parcels



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



Site Plan:



**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Jim King obo Debra Barnaby

**Amendment #** .....ZA 20-16

**Request**.....Rezone Property from R-A (Residential Agriculture) to R-L (Residential Lakefront)

**Proposed Use** .....To sub divide parcel for purpose of selling

**Current Zoning** .....R-A (Residential Agriculture)

**Size**.....8 ± acres

**Location** .....1239 Nix Bridge Road

**Tax Parcel** .....118-115-004

**Planning Commission Date** .....October 20, 2020

**Board of Commission Date** .....November 19, 2020

**Applicant Proposal**

The applicant is seeking to rezone a .8 acre lot from RA to RL in order to construct a single family home.

**History and Existing Land Uses**

Currently this portion of the land is undeveloped. The larger track that this is looking to be subdivided from has a primary residence built in 2005.

| <b>Adjacent Land Uses</b> | <b>Existing zoning</b> | <b>Existing Use</b> |
|---------------------------|------------------------|---------------------|
| North                     | R-A                    | Residential         |
| South                     | R-A                    | Residential         |
| East                      | R-A                    | Residential         |
| West                      | R-A                    | Residential         |

### **Development Support and Constraints**

Having the land zoned for a Residential Lakefront would require the residence to be on water and septic.

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

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

### **Public Facilities/Impacts**

**Engineering Department** –“Asphalt, wearing surface is worn and shows signs of load cracking and block crocking. Moderate traffic flow, traffic is residential in nature with boats and trailers.”

**Environmental Health Department** – No comments returned.

**Emergency Services** – No comments necessary.

**Etowah Water & Sewer Authority** –If existing water line will be impacted, contact EWSA immediately.

**Dawson County Sheriff’s Office** – No comments returned.

**Board of Education** – No facility additions would be necessary.

**Georgia Department of Transportation** –No comments necessary.

### **Analysis**

- It does conform to the Future Land Use Map and Comprehensive Plan.

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

- A. The existing uses and classification of nearby property.**  
Properties surrounding the parcel are zoned residential (R-A & RSR).
- B. The extent to which property values are diminished by the particular land use classification.**

There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The property is suitable for the purposed land use classification.

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

The property is vacant land.

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

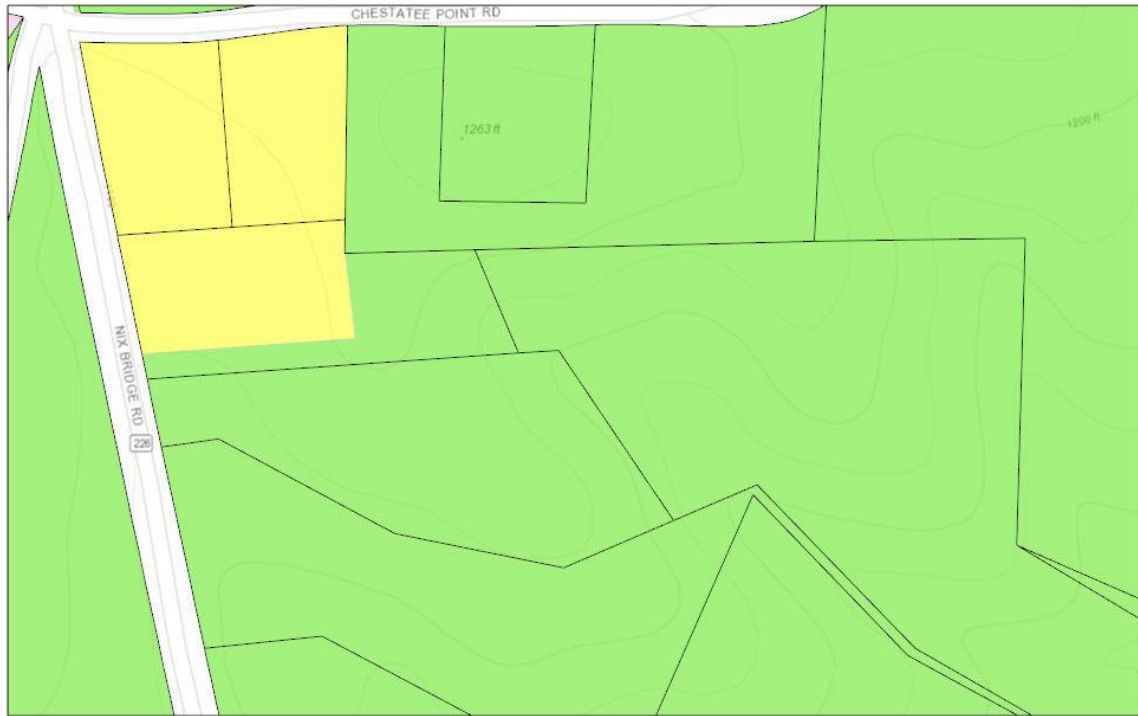
The applicant is looking to divide the parcel so that it can be sold and be developed into a primary residence at a later time.

Pictures of Property:



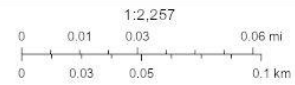
Current Zoning Map:

Dawson County Current Zoning



9/30/2020, 3:01:07 PM

Parcels Zoning RSR VCR  
RA



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

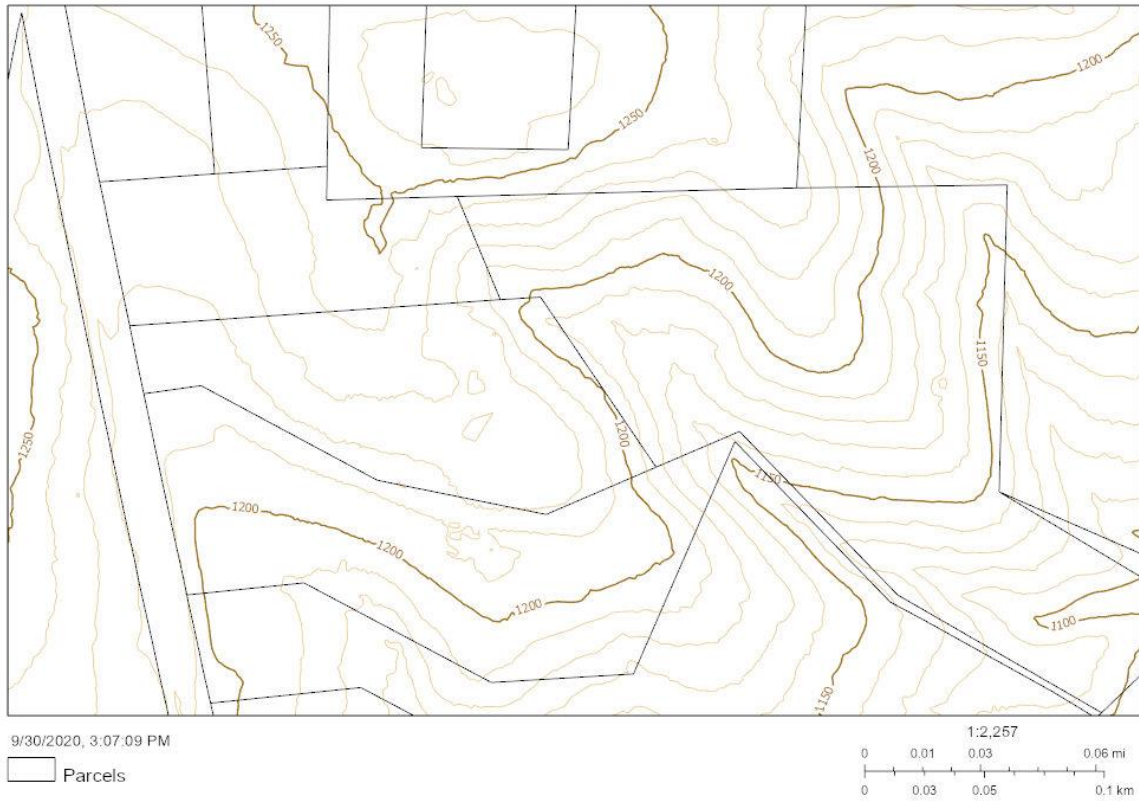
Planning and Development  
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |





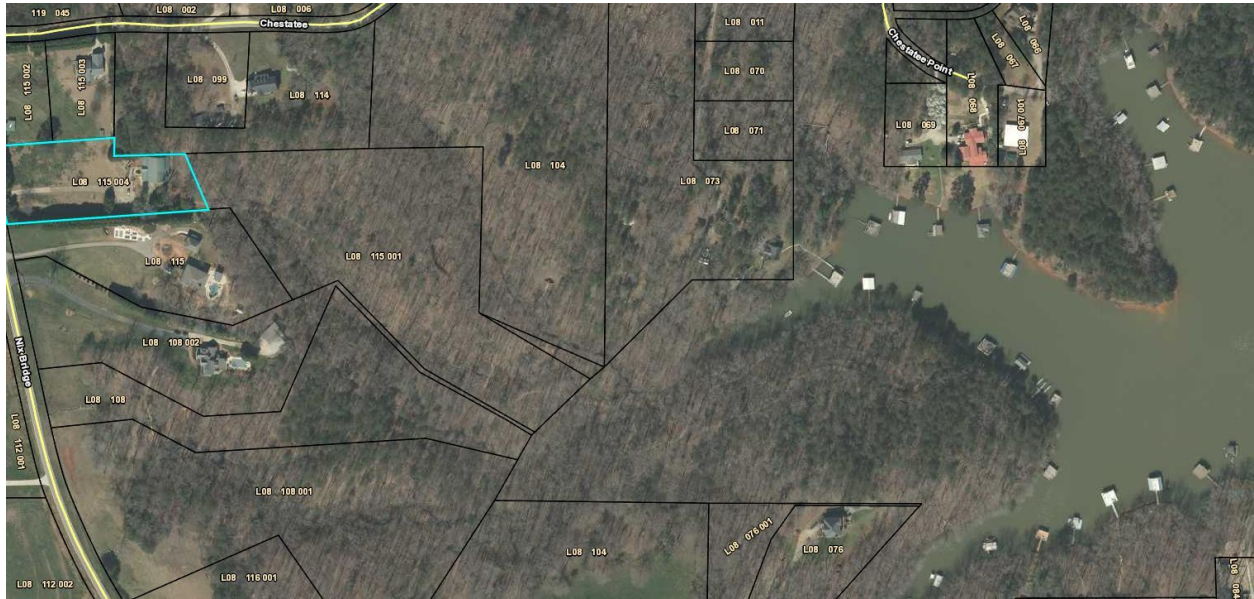
Topography:

Topo Map



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

Aerial:





# DAWSON COUNTY REZONING APPLICATION

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

ZA 20-110 Tax Map & Parcel # (TMP): 108-115.004  
Submittal Date: 9-10-20 Time: 9:30 (am/pm) Received by: mgp (staff initials)  
Fees Assessed: 300.00 Paid: check Commission District: 3  
Planning Commission Meeting Date: Oct. 20, 2020  
Board of Commissioners Meeting Date: Nov. 19, 2020

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: JIM KING  
Address: \_\_\_\_\_

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

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

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

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

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

Meeting Date: \_\_\_\_\_ Applicant Signature: \_\_\_\_\_

## PROPERTY OWNER/PROPERTY INFORMATION

Name:  Debra Ann Barnaby

Street Address of Property being rezoned: 1239 Nix Bridge Rd  
Dawsonville, GA 30534

Rezoning from: RA to: RL Total acreage being rezoned: .8 acre

Directions to Property: Going North GA 400 Take Right on Harmony Church Rd  
Take Right on Nix Bridge Rd property is on the left  
past Chestnut Point

20 SEP 18 9:30 AM

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

Current Use of Property: non developed residential lot

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

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

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

If yes, what section? RL

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RA South RA East RA West RA

Future Land Use Map Designation: RL

Access to the development will be provided from:

Road Name: Nix BRIDGE RD Type of Surface: ASPHALT

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

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

Proposed Use: SINGLE FAMILY HOME

Existing Utilities:  Water [ ] Sewer [ ] Gas  Electric

Proposed Utilities:  Water [ ] Sewer [ ] Gas  Electric

**RESIDENTIAL**

No. of Lots: 1 Minimum Lot Size: 0.8 Acre (acres) No. of Units: \_\_\_\_\_

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

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

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

**COMMERCIAL & INDUSTRIAL**

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

20 SEP 10 9:31 AM

## 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 Sept 8<sup>th</sup> 2020

Witness Doug Stunt \_\_\_\_\_

Date Sept 8<sup>th</sup> 2020

## WITHDRAWAL

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

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

Signature \_\_\_\_\_

Date \_\_\_\_\_

### Withdrawal of Application:

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

20 SEP 10 9:31 AM

**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. Franklin + Margorie Thompson | 1289 Nix Bridge RD.<br>Janesville, IA 30534 |
| TMP _____ | 2. Kirk + Karen Leckman         | 1341 Nix Bridge RD<br>Janesville IA 30534   |
| 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.

20 SEP 10 9:31 AM



# 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: 

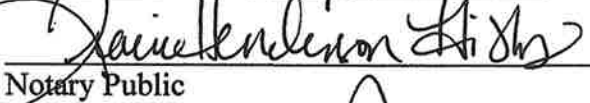
Applicant Printed Name: JIM KING

Application Number: ZA 20-16

Date Signed: September 8th 2020

Sworn and subscribed before me

this 8th day of September, 2020.

  
Notary Public

My Commission Expires: Jan. 16, 2021



20 SEP 10 9:31 AM

N/A

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

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

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

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

\_\_\_\_\_

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

Amount \$ \_\_\_\_\_

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

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

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

Signature of Applicant/Representative of Applicant:

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

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

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

20 SEP 10 9:31 AM

**PROPERTY OWNER AUTHORIZATION**

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

1239 N. x Bridge 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: JIM KING

Signature of applicant or agent: [Signature] Date: 9-8-2020

\*\*\*\*\*

Printed Name of Owner(s):  Debra A Barraby

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

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

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

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

Sworn and subscribed before me this 8th day of September, 2020.

[Signature]  
Notary Public

My Commission Expires: Jan. 16, 2021



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

SEP 10 9:31 AM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

X I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Dawsonville (city), Georgia (state)

[Signature] \_\_\_\_\_ Date September 8 2020

Printed Name JIM KING

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

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 8th DAY OF September, 2020

[Signature] Notary Public

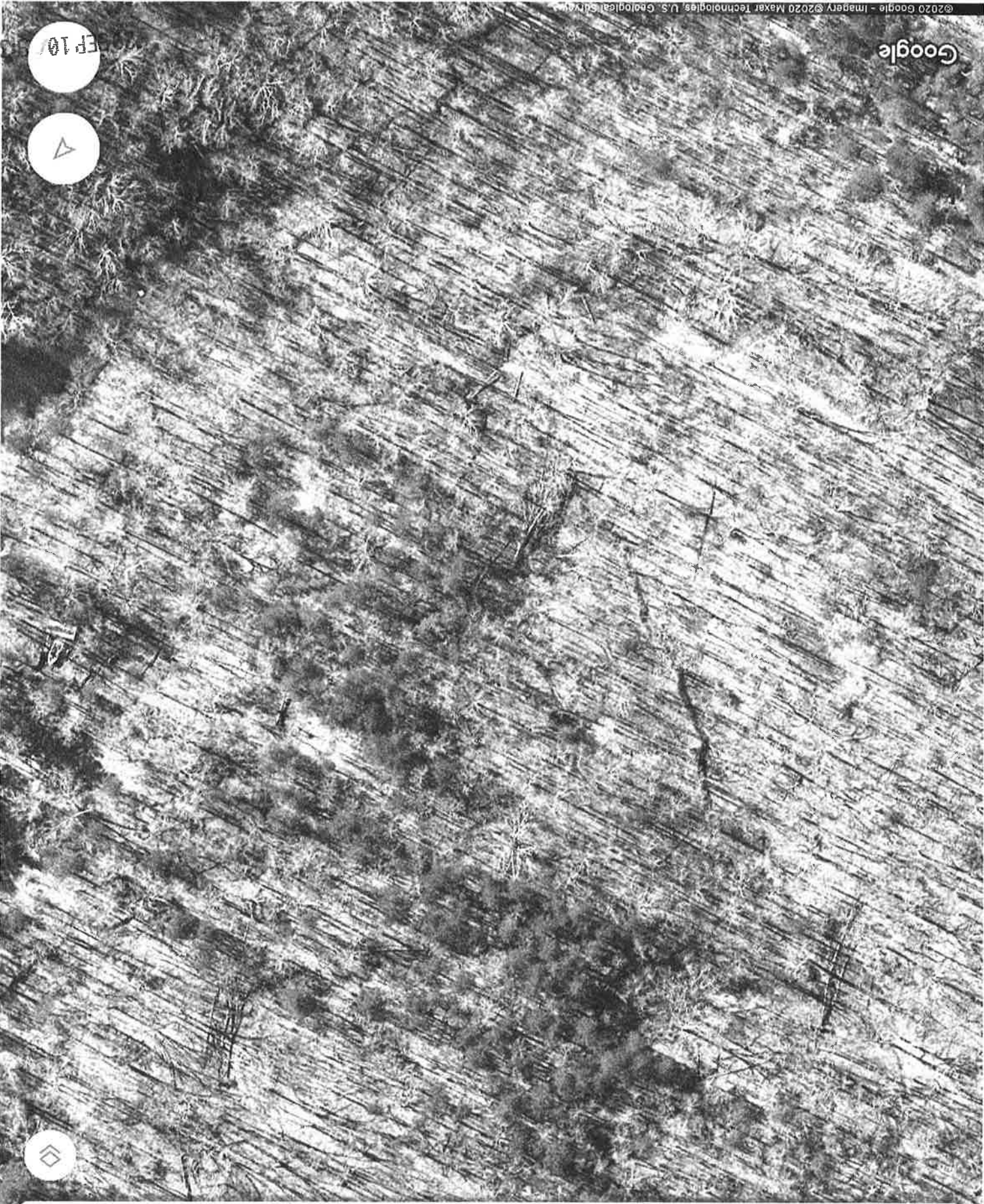
My Commission Expires: Jan. 16 2021



{Notary Seal}

20SEP10 9:31AM

EP 10



119 048 001



**Owner Information**

FRANKLIN D JR &  
MARJORIE L NOZICK

SA 30534

**Payment Information**

|                   |            |
|-------------------|------------|
| Status            | Paid       |
| Last Payment Date | 10/21/2019 |
| Amount Paid       | \$4,439.29 |

**Property Information**

Parcel Number L08 115 004  
 District 1 DAWSON COUNTY UNINCORPORATED  
 Acres 1.53  
 Description LL 205 206 LD 13-S  
 Property Address 1289 NIX BRIDGE RD  
 Assessed Value \$188,001  
 Appraised Value \$470,000

**Bill Information**

|                |            |
|----------------|------------|
| Record Type    | Property   |
| Tax Year       | 2019       |
| Bill Number    | 13814      |
| Account Number | 49627      |
| Due Date       | 12/01/2019 |

**Taxes**

|                  |               |
|------------------|---------------|
| Base Taxes       | \$4,439.29    |
| Penalty          | \$0.00        |
| Interest         | \$0.00        |
| <b>Total Due</b> | <b>\$0.00</b> |

**Owner Information**

THOMPSON FRANKLIN D & MARJORIE L

**Payment Information**

Status: Paid  
Last Payment Date: 11/26/2019  
Amount Paid: \$1,909.39

**Property Information**

Parcel Number: L08 115 001  
District: 1 DAWSON COUNTY UNINCORPORATED  
Acres: 8.47  
Description: LL 205 206 LD 13-S  
Assessed Value: \$80,001  
Appraised Value: \$200,000

**Bill Information**

Record Type: Property  
Tax Year: 2019  
Bill Number: 13813  
Account Number: 40748  
Due Date: 12/01/2019

**Taxes**

Base Taxes: \$1,909.39  
Penalty: \$0.00  
Interest: \$0.00  
Total Due: \$0.00



013502

**SURVEYOR'S CERTIFICATIONS**

As required by subsection (h) of O.C.G.A. Section 15-6-07, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or notations hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel.

Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-07.

Kristopher P. Manley, CA #153201

Date

**DRAFT**  
**08.24.20**

**DRAWING INFORMATION**

D. DATE: 08 APRIL 2019 DATE: 08 APRIL 2019  
DRAWN BY: K.MANLEY CHECKED BY: K.MANLEY  
FILE NAME: 19100V.DWG  
PROJECT NO: 19100 THOMPSON

**ATLAS LAND SURVEYING & MAPPING, LLC**

97 CRINDLE BROTHERS ROAD  
MURRAYVILLE, GA 30064  
PHONE: 770.532.7203 | EMAIL: kpm@atlassam.com  
LSF NO: 001344 (EX.06.30.22)

**RECOMBINATION PLAT FOR:**

**FRANKLIN D. THOMPSON, JR**  
**MARJORIE L. NOZICK**

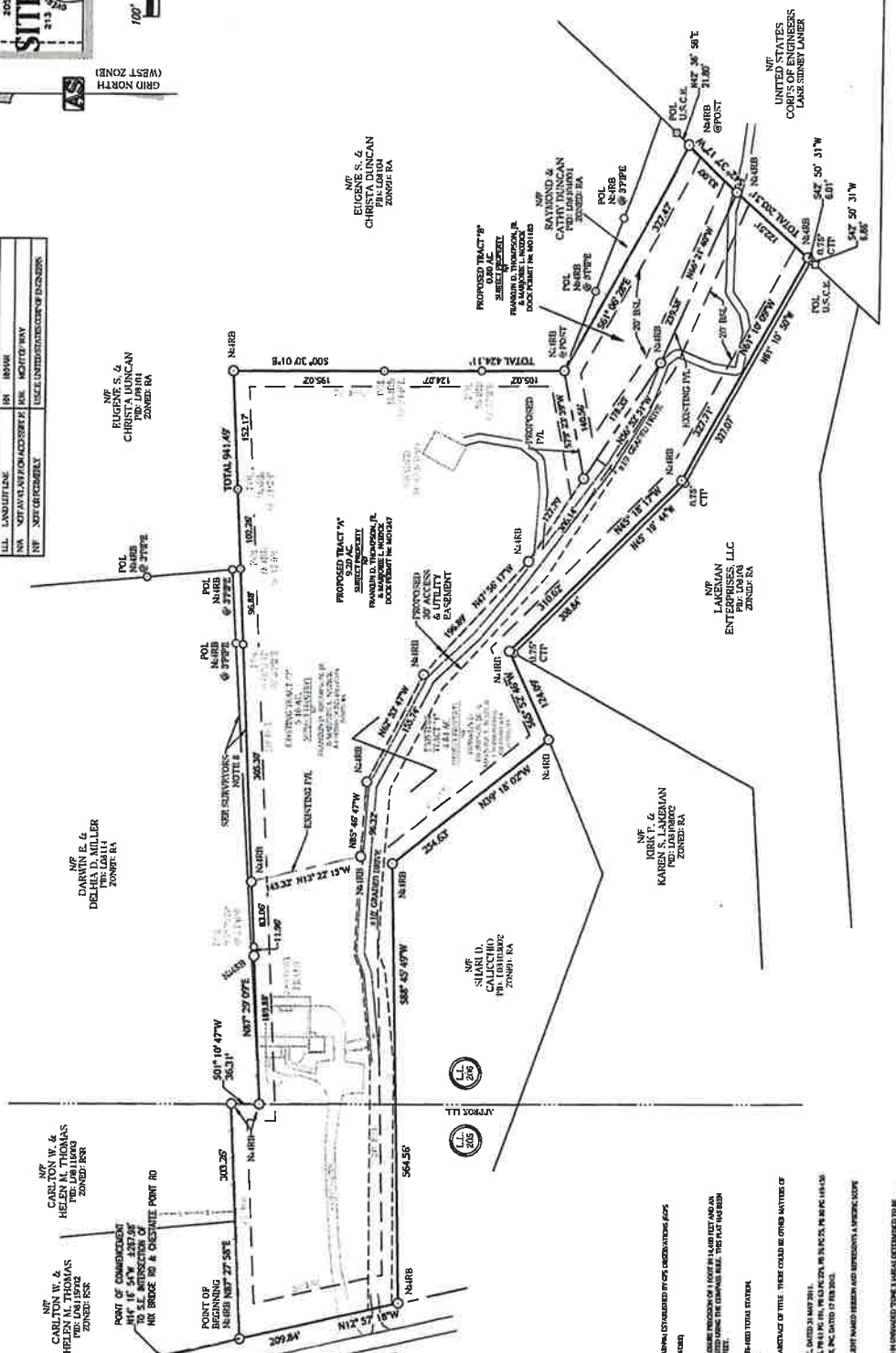
LAND LOTS 205 & 206  
S. HALF OF 13th DISTRICT, 12th SECTION  
DAWSON COUNTY, GEORGIA

**REVISIONS**

|    |          |  |
|----|----------|--|
| 01 | 08.21.19 | ALIBO SETBACKS & THE RECONFIGURED TRACTS |
| 02 | 08.21.20 |  |

|                                 |              |
|---------------------------------|--------------|
| COMPUTED POINT NOT MONUMENTED   | PRICE        |
| MONUMENT FOUND                  | 7/4-ADJACENT |
| MONUMENT SET                    | 7/4-EXTERIOR |
| PROPERTY CORNER FOUND           | 7/4-INTERIOR |
| PROPERTY CORNER SET (NO. 4 FBI) | RIGHT-OF-WAY |

|                         |                              |
|-------------------------|------------------------------|
| AC ABRES                | DTP ORA-DIPELE               |
| BE. BEJING-STRIMLINE    | PH HATTOCK                   |
| CL CENTERLINE           | TO DAZE                      |
| CONC CONCRETE           | NO HANGERS-INCL-ALIBO        |
| DTP ORA-DIPELE          | KL HODGSON                   |
| ED EDDAKA               | KL HODGSON                   |
| LL LANDLINE             | KL HODGSON                   |
| NA VOTER'S REGISTRATION | NO HANGERS                   |
| NO. NOTED WAY           | USGS UNDEVELOPED/UNDEVELOPED |
| NO. NOT RECORDED        |                              |



- SURVEYOR'S NOTES**
1. THIS PLAT SHOWS THE CORNER POINTS OF THE PROPERTY AS SHOWN BY THE SURVEYOR'S FIELD NOTES AND THE SURVEYOR'S FIELD BOOKS. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS AS SHOWN ON THIS PLAT.
  2. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS AS SHOWN ON THIS PLAT.
  3. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS AS SHOWN ON THIS PLAT.
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  9. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS AS SHOWN ON THIS PLAT.
  10. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS AS SHOWN ON THIS PLAT.

**THIS PLAT SUPERCEDES THE PLAT AT PB 84 PG 173, 28 MAY 2019**

## LETTER OF INTENT

I, Debbie Barnaby, the owner am requesting a rezoning for a 0.8 acre lot from RA to RL in order to construct a single family home for myself and my family. The Lot is being created from a portion of Parcels L08 115 004 and L08 115 001. I have been a Dawson County Citizen for 30 years and now wish to build a Lake Lanier home to reside in through the end of my career and my retirement. This property is designated as RL- Residential Lake on the Future Land Use Plan which is identical to our Rezoning Request. The numerous existing lake neighborhoods along Nix Bridge Road are laden with lots from 0.23 to 0.8 acres in size that were developed in the 1970's and 1980's under the VCR Zoning. Therefore, the proposed Parcel will be similar in character to all of the other lake lots in the area. We are quiet and respectful and will make good neighbors for the adjacent properties. We graciously ask for you to grant us this opportunity to build our final home.

20 SEP 10 9:32 AM

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....JC Jones

**Amendment #** .....ZA 20-17

**Request**.....Rezone Property from RSR (Residential Sub-Rural) to RSRMM (Residential Sub-Rural Manufactured Moved)

**Proposed Use** .....Rezone property for the purpose of moving in a stick built home

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

**Size**.....3.29± acres

**Location** .....869 Cothran Road

**Tax Parcel** .....110 025

**Planning Commission Date** .....October 20, 2020

**Board of Commission Date**.....November 19, 2020

**Applicant Proposal**

The applicant is seeking to rezone the property from RSR (Residential Sub Rural) to RSRMM (Residential Sub-Rural Manufactured Moved) for the purpose of moving an existing stick-built home to the parcel that is approximately 1800 square feet in size. He intends to demolish the existing mobile home and use the utilities that are already in place for the new home.

**History and Existing Land Uses**

Mr. Jones acquired the parcel in 2013 with a mobile home that was in place.

| <b>Adjacent Land Uses</b> | <b>Existing zoning</b> | <b>Existing Use</b> |
|---------------------------|------------------------|---------------------|
| North                     | RSR                    | Residential         |
| South                     | R-A                    | Residential         |
| East                      | RSR                    | Residential         |
| West                      | R-A                    | Residential         |

### **Development Support and Constraints**

Having the land zoned for a Residential Sub-Rural Manufactured Moved would allow the applicant to move an existing home to his parcel.

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Sub-Rural Residential, which RSRMM is a potential subset of.

### **Public Facilities/Impacts**

**Engineering Department** – “Asphalt, wearing surface is worn and showing load and block cracking. There are horizontal and vertical challenges with the current access, low to moderate traffic flow, mostly residential. Improvements to the current driveway shall be made to eliminate the runoff into the county road.”

**Environmental Health Department** – Meets minimum lot size requirement for on-site sewage management but will need to be evaluated by Environmental Health before permitting.”

**Emergency Services** – No comments necessary.

**Etowah Water & Sewer Authority** – Wells and septic are only available in this area.

**Dawson County Sheriff’s Office** – No comments returned.

**Board of Education** – No facility additions would be necessary

### **Analysis**

- It does conform to the Future Land Use Map and Comprehensive Plan as a subset of RSR (Residential Sub-Rural).

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

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

Properties surrounding the parcel are zoned residential (R-A & RSRMM) with residential homes both stick-built and manufactured.

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

There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The property is suitable for the purposed land use classification and would be considered a subset of the Future Land Use Map designation.

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

It currently has a mobile home that would be demolished to accommodate the new home being moved in per the Land Use Resolution regulations of one primary residence per parcel of land in RSRMM zoning classification.

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

The applicant has an existing mobile home on the property that is in need of major repairs. It would be more cost efficient to move in a stick built home instead of repairing the existing residence.

Pictures of Property:



**PUBLIC NOTICE  
ON ZONING**

AN APPLICATION HAS BEEN FILED WITH  
THE PLANNING AND DEVELOPMENT  
DEPARTMENT IN ORDER TO  
AS THE USE OF THIS PROPERTY

APPLICANT: *J.C. Jones*

CASE # *7-10-2011*

RE: *Change of Use from Residential to Commercial*

HEARINGS WILL BE HELD BY:  
PLANNING COMMISSION BOARD OF COMMISSIONERS

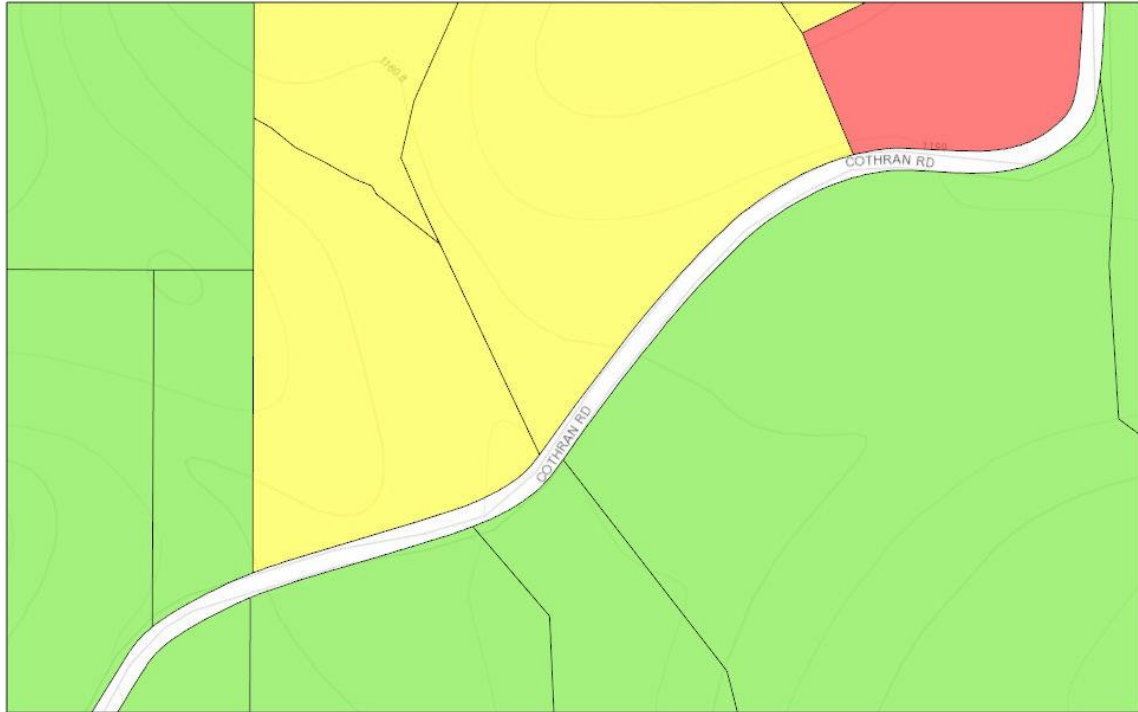
DATE: *Wednesday, 10/26/11* TIME: *5:00 PM*

HEARING LOCATION:  
DAWSON COUNTY GOVERNMENT CENTER  
ASSEMBLY ROOM 210  
25 JUSTICE WAY, DAWSONVILLE, GA 30156  
FOR ADDITIONAL INFORMATION CALL  
DAWSON COUNTY PLANNING AND DEVELOPMENT  
OR VISIT OUR WEBSITE

**THIS SIGN NOT TO BE REMOVED WITHOUT AUTHORIZATION**

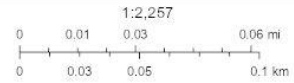
Current Zoning Map:

Dawson County Current Zoning



9/30/2020, 3:13:12 PM

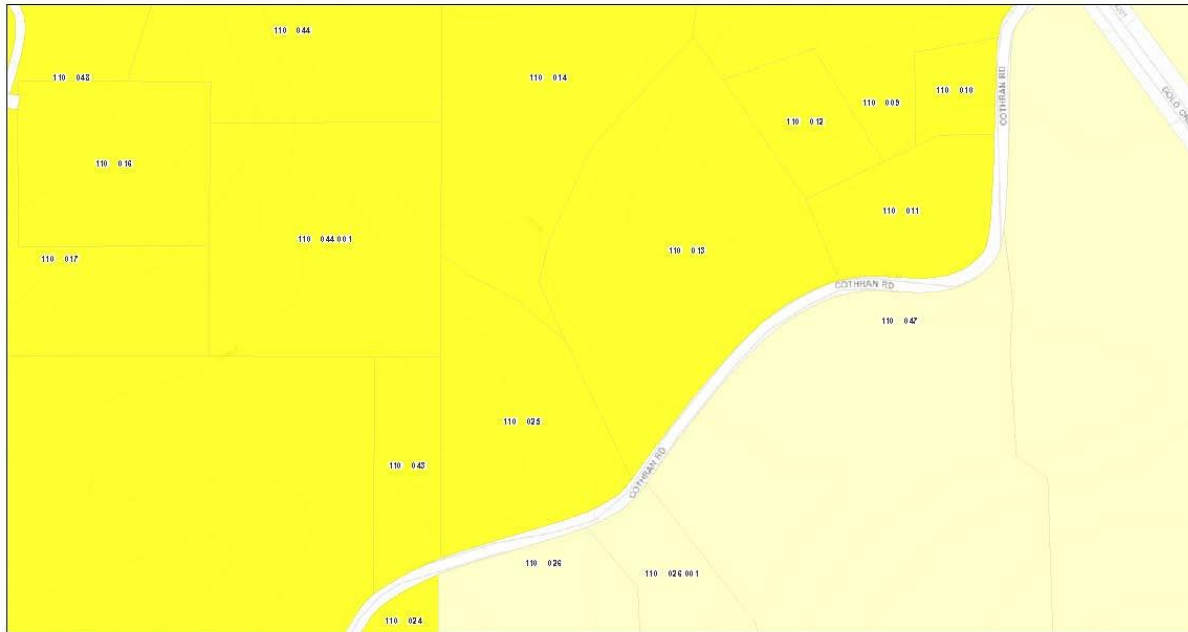
Parcels Zoning RSR C-HB RA



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, Planning and Development Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

# Future Land Use Map:

## Future Land Use

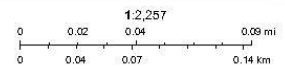


September 30, 2020

FLU

SRR

RR

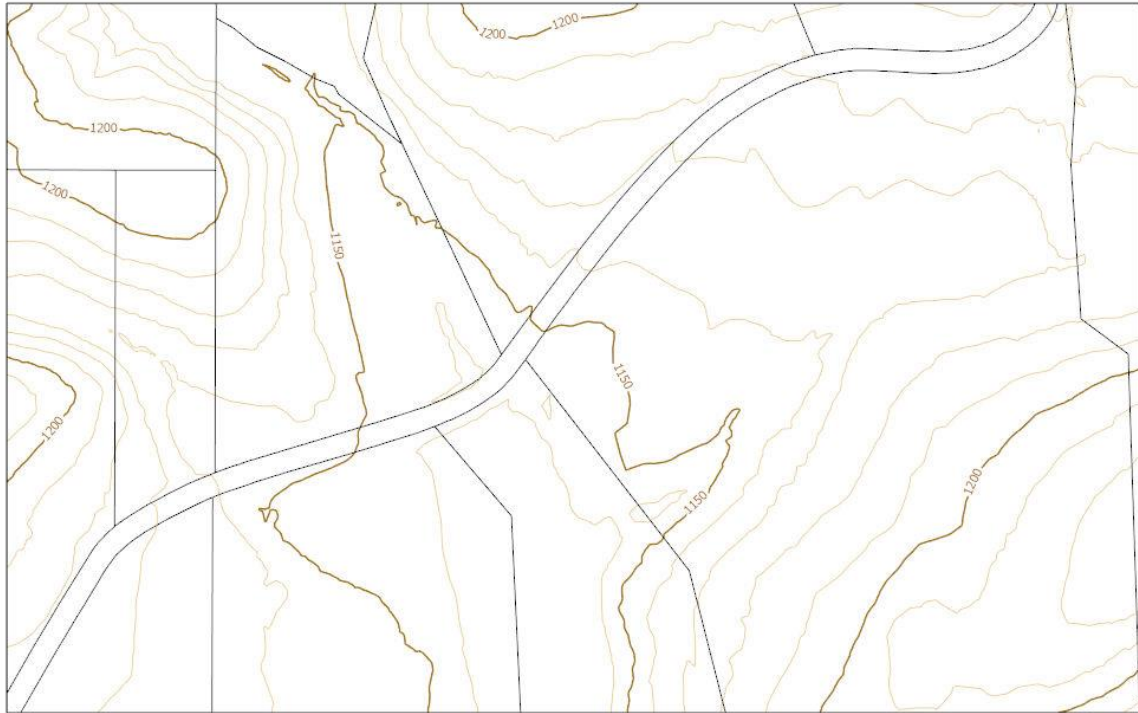


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Topography:

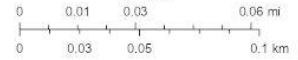
Topo Map



9/30/2020, 3:08:03 PM

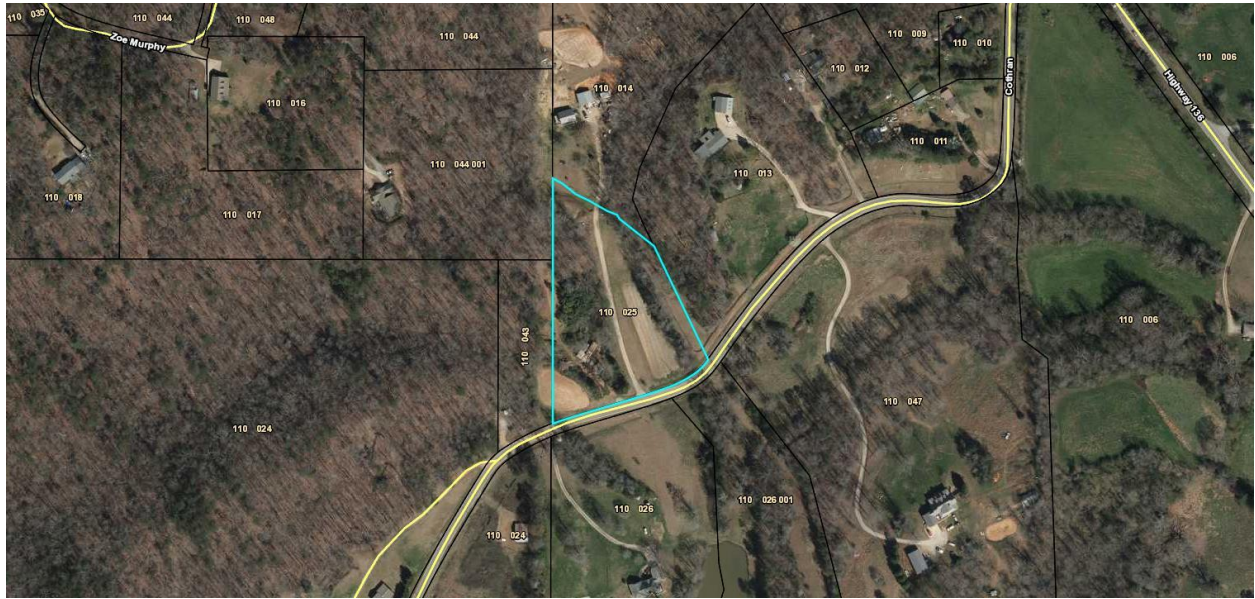
Parcels

1:2,257



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

Aerial:





# DAWSON COUNTY REZONING APPLICATION

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

ZA 20-17 Tax Map & Parcel # (TMP): 110-025  
Submittal Date: 9-11-2020 Time: 10:28  am  pm Received by: Ungel (staff initials)  
Fees Assessed: 300.00 Paid:  Commission District: \_\_\_\_\_  
Planning Commission Meeting Date: October 20, 2020  
Board of Commissioners Meeting Date: November 19, 2020

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: J. C. Jones  
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: August 14, 2020 Applicant Signature: J. C. Jones

## PROPERTY OWNER/PROPERTY INFORMATION

Name: J. C. Jones  
Street Address of Property being rezoned: 861 Cothran Rd  
Dawsonville GA 30534  
Rezoning from: RSR to: RSR MM Total acreage being rezoned: 3.2  
Directions to Property: Take 9N to 136E. On 136 go to  
Cothran Rd and turn right. Property is about  
1/2 mile from 136 on the right.

20 SEP 11 10:22 AM

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

Current Use of Property: residential

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

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

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

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

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RSR South RSR East RSR West RSR

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

Access to the development will be provided from:

Road Name: Cothran Rd. Type of Surface: asphalt

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

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

Proposed Use:

Residence

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 1 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: No; if yes, what? \_\_\_\_\_

**COMMERCIAL & INDUSTRIAL**

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

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**APPLICANT CERTIFICATION**

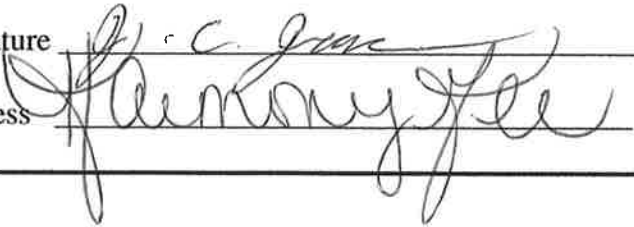
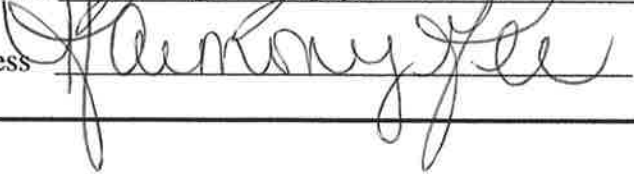
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

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   
Witness 

Date 9.11.2020  
Date 9.11.2020

**WITHDRAWAL**

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

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

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Withdrawal of Application:**

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

20 SEP 11 10:23 AM

**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>110 026</u>    | 1. <u>Roy Flynn + Debra</u>                          | <u>822 Cothran Rd, Dawsonville, GA</u>           |
| TMP <u>110 014</u>    | 2. <u>Nora C. Jones</u>                              | <u>869 Cothran Rd, Dawsonville, GA</u>           |
| TMP <u>110 013</u>    | 3. <u>David J. + Laura C. Sexton</u>                 | <u>1003 Cothran Rd. Dawsonville, GA</u>          |
| TMP <u>110 043</u>    | 4. <u>ALL TEL</u>                                    |  |
| TMP <u>110-044001</u> | 5. <u>John E Slater III + Cynthia C.</u>             | <u>14 Indian Springs Ln Dawsonville, GA</u>      |
| TMP <u>110 024</u>    | 6. <u>Mildred Cothran Rider + Benjamin L Cothran</u> | <u>61 Cothran Rd Dawsonville, GA</u>             |
| TMP <u>110 047</u>    | 7. <u>Nicholas S. Baggett + Alinda L. Foster</u>     | <u>992 Cothran Rd Dawsonville, GA</u>            |
| TMP _____             | 8. _____   | <u>mailing add. P.O. Box 578 Dawsonville, GA</u> |
| TMP _____             | 9. _____   |  |
| TMP _____             | 10. _____  |  |
| TMP _____             | 11. _____  |  |
| TMP _____             | 12. _____  |  |
| TMP _____             | 13. _____  |  |
| TMP _____             | 14. _____  |  |
| TMP _____             | 15. _____  |  |

Use additional sheets if necessary.

20 SEP 11 10:23 AM





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

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

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

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

\_\_\_\_\_

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

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

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

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

Signature of Applicant/Representative of Applicant:

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

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

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

20 SEP 11 10:23 AM

**PROPERTY OWNER AUTHORIZATION**

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

861 Cothran 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: J. C. Jones

Signature of applicant or agent: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

Printed Name of Owner(s): J. C. Jones

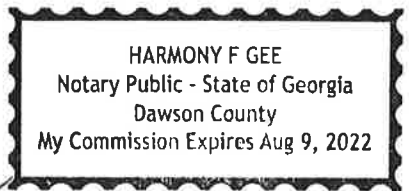
Signature of Owner(s): J. C. Jones Date: \_\_\_\_\_

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

City, State, Zip: \_\_\_\_\_ 27 \_\_\_\_\_

Telephone Number:  Listed  Unlisted 106-265-5012

Sworn and subscribed before me this 14 day of August, 2020.  
Harmoney F GEE  
Notary Public  
My Commission Expires: August 9, 2022



{Notary Seal}

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

SEP 11 2020

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

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

  ✓   I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Dawsonville (city), Georgia (state)

Signature of Applicant

J. C. Jones

Printed Name

Date

August 14, 2020

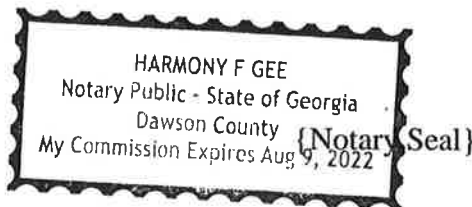
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 14 DAY OF August, 2020

Harmony Gee Notary Public

My Commission Expires August 9, 2022



20SEP11 10:23AM

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

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

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

20 SEP 11 10:23 AM

To whom it may concern:

I would like to have the property at 861 Cothran Road rezoned to RSRMM so that I can move a house into the property.

The house currently has a brick siding which must be removed before it can be relocated.

I plan to replace the brick with hardie plank siding.

J. C. Jones

20 SEP 11 10:23AM



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

District 2 Public Health  
Dawson County Environmental Health Department  
189 Highway 53 West, Suite 102  
Dawsonville, Georgia 30534 Phone (706)265-2930 Fax (706)265-7529

Pamela Logan, M.D., M.P.H., M.A., Health Director [www.district2.org](http://www.district2.org)

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

**EXISTING ON - SITE SEWAGE MANAGEMENT SYSTEM EVALUATION/ REPAIR/ ADD-ON/ PRE-PURCHASE APPLICATION (PLEASE PRINT)**

Date: 9/11/2020

Service Requested: \_\_\_\_\_

Property Type:  Residential  Commercial  Other: \_\_\_\_\_

Property Address: 861 Cothran Rd

City: Dawsonville State: GA Zip Code: 30534 Phone #: \_\_\_\_\_

Subdivision Name, Lot #, and Phase: \_\_\_\_\_

Owner Name: J. C. Jones Phone #: \_\_\_\_\_

Mailing Address: 869 Cothran Rd

City: Dawsonville State: GA Zip Code: 30534 Fax #: \_\_\_\_\_

Builder/Contact Person/Business Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_ Fax#: \_\_\_\_\_

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

Directions to the property from the Environmental Health Office: \_\_\_\_\_

Type of Water Supply:  Public  Private Type:  Well  Spring

Garbage Disposal at Kitchen Sink:  Yes  No

Number of Bedrooms or # of Employees/Gallons per day: 3 BR Lot Size: 3.2 acres

Plumbing Level:  Basement  1<sup>st</sup> Floor over Basement  Slab  Crawl Space

Date home site will be staked: \_\_\_\_\_

Are there any wells on or within 100' of this property?  Yes  No

Are there any trash or burn pits on the property?  Yes  No

Signature

Date

9/11/2020

SEP 11 10:23 AM

Call Dawson County Environmental Health office at 706-265-2930 between 8:00a.m. and 9:00 a.m. to schedule a time for final inspection.

Septic system must be installed by a Georgia Certified Septic Tank Installer.

This permit is not valid unless properly signed by an Environmental Health Specialist; this permit expires twelve (12) months from the date of issue.

Notify the Environmental Health Office of any wells or springs located on the property or located within 100 feet of property lines.

All surface and/or ground water must be diverted around septic system.

Trash/burial pits must be reported to the Environmental Health office.


Any grading, cutting, or filling may void this permit.

If rock and/or ground water is encountered, cease installation and contact the Environmental Health office.

Easements onto other properties for the installation of septic systems shall be granted only in cases of repairing an existing system, and only when an on-site repair area is not available.

If crossing the drainfield, water lines must be installed 12" above the top of the system and encased in a single length of pipe that extends 10' beyond the drainfield.

I hereby apply for a construction permit to install an on-site sewage management system and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Public Health Chapter 511-3-1. I have read and will comply with the additional requirements printed above. I understand that final inspection is required and will notify the Dawson County Environmental Health office upon completion of construction and before applying final cover.



Signature – I have read and understand all of the above

9/11/2020

Date

SEP 11 10:23 AM

PROPERTY OVER LAP  
SEE PLAT BY OWEN PATTON,  
DATED JULY 8, 1993  
AND PLAT BY JACK PAGE  
DATED MARCH 5, 1994

N/F  
JOHN E. SLATER, III  
& CYNTHIA C. SLATER  
DB 611, PG 236  
PB 33, PG 130  
ZONED R-A

N/F  
NDRA C. JONES  
DB 286, PG 392  
ZONED R-1

This plat has been reviewed for  
recording purposes only. It shows  
not to be in compliance with the  
following: *Not conforming to  
Highway and drainage easement*  
Reviewed by: *William J. Jones*  
Date: *November 14, 2008*

N/F  
DAVID J. SEXTON  
& LAURA C. SEXTON  
DB 217, PG 581  
PB 38, PG 143  
ZONED R-1

PLAT REFERENCE

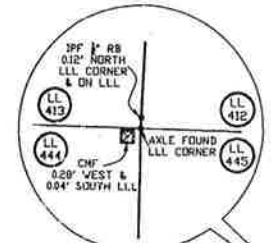
1. PLAT FOR MAJOR JONES, BY HENRY GRADY JARRARD  
RECORDED IN PLAT BOOK 4, PAGE 19, DATED AUGUST  
1973, (8.00 ACRES).
2. PLAT FOR STANDARD TELEPHONE COMPANY, BY  
HUBERT LOVELL, RECORDED IN PLAT BOOK 33, PAGE  
272, DATED SEPTEMBER 2, 1993, (1.00 ACRES).
3. PLAT FOR JOHN E. SLATER, JR., BY JACK PAGE,  
RECORDED IN PLAT BOOK 33, PAGE 130, DATED  
MARCH 5, 1994, (26.82 ACRES).
4. PLAT FOR J. C. JONES, BY OWEN PATTON, DATED  
JULY 8, 1985, (4.83 ACRES)
5. PLAT FOR DAVID J. & LAURA C. SEXTON, BY  
PRECISION LAND SERVICES, RECORDED IN PLAT BOOK  
38, PAGE 143, DATED MAY 7, 1996, (6.947 ACRES).



GENERAL NOTES

1. SURVEY PROCEDURES:  
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS  
A CLOSURE PRECISION OF ONE FOOT IN 20,070 FEET  
WITH AN ANGULAR ERROR OF 1 SECONDS PER ANGLE  
POINT AND WAS ADJUSTED USING THE LEAST SQUARES  
METHOD. THIS PLAT HAS BEEN CALCULATED FOR  
CLOSURE AND HAS A PRECISION OF ONE FOOT IN  
315,235 FEET. EQUIPMENT USED FOR ANGULAR AND  
LINEAR MEASUREMENTS; TOP CON OPT-9003A.
2. NO PORTION OF THIS PROPERTY IS IN A F.E.M.A  
DESIGNATED FLOOD HAZARD AREA, AS PER F.I.R.M.  
PANEL # 13085C 0116B AS DATED SEPTEMBER 26, 2008.
3. THE UTILITY PROTECTION SERVICE SHOULD BE  
CONTACTED AT (800) 292-7411 PRIOR TO ANY  
EXCAVATION FOR VERIFICATION OF ANY UNDERGROUND  
UTILITY LOCATIONS. UNDERGROUND UTILITIES SHOWN  
ARE BASED ON ABOVE GROUND EVIDENCE ONLY.
4. THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE  
ONLY THOSE USED AND/OR NECESSARY FOR THE  
ESTABLISHMENT OF THE BOUNDARY OF THESE PARCELS.  
THEY ARE NOT AND DO NOT CONSTITUTE A TITLE  
SEARCH.
5. DAWSON COUNTY TAX MAP 110-025.  
CURRENT ZONING: IS R-1 PER DAWSON COUNTY.
6. SETBACKS FOR R-1 ARE: FRONT = 40'  
SIDE = 10'  
REAR = 20'

N/F  
DAVID J. SEXTON  
& LAURA C. SEXTON  
DB 217, PG 581  
PB 38, PG 143  
ZONED R-1



PROPERTY GAP  
BY HUBERT LOVELL, DATED  
SEPTEMBER 2, 1993  
AND PLAT BY JACK PAGE,  
DATED MARCH 5, 1994

N/F  
STANDARD TELEPHONE  
COMPANY  
DB 175, PG 516 & 516  
PB 33, PG 272  
ZONED R-A

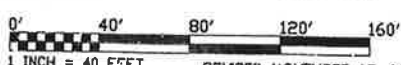
CALL TABLE

| Course | Bearing       | Distance |
|--------|---------------|----------|
| 1      | S 68°21'53" E | 18.00'   |
| 2      | S 71°20'00" E | 31.20'   |
| 3      | S 63°30'43" E | 48.87'   |
| 4      | S 38°32'50" E | 47.87'   |
| 5      | S 72°57'17" E | 27.51'   |
| 6      | S 32°57'17" E | 14.25'   |
| 7      | S 21°32'50" W | 6.25'    |
| 8      | S 33°27'00" W | 15.17'   |
| 9      | S 12°30'35" E | 25.52'   |
| 10     | S 12°30'35" E | 25.52'   |
| 11     | S 28°12'30" E | 17.80'   |
| 12     | S 37°34'40" W | 6.30'    |
| 13     | S 20°49'02" E | 3.31'    |

- LEGEND
- C.M.F. CONCRETE MONUMENT FOUND
  - I.P.F. IRON PIN FOUND
  - I.P.S. 3/4" IRON PIN SET
  - O.T. OPEN TOP FOUND
  - C.T. CORRUPTED TOP FOUND
  - R/W RIGHT OF WAY
  - P.L. PROPERTY LINE
  - C.L. CENTER LINE
  - B.L. BUILDING LINE
  - L.L. LAND LOT
  - J.L. JUNCTION BOX
  - T.P. TELEPHONE POLE
  - P.P. OVERHEAD POWER LINE
  - P- FENCE LINE
  - X- RADIUS
  - CH. CHORD
  - INV. BOTTOM ELEVATION
  - N/F NOW OR FORMERLY
  - D.B. DEED BOOK
  - P.B. PLAT BOOK
  - P.G. PAGE
  - D.E. DRAINAGE EASEMENT
  - S.S. SEWER EASEMENT
  - F.H. FIRE HYDRANT
  - M.H. MANHOLE
  - C.B. CATCH BASIN
  - D.I. DROP INLET
  - J.B. JUNCTION BOX
  - T.R.F. TRANSFORMER BOX
  - L.P. LIGHT POLE
  - P.O.B. POINT OF BEGINNING
  - C.M.P. CORRUGATED METAL PIPE

CURVE CALL TABLE

| Curve | Radius    | Arc     | Chord   | Chord Bearing |
|-------|-----------|---------|---------|---------------|
| C1    | 126.28'   | 49.40'  | 49.20'  | S 62°37'04" W |
| C2    | 1,704.78' | 104.37' | 104.35' | S 73°29'45" W |



COTHRAN ROAD 80' R/W  
(24' ASPHALT PAVEMENT)

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

TOTAL AREA  
143,093 Sq. Ft.  
3.285 Acres

STATEMENT OF LIMITATIONS

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

By: *Ben D. Troil* Reg. No. 1718  
Date: *11-13-08*

**Trail and Son, Inc.**  
LAND PLANNERS & SURVEYORS  
CONSTRUCTION MANAGEMENT  
3898 WAR HILL PARK RD, DAWSONVILLE, GEORGIA 30534  
PHONE: (706) 216-8980 CELL: (706) 974-7046  
FAX: (706) 265-4543 EMAIL: btrail@alltel.net

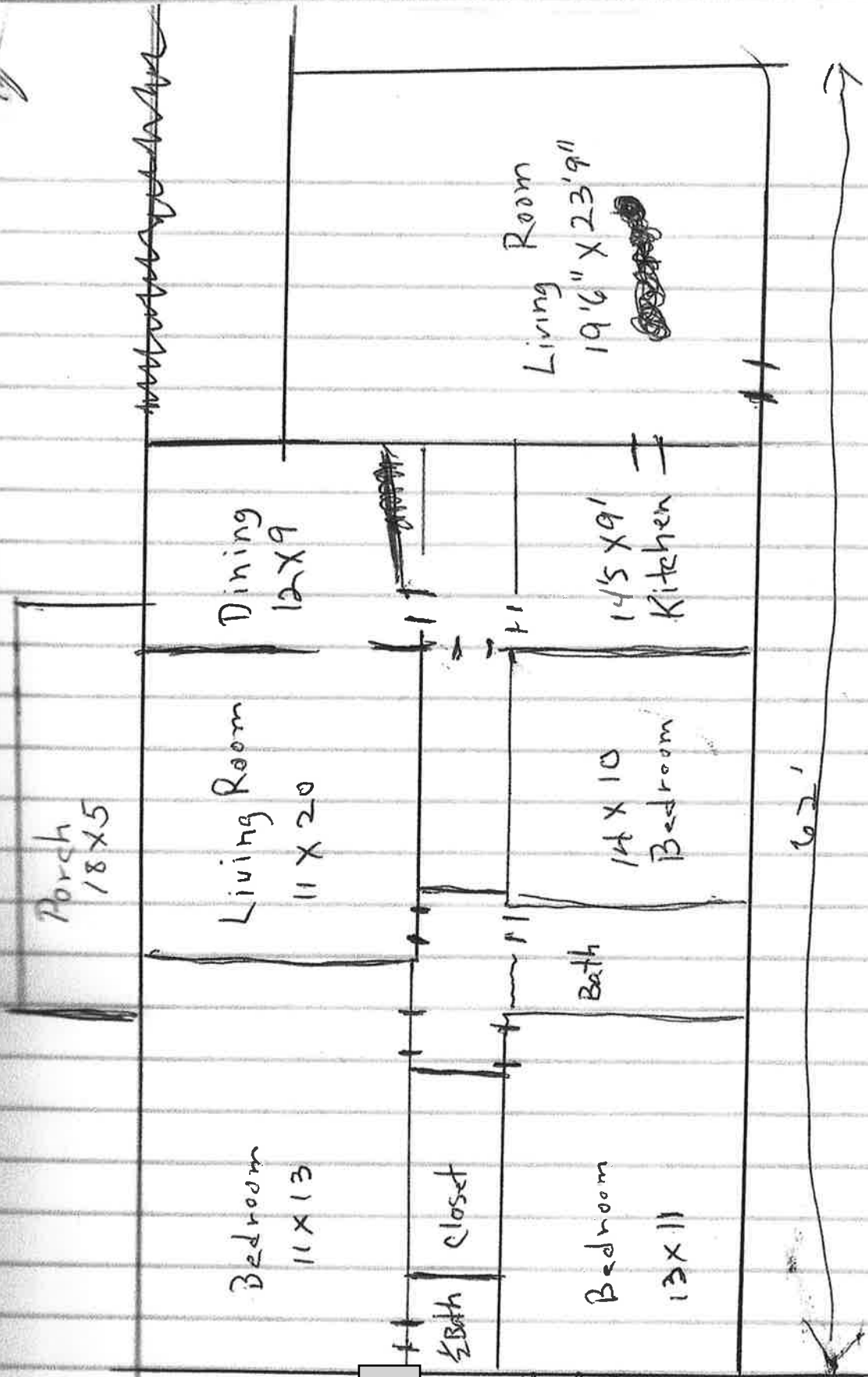
PLAY DATE: OCTOBER 24, 2008  
SURVEY DATE: OCTOBER 16, 2008

|             |          |
|-------------|----------|
| FIELD CREW: | BDT      |
| DRAWN BY:   | PJT      |
| CAD FILE:   | OROR_003 |

BOUNDARY SURVEY  
FOR  
**MATHER JAMES JONES &  
RAY EDWARD JONES EXECUTOR**  
LAND LOT 412 & 445-SOUTH HALF 13TH. DISTRICT--1ST. SECTION  
DAWSON COUNTY, GEORGIA



20 SEP 11 10:23 AM



**Official Tax Receipt**  
**Nicole Stewart**  
**DAWSON COUNTY Tax Commissioner**

25 Justice Way Suite 1222  
 Dawsonville, GA 30534

| Trans No                            | Property ID/District Description                           | Original Due | Interest & Penalty     | Prev Paid | Amount Due | Amount Paid                            | Transaction Balance        |
|-------------------------------------|--|--------------|------------------------|-----------|------------|--|----------------------------|
| 9407<br>Year-Bill No<br>2019 - 7524 | 110 025 / 001<br>LL 412 415 LD 13N<br><br>FMV: \$65,910.00 | 629.22       | 52.56<br>Fees<br>12.50 | 0.00      | 694.28     | 694.28                                 | 0.00                       |
|                                     |  |              |                        |           |            | <b>Paid Date</b><br>4/28/2020 11:47:33 | <b>Current Due</b><br>0.00 |
| Transactions:                       | 9407 - 9407 <b>Totals</b>                                  | 629.22       | 65.06                  | 0.00      | 694.28     | 694.28                                 | 0.00                       |

Paid By :

Paid by nora iones from web. Ref

JONES J C

Cash Amt: 0.00  
 Check Amt: 0.00  
 Charge Amt: 694.28  
 Change Amt: 0.00  
 Refund Amt: 0.00  
 Overpay Amt: 0.00

Check No  
 Charge Acct 0

20 SEP 11 10:23 AM



# Dawson County, GA

Map More

110 014  
110 013  
110 025  
110 043  
110 026  
Cothran  
200 ft  
POWERED BY  
esri  
2336506.81, 1605959.67



Owner: JONES J C  
 Acres: 3.29  
 Assessed Value: \$65910

View: [Report](#) | [Field Definitions](#)



# DAWSON COUNTY REZONING APPLICATION

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

ZA 20.18 Tax Map & Parcel # (TMP): 106.053 + 106.058  
Submittal Date: 9.11.2020 Time: 11:53  am/pm Received by: Yngre (staff initials)  
Fees Assessed: 300- Paid:  Commission District: 4  
Planning Commission Meeting Date: October 20, 2020  
Board of Commissioners Meeting Date: November 19, 2020

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Kevin Seifert/ The Pacific Group, Inc.

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

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

Status:  Owner  Authorized Agent  Lessee  Option to purchase

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

I have \_\_\_\_\_ /have not  participated in a Pre-application meeting with Planning Staff. <sup>9/8- conversation with</sup> Jameson at public meeting.  
If not, I agree  /disagree \_\_\_\_\_ to schedule a meeting the week following the submittal deadline.  
We are happy to meet at your next available meeting time.

Meeting Date: \_\_\_\_\_ Applicant Signature: \_\_\_\_\_

## PROPERTY OWNER/PROPERTY INFORMATION

Parcel 106 053- owner- Marathon Development, Inc.  
Name: Parcel 106 052- owner - Gary R. Wildeboer.

Street Address of Property being rezoned: Parcel 106 053- Huckleberry Ford, Dawsonville, GA 30534  
Parcel 106 052- 2367 Dawson Forest Rd, East, Dawsonville, GA 30534

Rezoning from: RS to: RS-3 Total acreage being rezoned: 1.15

Directions to Property: SR 9 South to left of Dawson Forest Road. Property will be 2.5 miles on your left, just before Set Free Church

20 SEP 11 11:53 AM

Subdivision Name (if applicable): The Oaks at Dawson Lot(s) #: n/a

Current Use of Property: undeveloped land and residential home

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 RMF South RSRMM & C-CB East RMF, & P-CPD West RS  
C-CB, VCR,

Future Land Use Map Designation: Suburban Residential and Office Professional

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: RS-3  Special Use Permit for: \_\_\_\_\_

Proposed Use:  
single family residential

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 183 Minimum Lot Size: 6,000 sf/ 0.14 acre (acres) No. of Units: 183

1,200 - one story

Minimum Heated Floor Area: 1,600- two story sq. ft. Density/Acre: 2.61

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

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

**COMMERCIAL & INDUSTRIAL** - not applicable

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

20 SEP 11 11:53 AM

## 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  Kevin Seifert Date 9/10/2020

Witness  Date 9/10/2020

---

## WITHDRAWAL

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

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

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

### **Withdrawal of Application:**

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

20 SEP 11 11:53 AM

ZA 20.18

TMP#: 106.053  
106.050

**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 next pages | _____          |
| 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.

20 SEP 11 11:53 AM

106 001  
ECOPARK PROPERTIES INC  
5510 ECOPARK DR  
ALPHARETTA, GA 30005

106 123  
MICHAELSON ROBERT D  
2231 DAWSON FOREST RD E  
DAWSONVILLE, GA 30534

106 051 001  
DAWSON FOREST ANIMAL  
VETERINARIAN TREATMENT CENTER  
2399 DAWSON FOREST ROAD  
DAWSONVILLE, GA 30534

106 051 002  
SET FREE BAPTIST CHURCH INC  
P O BOX 663  
DAWSONVILLE, GA 30534

106 051 006  
MOORE JR JAMES N &  
SELENA D MOORE  
222 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 007  
ADKINS TAYLOR S & JESSICA R  
214 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 008  
ADKINS TAYLOR S & JESSICA R  
214 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 009  
RUFFNER KENNETH & REBECCA  
BECKY MCNABB  
202 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 361  
WILDEBOER GARY R, TRUSTEE  
THE MARIAN E WILDEBOER LIVING TRUST  
2329 DAWSON FOREST ROAD East  
DAWSONVILLE, GA 30534

106 051 010  
RUFFNER KENNETH & REBECCA  
BECKY MCNABB  
202 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 011  
HUGHES DOUGLAS L & CHARITY A  
184 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 012  
FLETCHER J PALMER JR & DONNA LEE  
MCDONALD FLETCHER  
150 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 013  
REVETTI MICHAEL & DEBRA  
146 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 014  
HAMBY STEVE EDWARD  
122 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 015  
HAMBY STEVE EDWARD  
122 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 341  
JOHN BROADWELL (LIFE ESTATE) & JOHN WESL  
145 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 340  
ALFORD THOMAS L  
163 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 339  
WARD BOBBIE J & JAMES WILLIAM  
169 DEPOT DRIVE  
DAWSONVILLE, GA 30534

20 SEP 11 11:54 AM



106 338  
TORRES SAMUEL B & RAQUEL ZAVALA  
187 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 045  
RIDLEY HARLEN  
P O BOX 731  
DAWSONVILLE, GA 30534

106 337  
FELLOWS JUSTIN & COLLEEN  
225 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 124  
RIDLEY HARLEN  
P O BOX 731  
DAWSONVILLE, GA 30534

106 362  
HOGUE MELANIE A  
235 DEPOT DR  
DAWSONVILLE, GA 30534

106 044  
ROGERS MARGARET M  
2258 DAWSON FOREST RD  
DAWSONVILLE, GA 30534

106 297  
COUNTRY CROSSINGS REC ASSOC INC  
86 HUCKLEBERRY FORD  
DAWSONVILLE, GA 30534

106 053 034  
MONSERRATE JUAN R & HELEN  
6185 HAWKES BLUFF AVENUE  
DAVIE, FL 33331

106 118  
BELDEN KEVIN D & SARAH K  
455 MAYAPPLE GLEN  
DAWSONVILLE, GA 30534

106 199  
HINTON LAUREN C & ANDREW THOMAS  
488 MAYAPPLE GLENN  
DAWSONVILLE, GA 30534

106 206  
NONNEMACHER HOLLOWAY L & DERRICK F  
556 MAYAPPLE GLEN  
DAWSONVILLE, GA 30534

106 046  
JONES BOYD & LINDA RUTH  
2334 DAWSON FOREST RD  
DAWSONVILLE, GA 30534

20 SEP 11 11:54 AM

not applicable

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: \_\_\_\_\_

Applicant Printed Name: \_\_\_\_\_

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

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

Sworn and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

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

{  
Notary Public Seal  
}

20 SEP 11 11:54 AM

Not applicable

**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:

\_\_\_\_\_ no contributions have been 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 \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ Date: \_\_\_\_\_

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

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

Signature of Applicant/Representative of Applicant:

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

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

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

20 SEP 11 11:54 AM

**PROPERTY OWNER AUTHORIZATION**

I/we, JAMES D. KINGSEY PRESIDENT MARATHON DEVELOPMENT, INC., hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

106 053

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: THE PACIFIC GROUP KEVIN SEIFERT

Signature of applicant or agent: [Signature] Date: 9.10.20

\*\*\*\*\*

Printed Name of Owner(s): MARATHON DEVELOPMENT INC.

Signature of Owner(s): [Signature] President Date: 9.10.20

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

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

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

Sworn and subscribed before me this 10 day of September, 2020.

[Signature]  
Notary Public

My Commission Expires: 12.6.21



LORI KINGERY  
NOTARY PUBLIC  
Paulding County, Georgia  
My Commission Expires  
December 6, 2021



{Notary Seal}

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

20 SEP 11 11:54 AM

**PROPERTY OWNER AUTHORIZATION**

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

Parcel 106 052 236 DAWSON FOREST RD EST DAWSONVILLE, GA 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: Kevin Seifert

Signature of applicant or agent: \_\_\_\_\_ Date: 9/10/2020

\*\*\*\*\*

Printed Name of Owner(s): \_\_\_\_\_

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

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

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

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

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

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

{Notary Seal}

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

20 SEP 11 15 AM



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

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

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

20 SEP 11 55 AM



**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 |
|----------------|--|-----------------|---|---------------|-----------------|---------------------|
| 2019 - 14908   | 106 052 / 1<br>LL 366 LD 13-S<br>FMV: 291650 | \$304.64        | \$0.00<br><br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$304.64        | \$0.00              |
| <b>Totals:</b> |  | <b>\$304.64</b> | <b>\$0.00</b>                           | <b>\$0.00</b> | <b>\$304.64</b> | <b>\$0.00</b>       |

**Paid Date:** 12/2/2019

**Charge Amount:** \$304.64

WILDEBOER GARY R

DAWSONVILLE, GA 30534



Scan this code with your mobile phone to view this bill

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**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 |
|----------------|---|-----------------|-------------------------------------|---------------|-----------------|---------------------|
| 2019 - 8819    | 106 053 / 1<br>LL 289 306-08 350-51 LD 13-SOUTH<br>FMV: 1030500 | \$453.80        | \$0.00<br>Fees:<br>\$0.00<br>\$0.00 | \$0.00        | \$453.80        | \$0.00              |
| <b>Totals:</b> |   | <b>\$453.80</b> | <b>\$0.00</b>                       | <b>\$0.00</b> | <b>\$453.80</b> | <b>\$0.00</b>       |

**Paid Date: 12/2/2019**

**Charge Amount: \$453.80**

MARATHON DEVELOPMENT INC

DAWSONVILLE, GA 30534



Scan this code with your mobile phone to view this bill

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**PACIFIC GROUP**

**The Pacific Group, Inc.**  
5755 Dupree Drive, Suite 130  
Atlanta, Georgia 30327  
Tel: (770) 984-8170  
Fax: (770) 984-8171

September 10, 2020

Jameson Kinley  
Director  
Harmony Gee  
Zoning Administrator  
Dawson County Planning and Development  
25 Justice Way  
Suite 2322  
Dawsonville, GA 30534

RE: Letter of Intent for Proposed Rezoning of Parcel 106 052 and 106 053 from RS and RS-3

Mr. Kinley and Ms. Gee:

We write to you as a request the rezoning of parcels 106 052 and 106 053 from RS to RS-3. As you will see throughout this letter of intent and development plan, our goal is to work with all our neighbors in addition to working with the County itself. If our application is accepted by the September 11, 2020 deadline, we will plan to send out letters to our neighbors that we have not yet coordinated with and invite them to a virtual zoom meeting to discuss our proposed plan. We will have the ability to meet individuals in person if they are comfortable to do so. We will have this zoom meeting prior to the scheduled Planning Commission hearing that we will be scheduled for.

Currently, the 2018 Comprehensive Plan identifies this parcel in a Suburban Residential land use category. Due to availability of water and sewer (both of which are on-site) and due to the fact that this land use type specifies in its summary statement that guidelines are provided to encourage pedestrian-friendly neighborhoods and adequate open space in such communities, we believe the property is well positioned for an RS-3 zoning. The use of the Conservation Subdivision, Article X., will maximize the open space in our proposed development.

At the time of the adoption of the 2018 Comprehensive Plan there was not an RS-3 zoning district, therefore the current comprehensive plan can't include this district. The adopted amendment to the Lane Use Resolution on December 19, 2019 created the RS-3 zoning district. To put it simply, we believe the RS-3 category is applicable within the Suburban Residential land use category on its own merits. However, we have a much more compelling motivation to approve this rezoning request. We are proposing to establish an emergency only entrance/exit to the north on Huckleberry Ford, thus removing the ability for any future homeowners living on these 70.15 acres from ever using access through County Crossings to Grizzle Road. As currently zoned, the 61.15 acres on Parcel 106 053 could permit 61 home sites and be developed in a Conservation design (of which the option is available is all single-family residential districts as a use by right). Thus, the same size lots could be developed and homes could be built with ZERO conditions of zoning and all 60 lots have their only access through Country Crossings to Grizzle Rd. This would also add sixty (60) homeowners who could use the existing

amenities of Country Crossings. Should the County find our rezoning request worthy of approval, we are committing to conditions of zoning that would

1. NOT allow any traffic through Country Crossings
2. Guarantee no additional homes would have access to the amenities of Country Crossings, including but not limited to the pool and the tennis courts, and
3. Provide minimum architectural conditions similar to those in The Woods at Dawson

We wish to present our proposed plan to request the rezoning of the combined 68.5 acres to RS-3 with the following conditions of zoning:

1. Total lot count shall not exceed 183 lots
2. This shall be a Conservation design and shall abide by Article X of the Land Use Ordinance
3. There shall be a minimum 100' undisturbed buffer to all properties to the north, west, and south of the community as shown on Exhibit C, the Zoning Site Plan. Only adjacency to The Woods at Dawson will not require the minimum 100' undisturbed buffer
4. Carriage style garage doors with decorative hardware or other embellishments shall be used on all homes and each home shall have not less than a two-car garage;
5. The roofing material used on all homes shall be cedar shake, 3-tab architectural/dimensional style asphalt shingles or metal as appropriate to the architectural style of each home as determined by the builder;
6. All overhangs including gables and side gables will have a minimum of a 12-inch overhang on all sides;
7. The developer shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, and other similar techniques so that no house is the same as any house directly in front or on either adjacent side of it;
8. All roofs and gables shall be of a pitch no less than 8/12. This condition shall not apply to dormers, porches, bay windows, and third floor retreats;
9. All homes shall have a minimum of two 12-inch house and foundation offsets in the front;
10. Poured concrete retaining walls visible from the right of way must be painted or faced with stone or brick. No wooden retaining walls over 3-feet in height shall be permitted;
11. The exterior materials for all homes shall consist of brick, stone, cement-based lap siding, cement-based siding panels, cedar and/or shake;
12. The front facade of all homes shall have a minimum of forty-five (45%) brick, stone and/or shake with accents, such as, but not limited to, hardi-plank lap siding;
13. Homes shall have a minimum heated floor area of 1,200 square feet for one (1) story, and 1,600 square feet heated floor space for two (2) story type homes;
14. All roof vents, pipes, and other roof equipment (except chimneys) shall be located on the rear elevations and shall be painted to match the color of the roof;
15. No above-ground swimming pools shall be permitted;
16. No window air conditioning unit may be installed
17. Developer shall allow Georgia Native Plant Society to rescue any native plants prior to grading the property

We have carefully thought through the nature of the original zoning and have attempted to limit our request as much as possible. We are NOT asking for any variances. We are asking to help improve the future of Country Crossings while providing a reasonable economic use for these 70.15 acres that seems to fit the intention of the 2018 Comprehensive Plan that was drafted prior to the creation of the RS-3 zoning district that we are seeking.

To further elaborate on our plan, we have enclosed our Development plan as required by the Land Use Resolution, Chapter 21 of the Code of Ordinances.

Thank you for your time and consideration of this request to amend conditions. Please let us know if there are any other questions we can help answer.

Thanks so much,



Kevin Seifert  
The Pacific Group

[DEVELOPMENT PLAN ON FOLLOWING SHEETS]

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## Development Plan

The proposed community is designed around the fact that there will be only emergency access through Country Crossings via Huckleberry Ford. In order to accomplish this, the currently planned gated entry/exit coming from The Woods at Dawson will be rotated 90 degrees counterclockwise and permanently positioned across Huckleberry Ford. This will stop ALL traffic, other than emergency access, from either The Woods at Dawson or this proposed Oaks at Dawson from accessing Huckleberry Ford and thus will eliminate the potential of any additional traffic through County Crossings. As indicated above, this will also eliminate any new members to the Country Crossings HOA, which will avoid any crowding of the pool and tennis courts and any other common areas of Country Crossings.

Additionally, we are proposing similar architectural requirements in conditions of zoning so that the same quality architecture will be built as in The Woods at Dawson. This is yet another benefit to all in the County, as opposed to the current zoning which would allow construction of 61 homes with ZERO architectural conditions, of which all traffic would go through Country Crossings and all of which would have access to the Country Crossings' amenities, including but not limited, the pool and tennis courts.

The following pages will provide additional exhibits and/or information as follows:

- Exhibit A: General location map
- Exhibit B: Existing topography map
- Exhibit C: Zoning Site plan
- Exhibit D: Residential Home Elevations
- Exhibit E: Legal description
- Exhibit F: Boundary survey
- Exhibit G: Traffic study

Exhibit A

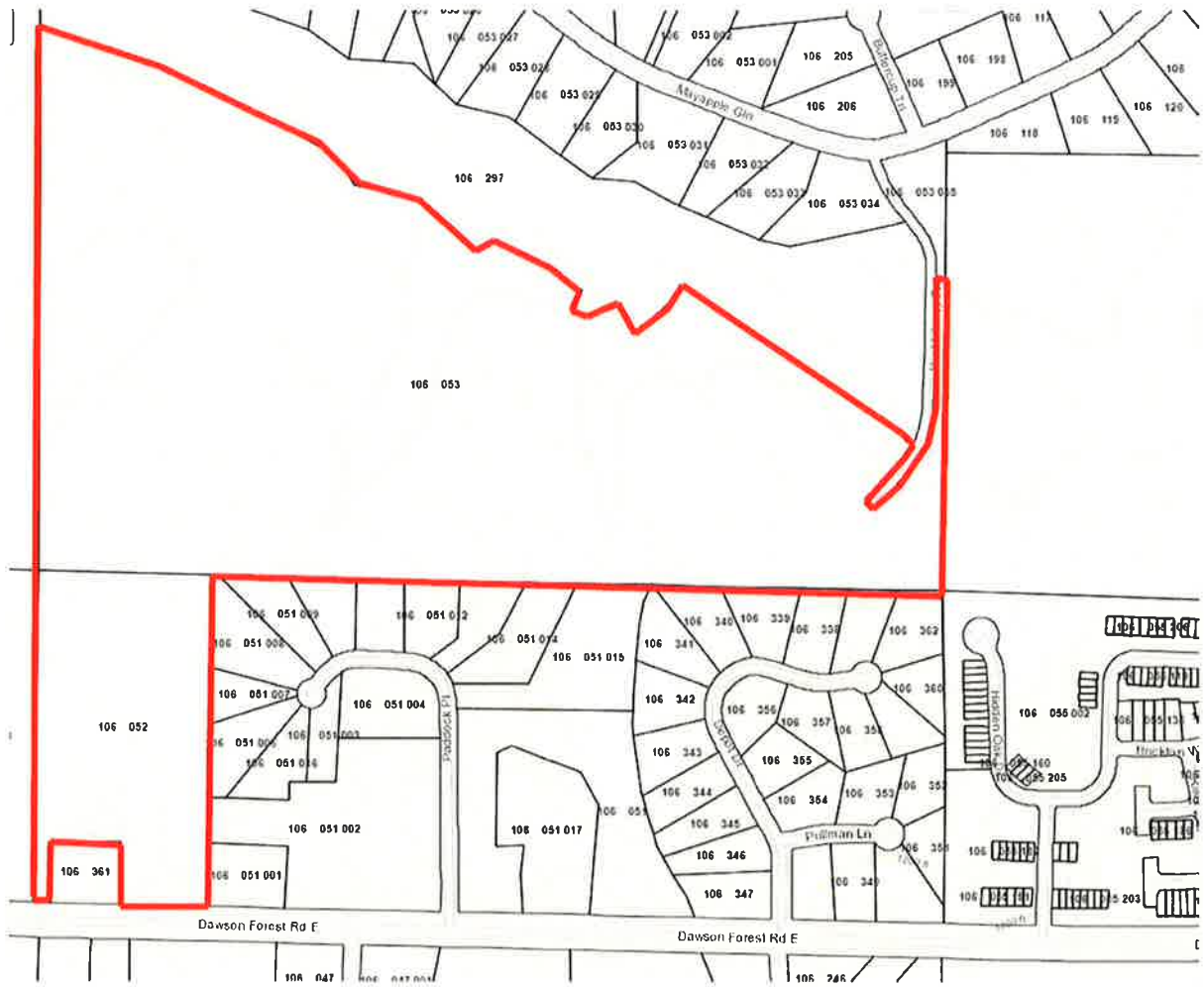
Location Map



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Exhibit B

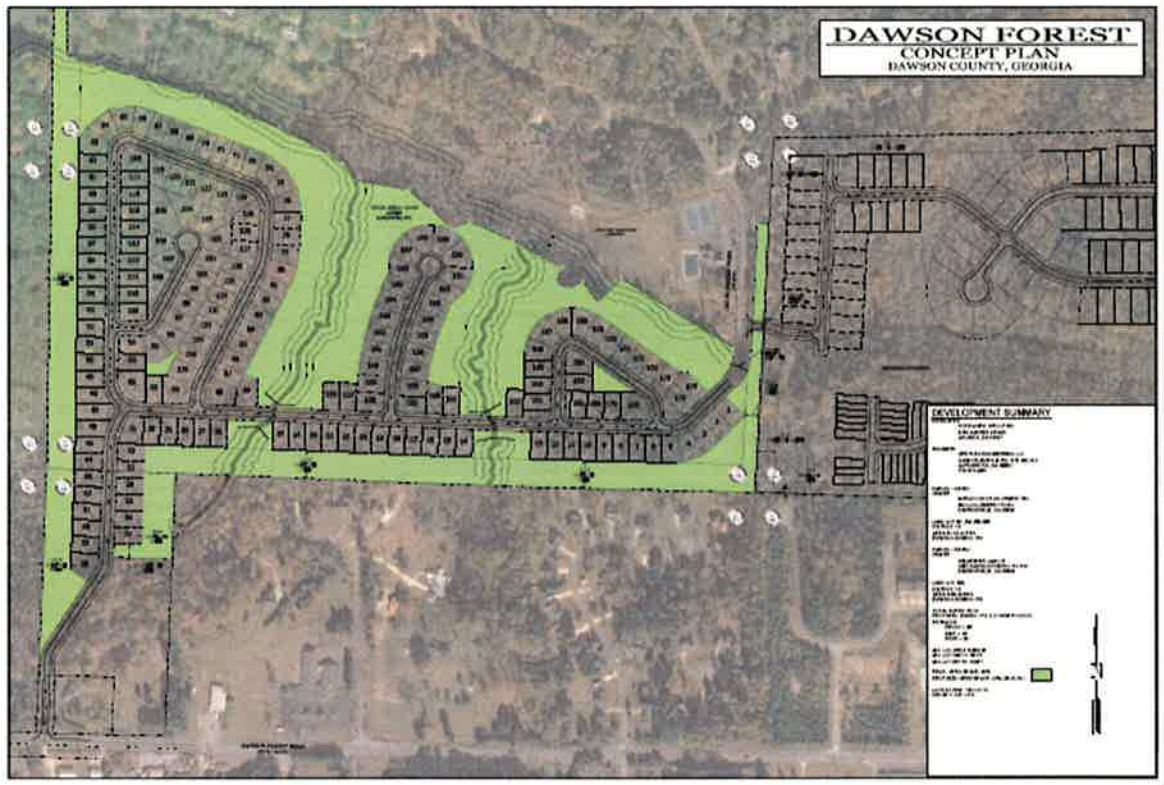
Existing Topography Map



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# Exhibit C

## Zoning Site Plan

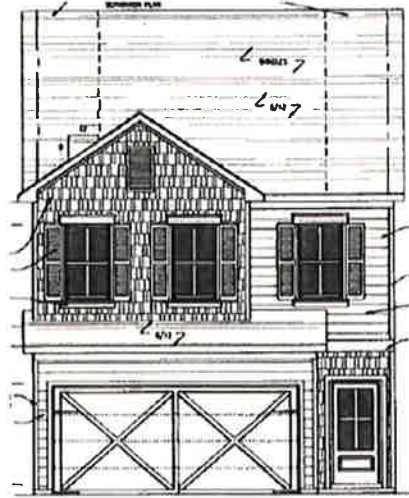
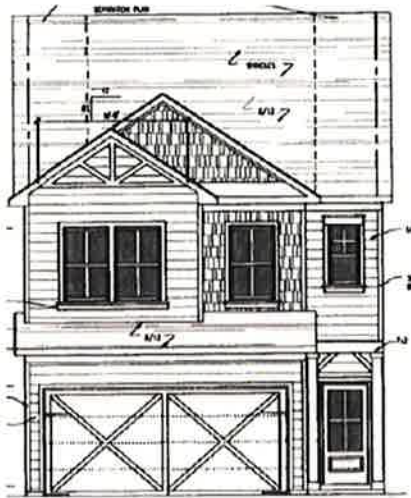


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Exhibit D

Residential Home Elevations



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## Exhibit E

### Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 289, 306, 307, 308, 350 and 351 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia, and being 215.52 acres as shown on a plat for Fricks, Kinsey, Powell and Wheelchel, dated July 21, 1985, as surveyed by David W. Bealle, Registered Surveyor, which plat is recorded in Plat Book 14, page 115 of the Dawson County, Georgia records and incorporated herein by reference for a more complete description thereof.

LESS AND EXCEPT property contained in that certain Warranty Deed between Marathon Development, Inc. and Country Crossings Recreation Association, Inc., dated November 29, 1994, recorded in Deed Book 192, page 547, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT property contained in that certain Limited Warranty Deed between Marathon Development, Inc. and Country Crossings Recreation Association, Inc., dated as of December 23, 2009, recorded in Deed Book 936, page 370, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 289, 307 and 308 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way according to a Final Plat of Country Crossings Subdivision Unit One, recorded in Plat Book 17, pages 91, 93 and 95 and Plat Book 27, page 141, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 306, 307, 308 and 350 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way according to a Final Plat of Country Crossings Subdivision Unit Two, recorded in Plat Book 26, pages 59, 61 and 63, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 289 and 308 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way according to a Final Plat of Country Crossings Subdivision Unit Three, recorded in Plat Book 27, page 85 and Plat Book 27, page 135, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 306, 307 and 350 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way and access easement according to a Final Plat of Country Crossings Subdivision Unit Four, recorded in Plat Book 44, pages 9, 11, 13, 15 and 17, and Plat Book 60, pages 189, 191, 193, 195 and 197, Dawson County, Georgia records.

ALONG WITH

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All that tract or parcel of land, together with all improvements thereon, lying and being in the South half of the 13th District and 1st Section of Dawson County, Georgia, in Land Lot No. 366 as shown by survey of property prepared by Farley-Collins and Associates, Registered Surveyors, dated February 10, 1965, and recorded in Plat Book 1, Page 193 of the Dawson County Records, and as more fully shown on survey of the property of Ralph Wildeboer prepared by S.R. Freeman, Registered Surveyor, dated July, 1974, and being more fully described in accordance with said surveys as follows:

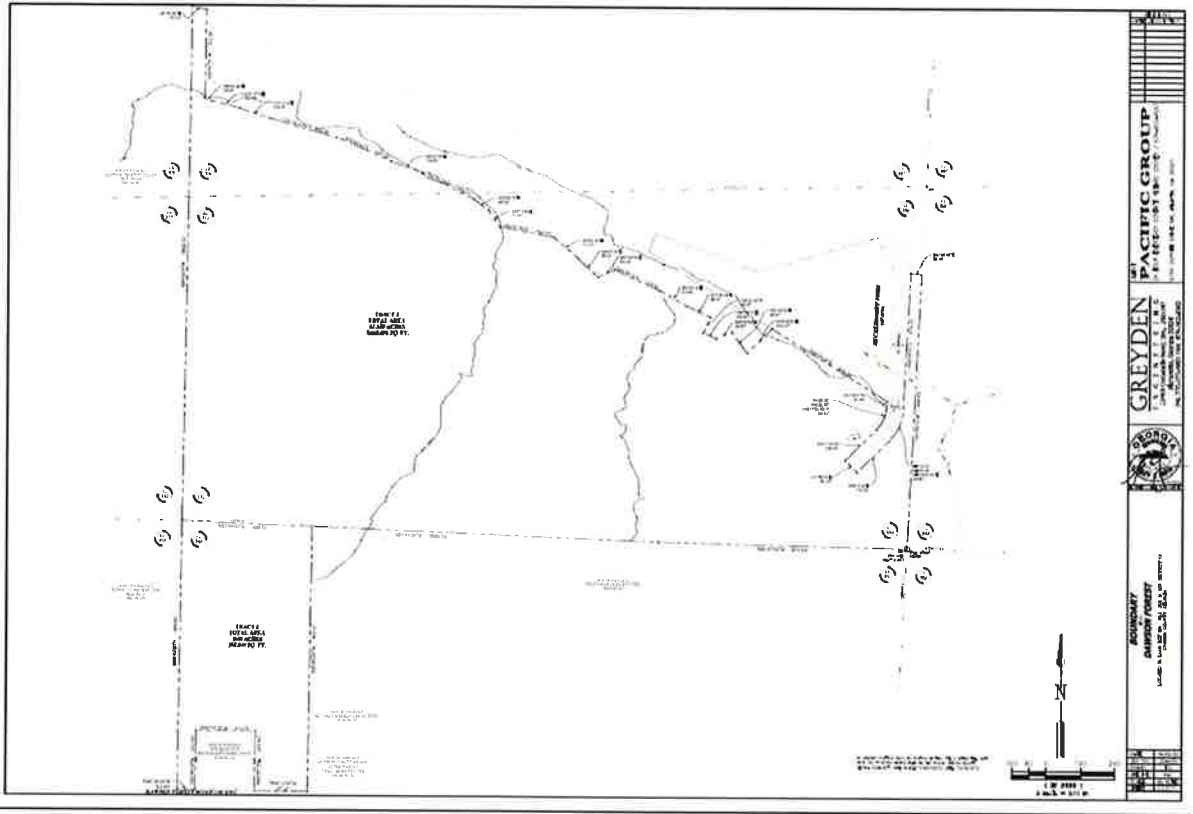
**BEGINNING** at an iron pin corner located on the Northerly right-of-way of State Highway No. 318, which point is 1.2 miles Westerly from the intersection of State Highway 318 with State Highway 9E; thence from said beginning point North 89 degrees 48 minutes West along the Northerly right-of-way of State Highway No. 318 a distance of 460 feet to the west original line of said Land Lot; thence North 0 degrees 45 minutes East along the west original line of said land lot which is the line dividing Land Lots 365 and 366 a distance of 954 feet to an iron pin corner located at the corners of Land Lots 365, 366, 351, and 352; thence South 89 degrees 15 minutes East along the North original line of said Land Lot 366 a distance of 460 feet to an iron pin corner; thence South 0 degrees 45 minutes West 954 feet to the beginning corner, and being the same property described and conveyed in a warranty deed from John B. Carter to Ralph Wildeboer dated April 29, 1971, recorded in Deed Book 15, Page 22, Dawson County, Georgia Deed Records.

**LESS AND EXCEPT:** 1.000 acre conveyed to Marian E. Wildeboer by warranty deed dated August 22, 1995, and recorded in Deed Book 203, Page 648, Dawson County, Georgia Deed Records.

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Exhibit F

Boundary Survey



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**Exhibit G**

**Traffic Study**

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**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Kevin Seifert/ The Pacific Group, Inc

**Amendment #** .....ZA 20-18

**Request**.....Rezone Property from RS (Residential Suburban) to RS-3 (Residential Suburban)

**Proposed Use** .....Single family residential

**Current Zoning** .....RS (Residential Suburban)

**Size**.....70± acres

**Location** .....Dawson Forest

**Tax Parcel** .....106-053, 106-052

**Planning Commission Date** .....October 20, 2020

**Board of Commission Date**.....November 19, 2020

**Applicant Proposal**

The applicant is seeking to rezone the property from RS (Residential Suburban) to RS-3 (Residential Sub-urban) for the purpose of continuing “The Oaks” development that was previous approved by Dawson County.

**History and Existing Land Uses**

Parcel 106-053 was rezoning 5/14/1996 under ZA96-05 Marathon Development as a part of the Country Crossing development to the north off of Grizzle Road.

| <b>Adjacent Land Uses</b> | <b>Existing zoning</b> | <b>Existing Use</b> |
|---------------------------|------------------------|---------------------|
| North                     | RS                     | Residential         |
| South                     | VCR                    | Residential         |
| East                      | CPCD/RMF               | Residential         |
| West                      | RS                     | Residential         |

## **Development Support and Constraints**

The extension of water and sewer.

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Suburban Residential, which RS-3 is a potential subset of.

## **Public Facilities/Impacts**

**Engineering Department** – Asphalt is in optimal condition. FDR in 2017, good vertical and horizontal alignment based on concept provided. Moderate to high traffic flow, no improvements planned by Dawson County at this time. Public Works requests a traffic impact study to be submitted for review prior to plan approval for construction.

**Environmental Health Department** – No comments returned.

**Emergency Services** – Development will cause increased County population, resulting in a proportionate increase in calls for service to Emergency Services and further tasking existing response capability. Second apparatus access via Huckleberry Ford shall meet stipulations of 2018 IFC appendix D.

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

**Dawson County Sheriff's Office** – No comments returned.

**Board of Education** – No facility additions would be necessary

## **Analysis**

- RS-3 is a newly added classification in order to allow a higher density classification the one unit per acre for single family residential developments. Along 400 and down Dawson Forest is where we expect to see this growth.

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

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

The majority of all surrounding classifications are some type of residential. There are two commercial properties with less insensitive Commercial Crossroads Business zoning classifications.

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

There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The property is suitable for the purposed land use classification and would be considered a subset of the Future Land Use Map designation.

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

The property is vacant. It was originally designated to be an extension of Country Crossings. The application has it apart of The Oaks which is the neighboring property to the east. The Oaks is currently in the land disturbance phase.

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

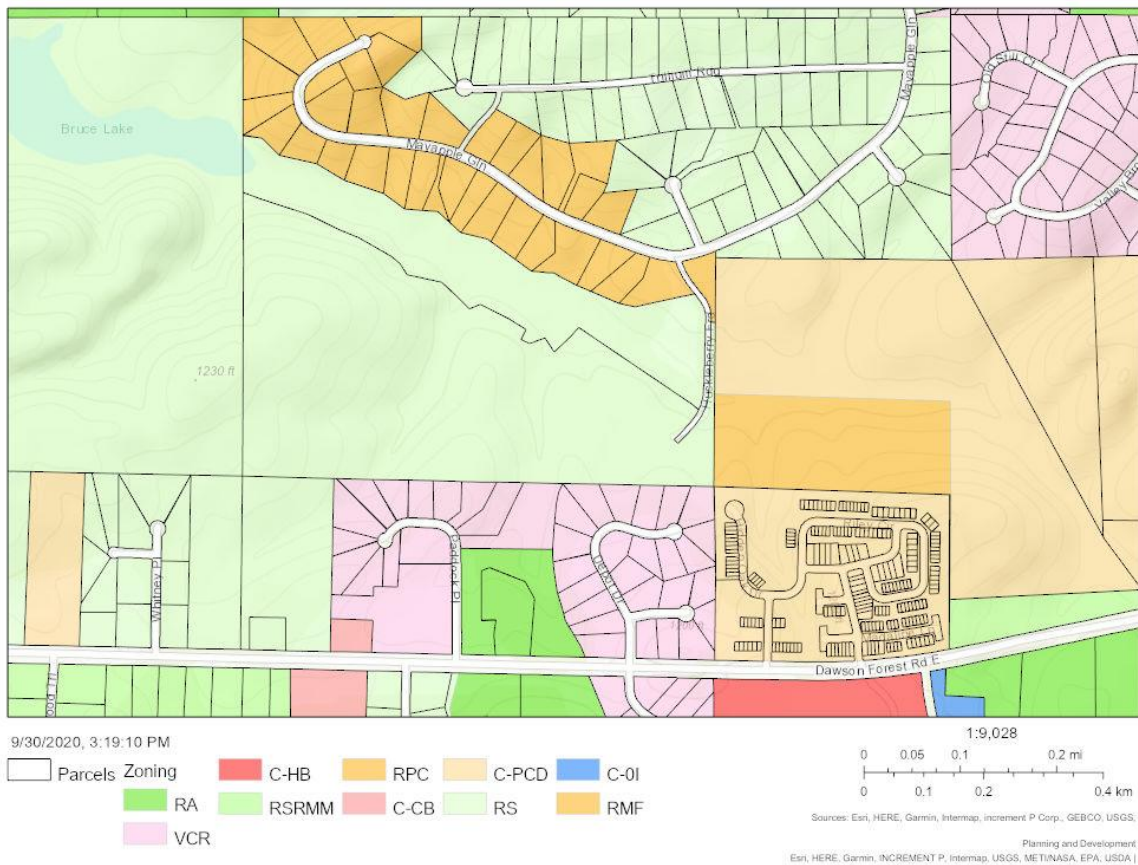
The current zoning would not allow for what the applicant is trying to accomplish.





Current Zoning Map:

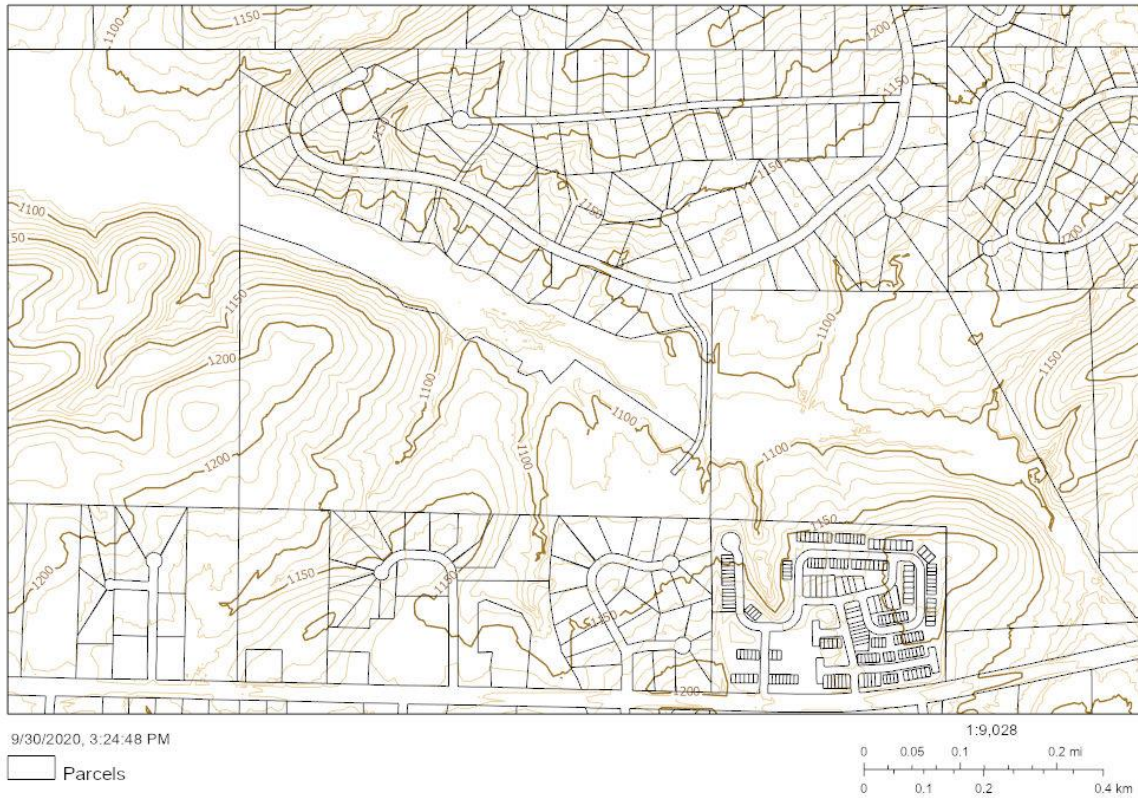
Dawson County Current Zoning





Topography:

Topo Map



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

Aerial:

