

DAWSON COUNTY PLANNING COMMISSION
MEETING Agenda – Tuesday, November 15, 2022
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE GEORGIA 30534
6:00 PM

A. MEETING CALLED TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ANNOUNCEMENTS:

F. APPROVAL OF MINUTES:

October 18, 2022

G. APPROVAL OF THE AGENDA

H. STATEMENT OF DISCLOSURE:

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

I. NEW BUSINESS:

Application for Rezoning:

1. Presentation of ZA 22-23 & VR 22-24 Jim King 400 Business Park
2. Presentation of ZA 22-24 & VR 22-26 Jim King Kilough Tract
3. Presentation of ZA 22-25 & VR 22-27 Perry Betterton
4. Presentation of ZA 22-27 Miles, Hansford & Tallant obo Darsit Patel

2023 Submittal Deadlines and Planning Commission Meeting Dates:

5. Presentation of Rezoning and Variance Submittal Deadlines for 2023

J. UPDATES BY PLANNING & DEVELOPMENT:

K. 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



ZA 22-23 & VR 22-24

GEORGIA 400 Business Park

Planning Commission Meeting October 18, 2022

Board of Commission Hearing November 17, 2022

Applicant Proposal

The applicant is seeking to rezone 32.1 acres of property located along Georgia Highway 400 and Stowers Road from C-HB (Commercial Highway Business) and RSR (Residential Sub-Rural) to C-IR (Commercial Industrial Restricted) for the purpose of developing industrial warehouse space, manufacturing space and office uses. The applicant is also seeking a reduction of the front building setback along Georgia 400 to accommodate the proposed structures and a reduction of the number of parking requirements.

Applicant	Jim King obo Deer Run Partners, LLC & Crownway Properties, LLC
Amendment #	ZA 22-23 & VR 22-24
Request	Rezone Property from C-HB and RSR to C-IR Vary from Land Use Resolution Article IV, Section 400.A; and Article VI 607.I.A
Proposed Use	Develop an industrial warehouse/office park.
Current Zoning	C-HB & RSR
Future Land Use	C-IR
Acreage	32.1
Location	Georgia Hwy 400 and Stowers Road
Commercial Square footage	300,000+ square feet
Road Classification	Arterial State Highway
Tax Parcel	111-116
Dawson Trail Segment	n/a
Commission District	3
DRI	Yes, #3819
Planning Commission Recommendation	

Direction	Zoning	Existing Use
North	RSR	Residential
South	C-IR	Vacant
East	RSR	Residential
West	RSR	Residential/Vacant

According to the Comprehensive Plan and accompanying Future Land Use Plan, the subject property is identified as Commercial Light Industrial. Industrial districts are established where some light industrial operations such as warehousing and low intensity manufacturing can occur without objectionable impacts such as noise, vibration, smoke, dust, gas, fumes, odors, and radiation and that do not create fire or explosion hazards or other objectionable conditions. They are to be located in areas with close proximity to arterial highways and/or adjacent access roads, with particular attention paid to traffic patterns and schedules for any heavy freight vehicles. Where possible, these uses should include compatible passive use greenspaces and possible pedestrian connections to adjacent development if appropriate.

The desired development pattern should seek to:

- Locate employment centers in areas with ample sewer capacity, with direct access to major arterials
- Provide suitable transitions to surrounding residential uses
- Locate employment centers on land that has good access to GA 400 and other high-capacity highways, utilities and infrastructure
- Create a network of interconnected streets and parking lots
- Incorporate sidewalks, crosswalks and bike paths as appropriate
- Require dedicated right-of-way
- Limit driveway spacing along the highway frontage and align driveways where needed to improve traffic flow
- Encourage shared driveways and inter-parcel access for adjacent commercial uses
- Encourage shared parking lots between uses
- Ensure environmental protection

Land Uses : Light Industrial / Warehousing / Research & Development Centers

County Agency Comments:

Engineering Department: See Traffic Study review.

Environmental Health Department: No comments as of 11.9.2022

Emergency Services: No comments as of 11.9.2022

Etowah Water & Sewer Authority:

Water is available at Stowers Road for domestic use.

Upgrades and extensions will be required-designed and installed per EWSA specs and funded by the developer/owner.

Upgrades and extensions will be required for sewer service designed and installed per EWSA specs and funded by the developer/owner”

Planning and Development:

The northern portion of the Georgia 400 corridor is transitioning to a suburban character; however, it is a primary corridor for the North Georgia mountains. Development design within this area of Dawson County should endeavor to retain a scenic character through landscaping and architecture. Development of commercial industrial uses, should be compatible with the visual quality of this portion of the corridor.

Staff is supportive of the Industrial flex space/warehouse/ office uses; however not the establishment of an open storage facility.

After reviewing all relevant information, should the Planning Commission recommend approval of this rezoning request, staff recommends the stipulations:

Permitted Commercial Land Uses.

1. Professional, Scientific, and Technical Services
2. Warehouse flex space
3. Office Space
4. Medical Manufacturing
5. Warehouse and Storage

Prohibited Uses.

1. Superstores
2. Cement Manufacturing
3. Food Manufacturing
4. Tobacco Product Manufacturing
5. Leather and Allied Product Manufacturing
6. Paper Manufacturing
7. Petroleum and Coal Products Manufacturing
8. Storage of hazardous materials
9. Automobile Sales or storage
10. Home Centers
11. Gasoline Stations
12. Warehouse Clubs
13. Fast Food / Drive-Ins

Variances.

If the Board finds that there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property; staff offers the following:

1. The setback variance(Sec. 121-164) , if granted, shall be limited to the portion of the structure as described in the application and not be extend beyond the minimum necessary for that single structure.
2. The parking ratio variance,(Sec.121-170) mixed-use projects have a large variability in parking demand. At the expense of the applicant a parking generation should be submitted to validate the parking demand prior to or concurrently with the land development permit application. The parking generation study shall be performed by an engineering firm. Staff is supportive of less impervious surface providing flexibility in design (stormwater area and undisturbed acreage).

Development Standards.

1. There shall be no less than a 75' undisturbed buffer, plus an additional 25' setback from the tributary to the Etowah River.
2. Constrained (unbuildable) lands shall be placed in open space; constrained land includes the following categories:
 - (a) Slopes over 45 percent of at least 7500 square feet contiguous area.
 - (b) The 100-year floodplain.
 - (c) Area of land in stream buffers as required by federal, state or local zoning stipulations.
3. Grading for storm water detention ponds shall not encroach into any buffer.
4. Poured concreted retaining walls visible from public right-of-way must be faced with stone or brick.
5. Land leveling and grading activity cannot commence without an approved associated land development plan. Sculpting an area of land, i.e., pad grading, without approved plans for a specific project is prohibited.
6. The developer shall employ a third-party erosion control monitoring firm for the project. The firm shall be responsible for inspection of construction sites and implementation of Stormwater and Erosion Control Ordinances. The firm shall provide weekly reports on all active permits to Dawson County.

Transportation.

1. The site plan is conceptual in regards to the implementation of entry and exit points (i.e., driveways, entrances or exits,) along roadways. The exact locations of project entry and exit points must be determined by the Georgia Department of Transportation and the County Engineer or designee.
2. Only a single driveway shall be permitted on Stowers Road close to SR 400; the developer shall be responsible for all improvements and mitigation measures for the section of Stowers Road between a single driveway and SR 400 as necessary.
3. Owner/Developer shall dedicate right-of-way to accommodate required new deceleration lanes to improve the section of Stowers Road as determined by the Department of Engineering, or designee, prior to approval of any land disturbance permit.
4. The internal roadway connections shall be designed to require truck traffic to use the right in/right-out driveway on State Road 400.

Landscaping.

1. There shall be a minimum 30-foot-wide buffer (natural undisturbed, planted, or both) . The buffer shall provide a visual screen for at least 60 percent of the length of the property frontage.

2. All landscape design required in this resolution or the land use resolution shall incorporate a minimum of forty percent (40%) evergreen plantings (trees, shrubs, and groundcovers). All plant material must be Georgia native.
3. Landscape plans depicting plant materials to be used to mitigate development impacts along the northern and southern project boundary shall be submitted at the time of application for development permits. The plans shall include the required buffers necessary for screening.
4. Buffers in which vegetation is nonexistent or is inadequate to meet the screening requirements of this resolution shall be planted with supplemental plantings so as to provide an effective visual screen.
5. Supplemental plantings shall consist of evergreen trees, shrubs, or a combination thereof native to the region. All trees planted shall be a minimum of six feet in height at the time of planting and shall be a species that will achieve a minimum height of 20 feet at maturity.

Photo of the Property:



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

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

- See DNR correspondence regarding environmental impact.

Engineering Services
Dawson County

Case #: ZA 22-23 7 VR 22-24

Owner: Dee Run Partners, LLC & Crownway Properties, LLC

Applicant: Jim King

Subject Property(s): Ga Hwy 400 S. & Stowers Rd, PID: 111 116, LL 42 LD 13-S

Present Zoning: RA & C-HB

Proposed Zoning: C-IR

TRAFFIC ISSUES:

County road(s) providing access: Stowers Road

Nearest major thoroughfare: Ga Hwy 400 S

Width of road at property: 20 ft. pavt. @ 80 ft row Distance to major thoroughfare: Approx. 0.17 mi

Description of access road(s): Paved to gravel road

1. Is the proposed access to the development adequate? Yes (Access off of Ga. Hwy 400 also appears to be planned)
2. What is the current condition of this road? (traffic flow, geometry, etc.). Road appears to be in good condition fronting subject property. Traffic volume appears to be low.
3. If current conditions are inadequate, please answer the following:
 - a. Are improvements planned? (see Traffic improvement plan) Yes (Property is currently undeveloped)
 - b. Estimated time frame? Construction & Development Schedule October 2022 – April 2026
 - c. Estimated cost? Unknown
4. Will these improvements create a safe condition for the proposed development? Will need to see construction plans
If not, what additional improvements will be required? (i.e., traffic light study, additional right-of-way, etc.)
Unknown at this time

ADDITIONAL REMARKS: No additional remarks at this time

WATERSHED/EROSION ISSUES:

Is the property in a floodplain or wetland? Unknown

In what watershed is the project located? Coosa-North Georgia Watershed

What streams are likely to be affected? Is it a trout stream? Unknown

Any additional remarks? No additional remarks at this time

Signature of personnel completing form: *Jeffery L. Hahn*

Public Works Director



Memorandum

To: Sharon Farrell, Dawson County Planning & Development
From: Abdul Amer, PE, PTOE, A&R Engineering, Inc.
Date: October 11th, 2022
Subject: GA 400 Business Park Traffic Study Evaluation | A&R 22-205

The purpose of this memorandum is to provide a professional evaluation of the traffic impact study that was completed for the GA 400 Business Park development by KCI Technologies Inc., dated September 2022. After reviewing the study, I agree with the methodology of data collection, growth rate, trip generation and traffic operations analysis. The results of the existing, no build and build traffic operations as reported in the study have been completed per industry standards. I do not have comments on the study methodology or results. However, I do have some comments regarding the condition of Stowers Road and the intersection of SR 400 and Stowers Road.

The development proposes one right-in/right-out driveway on SR 400 and three full access driveways on Stowers Road. It appears that Stowers Road is a narrow residential roadway that is approximately 18 to 19 feet in width. Since the proposed development includes 319,100 sq ft of manufacturing, flex space and self-storage space, it is expected that there will be truck traffic associated with the development. I am concerned about the ability of the pavement width and cross section of Stowers Road to handle potential truck traffic from the proposed development. The road condition should be further studied to determine if any improvements are required to this section of Stowers Road. To minimize impact of truck traffic on Stowers Road, I recommend consideration of the following:

1. Reduction in number of driveways on Stowers Road to one driveway at a location closer to SR 400
2. Improve internal roadway connections on site to encourage the use of the right-in/right-out driveway on SR 400, especially by trucks
3. Improve the section of Stowers Road between the driveway and SR 400 as necessary

The intersection of SR 400 and Stowers Road is currently at an acute angle with a small radius return for traffic turning right from Stowers Road onto southbound SR 400. With increase in

traffic, including truck traffic, on Stowers Road, the right turn movement can be difficult given the acute angle and high speeds (>55 mph) on SR 400.



Figure 1: Intersection of Stowers Road and SR 400



Figure 2: Eastbound Approach (Stowers Road)

I understand that there may be limitations with right of way availability, grade challenges, and existing guardrail at the Stowers Road approach. If feasible, it is recommended that a channelized right turn lane with a larger radius return is provided on Stowers Road at this intersection.



MEMORANDUM

TO: Sharon Farrell, Director
Dawson County Planning and Development
Other Interested Parties

FROM: Adam Hazell, AICP, Planning Director 

DATE: October 24, 2022

SUBJECT: DRI Project Review, Dawson County

PROJECT: DRI-3819, Ga. 400 Business Park

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

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



DRI # 3819 – Ga 400 Business Park

STATEMENT OF FINDING

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

Summary of Staff Review

- The proposal calls for approximately 100,000 square feet of manufacturing space, 137,400 square feet of flex space, and 81,700 square feet of self-storage space.
- The development sits at the intersection of GA 400 and W. Stowers Rd., approximately 2.5 miles north of the GA 400 commercial power centers anchored by the North Georgia Premium Outlets. While much of the GA 400 corridor south of the intersection with SR 53 has seen development built or proposed, there has been some activity in the northern reaches, as well, including further north into Lumpkin County (where a new medical facility will be constructed). The subject property is within a suburbanizing portion of the county and has been targeted by local plans for comparably scaled (mostly residential) activity. An extension of wastewater utilities will be needed for the project, however the Etowah Water and Sewer Authority has the capacity to service the development. ***No regional concerns regarding utilities.***
- The overall proposal assumes approximately 39% impervious surface coverage, the rest being a combination of preserved greenspace, detention areas, and buffering. There is no indication of environmentally sensitive areas on the property, but there are some steep slopes and extensive land disturbance is expected. The County will need to be certain of erosion and sedimentation control measures during the construction process, and be mindful of flood mitigation for the resulting development. According to the application, the proposal “*Detention and water quality features will be constructed per GA Storm water Manual.*” ***Assuming compliance with all applicable federal, State and local regulations, there are no regional concerns regarding environmental protection.***
- The site is located along the south side of Stowers Road and to the west of GA 400. Access to the site is proposed at four driveways: three along Stowers Road, each with one entry lane and one exit lane, and one along GA 400 with a right-in/right-out driveway and a right-turn deceleration lane along GA 400. Traffic analyses provided with the



application project trip generation from the development to be approximately 1,264 vehicle trips per day, at least some of which would be freight vehicles. Peak hour traffic is projected to be about 137-175 vehicles per hour.

While the project is within a currently rural setting, the intersections along GA 400 like that for Stowers Rd. are expected to become nodes for increasing traffic flow: As GA 400 is an arterial highway along this corridor much of the roadway features a dividing median and limited curb cuts to maintain higher speed levels. This means almost all traffic exiting the development to travel northward on GA 400 would have to do so via the Stowers Rd. intersection. Given the prospect of increasing traffic along this portion of Stowers Rd., the GMRC recommends that the County and the developer review the potential for limiting left-turns for vehicles exiting the property onto Stowers Rd. to only one or two of the access points. (The County may wish to consult GDOT engineers for guidance.) This would mitigate the prospects of multiple vehicles trying to turn against traffic, particularly in such a short space that comes within 1,000' of the GA 400 intersection.

There are no regional concerns regarding traffic or transportation infrastructure, but the County is encouraged to review this development in conjunction with GDOT personnel and with thoughts about intersection improvements at the noted locations.

- **Note:** Comments from outside parties were received that raised concerns not identified by the GMRC staff. The County and the developer are encouraged to read through these comments and contact the commenting organization directly to address their concerns.



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

Outside Comments Received

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

- Georgia Dept. of Natural Resources



DEVELOPMENTS OF REGIONAL IMPACT

Comments Form

Project Name: **Ga. 400 Business Park**

Project I.D.: **DRI-3819**

Name of Commenting Organization: GA DNR, Wildlife Resources Division, Wildlife Conservation Section

Address: 2067 US 278

Social Circle, Georgia

30025

Contact Person: Brett Albanese, Assistant Chief

Telephone No.: 706-557-3223

Do you believe your jurisdiction will be affected by the proposed development? X Yes No

Please describe the effects (positive and/or negative) the proposed project could have on your jurisdiction:

The proposed development could negatively affect several species with state and federal protections. See attached letter.

Form Completed By: Brett Albanese

Title: Assistant Chief, WCS

Signature: _____

Date: _____

Mail Comments to: Adam Hazell
Planning Director
P. O. Box 1720
Gainesville, GA 30503

O: 770.538.2617
F: 770.538.2625
E-mail: ahazell@gmrc.ga.gov

Comments Due By: **October 11, 2022**

MARK WILLIAMS
COMMISSIONER

TED WILL
DIRECTOR

29 September 2022

Mr. Adam Hazell, Planning Director
Georgia Mountains Regional Commission
P.O. Box 1720
Gainesville, GA 30503

Dear Mr. Hazell,

Thank you for the opportunity to comment on DRI-3819, the Georgia 400 Business Park near Dawsonville. The project is located along an unnamed tributary to the Etowah River in the Upper Etowah watershed. The confluence with the Etowah is less than two stream miles downstream of the project site. The Etowah River is listed as a high priority watershed in the Georgia State Wildlife Action Plan due to the presence of many aquatic species with high conservation priority. Specifically, the federally endangered Amber and Etowah Darters, the federally threatened Cherokee Darter, the state endangered Frecklebelly Madtom (which has been proposed threatened under the federal Endangered Species Act), the state endangered Coosa Chub, and the state threatened Etowah Crayfish are known from the waterbodies immediately downstream of the proposed development.

The development will add a significant amount of impervious surface to a steeply sloped area, which increases surface runoff into streams. Potential impacts include sedimentation and chemical pollution, erosive flooding, and reduced groundwater recharge. In addition to standard best management practices, we recommend increasing minimum buffer widths on tributary streams to 50' and utilizing constructed wetland designs with native vegetation in stormwater management areas. Further, minimizing the amount of impervious surfaces or using alternative construction materials that allow for infiltration will reduce the impact of the proposed development.

Nearby records also indicate that the area may include suitable habitat for the federally threatened (proposed endangered) Northern Long-eared Bat and the proposed federally endangered tri-colored bat, in addition to a number of other state listed plants and animals ([Georgia Biodiversity Portal, 2022](https://gadnr.org/BatSurveyGuidance)). We recommend completing surveys for bats to determine if any roost trees are present on site. Survey recommendations can be found on our website at <https://gadnr.org/BatSurveyGuidance>

Thank you for considering our comments. Please don't hesitate to contact us for additional information or technical support.

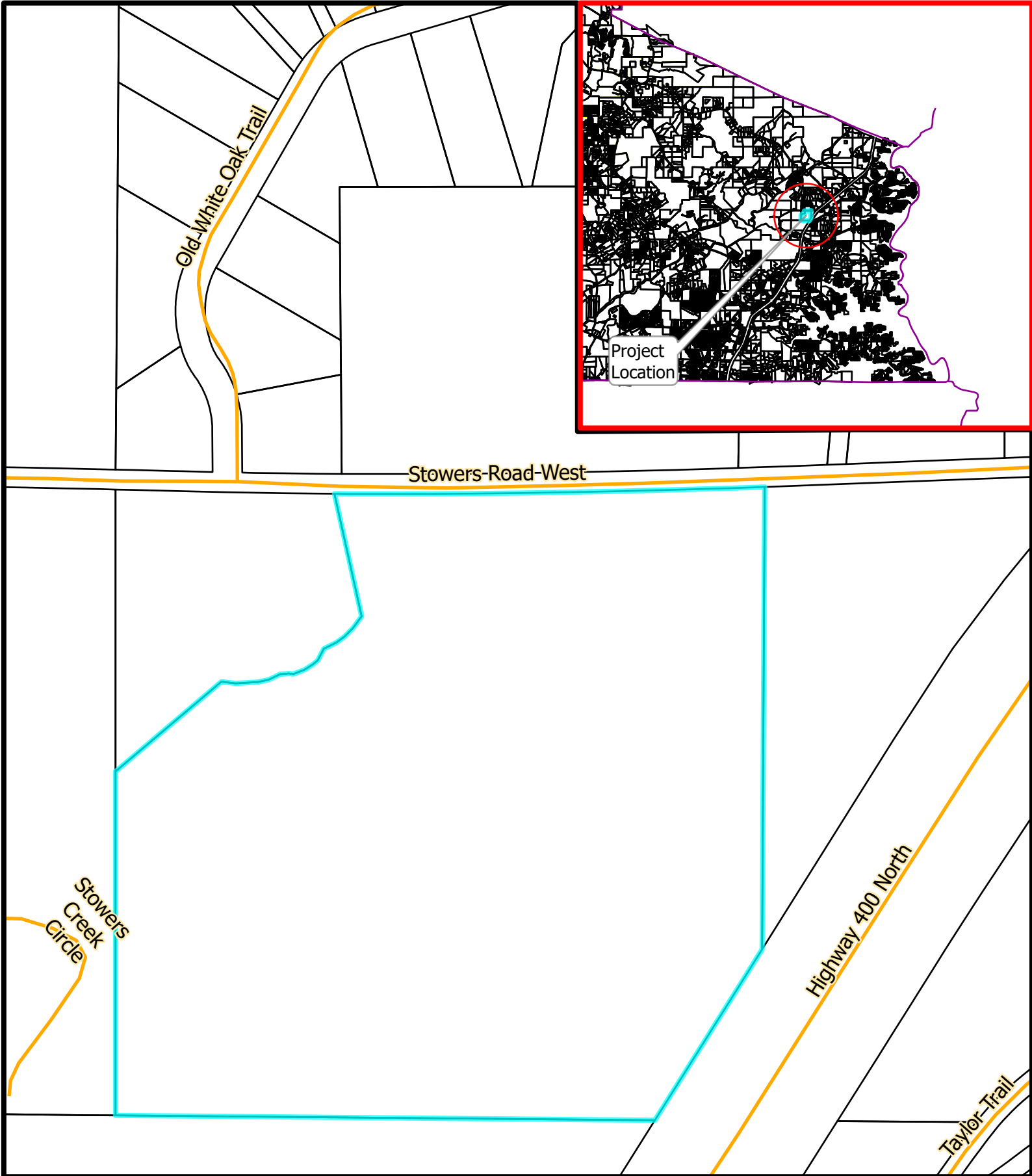
Sincerely,

A handwritten signature in black ink, reading "Brett W. Albanese" with a long, sweeping horizontal line extending to the right.

Brett Albanese, PhD

Georgia Department of Natural Resources. 2015. Georgia State Wildlife Action Plan. Social Circle, GA: Georgia Department of Natural Resources. Available online at <https://georgiawildlife.com/WildlifeActionPlan>

Georgia Department of Natural Resources. 2022. Georgia Biodiversity Portal. Search for rare species in your area, get range maps, find species profiles with photographs and more. Available online at www.georgiabiodiversity.org.



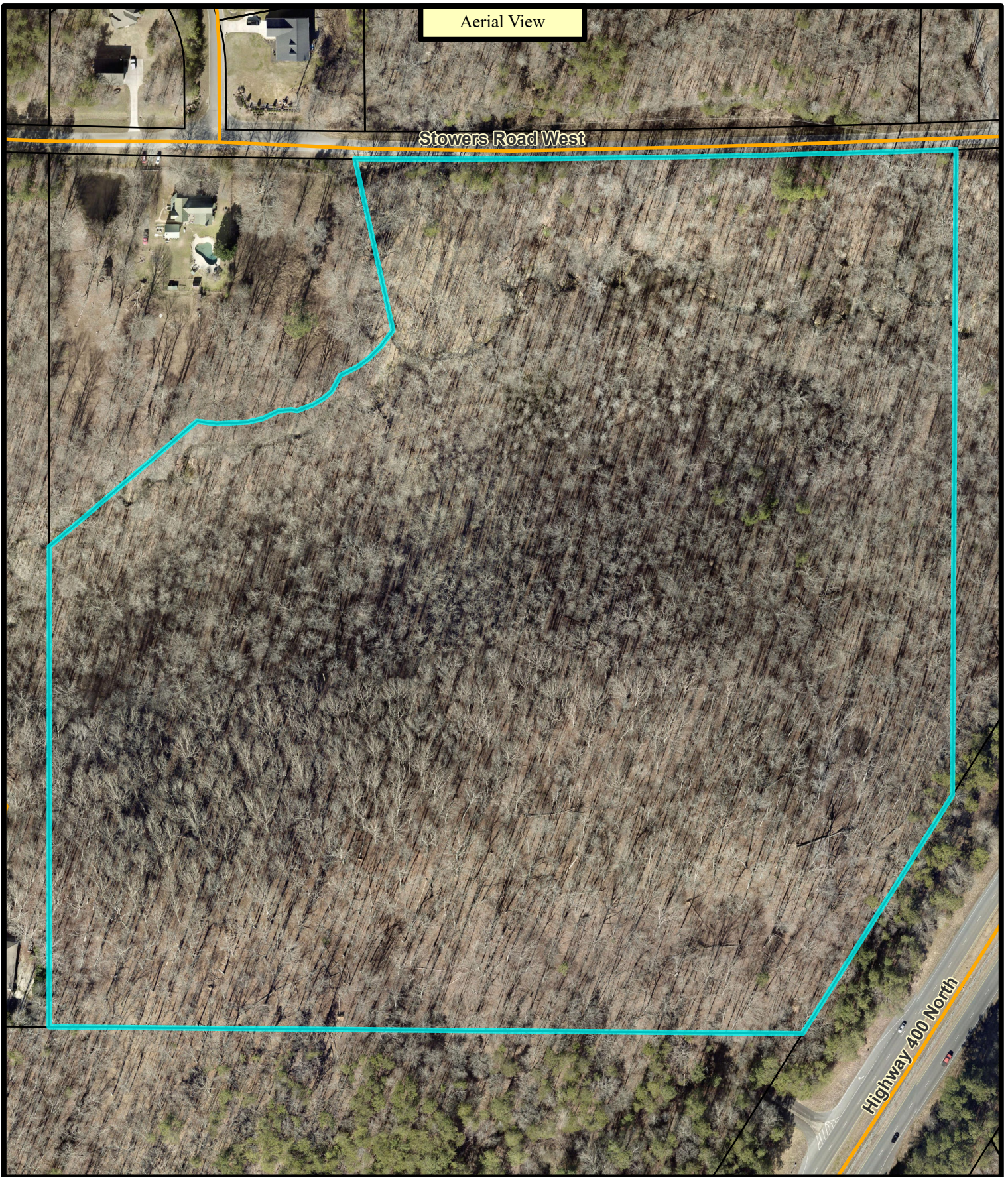
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Dawson County
Planning and Development
Staff Report: Exhibit

19

Parcel #: 111-116
Current Zoning: RSR & CHB
FLU: LI
Application #: ZA 22-23 & VR
22-24



Aerial View

Stowers Road West

Highway 400 North



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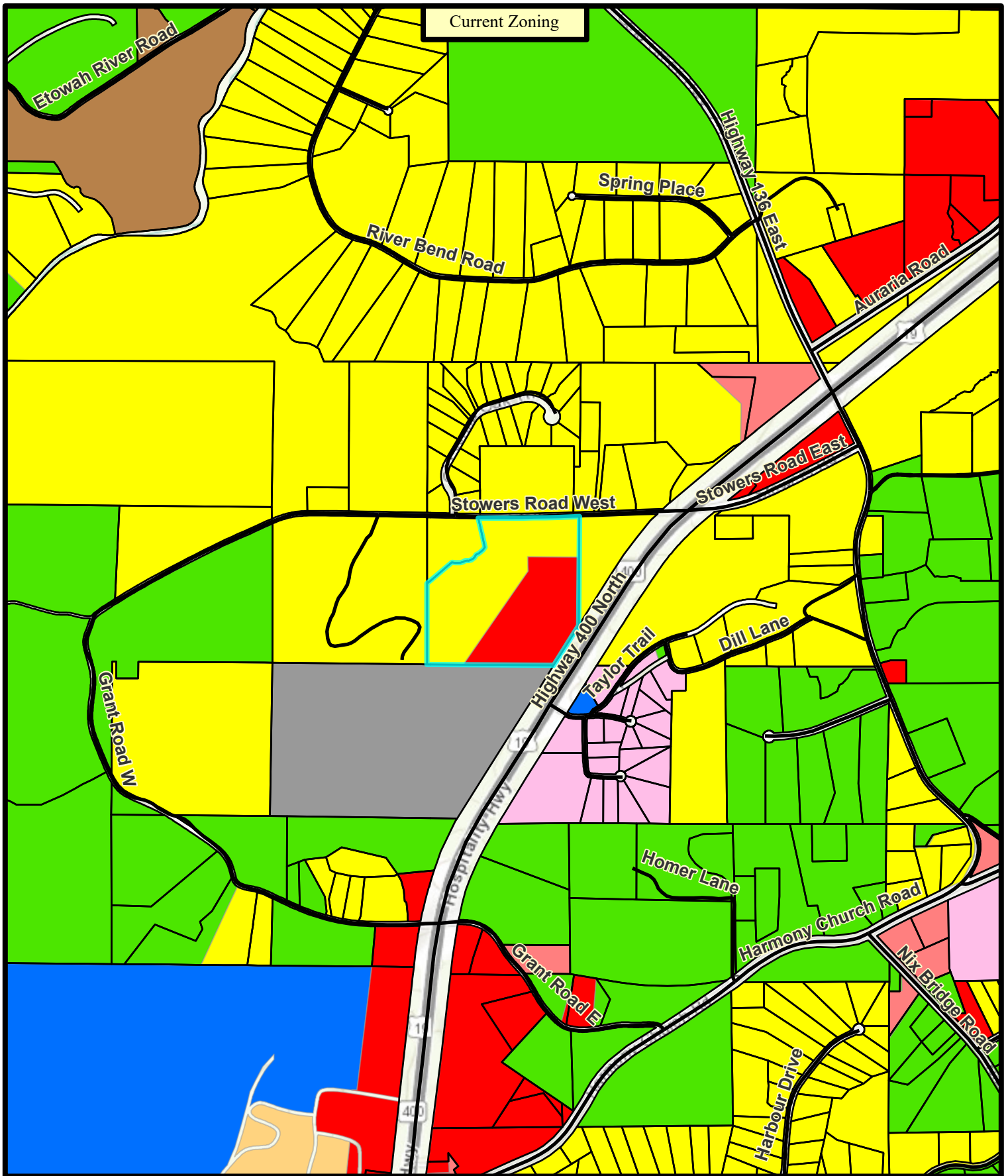
Dawson County

Planning and Development

20

Site Report

Parcel #: 111-116
Current Zoning: RSR & CHB
FLU: LI
Application #: ZA 22-23 & VR
22-24

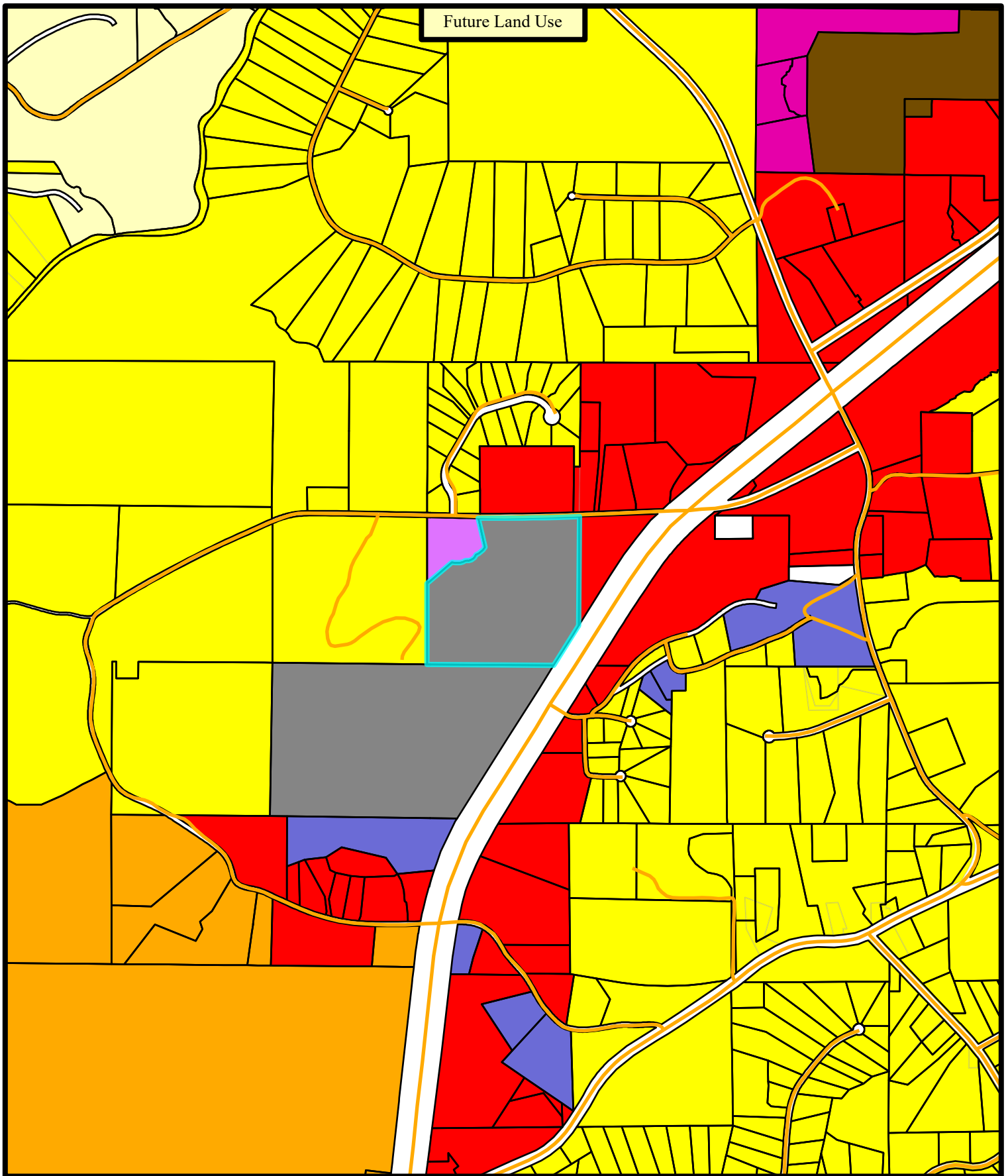


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Dawson County
Planning and Development
21
Report

Parcel #: 111-116
Current Zoning: RSR & CHB
FLU: LI
Application #: ZA 22-23 & VR
22-24



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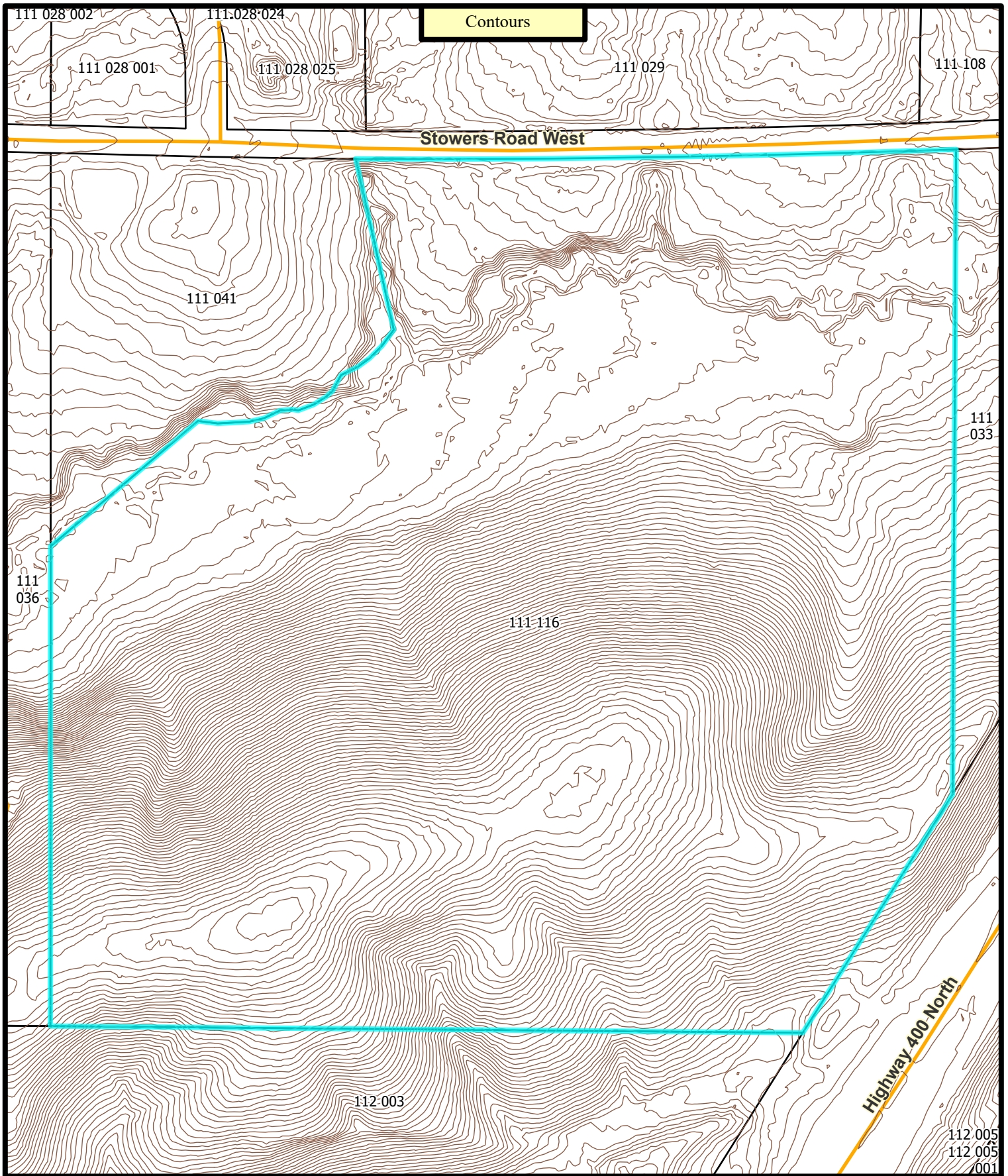
Dawson County

Planning and Development



Report

Parcel #: 111-116
Current Zoning: RSR & CHB
FLU: LI
Application #: ZA 22-23 & VR
22-24



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Dawson County

Planning and Development

23

Staff Report

Parcel #: 111-116
Current Zoning: RSR & CHB
FLU: LI
Application #: ZA 22-23 & VR
22-24

Dawson County Rezoning Application

FOR STAFF USE ONLY
DATE & TIME STAMP

APPLICANT INFORMATION (or Authorized Representative)

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

Printed Name: Jim King

Address: 131 Prominence Court, Suite 230 Dawsonville GA 30534

Phone (Listed/Unlisted):

Email (Business/Personal):

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

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:

REQUESTED ACTION & DETAILS OF PROPOSED USE

☒ Rezoning to: C-IR ☐ Special Use Permit for:

Proposed Use: Multi-Use Business Park consisting of a variety of Commercial and Industrial Uses

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: 319,000 Square Feet No. of Parking Spaces: 326 Spaces

Property Owner/ Property Information

Name: Deer Run Partners, LLC & Crownway Properties, LLC

Street Address of Property being rezoned: Ga 400 & Stowers Rd

Rezoning from: RA & CHB to: C-IR Total acreage being rezoned: 32.1

Directions to Property (if no address):

Ga 400 North approximately 2 miles north of SR 53 on West side. Property lies at corner of Ga 400 & Stowers Rd, but does not include the corner parcel.

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

Current Use of Property: Vacant

Does this proposal reach DRI thresholds? Yes If yes, the application will require transportation studies and additional review by the Georgia Mountains Regional Planning Commission. This adds several weeks to the review and processing.

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

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

If yes, what section? ☒ North ☐ South

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RA South RA East RA West RA

Future Land Use Map Designation: C-HB and C-OI

Access to the development will be provided from:

Road Name: Ga 400 & Stowers Rd Type of Surface: Asphalt

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 or a land use professional 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 Jim King

Date 09/08/2022

Witness Sherry Dial
Jack Conway

Date 09/08/2022

22SEP

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

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

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

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

N/A

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

Amount \$ _____ Date: _____

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

Signature of Applicant/Representative of Applicant

Date

**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.

2025
FEB
10
10:10 AM
2025

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

Agricultural districts include uses of land primarily for active farming activities and result in odors, noise, dust and other effects, which may not be compatible with adjacent development.

Future abutting developers in non RA land use districts shall be provided with this "Notice of RA Adjacency" prior to administrative action on either the land use district or the issuance of a building or occupancy permit.

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

This notice and acknowledgement shall be public record.

Applicant Signature: Jim King

Digitally signed by Jim King
DN: cn=Jim King, o, ou, email=jim@kingconsulting.info, c=US
Date: 2022.09.08 12:04:54 -05'00'

Applicant Printed Name: Jim King

Application Number: _____

Date Signed: 09/08/2022

Sworn and subscribed before me

this 9 day of September, 2022

Sherry Dial
Notary Public

My Commission Expires: 12.15.2023

{Notary Seal}



22SEP 09 11:13AM

Property Owner Authorization

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

Street Address of Property being rezoned: Ga 400 @ Stowers Rd

TMP#: 111 116

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: Jim King

Digitally signed by Jim King
DN: cn=Jim King, o=, email=jim@kingconsulting.info, c=US
Date: 2022.09.08 12:21:48 -0500

Date: 09/08/2022

Printed Name of Owner(s): Jim King for Deer Run Partners, LLC & Crownway Properties, LLC

Signature of Owner(s): Jim King

Digitally signed by Jim King
DN: cn=Jim King, o=, email=jim@kingconsulting.info, c=US
Date: 2022.09.08 12:22:08 -0500

Date: 09/08/2022

Mailing address: 131 Prominence Court, Suite 230

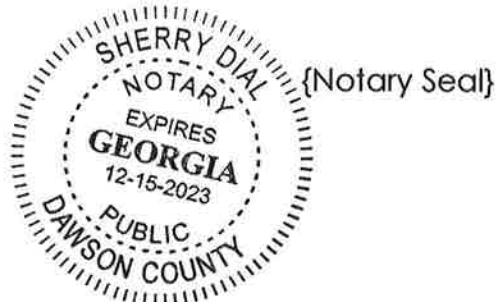
City, State, Zip: Dawsonville, GA 30534

Phone (Listed/Unlisted): _____

Sworn and subscribed before me

this 9 day of September, 2022.

Sherry Dial
Notary Public



My Commission Expires: 12.15.2023

(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.)

LETTER OF INTENT

The applicant requests a Rezoning for Parcel Number: 111 116 from Commercial Hwy Business (C-HB) & Agricultural (AG) to Commercial Industrial Restricted (C-IR), in order to develop a Business Park on 32.1 acres approximately one-half mile north of SR 53 on Lumpkin Campground Rd. The property is currently zoned C-HB (Commercial Highway Business) which prior to 2020 allowed this type development. The County's 2020 amendment to the Commercial Ordinances, removed this use and transferred it to the newly established C-IR ordinance. It is bordered on all sides by agricultural property; however, the ultimate use of these properties will also be commercial, as they front on Ga 400. The bulk of the property is designated as Commercial-Highway Business on the Future Land Use Plan with the frontage on Stowers Rd designated as Office and the proposed development is in conformance with this use. Office/Flex Space will front on the western end of Stowers Rd to transition from the more intensive uses to the residential and agricultural uses further down Stowers Rd. As stated, the County-initiated zoning ordinance revisions adversely affected the existing usability of this property by removing the land use that was planned and originally permitted for this property. According to the Steinberg Act (O.C.G.A. § 36-66-1 through § 36-66-6), these property rights should be reinstated.

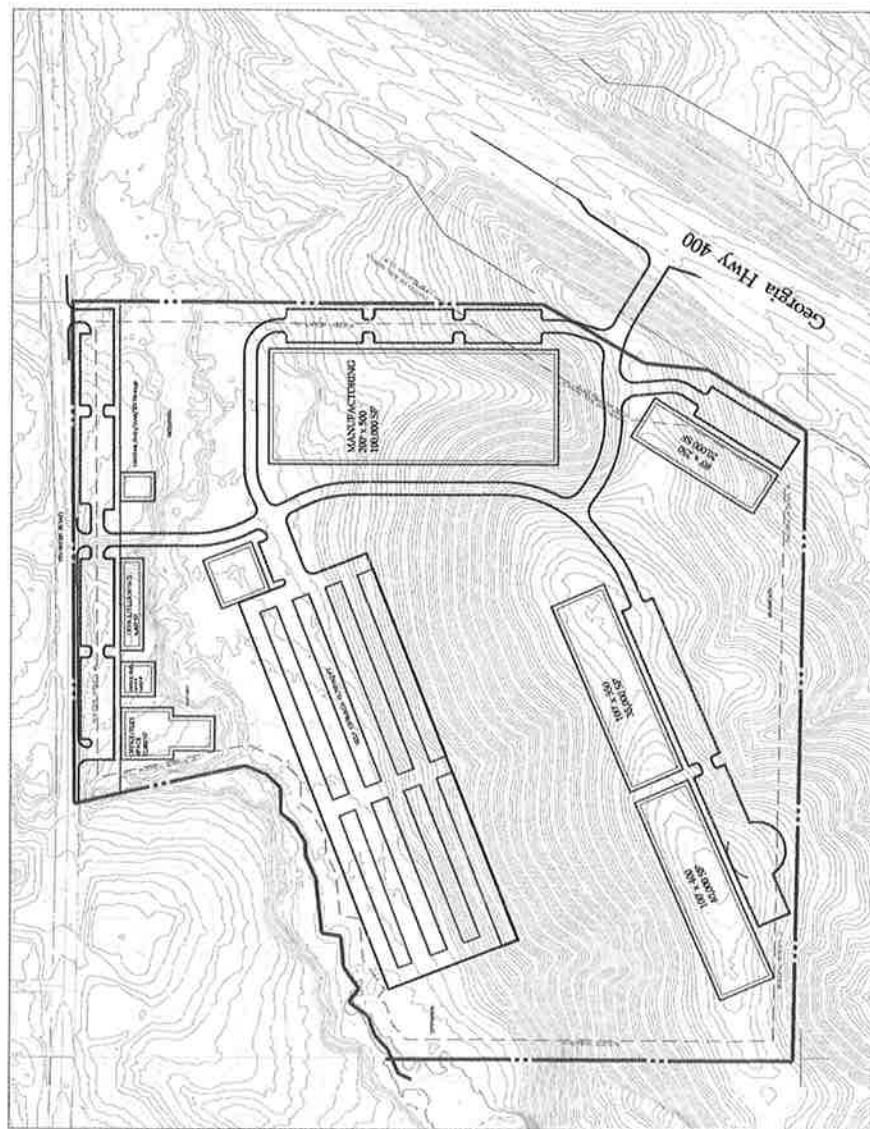
In addition to the Rezoning Request, the applicant also request relief from the front setback and the minimum parking requirements. A small corner of the proposed 100,000 sf manufacturing facility encroaches into the current setback. Many variances down to 75' have already been granted along Ga 400.

The proposed end-user for this development does not generate a tremendous amount of public traffic, primarily only employees. For this reason, we request a variance from the minimum parking requirement to 1space per 1,000 sq feet in lieu of the required 1 space per 500 sq feet.

The proposed development will add to the County's tax base, as well as, generate jobs and a significant increase to the tax revenue.

111 116

111 116

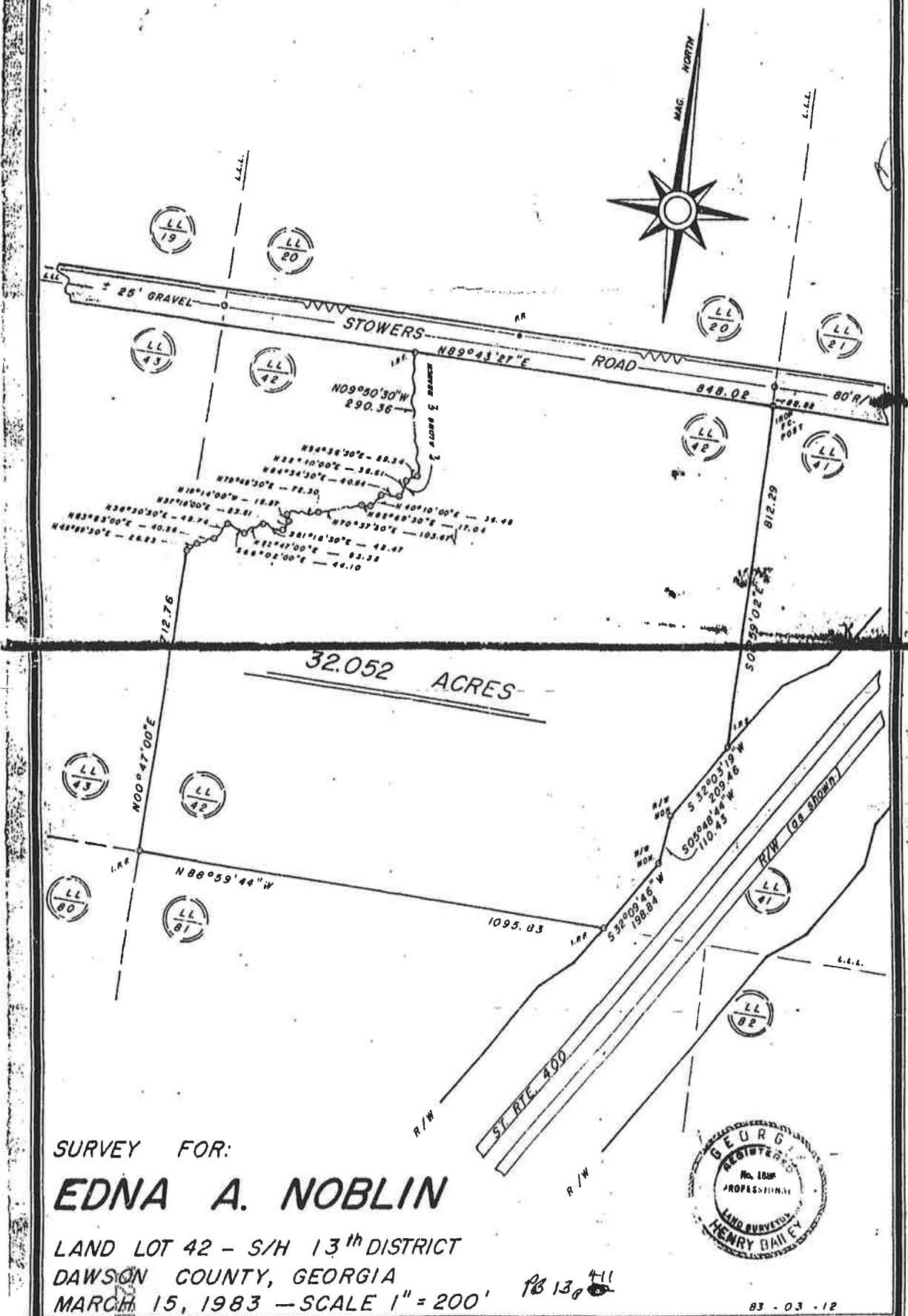


SITE AREA: 32.1 ACRES
TOTAL BUILDING AREA: 300,000 Sq Ft
TOTAL PARKING: 305 Spaces
EXISTING ZONING: RA & CHB
PROPOSED ZONING: C-IR
PROPOSED VARIANCE: Reduce 100' S/B to 75' along Ga 400.

The proposed uses shown are conceptual and subject to change upon market conditions. The proposed use is a Business Park.

10-60-2206

THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS AN ANGULAR ERROR OF 08" - 11" IN ANGULAR POINT, AND A CLOSURE OF ONE FOOT IN 18,718 FEET, AND WAS ADJUSTED USING THE CRANDALL RULE. THIS MAP OR PLAN HAS BEEN CALCULATED FROM CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 11,111 FEET.



SURVEY FOR:

EDNA A. NOBLIN

LAND LOT 42 - S/H 13th DISTRICT

DAWSON COUNTY, GEORGIA

MARCH 15, 1983 - SCALE 1" = 200'

pg 13, 41

83 - 03 - 12

1100 - 555

Owner Information

DEER RUN PARTNERS LLC
131 PROMINENCE CT
SUITE 230
DAWSONVILLE, GA 30534

Payment Information

Status	Paid
Last Payment Date	09/24/2021
Amount Paid	\$7,325.07

Property Information

Parcel Number	111 116
District	1 DAWSON COUNTY UNINCORPORATED
Acres	32.05
Description	LL 42 LD 13-S
Property Address	STOWERS RD
Assessed Value	\$323,760
Appraised Value	\$809,400

Bill Information

Record Type	Property
Tax Year	2021
Bill Number	3822
Account Number	38065
Due Date	12/01/2021

Taxes

Base Taxes	\$7,325.07
Penalty	\$0.00
Interest	\$0.00
Total Due	\$0.00

CONSTRUCTION & DEVELOPMENT SCHEDULE

Entitlement Process: October 2022 – March 2023

Engineering Design: April 2023 – October 2023

Land Development Ph1: October 2023 – October 2024

Vertical Construction Ph1: October 2024- September 2025

Land Development Ph2: October 2025 – April 2026

LETTER OF INTENT

The applicant requests a Rezoning for Parcel Number: 111 116 from Commercial Hwy Business (C-HB) & Agricultural (AG) to Commercial Industrial Restricted (C-IR), in order to develop a Business Park on 32.1 acres approximately one-half mile north of SR 53 on Lumpkin Campground Rd. The property is currently zoned C-HB (Commercial Highway Business) which prior to 2020 allowed this type development. The County's 2020 amendment to the Commercial Ordinances, removed this use and transferred it to the newly established C-IR ordinance. It is bordered on all sides by agricultural property; however, the ultimate use of these properties will also be commercial, as they front on Ga 400. The bulk of the property is designated as Commercial-Highway Business on the Future Land Use Plan with the frontage on Stowers Rd designated as Office and the proposed development is in conformance with this use. Office/Flex Space will front on the western end of Stowers Rd to transition from the more intensive uses to the residential and agricultural uses further down Stowers Rd. As stated, the County-initiated zoning ordinance revisions adversely affected the existing usability of this property by removing the land use that was planned and originally permitted for this property. According to the Steinberg Act (O.C.G.A. § 36-66-1 through § 36-66-6), these property rights should be reinstated.

In addition to the Rezoning Request, the applicant also request relief from the front setback and the minimum parking requirements. A small corner of the proposed 100,000 sf manufacturing facility encroaches into the current setback. Many variances down to 75' have already been granted along Ga 400.

The proposed end-user for this development does not generate a tremendous amount of public traffic, primarily only employees. For this reason, we request a variance from the minimum parking requirement to 1space per 1,000 sq feet in lieu of the required 1 space per 500 sq feet.

The proposed development will add to the County's tax base, as well as, generate jobs and a significant increase to the tax revenue.

DAWSON COUNTY VARIANCE APPLICATION

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

VR _____ Tax Map & Parcel # (TMP): _____
Current Zoning: _____ Commission District #: _____
Submittal Date: _____ Time: _____ am/pm Received by: _____ (staff initials)
Fees Assessed: _____ Paid: _____
Planning Commission Meeting Date: _____

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King
Address: 131 Prominence Court, Suite 230 Dawsonville, GA 30534
Phone: Listed Email: Business
Unlisted Personal
Status: [] Owner ☒ Authorized Agent [] Lessee [] Option to purchase

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

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

PROPERTY INFORMATION

Street Address of Property: SW Corner of Ga 400 & Stowers Rd
Land Lot(s): 42 District: 13th Section: South-half
Subdivision/Lot: _____ Building Permit #: _____ (if applicable)

2000
01114M

Directions to the Property: Ga 400 North approximately 2 miles north of SR 53 on West side. Property lies at corner of Ga 400 & Stowers Rd, but does not include the corner parcel.

REQUESTED ACTION

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

If other, please describe: Article VI Section 607.1.A- Vary to 1 space per 1000 sf of Gross Floor Area

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):

Vary excessive Parking Requirements from Article VI Section 607.1.A- Vary to 1 space per 2000 sf of Gross Floor Area

Vary sSetback Requirement along Ga 400 (Article IV. Section 400. A) in one small area down to 50 feet.

instead of the required distance of 100' 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): Vary from the required parking spaces. User does not need that many spaces

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: The current Parking Requirements for Industrial Uses are over-burdensome and create an excess of impervious surface that will not be used. Many Metro Counties require far less parking including many at 1 space per 2000 sq ft of building area. We are requesting 1 space per 1000 sq ft. The 100' setback is maintained in all but a small section near our entrance where it is impossible to adhere to. Many variances have been granted to 75 ft.

It would actually be more beneficial because it would require less impervious asphalt payed area.

~~Because we would be providing sufficient parking for the proposed uses instead of a large expanse of additional parking lot that would go unused. As far as the Buffer Reduction, we are maintaining the 100' Buffer in all but one small section near our entrance where it is impossible to adhere to the 100 ft. Many variances have been granted to the Ga 400 Buffer down to 75' along entire frontages and we are requesting only a small section.~~

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

PROPERTY OWNER AUTHORIZATION

I / we Jim King for Deer Run Partners, LLC & Crownway Properties, LLC hereby swear that I / we own the property located at (fill in address and / or tax map & parcel #):

Tax Parcel #113 116, Ga 400 & Stowers Rd, 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 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: Jim King

Signature of applicant or agent: [Signature] Date: 09/08/2022

Printed Name of Owner(s): Deer Run Partners, LLC & Crownway Properties, LLC

Signature of Owner(s): [Signature] Date: 09/08/2022

Sworn and subscribed before me
this 9 day of September, 2022.

[Signature]
Notary Public

My Commission Expires: 12.15.2023



(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.)

2022 SEP 12 11:11 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 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: 02/11/2022

Signature of Witness: Sherry Dial Date: 9.09.2022

WITHDRAWAL

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

I hereby withdraw application #: _____

Signature: _____ Date: _____

Withdrawal of Application:

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

PLANNING & DEVELOPMENT

CLERK



ZA 22-24 & VR 22-26

Kilough Ventures, LLC by Jim KING

Planning Commission Meeting November 15, 2022

Board of Commission Hearing December 15, 2022

Applicant Proposal

The applicant is seeking to zone the property from C-HB to C-IR, the application states the reason for the request is due to a change in the Dawson County Land Use Resolution of 2020 that no longer allows for the use of warehouse space in the Commercial Highway Business land use district. The applicant is also requesting a variance to the front building setback requirement of parcels on the GA 400. They are proposing a reduction of 25' from the required 100' for a building setback of 75'.

Applicant	Kilough Ventures, LLC / Jim King
Amendment #	ZA 22-24 & VR 22-26
Request	Rezone Property from C-HB to C-IR; 25' front setback reduction along the GA 400
Proposed Use	Warehouse space
Current Zoning	C-HB
Future Land Use	C-HB
Acreage	16.26
Location	Georgia Highway 400 and Commerce Drive
Commercial Square footage	54,500
Road Classification	Arterial State Highway
Tax Parcel	113-043-044
Dawson Trail Segment	n/a
Commission District	3
DRI	Yes; part of the Kilough Pointe Project ZA 19-21 and ZA 19-22
Planning Commission Recommendation	

Direction	Zoning	Existing Use
North	C-HB	Vacant Land in Development
South	C-HB	Retail center
East	RMF	Multi Family in Development
West	CPCD	Medical Offices

According to the Comprehensive Plan and accompanying Future Land Use Plan, the subject property is identified as Commercial Highway. Development in this area includes developed or undeveloped land on both sides of lands designated along Georgia 9 and 400. This area includes retail centers, office and employment areas usually located on large tracts of land with campus or unified development, mixed use activity centers, multi-family development, light industrial and other associated uses.

The desired development pattern should seek to:

- Locate employment centers in areas with ample sewer capacity, with direct access to major arterials; Provide suitable transitions to surrounding residential uses
- Establish a grid pattern of public streets with block lengths between 300 and 600 feet
- Locate employment centers on land that has good access to GA 400 and other high-capacity highways, utilities and infrastructure
- Emphasize connectivity with adjacent subdivisions and/or commercial developments in the layout of new developments; Create a network of interconnected streets and parking lots
- Provide safe facilities for pedestrians, school buses, and bicyclists using the road right-of-way
- Create safe, convenient pedestrian and bicycle connections to neighborhoods and subdivisions that are adjacent to the commercial corridors; • Incorporate sidewalks, crosswalks and bike paths; Require dedicated right-of-way; Limit driveway spacing along the highway frontage and align driveways where needed to improve traffic flow
- Encourage shared driveways and inter-parcel access for adjacent commercial uses
- Require residential subdivisions accessing the highway to be interconnected and to provide at least two entrances; Encourage shared parking lots between uses
- Relate road alignment to topography; Ensure environmental protection

Land Uses

Parks, Recreation and Conservation • Urban Residential • Multi-family Residential • Office Professional • Commercial Highway • Light Industrial • Campus-style Business Park • Urban Activity Center •

Zoning Districts RMF (multi-family residential 6 units per acre density neutral) • C-OI (Office Professional) • C-HB; C-PCD (Commercial) • C-IR (Light Industrial) • Georgia 400 Corridor Design Overlay

County Agency Comments:

Engineering Department: Please see attached comments.

Environmental Health Department: No comments returned as of 11.1.2022

Emergency Services: No comments returned as of 11.1.2022

Etowah Water & Sewer Authority: "Upgrades /extensions required for water and sewer lines. Both shall be designed and installed per EWSA specs at the developer/owner's expense."

Planning and Development: The zoning for this development was approved on December 19, 2019. The mix of uses within this development of commercial, light industrial, office, and residential is appropriate in this area. The infrastructure for the residential portion of the development is currently under construction. Although this area of the corridor has suburbanized it is still a primary corridor to the mountains of North Georgia and should have visual and functional design that creates an attractive setting for people to conduct business and live.

After reviewing all relevant information, should the Planning Commission recommend approval of this rezoning request, staff suggests the following stipulations:

1. Commercial development shall be limited to the following uses: Flex Space, Climate Controlled Self Storage and Class A or B office space.
2. Fast food restaurants and drive-thru sales are prohibited;
3. When the required inter-connect is provided to Commerce Drive, as found in the zoning stipulations of ZA19-21, all non-conforming signage shall be removed.
4. The commercial area is to be developed in phases. If disturbed, vegetation must be replanted prior to the issuance of the first final plat.
5. A minimum of a 25-foot undisturbed buffer along Highway 400 shall be maintained in the commercial area until such time that this area is to be developed, then this buffer can be disturbed however it must be planted back at 25 feet in width.
6. The development must meet the Highway 400 Corridor architectural guidelines.

Variances.

Variances to standards and requirements of this chapter, with respect to land use standards and requirements specified for each district may be granted only if, on the basis of the application, investigation, and evidence submitted by the applicant, all four expressly written findings below are made:

- (1) That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and**
- (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; and**
- (3) That 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 chapter.**

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

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

Photo of Property: taken from GA 400.



Engineering Services
Dawson County

Case #: ZA 22-24 & VR 22-26

Owner: Kilough Ventures, LLC

Applicant: Jim King

Subject Property(s): Ga Hwy 400 N. approx. ¼ mi N. of SR 53 on E. side, PID: 113 043 044

Present Zoning: C-HB

Proposed Zoning: C-IR

TRAFFIC ISSUES:

County road(s) providing access: None

Nearest major thoroughfare: Ga Hwy 400 N

Width of road at property: North bound 24 ft. of pavt. @ 110 ft overall row Distance to major thoroughfare:
Approx. 123 ft to eop

Description of access road(s): State Road Ga Hwy 400 N

1. Is the proposed access to the development adequate? Yes (No entrance off of Hwy 400, undeveloped)
 2. What is the current condition of this road? (traffic flow, geometry, etc.). Road is in good condition. N. bound Hwy traffic flow.
 3. If current conditions are inadequate, please answer the following:
 - a. Are improvements planned? (see Traffic improvement plan) Yes, will need construction plans
 - b. Estimated time frame? Construction & Development: October 2022 thru April 2026
 - c. Estimated cost? Unknown at this time
 4. Will these improvements create a safe condition for the proposed development? Unknown at this time, will need design review.
- If not, what additional improvements will be required? (i.e., traffic light study, additional right-of-way, etc.)

ADDITIONAL REMARKS: No additional remarks at this time.

WATERSHED/EROSION ISSUES:

Is the property in a floodplain or wetland? Unknown

In what watershed is the project located? Middle Chattahoochee Watershed

What streams are likely to be affected? Yes, appears to be a stream meandering along the south and east property boundary. Is it a trout stream? Unknown

Any additional remarks? No additional remarks at this time

Signature of personnel completing form: *Jeffery L. Hahn*
Public Works Director



DAWSON COUNTY BOARD OF COMMISSIONERS

APPROVAL FORM

PUBLIC HEARING OF LAND USE CHANGE REQUEST MEETING HELD December 19, 2019

We, the Dawson County Board of Commissioners, do hereby **APPROVE** the following Land Use Change Request:

REQUEST:

ZA 19-22

Applicant's Name:	Jim King- Ensie Civil Consulting, LL
Applicant's Address:	131 Prominence Ct. Suite 230 Dawsonville, GA 30534
Location:	Hwy 400 North/Kilough Church Road
TMP:	113-051, 113-044-008, 113-043, 113-043-044
Purpose:	Rezone property from R-A to C-HB
Property Usage:	Shopping/Retail, Office and Warehouse Flex Space

With the following stipulations:

1. The developer shall be responsible for a traffic study to be performed before the last final plat and any recommendations from that traffic study shall be implemented, to include the connection to the former Kroger shopping center;
2. The development shall be developed in general accordance with the site plan approved with this rezoning;
3. The two flex spaces labeled "G" and "H" shall be the only two buildings that are able to utilize the northernmost proposed driveway on to Highway 400;
4. Commercial development north of the power line in buildings labeled "E" through "H" shall be limited to the following uses: Flex Space, Retail, Climate Controlled Self Storage and Class A or B office space. Fast food restaurants and drive-thru sales are prohibited;
5. The commercial area is to be developed in phases. The phases not being built are to be left undisturbed until such time that they are to be constructed unless needed to balance earthwork in other phases. If disturbed, they must be replanted according to condition planting specifications within these stipulations. A minimum of a 25-foot undisturbed buffer along Highway 400 shall be maintained in the commercial area until such time that this area is to be developed;
6. All utilities shall be placed underground;
7. Development shall have covenants that require maintenance of the landscaped entrance area, open space and amenity areas by a mandatory Homeowners Association;
8. A minimum of 100 feet undisturbed buffer shall be maintained adjacent to Kilough Church Road;
9. No construction traffic shall use Kilough Church Road throughout the entirety of this project for any reason;
10. In areas along the Highway 400 frontage where an undisturbed buffer is less than 50 feet between the edge of pavement and the development is not maintained, 6-foot caliper canopy trees (oaks, maples, elm, etc.) shall be planted a minimum of 30 feet on center

Billy Thurmond
Chairman

Sharon Fausett
Commissioner
District One

Chris Gaines
Commissioner
District Two

Tim Satterfield
Commissioner
District Three

Julie Hughes Nix
Commissioner
District Four

David Headley
County Manager

Kristen Cloud
County Clerk

Dawson County
Government Center
25 Justice Way
Suite 2213
Dawsonville, GA 30534
Phone 706-344-3501
Fax 706-344-3889



Billy Thurmond
Chairman

Sharon Fausett
Commissioner
District One

Chris Gaines
Commissioner
District Two

Tim Satterfield
Commissioner
District Three

Julie Hughes Nix
Commissioner
District Four

David Headley
County Manager

Kristen Cloud
County Clerk

along the right of way. In addition, minimum 24- to 30-inch-tall shrubs shall be planted a minimum of 4 feet off center in a double row; and
11. The development must meet the Highway 400 Corridor guidelines.

The request will not:

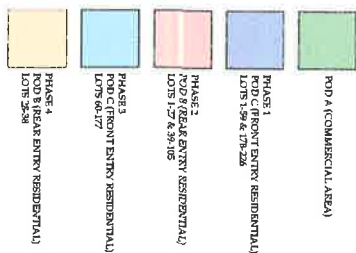
- A. Affect the property values of surrounding property.
- B. Affect the health, safety or general welfare of the public.
- C. Impose special hardships on the surrounding property owners.

The subject property is suited for the proposed land use.

Billy Thurmond, Chairman

Date

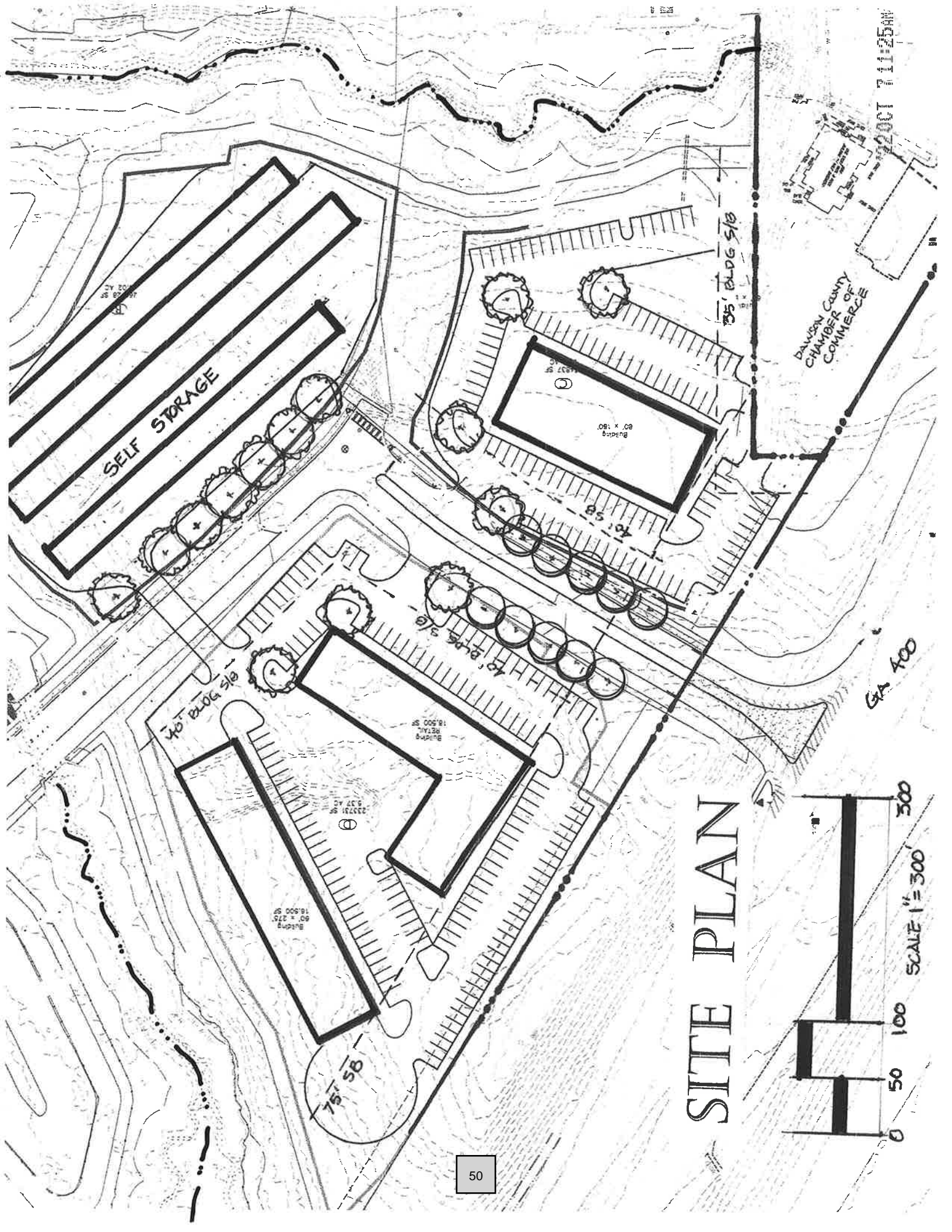
cc: Jarrard & Davis, LLP., County Attorney
Harmony Gee, Zoning Administrator
Sallie Ledbetter, Tax Assessor's Office



OWN STATE CHART			
OWN STATE	SP	AC	
1	23,903	5.55	
2	54,708	1.46	
3	15,416	0.35	
4	7,314	0.07	
5	7,751	0.04	
6	4,213	0.10	
7	3,165	0.07	
8	3,200	0.02	
9	1,641	0.11	
10	1,578	0.04	
11	8,148	0.09	
12	11,624	2.56	
TOTAL	143,101	27.40	

GRAVITY SCALE: 1 inch = 100 feet

SHEET:
C3 M



SELF STORAGE

40' BLDG 5/13

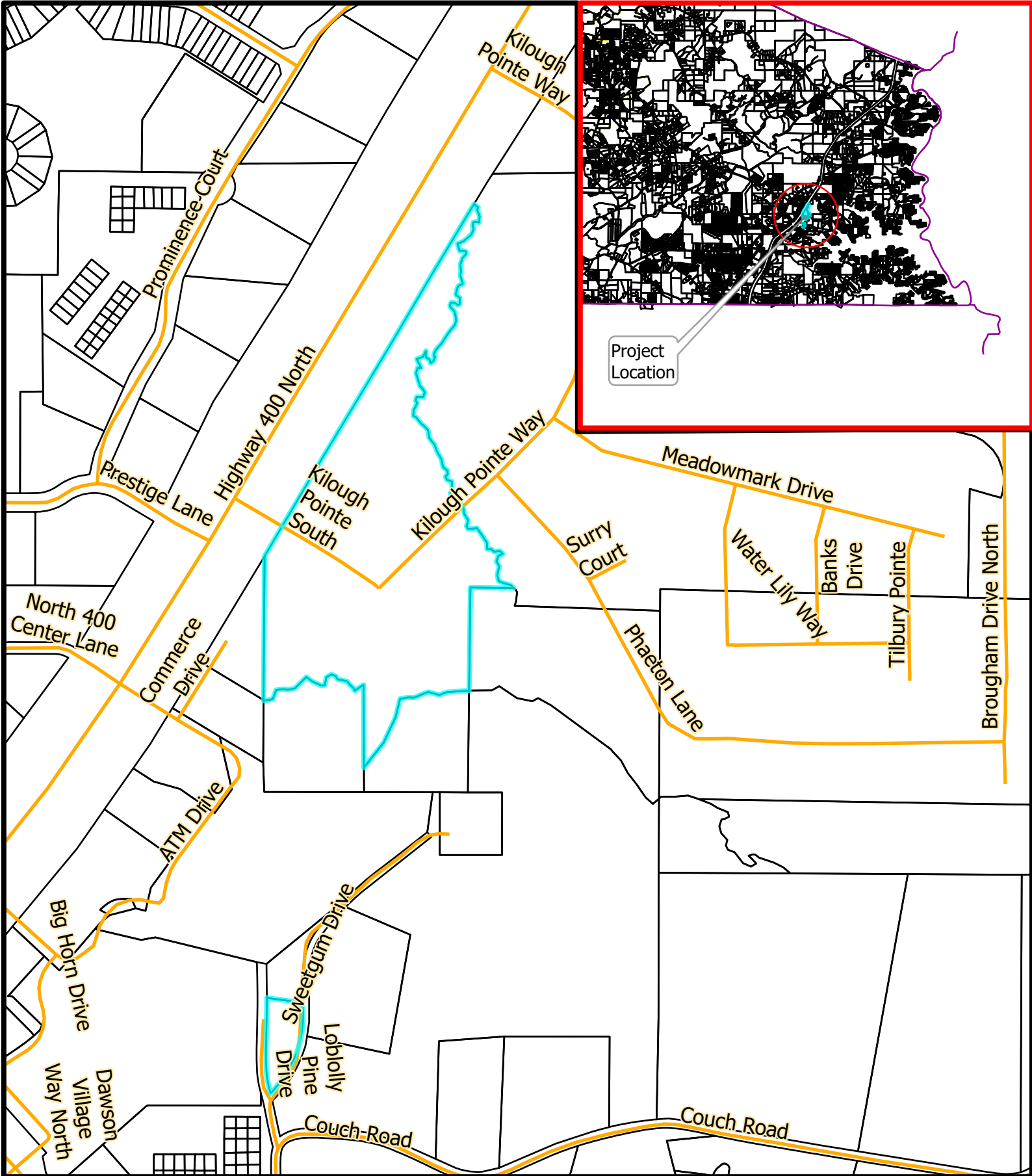
35' BLDG 5/13

DANWON COUNTY
CHAMBER OF
COMMERCE

GA 400

SITE PLAN

SCALE 1" = 300'



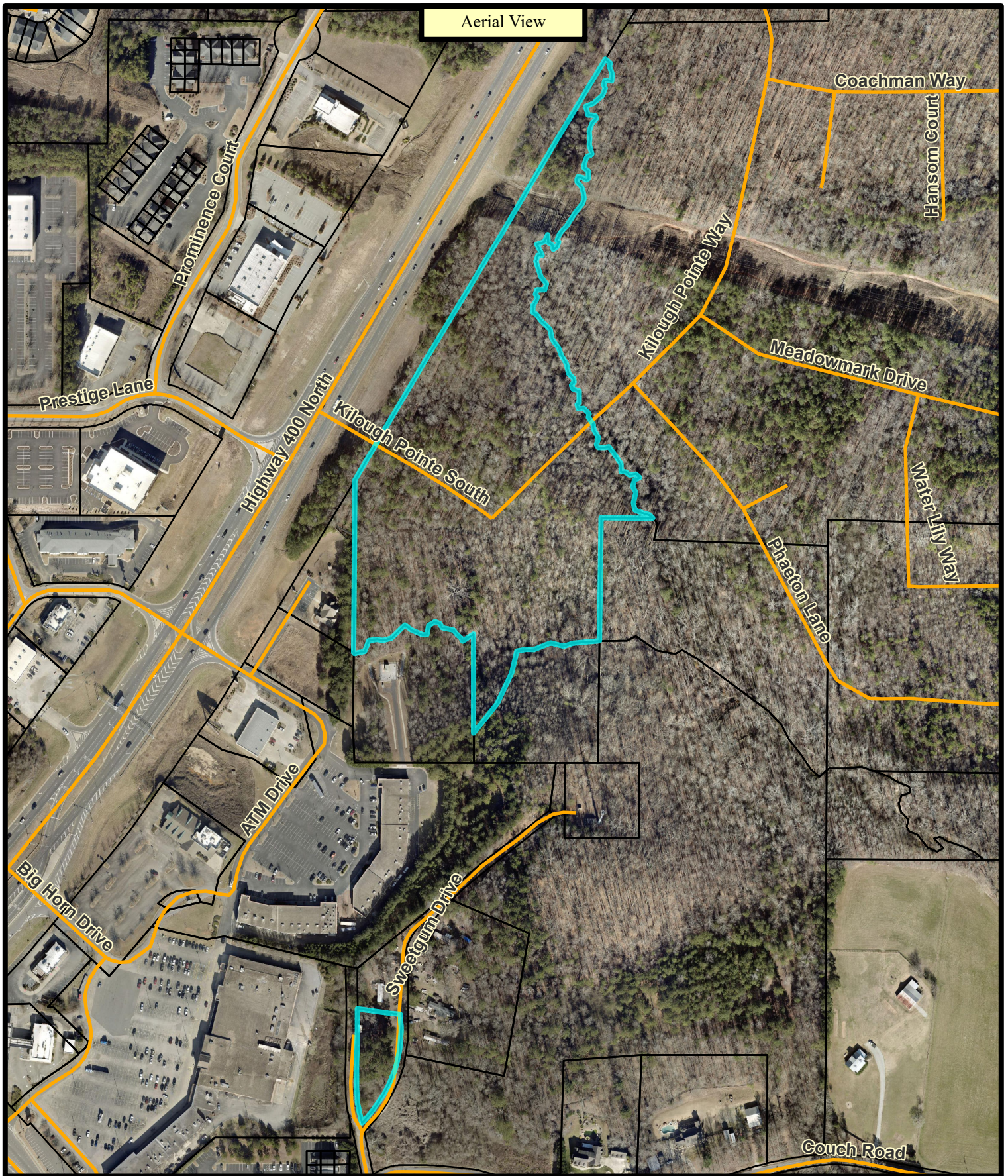
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Dawson County
Planning and Development
Staff Report: Exhibit

51

Parcel #: 113-043-044
Current Zoning: CHB
FLU: CHB
Application #: ZA 22-24 & VR
22-26



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Scale: 1:4,953

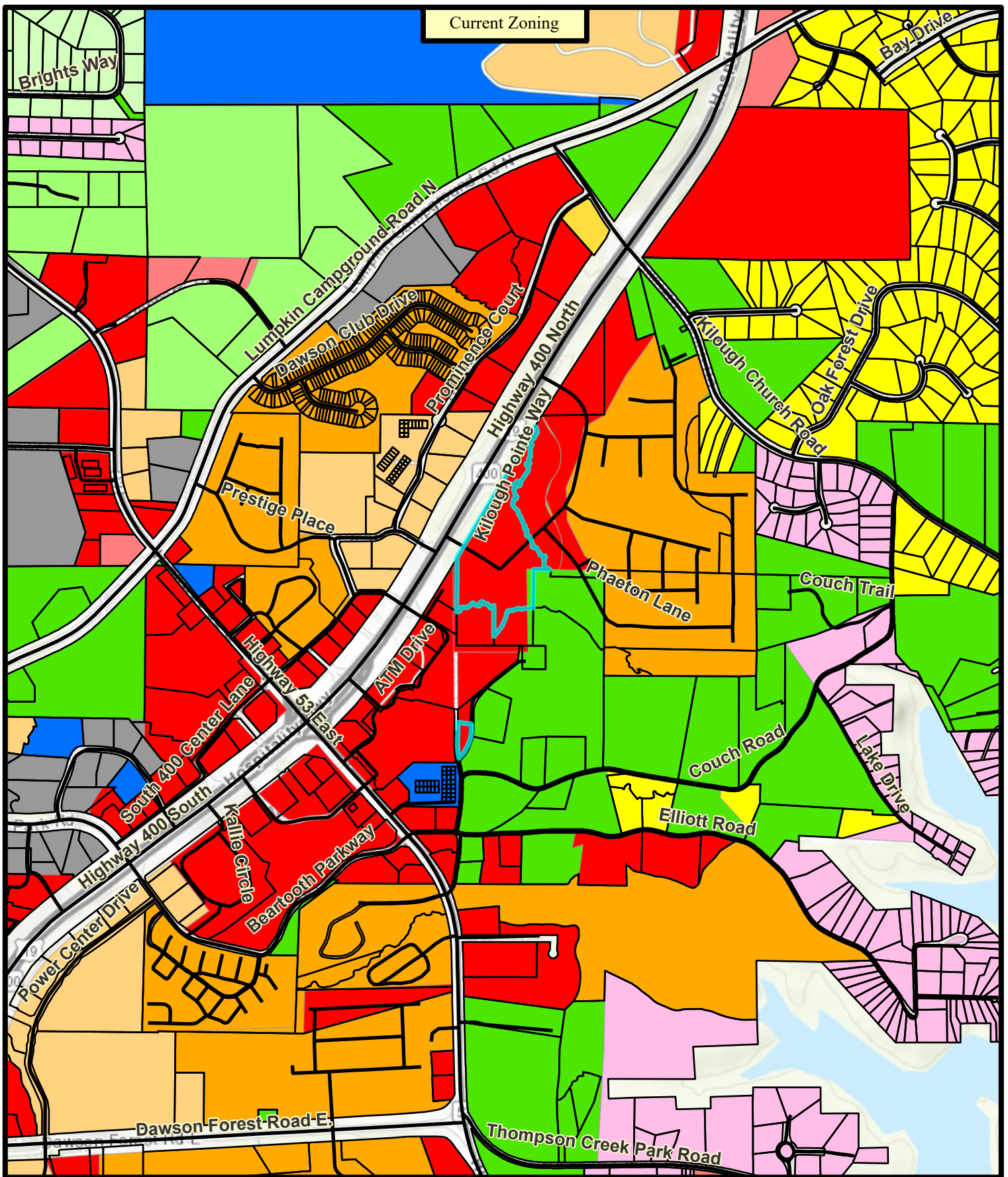
Dawson County

Planning and Development

52

Report

Parcel #: 113-043-044
Current Zoning: CHB
FLU: CHB
Application #: ZA 22-24 & VR
22-26

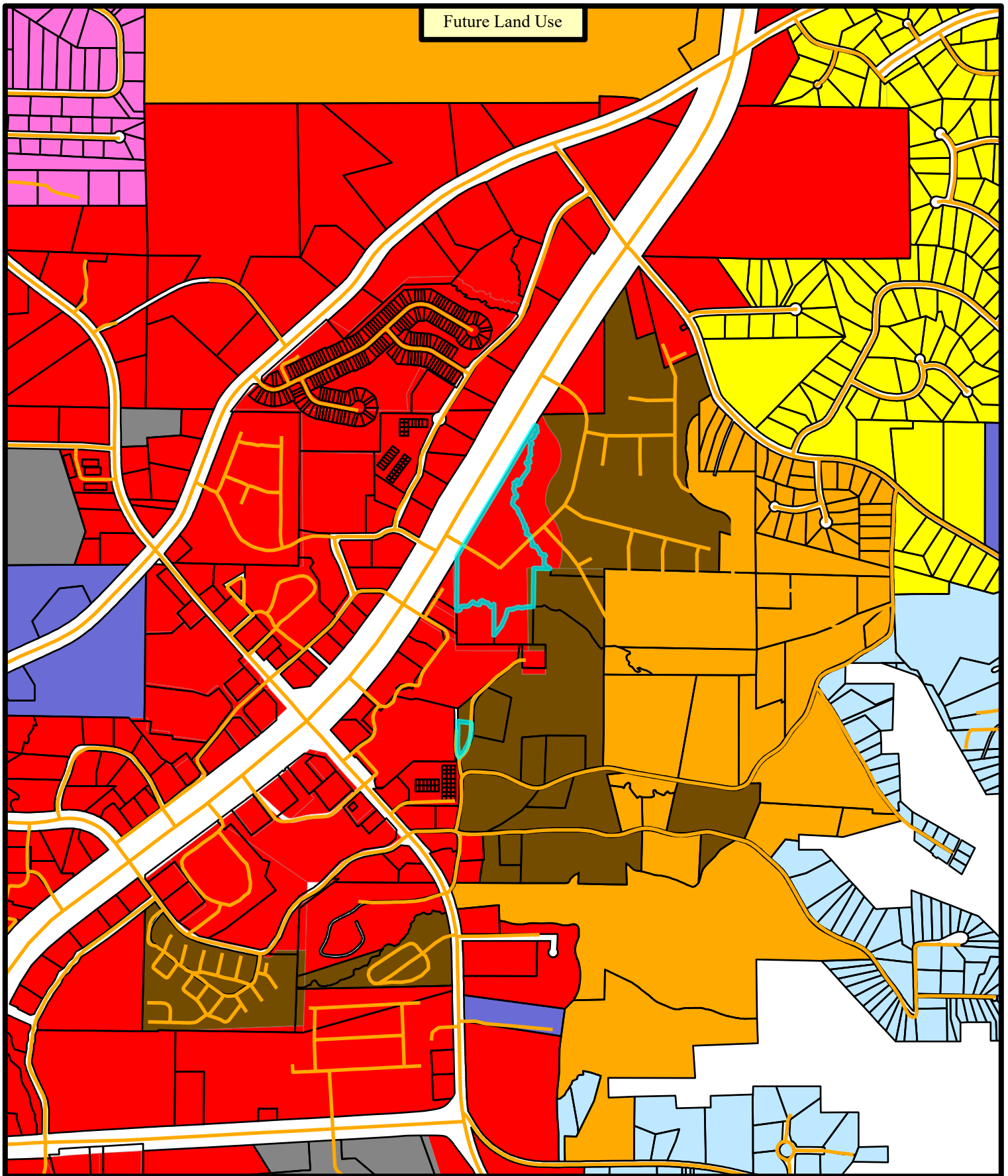


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PURPOSES.

N
Scale: 1:15,908

Dawson County
Planning and Development
53
Report

Parcel #: 113-043-044
Current Zoning: CHB
FLU: CHB
Application #: ZA 22-24 & VR
22-26



Future Land Use



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Scale: 1:15,908

Dawson County

Planning and Development



Report

Parcel #: 113-043-044
Current Zoning: CHB
FLU: CHB
Application #: ZA 22-24 & VR
22-26

Dawson County Rezoning Application

FOR STAFF USE ONLY DATE & TIME STAMP

APPLICANT INFORMATION (or Authorized Representative)

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

Printed Name: Jim King

Address: _____

Phone (Listed/Unlisted): 1

Email (Business/Personal): _____

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

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: _____

REQUESTED ACTION & DETAILS OF PROPOSED USE

☒ Rezoning to: C-IR ☐ Special Use Permit for: _____

Proposed Use: Multi-Use Business Park consisting of a variety of Commercial and Industrial Uses

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: 54,500 Square Feet No. of Parking Spaces: 270 Spaces

Property Owner/ Property Information

2007 1123AM

Name: Kilough Ventures, LLC

Street Address of Property being rezoned: Ga 400 just north of the old Kroger Shopping Center

Rezoning from: CHB to: C-IR Total acreage being rezoned: 16.2

Directions to Property (if no address):

Ga 400 North approximately 1/4 mile north of SR 53 on East side.

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

Current Use of Property: Vacant

Does this proposal reach DRI thresholds? No If yes, the application will require transportation studies and additional review by the Georgia Mountains Regional Planning Commission. This adds several weeks to the review and processing.

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

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

If yes, what section? ☒ North ☐ South

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North C-HB South C-HB East RMF West C-HB

Future Land Use Map Designation: C-HB

Access to the development will be provided from:

Road Name: Ga 400 Type of Surface: Asphalt

Applicant Certification

2022 OCT 10 PM 4:05

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 or a land use professional 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 Jim King

Date 10/06/2022

Witness Julie Epp

Date 10/06/2022

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

REC-11-200711-23

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

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

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

N/A

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

Amount \$ _____ Date: _____

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

Signature of Applicant/Representative of Applicant

Date

**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.

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: Jim King

Digitally signed by Jim King
DN: cn=Jim King, o=ou, email=jim@kingconsulting.info, c=US
Date: 2022.09.08 12:04:54 -05'00'

Applicant Printed Name: Jim King

Application Number: _____

Date Signed: 10/06/2022

Sworn and subscribed before me

this 7th day of October, 2022.

[Signature]

Notary Public

My Commission Expires: June 10 2024



Property Owner Authorization

2022

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

Street Address of Property being rezoned: East Side of Ga 400 north of Dawson Village

TMP#: 113 043 044

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

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

Printed Name of applicant or agent: Jim King

Signature of applicant or agent:

Date:

Printed Name of Owner(s): Kilough Ventures, LLC

Signature of Owner(s):

Date:

Mailing address:

City, State, Zip:

Phone (Listed/Unlisted):

Sworn and subscribed before me

this 7th day of October, 2022.

Notary Public

My Commission Expires: June 10 2024



{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.)

LETTER OF INTENT

The applicant requests a Rezoning for Parcel Number: 113 043 044 from Commercial Hwy Business (C-HB) to Commercial Industrial Restricted (C-IR), in order to develop a Business Park on 32.1 acres approximately one-quarter mile north of SR 53 on Ga Hwy 400. The property was rezoned to C-HB (Commercial Highway Business) which prior to 2020 allowed this type development. The County's 2020 amendment to the Commercial Ordinances, removed this use and transferred it to the newly established C-IR ordinance. It is bordered on the north, east and south by property zoned C-HB and to the east by R-MF which was rezoned along with this tract as part of a mixed use development. The property is designated as Commercial-Highway Business on the Future Land Use Plan. As stated, the County-initiated zoning ordinance revisions adversely affected the existing usability of this property by removing the land use that was planned and originally approved for this parcel. According to the Steinberg Act (O.C.G.A. § 36-66-1 through § 36-66-6), these property rights should be reinstated.

In addition to the Rezoning Request, the applicant also request relief from the front setback. The commercial facilities adjacent to Ga 400 encroach into the current setback. Many variances down to 75' have already been granted along Ga 400.

The proposed use for this development is identical to the previously approved use and therefore the previously approved DRI and traffic study are still applicable for this rezoning and a new DRI review is not warranted.

The proposed development will add to the County's tax base, as well as, generate jobs and a significant increase to the tax revenue.

CONSTRUCTION & DEVELOPMENT SCHEDULE

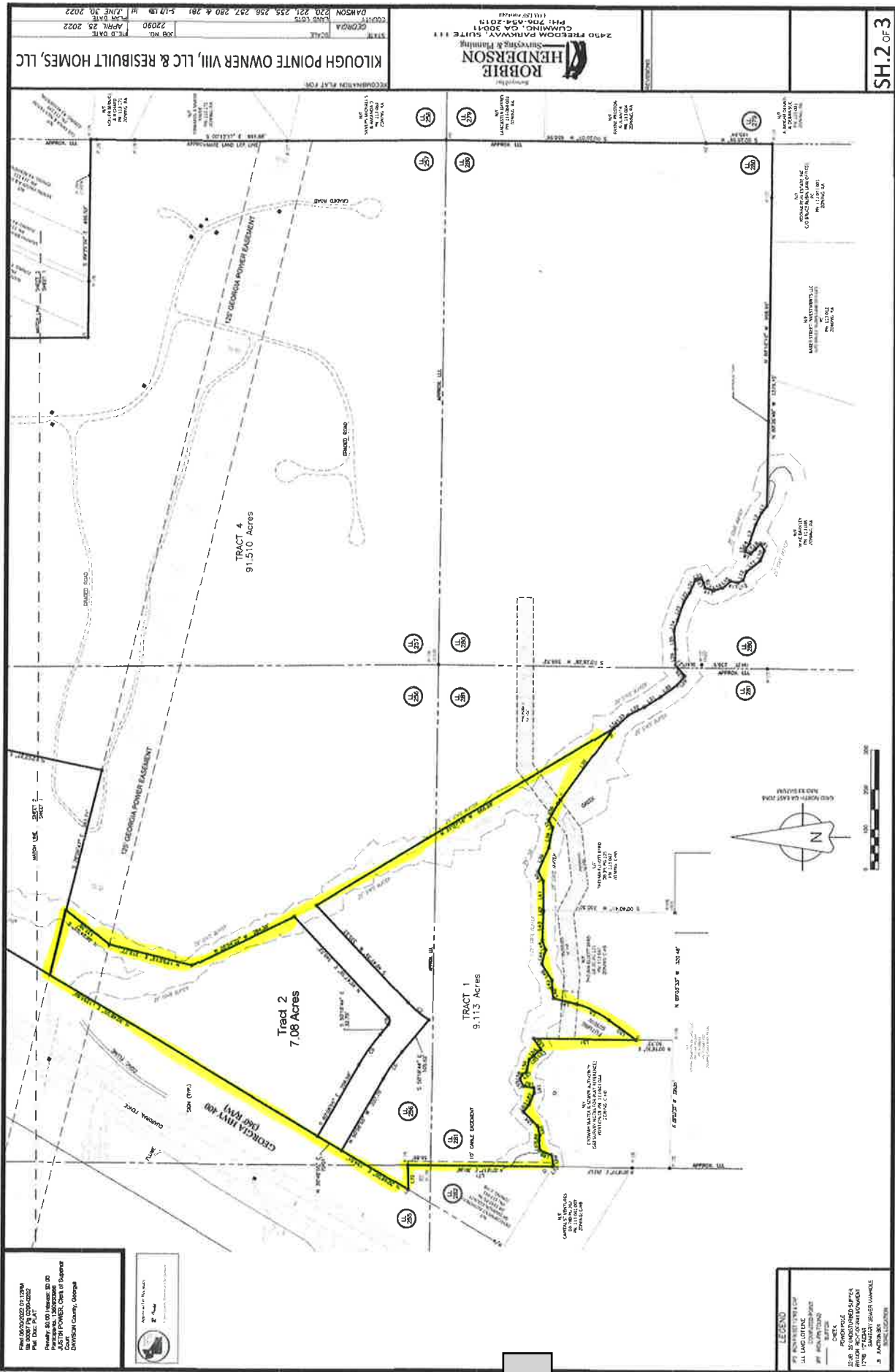
Entitlement Process: October 2022 – January 2023

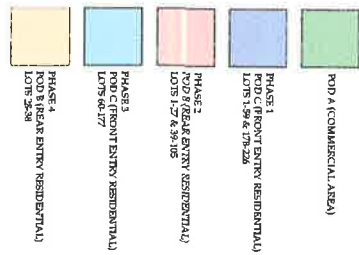
Engineering Design: January 2023 – October 2023

Land Development Ph1: October 2023 – October 2024

Vertical Construction Ph1: October 2024- September 2025

Land Development Ph2: October 2025 – April 2026

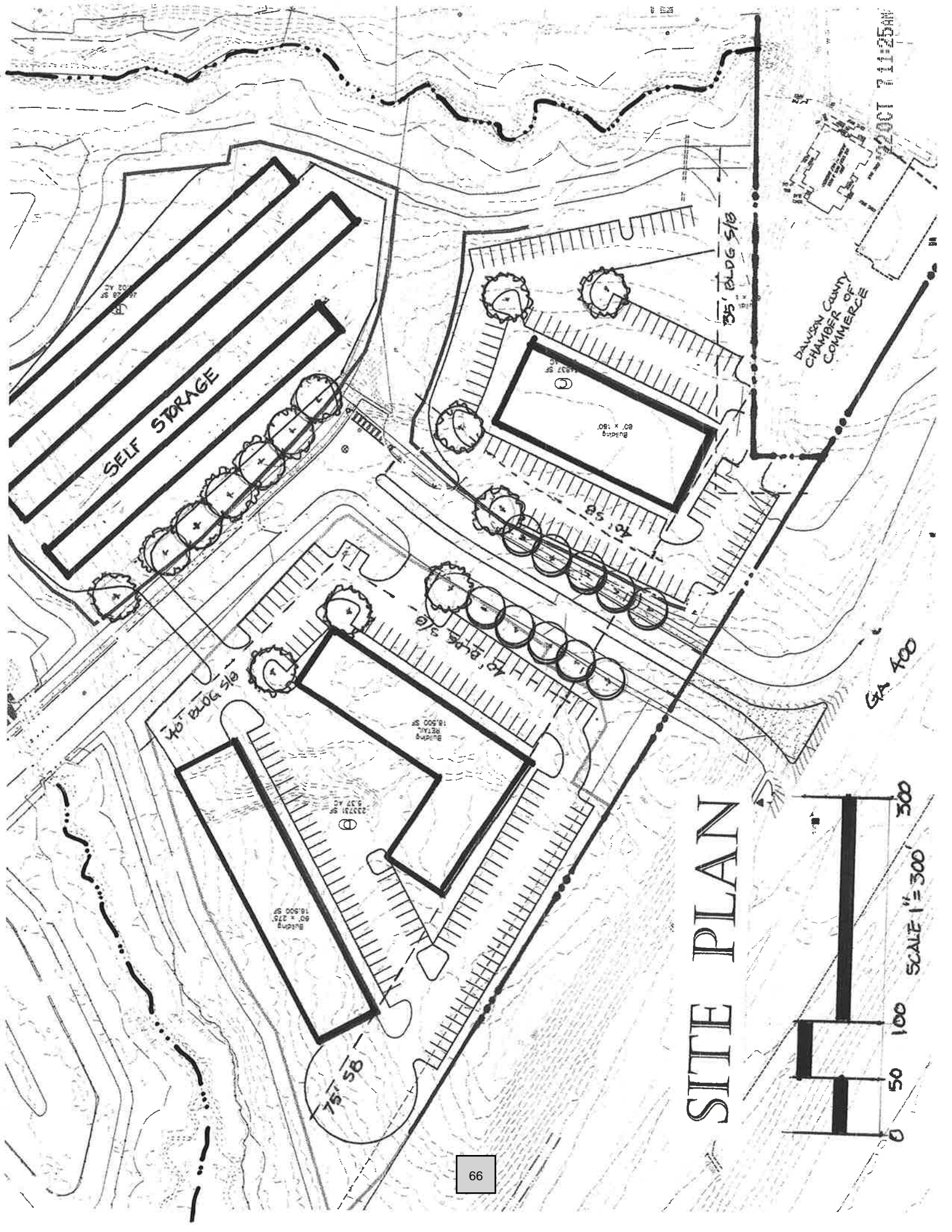




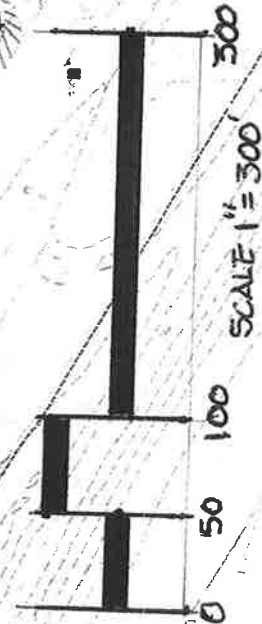
OAK STREET CHART			
DATE	DATE	ST	AG
1	3/27/03	5.55	
2	3/42/08	12.46	
3	15.116	0.35	
4	7.074	0.07	
5	* 7.51	0.04	
6	4.213	0.10	
7	3.165	0.07	
8	3.220	0.02	
9	1.641	0.11	
10	1.578	0.04	
11	8.189	0.79	
12	11.624	2.56	
TOTAL	842.071	21.46	

Grid North (GA West Zone)

SHEET:
C2.01



SITE PLAN



2020

DAWSON COUNTY VARIANCE APPLICATION

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

VR _____ Tax Map & Parcel # (TMP): _____
Current Zoning: _____ Commission District #: _____
Submittal Date: _____ Time: _____ am/pm Received by: _____ (staff initials)
Fees Assessed: _____ Paid: _____
Planning Commission Meeting Date: _____

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King
Address: _____
Phone: Listed _____ Email: Business _____
Unlisted _____ Personal _____
Status: [] Owner ☒ Authorized Agent [] Lessee [] Option to purchase

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

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

PROPERTY INFORMATION

Street Address of Property: Ga 400 just north of Dawson Village (Old Kroger)
Land Lot(s): 256 & 281 District: 13th Section: South-half
Subdivision/Lot: _____ Building Permit #: _____ (if applicable)

Directions to the Property: Ga 400 North approximately 1/4 mile north of SR 53 on East side.

APR 21 10 27 AM '22 OCT 7 11 24 AM

REQUESTED ACTION

A Variance is requested from the requirements of Article # IV Section # 400.A of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: _____

Type of Variance requested:

☒ Front Yard [] Side Yard [] Rear Yard variance of _____ feet to allow the structure to:

[] be constructed; [] remain a distance of _____ feet from the: _____

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

Vary Setback Requirement along Ga 400 (Article IV. Section 400. A) from 100' down to 75 feet.

instead of the required distance of 100' required by the regulations.

[] Lot Size Request for a reduction in the minimum lot size from _____ to _____

[] Sign Variance for: _____

[] Home Occupation Variance to operate: _____ business

[] Other (explain request): _____

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

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

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: _____

The 100' setback is excessive and it is impossible to adhere to. We are only requesting the variance on 2 out of 8 Parcels fronting Ga400. Many variances have previously been granted to 75 ft.

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Described above in #1

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: _____

Described in #1 above

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

we are maintaining the 100' Setback on 5 of 8 Commercial Parcels. The 2 parcels that we are requesting are needed.
Many variances have been granted to the Ga 400 Setback down to 75' along entire frontages

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.)

22001 71124AM

PROPERTY OWNER AUTHORIZATION

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

Tax Parcel #113 043 044, Ga 400, 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 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: Jim King

Signature of applicant or agent: [Signature] Date: 10/06/2022

Printed Name of Owner(s): Kilough Ventures, LLC

Signature of Owner(s): [Signature] Date 10/06/2022

Sworn and subscribed before me
this 7th day of October, 2022.

[Signature]
Notary Public

My Commission Expires: June 10 2024



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

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: 10/06/2022

Signature of Witness: Julie Epp _____ Date: 10/09/2022

WITHDRAWAL

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

I hereby withdraw application #: _____

Signature: _____ Date: _____

Withdrawal of Application:

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



ZA 22-25 & VR 22-27

Perry Betterton

Planning Commission Meeting November 15, 2022

Board of Commission Hearing December 15, 2022

Applicant Proposal

The applicant is seeking to rezone property from R-A (Residential Agriculture) to C-HB (Commercial Highway Business) for the purpose of opening a retail trailer sales business and produce/boiled peanuts. The proposed use will use the existing gravel lot. The applicant is also seeking a variance to the height of the street lights installed on site.

Applicant	Perry Betterton
Amendment #	ZA 22-25 & VR 22-27
Request	Rezone Property from R-A to C-HB ; Vary from the Land Use Resolution Article IV, Section 400 C.2.d
Proposed Use	Dump style pull behind trailer sales; seasonal products.
Current Zoning	Residential Agricultural (RA)
Future Land Use	Crossroads Commercial
Acreage	2.816
Location	3962 Highway 53 East
Commercial Square footage	None proposed at this time
Road Classification	State Road 53
Tax Parcel	104 058
Dawson Trail Segment	n/a
Commission District	2
DRI	No
Planning Commission Recommendation	

Direction	Zoning	Existing Uses
North	C-HB & R-A	Residential / Agricultural/Office Commercial
South	VC & C-HB	Residential/EWSA property
East	R-A	Residential
West	R-A	Vacant / Residential

According to the Comprehensive Plan and accompanying Future Land Use Plan, the subject property is identified as Crossroads Commercial. This category is for small node (4-15 acres) of commercial development at intersections primarily in rural/exurban and suburban areas along corridors designated as “scenic.” Crossroads Commercial nodes are **not appropriate for automobile sales and service establishments or other highway commercial uses.** Rather, they are intended to be limited to very small, enclosed retail trade and service establishments serving the immediate area. Crossroads Commercial areas are also subject to design review and approval to ensure their architecture and site design are in keeping with policies for scenic corridors and rural/exurban development character. The desired development pattern should seek to:

- Limit extension of public utilities in these areas
- Enact guidelines for new development that enhance the scenic value of the corridor and addresses landscaping and architectural design
- Consider the use of drainage swales for paved roads in lieu of curb and gutter
- Encourage compatible architectural styles that maintain the regional rural character and do not include franchise or corporate architecture
- Limit parking in front of commercial properties
- Ensure major commercial or employment centers do not encroach on residential development
- Connect to regional network of greenspace and trails, available to pedestrians, bicyclists, and equestrians for both tourism and recreational purposes
- Provide pedestrian linkages to adjacent and nearby residential or commercial districts
- Consolidate driveways and use directional signage to clustered developments
- Institute driveway controls and access management standards to facilitate traffic flow
- Separate through-traffic from local traffic

<u>Land Uses</u> <ul style="list-style-type: none"> • Parks, Recreation and Conservation • Forestry • Agriculture • Exurban Residential • Rural Residential • Suburban and Lakefront Residential • Office Professional • Crossroads Commercial 	<u>Zoning Districts</u> <ul style="list-style-type: none"> • C-RB • C-CB • Scenic Corridors Overlay Districts
---	---

County Agency Comments:

Engineering Department: Please see the attached memorandum

Environmental Health Department: No comments returned as of 11.8.2022

Emergency Services: No comments returned as of 11.8.2022

Etowah Water & Sewer Authority: "Water available at the site and there is septic only."

Planning and Development: Staff is supportive of the property being zoned consistently with the Future Land Use Designation of **C-CB** with conditions. The property owner desires the property be zoned to **C-HB** as cited in the application. The plan delineates a small portion of the property to be utilized for small- scale retail outdoor uses. The letter of intent describes the proposed activities.

Recommended Conditions of Zoning:

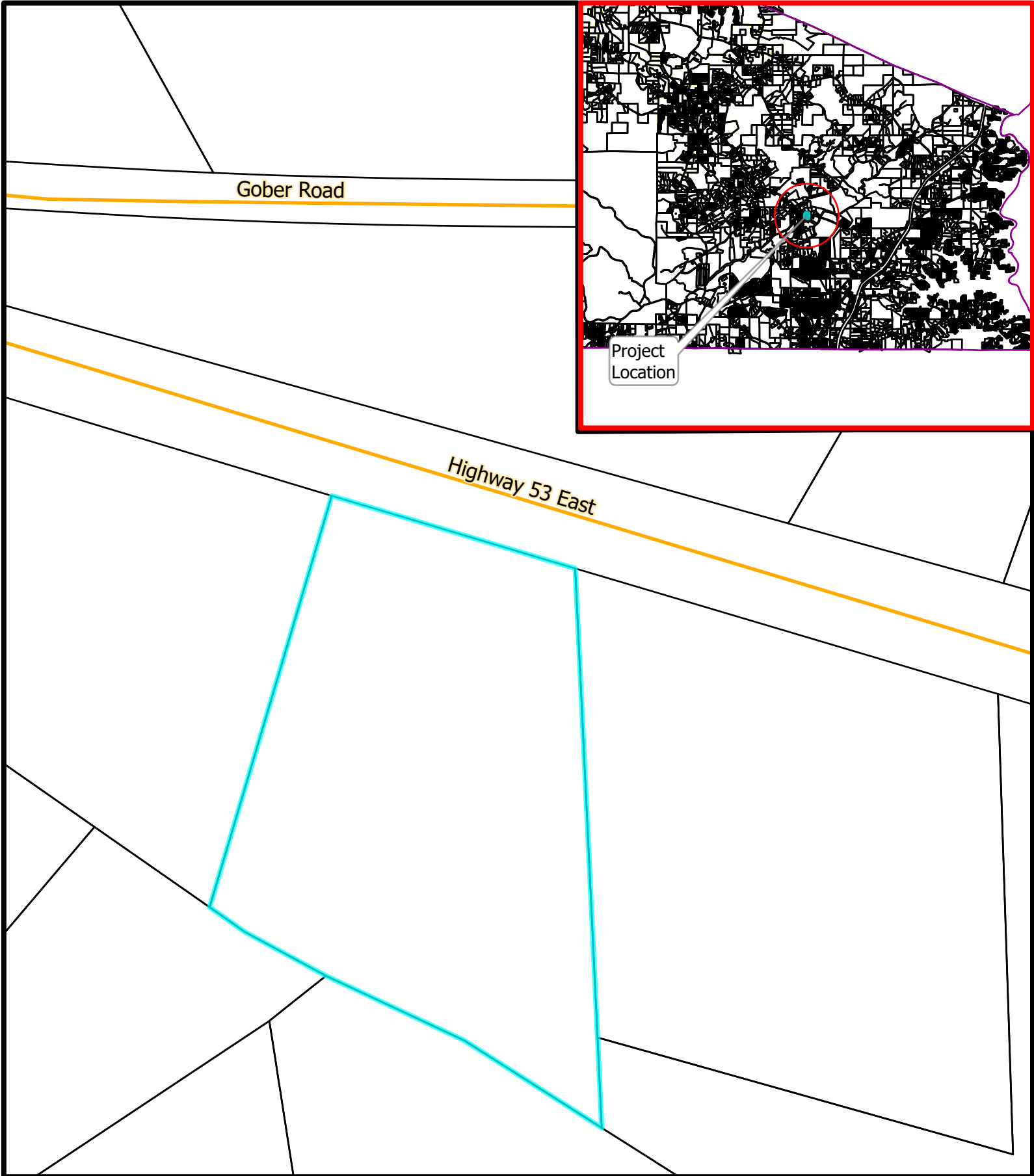
1. A fifteen (15) foot landscape buffer shall be planted along the frontage of the parcel. Supplemental plantings shall consist of evergreen trees, shrubs, or a combination native to the region. All trees planted shall be a minimum of six feet in height at the time of planting. All shrubs planted shall be a minimum of three feet in height at the time of planting.
2. A sign permit shall not be issued until the 15-foot landscape strip is installed along the frontage of the property.
3. No other items shall be offered for sale on site other than the pull behind dump style trailers and seasonal products; as delineated on the site plan submitted with the application.
4. Prohibited uses:
 - a. Auto Sales or Storage
 - b. Convenience Food Stores
 - c. Construction Contractors with outdoor storage
 - d. Fast-Food/drive-in food services
 - e. Child Day Care Services
 - f. Tire Dealers
5. Uses different from those stated in the application, letter of intent, area of operation as delineated on the site plan will be considered a violation of the Land Use Resolution; a land/site development application (in conformance with county ordinances) can submitted for development of permitted uses.
6. Permitted Uses: Those uses as allowed within the C-RB and C-CB Land Use Districts; and Professional Offices NAICS Code 541; subject to land/site development permit in conformance with county ordinances being approved.
7. Any revisions to the proposed development of the property, and any changes reflected in a subsequently submitted permit application, shall include a Tree Replacement plan to be approved as part of the new land development permit prior to the commencement of such changed improvements.

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

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

Photo of Property: *Property was cleared under an Agricultural exemption in 2019.*





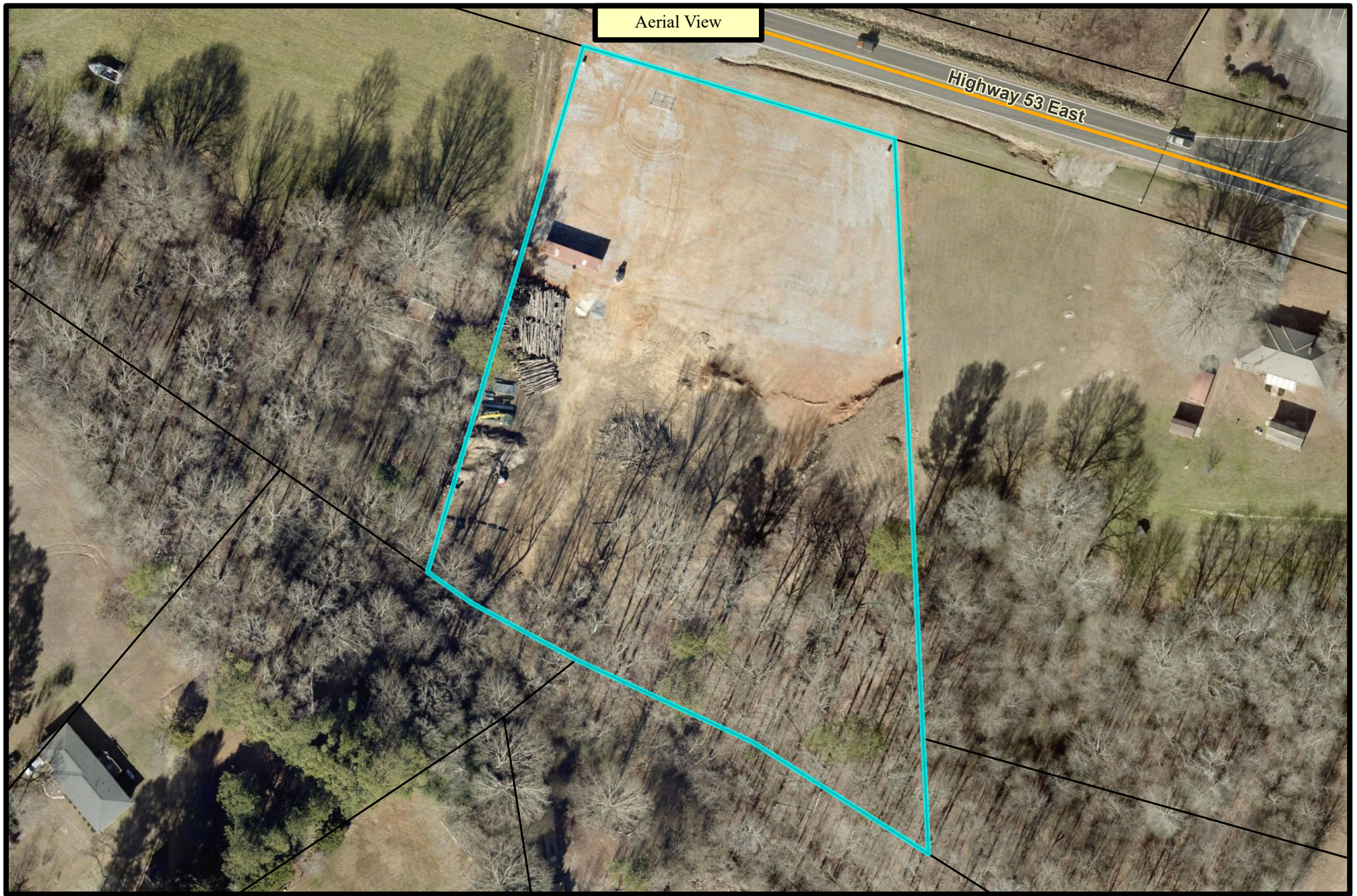
DAWSON COUNTY
DISCLAIMS ANY
RESPONSIBILITIES,
LIABILITIES OR
DAMAGES FROM THE USE
OF THIS MAP. THIS MAP
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PURPOSES.



Dawson County
Planning and Development
Staff Report: Exhibit

76

Parcel #: 104-058
Current Zoning: RA
FLU: CC
Application #: ZA 22-25 & VR
22-27

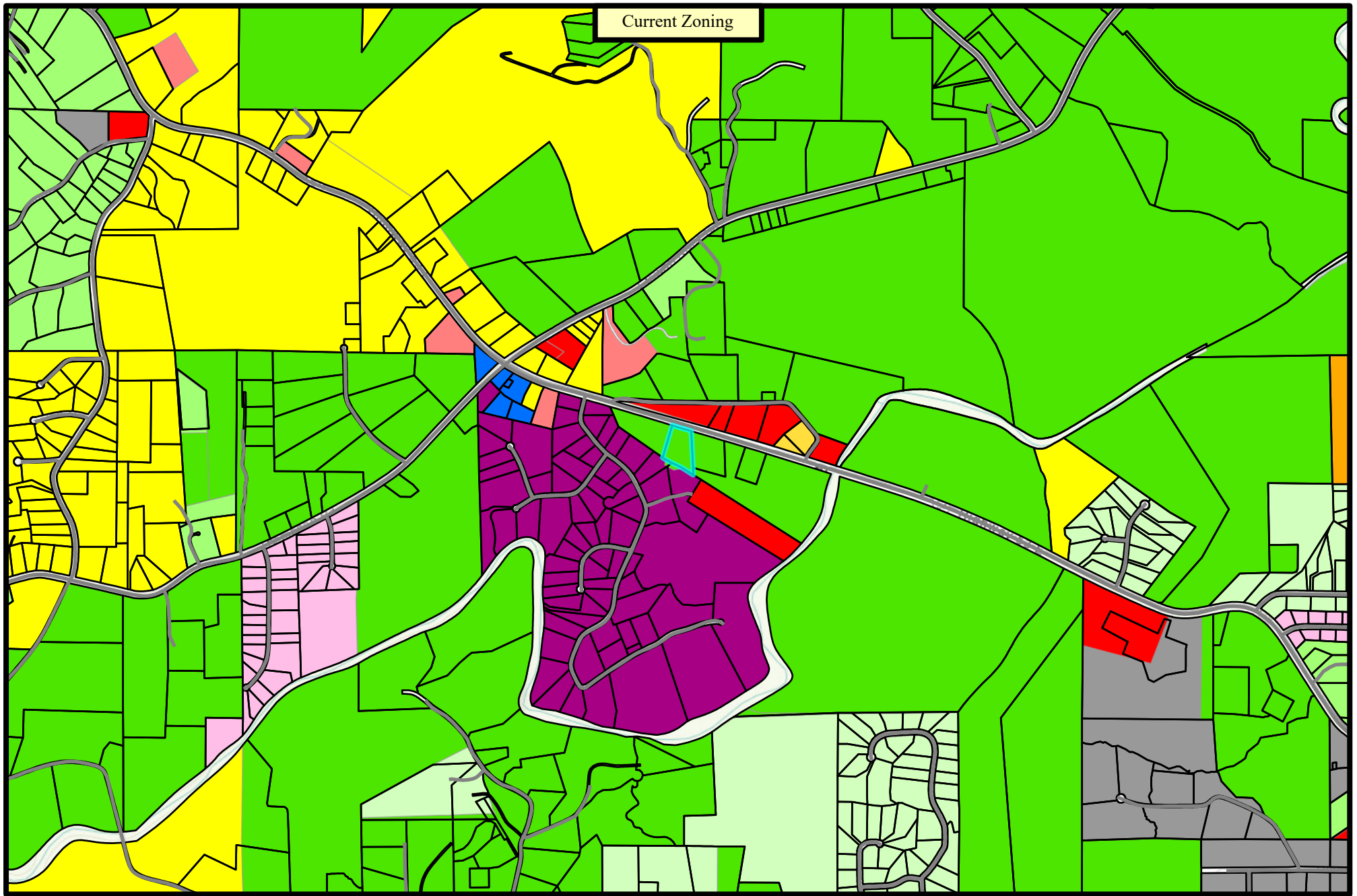


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Scale: 1:1,263

Dawson County
Planning and Development
77
Site Report

Parcel #: 104-058
Current Zoning: RA
FLU: CC
Application #: ZA 22-25 & VR
22-27

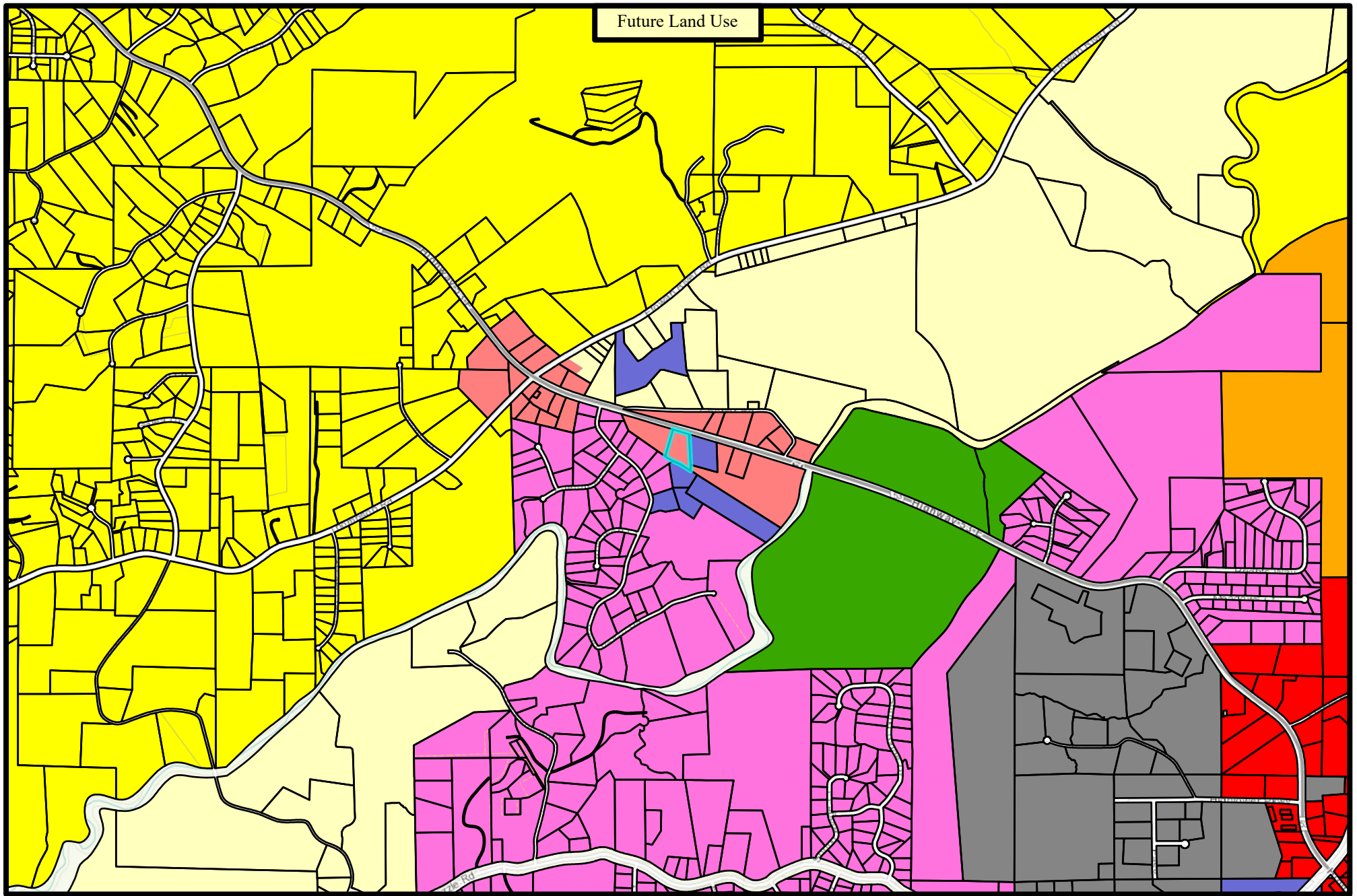


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Scale: 1:20,637

Dawson County
Planning and Development
78
Staff Report

Parcel #: 104-058
Current Zoning: RA
FLU: CC
Application #: ZA 22-25 & VR
22-27

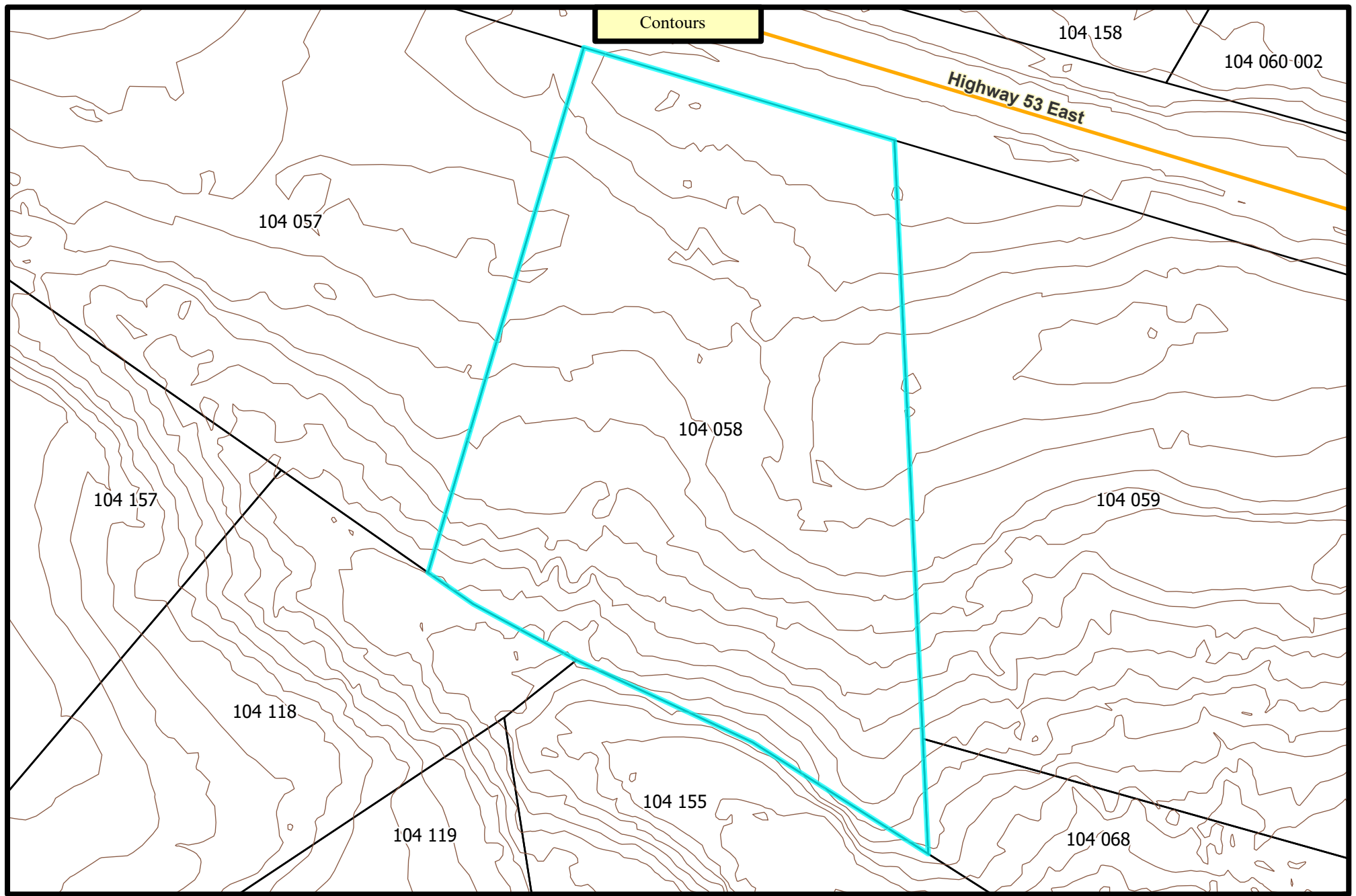


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Dawson County
Planning and Development
79
Staff Report

Parcel #: 104-058
Current Zoning: RA
FLU: CC
Application #: ZA 22-25 & VR
22-27



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THIS MAP IS ONLY FOR
DISPLAY PURPOSES.

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Scale: 1:1,263

Dawson County
Planning and Development
80
Site Report

Parcel #: 104-058
Current Zoning: RA
FLU: CC
Application #: ZA 22-25 & VR
22-27

Dawson County
Rezoning Application
(AMENDMENT TO DISTRICT MAP)

FOR STAFF USE ONLY
DATE & TIME STAMP

2200111111

APPLICANT INFORMATION (or Authorized Representative)

If applicant is other than owner, the Property Owner Authorization form must be completed.

Printed Name: Better Dump Trailers

Address: _____

Phone (Listed/Unlisted): _____

Email (Business/Personal): _____

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

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: 7/19/2022, 10/13/2022 Applicant Signature: _____

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use: Retail Trailer Sales, Produce/Boiled Peanuts

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: N/A No. of Parking Spaces: _____

Property Owner/ Property Information

2200114110100

Name: Holly Betterton

Street Address of Property being rezoned: 3962 Highway 53 E, Dawsonville, GA 30534

Rezoning from: RA to: C-HB Total acreage being rezoned: 2.816

Directions to Property (if no address):

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

Current Use of Property: Agricultural

Does this proposal reach DRI thresholds? no If yes, the application will require transportation study and additional review by the Georgia Mountains Regional Planning Commission. This adds several weeks to the review and processing.

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

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

If yes, what section? ☐ North ☐ South

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North C-HB South VC East RA West RA

Future Land Use Map Designation: CC

Access to the development will be provided from:

Road Name: Highway 53 E Type of Surface: Paved

Applicant Certification

22OCT14 11:01AM



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 or a land use professional if I am not familiar with the zoning and land use requirements.

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

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

Signature  Date 10/14/2022
Witness  Date 10/14/22

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

SECTION 141101m

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

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

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

N/A

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

Amount \$ _____ Date: _____

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



Signature of Applicant/Representative of Applicant

10/14/2022

Date

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

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

Property Owner Authorization

22 OCT 14 11:01 AM

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

Street Address of Property being rezoned: 3962 Highway 53 E

TMP #: 104-058

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: Perry Betterton, obo Better Dump Trailers

Signature of applicant or agent:

Date:

Printed Name of Owner(s): Holly Betterton

Signature of Owner(s):

Holly Betterton

Date:

10/14/2022

Mailing address:

City, State, Zip:

Phone (Listed/Unlisted):

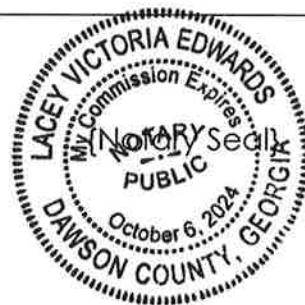
Sworn and subscribed before me

this 14 day of OCT, 2022

Lacey Victoria Edwards
Notary Public

My Commission Expires:

10/6/24



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

Letter of Intent

22007 104-058

Applicant: Better Dump Trailers
Subject Property: 2.816 acres with frontage on Highway 53 E, Parcel 104-058
Current Zoning: RA – Residential Exurban / Agricultural
Proposed Zoning: C-HB – Highway Business Commercial District
Proposed Use: Retail Trailer Sales
Application: Rezoning from RA to C-HB
ROW Access: Direct access to Highway 53 E

PROPOSED USE

The applicant proposes to conduct retail trailer sales and sell produce/boiled peanuts on the property. The proposed use will include a gravel area for trailer and produce sales.

The Applicant has operated an online trailer dealership for the past 5 years. To expand its operations, the Applicant seeks to open a yard where customers can view the trailers for sale.

No manufacturing or repair work is currently planned. There should be no dust, smoke, or odors, and minimal noise. Customer traffic should be minimal (< 20 per day), and should be confined to daytime hours.

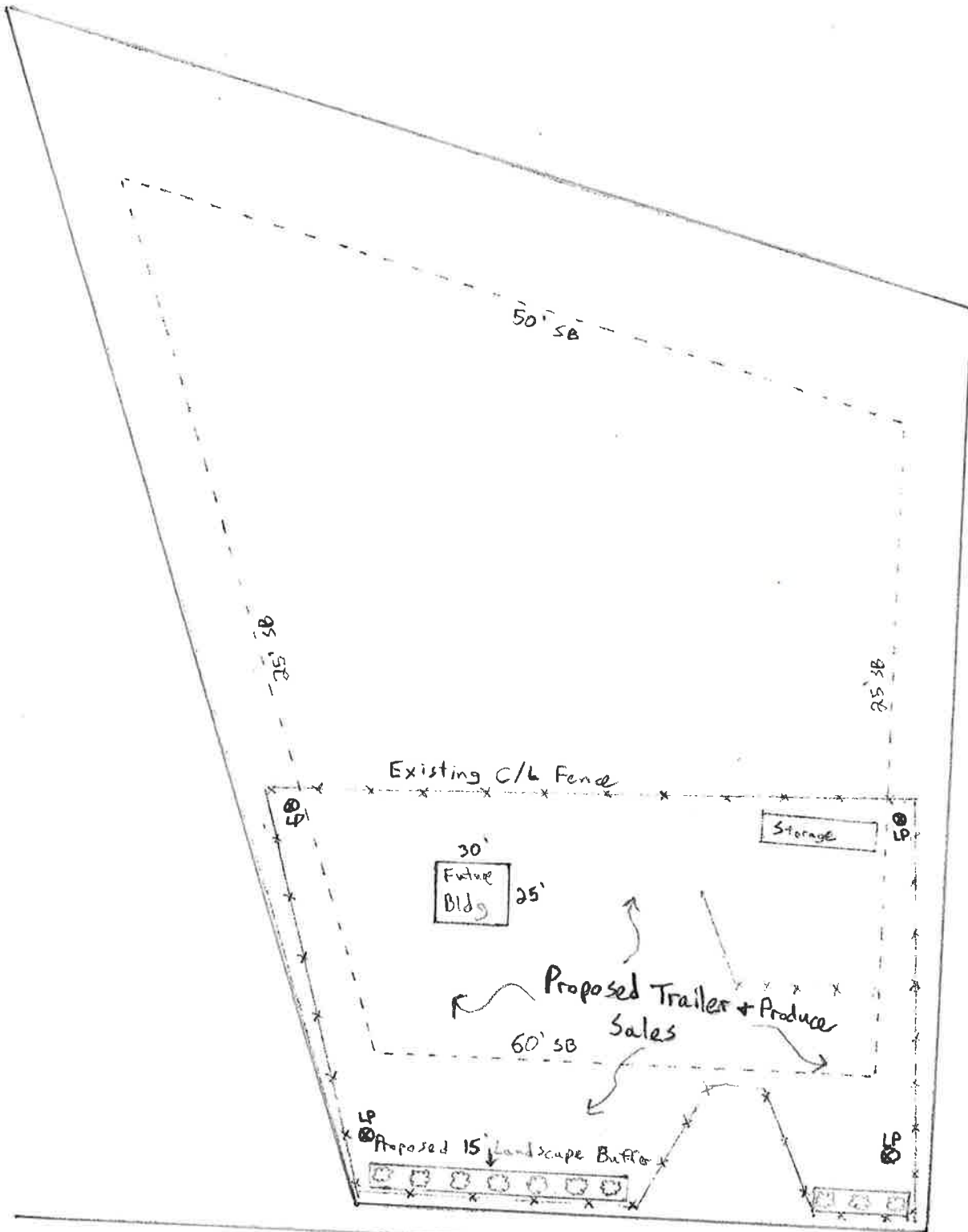
The Applicant also plans to sell produce / boiled peanuts on a seasonal basis initially.

Underground electricity is already on the property. The impact on public utilities will be minimal.

There will be approximately 2 part-time employees.

Site Plan

22 OCT 14 11:01 AM



Construction / Development Schedule

No construction or development is planned other than the landscape buffer. Planting of this landscape buffer should be completed approximately 6 months after rezoning approval. Applicant intends to use existing gravel lot for trailer sales and produce / boiled peanut sales. The only thing changing will be the use.

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

2200T14114024

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: Perry Betterton

Applicant Printed Name: Perry Betterton, obo Better Dump Trailers

Application Number: _____

Date Signed: 10/14/2022

Sworn and subscribed before me

this 14 day of OCT, 2022.

Lacey Victoria Edwards

Notary Public

My Commission Expires: 10/6/24



INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT APPLICATION AND INSPECTION REPORT

PERMIT # 042-88-8-531 DATE PERMIT ISSUED 8-17-83 DATE SYSTEM INSP. 10-6-83

RECEIPT # 449 PROPERTY OWNER & ADDRESS

Kathy Nicholson

PROPERTY LOCATION

3962
Hwy. 53 E (just past Gene Porter's store) will be on right - before Bud Stephens home.
Dawson County, Georgia

TELEPHONE None

SEWAGE CONTRACTOR Byrd - Holbrook

I hereby apply for a permit to install or construct an individual sewage disposal system and agree that the system will be installed to conform to the requirements of the former Georgia Department of Public Health, Chapter 270-5-25.

I understand that final inspection is required and hereby promise to notify the Dawson County Health Department upon its completion and before applying final cover at 265-2611 or 265-3223.

I further realize and understand that neither this permit nor the final inspection in any way guarantee the proper operations of the sewage system nor in any way confers any guarantee or warranty of any kind.

Kathy Nicholson

Owner or applicant's signature

8-17-83

Date

1. Type water supply:

1 individual 2. community 3. public

1 New system 2. Repair 3. Existing

3. Perc rate

4. Type facility mobile Home

5. No of bedrooms or gallons 2 Bedroom

6. Subdivision: yes no

7. Lot size

8. Building line

9. Septic tank capacity min. 750 gallon

10. As installed 750 gallon

11. Dosing tank capacity 750 GAL.

12. Distance S. T. from well

13. Min. amount of field line:

Ft. sq. 504 Linear ft. 168

14. Field line as installed

Ft. sq. 540 Linear ft. 180

15. Width of trench 36"

16. Distance between trenches 15'

17. Trench depth, avg. 36"

18. Distance from foundation 30'

19. Nearest property line 25'

front, rear side

20. Distance from well must be 100' From Field Lines

Site: Approved: Approved conditionally: Rejected 10/5/83

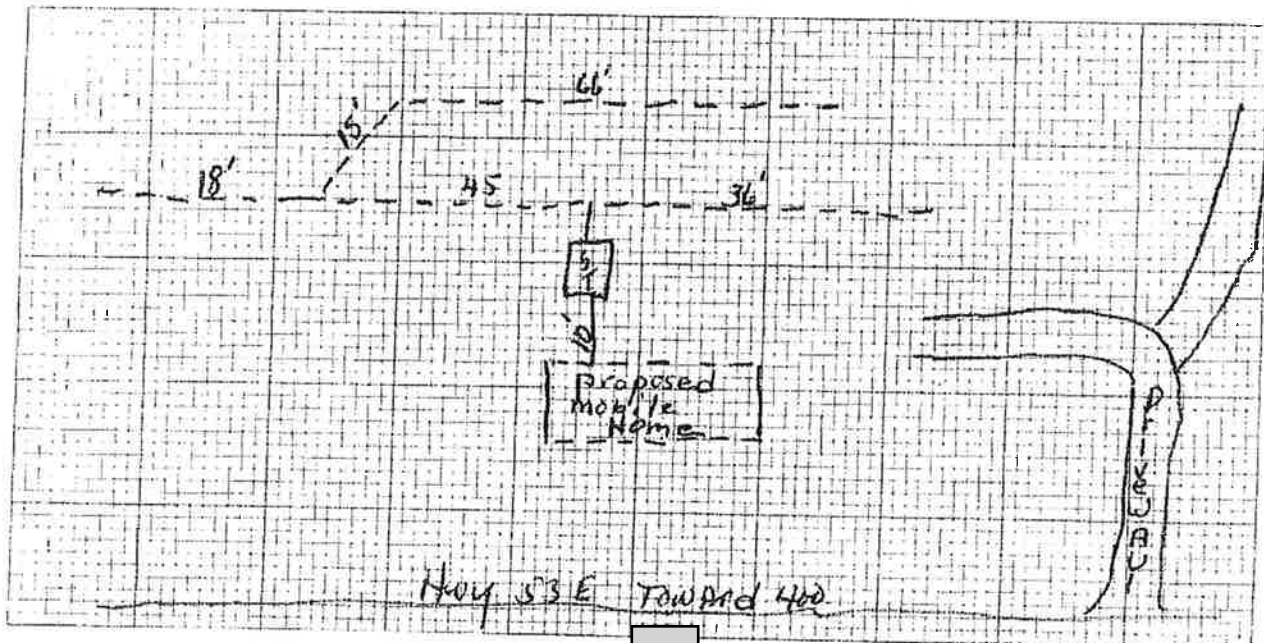
Inspector: Don Fleming

System: Approved: Approved conditionally: Rejected 10/6/83

Inspector: Don Fleming

REMARKS: When Well installed it will have to be 50' from septic tank and 100' from Field Lines

DAWSON COUNTY HEALTH DEPARTMENT
P.O. BOX 245
DAWSONVILLE, GEORGIA 30534



PREPARED BY
TURNER LAND SURVEYING
1641 UNIT B HWY. 129 SOUTH
CLEVELAND, GEORGIA 30628
PHONE: 706-865-0010
GA. L.S. FIRM # 000982

RETRACEMENT SURVEY PREPARED FOR
HOLLY BEA BETTERTON
LOCATED IN
LAND LOT 129 - SOUTH HALF 13th DISTRICT
1st SECTION
DANSON COUNTY, GEORGIA
DATE: MAY 28, 2019 - SCALE: 1" = 100'
JOB NO. 509-19 FB - 2/4/62

NOTES:
1) BEARING BASIS TAKEN FROM PLAT OF SURVEY FOR BRUCE M. RUBIN, DATED FEB. 24, 1989, BY FREDERICK C. YOUNGMAN, GA. RLS # 2160, (SOUTH BOUNDARY LINE BEARING N57°52'22"W)
2) THE LAND PLATTED HEREON IS SUBJECT TO ANY EASEMENTS, RESERVATIONS, RIGHT OF WAYS, OR RESTRICTIONS THAT MAY EXIST.
3) THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA PER THE FEMA FIRM MAP OF DANSON COUNTY, GA. MAP # 13085001140
EFFECTIVE DATE: 04-04-2018.

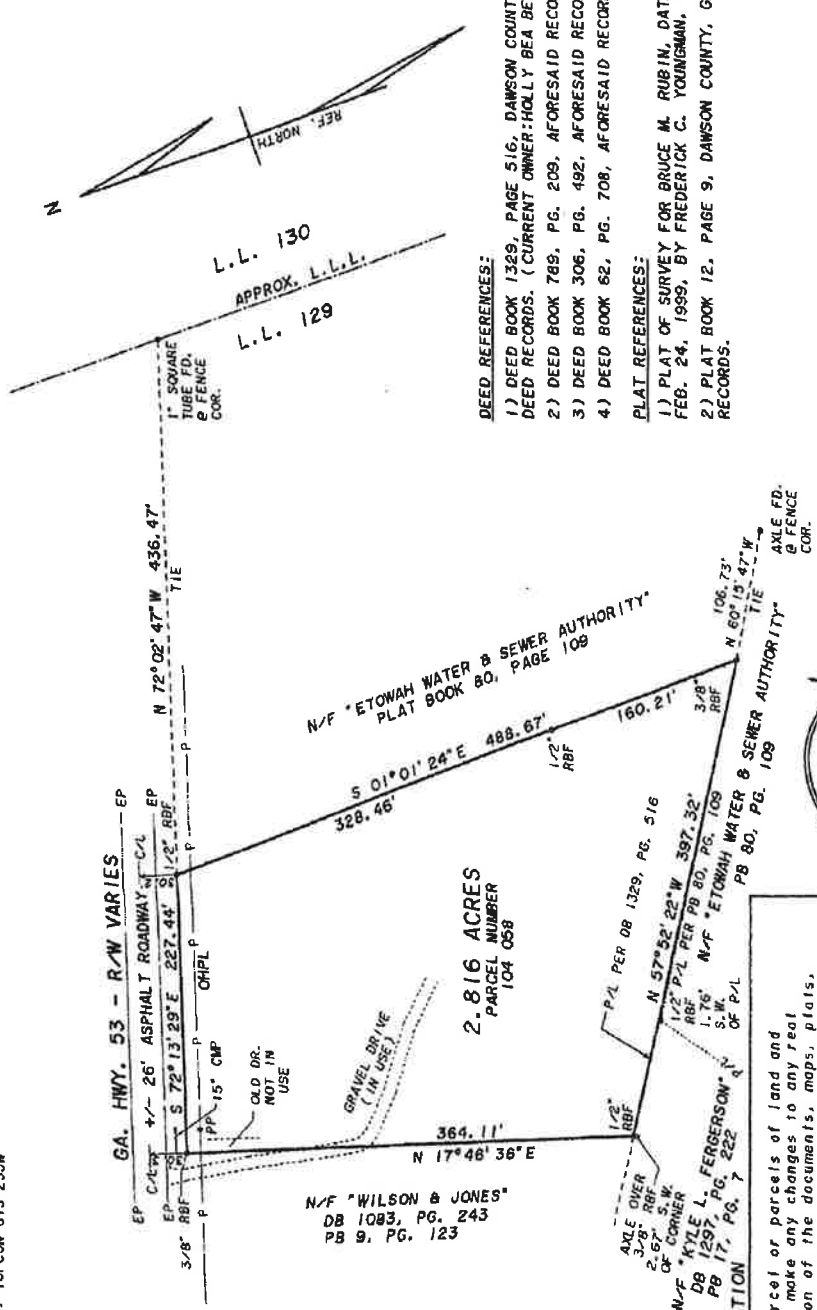
DATES OF FIELD SURVEY: MAY 23 & 24, 2019.
EQUIPMENT USED: TOPCON GTS 235W

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

THIS FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 11,142 FEET AND AN ANGULAR ERROR OF 0°00'03" PER ANGLE AND WAS NOT ADJUSTED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 233,231 FEET.

- END:
- REBAR FOUND
 - NOW OR FORMERLY
 - L.L. - LAND LOT LINE
 - L.L. - LAND LOT LINE
 - EP - EDGE PAVEMENT
 - OHP - OVERHEAD POWER LINES
 - PP - POWER POLE
 - C/P - CORRUGATED METAL PIPE
 - P/L - PROPERTY LINE
 - C/L - CENTERLINE
 - DB - DEED BOOK
 - PB - PLAT BOOK



DEED REFERENCES:
1) DEED BOOK 1329, PAGE 516, DANSON COUNTY, GA. DEED RECORDS. (CURRENT OWNER: HOLLY BEA BETTERTON)
2) DEED BOOK 789, PG. 209, AFORESAID RECORDS.
3) DEED BOOK 306, PG. 492, AFORESAID RECORDS.
4) DEED BOOK 62, PG. 708, AFORESAID RECORDS.

PLAT REFERENCES:
1) PLAT OF SURVEY FOR BRUCE M. RUBIN, DATED FEB. 24, 1989, BY FREDERICK C. YOUNGMAN, GA. RLS. 2) PLAT BOOK 12, PAGE 9, DANSON COUNTY, GA. PLAT RECORDS.



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

Mark B. Turner
MARK B. TURNER, GA. RLS # 2927
DATE: 5/28/2019



Printed: 7/19/2022 1:20:00 PM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2021 - 1200	104 058 / 1 LL 129 LD 13-S FMV: 61200	\$553.86	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$553.86	\$0.00
Totals:		\$553.86	\$0.00	\$0.00	\$553.86	\$0.00

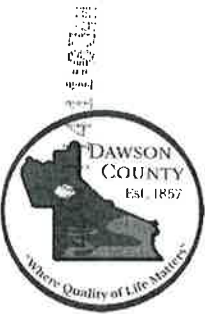
Paid Date: 11/27/2021

Charge Amount: \$553.86

BETTERTON HOLLY BEA



Scan this code with your
mobile phone to view this
bill



DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Perry Betterton

Address: _____

Contact Email: Sales@DumpTrailer.com Telephone # 678-827-2786

Status: ☐ Owner ☒ Authorized Agent ☐ Lessee

PROPERTY INFORMATION

Street Address of Property:

3962 Highway 53 E, Dawsonville, GA 30534

Land Lot(s): 129 District: 13 Section: 1

Subdivision/Lot: N/A / _____

Building Permit #: _____ (if applicable)

REQUESTED ACTION

A Variance is requested from the requirements of Article # IV Section # 121-99 of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other.

☐ Front Yard setback ☐ Side Yard setback ☐ Rear Yard setback variance of _____ feet to allow the structure to: ☐ be constructed; ☐ remain a distance of _____ feet from the ☐ property line, or ☐ other : _____ instead of the required distance of _____ feet as required by the regulations.

☐ Home Occupation Variance: _____

☒ Other (explain request): Light Pole Height

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



DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

Variances to standards and requirements of the Regulations, with respect to setbacks, 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:

Light poles are already installed and functioning properly.

Applicant was unaware of any height limitations when they were installed. Cutting them shorter would be costly, aesthetically unpleasant, and lighting would be uneven.

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

Lights were installed to protect agricultural equipment from theft after 3 separate incidents of theft on this property. Most other properties in the same district are occupied on a more consistent basis.

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:

These lights are actually beneficial to public safety and welfare. One neighbor is water company, who also has outdoor lights; other neighbors are far away and unaffected by the light. Some light on the highway makes driving at night safer.

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

The objective is minimum lighting necessary to insure adequate safety. If light poles were shortened, there would be dark spots, which would be unsafe. Shorter light poles would require more of them for coverage, resulting in more overall light.

Add extra sheets if necessary.

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DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

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 of any parcel(s) adjoining or adjacent to parcel where variance or zoning is being requested. Please add additional sheets if necessary.

	Name	Address
TMP <u>104</u> - <u>057</u>	1. <u>Wilson Homer Danny & Patsy E Jones, 3828 Hwy 53 E, Dawsonvil</u>	<u>GA 30534</u>
TMP <u>104</u> - <u>118</u>	2. <u>Butcher Tony, 209 River Valley Rd, Dawsonville, GA 30534</u>	
TMP <u>104</u> - <u>155</u>	3. <u>Etowah Water & Sewer Authority, PO Box 769, Dawsonville, GA 30534</u>	
TMP <u>104</u> - <u>059</u>	4. <u>Etowah Water & Sewer, PO Box 769, Dawsonville, GA 30534</u>	
TMP <u>104</u> - <u>158</u>	5. <u>Five Rivers LLC, 2150 Vicki Lane, Cumming, GA 30041</u>	
TMP _____ - _____	6. _____	
TMP _____ - _____	7. _____	
TMP _____ - _____	8. _____	
TMP _____ - _____	9. _____	

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 the Planning Commission agenda 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 may seek the advice of a land use professional if I am not familiar with the zoning and land use requirements.



DAWSON COUNTY VARIANCE APPLICATION

25 Justice Way, Dawsonville, Georgia 30534

I understand that my request will be acted upon at the Planning Commission 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: _____

Per Boss

Date: 10/14/2022

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.

THIS SECTION TO BE COMPLETED BY STAFF.

VR 22- _____ Tax Map & Parcel# _____

Zoning: _____ Commission District #: _____

Submittal Date: _____ Time: am/pm Received by: _____ (staff initials)

Fee Paid: _____ Planning Commission Meeting Date: ____/____/ 2022

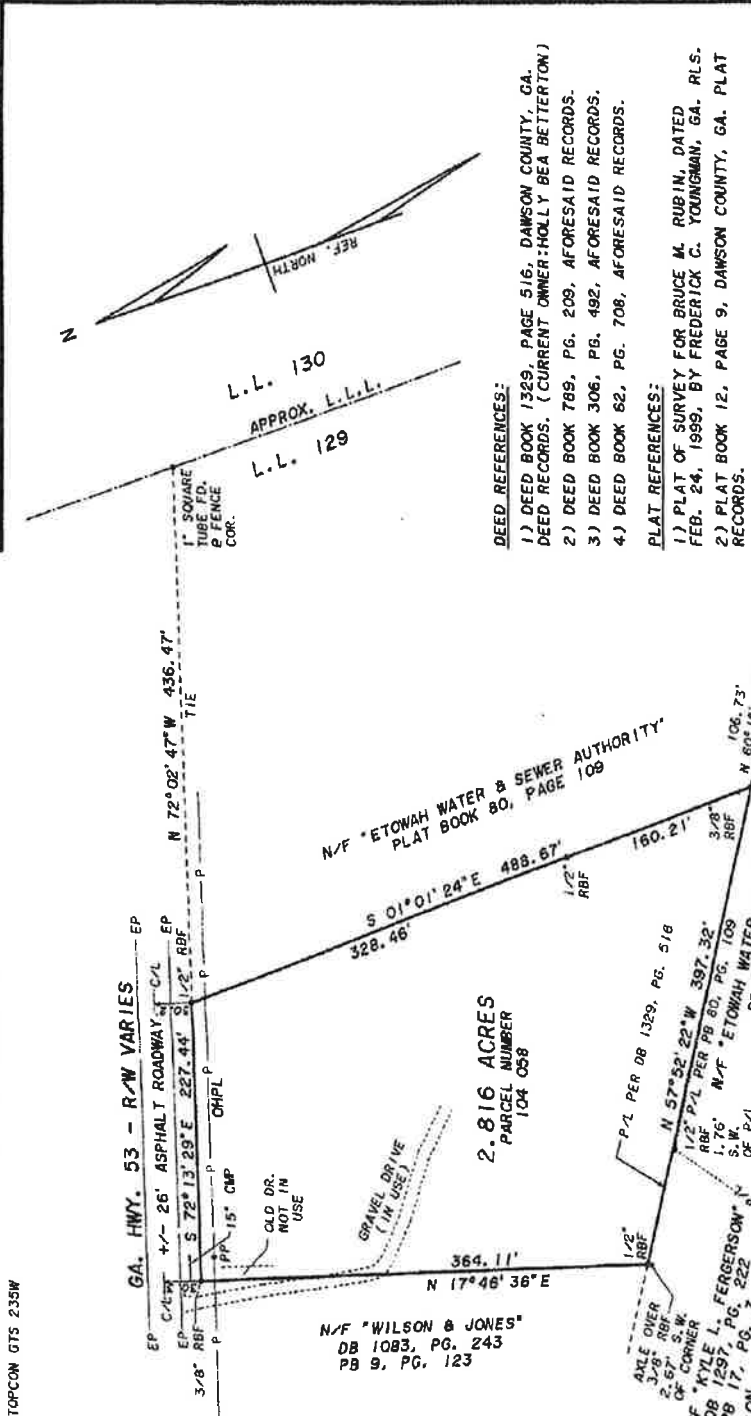
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PREPARED BY
TURNER LAND SURVEYING
1641 UNIT B HWY. 129 SOUTH
CLEVELAND, GEORGIA 30528
PHONE: 706-865-0010
GA. L.S. FIRM # 000982

NOTES:
1) BEARING BASIS TAKEN FROM PLAT OF SURVEY FOR BRUCE M. RUBIN, DATED FEB. 24, 1999, BY FREDERICK C. YOUNGMAN, GA. RLS # 2160. (SOUTH BOUNDARY LINE BEARING N57°52'22"W)
2) THE LAND PLATTED HEREON IS SUBJECT TO ANY EASEMENTS, RESERVATIONS, RIGHT OF WAYS, OR RESTRICTIONS THAT MAY EXIST.
3) THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA PER THE FEMA FIRM MAP OF DAWSON COUNTY, GA. MAP # 13085C01140
EFFECTIVE DATE: 04/04/2018.

RETRACEMENT SURVEY PREPARED FOR
HOLLY BEA BETTERTON
LOCATED IN
LAND LOT 129 - SOUTH HALF 13th DISTRICT
1st SECTION
DAWSON COUNTY, GEORGIA
DATE: MAY 28, 2019 - SCALE: 1" = 100'
JOB NO. 509-19 FB - 24/62

DATES OF FIELD SURVEY: MAY 23 & 24, 2019.
EQUIPMENT USED: TOPCON GTS 235W



SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 19-6-67.

Mark B. Turner
MARK B. TURNER, GA. RLS # 2927
5/29/2019
DATE



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

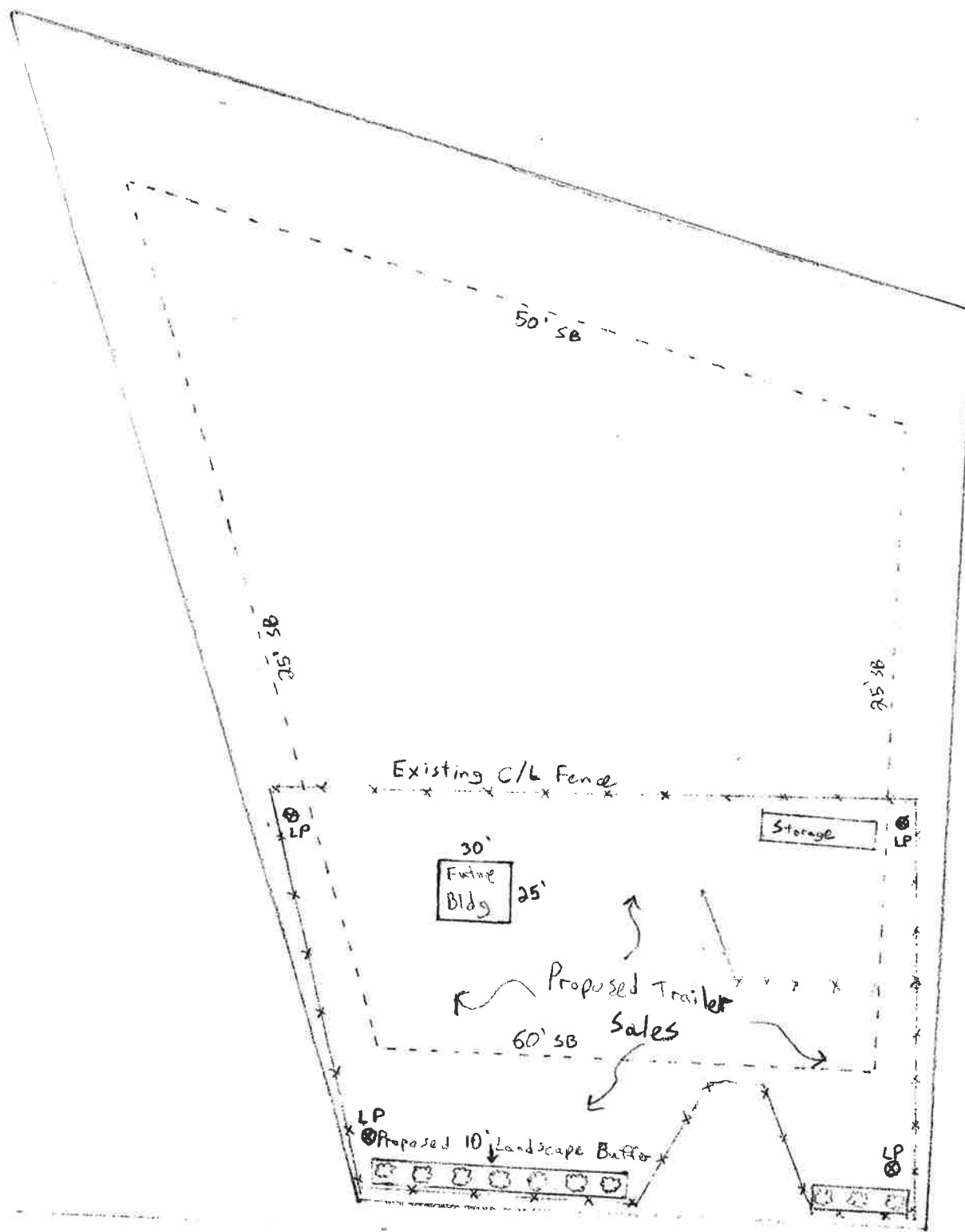
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 11,142 FEET AND AN ANGULAR ERROR OF 0°00'03" PER ANGLE AND WAS NOT ADJUSTED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 233,231 FEET.

- END:
- REBAR FOUND
 - NOW OR FORMERLY
 - L.L. - LAND LOT LINE
 - R/W - RIGHT OF WAY
 - EP - EDGE PAVEMENT
 - CHPL - OVERHEAD POWER LINES
 - PP - POWER POLE
 - P-L - CORRUGATED METAL PIPE
 - C/L - PROPERTY LINE
 - DB - DEED BOOK
 - PB - PLAT BOOK

22 OCT 14 11:04 AM

Site Plan



Printed: 7/19/2022 1:20:00 PM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2021 - 1200	104 058 / 1 LL 129 LD 13-S FMV: 61200	\$553.86	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$553.86	\$0.00
Totals:		\$553.86	\$0.00	\$0.00	\$553.86	\$0.00

Paid Date: 11/27/2021

Charge Amount: \$553.86

BETTERTON HOLLY RFA



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DAWSON COUNTY

INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT APPLICATION AND INSPECTION REPORT

PERMIT # 042-88-8-531 DATE PERMIT ISSUED 8-17-83 DATE SYSTEM INSP. 10-6-83

RECEIPT # 449

PROPERTY OWNER & ADDRESS

Kathy Nicholson

PROPERTY LOCATION

3962
Hwy. 53 E (just past Gene Porter's store) will be on right - before Bud Stephens home.
Dawson County, Georgia

TELEPHONE None

SEWAGE CONTRACTOR Byrd - Holbrook

I hereby apply for a permit to install or construct an individual sewage disposal system and agree that the system will be installed to conform to the requirements of the former Georgia Department of Public Health, Chapter 270-5-25.

I understand that final inspection is required and hereby promise to notify the Dawson County Health Department upon its completion and before applying final cover at 265-2611 or 265-3223.

I further realize and understand that neither this permit nor the final inspection in any way guarantee the proper operations of the sewage system nor in any way confers any guarantee or warranty of any kind.

Kathy Nicholson

Owner or applicant's signature

8-17-83

Date

1. Type water supply:

1 individual 2. community 3. public

1 New system 2. Repair 3. Existing

3. Perc rate

4. Type facility mobile Home

5. No of bedrooms or gallons 2 Bedroom

6. Subdivision: yes no

7. Lot size

8. Building line

9. Septic tank capacity min. 750 gallon

10. As installed 750 gallon

11. Dosing tank capacity 750 GAL.

12. Distance S. T. from well

13. Min. amount of field line:

Ft. sq. 504 Linear ft. 168

14. Field line as installed

Ft. sq. 540 Linear ft. 180

15. Width of trench 36"

16. Distance between trenches 15'

17. Trench depth, avg. 36"

18. Distance from foundation 30'

19. Nearest property line 25'

front, rear side

20. Distance from well must be 100' From Field Lines

Site: Approved: Approved conditionally; Rejected 10/5/83

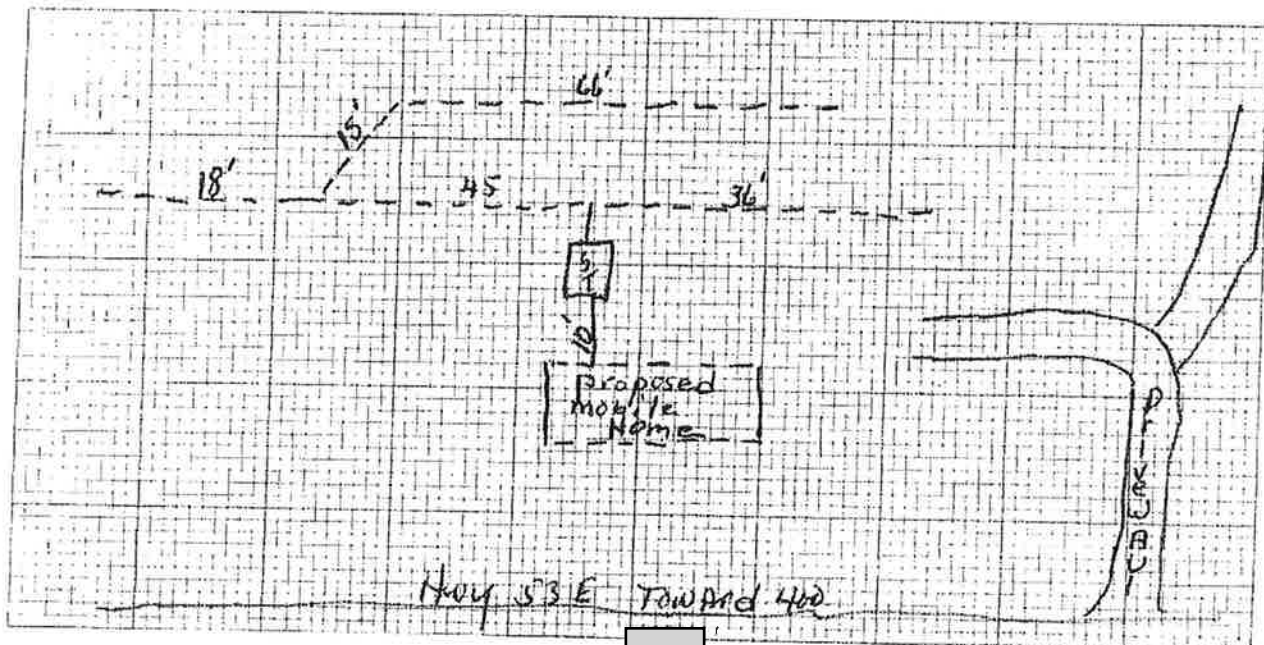
Inspector: Don Fleming

System: Approved: Approved conditionally; Rejected 10/6/83

Inspector: Don Fleming

REMARKS: When Well installed it will have to be 50' from septic TANK AND 100' From Field Lines

DAWSON COUNTY HEALTH DEPARTMENT
P.O. BOX 245
DAWSONVILLE, GEORGIA 30534



Variances

Property Owner Authorization Form

This form must be signed by the owner(s) as listed on the deed of record for the subject property. If there is more than one property owner, additional affidavits must be provided. **Only an owner or an authorized agent may speak on behalf of the variance at the public hearing.**

Owner's Name: Holly Betterton

Mailing Address: _____

Signature of Owner:  Date: 10/14/2022

Signature of Notary:  Date: 10/14/22





ZA 22-27

Miles, Hansford & Tallant, LLC. o/b/o Darsit Patel

Planning Commission Meeting November 15, 2022

Board of Commission Hearing December 15, 2022

Applicant Proposal

The applicant is seeking to zone the property from RSR (Residential Sub-Rural) to C-RB (Commercial Rural Business) for the purpose of developing a 2,400 retail space with gas pumps.

Applicant	Miles, Hansford & Tallant, LLC o/b/o Darsit Patel
Amendment #	ZA 22-27
Request	Rezone Property from RSR to C-RB
Proposed Use	Gas Pumps with a retail space approximately 2400 sq. ft. in size
Current Zoning	RSR
Future Land Use	Sub-Rural Residential
Acreage	2.24
Location	1072 Hwy 53 East
Commercial Square footage	2400 square feet
Road Classification	State Highway
Tax Parcel	093-034
Dawson Trail Segment	n/a
Commission District	2
DRI	No
Planning Commission Recommendation	

Direction	Existing Zoning	Existing Use
North	RSR	Board of Education/DCHS
South	RSR	Residential
East	RSR	Residential
West	RSR	Residential

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

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

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

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

County Agency Comments:

Environmental Health Department: "For a convenience store, the estimated gallons per day of wastewater generated will be categorized by 400 gallons/restroom, or 100 gallons/commode or urinal, whichever one is larger. Any system with an estimated wastewater flow of 2,000 gal/day or greater will require a design submittal by a professional engineer that is licensed in the State of Georgia."

Emergency Services: No comments returned as of 11.2.2022

Etowah Water & Sewer Authority: "If water main is impacted, relocation, upgrades, etc. must be designed and installed per EWSA specifications

Planning and Development: As Dawson County experiences development pressures from the expanding Metro Atlanta area, it seeks to protect the scenic and local amenities of the area while allowing for desired growth. Minimum standards for site development, pedestrian access, open space, exterior architectural design, landscaping, lighting, and signage should create a cohesive aesthetic relating the commercial gateways to the valued natural amenities of the County.

The Planning Department recommends the following stipulations:

1. Permitted Uses.
 - a. All uses allowed in the underlying zoning districts as established by the Land Use Resolution, except for those listed below, are permitted:
 1. Temporary buildings except construction trailers
 2. Electronic message boards/changeable copy signs
 3. Self-service car wash facilities
 4. Drive In services
 5. Auto Sales or Storage
2. Architectural Building Materials.
 - a. Exterior building materials from the right-of-way shall consist of a minimum of 70 percent per vertical wall plane of brick, natural or pre-cast stone, stucco, pre-finished colored architectural masonry with a rough-hewn texture, and glass.
 - b. Accent wall materials shall not exceed 30 percent per vertical wall plane. Accent building materials include, but are not limited to, stucco, thin brick, and durable and cement based wood products. Smooth faced or painted concrete masonry units, EFIS, aluminum siding, vinyl siding, and corrugated steel are prohibited.
3. Design Standards.
 - a. Minimum landscaped open space: 25%

- b. Minimum yard landscape strip paralleling road frontage along Hwy 53: 20 feet
- c. Minimum yard landscape strip paralleling road frontage along Acorn Rd: 10 feet
- d. Landscape buffers a minimum of 20 feet in width along property lines abutting residentially zoned properties.
- e. Service, refuse collection and dumpsters. Service areas, storage areas, and refuse enclosures shall be oriented away from view from the right-of-way and screened from public areas. Service areas and loading areas shall be separated from the primary vehicular and pedestrian circulation areas. All refuse enclosures shall be enclosed on three sides by a brick, masonry, or cement wall. Chain link fencing is prohibited.
- f. Canopies. The canopy over the pump stations shall be painted a neutral color. The overall height of canopies shall not exceed 22 feet.
- g. Lighting. Freestanding pole-mounted light utilizing LED fixtures shall not exceed 20 feet in height and shall have a black metal finish.
- h. Automobile screening. All parking areas shall be screened from public view with evergreen shrubs. Shrubs shall be no less than three feet in height as measured from the top of curb of the parking area.
- i. Accessory uses of parking lots and loading areas. Parking and loading areas shall not be used for the sale, storage or repair or dismantling of any equipment, materials or supplies. Semi-tractor trailers may not be used for on-site sales.
- j. Pedestrian access via sidewalks shall be provided along SR 53 and all streets.
- k. Bicycle parking. Accessory off-street parking for bicycles that provide racks or equivalent structures in or upon which the bicycle may be locked by the user are required. A minimum number of bicycle parking spaces shall be provided, equal to two and one-half percent of the total number of automobile parking spaces provided, no less than two spaces and no more than 10 spaces. Bicycle parking facilities shall be located no further than 70 feet away from a building entrance. Bicycle facilities shall not be located in places that impede pedestrian or automobile traffic flow.

Public Works Department: Please see the attached comments.

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

- (1) The existing uses and classification of nearby property;

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

Photo of Property:



Engineering Services Dawson County

Case #: ZA 22-27 Miles Hansford Tallant Redacted **Owner:** Alice Brown **Applicant:** Miles Hansford & Tallant, LLC – J. Ethan Underwood on behalf of Darsit Patel

Subject Property(s): 1072 Hwy 53 E, PID: 093 034, LD 486 LD 13 N

Present Zoning: RSR

Proposed Zoning: C-RB

TRAFFIC ISSUES:

County road(s) providing access: Acorn Road

Nearest major thoroughfare: Hwy 53 E.

Width of road at property: 24'-feet of pvmt. with 60'-foot row; and 15'-feet of gravel with 30'-foot row

Distance to major thoroughfare: Approx. 30'-feet to eop

Description of access road(s): Two-way, Two-lane State Highway and Two-way, Two lane county road

1. Is the proposed access to the development adequate? Yes for paved Hwy and No for gravel road
2. What is the current condition of this road? (traffic flow, geometry, etc.): Hwy is in good condition, Road is substandard.
3. If current conditions are inadequate, please answer the following:
 - a. Are improvements planned? (see Traffic improvement plan): Only connections as shown on conceptual at this time
 - b. Estimated time frame? Unknown at this time
 - c. Estimated cost? Unknown at this time
4. Will these improvements create a safe condition for the proposed development? Construction/LDP plans will be needed in order to make that determination.

If not, what additional improvements will be required? (i.e., traffic light study, additional right-of-way, etc.):
Additional right-of-way and the paving of Acorn may be required.

ADDITIONAL REMARKS: GDOT and Dawson County permits will be required for work in perspective right-of-ways. Full plans for the development of the subject property will need to be submitted for review and permitting.

WATERSHED/EROSION ISSUES:

Is the property in a floodplain or wetland? Per submitted survey FEMA Note, the site is not located within the 100-year flood prone area.

In what watershed is the project located? Coosa-North Georgia

What streams are likely to be affected? None known of Is it a trout stream? N/A

Any additional remarks? No additional remarks at this time

Signature of personnel completing form: Jeffery L. Hahn

Public Works Director

PROJECT INFORMATION:

SITE ADDRESS: 1072 HIGHWAY 53 EAST, DAWSONVILLE, GA 30534
PARCEL ID: 093 034

TOTAL AREA= 2.24 ACRES

ZONING: RESIDENTIAL SUB-RURAL (RSR)

DESIGN STANDARDS:

EXISTING SETBACK REQUIREMENTS:

FRONT BSL: 60'

SIDE BSL: 5'

REAR BSL: 10'

PROPOSED ZONING: RURAL BUSINESS DISTRICT (C-RB)

DESIGN STANDARDS:

SETBACK REQUIREMENTS:

FRONT BSL: 60'

SIDE BSL: 25'

REAR BSL: 25'

MINIMUM LOT SIZE: 43,560 SQ FT (1 ACRE)

MAXIMUM BUILDING HEIGHT: 35'

PARKING REQUIREMENTS:

ONE SPACE PER 200 SQ FT GROSS FLOOR

2400 SQ FT BUILDING= 12 SPACES REQUIRED (1 HANDICAP)

PROVIDE SPACES= 24 SPACES (2 HANDICAP)

REFERENCES:

PROPERTY BOUNDARY INFORMATION FROM A SURVEY FOR 1072 HIGHWAY 53 EAST COMPLETED ON 9/1/2022 BY DAVIS ENGINEERING & SURVEYING, LLC.

TOPOGRAPHY INFORMATION FROM DAWSON COUNTY GIS DEPARTMENT.

CONTOUR INTERVAL=2'

FLOOD NOTE:

NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA AS PER FLOOD INSURANCE RATE MAP NO. 1187C02650, DATED 4/4/2018.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	733.49'	155.83'	155.54'	S 39°49'08" E	12°10'21"

LINE	BEARING	DISTANCE
L1	N 82°35'04" W	4.25'
L2	N 80°42'29" E	24.15'
L3	N 72°45'57" E	28.17'
L4	N 70°13'06" E	38.06'
L5	N 70°00'11" E	18.37'
L6	N 73°52'48" E	5.00'
L7	N 02°18'50" E	10.13'
L8	S 37°07'15" E	10.24'
L9	N 73°26'52" E	6.86'

N/F KK TURNER ESTATE
ZONING: RSR
PARID: 093 063

TRACT 2
~OVERLAP AREA~
33 SQUARE FEET
AREA INCLUDED IN DB Z, pg
450 AND ON PG 10, pg 45
BUT NOT INCLUDED IN THE R/W
OF ACORN DRIVE

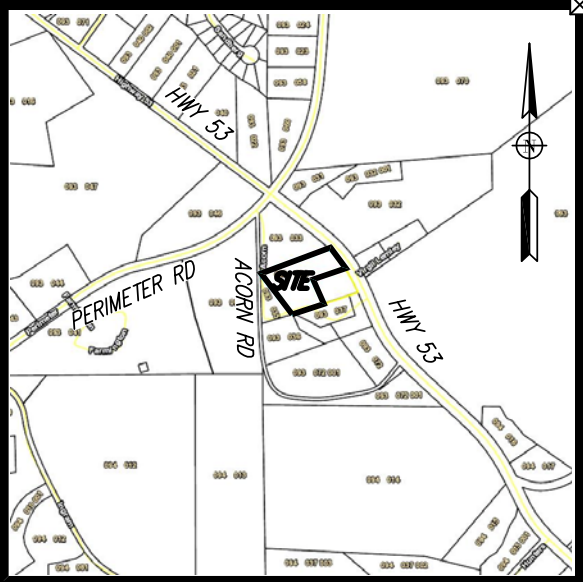
N/F JETT
ZONING: RSR
PARID: 093 035

N/F B&K TURNER FAMILY LLP
ZONING: RSR
PARID: 093 033

N/F KK TURNER ESTATE
DB 1003, pg 586
PARID: 093 037

N/F JETT
ZONING: RSR
PARID: 093 036

LEGEND			
○	UTILITY POLE (UP)	C&G	CURB AND GUTTER
HP	HIGH POINT	IP	IRON PIN
DI	DROP INLET	P/L	PROPERTY LINE
JB	JUNCTION BOX	F.E.S.S.	FLARED END SAFETY SECTION
OCS	OUTLET CONTROL STRUCTURE	PT	POINT OF TANGENT
DWCB	DOUBLE WING CATCH BASIN	PC	POINT OF CURVATURE
HW	HEADWALL	OCS	OUTLET CONTROL STRUCTURE
RCP	REINFORCED CONCRETE PIPE	ELEV.	ELEVATION
CMP	CORRUGATED METAL PIPE	N/F	NOW OR FORMERLY
HDPE	HIGH DENSITY POLYETHYLENE	R/W	RIGHT OF WAY
UGD	UNDERGROUND DETENTION	LL	LAND LOT LINE
TBM	TEMPORARY BENCHMARK	CONC.	CONCRETE
EX	EXISTING	INV	INVERT
PROP.	PROPOSED	EOP	EDGE OF PAVEMENT
FH	FIRE HYDRANT	TYR	TYPICAL
WM	WATER METER	—+—	FENCE
LF	LINEAR FEET	—+—	SILT FENCE
DIP	DUCTILE IRON PIPE	—+—	OVERHEAD ELECTRIC
PVC	POLYVINYL CHLORIDE	—	SOILS
R	RADIUS	~~~~~	EXISTING TREELINE
SF	SQUARE FEET	-----	BUILDING SETBACK LINE
FFE	FINISH FLOOR ELEVATION	-----	VEGETATIVE BUFFER
		—+—	2" WATERLINE
		—+—	3" WATERLINE



24-HOUR CONTACT
BRIJESH PATEL
706-973-857
BRUPINK56@GMAIL.COM

IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

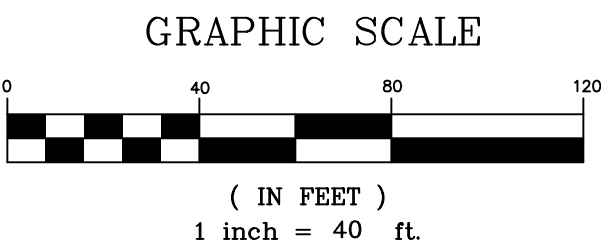


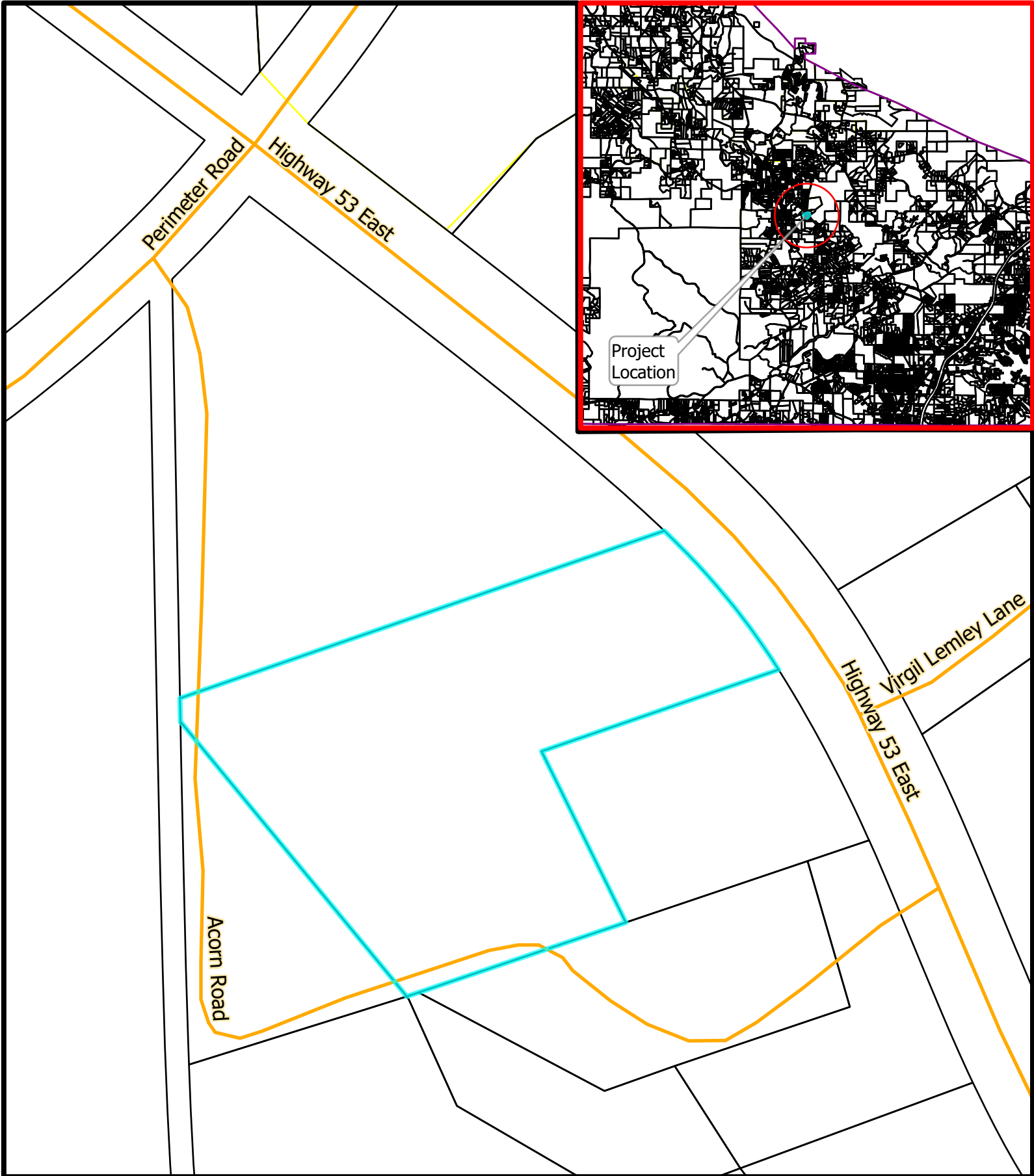
REZONING CONCEPT PLAN

1072 HIGHWAY 53 EAST
LAND LOT 486
13th DISTRICT
DAWSON COUNTY, GEORGIA

DRAWING BY: MAP
CHECKED BY: JKD
LAND LOT: 486
DISTRICT: 13th
SECTION: -
CITY: -
COUNTY: DAWSON
DATE: 10/14/2022

SHEET NO.
1 OF 1
PROJECT NO.
22-194



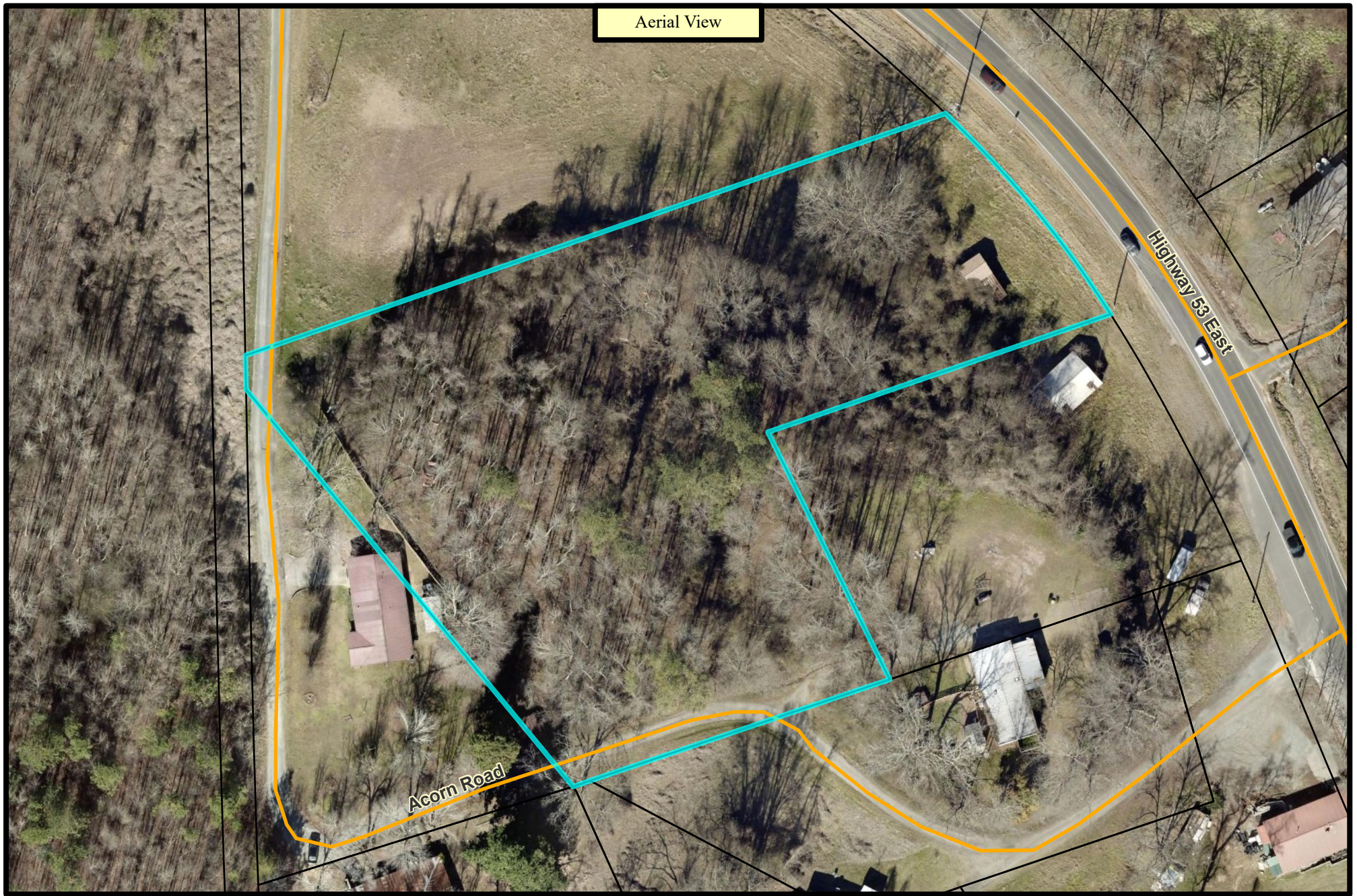


DAWSON COUNTY
DISCLAIMS ANY
RESPONSIBILITIES,
LIABILITIES OR
DAMAGES FROM THE USE
OF THIS MAP. THIS MAP
IS ONLY FOR DISPLAY
PURPOSES.



Dawson County
Planning and Development
110
Staff Report: Exhibit

Parcel #: 093-034
Current Zoning: RSR
FLU: SRR
Application #:ZA 22-27



Aerial View

Highway 53 East

Acorn Road



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N

Scale: 1:1,116

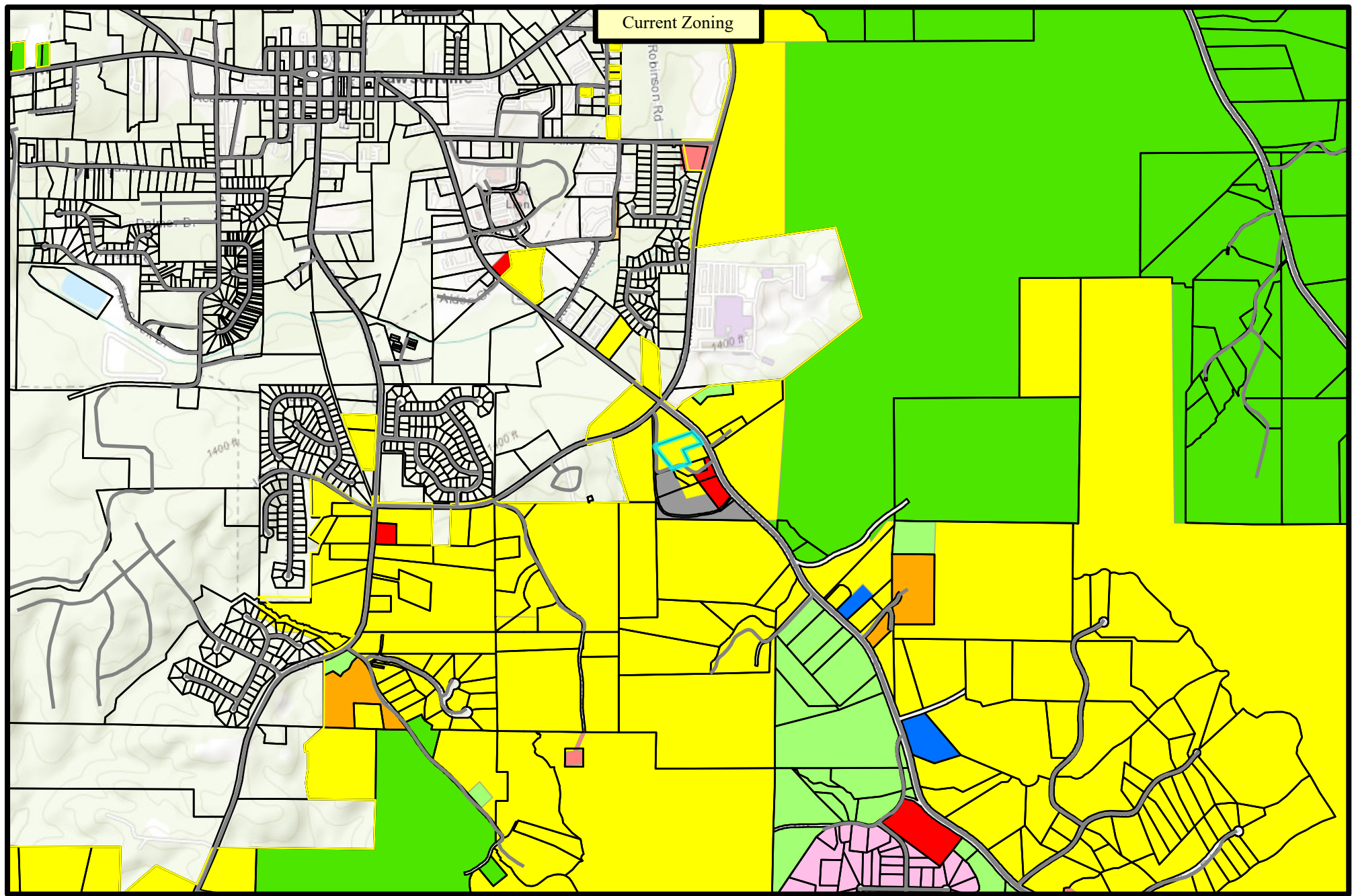
Dawson County

Planning and Development

111

Site Report

Parcel #: 093-034
Current Zoning: RSR
FLU: SRR
Application #:ZA 22-27

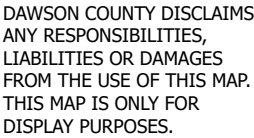
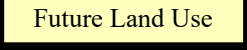


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N
Scale: 1:20,637

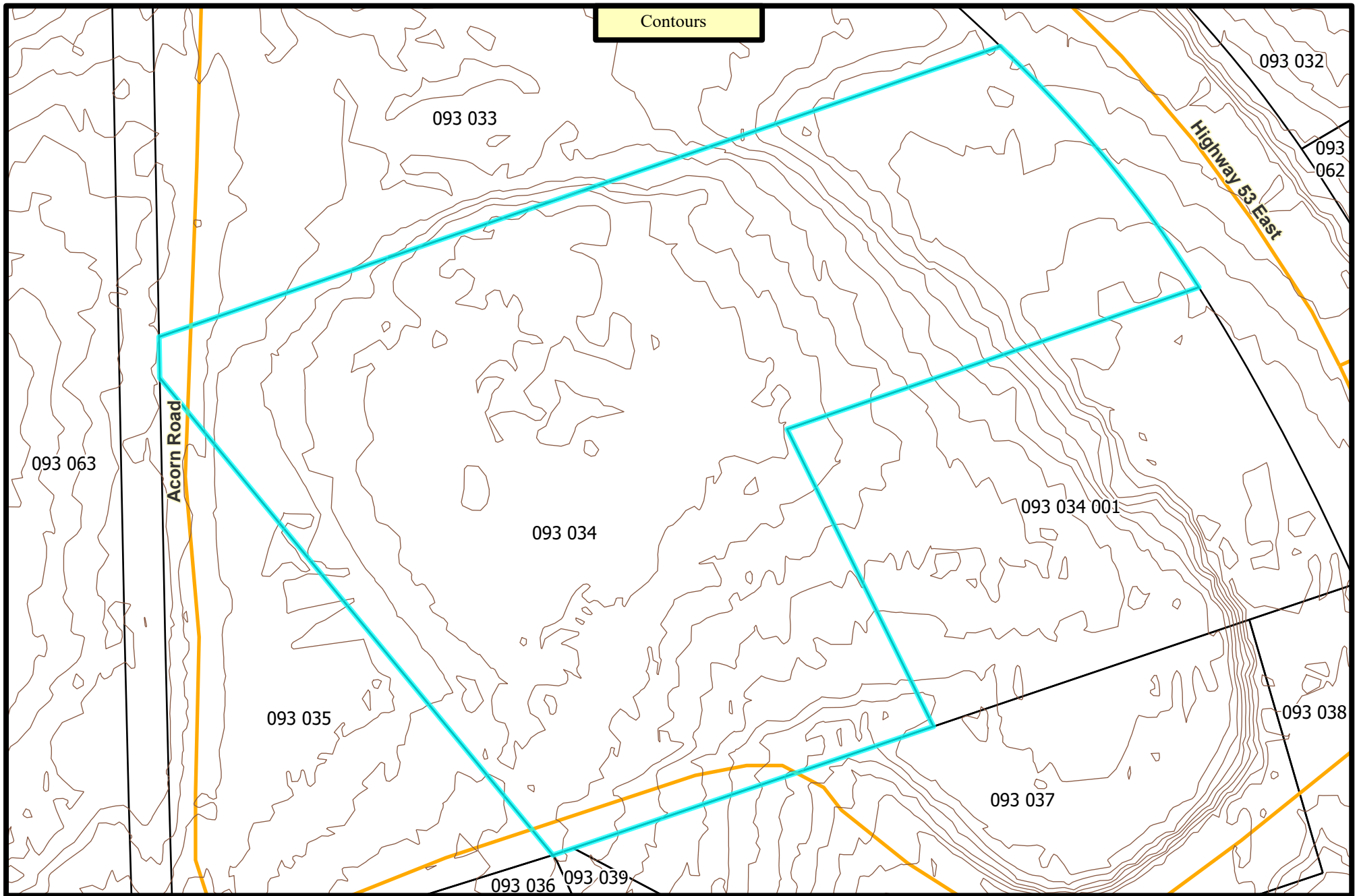
Dawson County
Planning and Development
112
Site Report

Parcel #: 093-034
Current Zoning: RSR
FLU: SRR
Application #: ZA 22-27



Planning and Development

Parcel #: 093-034
Current Zoning: RSR
FLU: SRR
Application #:ZA 22-27



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

N
Scale: 1:930

Dawson County
Planning and Development
114
Site Report

Parcel #: 093-034
Current Zoning: RSR
FLU: SRR
Application #:ZA 22-27

Dawson County
Rezoning Application
(AMENDMENT TO DISTRICT MAP)

FOR STAFF USE ONLY
DATE & TIME STAMP

APPLICANT INFORMATION (or Authorized Representative)

If applicant is other than owner, the Property Owner Authorization form must be completed.

Printed Name: Miles Hansford & Tallant, LLC - J. Ethan Underwood on behalf of Darsit Patel

Address: _____

Phone (Listed/Unlisted): 7 _____

Email (Business/Personal): _____

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

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: Ethan Underwood

REQUESTED ACTION & DETAILS OF PROPOSED USE

☒ Rezoning to: C-RB ☐ Special Use Permit for: _____

Proposed Use: Gasoline Station with Convenience Store

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: 2,400 sq. ft. No. of Parking Spaces: 24

Property Owner/ Property Information

Name: Alice Brown

Street Address of Property being rezoned: 1072 Hwy 53 E, Dawsonville, GA 30534

Rezoning from: RSR to: C-RB Total acreage being rezoned: 2.24 Acres

Directions to Property (if no address):

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

Current Use of Property: Existing Shed

Does this proposal reach DRI thresholds? No If yes, the application will require transportation study and additional review by the Georgia Mountains Regional Planning Commission. This adds several weeks to the review and processing.

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

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

If yes, what section? ☐ North ☐ South

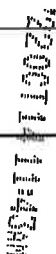
SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RSR South RSR & C-IR East RSR West RSR

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

Access to the development will be provided from:

Road Name: Hwy 53 East Type of Surface: Asphalt



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.

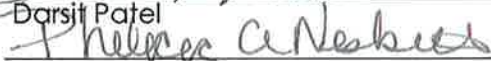
I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and the Board of Commissioners to make an informed determination on my request. I will seek the advice of an attorney or a land use professional if I am not familiar with the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

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

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

Signature 

Date 10/7/22

Witness 

Date 10/7/22

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 \$ 0 Date: _____

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

N/A



Signature of Applicant/Representative of Applicant,
Darsit Patel

10/07/2022

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.

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: Darsit Patel

Application Number: _____

Date Signed: 10.7.2022

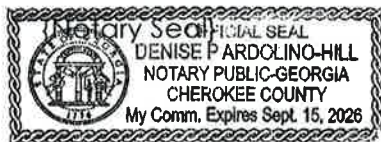
Sworn and subscribed before me

this 7th day of October, 2022.

Denise Pardolino Hill

Notary Public

My Commission Expires: September 15, 2026



Property Owner Authorization

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

Street Address of Property being rezoned: 1072 Hwy 53 E, Dawsonville, GA 30534

TMP#: 093 034

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

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

Printed Name of applicant or agent: Darsit Patel

Signature of applicant or agent: *Darsit Patel* Date: 10/7/22

Printed Name of Owner(s): Roger Lewis Brown, Executor for Alice Brown

Signature of Owner(s): *Roger Brown* Date: 10-10-22

Mailing address: _____

City, State, Zip: _____

Phone (Listed/Unlisted): _____

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

Donna King
Notary Public

My Commission Expires: 05/26/2025



{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.)

STATE OF GEORGIA **Dawson**
COUNTY OF _____

**LETTERS TESTAMENTARY
(Relieved of Filing Returns)**

By **Jennifer Burt**, Judge of the Probate Court of said County.

KNOW ALL WHOM IT MAY CONCERN:

That on the **2nd** day of **October**, 20**03**, at a regular term of the Probate Court, the last Will and Testament dated **March 13, 1982**, of **Alice Brown** **Her** deceased, at the time of death a resident of said County, was legally proven in **Solemn** form and was admitted to record by order, and it was further ordered that **Roger Lewis Brown** named as Executor(s) in said Will, be allowed to qualify, and that upon so doing, Letters Testamentary be issued to such Executor(s).

NOW, THEREFORE, the said **Roger Lewis Brown**, having taken the oath of office and complied with all the necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all the powers of Executor(s) under the Will of said deceased, according to the Will and the law.

Given under my hand and official seal, the **2nd** day of **October**, 20**03**.

Jennifer Burt
Judge of the Probate Court

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

Clerk, Probate Court

GEORGIA DAWSON COUNTY
This is to certify that the within document
is a true and correct copy of the original
on file in this office (Seal)
this **5th** day of **Oct**, 20**22**
Beth Hill
Judge/Probate Court Clerk



J. Ethan Underwood

CAMPAIGN DISCLOSURE

Applicant:	Darsit Patel
Subject Property:	Approximately 2.24 Acres Designated as Dawson County Tax Parcel(s): 093-034
Current Zoning:	RSR – Residential Sub-Rural District
Proposed Zoning:	C-RB – Rural Business District
Proposed Use:	Gasoline Station with Convenience Store
Application:	Rezoning
ROW Access:	Hwy 53 & Acorn Drive
Governing Jurisdiction:	Dawson County

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

This letter constitutes the disclosure of campaign contributions with respect to the above-referenced application.

Sincerely,

Ethan Underwood
Attorney for Applicant

2024-09-27



J. Ethan Underwood

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant:	Darsit Patel
Subject Property:	Approximately 2.24 Acres Designated as Dawson County Tax Parcel(s): 093-034
Current Zoning:	RSR – Residential Sub-Rural District
Proposed Zoning:	C-RB – Rural Business District
Proposed Use:	Gasoline Station with Convenience Store
Application:	Rezoning
ROW Access:	Hwy 53 & Acorn Drive
Governing Jurisdiction:	Dawson County

This Reservation of Constitutional and Other Legal Rights (“the Reservation”) is intended to supplement and form a part of the land use application (including any request for zoning, conditional use permit, site plan approval, and variances) (collectively, the “Application”) of the Applicant and the owners of the Subject Property and to put the Governing Jurisdiction on notice of the Applicant’s assertion of its constitutional and legal rights.

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

The Applicant objects to the standing of any opponents who are not owners of land adjoining the Subject Property and to the consideration by the Governing Jurisdiction of testimony or evidence presented by any party without standing in making its decision regarding the Application. The Applicant also objects to the consideration of testimony or evidence that is hearsay, violates any applicable rules of procedure or evidence, or that is presented by any party who fails to comply with notice and campaign disclosure requirements.

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

Denial of the Application or approval of the Application in any form that is different than as requested by the Applicant will impose a disproportionate hardship on the Applicant and Owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject

Property other than as proposed by the Application and no resulting benefit to the public from denial of or modification to the Application.

Any provisions in the applicable land use, subdivision, and /or zoning ordinances (collectively the “Zoning Ordinance”) that classify, or may classify, the Subject Property into any of the non-requested zoning or use classifications, including the Proposed Zoning District and Proposed Use at a density or intensity less than that requested by the Applicant, are unconstitutional in that they constitute a taking of the Applicant’s and Owner’s property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section III, Paragraph I of the Georgia Constitution of 1983, as amended and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is suitable for development as proposed in the Application and it is not suitable for development under any other zoning classification, use, or at a density or intensity less than that requested by the Applicant. Failure to approve the Application as requested by the Applicant would be an unreasonable application of local land use authority, which bears no relationship to the public health, safety, morality or general welfare of the public and would constitute an arbitrary and capricious abuse of discretion in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the Governing Jurisdiction to approve the Application as requested by the Applicant will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Owner and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Governing Jurisdiction to approve the Application as requested by the Applicant without the consent of persons elected to the governing body of the Governing Jurisdiction will amount to an unlawful delegation of the Governing Jurisdiction’s authority, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended.

Furthermore, the Governing Jurisdiction cannot lawfully impose more restrictive standards on the Subject Property’s development than are presently set forth in the Zoning Ordinance. Any conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and Owner that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. The imposition of improvements or design requirements unnecessary to facilitate the proposed development constitute an illegal impact fee, an unconstitutional condemnation, or both. As such, the Applicant and Owner reserve the right to challenge any such conditions, restrictions, or design requirements.

Finally, the Applicant and Owner assert that the Zoning Ordinance, Character Area Map, Future Development Map and Comprehensive Plan were not adopted in compliance with the laws or constitutions of the State of Georgia or of the United States, and a denial of the Applicant’s request based upon provisions illegally adopted will deprive the Applicant and Owners of due process under the law.

This Reservation constitutes an Ante Litem Notice pursuant to O.C.G.A. § 36-11-1, which places the Governing Jurisdiction and all other agents of the Governing Jurisdiction, in their official and individual capacities, on notice of the Applicant's and owners' intent to seek monetary damages and attorney's fees against the Governing Jurisdiction for any rezoning action, zoning condition, illegal impact fee, and any other unlawful restrictions and exactions that are imposed upon the Subject Property, the Applicant, or the owners.

By filing this Reservation, the Applicant reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

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

Sincerely,



Ethan Underwood
Attorney for Applicant

22 OCT 14 11:44 AM

J. Ethan Underwood

LETTER OF INTENT REGARDING LAND USE APPLICATION

Applicant:	Darsit Patel
Subject Property:	Approximately 2.24 Acres Designated as Dawson County Tax Parcel(s): 093-034
Current Zoning:	RSR – Residential Sub-Rural District
Proposed Zoning:	C-RB – Rural Business District
Proposed Use:	Gasoline Station with Convenience Store
Application:	Rezoning
ROW Access:	Hwy 53 & Acorn Drive
Governing Jurisdiction:	Dawson County

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

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

Specifically, the Applicant requests the following:

- 1. Rezone the Subject Property from Residential Sub-Rural District (RSR) to Rural Business District (C-RB).**

PROPOSED USE

The Applicant proposes to develop approximately 2,400 square feet of retail space with gas pumps on the Subject Property. The Proposed Use will include 24 parking spaces.

The Proposed Use is a low intensity use to provide nearby residents with retail and other conveniences.

COMPREHENSIVE PLAN

The Dawson County Comprehensive Plan and the Future Development Map incorporated therein designates the Subject Property as located within the Sub-Rural Residential (SRR) Character Area. The Proposed Use conforms to the Comprehensive Plan in that it will provide services to the nearby residents

Legal Description

All that tract or parcel of land lying and being in Land Lot 486 of the 13th Land District. Dawson County, Georgia containing approximately 2.24 acres, more or less, according to a plat of survey dated September 1, 2022, prepared for 1072 Highway 53 East by Davis Engineering and Surveying, certified by Dusty Lowman, Georgia Registered Land Surveyor No. 3216 and, according to such plat of survey being more particularly described as follows:

To find the True Point of Beginning commence from an iron pin set located at the intersection at the intersection of the boundary line of the property identified in Deed Book 996, Page 185 and the southeasterly right-of-way of highway 53 East (a 60' R/W); run

Thence South 72 degrees 34 minutes 18 seconds West a distance of 226.11 feet to an iron pin found; run

Thence South 33 degrees 46 minutes 22 seconds East a distance of 153.38 feet to an iron pin found; run

Thence South 71 degrees 38 minutes 55 seconds West a distance of 99.43 feet to an iron pin found; run

Thence North 82 degrees 35 minutes 04 seconds West a distance of 4.25 feet to a point; run

Thence South 80 degrees 42 minutes 29 seconds West a distance of 24.15 feet to a point; run

Thence South 72 degrees 45 minutes 37 seconds West a distance of 28.17 feet to a point; run

Thence south 70 degrees 15 minutes 06 seconds West a distance of 38.06 feet to a point; run

Thence South 70 degrees 00 minutes 11 seconds West a distance of 18.37 feet to a point; run

Thence South 73 degrees 52 minutes 48 seconds West a distance of 5.00 feet to an iron pin found; run

Thence North 37 degrees 07 minutes 14 seconds West a distance of 257.29 feet to an iron pin found; run

Thence North 02 degrees 16 minutes 50 seconds East a distance of 56.88 feet to an iron pin found; run

North 73 degrees 26 minutes 52 seconds East a distance of 407.99 feet to an iron pin found (1 ¼" OTP); run

Thence with a curve to the right having a radius of 733.49 feet, an arc length of 155.83 feet, and a chord bearing of South 39 degrees 49 minutes 08 seconds East a distance of 155.84 feet to an iron pin set and the True Point of Beginning.

100

129

Good afternoon Bill,

Our firm is working on a rezoning application that is proposing use of septic. I have attached a copy of the draft concept plan. Would you mind confirming that this subject property and the proposed use meets the minimum requirements needed in order to utilize septic? We plan to file the application by the next submittal date of Friday 10/14/22. Let us know if you have any questions.

Tracy Fisher

Land Use Practice Manager



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040

178 S Main Street | Suite 310 | Alpharetta, Georgia 30009

Phone: 770-781-4100 | Fax: 770-781-9191

www.mhtlegal.com

LEGAL DISCLAIMER

The information transmitted is intended solely for the individual or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of or taking action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you have received this email in error please contact the sender and delete the material from any computer.

2022-10-14

Printed: 10/3/2022 4:04:26 PM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2021 - 1772	093 034 / 1 LD 486 LD 13 N FMV: 56400	\$510.42	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$510.42	\$0.00
Totals:		\$510.42	\$0.00	\$0.00	\$510.42	\$0.00

Paid Date: 11/1/2021

Charge Amount: \$510.42

BROWN ALICE MRS
PO BOX 756

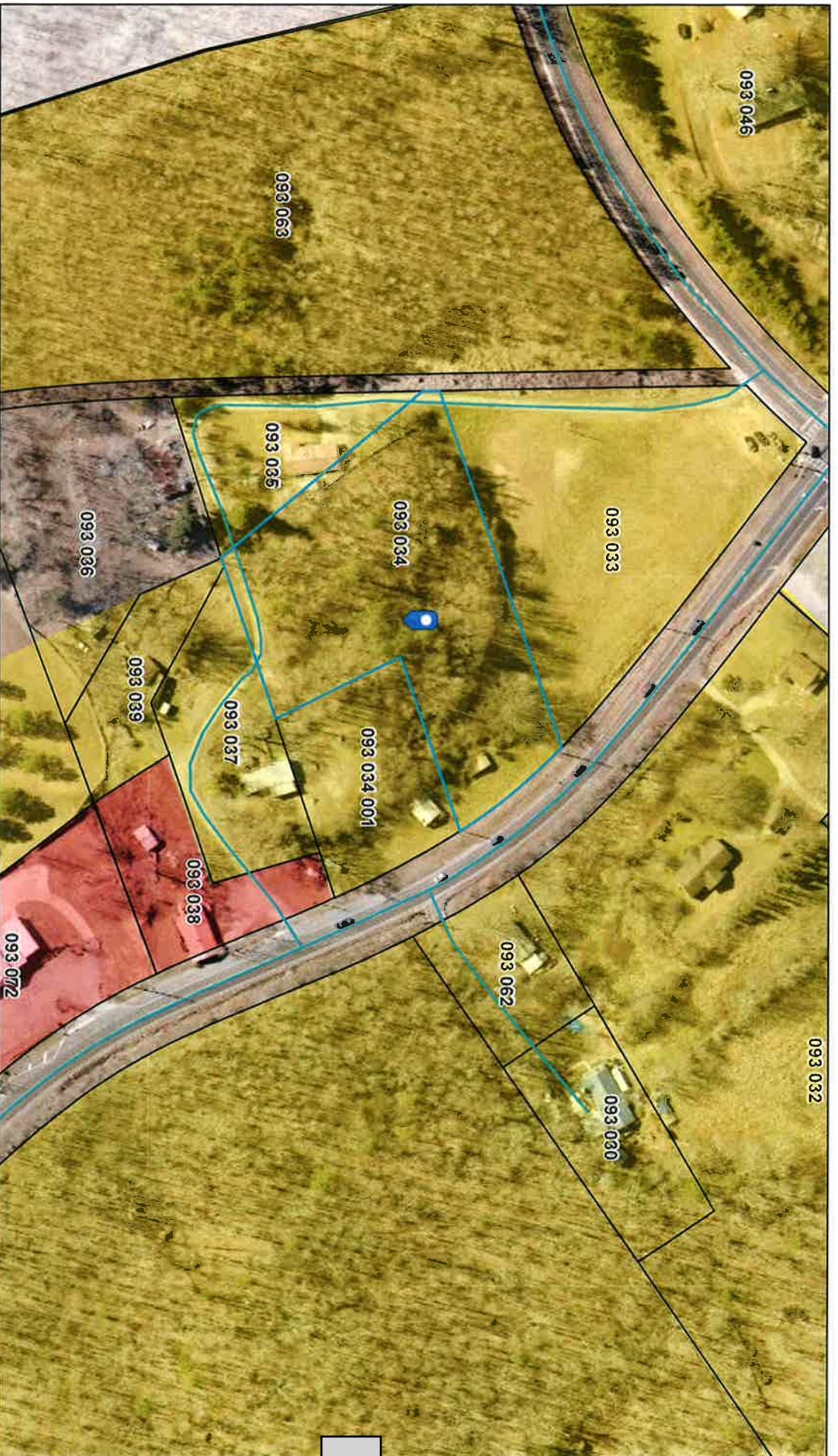
DAWSONVILLE, GA 30534



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ZONING MAP - 093 034



10/3/2022, 3:25:08 PM

Dawson County Roads Zoning

Parcels

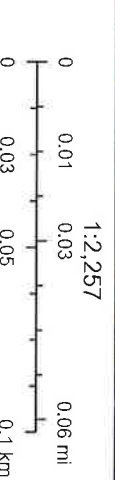
Dawsonville City Limits

RSRMM

C-IR

RSR

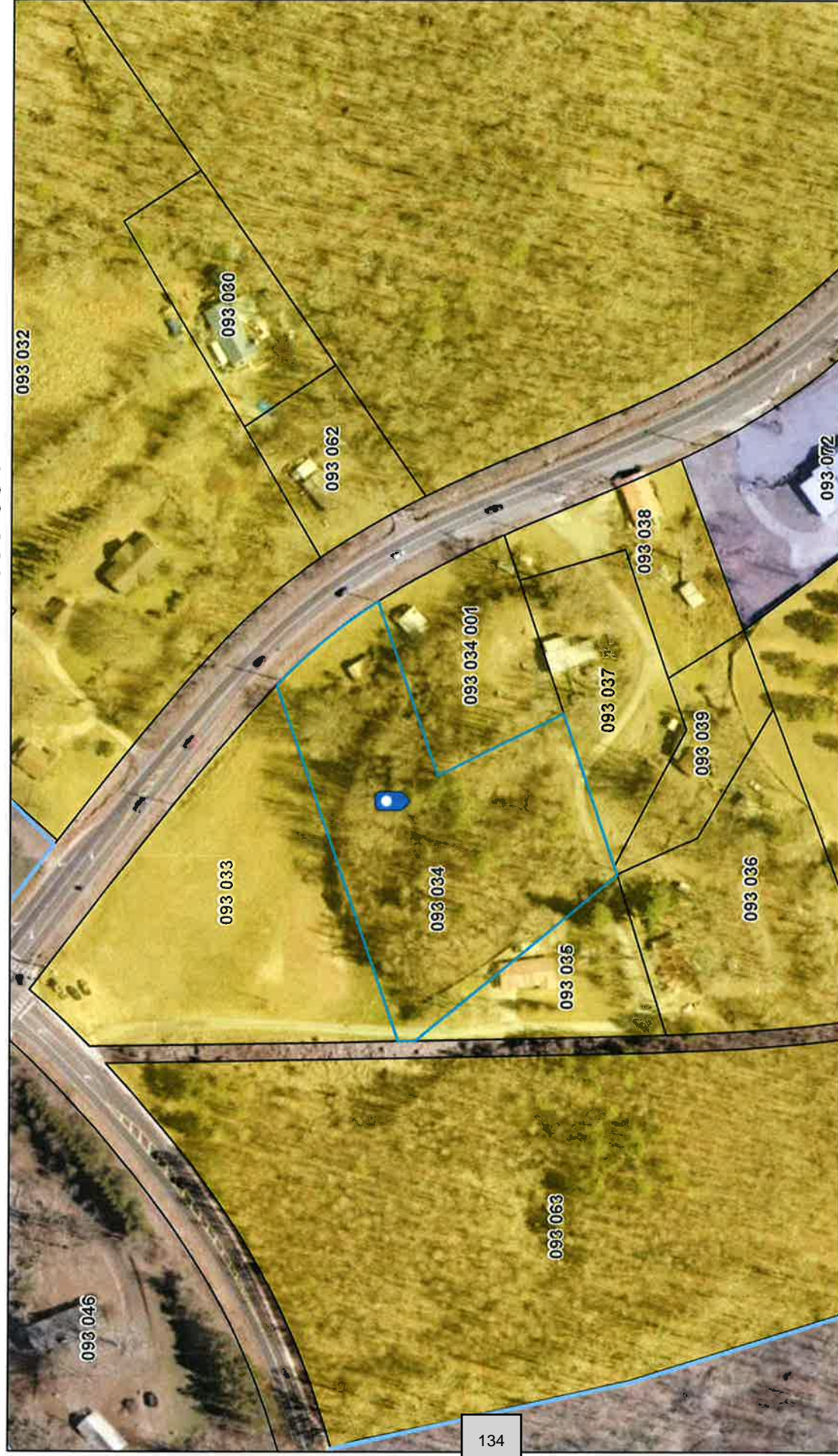
C-HB



EagleView, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

093 046

FUTURE LAND USE MAP - 093 034



134

10/3/2022, 3:25:04 PM

Dawsonville City Limits FLU

Parcels

LI-Light Industrial

PI-Public/Institutional

SRR-Sub-Rural Residential

1:2,257

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0 0.03 0.05 0.1 km

EagleView, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA



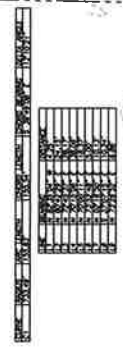
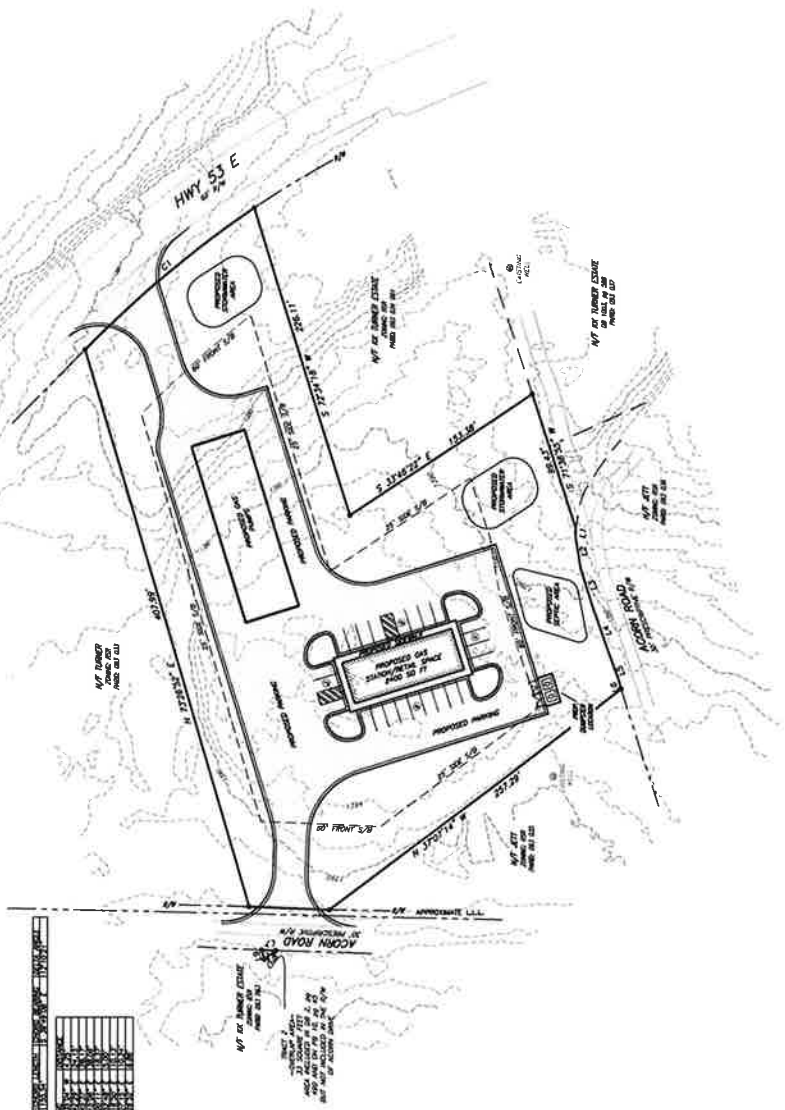
24-HOUR CONTACT
BRIJESH PATEL
706-973-857
BRJIPINK56@GMAIL.COM



IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNDESIRABLE CONDITIONS ARE DISCOVERED EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATIONS UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNDESIRABLE CONDITIONS ARE RESOLVED.



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Submittal Dates @12:00 p.m.	Planning Commission Meeting Dates (6:00 p.m.)	Board of Commissioners Meeting Dates for Rezoning Hearings (To be held directly after the 4 p.m. work session)
December 30, 2022	February 21, 2023	March 16, 2023
January 27, 2023	March 21, 2023	April 20, 2023
February 24, 2023	April 18, 2023	May 18, 2023
March 31, 2023	May 16, 2023	June 15, 2023
April 28, 2023	June 20, 2023	July 20, 2023
May 26, 2023	July 18, 2023	August 17, 2023
June 30, 2023	August 15, 2023	September 21, 2023
July 28, 2023	September 19, 2023	October 19, 2023
August 25, 2023	October 17, 2023	November 16, 2023
September 29, 2023	November 21, 2023	December 21, 2023
October 27, 2023	December 19, 2023	TBD
November 27, 2023	January 16, 2024	TBD
December 29, 2023	February 20, 2024	TBD