

**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION AGENDA – THURSDAY, JUNE 17, 2021  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534  
TO IMMEDIATELY FOLLOW THE 4:00 PM WORK SESSION**

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**A. ROLL CALL**

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ANNOUNCEMENTS**

**E. APPROVAL OF MINUTES**

1. Minutes of the Work Session held on June 3, 2021
2. Minutes of the Voting Session held on June 3, 2021

**F. APPROVAL OF AGENDA**

**G. PUBLIC COMMENT**

**H. PUBLIC HEARINGS**

1. Comprehensive Plan Update (*1st of 1 hearing*)
2. Possible Extension of Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads (*1st of 1 hearing*)

**I. ZONINGS**

1. ZA 20-25 - Fall Leaf Residential requests to rezone TMP 085-016 from RSR (Residential Sub-Rural) to RS2 (Residential Suburban 2) for the purpose of developing a 120-residential-lot-subdivision (Highway 9 South). (*Tabled indefinitely from the February 18, 2021, Voting Session, at which time a first public hearing was held*)
2. ZA 21-10 - Chip Green requests to rezone TMP 104-062 and 104-061 from CHB (Commercial Highway Business) to CHI (Commercial Highway Intensive) for the purpose of opening a landscape supply business (Highway 53 East and Gober Road).
3. ZA 21-11 - Jim King requests to rezone 23.11 acres of TMP 114-033-005, 114-018, 114-033-001 and 114-046-001 from RA (Residential Agriculture) and CCB (Commercial Community Business) to CHB (Commercial Highway Business) for the purpose of building a retail/office/warehouse space.
4. ZA 21-13 - Dawson County requests to rezone TMP 114-019 from RA (Residential Agriculture) to RMF (Residential Multi-Family) for the purpose of constructing 89 townhomes (Highway 53 and Hughes Court).  
VR 21-09 - Dawson County requests to vary from the Dawson County Land Use Resolution Article III, Section 308 C.6.b. (Highway 53 and Hughes Court).

**J. NEW BUSINESS**

1. Consideration of Updated Extension Office Memorandum of Understanding
2. Consideration of IFB #382-21 - Road Rehabilitation Project for Dawson County
3. Consideration of Board Appointments:
  - a. EMS Advisory Council**
    - i. Danny Thompson- *reappointment* (Term: July 2021 through June 2024)
  - b. Library Board**
    - i. Peter Thomas- *reappointment* (Term: July 2021 through June 2025)
    - ii. Alexandria Williams- *replacing Susan Roof* (Term: July 2021 through June 2025)

**K. PUBLIC COMMENT**

**L. ADJOURNMENT**

*\*Executive Session may follow the Voting Session meeting.*

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

**DAWSON COUNTY BOARD OF COMMISSIONERS  
WORK SESSION MINUTES – JUNE 3, 2021  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534  
4:00 PM**

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*Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Emory Dooley, District 4; County Manager David Headley; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County.*

**UNFINISHED BUSINESS**

1. Presentation of an Intergovernmental Agreement Between Dawson County, Sheriff, and the City of Dawsonville Concerning Two City-Funded Sheriff's Deputy Positions- Sheriff Jeff Johnson and Attorney Joey Homans (*Tabled indefinitely from the May 20, 2021, Work Session*)  
***This item will be added to the June 3, 2021, Voting Session Agenda.***
2. Presentation of Healthcare Technology Engagement Tools and Review of Telehealth Options- Human Resources Director Brad Gould / NFP Assistant Vice President Todd Hooper (*Moved Forward from the May 20, 2021, Voting Session*)  
***This item, presented by Human Resources Director Brad Gould, who was joined by NFP Assistant Vice President Todd Hooper via teleconference, will be added to the June 3, 2021, Voting Session Agenda.***

**NEW BUSINESS**

1. Presentation of Updated Extension Office Memorandum of Understanding- Extension Coordinator Clark MacAllister  
***This item will be placed on the June 17, 2021, Voting Session Agenda.***
2. Presentation of Acceptance of FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Treatment Court- Treatment Services Director Jessie Emmett  
***This item will be added to the June 3, 2021, Voting Session Agenda.***
3. Presentation of Acceptance of FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Family Treatment Court- Treatment Services Director Jessie Emmett  
***This item will be added to the June 3, 2021, Voting Session Agenda.***
4. Presentation of IFB #382-21 - Road Rehabilitation Project for Dawson County- Public Works Director Denise Farr / Purchasing Manager Melissa Hawk  
***This item will be placed on the June 17, 2021, Voting Session Agenda.***
5. Presentation of Board Appointments:
  - a. **EMS Advisory Council**
    - i. Danny Thompson- *reappointment* (Term: July 2021 through June 2024)  
***This item will be placed on the June 17, 2021, Voting Session Agenda.***

**b. Georgia Mountains Regional Commission**

- i. Betsy McGriff- *reappointment* (Term: July 2021 through June 2022)

*This item will be added to the June 3, 2021, Voting Session Agenda.*

*Chairman Thurmond announced that County Manager Headley would serve as the chairman's appointee on the Georgia Mountains Regional Commission.*

**c. Library Board**

- i. Peter Thomas- *reappointment* (Term: July 2021 through June 2025)
- ii. Alexandria Williams- *replacing Susan Roof* (Term: July 2021 through June 2025)

*This item will be placed on the June 17, 2021, Voting Session Agenda.*

6. County Manager Report

*This item was for information only.*

7. County Attorney Report

*County Attorney Davis had no information to report.*

APPROVE:

ATTEST:

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Billy Thurmond, Chairman

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Kristen Cloud, County Clerk



**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION MINUTES – JUNE 3, 2021  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534  
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

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**ROLL CALL:** Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Emory Dooley, District 4; County Manager David Headley; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County.

**OPENING PRESENTATION:**

*Proclamation Recognizing Retirement of Deputy Sheriff Mike Johnston- Chairman Billy Thurmond and Sheriff Jeff Johnson*

Chairman Thurmond read aloud a Proclamation Recognizing the Retirement of Deputy Sheriff Mike Johnston, who received a shadow box.

Motion passed 4-0 to approve a Proclamation Recognizing Retirement of Deputy Sheriff Mike Johnston. Satterfield/Fausett

**INVOCATION:** Chairman Thurmond

**PLEDGE OF ALLEGIANCE:** Chairman Thurmond

**ANNOUNCEMENTS:**

None

**APPROVAL OF MINUTES:**

Motion passed 4-0 to approve the Minutes of the Work Session held on May 20, 2021. Dooley/Fausett

Motion passed 4-0 to approve the Minutes of the Voting Session held on May 20, 2021. Gaines/Satterfield

**APPROVAL OF AGENDA:**

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

- Addition of letter “b.” under No. 4 under New Business: Georgia Mountains Regional Commission reappointment- Betsy McGriff (Term: July 2021 through June 2022)
- Addition of Nos. 7, 8, 9 and 10 under New Business:
  - Intergovernmental Agreement Between Dawson County, Sheriff, and the City of Dawsonville Concerning Two City-Funded Sheriff’s Deputy Positions
  - Healthcare Technology Engagement Tools and Review of Telehealth Options
  - Acceptance of FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Treatment Court
  - Acceptance of FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Family Treatment Court

Fausett/Dooley

**PUBLIC COMMENT:**

None

**PUBLIC HEARINGS:**

Ambulance Billing Ordinance and Policy Change (1<sup>st</sup> of 1 hearing)

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on an Ambulance Billing Ordinance and Policy Change and, hearing none, closed the hearing.

Motion passed 4-0 to approve an Ambulance Billing Ordinance and Policy Change.  
Fausett/Dooley

Possible Extension of Existing Moratorium on the Acceptance of Applications to Rezone Property to the Residential Suburban 2 (RS2), Residential Suburban 3 (RS3), Residential Multi-Family (RMF), Commercial Planned Community Development (CPCD) and Mixed-Use Village (MUV) Zoning Classifications (1<sup>st</sup> of 1 hearing)

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on a Possible Extension of an Existing Moratorium on the Acceptance of Applications to Rezone Property to RS2, RS3, RMF, CPCD and MUV Zoning Classifications.

The following spoke on a Possible Extension of an Existing Moratorium on the Acceptance of Applications to Rezone Property to RS2, RS3, RMF, CPCD and MUV Zoning Classifications:

- Beth Martin- Dawsonville, Georgia, said she hopes the moratorium can continue “because, if you don’t get the information you need and then you start making decisions halfway here and halfway there, it’s just going to end up a big mess.” Martin added, “Once you guys get the information and understand where we can go and do the best for the residents and citizens then there’ll be a plan to go in the right direction...”

Chairman Thurmond asked if there was anyone else present who wished to speak on a Possible Extension of an Existing Moratorium on the Acceptance of Applications to Rezone Property to RS2, RS3, RMF, CPCD and MUV Zoning Classifications and, hearing none, closed the hearing.

Motion passed 3-1 to approve to extend for 45 days (until July 18, 2021) an Existing Moratorium on the Acceptance of Applications to Rezone Property to the Residential Suburban 2 (RS2), Residential Suburban 3 (RS3), Residential Multi-Family (RMF), Commercial Planned Community Development (CPCD) and Mixed-Use Village (MUV) Zoning Classifications.  
Gaines/Dooley- Commissioner Satterfield opposed the motion

**NEW BUSINESS:**

Consideration of FY 2022 Legacy Link Contract for Nutrition Program Services

Motion passed 4-0 to approve the FY 2022 Legacy Link Contract for Nutrition Program Services. Fausett/Dooley

Consideration of Request for Funding of Fire Hydrants

Motion passed 4-0 to approve a Request for Funding of Fire Hydrants; \$25,760 will come from the general fund's fund balance. Satterfield/Gaines

Consideration to Move Forward with a Public Hearing for a Comprehensive Plan Update

Motion passed 4-0 to approve to Move Forward with a Public Hearing for a Comprehensive Plan Update. Dooley/Gaines

Consideration of Board Appointments:

• **Joint Development Authority**

○ Mandy Power- replacing Christie Moore (Term: June 2021 through December 2022)

○ Brian Trapnell- reappointment (Term: June 2021 through December 2024)

Motion passed 4-0 to approve the appointment of Mandy Power to the Joint Development Authority with a term of June 2021 through December 2022. Fausett/Dooley

Motion passed 4-0 to approve the reappointment of Brian Trapnell to the Joint Development Authority for a term of June 2021 through December 2024. Gaines/Dooley

• **Georgia Mountains Regional Commission**

○ Betsy McGriff- reappointment (Term: July 2021 through June 2022)

Motion passed 4-0 to approve the reappointment of Betsy McGriff to the Georgia Mountains Regional Commission for a term of July 2021 through June 2022. Dooley/Fausett

Consideration of Intergovernmental Agreement for Shared Parking at County Facilities in Dawsonville

Motion passed 4-0 to approve an Intergovernmental Agreement Between Dawson County and the City of Dawsonville for Shared Parking at County Facilities in Dawsonville. Gaines/Satterfield

Consideration of Special Purpose Local Option Sales Tax Intergovernmental Agreement

Motion passed 4-0 to approve a Special Purpose Local Option Sales Tax Intergovernmental Agreement Between Dawson County and the City of Dawsonville. Fausett/Dooley

Consideration of an Intergovernmental Agreement Between Dawson County, Sheriff, and the City of Dawsonville Concerning Two City-Funded Sheriff's Deputy Positions

Motion passed 4-0 to approve an Intergovernmental Agreement Between Dawson County, Sheriff, and the City of Dawsonville Concerning Two City-Funded Sheriff's Deputy Positions. Satterfield/Gaines

Consideration of Healthcare Technology Engagement Tools and Review of Telehealth Options

Motion passed 4-0 to approve to proceed with the Rightway healthcare technology engagement tool and allow staff to engage Cigna to negotiate down a \$750 monthly file feed. Gaines/Dooley

Consideration of Acceptance of FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Treatment Court

Motion passed 4-0 to approve the Acceptance of a FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Treatment Court. Fausett/Satterfield

Consideration of Acceptance of FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Family Treatment Court

Motion passed 4-0 to approve the Acceptance of a FY 2022 Council of Accountability Court Judges / Criminal Justice Coordinating Council Enhancement Grant for Dawson County Family Treatment Court. Dooley/Gaines

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

APPROVE:

ATTEST:

\_\_\_\_\_  
Billy Thurmond, Chairman

\_\_\_\_\_  
Kristen Cloud, County Clerk

DRAFT



## DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: 05/20/2021

Prepared By: Harmony Gee

Voting Session: 6/3/2021

Presenter: Jameson Kinley

Public Hearing: Yes No

Agenda Item Title: Presentation of Update to the Dawson County Comprehensive Plan

**Background Information:**

The Comprehensive Plan was last updated in 2018.

**Current Information:**

With the update to the Land Use Resolution and the addition of two new residential and one commercial zoning classifications, the plan is in need of an update.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: \_\_\_\_\_

Department Head Authorization: \_\_\_\_\_

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

Finance Dept. Authorization: Vickie Neikirk

Date: 5/11/21

County Manager Authorization: David Headley

Date: 5/11/2021

County Attorney Authorization: \_\_\_\_\_

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

**Comments/Attachments:**



# DAWSON COUNTY BOARD OF COMMISSIONERS Planning and Development

May 10, 2021

Planning

Chairman Billy Thurmond, Dawson County Board of Commissioners

Zoning

Re: Dawson County Comprehensive Plan

Code Enforcement

Sir,

GIS

In accordance with the regulations set forth by the State of Georgia regarding updating of a comprehensive plan, I have requested a public hearing to initiate our update process.

Building Permits  
and  
Inspections

As you are aware the current comprehensive plan for Dawson County was adopted January 24<sup>th</sup> 2019. The Georgia Department of Community Affairs requires that a comprehensive plan be updated every five years with the next update required by October 31, 2023.

Business Licenses

The Dawson County Planning and Development staff respectfully request your approval to begin an update of the comprehensive plan now. While an update is not required at this time, several critical elements of our current plan require attention. As you are aware the current plan was adopted in the midst of major staff transitions within the Planning Department, these transitions coupled with the required due date for the plan update lead to a document that lacks the depth of its predecessors.

Alcohol Licenses

911 Mapping

Additionally, it is becoming increasingly apparent that the ridged structure of a future land use map prevents plasticity in the zoning process and does not reflect the organic growth Dawson County is experiencing. The idea of a comprehensive plan is to manage, direct and nurture growth in a way that the citizen's wishes for the county's future can be best accomplished. Future Land Use Maps have become more and more contrary to this goal. We shall therefore be directing our efforts into creating a comprehensive character area map for Dawson County.

Animal Control

Character areas, as defined by DCA are specific geographical areas that meet the following criteria:

- They have unique or special characteristics;
- They have potential to evolve into a unique area when provided specific and intentional guidance; or
- They require special attention due to unique development issues.

Dawson County has several distinct character areas which exist due to and sometimes regardless of our (the governmental body's) regulatory effect. These areas have unique features, unique peoples and or unique geographical boundaries. Each has a special

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



Planning

Zoning

Code Enforcement

GIS

Building Permits  
and  
Inspections

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essence, a unique appeal and each has unique problems which require the encouraging touch of planning in order to facilitate quality growth over time.

For those who might be less inclined to proceed with a change to the comprehensive plan due to the relative newness of the current one may I quote President Dwight Eisenhower, who said, "planning is everything, the plan is nothing." We must always be ready to throw out the bathwater when we can no longer see the baby and start fresh. We must always be ready to step back, rethink and rework a plan. No plan can stand on its own, it must be watered and pruned or it is nothing but weeds.

Sincerely,

  
Robbie Irvin  
County Planner

Cc: Jameson Kinley, Director, Planning and Development  
Harmony Gee, Zoning Administrator  
Kristen Cloud, County Clerk  
David Headley, County Manager  
Dawson County Board of Commissioners

# 2021 Comprehensive Plan Update Project Timeline

## Milestones

No.	Column1	date	Milestone
1		5/5/2021	Clock Starts
		5/19/2021	Comp Plan Committee Meeting
		5/20/2021	BOC Work Session
		6/3/2021	BOC Public Hearing
		6/28/2021	Comp Plan Committee Meeting
		6/28/2021	Citizen Survey Questions Finalized
		7/12/2021	Comp Plan Committee Meeting
		7/12/2021	Public Input Received From Survey
		7/19/2021	Comp Plan Committee Meeting
		7/19/2021	Citizen Input Reviewed
		7/26/2021	A.M. Public Meeting
		8/2/2021	Comp Plan Committee Meeting
		8/2/2021	Citizen Input Reviewed
		8/2/2021	Draft Comp Plan
		8/2/2021	P.M. Public Meeting
		8/16/2021	Comp Plan Committee Meeting
		8/16/2021	Review Public Meeting Input
		8/23/2021	Comp Plan Committee Meeting
		8/23/2021	Final Draft
		9/21/2021	Planning Commission Meeting
		10/7/2021	BOC Public Hearing
		10/21/2021	BOC Public Hearing (if necessary)

## Tasks

No.	Start Date	End Date	Task
1	5/5/2021	5/12/2021	Timeline Established
	5/19/2021	8/23/2021	Comp Plan Committee Meetings Survey Results Received and Draft Plan Established
	6/21/2021	7/19/2021	Plan Established
	7/26/2021	8/23/2021	Public Input Meetings and Final Draft
	9/1/2021	9/21/2021	Planning Commission
	10/1/2021	10/21/2021	BOC Public Hearings
	10/22/2021	12/31/2021	Comp Plan Signed and Implimented



# Dawson County

Character Areas

## Legend

- Big Canoe
- Big Savannah
- Blue Ridge Residential
- Chestatee
- County Meets City
- Etowah Valley
- Foothills Agricultural
- High-Residential South
- Kilough
- Mountain Living
- Nix
- North 400 Commercial
- South 400 Commercial
- The Cove
- Toto
- War Hill Lakeside
- Westward

Google Earth

© 2021 Google

Dawson

State Route 9e

19

400

53

60

136

249

13

9 mi





**A RESOLUTION OF THE DAWSON COUNTY BOARD OF COMMISSIONERS ENACTING AN EMERGENCY MORATORIUM ON ACCEPTANCE FOR APPROVAL OF FINAL SUBDIVISION PLATS THAT CREATE NEW ROADS**

**WHEREAS**, the Dawson County Land Use Resolution (“Land Use Resolution”) regulates the use of property located in Dawson County, Georgia (“County”); and

**WHEREAS**, the Dawson County Board of Commissioners (“Board”) is the governing body of the County, and therefore, is responsible for providing appropriate public infrastructure and services to best serve the public interest, including but not limited to such infrastructure and services associated with current and future development within the County; and

**WHEREAS**, the Board has asked the Planning and Development and Public Works Departments to review the current procedures, ordinances, rules and requirements with respect to approval of final subdivision plats that create new roads and to consider possible revisions to same; and

**WHEREAS**, the Georgia Supreme Court has held that a moratorium with respect to application of a zoning ordinance may be put in place for a reasonable period of time without the necessity of complying with the notice requirements of the Georgia Zoning Procedures Law; and

**WHEREAS**, the Board finds a moratorium barring for 30 days (until June 19, 2021), the acceptance for approval of final subdivision plats that create new roads to be reasonably necessary, the least restrictive means available, a reasonable exercise of the County’s police power, and in the best interests of the public health, safety, and welfare;

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

1. The Dawson County Board of Commissioners does hereby enact a moratorium for 30 days (until June 19, 2021), barring the acceptance for approval of final subdivision plats that create new roads.
2. The moratorium imposed by this Resolution shall terminate on the earliest date of (1) June 19, 2021; (2) approval by the Dawson County Board of Commissioners of an additional moratorium after a public hearing; or (3) Board action terminating the moratorium within the 30-day period.

3. This Resolution shall be effective upon a majority vote by the Board of Commissioners.

**SO RESOLVED** this 20<sup>th</sup> day of May, 2021, the public's health, safety, and welfare demanding it.

**DAWSON COUNTY BOARD OF COMMISSIONERS**

By:   
\_\_\_\_\_  
**Billy Thurmond, Chairman**

**Attest:**

By:   
\_\_\_\_\_  
**Kristen Cloud, County Clerk**



**A RESOLUTION OF THE DAWSON COUNTY BOARD OF COMMISSIONERS EXTENDING AN EXISTING MORATORIUM ON ACCEPTANCE FOR APPROVAL OF FINAL SUBDIVISION PLATS THAT CREATE NEW ROADS**

**WHEREAS**, the Dawson County Land Use Resolution (“Land Use Resolution”) regulates the use of property located in Dawson County, Georgia (“County”); and

**WHEREAS**, the Dawson County Board of Commissioners (“Board”) is the governing body of the County, and therefore, is responsible for providing appropriate public infrastructure and services to best serve the public interest, including but not limited to such infrastructure and services associated with current and future development within the County; and

**WHEREAS**, the Board previously asked the Planning and Development and Public Works Departments to review the current procedures, ordinances, rules and requirements with respect to approval of final subdivision plats that create new roads and to consider possible revisions to same; and

**WHEREAS**, the Planning and Development and Public Works Departments are in the process of revising the current procedures, ordinances, rules and requirements with respect to approval of final subdivision plats that create new roads; and

**WHEREAS**, on May 20, 2021, the Board adopted a moratorium for 30 days (until June 19, 2021), barring the acceptance for approval of final subdivision plats that create new roads; and

**WHEREAS**, the Board conducted a public hearing on June 17, 2021, with respect to the possible extension of the existing moratorium on the acceptance for approval of final subdivision plats that create new roads until August 20, 2021; and

**WHEREAS**, the Board finds extension of the existing moratorium on the acceptance for approval of final subdivision plats that create new roads until August 20, 2021, to be reasonably necessary, the least restrictive means available, a reasonable exercise of the County’s police power, and in the best interests of the public health, safety, and welfare;

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

1. The Dawson County Board of Commissioners does hereby extend until August 20, 2021, the existing moratorium barring the acceptance for approval of final subdivision plats that create new roads.

2. The moratorium imposed by this Resolution shall terminate on the earliest date of (1) August 20, 2021; (2) approval by the Dawson County Board of Commissioners of an additional moratorium after a public hearing; or (3) Board action terminating the moratorium within the moratorium period.

3. This Resolution shall be effective upon a majority vote by the Board of Commissioners.

**SO RESOLVED** this 17<sup>th</sup> day of June, 2021, the public's health, safety, and welfare demanding it.

**DAWSON COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Billy Thurmond, Chairman**

**Attest:**

[COUNTY SEAL]

By: \_\_\_\_\_  
**Kristen Cloud, County Clerk**

REVISED  
**DAWSON COUNTY REZONING APPLICATION**

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

ZA \_\_\_\_\_ Tax Map & Parcel # (TMP): \_\_\_\_\_

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

Fees Assessed: \_\_\_\_\_ Paid: \_\_\_\_\_ Commission District: \_\_\_\_\_

Planning Commission Meeting Date: \_\_\_\_\_

Board of Commissioners Meeting Date: \_\_\_\_\_

**APPLICANT INFORMATION** (or Authorized Representative)

Printed Name: FALL LEAF RESIDENTIAL LLC

Address: 1192 LONGCOURTE ATLANTA GA. 30327

Phone:  Listed 404-502-3305 Email:  Business nbwhitenbw8@gmail.com  
 Unlisted  Personal

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

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

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

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

Meeting Date: \_\_\_\_\_ Applicant Signature: [Signature]

**PROPERTY OWNER/PROPERTY INFORMATION**

Name: JAMES HOLBROOK and TIM BYRD (deceased) by

Street Address of Property being rezoned: HIGHWAY 9 SOUTH  
JANET BYRD

Rezoning from: BSR to: BS-2 Total acreage being rezoned: 65

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

From Georgia Highway 400 take Dawson Forest Road  
west to Georgia Highway 9. North on Georgia Highway 9  
for 2.8 miles, property on left.

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

Current Use of Property: VACANT UNDEVELOPED

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

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

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

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

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North BSR South BSR East BSR West RA

Future Land Use Map Designation: SUB RURAL RESIDENTIAL

Access to the development will be provided from:

Road Name: GEORGIA HIGHWAY 9 Type of Surface: PAVED

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: RS-2  Special Use Permit for: \_\_\_\_\_

Proposed Use: SINGLE FAMILY RESIDENTIAL

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 120 Minimum Lot Size: 6500 (acres) No. of Units: 120

Minimum Heated Floor Area: 1800 sq. ft. Density/Acre: 1.85

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Is an Amenity Area proposed: YES; if yes, what? POOL/CABANA

**COMMERCIAL & INDUSTRIAL**

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



**APPLICANT CERTIFICATION**

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

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

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

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

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

Signature *Don White*

Date 12-3-20

Witness *Tom Dan*

Date 12-3-20

**WITHDRAWAL**

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

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

Signature \_\_\_\_\_

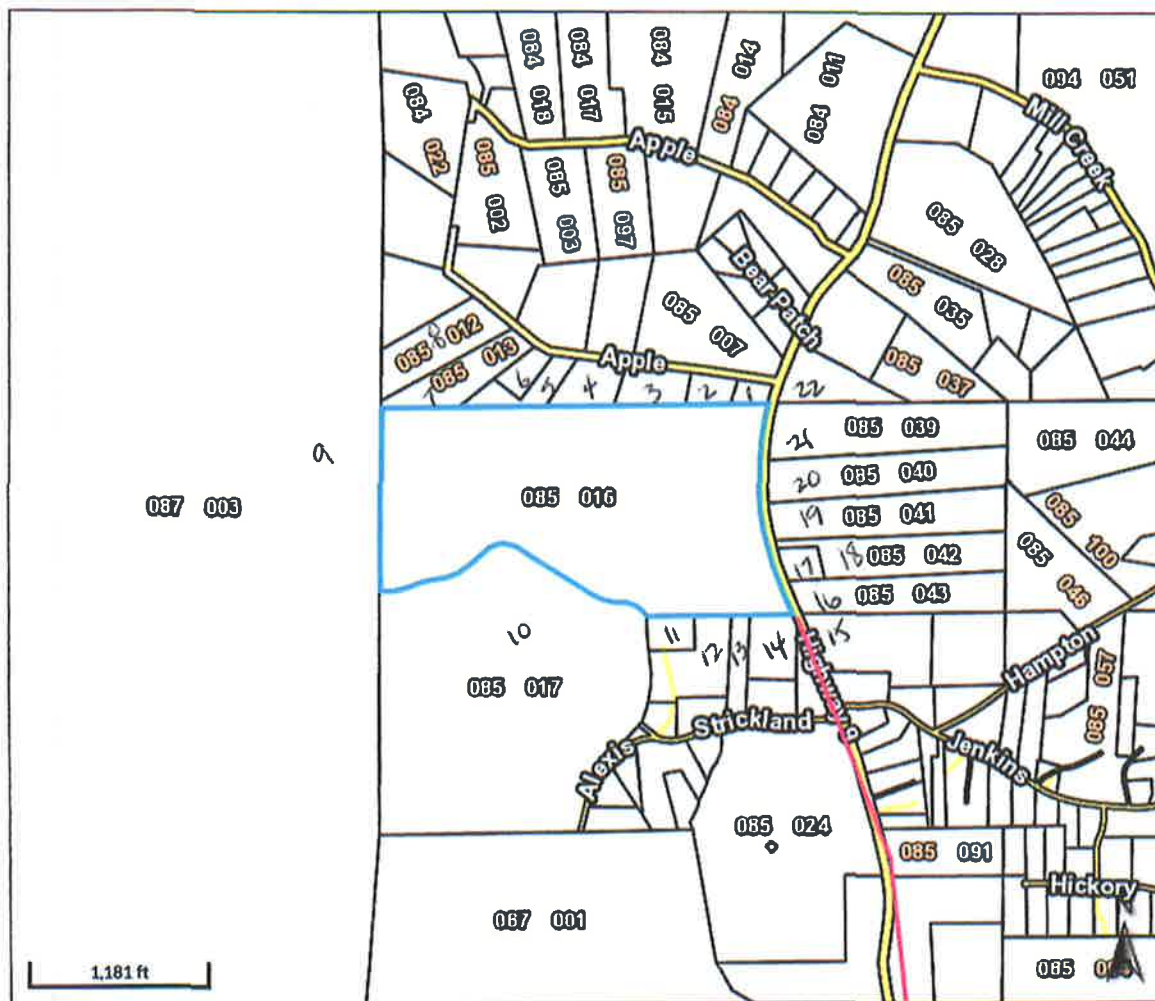
Date \_\_\_\_\_

**Withdrawal of Application:**

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

20DEC 4 950AM





Overview



Legend

□ Parcels

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

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

Developed by  Schneider  
GEOSPATIAL

2020 DEC 4 9:50 AM

ZA \_\_\_\_\_

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

**List of Adjacent Property Owners**

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

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

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

Use additional sheets if necessary.

2010 4 9:50 AM

ZA \_\_\_\_\_

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

**List of Adjacent Property Owners**

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

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

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

Use additional sheets if necessary.

200804 950AM

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: *Norman White*

Applicant Printed Name: FALL LEAF RESIDENTIAL BY NORMAN WHITE

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

Date Signed: 12/3/20

Sworn and subscribed before me

this 3 day of DEC, 2020.

*Anna Le*

Notary Public

My Commission Expires: Aug 10, 2021



20DEC 4 9:50AM

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

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

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

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

NONE

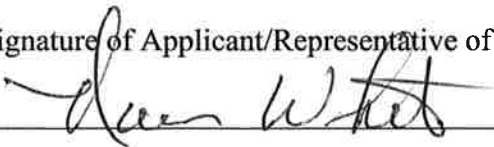
2. The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two (2) years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

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

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

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

Signature of Applicant/Representative of Applicant:



Date: 12-3-20

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

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

2016 4 35AM

**PROPERTY OWNER AUTHORIZATION**

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

085 016

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

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

Printed Name of applicant or agent: FALL LEAF RESIDENTIAL LLC

Signature of applicant or agent: Tom White Date: 9-17-20

\*\*\*\*\*

Printed Name of Owner(s): James Holbrook

Signature of Owner(s): James Holbrook Date: 9-17-20

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

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

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

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

Andrea Sullivan  
Notary Public

My Commission Expires: 03/10/2024



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

20DEC 4 9:50AM

**PROPERTY OWNER AUTHORIZATION**

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

085 016

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

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

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

\*\*\*\*\*

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

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

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

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

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

Andrea Sullivan  
Notary Public

My Commission Expires: 03/10/2024



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

2020 4 950AM



**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

X I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Beaufort County (city), GA (state)

Norman White  
Signature of Applicant

12/3/20  
Date

NORMAN WHITE  
Printed Name

FALL LEAT RESIDENTIAL  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 3 DAY OF DEC, 20 20

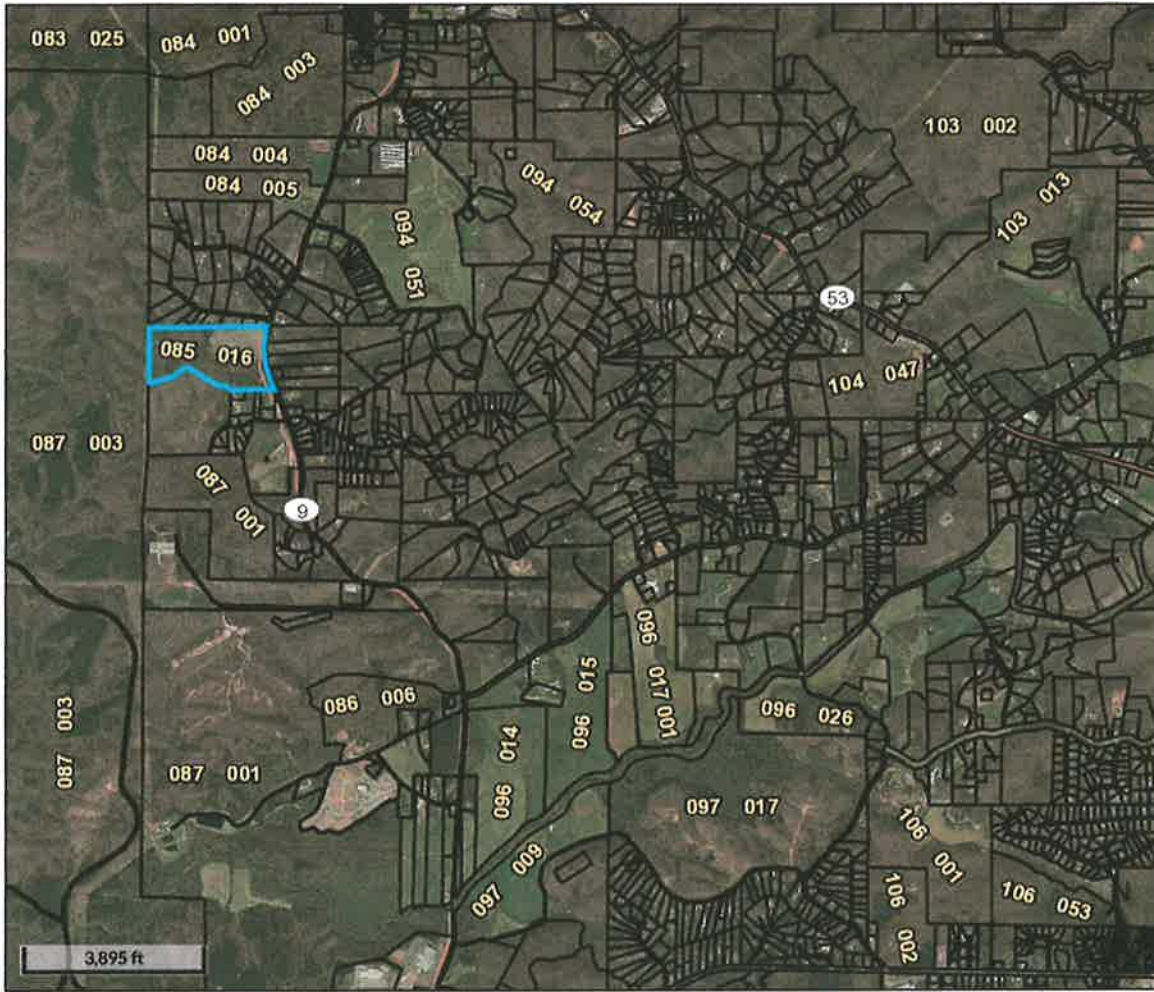
Anna Le Notary Public

My Commission Expires: Aug 10, 2021



20DEC 4 9:51AM





**Overview**



**Legend**

 Parcels

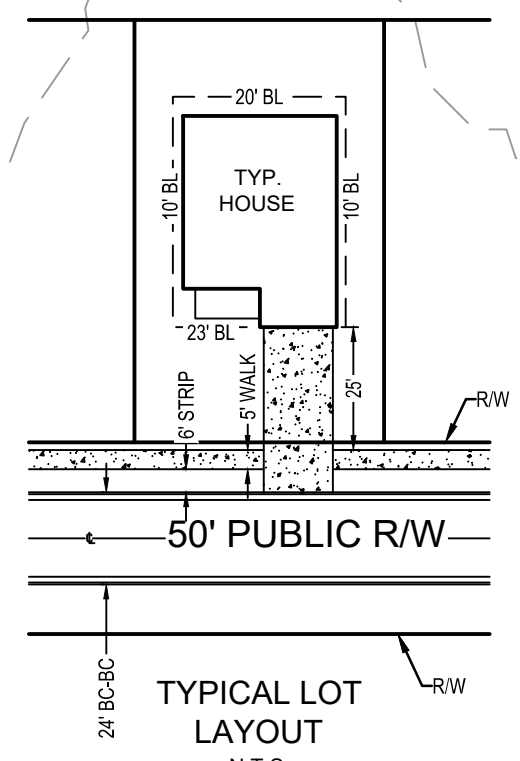
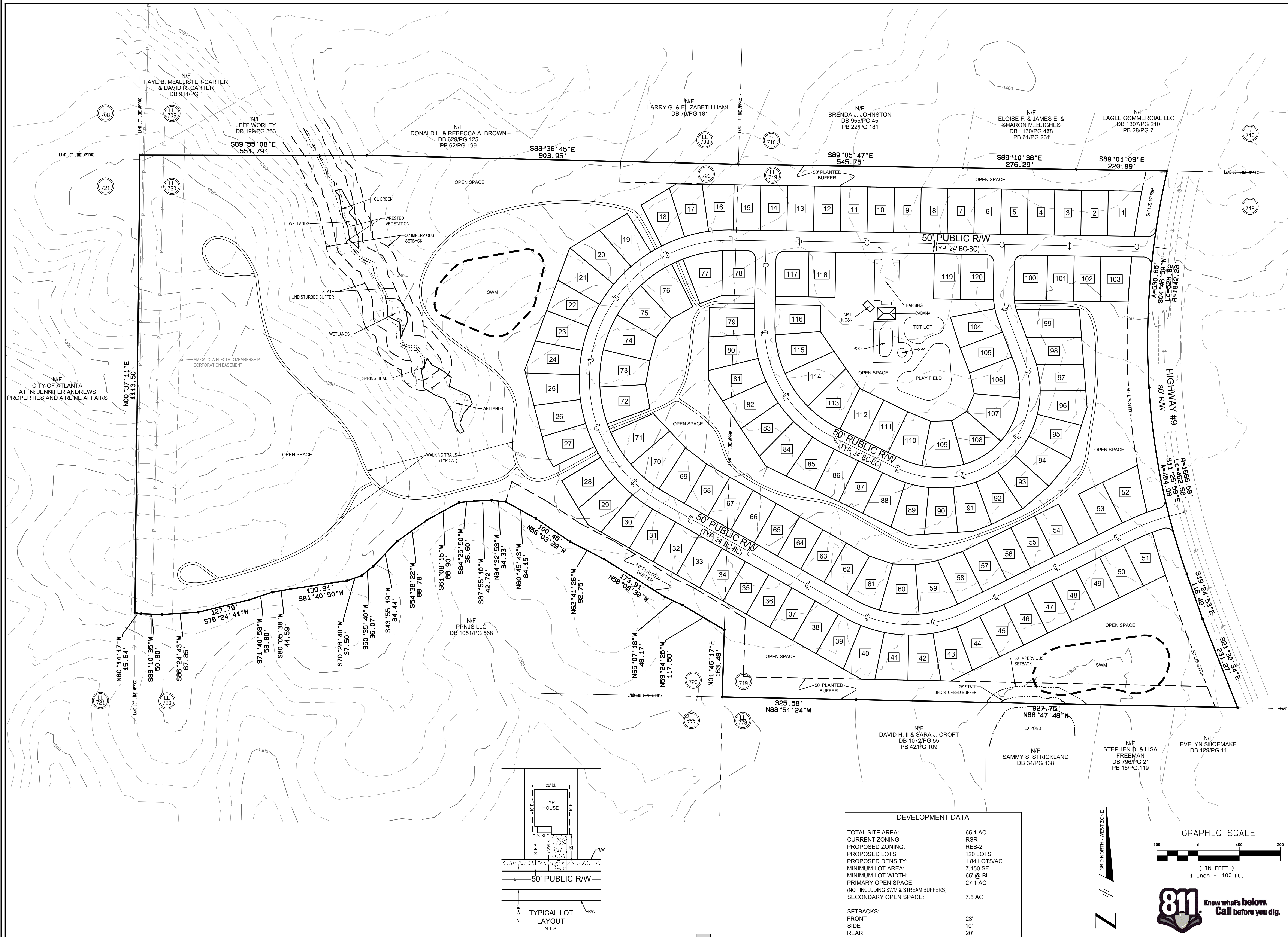
Parcel ID: 085 016  
Alt ID: 5892  
Owner: HOLBROOK JAMES & TIM BYRD  
Acres: 66.02  
Assessed Value: \$628100

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

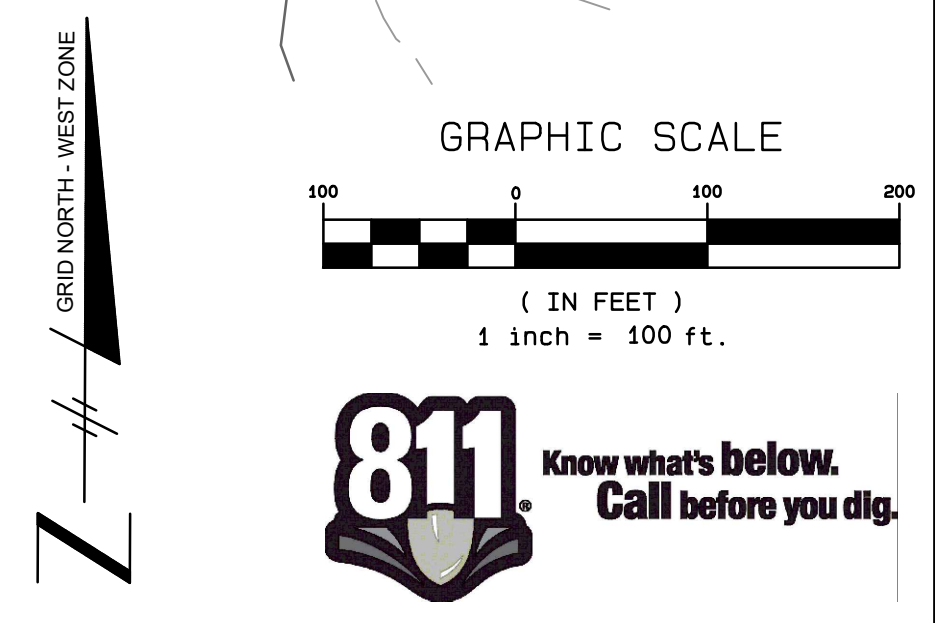
Developed by  **Schneider**  
GEOSPATIAL

20DEC 4 9:51AM





DEVELOPMENT DATA	
TOTAL SITE AREA:	65.1 AC
CURRENT ZONING:	RSR
PROPOSED ZONING:	RES-2
PROPOSED LOTS:	120 LOTS
PROPOSED DENSITY:	1.84 LOTS/AC
MINIMUM LOT AREA:	7,150 SF
MINIMUM LOT WIDTH:	65' @ BL
PRIMARY OPEN SPACE:	27.1 AC
(NOT INCLUDING SWM & STREAM BUFFERS)	
SECONDARY OPEN SPACE:	7.5 AC
SETBACKS:	
FRONT	23'
SIDE	10'
REAR	20'



**ZONING EXHIBIT**  
FOR  
**HIGHWAY 9 TRACT**  
LAND LOT 719 & 720 ~ 4TH DISTRICT ~ 1ST SECTION  
DAWSON COUNTY, GEORGIA

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1.	04/28/21	JJT	REVISE LAYOUT.

**W&B**  
**WATTS & BROWNING ENGINEERS, INC.**  
CIVIL ENGINEERS & LAND SURVEYORS  
1349 OLD 41 HWY NW, SUITE #225  
MARIETTA, GEORGIA 30060  
PHONE: (678) 324-6192  
FAX: (770) 694-6670  
WWW.WBENGR.COM  
LSF000429 - PEF000714

SCALE:	1" = 100'
DESIGNED BY:	DRC
DRAWN BY:	JJT
CHECKED BY:	DRC
INITIAL ISSUE DATE:	04/12/21
JOB NUMBER:	200326
SHEET NUMBER:	1





**2019 Property Tax Statement**

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

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

Payment Good Through:

Map: 085 016

Last payment made on: 11/21/2019

Location: HWY 9 S

HOLBROOK JAMES & TIM BYRD

Dear Taxpayer,  
 This is your current year Ad Valorem Property Tax Statement. This bill must be paid in full by December 1st in order to avoid interest and penalty charges. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the NEW OWNER and notify our office.

Thank you for the privilege to serve as your Tax Commissioner.  
 Nicole Stewart

RETURN THIS FORM WITH PAYMENT

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



Scan this code with your mobile phone to view or pay this bill

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

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

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

You can pay your bill in person, by mail, online at [www.dawsoncountytax.com](http://www.dawsoncountytax.com), or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, interest at a rate prescribed by law will be added monthly. An additional penalty as prescribed by law will be added every 120 days. If the bill is marked appealed, then this is only 85% of the total bill pending.

NO PAYMENT CONTRACTS WILL BE ALLOWED.

Current Due:	\$563.93
Penalty:	\$0.00
Interest:	\$0.00
Other Fees:	\$0.00
Back Taxes:	\$0.00
Amount Paid:	\$563.93
<b>TOTAL DUE:</b>	<b>\$0.00</b>

2020 DEC 4 3:58 AM

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

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

Clerk  
042-08-000835  
DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX  
PAID \$ 344.80 XX  
DATE July 3, 08  
*Shelly McCord*  
BECKY MCCORD, CLERK  
SUPERIOR COURT

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

WARRANTY DEED

GEORGIA, DAWSON COUNTY

T.B. JB

THIS INDENTURE, made this 2<sup>nd</sup> day of ~~June~~ July, 2008, between BYRD-HOLBROOK ALL PURPOSE PAVING, INC., Grantor, and JAMES HOLBROOK and TIM BYRD, Grantee,

WITNESSETH:

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

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

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

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

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

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

Signed, sealed and delivered  
in the presence of:

Byrd-Holbrook All Purpose Paving, Inc.

*Lucretia Thompson*  
Unofficial Witness

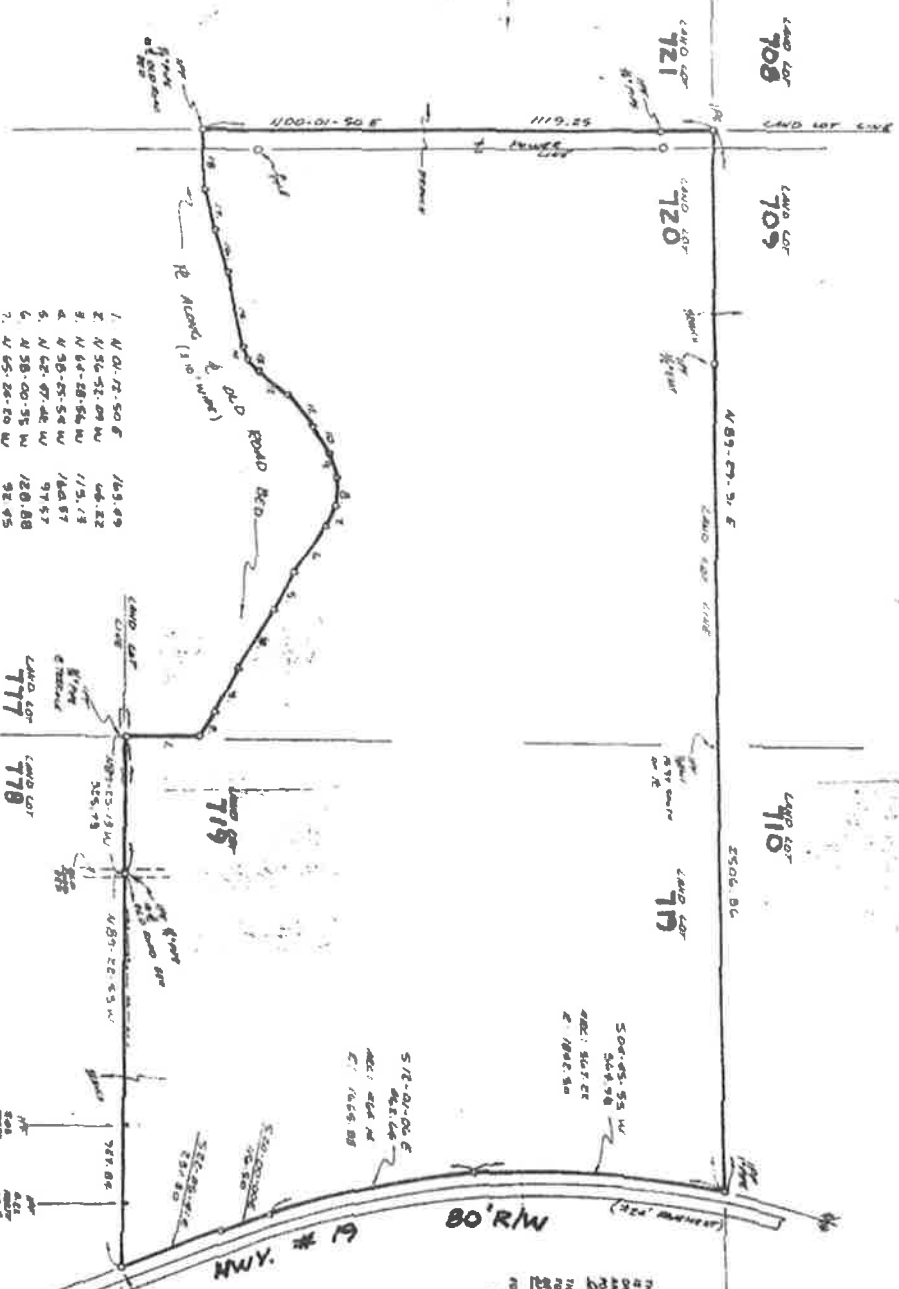
By: *Tim Byrd* (SEAL)  
Tim Byrd, Vice President

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



Attest: *Janet Byrd*  
Janet Byrd, Secretary





1. N 01-21-50.0 E  
 2. N 56-52-09 W  
 3. N 64-28-56 W  
 4. N 38-55-54 W  
 5. N 62-07-48 W  
 6. N 58-00-35 W  
 7. N 65-28-20 W  
 8. N 07-17-48 W  
 9. S 75-56-36 W  
 10. S 60-47-43 W  
 11. S 54-10-03 W  
 12. S 43-10-03 W  
 13. S 52-47-40 W  
 14. S 72-40-10 W  
 15. S 60-13-28 W  
 16. S 73-00-30 W  
 17. S 76-00-07 W  
 18. S 07-25-48 W

1	N 01-21-50.0 E	163.49
2	N 56-52-09 W	46.82
3	N 64-28-56 W	113.13
4	N 38-55-54 W	162.87
5	N 62-07-48 W	97.57
6	N 58-00-35 W	120.88
7	N 65-28-20 W	92.45
8	N 07-17-48 W	67.60
9	S 75-56-36 W	57.07
10	S 60-47-43 W	72.04
11	S 54-10-03 W	96.64
12	S 43-10-03 W	84.09
13	S 52-47-40 W	94.77
14	S 72-40-10 W	23.44
15	S 60-13-28 W	178.03
16	S 73-00-30 W	108.17
17	S 76-00-07 W	96.03
18	S 07-25-48 W	76.89

SCALE 1 inch = 200 feet  
 DATE August 2, 1981

GEORGIA DANFORD COUNTY  
 CLERK OF THE SUPERIOR COURT  
 RECORD SECTION  
 8:30 PM 1-3-90  
 20 DEC 1981

THE FIELD DATA SHOWN HEREON, THIS PLAT  
 IS BASED ON A DEED RECORDATION OF  
 ONE FOOT IN LENGTH, 1/4" AND AN  
 INCH AND HAS BEEN ADJUSTED BY THE  
 SURVEYOR.  
 THIS PLAT AND FIELD CALCULATED  
 FROM ORIGINAL DATA IS SUBJECT TO  
 THE FIELD DATA SHOWN HEREON.  
 THE SURVEYOR'S FIELD DATA IS  
 THE BASIS FOR THIS PLAT.



66.02 ACRES

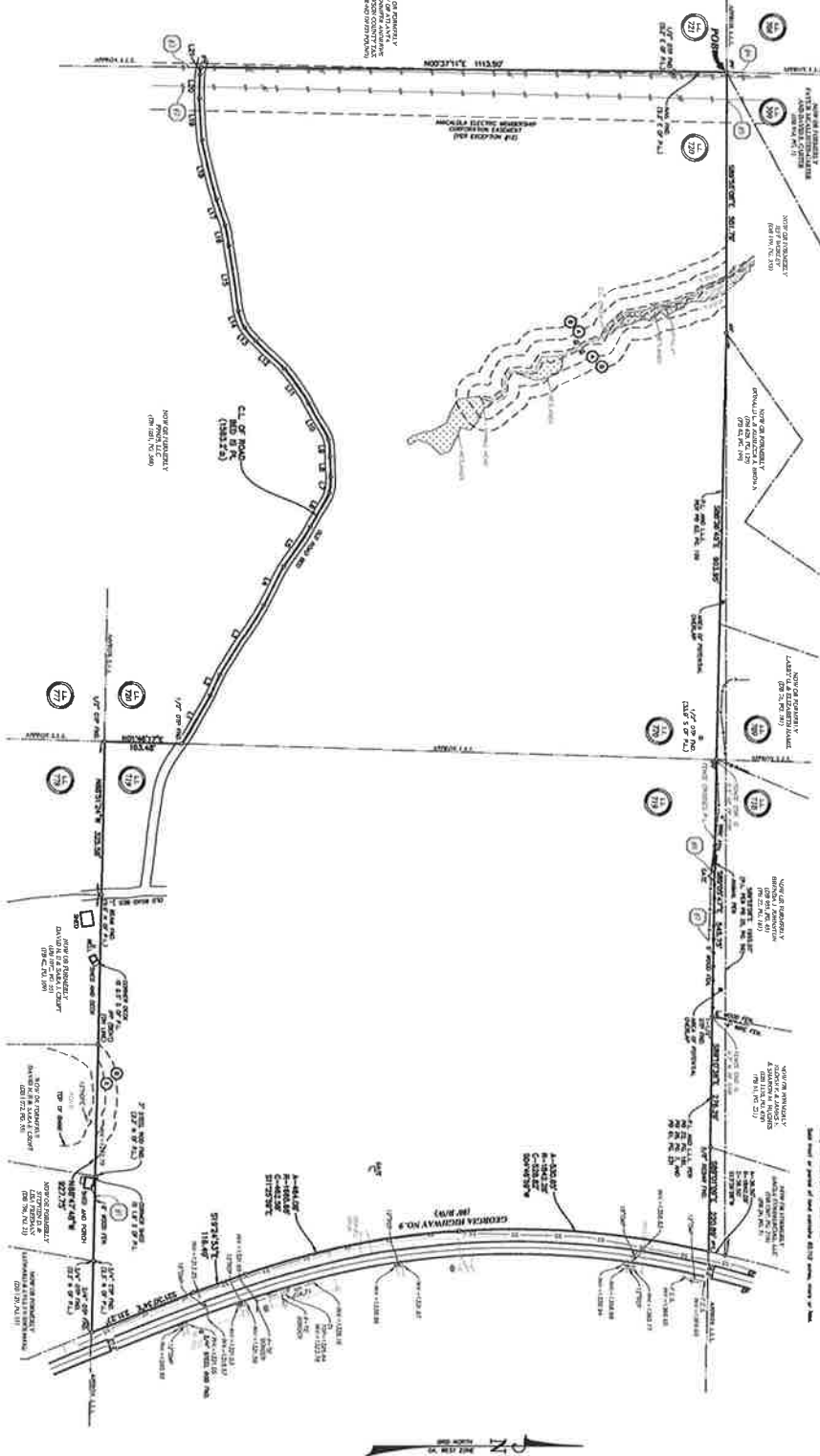
JAMES RIVES

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

**DEFINITIONS:**  
 ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE SPECIFIED.  
 ALL CURVES ARE CIRCULAR UNLESS OTHERWISE SPECIFIED.  
 ALL CORNERS ARE TO BE MARKED AS SHOWN ON THIS PLAN.  
 THIS PLAN IS THE PROPERTY OF GUNNIN LAND SURVEYING AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF GUNNIN LAND SURVEYING.  
 THE DISTRICT ENGINEER HAS REVIEWED THIS PLAN AND HAS ISSUED HIS APPROVAL HEREON.  
 THE DISTRICT ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THIS PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE DATA ON WHICH THIS PLAN IS BASED.  
 THE DISTRICT ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THIS PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE DATA ON WHICH THIS PLAN IS BASED.

**NOTES:**  
 1. THIS PLAN IS THE PROPERTY OF GUNNIN LAND SURVEYING AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF GUNNIN LAND SURVEYING.  
 2. THE DISTRICT ENGINEER HAS REVIEWED THIS PLAN AND HAS ISSUED HIS APPROVAL HEREON.  
 3. THE DISTRICT ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THIS PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE DATA ON WHICH THIS PLAN IS BASED.  
 4. THE DISTRICT ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THIS PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE DATA ON WHICH THIS PLAN IS BASED.

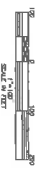
**LEGEND:**  
 1. BOUNDARY OF PROPERTY LINE  
 2. CORNER OF PROPERTY LINE  
 3. CENTER LINE OF ROAD  
 4. RIGHT OF WAY OF ROAD  
 5. EASEMENT  
 6. ENCUMBRANCE  
 7. ADJACENT PROPERTY  
 8. SURVEY POINT  
 9. ADJACENT WATERWAY



- 1. BOUNDARY OF PROPERTY LINE
- 2. CORNER OF PROPERTY LINE
- 3. CENTER LINE OF ROAD
- 4. RIGHT OF WAY OF ROAD
- 5. EASEMENT
- 6. ENCUMBRANCE
- 7. ADJACENT PROPERTY
- 8. SURVEY POINT
- 9. ADJACENT WATERWAY

- 10. 27' STATE MAINTENANCE EASEMENT
- 11. 27' STATE MAINTENANCE EASEMENT
- 12. 27' STATE MAINTENANCE EASEMENT
- 13. 27' STATE MAINTENANCE EASEMENT
- 14. 27' STATE MAINTENANCE EASEMENT
- 15. 27' STATE MAINTENANCE EASEMENT
- 16. 27' STATE MAINTENANCE EASEMENT
- 17. 27' STATE MAINTENANCE EASEMENT
- 18. 27' STATE MAINTENANCE EASEMENT
- 19. 27' STATE MAINTENANCE EASEMENT
- 20. 27' STATE MAINTENANCE EASEMENT
- 21. 27' STATE MAINTENANCE EASEMENT
- 22. 27' STATE MAINTENANCE EASEMENT
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- 100. 27' STATE MAINTENANCE EASEMENT

**TOTAL AREA = 65.112 ACRES**



OWNER	ADDRESS
...	...
...	...
...	...
...	...
...	...

**ADJACENT PROPERTIES:**  
 THE 1/2 ACRES OF LAND BEING SURVEYED BY THIS PLAN IS ADJACENT TO THE FOLLOWING PROPERTIES:  
 1. ...  
 2. ...  
 3. ...  
 4. ...  
 5. ...  
 6. ...  
 7. ...  
 8. ...  
 9. ...  
 10. ...

**ADJACENT PROPERTIES:**  
 THE 1/2 ACRES OF LAND BEING SURVEYED BY THIS PLAN IS ADJACENT TO THE FOLLOWING PROPERTIES:  
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 2. ...  
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 6. ...  
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 10. ...

**GUNNIN**  
 LAND SURVEYING

ALTAZAPAS LAND 35 LAND SURVEYING COMPANY  
 FALL LEAF RE FIRST AMERICAN TITL



Written Description:  
Highway 9 Dawson

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

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

**FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;**

thence along the common line of Land Lots 709 and 720 the following courses and distances: S89°55'08"E for a distance of 551.79 feet to a 1/2" rebar found; S88°36'45"E for a distance of 903.95 feet to a 1/2" rebar found; thence along the common line of Land Lots 710 and 719 the following courses and distances: S89°05'47"E for a distance of 545.75 feet to a 1-1/2" open top pipe found; S89°10'38"E for a distance of 276.29 feet to a 5/8" rebar found; S89°01'09"E for a distance of 220.89 feet to a 1/2" rebar set at the westerly right of way of Georgia Highway No. 9 (80' right of way); thence along said westerly right of way the following courses and distances:

530.65 feet along the arc of a curve to the left, said curve having a radius of 1842.28 feet and being subtended by a chord of S04°46'59"W, 528.82 feet to a point; 464.08 feet along the arc of a curve to the left, said curve having a radius of 1665.68 feet and being subtended by a chord of S11°25'59"E, 462.58 feet to a point; S19°24'53"E for a distance of 116.49 feet to a point; S21°30'34"E for a distance of 231.27 feet to a 3/4" open top pipe found at the intersection of said westerly right of way and the common line of land lots 719 and 778; thence leaving said westerly right of way and along said Land Lot Line the following courses and distances: N88°47'48"W for a distance of 927.75 feet to a point; N88°51'24"W for a distance of 325.58 feet to a 1/2" open top pipe found at the southwest corner of Land Lot 719, said corner being common to Land Lots 719, 720, 777, and 778; thence along the common line of Land Lots 719 and 720 N01°46'17"E for a distance of 163.48 feet to a 1/2" open top pipe found at the center of an old road bed; thence along the centerline of said old road bed, following the meanderings thereof, for a distance of 1593.2 feet, more or less, to a 1/2" rebar set, said old road bed following a traverse line as follows:

N59°24'25"W for a distance of 117.58 feet to a point; N65°07'18"W for a distance of 48.17 feet to a point; N58°08'32"W for a distance of 173.91 feet to a point; N62°41'26"W for a distance of 92.75 feet to a point; N56°03'29"W for a distance of 100.45 feet to a point; N60°45'43"W for a distance of 84.15 feet to a point; N84°32'53"W for a distance of 34.33 feet to a point; S87°55'10"W for a distance of 42.72 feet to a point; S84°25'50"W for a distance of 36.60 feet to a point; S61°08'15"W for a distance of 88.90 feet to a point; S54°38'22"W for a distance of 88.78 feet to a point; S43°55'19"W for a distance of 84.44 feet to a point; S50°35'40"W for a distance of 36.07 feet to a point; S70°28'40"W for a distance of 37.50 feet to a point; S81°40'50"W for a distance of 139.91 feet to a point; S80°05'38"W for a distance of 44.59 feet to a point; S71°40'58"W for a distance of 58.80 feet to a point; S76°24'41"W for a distance of 127.79 feet to a point; S86°24'43"W for a distance of 87.85 feet to a point; N88°10'35"W for a distance of 50.80 feet to a point; N80°14'17"W for a distance of 15.64 feet to a 1/2" rebar set at the common line of Land Lots 720 and 721; thence leaving said old road bed and along said Land Lot Line N00°37'11"E for a distance of 1113.50 feet to a 1/2" rebar found, said point being the **TRUE POINT OF BEGINNING**.

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

2006 4 9 5 11 AM





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

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

April 30, 2021

Re: Revised Rezoning Application 65 Acres, Georgia Highway 9

Please accept this revised letter outlining the plans for a 65 acre tract of land fronting on the west side of Georgia Highway 9, approximately 2.8 miles north of the Dawson Forest Road and Georgia Highway 9 intersection. We had originally submitted an application for an RS-3 Conservation rezoning, however, we have determined that we can make our development work under the RS-2 zoning classification.

We would like to revise our rezoning application to the RS-2 zoning classification to allow the development of a single-family conservation subdivision. The revised conservation site plan we have submitted shows 120 lots which is a density of 1.85 homes per acre on the 65 acre tract and 40% of the property is shown as open space. The open space will provide an opportunity for many passive recreation activities such as walking trails and a community picnic area and preserve much of the property in its natural habitat. We also show an amenity area on the new site plan which will include a pool, cabana and playground. The conservation plan will also have a 50 foot open space buffer around the entire perimeter of the property as well as along Highway 9, owned by the Homeowners Association, which can be heavily landscaped to provide a visual screen and a very attractive front door to the development. All existing trees in the 50 foot buffer will be preserved and applicant also agrees to plant a row of evergreen trees along the northern 50 foot buffer in those areas where there are no existing trees. The community will be subject to a Declaration of Covenants and Conditions and each home will be required to be a member. The Homeowners Association will be responsible for the future maintenance and upkeep of all entrance features, open spaces, and any amenities.

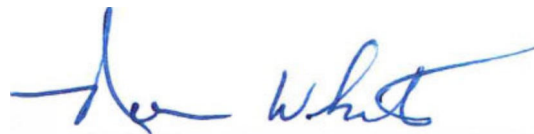
The Dawson County Comprehensive Plan points out that the new housing market in Dawson County provides few opportunities beyond single-family homes on large lots; and the new RS-2 zoning category was established to allow the opportunity to provide smaller lots to fulfill this established need. While the current Comprehensive Plan, which preceded the adoption of the new RS-2 zoning category fails to specify what property in the County is best suited for this new zoning classification, the Subject Property is ideally suited for an RS-2 development and will

provide the County an opportunity to begin to address and supply its acknowledged critical need for single-family homes on somewhat smaller lots with greater open space.

There are actually very few sites in the County that lend themselves to development under the new RS-2 category, and we believe this site is one of those few. We have access to public sewer and water; and we enjoy frontage on Georgia Highway 9, one of the county's major arteries all of which we believe should be major considerations in approving this RS-2 zoning.

In addition to the revised RS-2 Conservation Plan we have also submitted a list of proposed rezoning conditions which will control the quality of the homes to be built on the property and thereby insure that this will be a very attractive development. providing much needed housing, while conserving much of the property in its natural habitat, and we respectfully request approval of this rezoning by the Board of Commissioners.

Sincerely,



Fall Leaf Residential, LLC  
Norman White, Manager

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

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

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

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

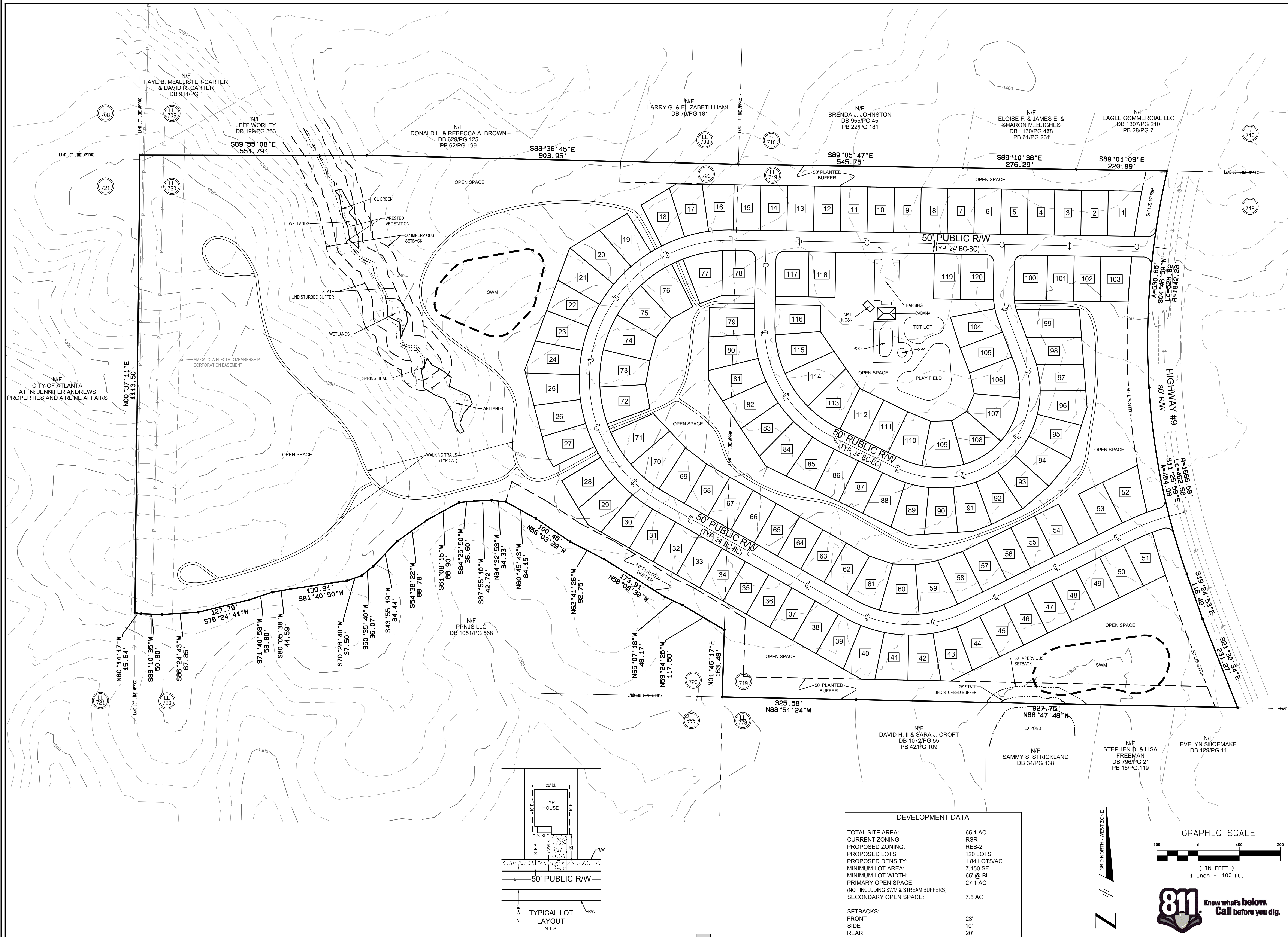
State courts have concurrent jurisdiction over violations of 42 U.S.C. §1983; and, at all times relevant hereto, the Board of Commissioners occupies a policymaking position and acts “under color of law” within the meaning of that statute.

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

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

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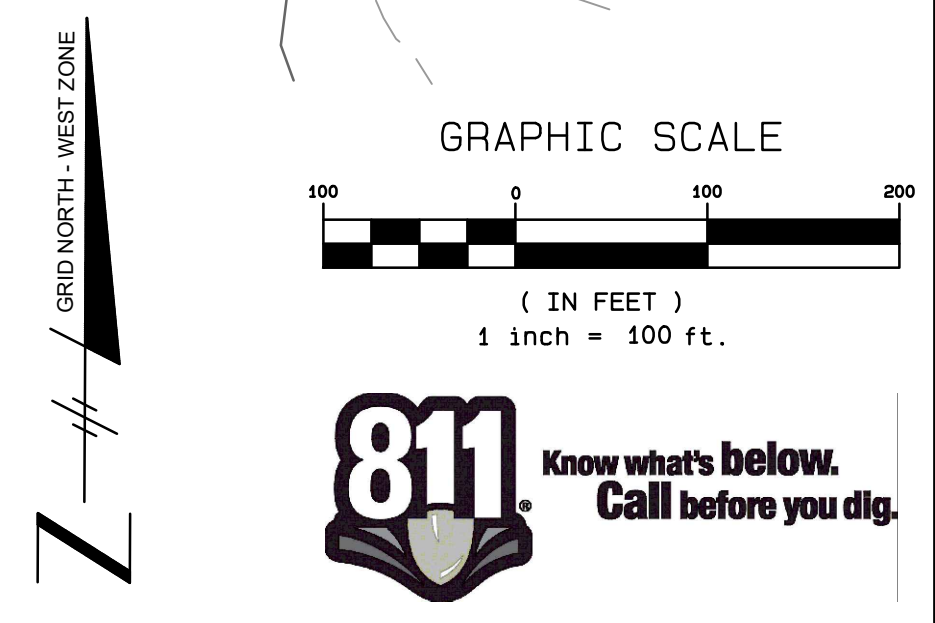
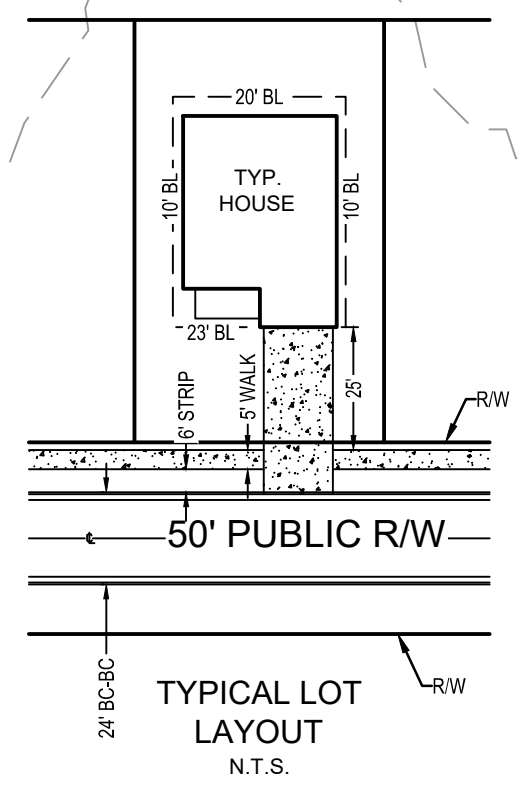
**ZONING EXHIBIT**  
FOR  
**HIGHWAY 9 TRACT**  
LAND LOT 719 & 720 ~ 4TH DISTRICT ~ 1ST SECTION  
DAWSON COUNTY, GEORGIA

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1.	04/28/21	JJT	REVISE LAYOUT.

**W&B**  
**WATTS & BROWNING ENGINEERS, INC.**  
CIVIL ENGINEERS & LAND SURVEYORS  
1349 OLD 41 HWY NW, SUITE #225  
MARIETTA, GEORGIA 30060  
PHONE: (678) 324-6192  
FAX: (770) 694-6670  
WWW.WBENGR.COM  
LSF000429 - PEF000714

SCALE:	1" = 100'
DESIGNED BY:	DRC
DRAWN BY:	JJT
CHECKED BY:	DRC
INITIAL ISSUE DATE:	04/12/21
JOB NUMBER:	200326
SHEET NUMBER:	1

DEVELOPMENT DATA	
TOTAL SITE AREA:	65.1 AC
CURRENT ZONING:	RSR
PROPOSED ZONING:	RES-2
PROPOSED LOTS:	120 LOTS
PROPOSED DENSITY:	1.84 LOTS/AC
MINIMUM LOT AREA:	7,150 SF
MINIMUM LOT WIDTH:	65' @ BL
PRIMARY OPEN SPACE:	27.1 AC
(NOT INCLUDING SWM & STREAM BUFFERS)	
SECONDARY OPEN SPACE:	7.5 AC
SETBACKS:	
FRONT	23'
SIDE	10'
REAR	20'





# Hwy 9 Dawsonville - Representative Elevations





PROPOSED ZONING CONDITIONS 65 ACRES  
FALL LEAF RESIDENTIAL GEORGIA HIGHWAY 9

1. The Property shall be developed substantially in accordance with the site plan submitted, except for changes approved by the Planning Director.
2. The property shall be zoned RS-2 and there shall be no more than 120 residential units within the development.
3. The exterior building materials for all homes shall consist of one or more of the following: brick, stone, cement based siding, cedar and/or shake.
4. All roof gables shall be of a pitch of no less than 8/12. This condition shall not apply to dormers, porches, bay windows and third-floor retreats.
5. All roof vents, pipes and other roof equipment (except chimneys) shall be located on the rear elevations and shall be painted to match the color of the roof.
6. The developer shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ, among others, the use of differing front elevations, architectural styles, building exteriors and other similar techniques so that no house is the same as any house directly in front of or on either adjacent side of it.
7. All overhangs, including gables and side gables, will have a minimum of a 12-inch overhang on all sides.
8. The roofing materials used on all homes shall be cedar shake, three-tab or architectural/dimensional style asphalt shingles or metal as appropriate to the architectural style of each home.
9. Carriage-style garage doors with decorative hardware shall be used on each home and each home shall have not less than a two-car garage,
10. There shall be a minimum of 1800 square feet of heated space for each one-story home and 2400 square feet for each two-story home.
11. There shall be no rental units unless approved by the Homeowners Association and the maximum number of rental units allowed at any one time shall not exceed 10% unless approved by the Homeowners Association on a hardship basis.
12. All sidewalks shall be a minimum of 5 feet in width.
13. All driveways must extend a minimum of 25 feet from the back of the sidewalk to the garage door.
14. A 50 foot buffer area will be established along the entire exterior of the property, all existing tree cover in the buffer area will be preserved and the developer will plant a row of Leland Cypress or Green Giant Arbor Vitae along the entire northern boundary except in areas with existing tree cover.
15. All open space shall be preserved and protected by covenants in the Homeowners Declaration and the Homeowners Association will be responsible for all future maintenance and upkeep of the open space, all entrance features and any amenities.

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

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

**Amendment #** .....ZA 20-25

**Request**.....Rezone Property from RSR (Residential Sub rural to RS-2 (Residential Suburban 2)

**Proposed Use** .....Single family residential

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

**Size**.....65.3± acres

**Location** .....HWY 9 South

**Tax Parcel** .....085-016

**Planning Commission Date** .....January 19, 2021

**Board of Commission Date**.....February 18, 2021 (tabled)  
.....June 17, 2021

**Applicant Proposal**

The applicant is seeking to rezone the property from RSR to RS-2 (Residential Sub-urban 2) for the purpose of developing a 120-lot residential conservation neighborhood with an overall density 1.85 units per acre.

**History and Existing Land Uses**

The parcel is currently vacant. It was originally designated RSR when zoning was initiated within the county. Recently there was an application to rezone late 2020 but was withdrawn. This application was tabled earlier in 2021 by the Board of Commissioners.

Adjacent Land Uses	Existing zoning	Existing Use
North	RSR	Residential

South	RSR	Residential
East	RSR	Residential
West	RA	Dawson Forest

**Development Support and Constraints**

RS2 requires water and sewer.

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Sub Rural Residential (SRR).

**Public Facilities/Impacts**

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

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

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

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

**Dawson County Sheriff’s Office** – No comments returned.

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

## Analysis

- RS-2 is a newly added classification in order to allow a higher density classification than one unit per acre for single family residential developments. Along 400 and down Dawson Forest is where we expect to see this growth. Currently this property is RSR that requires 1 acre per subdivision of land with access to water. This property is in compliance currently with the Future Land Use Map. A rezoning of this property will create a RS-2 island in a mostly RSR and R-A zoning area. Subdivisions with similar densities are located within the city limits of Dawsonville approximately 1.5 miles to the north.

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

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

The majority of all surrounding classifications are residential.

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

There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The property is suited for the proposed land use classification subject to water and sewer availability. Both water and sewer is relatively new to this area.

**F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**

The property is vacant.

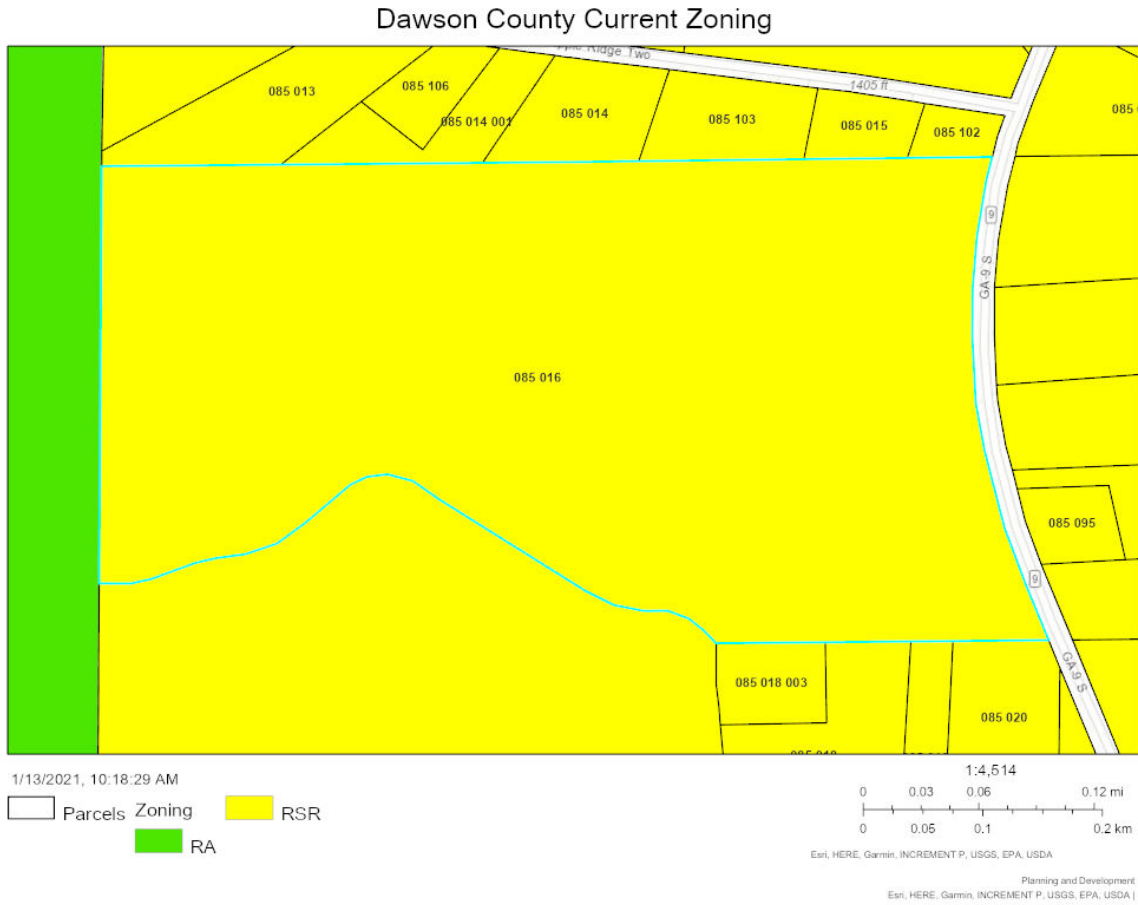
**G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.**

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

Pictures of Property:

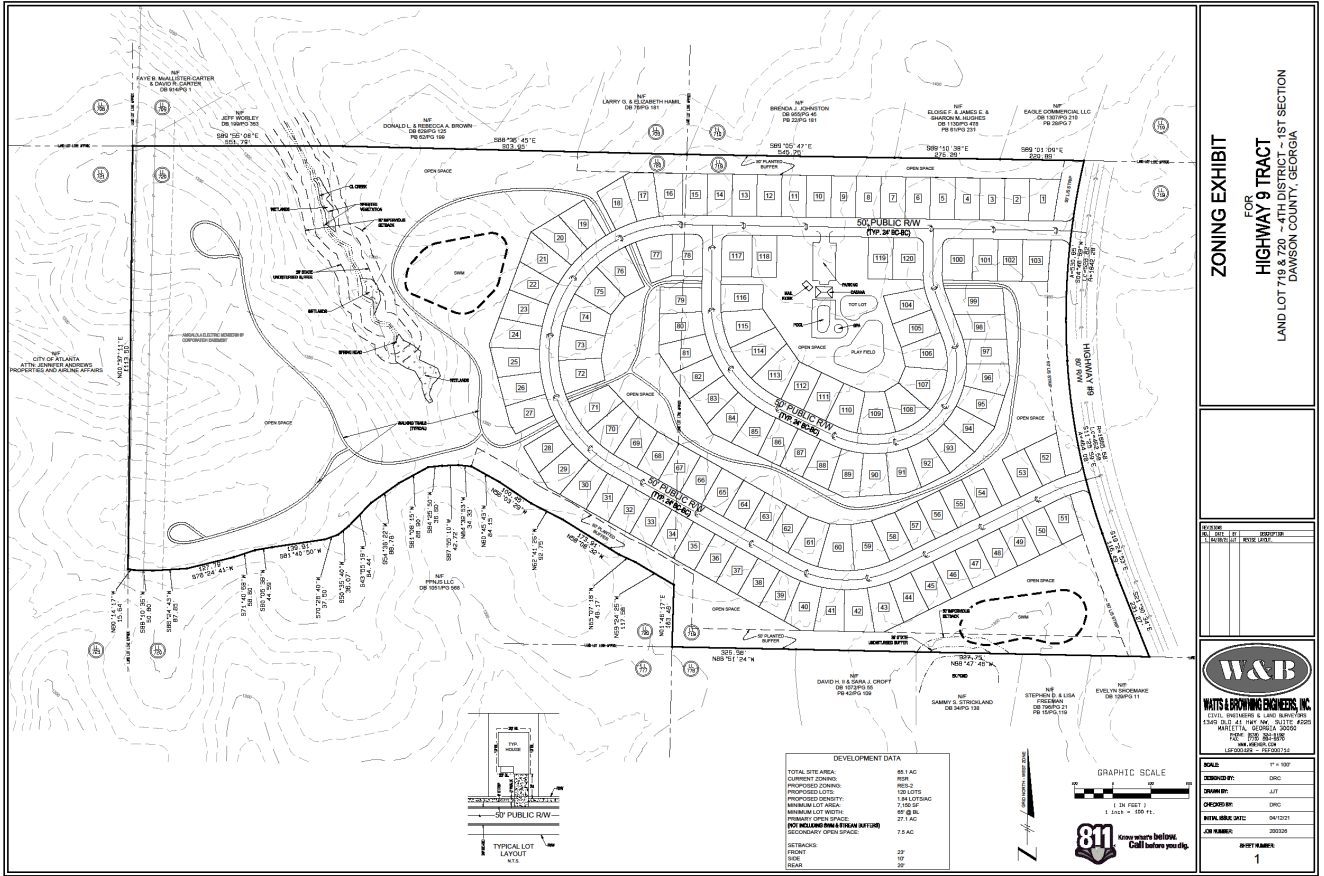


Current Zoning Map:





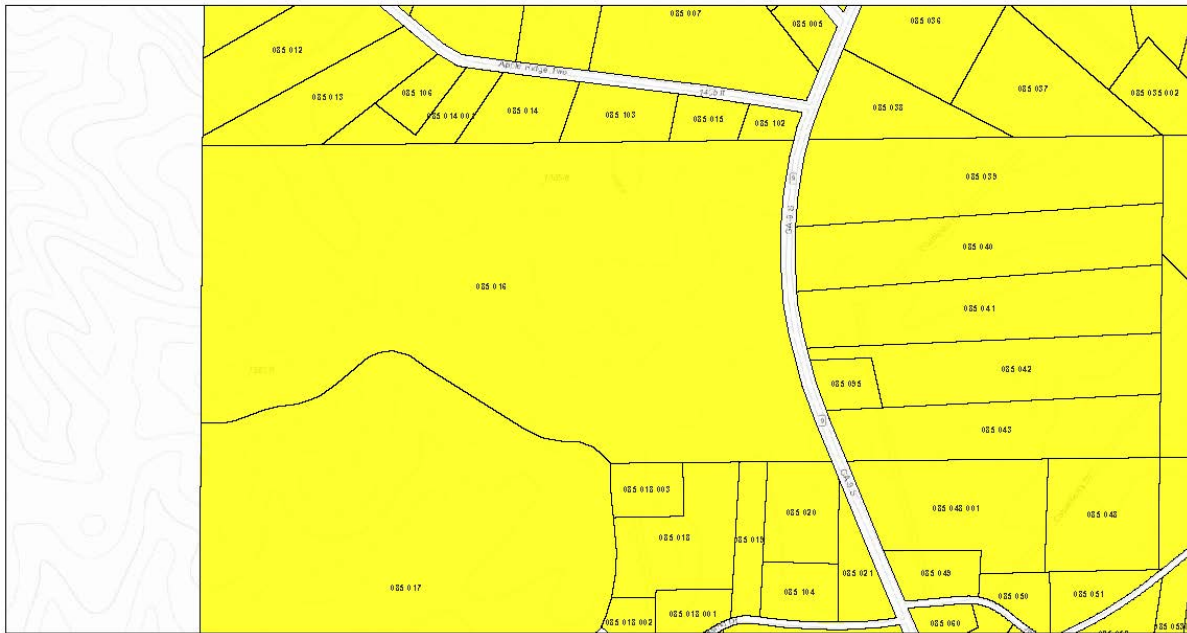
Site Plan:



**ZONING EXHIBIT**  
FOR  
**HIGHWAY 9 TRACT**  
LAND LOT 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 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1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200.

Future Land Use Map:

Future Land Use Map

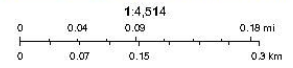


January 13, 2021

Parcels

FLU

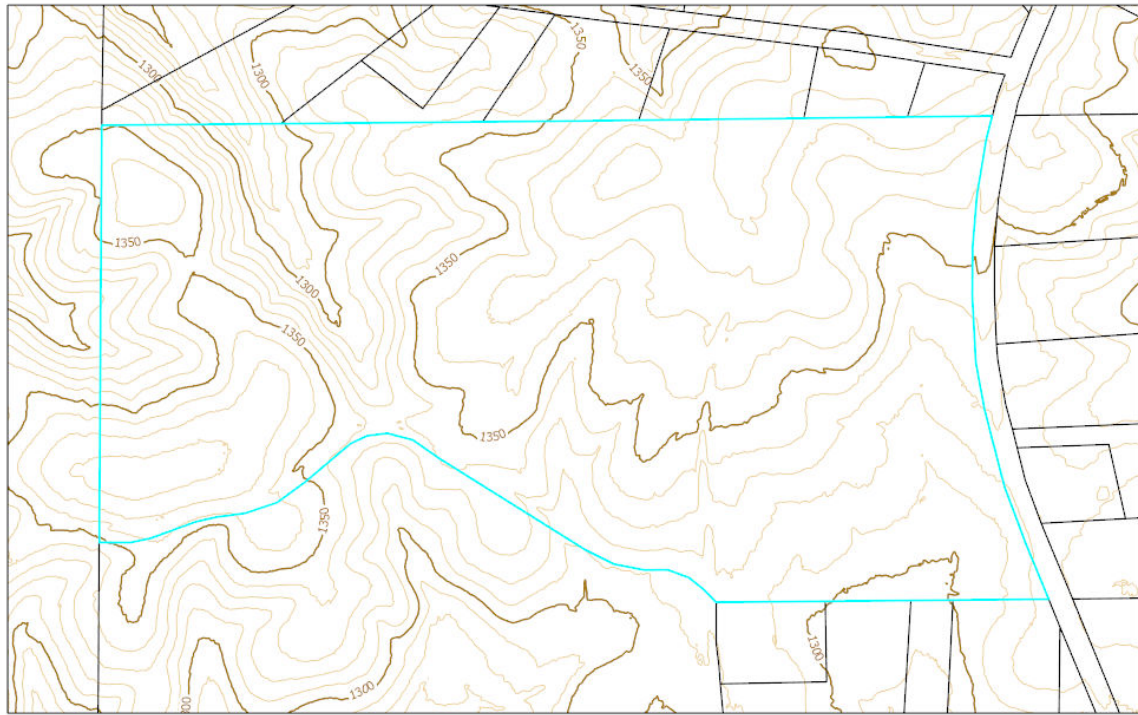
SRR



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

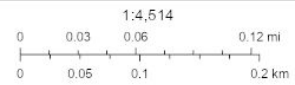
Topography:

Topo Map



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

Parcels



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



# DENIAL

## Public Hearing of Rezoning Request

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

ZA 20-25 Date of Hearing: 1/19/21

Applicant's Name: Fall Leaf Residential, LLC

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

Tax Map Parcel Number: 085-016 Parcel Currently Zoned: RSR


Rezoning Requested: RS-3

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

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

This recommendation for denial was based on the following:

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

  
\_\_\_\_\_  
Chairman Jason Hamby

Jan 19, 2021  
\_\_\_\_\_  
Date

Dawson County Planning Commissioner



# DAWSON COUNTY REZONING APPLICATION

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

ZA \_\_\_\_\_ Tax Map & Parcel # (TMP): \_\_\_\_\_

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

Fees Assessed: \_\_\_\_\_ Paid: \_\_\_\_\_ Commission District: \_\_\_\_\_

Planning Commission Meeting Date: \_\_\_\_\_

Board of Commissioners Meeting Date: \_\_\_\_\_

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Charles Green

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

Phone:  Listed \_\_\_\_\_  Business \_\_\_\_\_  
 Unlisted \_\_\_\_\_  Personal Chippers Landscape Supply

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: 4-5-21 Applicant Signature: \_\_\_\_\_

## PROPERTY OWNER/PROPERTY INFORMATION

Name: Georgia Trailer & Equipment

Street Address of Property being rezoned: 624 Deer Track Rd. Canton, GA 30114

Rezoning from: C-HB to: C-HI Total acreage being rezoned: 2.33

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

21 APR 9 8:43 AM



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

Current Use of Property: Storage Building Sales

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

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

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

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

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North R-A South R-A East C-HB West C-HB

Future Land Use Map Designation: C-HB

Access to the development will be provided from:

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

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

[ ] Rezoning to: C-HI [ ] Special Use Permit for: \_\_\_\_\_

Proposed Use:

Moving an existing landscape supply business to a new location

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

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

**RESIDENTIAL**

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

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

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

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

**COMMERCIAL & INDUSTRIAL**

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

21 APR 9 0:40 AM

ZA \_\_\_\_\_

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

**List of Adjacent Property Owners**

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

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

	<u>Name</u>	<u>Address</u>
TMP <u>104068</u>	1. <u>Billy &amp; Teresa Price</u>	<u>4104 Hwy 53 East <sup>Dowsonville</sup></u>
TMP <u>104030001</u>	2. <u>Brian &amp; Chris Cober</u>	<u>497 Cober Rd. Dowsonville</u>
TMP <u>104030</u>	3. <u>Chris Cober</u>	<u>377 Cober Rd. Dowsonville</u>
TMP <u>104060001</u>	4. <u>Raishahit &amp; Kamil Momin</u>	<u>P.O. Box 1956 Dowsonville</u>
TMP _____	5. _____	_____
TMP _____	6. _____	_____
TMP _____	7. _____	_____
TMP _____	8. _____	_____
TMP _____	9. _____	_____
TMP _____	10. _____	_____
TMP _____	11. _____	_____
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

Use additional sheets if necessary.

21 APR 9 04:00 AM

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

25 Justice Way Suite 1222  
 Dawsonville, GA 30534

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
16382 Year-Bill No 2020 - 5473	104 062 / 001 LL 130 LD 13-S  FMV: \$114,800.00	1,086.61	0.00 Fees 0.00	0.00	1,086.61	1,086.61	0.00
						Paid Date 11/20/2020 15:26:07	Current Due 0.00
Transactions:	16382 - 16382 Totals	1,086.61	0.00	0.00	1,086.61	1,086.61	0.00

Paid By :

GEORGIA TRAILER &  
EQUIPMENT INC

GEORGIA TRAILER & EQUIPMENT INC



Cash Amt: 0.00  
 Check Amt: 1,086.61  
 Charge Amt: 0.00  
 Change Amt: 0.00  
 Refund Amt: 0.00  
 Overpay Amt: 0.00

Check No 7406  
 Charge Acct

21 APR 9 8:48 AM

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

25 Justice Way Suite 1222  
 Dawsonville, GA 30534

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
13490 Year-Bill No 2020 - 5474	104 061 / 001 LL 130 LD 13-S  FMV: \$42,540.00	402.65	0.00 Fees 0.00	0.00	402.65	402.65	0.00
						Paid Date 10/19/2020 13:50:06	Current Due 0.00
Transactions:	13490 - 13490 Totals	402.65	0.00	0.00	402.65	402.65	0.00

Paid By :

GEORGIA TRAILER AND EQUIPMENT INC

Cash Amt: 0.00  
 Check Amt: 402.65  
 Charge Amt: 0.00  
 Change Amt: 0.00  
 Refund Amt: 0.00  
 Overpay Amt: 0.00

GEORGIA TRAILER AND EQUIPMENT INC

Check No 7392  
 Charge Acct

21 APR 9 8:43 AM

# Untitled Map

Write a description for your map.

## Legend

-  512 Gober Rd
-  Leilani's Gardens

 4191 Hwy 53

59



1000 ft





# Untitled Map

Write a description for your map.

- Legend**
-  512 Gober Rd
  -  Leilani's Gardens

 512 Gober Rd





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

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_ *Drivers License* \_\_\_\_\_

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

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

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

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

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

SUBSCRIBED AND SWORN BEFORE ME ON

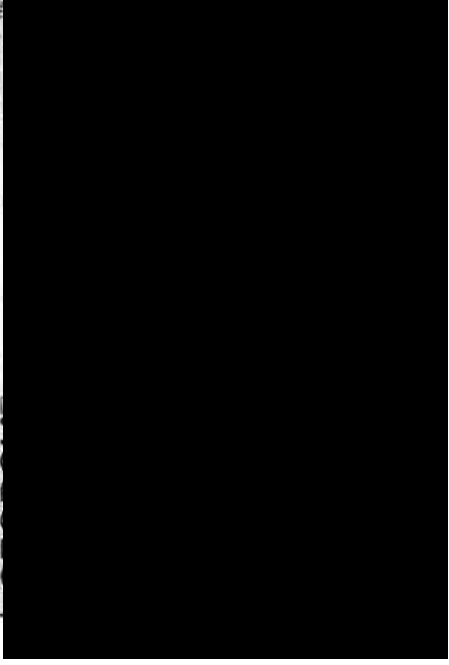
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

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

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

{Notary Seal}

21 APR 9 8:43AM



21 APR 9 8:49AM

## APPLICATION PROCESSING: STAFF USE ONLY

**ZA** \_\_\_\_\_ **Applicant Name:** Charles Green

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

**IF APPLICABLE:**

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

### Planning Commission & Board of Commissioners Actions

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

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

21 APR 9 8:43AM



THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY BOTH PUBLIC AND PRIVATE. ALL MATTERS OF TITLE EXCEPT THE FIELD DATA HEREON SHALL BE GOVERNED BY THE FIELD DATA. PRECISION OF ONE FOOT IN 24,000 FEET AND AN ANGULAR ERROR OF .17 PER ANGLE POINT. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND ADJUSTED WITHIN ONE FOOT. THIS PLAT IS TO BE ACCURATE WITHIN ONE FOOT IN 12,000 FEET.

EQUIPMENT USED FOR FIELD MEASUREMENTS:  
 ANGLAR: LEICA 305 TC  
 LINEAR: ELECTRONIC DISTANCE METER  
 DRAWN & FIELDWORK BY: D. SHIRLEY  
 UNLESS OTHERWISE NOTED:  
 ALL MEASUREMENTS ARE 1/2" REBAR  
 THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A LEGAL TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES PRODUCED BY SAME INCLUDING EASEMENTS WHETHER OR NOT SHOWN ON THIS PLAT. THIS SURVEY IS FOR INFORMATION ONLY. THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED HEREON, EDITING OR REPRODUCTION WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED.

A PORTION OF THIS PARCEL OF LAND IS IN THE 100 YEAR FLOOD PLAIN ACCORDING TO FEMA F.I.R.M. MAP# 100004 0755A DATED DEC 15, 1990

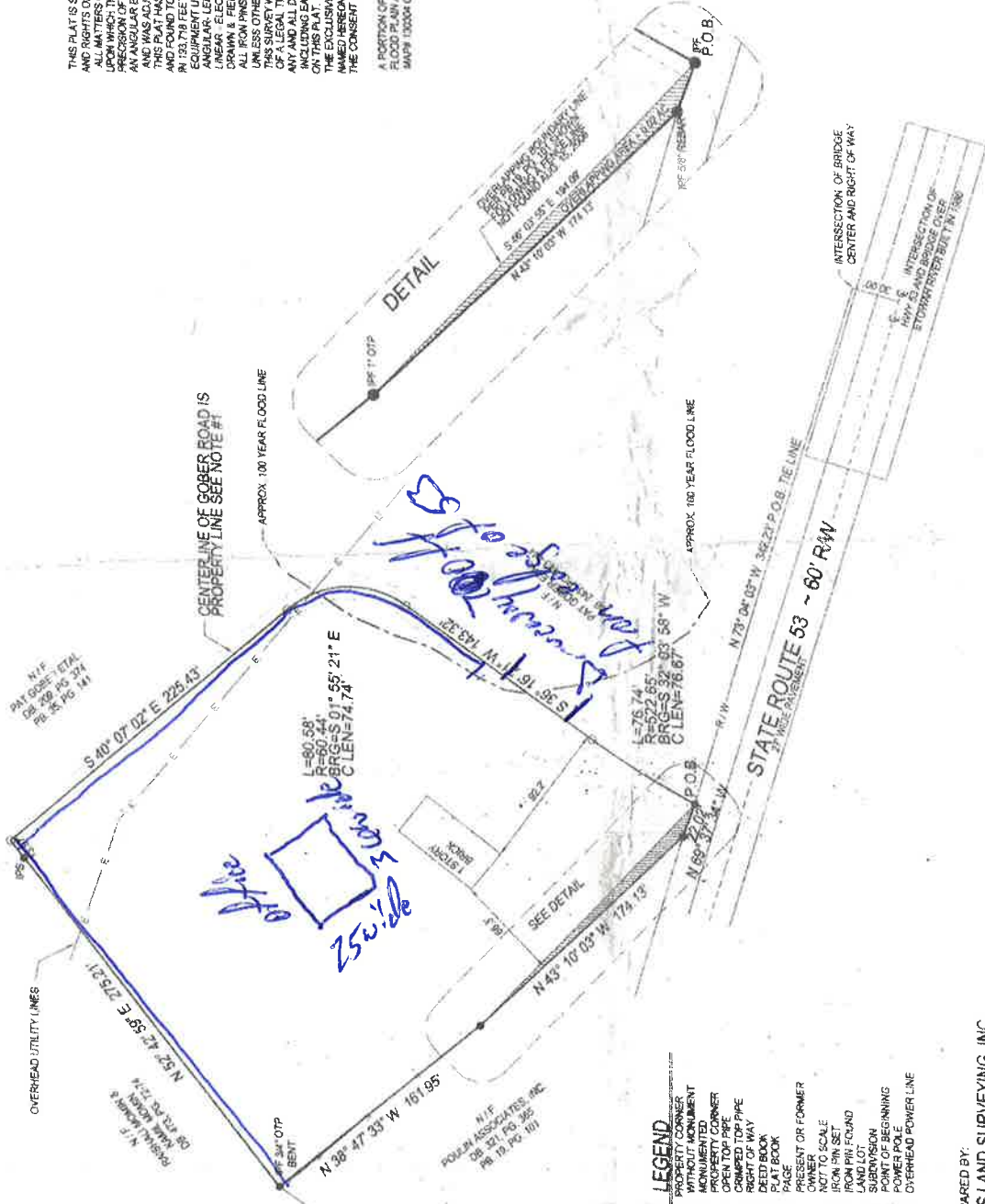
**NOTES:**

1. THE STATUS OF GOBER ROAD IS AS FOLLOWS:  
 A) STATED TO BE COUNTY ROAD # 75 NO KNOWN RIGHT OF WAY IN PB 19, PG. 101  
 B) STATED AS A 30' PREScriptive RIGHT OF WAY IN DB 473, PG. 72-74  
 C) STATED GOBER ROAD A 15' GRAVEL ROAD IN PB 35, PG. 151
2. REFERENCE DB 383 PG. 14, DB 263, PG. 33P AND PB 1, PG. 127 SUBJECT PROPERTY REFERENCES
3. REFERENCES TO ADJACENT BOUNDARIES AS PLAT OF SURVEY.

REFERENCE: PG. 1, PG. 127

PLAT OF SURVEY FOR  
**SETH J. BRODSKY**  
**GEORGIA TRAILER & EQUIPMENT**

LAND LOT 130, DISTRICT 13, SECTION 1  
 DAWSON COUNTY, GEORGIA  
 DATE OF FIELDWORK: 08/15/2006 MAP DATE: 08/15/2006



**AREA OF SUBJECT PARCEL = 1.97 ACRES**  
 INCLUDES OVERLAP

- LEGEND**
- PROPERTY CORNER WITH MONUMENT
  - MONUMENTED PROPERTY CORNER
  - OPEN TOP PIPE
  - CRIMPED TOP PIPE
  - RIGHT OF WAY
  - DEED BOOK
  - PLAT BOOK
  - PG. OWNER
  - PRESENT OR FORMER OWNER
  - N.T.S. NOT TO SCALE
  - I.P.S. IRON PIN SET
  - I.P.F. IRON PIN FOUND
  - I.P.C. IRON PIN CALLOUS
  - I.P.S. IRON PIN SET
  - S.B. SUBSTATION
  - P.O.B. POINT OF BEGINNING
  - POWER POLE
  - OVERHEAD POWER LINE

PREPARED BY:  
**D & S LAND SURVEYING, INC.**  
 DAVID W. SHIRLEY, R.L.S.  
 100 CHEROKEE STREET  
 CANTON, GA 30114  
 770-720-4443  
 770-720-7539 (FAX)  
 dsland@att.net



21 APR 9 8:49 AM

**APPLICANT CERTIFICATION**

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

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

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

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

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

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

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

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

21 APR 9 8:49 AM



**ENSITE**  
**ENVIRONMENTAL CONSULTING, LLC**  
 3304 Elliott Family Parkway  
 Dawsonville, GA 30534  
 Mobile: 770-597-8813  
 Contact: Corey Gutberlet, PE, CFM  
 Email: Corey.Gutberlet@ensiteconsulting.com

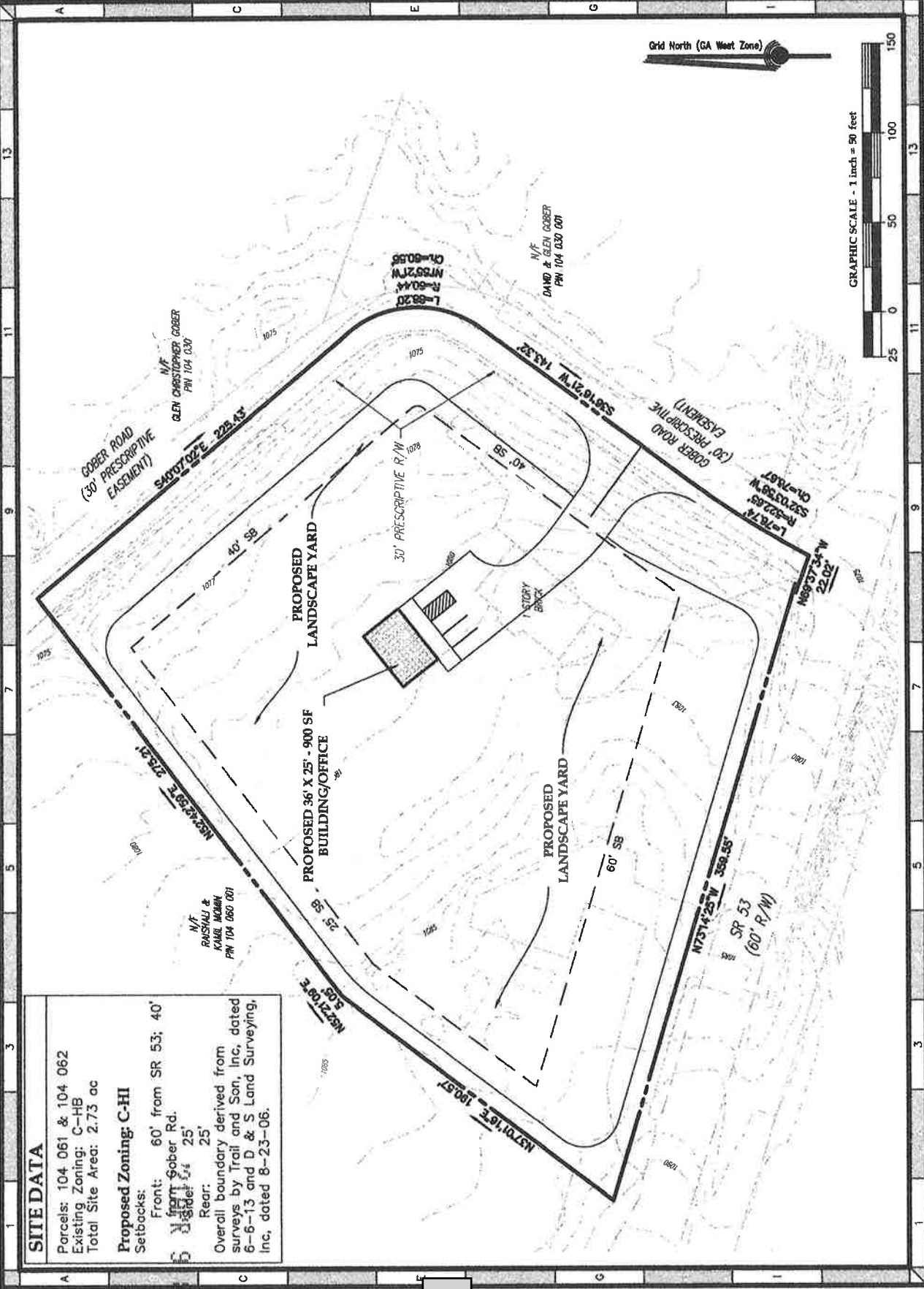
**PROJECT:**  
**CHIPPER'S LANDSCAPE SUPPLY**  
 LOCATED IN:  
 LAND LOT 130, 138 DISTRICT  
 DAWSON COUNTY, GEORGIA  
 PARCELS 104 061 & 062

**SHEET TITLE:**  
**CONCEPT PLAN**

**DWG DATE:** 2023-04-08

NO.	DESCRIPTION	DATE

**SHEET:**  
**1 of 1**



**SITE DATA**  
 Parcels: 104 061 & 104 062  
 Existing Zoning: C-HB  
 Total Site Area: 2.73 ac

**Proposed Zoning: C-HI**  
 Setbacks:  
 Front: 60' from SR 53; 40' from Gober Rd.  
 Side: 4' 25'  
 Rear: 25'

Overall boundary derived from surveys by Trail and Son, Inc, dated 6-6-13 and D & S Land Surveying, Inc, dated 8-23-06.

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: \_\_\_\_\_

Applicant Printed Name: \_\_\_\_\_

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

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

Sworn and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

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

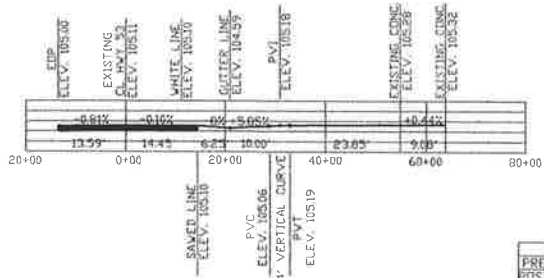
{  
Notary Public Seal  
}

21 APR 9 8:49 AM

**BOUNDARY SURVEY  
GENERAL NOTES**

1. SURVEY PROCEDURES: THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24,973 FEET WITH AN ANGULAR ERROR OF 1 SECOND PER ANGLE POINT AND HAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION OF ONE FOOT IN 59,418 FEET. EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS: TOP CON OPT-9003A.
2. NO PORTION OF THIS PROPERTY IS IN A FEMA DESIGNATED FLOOD HAZARD AREA, AS PER FEMA PANEL # 13005C DATED SEPTEMBER 26, 2008.
3. THE UTILITY PROTECTION SERVICE SHOULD BE CONTACTED AT (800) 382-7411 PRIOR TO ANY EXCAVATION FOR VERIFICATION OF ANY UNDERGROUND UTILITY LOCATIONS. UNDERGROUND UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE ONLY.
4. THE PUBLIC RECORDS REFERENCED ON THIS PLAN ARE ONLY THOSE USED AND/OR NECESSARY FOR THE ESTABLISHMENT OF THE BOUNDARY OF THESE PARCELS. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
5. DAWSON COUNTY TAX MAP 133-48.
6. DAWSON COUNTY CURRENT ZONING IS C-1D. (COMMUNITY BUSINESS COMMERCIAL).
7. SCAFFOLDS FOR C-HUB ARE AS FOLLOWS: FRONT = 60' SIDES = 25' REAR = 25'

8. TONG PROVIDED BY DAWSON COUNTY OF MAPPING.



**DRIVEWAY PROFILE**  
NTS

**OWNER**  
GEORGIA TRAILER & EQUIPMENT, INC.  
c/o SETH BRODSKY  
8421 KNOX BRIDGE HIGHWAY  
CANTON, GEORGIA 30114  
Phone: 770-289-6334  
24 HOUR CONTACT  
Fax: 770-479-0049

**STORM RAINFALL DATA**

0'-0" DIA.	1 1/2" DIA.	2" DIA.	3" DIA.	4" DIA.	6" DIA.	8" DIA.	10" DIA.
PRE-CONSTRUCTION	1.5	1.5	1.7	1.9	2.1		
POST CONSTRUCTION	1.3	1.5	1.7	1.9	2.1		

COEFFICIENT OF RUN-OFF (0.95%)  
RAINFALL INTENSITY (5.0 min.)  
STORM SEWER AREA AT DRIVEWAY (0.2 acres)

**GEORGIA DOT NOTES**

1. THE WORK AUTHORIZED MUST BEGIN WITHIN THREE MONTHS AND BE COMPLETED WITHIN TWELVE MONTHS ON A SCHEDULE SATISFACTORY TO THE DEPARTMENT FROM THE PERMIT APPROVAL DATE AND ALSO BE COMPLETED BEFORE THIS FACILITY IS OPEN TO THE PUBLIC.
2. THE FOLLOWING WILL NOT BE ALLOWED ON RIGHT-OF-WAY: (1) DIVERSION OF ADDITIONAL DRAINAGE AREA ONTO THE RIGHT-OF-WAY OR INCREASE IN THE CFS OF EXISTING CHANNELS OF WATER; (2) GRADING EXCEPT AT DRIVEWAY CONSTRUCTION LOCATIONS; (3) HEADWALLS; (4) SIGN SUPPORT STRUCTURES AND OTHER STRUCTURES WHICH ARE DESIGNED, INSTALLED OR INTEND TO ADVERTISE OR ARGUMENT; (5) LANDSCAPING WITHOUT PRIOR APPROVAL OF THE LANDSCAPE PLAN.
3. ALL EXISTING UTILITIES WHICH WOULD BE UNDER NEW PAVEMENT OR IN ACCELERATION/DECELERATION LANES SHALL BE RELOCATED BEFORE FINAL GRADING OF PAVING AND AT NO COST TO THE DOT OR AN APPROVED RETENTION LETTER FROM THE UTILITY OWNER.
4. CONSTRUCTION OF EROSION CONTROL BARRIERS PER GEORGIA DEPARTMENT OF NATURAL RESOURCES CODE 390-3-7 AND SHALL BE MAINTAINED UNTIL PERMANENT VEGETATION IS ESTABLISHED.
5. APPLICANT SHALL RESTORE ALL EXISTING SIGNS AND PREPARE TO MEET SPECIFICATIONS ALL RIGHT-OF-WAY THAT IS DISTURBED DURING WORK AUTHORIZED HEREIN.
6. THE PERMIT APPLICANT IS RESPONSIBLE FOR REPLACEMENT OF ALL EXISTING PERMANENT BARRIERS DAMAGED BY THE PERMIT CONSTRUCTION AND THE ADDITION OF NEW PAVEMENT MARKINGS AND OR SIGNS AS SHOWN ON THE APPROVED PLAN OR CURRENT M.U.T.C. GUIDELINES.
7. ALL CURBED ISLANDS SHALL BE FILLED TO THE TOP OF CURB WITH TOP SOIL AND GRASSED. NOTE: THIS APPROVAL DOES NOT ALLOW ANY WORK ON STATE RIGHT-OF-WAY IN CONNECTION WITH UTILITY LINES (SANITARY SEWER, WATER, TELEPHONE, GAS, ETC.).
8. REQUIRED PAVEMENT SPECIFICATIONS:  
1 1/2" - 3 1/2" SUBGRADE OR 6" - 8" R-10.9 R REINFORCEMENT  
2" - 18 MM SUPERPAVE  
8" - 25 MM SUPERPAVE  
12" - GRADED AGGREGATE BASE COURSE
9. POSTED SPEED LIMIT = 55 MPH
10. LENGTH OF FRESHFACE = 358.85'
11. CENTERLINE OF DRIVEWAY IS ESTIMATED TO BE AT DOT MILE MARKER 13.85.

**SIGHT DISTANCE CERTIFICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ACCURATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROXIMATE THROUGH HIGHWAY IS 55 MPH. THE DESIGN SIGHT DISTANCE PROVIDES VISIBILITY OF 410 FEET TO THE LEFT AND 410 FEET TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED AS A POINT OF 13 FEET FROM THE EDGE OF PAVEMENT AND 3.5 FEET TO NEAREST TRUCK HODS.

By: *[Signature]*  
Seth D. Trout Reg. No. 1718  
Date: 6-6-13



**VICINITY MAP**



TOTAL AREA  
33,004 Sq. Ft.  
0.758 Acres



**STATEMENT OF LIMITATIONS**

The undersigned assumes no responsibility or liability for statements or certifications made or implied on this instrument or plan except those specifically defined by the laws of the state of Georgia and the state board of registration for the professional engineers and land surveyors or laws which the scope of training, education, experience and knowledge necessary for registration and practice is required by law.

By: *[Signature]*  
Seth D. Trout Reg. No. 1718  
Date: 6-6-13

**Trail and Pen, Inc.**  
LAND PLANNERS & SURVEYORS  
CONSTRUCTION MANAGEMENT

3898 WAR HILL PARK ROAD, DAWSONVILLE, GEORGIA 30534  
PHONE: (706) 216-8900 MOBILE: (706) 974-7046  
FAX: (706) 265-4543 EMAIL: trail@windstream.net

REVISIONS:	PLAT DATE:
ADD COUNTY GIS TOPO MAPPING JANUARY 25, 2013	NOVEMBER 13, 2012
ADD OWNERS NAME & ADDRESS JANUARY 30, 2013	SURVEY DATE: OCTOBER 12, 2012
ADD DOT'S COMMENTS TO DRAWING JUNE 6, 2013	FIELD CREW: MB
	DRAWN BY: BOT
	DRWG. FILE: 1012-001

DRIVEWAY PERMIT FOR  
**SETH BRODSKY AND  
GEORGIA TRAILER & EQUIPMENT, INC.**  
LAND LOT 130 - SOUTH HALF 13TH. DISTRICT - 1ST. SECTION  
DAWSON COUNTY, GEORGIA

**PROPERTY OWNER AUTHORIZATION**

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

512 Gober Rd and 4191 Hwy 53

Dawsonville, GA, 30534

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

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

Printed Name of applicant or agent: Charles Green (C.P.A.)  
Signature of applicant or agent: [Signature] Date: 4-8-21

\*\*\*\*\*

Printed Name of Owner(s): Seth Brodsky  
Signature of Owner(s): [Signature] Date: 1

Mailing address: [Redacted]

City, State, Zip: [Redacted]

Telephone Number: Listed [Redacted]  
Unlisted \_\_\_\_\_

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

Carol Ann Porter  
Notary Public

My Commission Expires: 02/03/2024



(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.)

APR 9 8:50AM



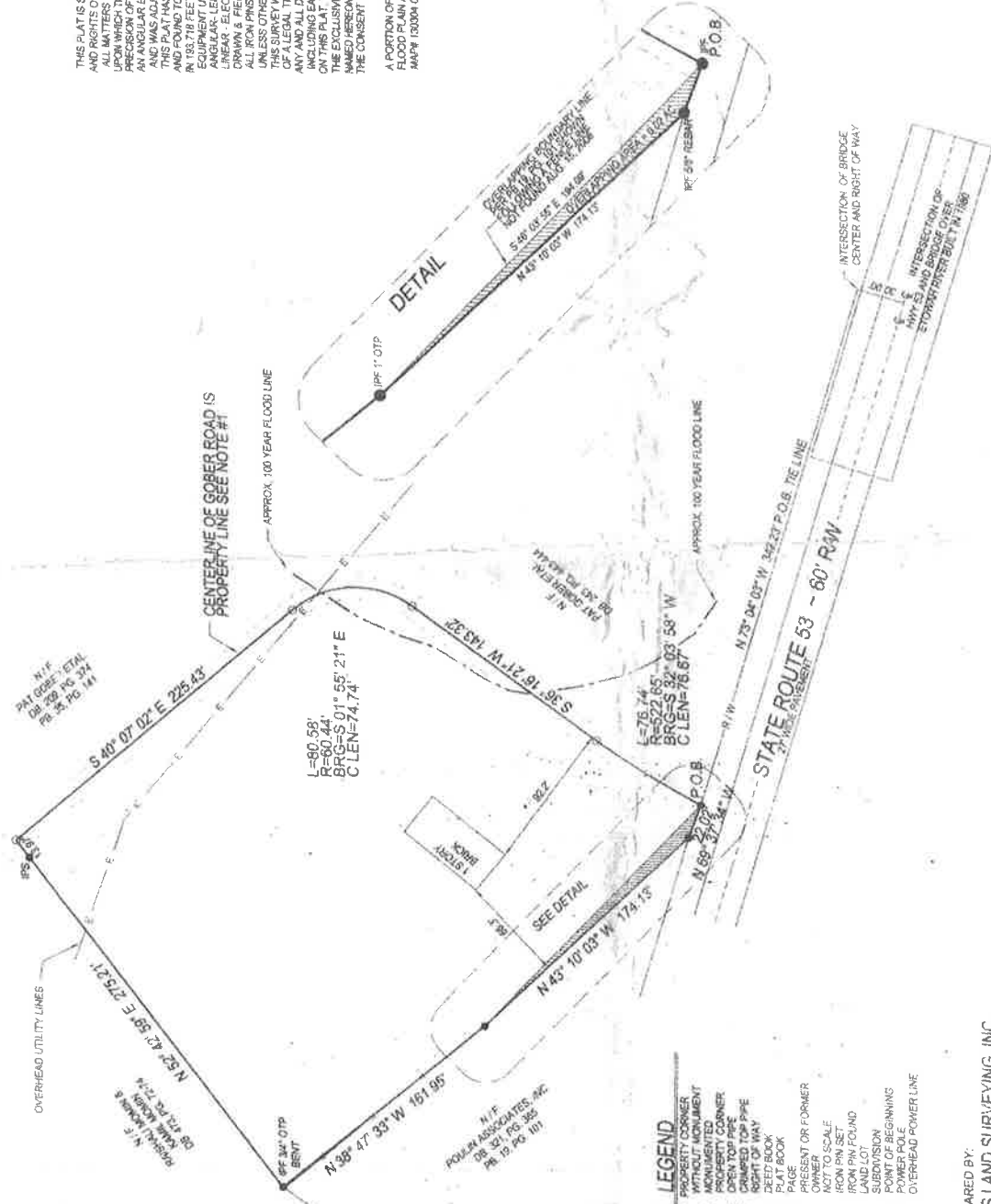


THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY BOTH PUBLIC AND PRIVATE. ALL MATTERS OF TITLE EXCEPTED, THE FIELD DATA FOR WHICH THIS PLAT IS BASED HAS A CLOSURE ERROR OF 0.0017 FEET PER 100 FEET OF DISTANCE. AN ANGULAR ERROR OF 13" PER ANGLE POINT. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT PER 100 FEET OF DISTANCE. FIELD MEASUREMENTS: LINEAR - LEICA 305 TC ANGLAR - ELECTRONIC DISTANCE METER. DRAWN & FIELDWORK BY: D. SHIRLEY. ALL IRON PINS FOUND AND SET ARE 1/2" REBAR. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A LEGAL TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES PRODUCED BY SAME INCLUDING EASEMENTS WHETHER OR NOT SHOWN ON THIS SURVEY. THIS SURVEY WAS PROVIDED FOR THE EXCLUSIVE USE OF THE PERSONS NAMED HEREON. LENDING OR REPRODUCTION WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED.

A PORTION OF THIS PARCEL OF LAND IS IN THE 100 YEAR FLOOD PLAIN ACCORDING TO F.E.M.A. F.I.R.M. MAP# 130004 01/25A DATED DEC. 15, 1999

**NOTES:**

1. THE STATUS OF GOBER ROAD IS AS FOLLOWS:
  - A) STATED TO BE COUNTY ROAD # 75 NO KNOWN RIGHT OF WAY IN PB. 10, PG. 101.
  - B) STATED AS A 36' PREScriptive RIGHT OF WAY IN DB. 473, PG. 72/74.
  - C) STATED GOBER ROAD A 15' GRAVEL ROAD IN PB. 35, PG. 145.
2. REFERENCE DB. 383 PG. 114, DB. 263, PG. 33P AND PB. 1, PG. 177 SUBJECT PROPERTY REFERENCES.
3. REFERENCES TO ADJOINERS BOUNDARIES AS PLAT OF SURVEY.

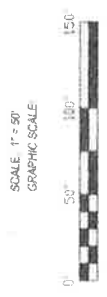


PLAT OF SURVEY FOR  
**SETH J. BRODSKY**  
**GEORGIA TRAILER & EQUIPMENT**  
 LAND LOT 130, DISTRICT 13, SECTION 1  
 DAWSON COUNTY, GEORGIA  
 DATE OF FIELDWORK: 08/15/2008 MAP DATE: 08/15/2008



AREA OF SUBJECT PARCEL = 1.97 ACRES  
 INCLUDES OVERLAP

PREPARED BY:  
**D & S LAND SURVEYING, INC.**  
 DAVID W. SHIRLEY, R.L.S.  
 100 CHEROKEE STREET  
 CANTON, GA 30114  
 770-720-4443  
 770-720-7538 (FAX)  
 dsland@aol.com

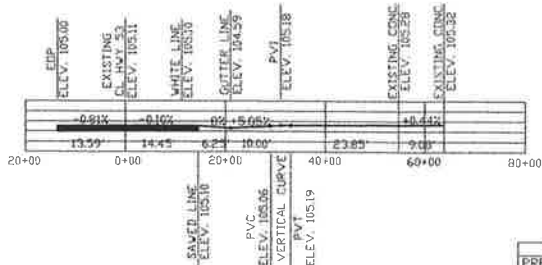


- LEGEND**
- PROPERTY CORNER WITHOUT MONUMENT
  - MONUMENTED PROPERTY CORNER
  - CROWNED TOP CORNER
  - CROWNED TOP PIPE
  - RIGHT OF WAY
  - DEEP BOOK
  - PLAT BOOK
  - IRON PIN SET
  - PRESENT OR FORMER OWNER
  - N.T.S. NOT TO SCALE
  - IPS IRON PIN SET
  - I.P.F. IRON PIN FOUND
  - LAND LOT
  - SUBDIVISION
  - S.D. POINT OF BEGINNING
  - P.O.B.
  - POWER POLE
  - OVERHEAD POWER LINE

21 APR 9 8:50 AM

**BOUNDARY SURVEY  
GENERAL NOTES**

1. SURVEY PROVISIONS: THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE FRACTION OF ONE FOOT IN 24,973 FEET WITH AN ANGULAR ERROR OF 1 SECOND PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION OF ONE FOOT IN 59,416 FEET. EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS: TOP CON 011-8003A.
2. NO PORTION OF THIS PROPERTY IS IN A FEMA DESIGNATED FLOOD HAZARD AREA, AS PER FIRM PANEL # 13085C 0148, DATED SEPTEMBER 26, 2008.
3. THE UTILITY PROTECTION SERVICE SHOULD BE CONTACTED AT (770) 282-7419 PRIOR TO ANY EXCAVATION FOR SUPPORTION OF ANY UNDERGROUND UTILITY LOCATIONS. UNDERGROUND UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE ONLY.
4. THE PUBLIC RECORDS REFERENCED BY THIS PLAN ARE ONLY THOSE USED AND/OR NECESSARY FOR THE ESTABLISHMENT OF THE BOUNDARY OF THESE PARCELS. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
5. DAWSON COUNTY TAX MAP L13-49.
6. DAWSON COUNTY CURRENT ZONING IS C-NB (COMMUNITY BUSINESS COMMERCIAL).
7. SETBACKS FOR C-NB ARE AS FOLLOWS: FRONT = 20' SIDES = 25' REAR = 25'
8. TOPO PROVIDED BY DAWSON COUNTY GIS MAPPING.



**OWNER**  
**GEORGIA TRAILER & EQUIPMENT, INC.**  
 C/O SETH BRODSKY  
 8421 KNICK BRIDGE HIGHWAY  
 CANTON, GEORGIA 30114  
 Phone: 770-289-6334  
 24 HOUR CONTACT  
 Fax: 770-479-0049

**GEORGIA DOT NOTES**

1. THE WORK AUTHORIZED MUST BE COMPLETED WITHIN THREE MONTHS AND BE COMPLETED WITHIN TWELVE MONTHS ON A SCHEDULE SATISFACTORY TO THE DEPARTMENT FROM THE PERMIT APPROVAL DATE AND ALSO BE COMPLETED BEFORE THIS FACILITY IS OPEN TO THE PUBLIC.
2. THE FOLLOWING SHALL NOT BE ALLOWED ON DOT RIGHT-OF-WAY: (1) DIVERSION OF ADDITIONAL DRAINAGE AREA INTO THE RIGHT-OF-WAY OR INCREASE IN THE QPS OF EXISTING RESOURCES OF WATER; (2) DRAINAGE EXCEPT AT DRAINAGE CONSTRUCTION LOCATIONS; (3) HEADLAMBS; (4) SIGN SUPPORT STRUCTURES AND OTHER STRUCTURES WHICH ARE DESIGNED, INTENDED OR USED TO ADVERTISE OR INFORM; (5) LANDSCAPING WITHOUT PRIOR APPROVAL OF THE LANDSCAPE PLAN.
3. ALL EXISTING UTILITIES WHICH WOULD BE UNDER NEW PAVEMENT OR IN ACCELERATION/DECELERATION LINES SHALL BE RELOCATED BEFORE FINAL GRADING OR PAVING AND AT NO COST TO THE DOT OR AN APPROVED RETENTION LETTER FROM THE UTILITY OWNER.
4. CONSTRUCTION OF EROSION CONTROL BARRIERS PER GEORGIA DEPARTMENT OF NATURAL RESOURCES CODE 330-3-7 AND SHALL BE MAINTAINED UNTIL PERMANENT VEGETATION IS ESTABLISHED.
5. APPLICANT SHALL RESTORE ALL EXISTING SIGNS AND SIGNS TO DOT SPECIFICATIONS ALL RIGHT-OF-WAY THAT IS DISTURBED DURING WORK AUTHORIZED HEREIN.
6. THE PERMIT APPLICANT IS RESPONSIBLE FOR REPLACEMENT OF ALL EXISTING PAVEMENT MARKINGS DAMAGED BY THE PERMIT CONSTRUCTION AND THE ADDITION OF NEW PAVEMENT MARKINGS AND OR SIGNS AS SHOWN ON THE APPROVED PLAN OR CURRENT M.U.T.C.D. GUIDELINES.
7. ALL CURBED ISLANDS SHALL BE FILED TO THE TOP OF CURB WITH TOP SOIL AND GRADED. NOTE: THIS APPROVAL DOES NOT ALLOW ANY WORK ON STATE RIGHT-OF-WAY IN CONNECTION WITH UTILITY LINES (SANITARY SEWER, WATER, TELEPHONE, GAS, ETC.).
8. REQUIRED PAVEMENT SPECIFICATIONS:  
 1 1/4" - 3/4" SUBGRADE - 2" 6" - 8" # 4 - 12" # 4 REINFORCEMENT  
 2" - 1 1/2" 19 MM SUPERPAVE  
 8" - GRADEN 40000000 BASE  
 12" - GRADEN 40000000 BASE COURSE
9. POSTED SPEED LIMIT = 55 MPH
10. LENGTH OF FRONTAGE = 359.55'
11. CENTERLINE OF DRIVEWAY IS ESTIMATED TO BE AT DOT MILE MARKER 13.65.

**STORM RAINFALL DATA**

STATION	5yr 10yr 25yr 50yr 100yr
PRE-CONSTRUCTION	1.3 1.3 1.7 1.9 2.1
POST CONSTRUCTION	1.2 1.5 1.7 1.9 2.1

COEFFICIENT OF RUN-OFF (0.95%)  
 RAINFALL INTENSITY (5.0 min.)  
 STORM SEWER AREA AT DRIVEWAY (0.2 acres)

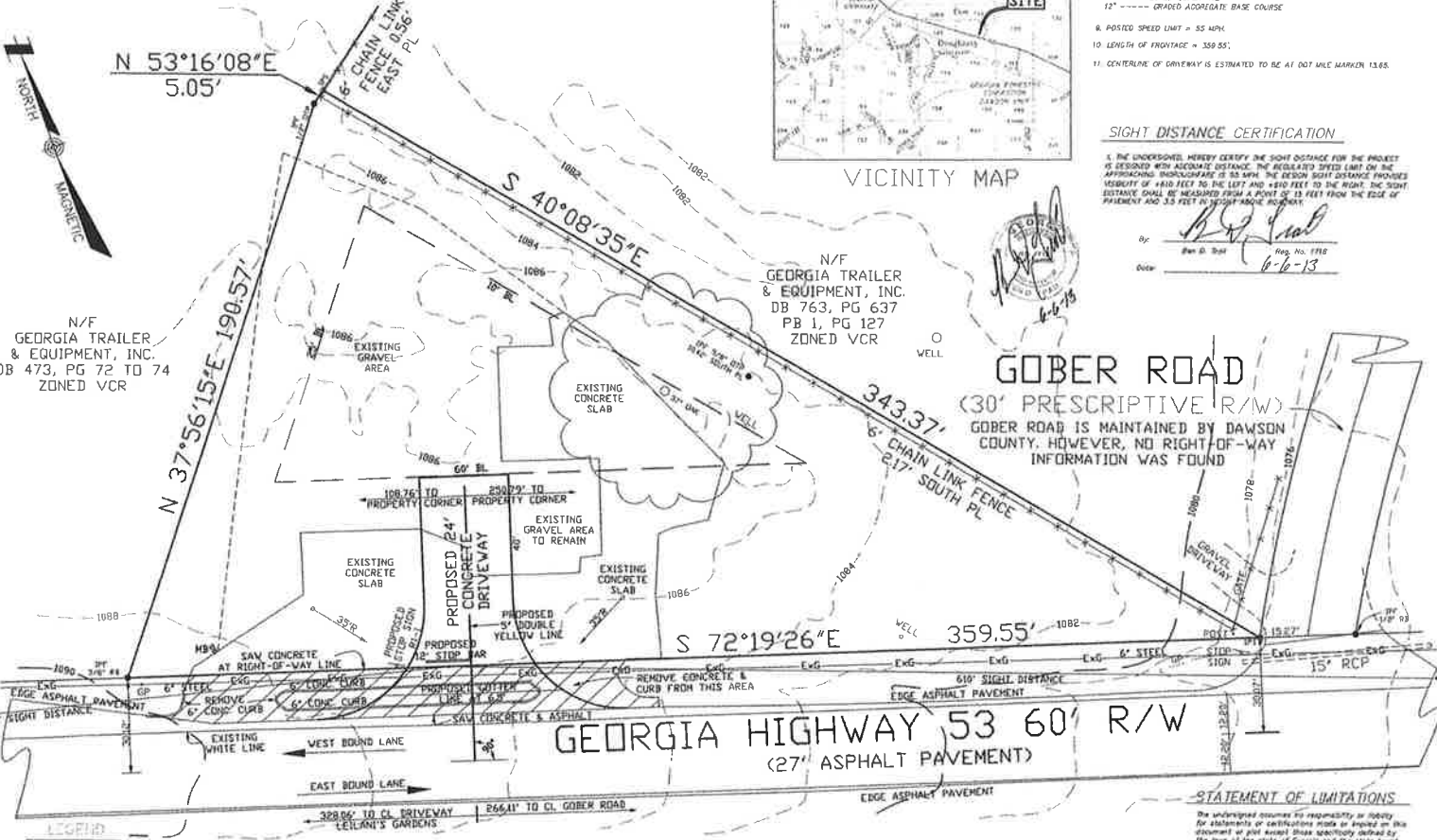
**DRIVEWAY PROFILE**  
 NTS



**SIGHT DISTANCE CERTIFICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ACCURATE DISTANCE. THE REQUIRED SPEED LIMIT ON THE APPROACHING ROADWAY IS 55 MPH. THE DESIGN SIGHT DISTANCE PROVIDED VISIBILITY OF 480 FEET TO THE LEFT AND 480 FEET TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MAINTAINED A DISTANCE OF 15 FEET FROM THE EDGE OF PAVEMENT AND 3.3 FEET IN RESURFACING ROADWAY.

By: *[Signature]*  
 Date: 6-6-13



**TOTAL AREA**  
 33,004 Sq. Ft.  
 0.758 Acres



**STATEMENT OF LIMITATIONS**

The undersigned assumes no responsibility or liability for statements or certifications made or relied on in this document or plan except those specifically defined by the laws of the state of Georgia and the state board of registration for the professional engineers and land surveyors or being within the scope of training, education, experience and the necessary or required registration qualifications as required by the state board of registration.

By: *[Signature]*  
 Date: 6-6-13

**Trail and Son, Inc.**  
 LAND PLANNERS & SURVEYORS  
 CONSTRUCTION MANAGEMENT  
 3898 WAR HILL PARK ROAD, DAWSONVILLE, GEORGIA 30534  
 PHONE: (706) 216-9380 MOBILE: (706) 974-7046  
 FAX: (706) 285-4543 EMAIL: [map@trailandson.com](mailto:map@trailandson.com)

REVISIONS:	PLAT DATE:
ADD COUNTY GIS TOPO MAPPING JANUARY 25, 2013	NOVEMBER 13, 2012
ADD OWNERS NAME & ADDRESS JANUARY 30, 2013	SURVEY DATE: OCTOBER 12, 2012
ADD DOT'S COMMENTS TO DRAWING JUNE 6, 2013	FIELD CREW: MB
	DRAWN BY: BDT
	DRWG. FILE: 1012-001

**DRIVEWAY PERMIT FOR**  
**SETH BRODSKY AND**  
**GEORGIA TRAILER & EQUIPMENT, INC.**  
 LAND LOT 130 - SOUTH HALF 13TH. DISTRICT - 1ST. SECTION  
 DAWSON COUNTY, GEORGIA

## Existing On-site Sewage Management System Performance Evaluation Report Form

Applicant: <u>CHIP GREEN</u>		Reason for Existing Sewage System Evaluation: <b>ZONING REQUEST</b>
Property/System Address: <u>512 GOBER RD DAWSONVILLE, GA 30534</u>		
Subdivision Name:	Lot:                      Block:	
Existing System Information: Water Supply (circle)	Number of Bedrooms/GPD:                      Garbage Grinder: (circle)	
<input checked="" type="radio"/> Public <input type="radio"/> Private Well <input type="radio"/> Community	<u>2/0</u> <input type="radio"/> Yes <input checked="" type="radio"/> No	

\*\*\* One of Section A, B, or C should be Completed \*\*\*

### SECTION A - System on Record

(1) Yes (2) No	Existing On-site Sewage Management System inspection records indicate that all components of the system were properly constructed and installed at the time of the original inspection.	Comments:
(1) Yes (2) No	A copy of the original On-site Sewage Management System Inspection Report is attached.	
(1) Yes (2) No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.	
(1) Yes (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system.	
Evaluating Environmentalist	Title:                      Date:	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

### SECTION B - System Not on Record

<input checked="" type="radio"/> Yes	No inspection records are on file showing the On-site Sewage Management System was inspected and approved at the time of the installation	Comments: No evidence of septic failure. Septic tank appears to be a 1000 gallon tank.
(1) Yes <input checked="" type="radio"/> No	The septic tank was uncovered at the time of the evaluation and it appears to meet the required design, construction and installation criteria.	
(1) Yes <input checked="" type="radio"/> No	Documentation from a Georgia Certified Installer has been provided as to the condition of the septic tank and its respective components, certifying its design, construction, and installation criteria. A copy is attached.	
(1) Yes <input checked="" type="radio"/> No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.	
<input checked="" type="radio"/> Yes (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system; however, appropriateness of the sizing and installation cannot be verified since no initial inspection records exist.	
Evaluating Environmentalist	Title:                      Date:	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.
<i>[Signature]</i>	Environmental Health Specialist IV                      08-Apr-21	

### SECTION C - System Not Approved

(1) Yes (2) No	The On-site Sewage Management System was disapproved at the time of the initial and is thus not considered an approved system.	Comments:
(1) Yes (2) No	Evaluation of the system revealed evidence of system failure or malfunction, and will therefore require corrective action in order to obtain approval of the system.	
(1) Yes (2) No	Evaluation of the system revealed conditions which would adversely affect the proper functioning of the system, and will therefore require corrective action in order to obtain approval of the system.	
Evaluating Environmentalist	Title:                      Date:	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

### SECTION D - Addition to Property or Relocation of Home (section completed in conjunction with A, B, or C above)

<input checked="" type="radio"/> Yes (2) No	An existing On-site Sewage Management System is located on the property listed above and has been evaluated in accordance with Section A or B above.	Comments: A 1000 gallon septic tank can accommodate a 3-bedroom residence. Residence will become an office space for a landscape business.
<input checked="" type="radio"/> Yes (2) No	A site evaluation on this date as well as the provided information indicate that the proposed construction to home or property or that the proposed relocation of the home should not adversely affect the proper functioning of the existing system provided that no additional sewage load is added to the system for the listed size home adjacent.	
		Number of Bedrooms/GPD:                      Garbage Grinder: (circle)
		<u>2</u> <input type="radio"/> Yes <input checked="" type="radio"/> No
Evaluating Environmentalist	Title:                      Date:	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.
<i>[Signature]</i>	Environmental Health Specialist IV                      08-Apr-21	

3 00:50AM

**Southern Grading Inc. DBA  
Chipper's Landscape Supply**

Re: 512 Gober Rd and  
4191 Hwy 53 E  
Dawsonville GA 30534

To Whom It May Concern

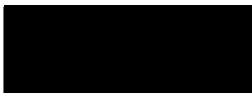
We are currently under contract on the above two properties. We will be moving our business, Chipper's Landscape Supply, from its current location which is approximately  $\frac{3}{4}$  of a mile from the new property.

Chipper's has been in business for 10 years. We currently sell all types of landscape supply products such as mulch, gravel, decorative rock etc...

All inventory will be moved to the new location and all business will resume as it does now.

Thank you

Charles W Green Jr, Owner  
Chipper's Landscape Supply



21 APR 9 8:50 AM



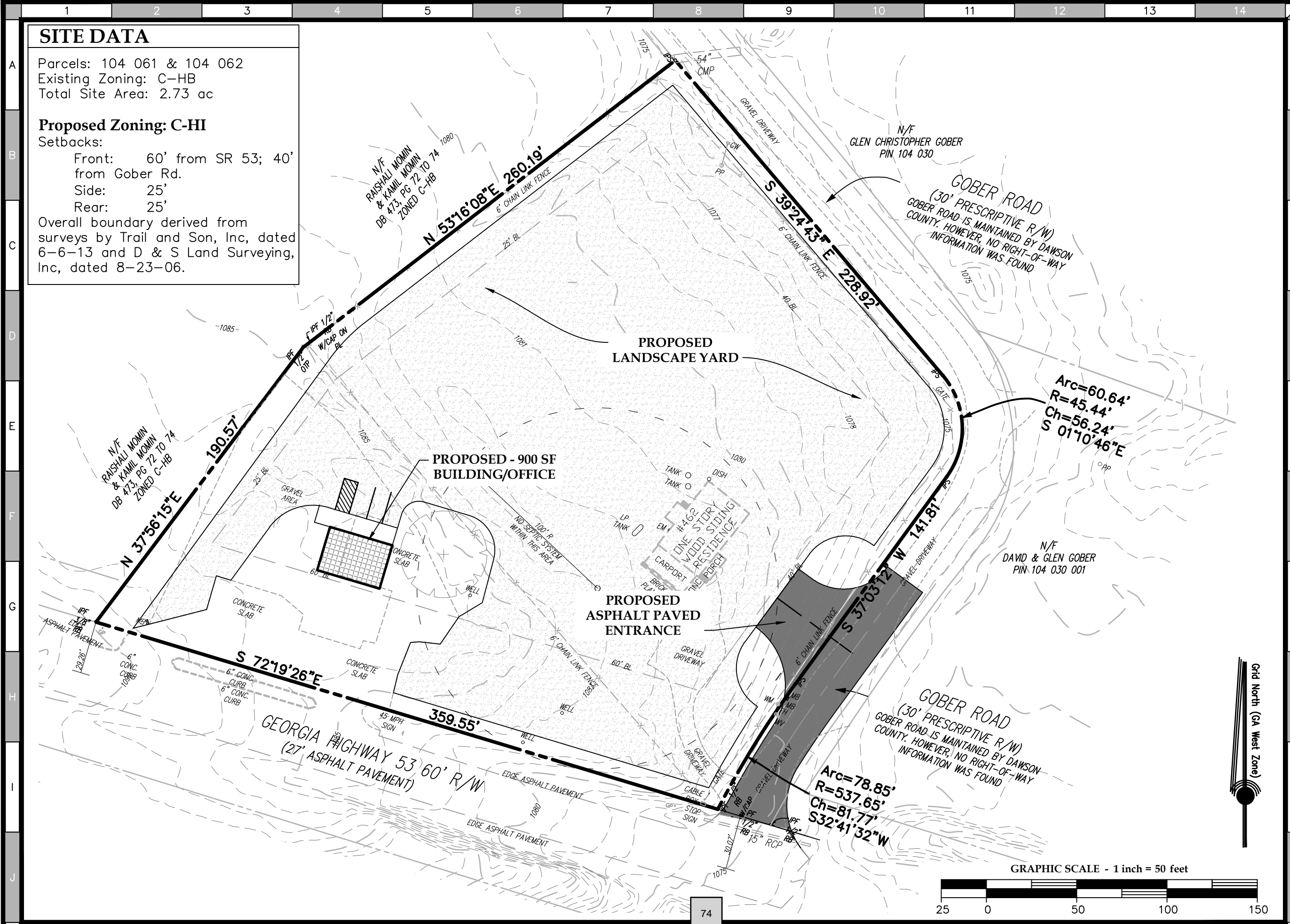
**SITE DATA**

Parcels: 104 061 & 104 062  
 Existing Zoning: C-HB  
 Total Site Area: 2.73 ac

**Proposed Zoning: C-HI**

Setbacks:  
 Front: 60' from SR 53; 40' from Gober Rd.  
 Side: 25'  
 Rear: 25'

Overall boundary derived from surveys by Trail and Son, Inc, dated 6-6-13 and D & S Land Surveying, Inc, dated 8-23-06.



**ENSITE**  
 CIVIL CONSULTING, LLC  
 3384 Elliott Family Parkway  
 Dawsonville, GA 30534  
 Mobile: 770-597-8813  
 Contact: Corey Guthrie, PE, CFM  
 Email: Corey.Guthrie@ensiteconsulting.com

**PROJECT:**  
**CHIPPER'S LANDSCAPE SUPPLY**  
 LOCATED IN:  
 LAND LOT 130, 135 DISTRICT  
 DAWSON COUNTY, GEORGIA  
 PARCELS 104 061 & 062

**SHEET TITLE:**  
**CONCEPT PLAN**

**DWG DATE:** 2021-06-15

NO.	DESCRIPTION	DATE

**SHEET:**  
**1 of 1**

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Charles Green

**Amendment #** .....ZA 21-10

**Request**.....Rezone Property from C-HB (Commercial Highway Business) to C-HI (Commercial Highway Intensive)

**Proposed Use** .....To relocate an existing landscaping supply store

**Current Zoning** .....C-HB (Commercial Highway Business)

**Size**.....1.97± acres

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

**Tax Parcel** .....104-061 & 104-062

**Planning Commission Date** .....May 18, 2021

**Board of Commission Date** .....June 17, 2021

**Applicant Proposal**

The applicant intends to develop the subject property for the purpose of relocating an existing landscape supply business. This business currently is licensed to operate at 4924 Hwy 53 East.

**History and Existing Land Uses**

The current use of the property has storage buildings for sale and a home that is vacant. A driveway to the proposed location is in place.

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

**Development Support and Constraints**

The parcel will need to install a commercial entrance per GDOT’s recommendation and there are also topography and residential buffers that will need to be considered.

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Crossroads Commercial however this is a new zoning classification that has yet to be incorporated into the FLUP.

**Public Facilities/Impacts**

**Engineering Department**–“Requesting a driveway access off SR 53 and another driveway access off Gober Road (commercial driveways) SR 53 is a state road maintained by GDOT and in good condition. Gober Road is a County maintained gravel road. The proposed access to the development is adequate to support the use. Any driveway requested off of SR will require GDOT approval.”

**Environmental Health Department** – No comments returned.

**Emergency Services** –“The proposed relocation of the landscape supply business to this location would be concerns for loaded vehicles (dump trucks/trailers) pulling out to merge into high-speed traffic on Hwy 53 at the bottom of Gober Hill.”

**Etowah Water & Sewer Authority** – “Water main may be in conflict with future road or driveway construction-contact EWSA for guidance.”

**Dawson County Sheriff’s Office** – No comments returned.

**Georgia Department of Transportation** –GDOT coordination would be necessary.

**Analysis**

This property is currently zoned C-HB and the Future Land Use Plan designates it as Crossroads Commercial. Crossroads Commercial is for small nodes (4-15 acres) of commercial development at intersections primarily in rural/exurban and suburban areas along corridors designated as “scenic.” Crossroads Commercial nodes are intended to be limited to very small, enclosed retail trade and service establishments serving the immediate area. The applicants business is not an appropriate use for Crossroads Commercial as C-RB (rural business) and C-CB (community business) are the current equivalents to the Crossroad

Commercial FLUP designation. If allowed said rezoning should include stipulations which provide screening between this more intense use and surrounding uses. Such screening may include planted buffers and screening requirements for bulk materials storage.

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

- A. The existing uses and classification of nearby property.**  
Residential R-A property exists to the north and south however both are separated from the applicant's property by roadways. Boarding the rest of the property to the east and west are properties zoned C-HB.
- B. The extent to which property values are diminished by the particular land use classification.**  
There should be no significant diminishment of property values however screen is recommended to buffer less intense land uses.
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.**  
There should be no destruction of property values however screen is recommended to buffer less intense land uses.
- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**  
The resumed use of a currently vacant commercial property would be a gain to the public additionally the change in location as compared to the applicant's current location should ease traffic issues.
- E. The suitability of the subject property for the proposed land use classification.**  
The property is suitable for the purposed land use classification.
- F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**  
The subject property has been vacant for several years and has existed as commercial property after its initial intended use as residential property prior to this date.
- G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.**  
The prohibition of this use in C-HB facilitates the need for this request. No notable hardship exists beyond the zoning classification.



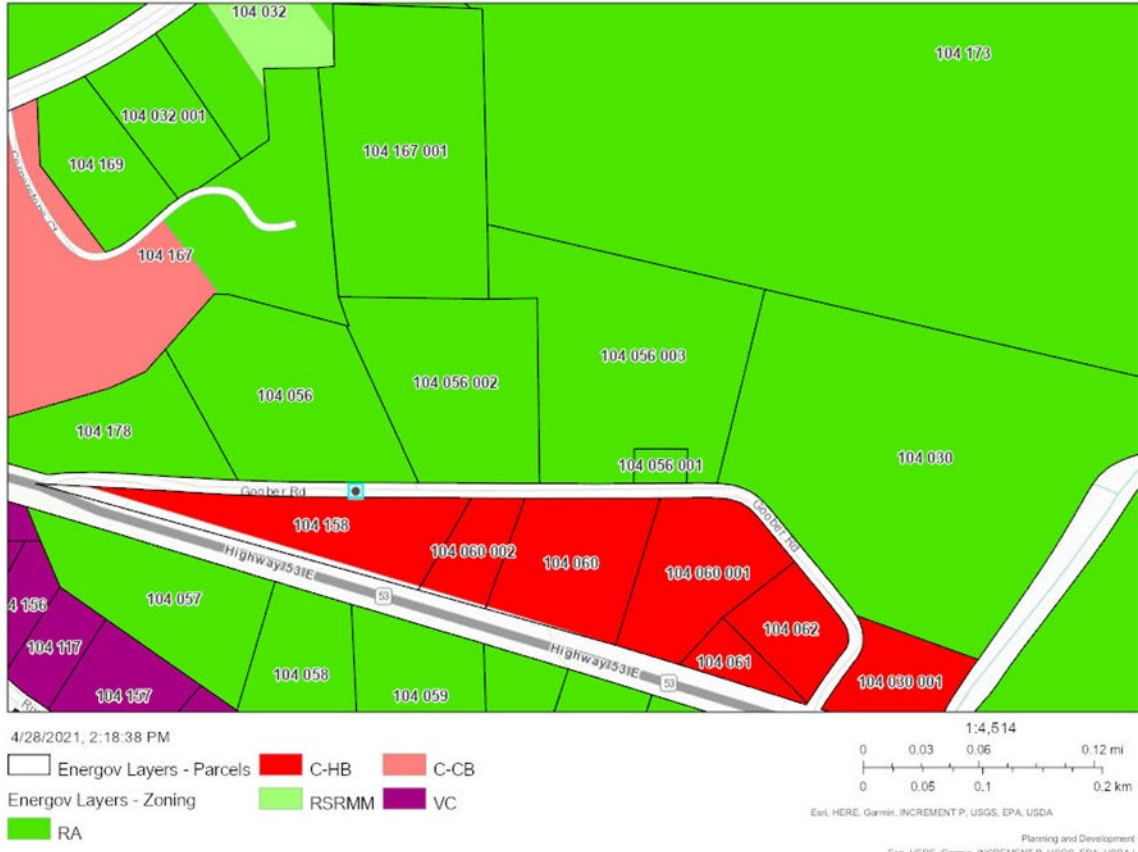
Pictures of Property:





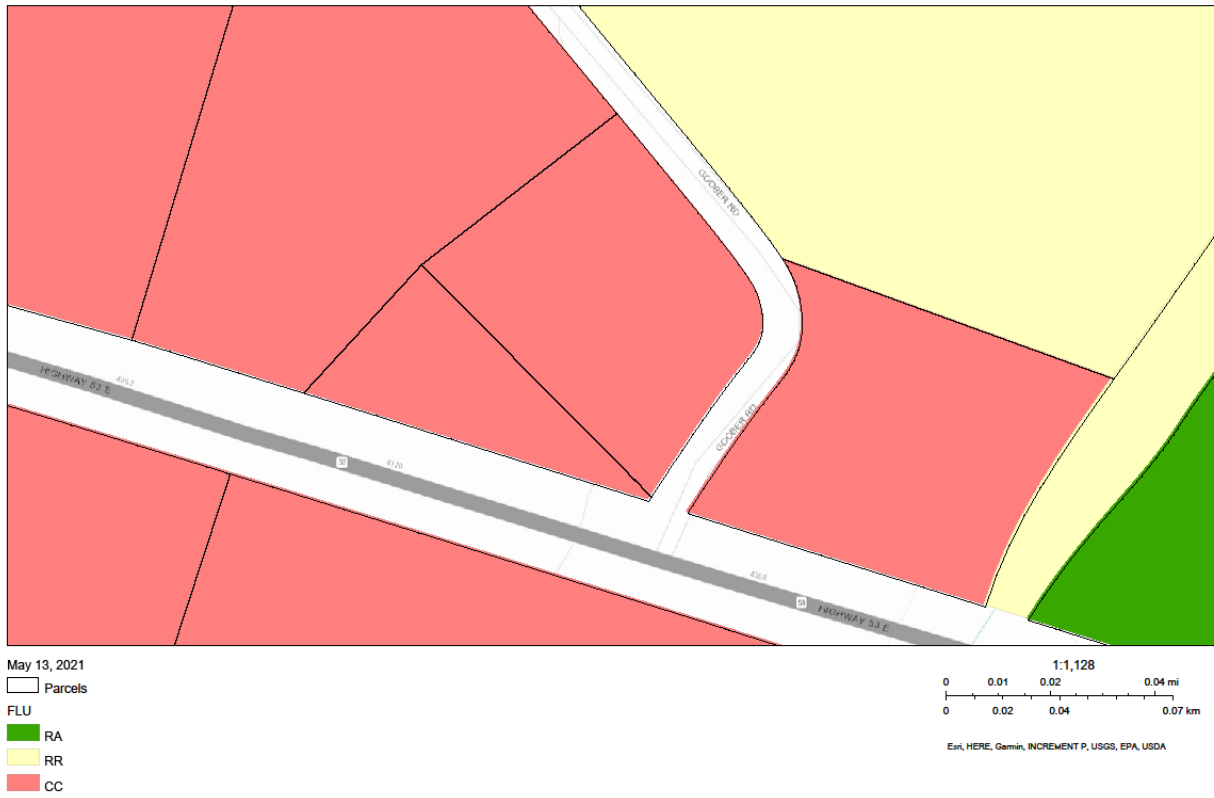
Current Zoning Map:

Dawson County Current Zoning



Future Land Use Map:

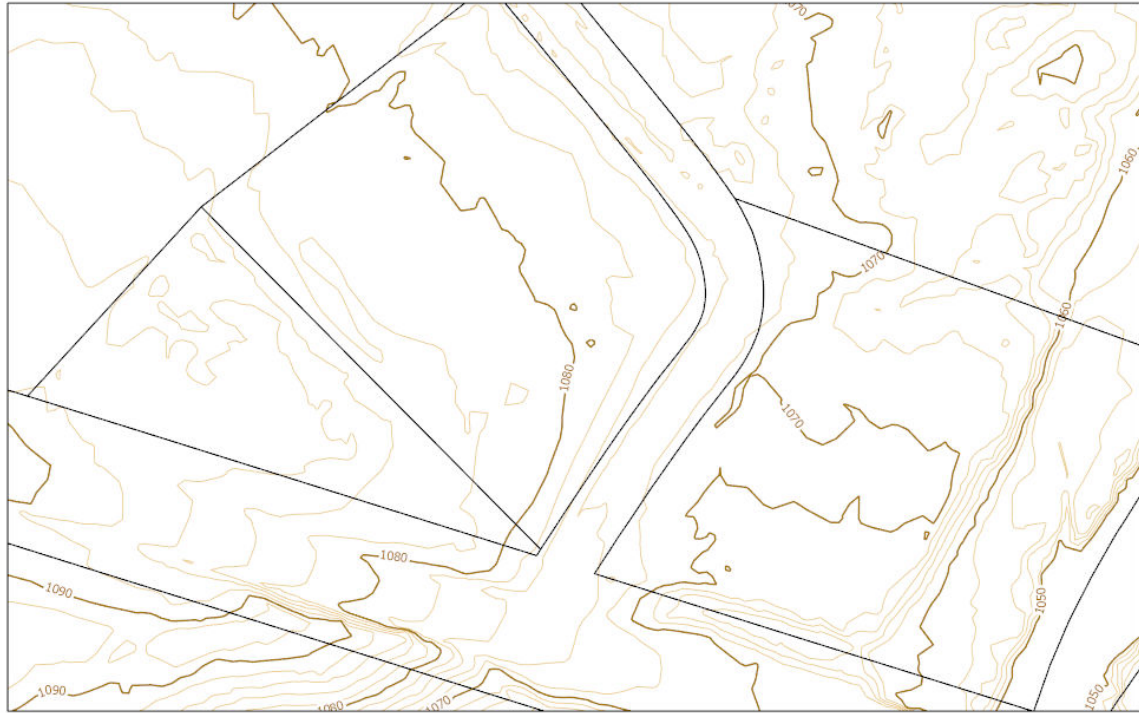
Future Land Use Map





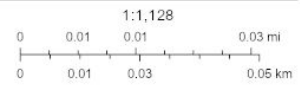
# Topography:

## Topo Map



5/13/2021, 3:56:23 PM

□ Parcels

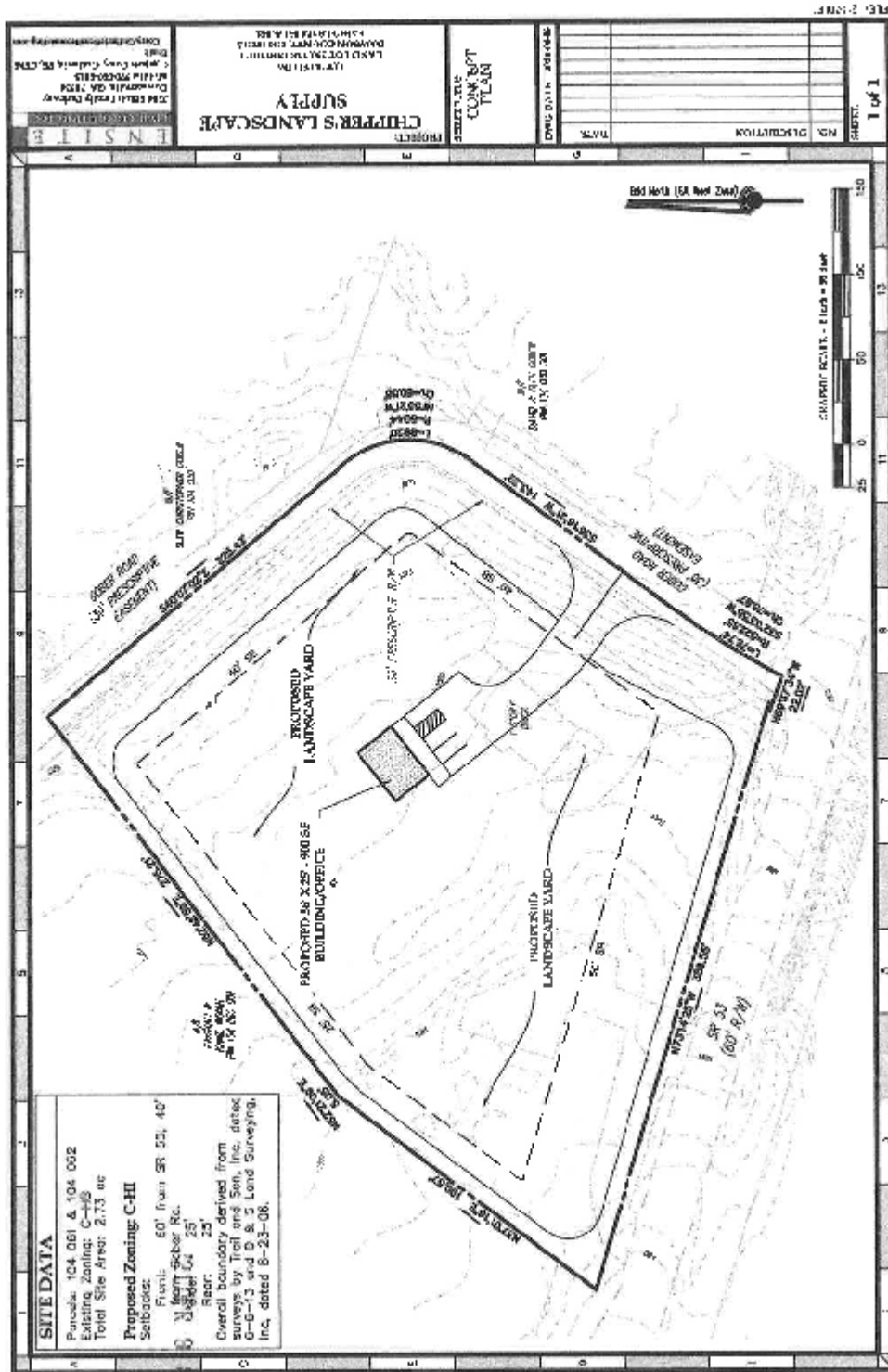


Dawson County  
The information on this map (or data product) is from a computer database accessed using a Geographic Information System (GIS). Dawson County Public Works cannot guarantee the accuracy of the information contained on this map. Each user of this map is

Aerial:



Site Plan:



# APPROVAL

## PUBLIC HEARING OF REZONING REQUEST

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

ZA #: 21-10 DATE OF HEARING: 5/18/21

Applicant's Name: Charles Green

Address: HWY 53 East

Tax Map Parcel & Parcel Number: 104-061 + 104-062 Parcel Currently Zoned: C-HB

Rezoning Requested: C-H1

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

- A. Affect the property values of surrounding property.
- B. Affect the health, safety or general welfare of the public.
- C. Impose any special hardships on the surrounding property owners.
- D. The subject property is suited for the proposed land use.

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

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Chairman Jason Hamby  
Dawson County Planning Commissioner

5-18-21  
Date



# DAWSON COUNTY REZONING APPLICATION

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

ZA \_\_\_\_\_ Tax Map & Parcel # (TMP): \_\_\_\_\_

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

Fees Assessed: \_\_\_\_\_ Paid: \_\_\_\_\_ Commission District: \_\_\_\_\_

Planning Commission Meeting Date: \_\_\_\_\_

Board of Commissioners Meeting Date: \_\_\_\_\_

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King

Address: 131 Prominence Court, Suite 230

Phone:  Listed \_\_\_\_\_ Email:  Business [REDACTED]  
 Unlisted \_\_\_\_\_  Personal \_\_\_\_\_

Status:  Owner  Authorized Agent  Lessee  Option to purchase

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

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

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

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

## PROPERTY OWNER/PROPERTY INFORMATION

Name: Georgia 400 Industrial Park, Inc

Street Address of Property being rezoned: [REDACTED]

Rezoning from: AG to: CHB Total acreage being rezoned: 23.11

Directions to Property: NW Corner of Dawson Forest Rd & Highway 53. Across from Byrd's Boat Storage

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Subdivision Name (if applicable): n/a Lot(s) #: \_\_\_\_\_

Current Use of Property: Agricultural

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

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

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

If yes, what section? South

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RA South RA East RA West C-HB

Future Land Use Map Designation: Commercial Hwy

Access to the development will be provided from:

Road Name: State Route 53 Type of Surface: Asphalt

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

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

Proposed Use: Residential Neighborhood aimed at 55+ Seniors

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: n/a Minimum Lot Size: n/a (acres) No. of Units: n/a

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

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Is an Amenity Area proposed: No; if yes, what? N/A

**COMMERCIAL & INDUSTRIAL**

Building area: 264,900 SF No. of Parking Spaces: \_\_\_\_\_

DAWSON COUNTY

**APPLICANT CERTIFICATION**

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

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

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

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

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

Signature \_\_\_\_\_

Date 8.11.21

Witness Jammy Lee

Date 8.11.21

**WITHDRAWAL**

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

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

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Withdrawal of Application:**

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

2021 SEP 21 10:23 AM

ZA \_\_\_\_\_

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

**List of Adjacent Property Owners**

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

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

	<u>Name</u>	<u>Address</u>
TMP _____	1. _____	_____
TMP <b>114 018</b>	2. <b>Same Owner</b>	_____
TMP 114 020 001	3. <b>3Mind Dawson Forest LLC &amp; SG Atlantic, LLC</b>	<b>c/o Alliance Tax Advisors</b>
TMP 114 033 001	4. <b>Michael G Hughes: 7142 HWY 53 EAST DAWSONVILLE, GA 30534</b>	_____
TMP 114 033 003	5. <b>Etowah Water &amp; Sewer Authority: 1162 Highway 53 E, Dawsonville, GA 30534</b>	_____
TMP 114 033 005	6. <b>Georgia 400 Industrial Park, Inc: Same Owner</b>	_____
TMP 114 046 002	7. <b>Farmington Creek, LP: 3825 PACES WALK SUITE 100 ATLANTA, GA 30339</b>	_____
TMP <b>114 033</b>	8. <b>Dawson Forest Holdings, LLC, 4635 HARRIS TRAIL ATLANTA, GA 30327</b>	_____
TMP 114 022 004	9. <b>Dawson County Government, 25 Justice Way, Dawsonville, GA 30534</b>	_____
TMP 114 022 003	10. <b>David, Billy &amp; Rocky Hughes: 33 Parkside Cir, Dawsonville, GA 30534</b>	_____
TMP 114 022 006	11. <b>David, Billy &amp; Rocky Hughes: 33 Parkside Cir, Dawsonville, GA 30534</b>	_____
TMP 114 022 009	12. <b>Penler Dawsonville, LLC: P.O. BOX 56607 ATLANTA, GA 30343</b>	_____
TMP 114 022 005	13. <b>David, Billy &amp; Rocky Hughes: 33 Parkside Cir, Dawsonville, GA 30534</b>	_____
TMP <b>114 021</b>	14. <b>Byrd Elliott Properties, LLC: 7342 HWY 53 EAST DAWSONVILLE, GA 30534</b>	_____
TMP 114 022 003	15. <b>David, Billy &amp; Rocky Hughes: 33 Parkside Cir, Dawsonville, GA 30534</b>	_____

Use additional sheets if necessary.

21 FEB 11 12:21 PM



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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: \_\_\_\_\_

Applicant Printed Name: Jim King

Application Number: 21-07

Date Signed: 2-11-21

Sworn and subscribed before me

this 11 day of Feb., 2021.

Harmoney Gee  
Notary Public  
My Commission Expires: \_\_\_\_\_

{  
Notary Public Seal  
}

HARMONY F GEE  
Notary Public - State of Georgia  
Dawson County  
My Commission Expires Aug 9, 2022

21FEB11 12:22PM

**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 who campaign contribution was made:

\_\_\_\_\_

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

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

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

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

Signature of Applicant/Representative of Applicant:

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

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

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

21FEB11 12:22PM

**PROPERTY OWNER AUTHORIZATION**

I/we, David Duncan U.P. GA-400 Industrial Park inc, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

Tax Parcel 114-033, located at The Northwest Corner of Dawson Forrest Rd and GA. Hwy. 53

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

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

Printed Name of applicant or agent: JIM KING

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

\*\*\*\*\*

Printed Name of Owner(s): David Duncan

Signature of Owner(s): [Signature] Date: 2-11-21

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

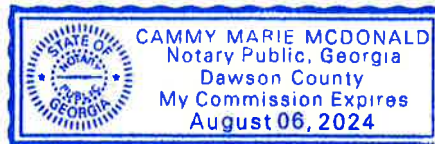
City, State, Zip: \_\_\_\_\_

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

Sworn and subscribed before me this 11th day of February, 2021.

Cammy Marie McDonald  
Notary Public

My Commission Expires: 8/6/24



{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.)

21 FEB 11 2021

**PROPERTY OWNER AUTHORIZATION**

I/we, David Duncan, V.P. Ga. 400 Industrial Park inc., hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

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

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

Printed Name of applicant or agent: \_\_\_\_\_

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

\*\*\*\*\*

Printed Name of Owner(s): David Duncan

Signature of Owner(s): [Signature] Date: 4-7-21

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

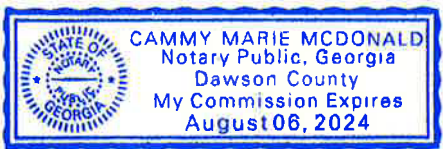
City, State, Zip: \_\_\_\_\_

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

Listed  
Unlisted

Sworn and subscribed before me this 7<sup>th</sup> day of April, 2021.

Cammy Marie McDonald  
Notary Public



My Commission Expires: 8/6/2024

{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.)

2 APR 9 11 AM '21



6

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX  
DATE: 10-4-2001  
Book: 403 Page: 205-206  
Clerk: Gregory Higgins, Clerk  
SUPERIOR COURT

GEORGIA, DAWSON COUNTY  
CLERK'S OFFICE, SUPERIOR COURT  
FILED FOR RECORD  
AT 9:50A M 10-3-01  
Recorded in Book 403 Page 205-206  
This 4 day of Oct. 2001  
Judy Mead, Clerk

Return To:  
Carey, Jarrard & Walker  
P. O. Box 635  
Gainesville, Georgia 30503

LIFE ESTATE DEED

STATE OF GEORGIA,  
COUNTY OF HALL.

THIS INDENTURE, made this 28<sup>th</sup> day of September, 2001, between Mountainview Development Company, Inc., a Georgia corporation, and Joe K. Smith, party of the first part, and Michael G. Hughes, for and during the lifetime of Tommy Hughes, party of the second part.

WITNESSETH: That the said party of the first part, for in consideration of the sum of One Dollar (\$1.00), in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and Quit Claim to the said party of the second part, his heirs and assigns:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE  
MADE A PART HEREOF.

The interest conveyed to Michael G. Hughes by this deed is a life estate interest only for and during the lifetime of Tommy Hughes.

TO HAVE AND TO HOLD the said described premises to the said party of the second part.

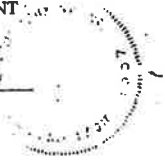
IN WITNESS WHEREOF, The said party of the first part has hereunto set their hands and seals, the day and year above written.

Signed, sealed and delivered  
in presence of:

Witness  
*Julie Stargel*  
Notary Public  
My Commission Expires  
NOV. 18, 2004  
HALL COUNTY  
PUBLIC

MOUNTAINVIEW DEVELOPMENT  
COMPANY, INC., a Georgia corp.

BY: *Elora Stargel*  
Name: Elora Stargel  
Title: CEO



(CORPORATE SEAL)

*Joe K. Smith* (SEAL)  
JOE K. SMITH

21 APR 9 10 50 AM

205

EXHIBIT "A"

(LIFE ESTATE PARCEL)

ALL THAT TRACT or parcel of land, together with improvements thereon, situate, lying and being in Lots 341, 342, 375 and 376 of the south half, 13<sup>th</sup> District, 1<sup>st</sup> Section, Dawson County, Georgia, and being more particularly described as follows:

To find the Point of Beginning, begin at a point common to the corners of Land Lots 342, 343, 374 and 375, said district and county; thence run North 86 degrees 55 minutes 18 seconds East, 1158.88 feet to a point which marks the True Point of Beginning; from said True Point of Beginning, run thence North 88 degrees 51 minutes 06 seconds East, 207.43 feet to an iron pin found located on the westerly right of way line of S.R. 53 (60 foot right of way); thence along said right of way line South 01 degree 08 minutes 54 seconds East, 210.00 feet to an iron pin found; thence leaving said right of way line and running South 88 degrees 51 minutes 06 seconds West, 207.43 feet to a point; thence running North 01 degree 08 minutes 54 seconds West, 210.00 feet to the Point of Beginning.

Containing 1.00 acres, as shown and delineated on plat of survey prepared for Joe K. Smith by Richard May & Associates, Inc., dated September 27, 2001, which plat is incorporated herein for a more complete description of the property.

21 APR 9 10 56 AM

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

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

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

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

---

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

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

---

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

Executed in Dawsonville (city), Georgia (state)

Signature of Applicant

Jim King

Printed Name

Date

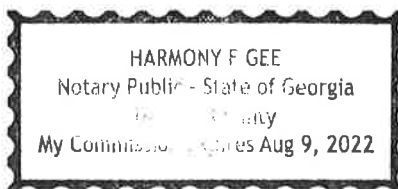
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 11 DAY OF Feb., 2021

Harmony F. Gee Notary Public

My Commission Expires: August 9, 2022



{Notary Seal}

21 FEB 11 2021

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

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

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



# LETTER OF INTENT

The applicant requests Rezoning to a portion of Parcel Number: 114 033 005 from RA to C-HB in order to build Service Style Retail/Office-Warehouse (Flex Space) and General Retail on 14.3 acres. The property is located at the NW Corner of Dawson Forest Rd and Highway 53E, Dawsonville, GA 30534. The property encompasses the remainder of this Parcel which has also been submitted under separate application as a Residential Neighborhood. It is bounded on the West by Wal-Mart and the Dawson Forest Apartments, the North by the Farmington Apartments and the South by the Penler Apartments and Byrd Boat & Self-Storage Facility. It is designated on the Future Land Use Plan as Commercial Highway Business. The proposed development will contain general retail, offices, and warehouse space that will serve the area and will be integrated into the Residential Neighborhood providing a walkable and sustainable live-work-play community. This Business Park will also serve the surrounding community by providing an opportunity and place for local citizens to bring their businesses closer to home.

114 033 005

**Owner Information**

GEORGIA 400 INDUSTRIAL PARK INC

**Payment Information**

Status	Paid
Last Payment Date	11/09/2020
Amount Paid	\$34,724.03

**Property Information**

Parcel Number	114 033 005
District	1 DAWSON COUNTY UNINCORPORATED
Acres	51.44
Description	LL 374 LD 13-S
Assessed Value	\$1,467,440
Appraised Value	\$3,668,600

**Bill Information**

Record Type	Property
Tax Year	2020
Bill Number	5451
Account Number	56913
Due Date	12/01/2020

**Taxes**

Base Taxes	\$34,724.03
Penalty	\$0.00
Interest	\$0.00
<b>Total Due</b>	<b>\$0.00</b>

21 FEB 11 12:24 PM



**OWNER/DEVELOPER:**  
**GEORGIA 400**  
**INDUSTRIAL PARK, INC.**  
 6840 BENNETT RD.  
 CUMMING, GA 30188

**24-HOUR CONTACT:**  
**BILL VERINGA**  
 678-366-6470

**PROJECT:**  
**DAWSON FOREST**  
**- SR 53 TRACT**

**LOCATED IN:**  
 LAND LOTS 342, 343, 374, 375  
 13th DISTRICT, 1st SECTION  
 DAWSON COUNTY, GEORGIA

**SHEET TITLE:**  
**CONCEPT PLAN**

**GEORGIA811**  
 Utilities Protection Center, Inc.  
 1-800-282-7411  
 Know what's below.  
 Call before you dig.

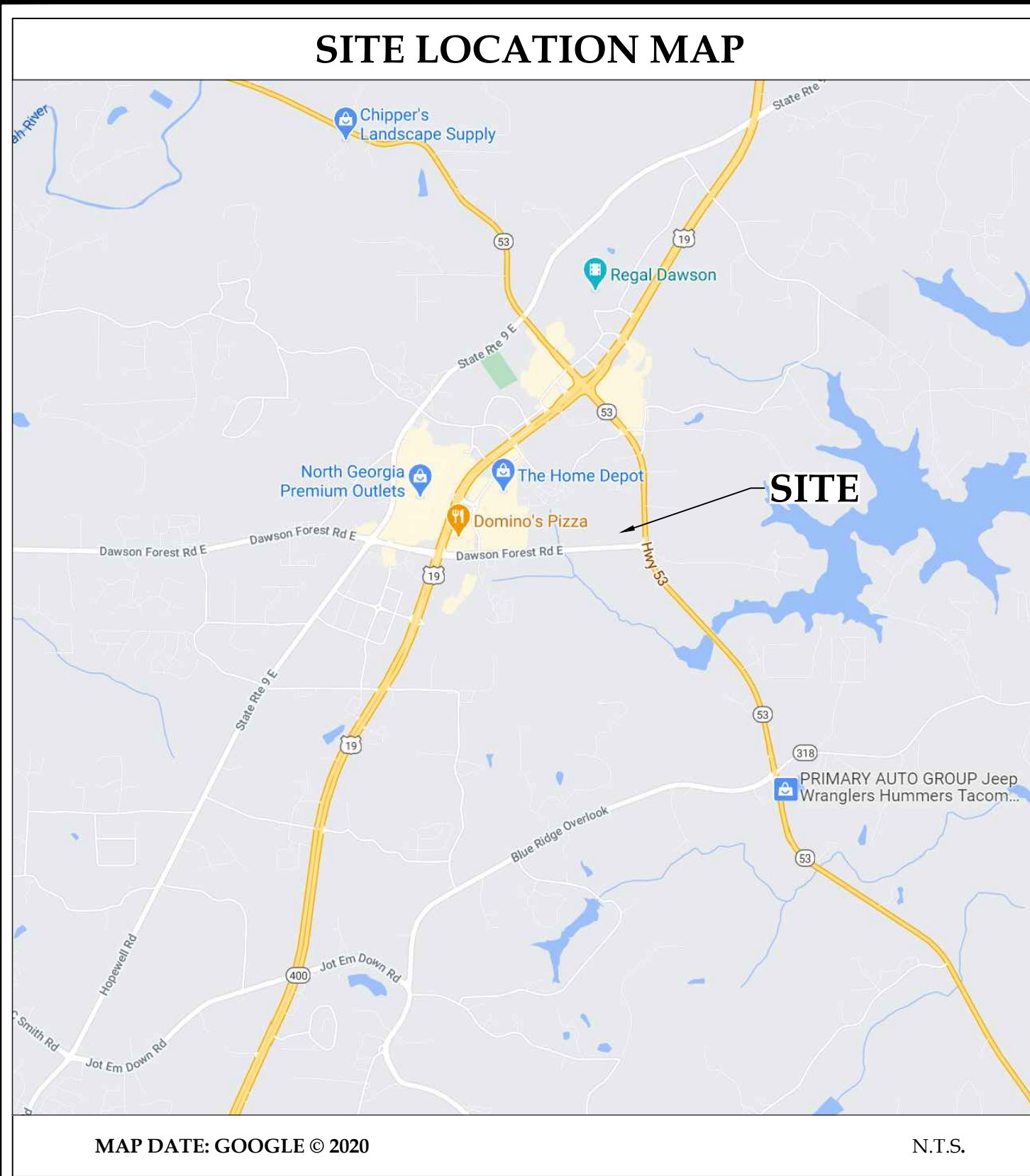
**STAMP:**  
**FOR REVIEW ONLY**

**DRAWING DATE:** 2021-02-11

**SHEET REVISIONS**

NO.	DESCRIPTION	DATE

**SHEET:**  
**1 of 1**



**SITE DATA**  
 Parcels: 114 033 005  
 Existing Zoning: R-A  
 Total Site Area: 44.755 ac

**POD A (Multi Family Residential Semi-Detached) Proposed Zoning: RMF**  
 Area: 30.480 ac  
 Semi-Detached Lots: 145 lots  
 Residential Density: 4.8 un/ac  
 Open Space Provided: 7.8 ac (25.6%) (Minimum 25% Required)  
 2-4 Units Per Building

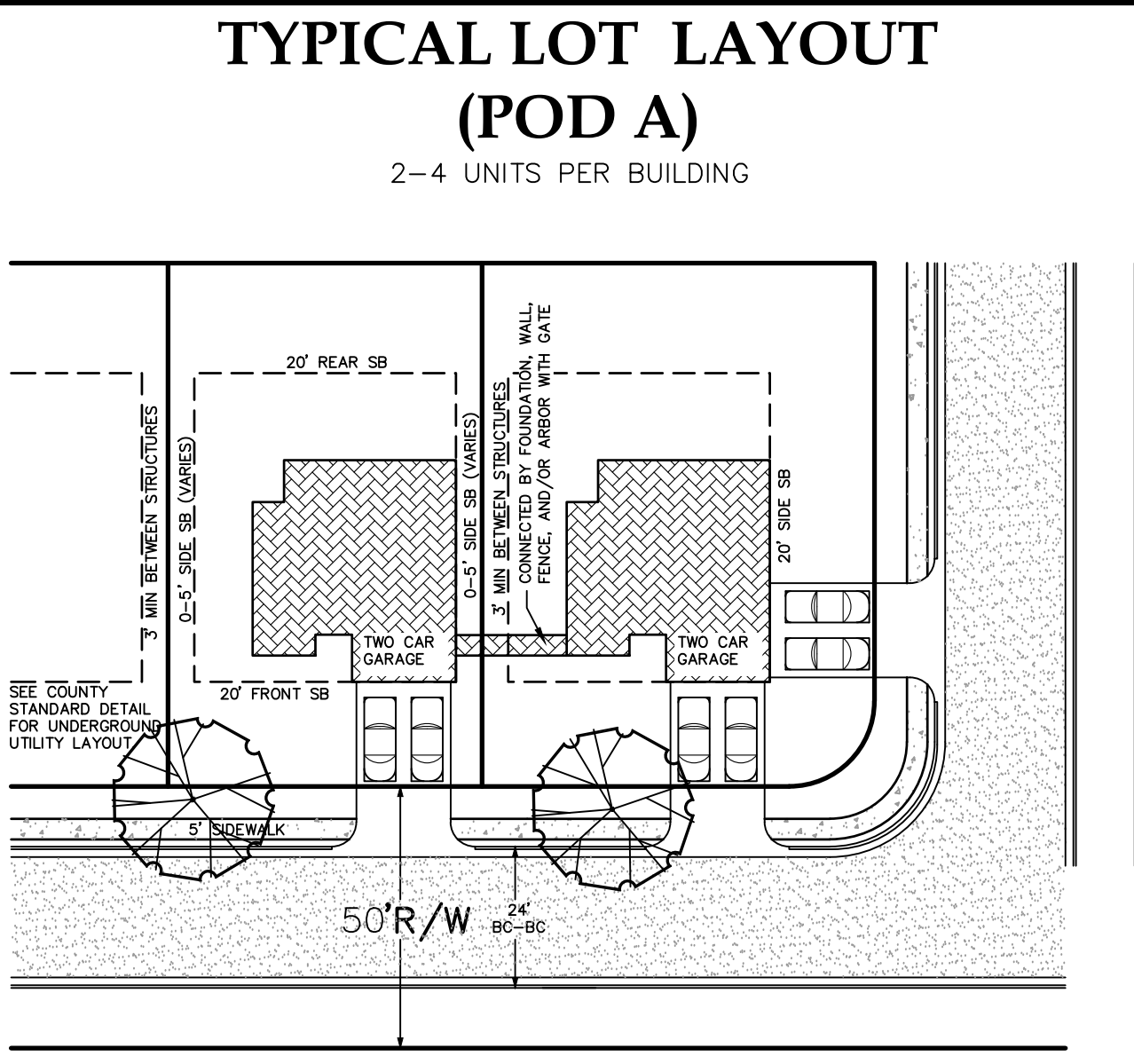
Setbacks (Exterior):  
 Front: 20'  
 Side: 20'  
 Rear: 20'

Setbacks (Semi-Detached Lots):  
 Front: 20'  
 Side: 0-5' (Varies); 20' between detached buildings  
 Rear: 20'

**POD B (Commercial Highway Business) Proposed Zoning: C-HB**  
 Area: 14.275 ac

Setbacks (Exterior):  
 Front: 40'  
 Side: 25'  
 Rear: 25'

PIN	NAME	ADDRESS	ZONING
114 006	WAL-MART REAL ESTATE BUSINESS TRUST	P O BOX 8050 MS 0555 BENTONVILLE, AR 72712-8050	C-PCD
114 019	DAWSON FOREST HOLDINGS LLC	4635 HARRIS TRAIL ATLANTA, GA 30327	RA
114 020 001	3MIND DAWSON FOREST LLC & SG ATLANTIC LL C/O ALLIANCE TAX ADVISORS	433 E LAS COLINAS BLVD SUITE 300 IRVING, TX 75039	RMF
114 033 001	HUGHES MICHAEL G	7142 HWY 53 EAST DAWSONVILLE, GA 30534	C-CB
114 033 003	ETOWAH WATER & SEWER AUTHORITY	1162 HWY 53 E DAWSONVILLE, GA 30534	RA
114 033 004	FJH LLC C/O FRANK J HANNA JR	SUITE 300 FIVE CONCOURSE PARKWAY ATLANTA, GA 30328	C-PCD
114 033 005	GEORGIA 400 INDUSTRIAL PARK INC	6840 BENNETT RD CUMMING, GA 30041	RA
114 046 002	FARMINGTON CREEK LP	3825 PACES WALK SUITE 100 ATLANTA, GA 30339	RMF





**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Jim King

**Amendment #** .....ZA 21-11

**Request**.....Rezone from R-A & C-CB to C-HB

**Proposed Use** .....Develop a service style retail/office-warehouse & general retail

**Current Zoning** .....R-A & C-CB

**Size**.....23.11± acres

**Location** .....Dawson Forest Road & Hwy 53 East

**Tax Parcel** .....114-033-005, 114-018 & 114-033-001, 114-046-001

**Planning Commission Date** .....May 18, 2021

**Board of Commissioners Date**..... June 17, 2021

**Applicant Proposal**

The applicant is seeking to develop a service style retail/office-warehouse & general retail on 23.11 acres at the NW corner of Dawson Forest Rd. & Hwy 53 E. The purposed development will be integrated into the residential neighborhood that is a separate zoning application.

**History and Existing Land Uses**

This property was purchased in 2016 by the current owner and the parcel has remained vacant. A zoning application was heard in 2020 requesting a zoning of Residential multi-family (leaving out any commercial component) and was subsequently withdrawn.

<b>Adjacent Land Uses</b>	<b>Existing zoning</b>	<b>Existing Use</b>
North	RMF	Apartment
South	RMF	Apartments
East	R-A	Single Family



		Residential/Vacant Land
West	CPCD	Commercial

**Development Support and Constraints**

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

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Commercial Highway Business.

**Public Facilities/Impacts**

**Engineering Department** – “Major collector, asphalt locate along throughfare and state route. It is unknown at this time if the proposed access is adequate. Heavy traffic flow, geometric issues along state route could exist. Public Works will need to review a traffic impact study to make access comment. Dawson County and GDOT are partnering to complete a round a bout at Dawson Forest and SR 53. This development will increase traffic at the intersection and as such the developer should contribute to the cost of construction.”

**Environmental Health Department** – No comments returned.

**Emergency Services** – No comments necessary per Chief Bailey.

**Etowah Water & Sewer Authority** “If water main expansion/upgrades required to serve project. Must be developed & installed per EWSA specs at the developer’s expense. Sewer main expansion/upgrades required to serve project. Must be designed & installed per EWSA specs at developer’s expense.”

**Dawson County Sheriff’s Office** – Additional staffing needs to accommodate for growth. Improvements have been requested in an unknown timeframe.

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

**Analysis**

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Commercial Highway Business however, multi-family construction has occurred and is proposed for properties surrounding the Hwy 53 and Dawson Forest Road intersection. One development in particular, The Parker located on the

southwest side of the intersection was approved, rezoned and constructed in contradiction to the FLUP designation of Light Industrial. Residential Multifamily is therefore an acceptable zoning classification in align with current development in the area. With that being said this request has been submitted in conjunction with rezoning request ZA 21-07 (RA to CHB) for the portion of this property which fronts Hwy 53 and Dawson Forest Rd. These two requests, when taken as a whole would be better suited for a zoning of Commercial Planned Comprehensive Development (CPCD). A CPCD zoning would allow more control of development by the Board of Commissioners and would require a site specific plan and design for the project.

The Planning Department is in the process of updating the 400 Corridor guidelines and is working to present the BOC with a Hwy 53 Corridor plan within the near future. This development will be held to the guidelines in-place at the time of submittal, unless otherwise stipulated.

As currently presented the Planning and Development Department recommends the following stipulations:

- Infrastructure for both portions should occur concurrently.
- Inter-parcel connectivity of the CHB and RMF portions and connectivity with surrounding developments should be required via sidewalks, street alignments, trails, etc.
- A maximum 2 curb cuts per street frontage of Hwy 53 and Dawson Forest Rd should be permitted.
- Dumpsters in the commercial portion should be fully screened both from the view of the public street and the accompanying multifamily portion of the project.
- All storm water infrastructure within the development should be interconnected and utilize shared detention.
- With consideration of the development of traffic improvements (roundabout(s)) at the Hwy 53 and Dawson Forest Rd intersection the developer should donate a negotiated amount based on the precedent set by the neighboring Penler development, towards cost of construction.
- A minimum 20 foot planted buffer should be established between the commercial and residential portions of this project.
- Open space suitable for play of not less than one acre should be required. The installation of playground equipment is encouraged.
- At a minimum, amenities for the RMF portion of this development should include a clubhouse and pool.
- The RMF portion of this development should provide additional parking equaling 20 percent of the number of lots. (For example, if 150 units is proposed then 30 additional parking spaces should be required).
- Project should be subject to additional requirements by the Planning Department if such requirements are noted during the civil review of said development.
- In addition to the requirements of the Buffer, Landscape and Tree Ordinance, street trees should be required outside of the rights of way of both Hwy 53 and Dawson Forest Rd. In addition, street trees should be required along all roadways within the multifamily portion of this development.

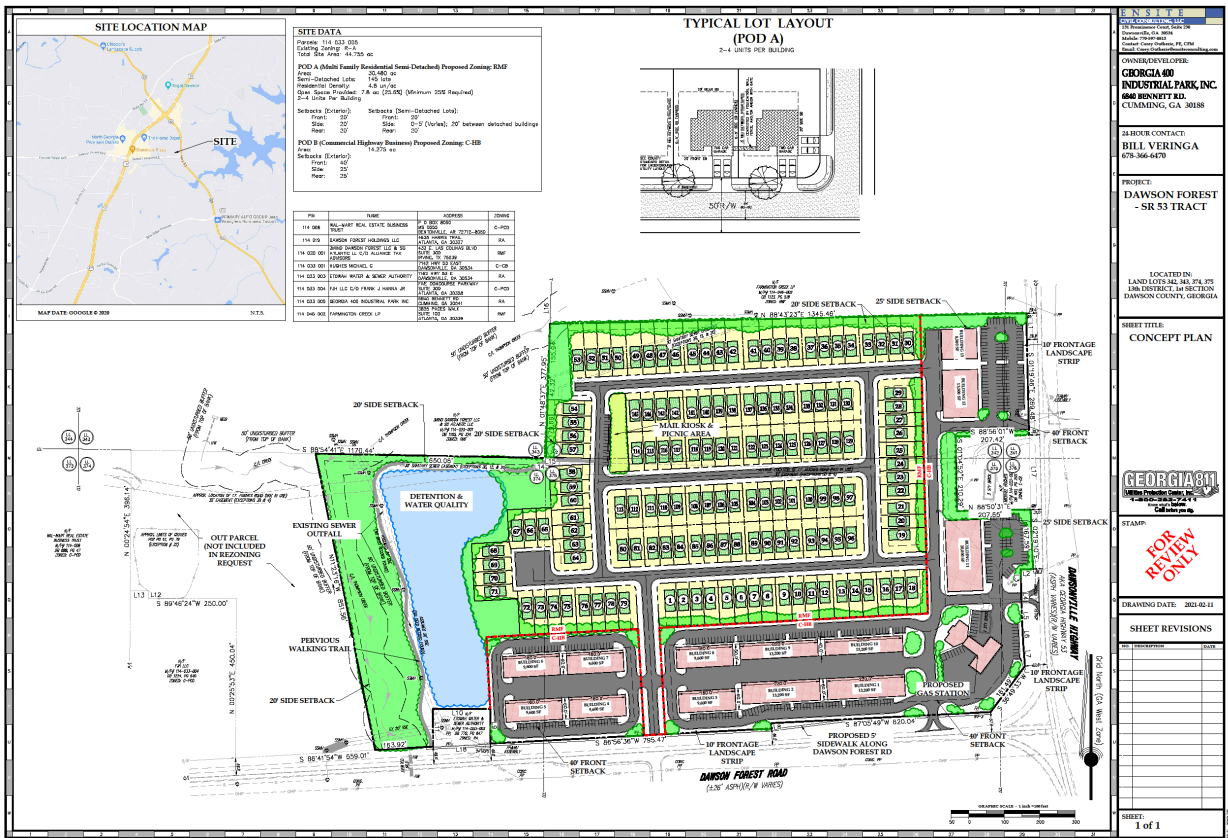
The rezoning request falls in line with the Comprehensive Plan and Future Land Use designation.

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

- A. The existing uses and classification of nearby property.**  
Currently the property is undeveloped.
- B. The extent to which property values are diminished by the particular land use classification.**  
There should not be any diminishment to property values.
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.**  
There should be no destruction of property values.
- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**  
There should be none.
- E. The suitability of the subject property for the proposed land use classification.**  
The subject property is well suited for the purposed use with adjacent properties being similar of similar and compatible use.
- F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**  
The land is vacant.
- G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.**  
The applicant would be subject to the 400 Corridor Design Guidelines and depending on when construction begins, Hwy 53 Corridor Guidelines.



Site Plan:



**OWNER/DEVELOPER:**  
 GEORGIA 80 INDUSTRIAL PARK, INC.  
 6866 BENNETT RD.  
 CUMMING, GA 30138

**24-HOUR CONTACT:**  
 BILL VERINGA  
 678-366-6470

**PROJECT:**  
 DAWSON FOREST - SR 53 TRACT

**LOCATED IN:**  
 LANDSCAPE NO. 174, P. 175  
 10th DISTRICT, 14th SECTION  
 DAWSON COUNTY, GEORGIA

**SHEET TITLE:**  
 CONCEPT PLAN

**STAMP:**  
 FOR REVIEW ONLY

**DRAWING DATE:** 2021-02-11

**SHEET REVISIONS:**

**SHEET:**  
 1 of 1



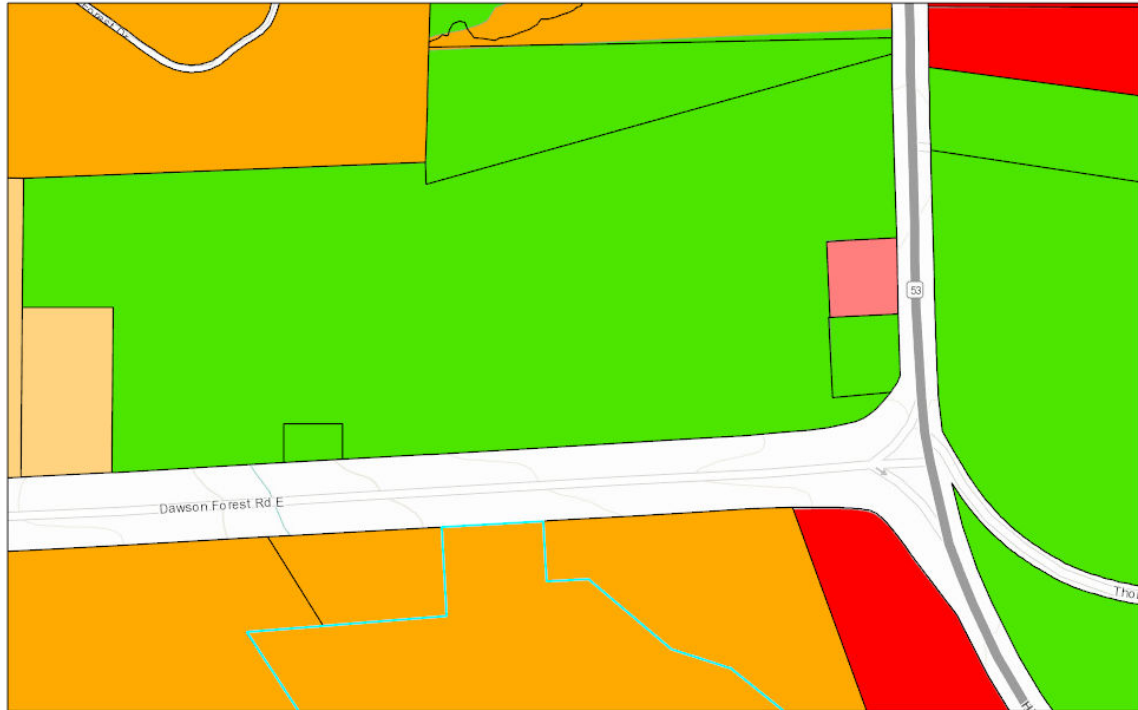
Pictures of the Property:





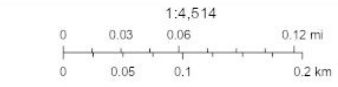
Current Zoning Map:

Dawson County Current Zoning



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- |         |             |       |
|---------|-------------|-------|
| Parcels | Zoning C-HB | C-PCD |
| RA      | C-CB        | RMF   |

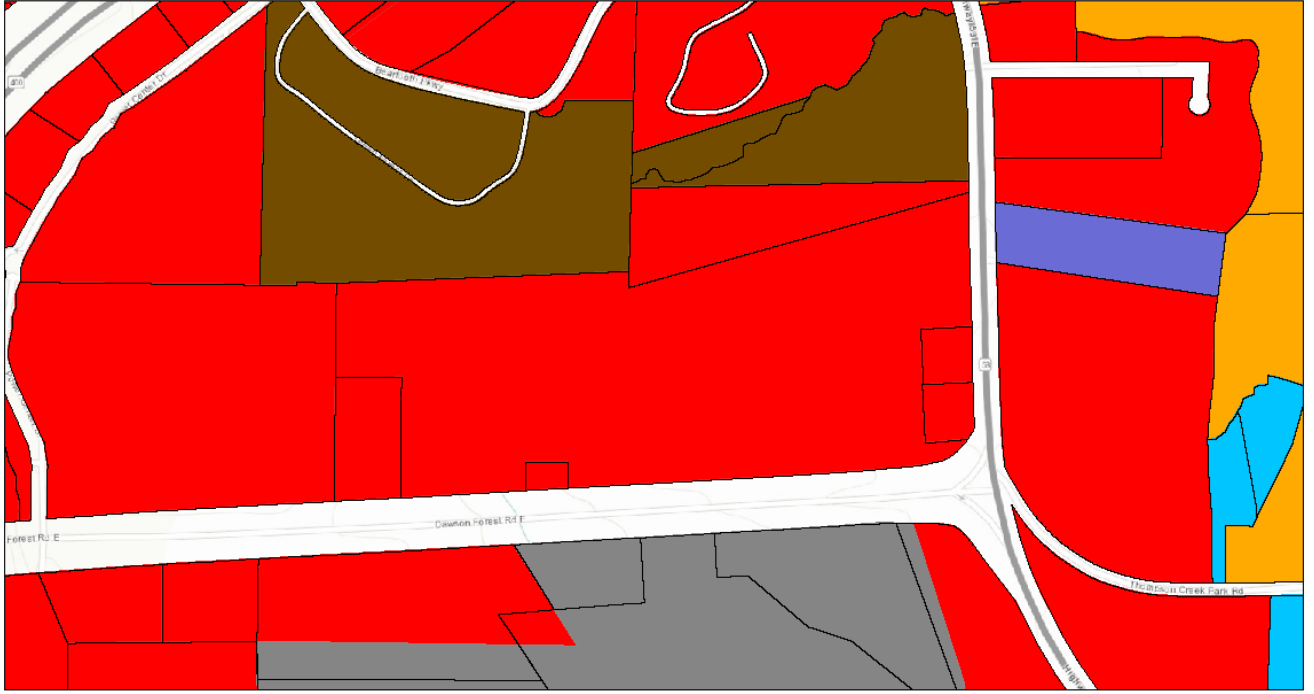


Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA  
Planning and Development  
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |



Future Land Use Map:

Future Land Use Map

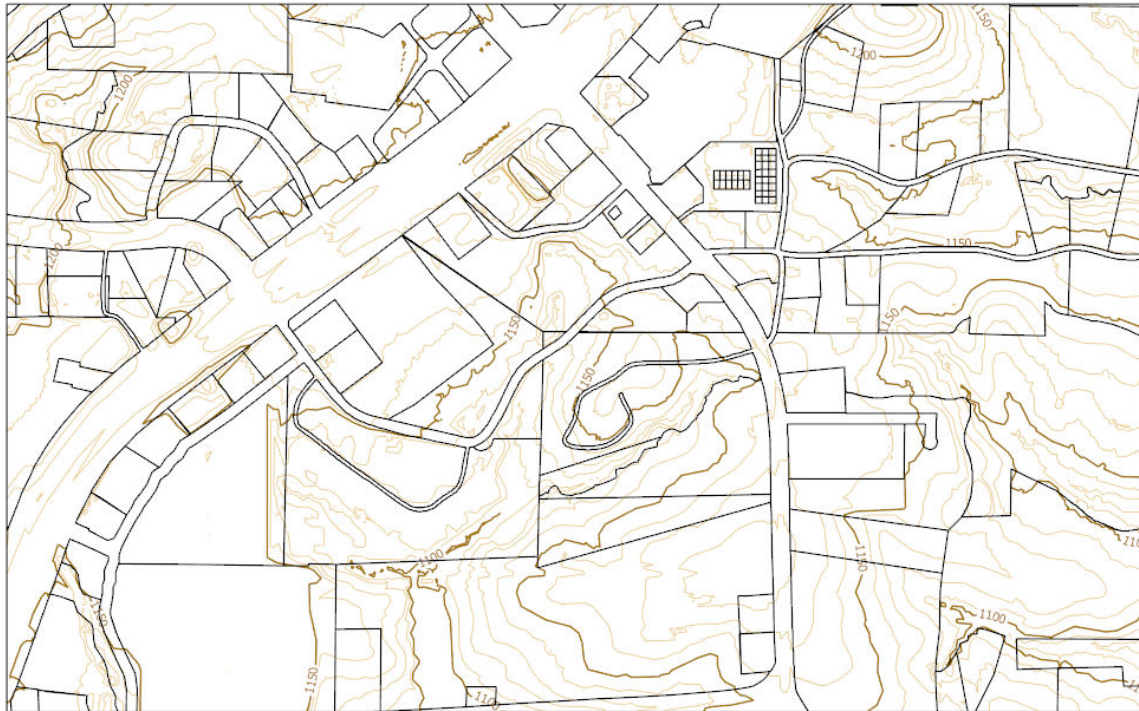


March 10, 2021  
Parcels FLU  
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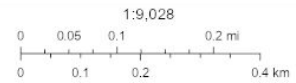
Topography:

Topo Map



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Parcels



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

# APPROVAL

## PUBLIC HEARING OF REZONING REQUEST

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

ZA #: 21-11 DATE OF HEARING: 5/18/21

Applicant's Name: Jim King

Address: Dawson Forest Road + Hwy 53 East

Tax Map Parcel & Parcel Number: 114-033-005  
114-018  
114-033-001  
114-046-001

Parcel Currently Zoned: RA + CCB

Rezoning Requested: CHB

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

- A. Affect the property values of surrounding property.
- B. Affect the health, safety or general welfare of the public.
- C. Impose any special hardships on the surrounding property owners.
- D. The subject property is suited for the proposed land use.

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

with recommendation of stipulation from page  
4 of Staff Report

  
Chairman Jason Hamby  
Dawson County Planning Commissioner

5-18-21  
Date

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Dawson County

**Amendment #** .....ZA 21-13 & VR 21-09

**Request**.....Rezone the property from R-A (Residential Agricultural) to RMF (Residential Multi-Family)  
.....Vary from the Dawson County Land Use Resolution Article III, Section 308 C.6.b

**Proposed Use** .....To construct 89 units of Multi-Family townhomes

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

**Size**.....± acres

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

**Tax Parcel** .....114-019

**Board of Commissioners Date**.....June 17, 2021

**Applicant Proposal**

The applicant is proposing 89 townhome units.

**History and Existing Land Uses**

The current use of the property is vacant land but prior to that there was a mobile home park on the property.

<b>Adjacent Land Uses</b>	<b>Existing zoning</b>	<b>Existing Use</b>
North	RMF	Multi Family (Apartments)
South	RMF	Multi Family (Apartments)
East	R-A	Vacant Land
West	CPCD	Commercial



### **Development Support and Constraints**

Subject property fronts a collector road (Beartooth Parkway) which is well suited for the potential increased traffic flow. Subject property is constrained by high volume traffic in the area. A change of zoning from Residential Agricultural to Residential Multi-Family would be consistent with the character of the area.

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Commercial Highway Business, however a zoning of RMF would not be out of character for the area as several RMF zoned properties are in the same general vicinity.

### **Public Facilities/Impacts**

#### **Engineering Department** –

**Environmental Health Department** – No comments returned due to the project facilitating public water and sewer.

#### **Emergency Services** –

**Etowah Water & Sewer Authority** “If water main expansion/upgrades required to serve project. Must be developed & installed per EWSA specs at the developer’s expense. Sewer main expansion/upgrades required to serve project. Must be designed & installed per EWSA specs at developer’s expense.”

#### **Dawson County Sheriff’s Office** –

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

### **Zoning Element of Request:**

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

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

The surrounding uses of the adjoining properties are Commercial Highway Business and Residential Multi-Family.

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

There should be no diminished values to the surrounding properties. To the contrary, property values should increase with the completion of this project.

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

There should be no destruction of property values.

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

Increased property values due to the construction of this project should be a gain to the public if approved.

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

The property is suitable for the proposed land use classification due to being located in close proximity to Hwy 400 and other properties of the same use.

**F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**

The property was used as a mobile home park from the early 1980's until approximately 2013 when it was foreclosed upon. The property has been vacant since approximately 2013.

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

Due to the shape of the lot and an abutting stream which limits land development the side by side parking to alleviate overflow parking onto the interior drives of this development would alleviate any traffic/vehicle related hardships for this property.

**Variance Element of Request:**

**Applicant Criteria of Need**

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

**That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and a strict and literal interpretation of the code would not allow the proposed to occur:**

A strict and literal interpretation and enforcement of Article III, Section 308 C.6.b of the Land Use Resolution will result in congestion and roadway obstruction due to over parking in the street.

**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.**

Site location, adjoining infrastructure, the presence of a stream abutting the property and topography constitute exceptional and extraordinary conditions for development on this parcel.

**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**

No detriment to the public health, safety or welfare nor any materially injurious effects to the near vicinity have been noted.

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

The objectives of managed quality growth and development contained in the Land Use Resolution would be supported by the granting of this variance request.

### **Analysis**

- This property had been the site of a mobile home park since the early 1980's. This area has had a history of increased incidence of criminal activity as a mobile home park due to the decline in upkeep of the mobile homes therein. This area was finally abandoned as a mobile home park around 2013 however it remained blighted due to illegal dumping of trash and other criminal activities occurring on this site. While the Future Land Use Map labels this property as Commercial Highway Business, it is also well suited for multi-family use and such use is currently occurring in the area including two properties which directly abut said property. Additionally, the approval of the included variance request will remedy potential overcrowding of the internal drives within the development by providing additional off-street parking opportunities for residents.

Pictures of Property:

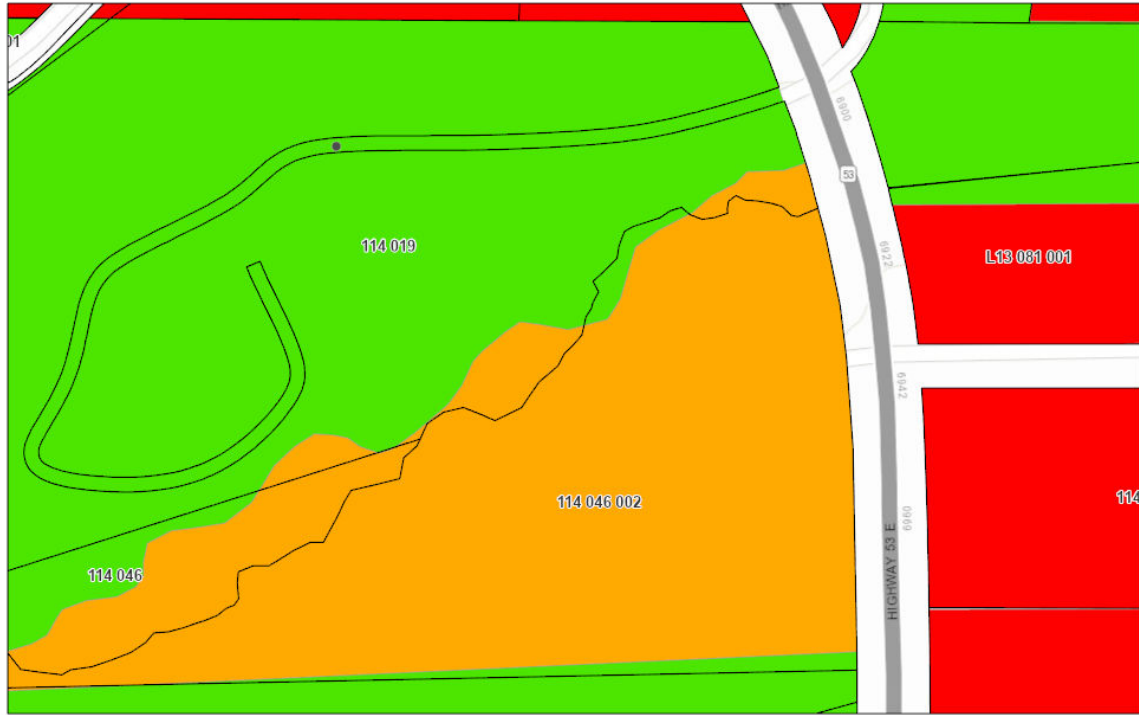






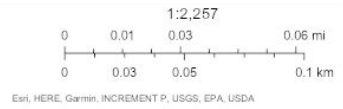
Current Zoning Map:

Dawson County



6/10/2021, 5:51:06 PM

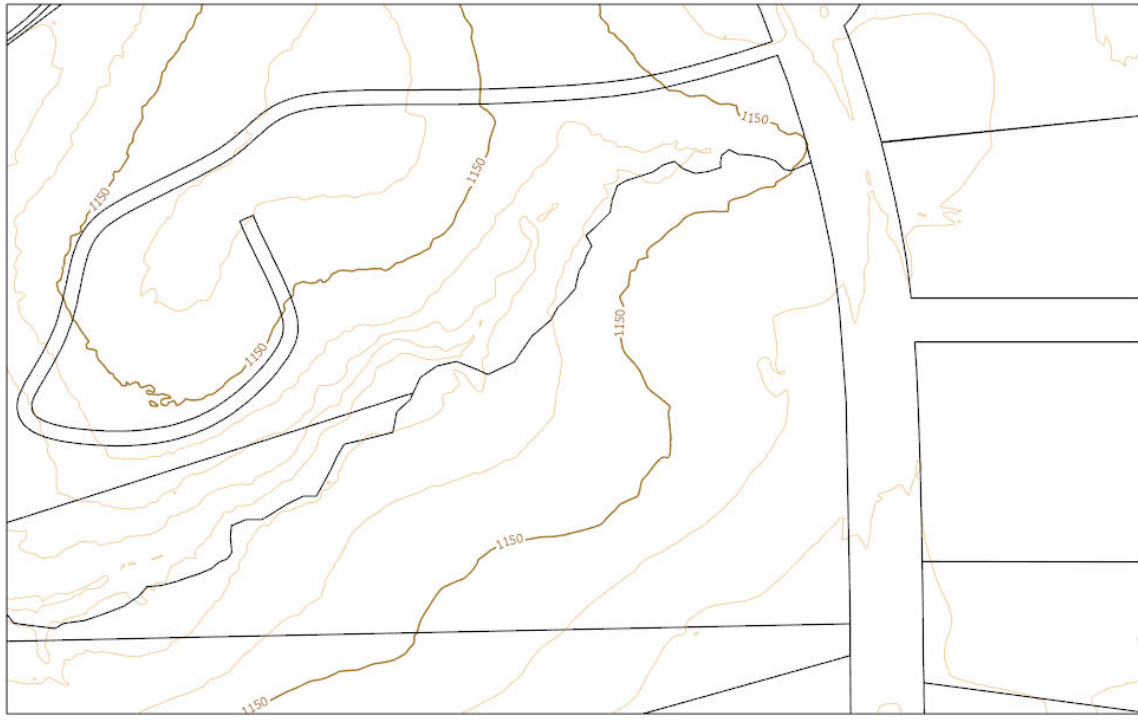
Energy Layers - Parcels Energy Layers - Zoning  
RA C-HB  
RMF



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

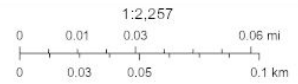
Topography:

Topo Map



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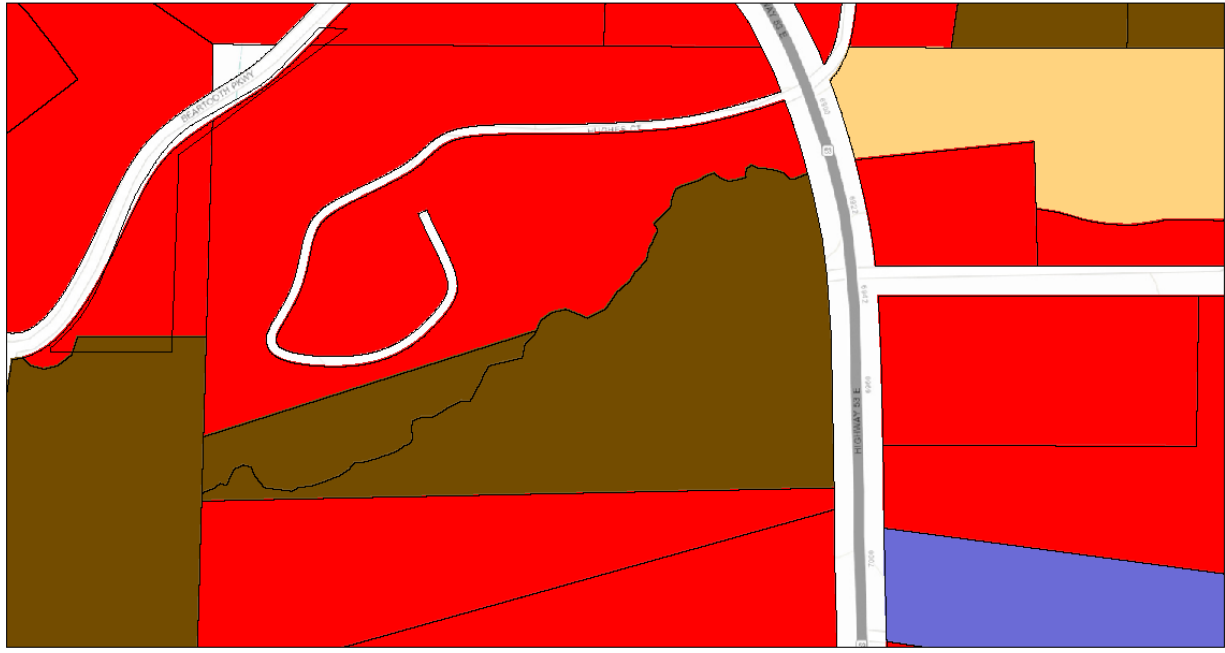
Parcels



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

Future Land Use:

Future Land Use Map



June 10, 2021  
Parcels FLU CHB PI  
PRC MFR

1:2,257  
0 0.02 0.04 0.09 mi  
0 0.04 0.07 0.14 km

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







# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Extension Office

Work Session: 06.03.21

Prepared By: Clark MacAllister

Voting Session: 06.17.21

Presenter: Clark MacAllister

Public Hearing: Yes  No

Agenda Item Title: Presentation of Memorandum of Understanding for UGA Extension Office

### Background Information:

The Extension Office requests that the Board of Commissioners approve and sign an updated Memorandum of Understanding form from the University of Georgia Cooperative Extension State Office.

### Current Information:

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: \_\_\_\_\_

Department Head Authorization: \_\_\_\_\_

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

Finance Dept. Authorization: Vickie Neikirk

Date: 5/25/21

County Manager Authorization: David Headley

Date: 05/25/2021

County Attorney Authorization: \_\_\_\_\_

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

### Comments/Attachments:

**MEMORANDUM OF UNDERSTANDING**  
**Between**  
**THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA**  
**by and on behalf of**  
**THE UNIVERSITY OF GEORGIA**  
**COOPERATIVE EXTENSION**  
**and DAWSON COUNTY**

This Memorandum of Understanding (“MOU”) is made between the Board of Regents of the University of System of Georgia by and on behalf of the University of Georgia Cooperative Extension (hereinafter “UGA Extension”) and Dawson County, a political subdivision of the State of Georgia, by and through its Board of Commissioners, (hereinafter the “County”), for the provision of Cooperative Extension Services and Personnel in Dawson County, Georgia.

WHEREAS, through the Smith-Lever Act of the U.S. Congress of 1914, an Agreement was created between The Board of Regents of the University System of Georgia, the University of Georgia, the University of Georgia Cooperative Extension and the U.S. Department of Agriculture, to allow for Extension work to be conducted in the State of Georgia; and

WHEREAS, for over 100 years UGA Extension has offered services in all 159 counties in the State of Georgia; and

WHEREAS, through county offices throughout the state, UGA Extension continues to offer reliable information and programs in the areas of agriculture, food, families, the environment and 4-H youth development; and

WHEREAS, UGA Extension is able to maintain and operate these programs through the use of UGA Extension personnel; and

WHEREAS, UGA Extension and the County agree that the services provided by UGA Extension Personnel are invaluable to the County’s citizens and community; and

WHEREAS, the County Board of Commissioners is authorized under Article 9, Section 3, Paragraph 1, and Article 9, Section 4, Paragraph 2, of the Constitution of the State of Georgia as amended in 1983, and by O.C.G.A. § 20-2-62 and O.C.G.A. § 48-5-220 to enter into agreements providing for these types of services; and

WHEREAS, all parties agree that it is necessary and appropriate to define the types of UGA Extension operations and personnel and establish parameters for compensation so that all parties are clear on their respective responsibilities and duties;

NOW, THEREFORE, the Parties agree as follows:

## **I. OPERATIONS**

UGA Extension and the County will support all County Extension personnel operationally as set forth in this MOU regardless of employee compensation status.

### **A. UGA EXTENSION agrees to the following:**

1. UGA Extension shall annually appoint a member of the County Extension personnel to serve as the County Extension Coordinator. The Coordinator shall be responsible for the total County Extension program, staff coordination and supervision, and all communications and transactions between the County and the County Extension staff.
2. UGA Extension shall provide County Extension personnel with the necessary educational materials needed for an effective program. UGA Extension also agrees to plan, implement and conduct training as necessary to keep County Extension personnel adequately prepared to conduct effective, relevant Extension programs.
3. UGA Extension shall reimburse all County Extension personnel directly for expenses incurred for officially designated travel authorized by the District Extension Director.
4. UGA Extension shall support County Extension personnel and the Extension program in the County with necessary assistance of District and State subject matter and supervisory personnel and other resources as available from the University of Georgia, the University System of Georgia, and other agencies and organizations with whom UGA Extension cooperates.
5. UGA Extension shall report to the County Board of Commissioners at regular intervals on the nature of the County Extension program and progress being made.

### **B. The COUNTY agrees to the following:**

1. The County shall provide a suitable County Extension office with the suitability of the office to be agreed on by all parties. As a part of the County's budgeting process, the County further agrees to provide sufficient funds to pay for all necessary office supplies, office equipment, telephone, utilities, data communication/networking (including broadband internet connectivity), postage, demonstration materials, janitorial service and other items necessary for the operation of an effective Extension education program.
  - a. Should the County request removal or modification of office network infrastructure deployed and/or managed by UGA Extension, the County shall coordinate with UGA Extension IT personnel prior to the removal or modification of said equipment. The County shall also coordinate with UGA Extension IT personnel prior to the addition of new network infrastructure where the existing network infrastructure has been deployed or is managed by UGA Extension.



- b. The County shall coordinate with UGA Extension IT personnel in planning for the relocation of an existing or establishment of a new Extension office where the network infrastructure and/or computing resources will be managed by UGA Extension.
  - c. The County shall allow the installation and use of client software and unrestricted access to online resources deemed necessary by UGA Extension to conduct Extension business operations and program delivery; provided, however, that, all such software shall comply with any and all County information technology policies relating to security on, and compatibility with, the County’s information technology infrastructure and systems. UGA Extension and the County will jointly determine such compliance prior to installation of any such software.
2. The County shall furnish a county government vehicle or reimburse the travel expenses of County Extension personnel for official travel in the county or on behalf of Dawson County. The reimbursement shall be paid by the County directly to County Extension personnel unless some other method is agreed upon in writing by UGA Extension and the County.
  3. The County shall evaluate financial support to the operations of UGA Extension annually, including compensation of personnel, make adjustments as necessary for continued effective support, and shall notify the UGA Extension of these adjustments. The County Extension Coordinator will prepare and submit for approval an annual operating budget to the County according to standards set by Board of Commissioners for all county departments.

**II. COMPENSATION**

The UGA Cooperative Extension personnel shall be categorized based on the method of compensation they are associated with, as set forth in the attached addendums. UGA Extension and the County shall identify and agree upon the appropriate compensation method and personnel relationship for each employee. The following three options are available (CHECK ALL THAT APPLY):

**X    A. COOPERATIVE DIRECT PAY**

**In choosing Cooperative Direct Pay, the County desires for the County Extension Personnel to receive compensation from both the County and from UGA Extension. The amount of compensation to County Extension Personnel under this option, as well as the County’s and UGA Extension’s responsibility for the County Extension Personnel’s withholding and payment of federal and state taxes and contributions toward retirement benefits, shall be divided proportionally between the County and UGA Extension as set forth in Addendum “A”.**

   **B. COOPERATIVE CONTRACT PAY**

**In choosing Cooperative Contract Pay, the County desires for County Extension Personnel to receive their compensation from UGA Extension payroll. The amount of compensation to County Extension Personnel under this option, as well as the**



The address of County is: 25 Justice Way  
Dawsonville, GA 30534

or such other address as shall be furnished by such notice to the other party.

\_\_\_\_\_  
Chairman, Board of Commissioners, Dawson County

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

\_\_\_\_\_  
County Extension Coordinator, Dawson County

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

\_\_\_\_\_  
Vice President for Public Service and Outreach, University of Georgia

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

## Addendum A

### COOPERATIVE DIRECT PAY

**In choosing Cooperative Direct Pay, the County desires for the County Extension Personnel to receive compensation from both the County and from UGA Extension. The amount of compensation to County Extension Personnel under this option, as well as the County's and UGA Extension's responsibility for the County Extension Personnel's withholding and payment of federal and state taxes and contributions toward retirement benefits, shall be divided proportionally between the County and UGA Extension as set forth in an annual Financial Agreement. Such annual Financial Agreement shall be contingent upon funding as a part of the County's annual budget process.**

1. UGA Extension shall employ and supervise County Extension personnel. It shall be the responsibility of the UGA Extension to establish minimum qualifications for County Extension personnel, certify the qualifications of all applicants, and to determine the total salary applicants are to be paid.
2. UGA Extension shall serve as the employer of record and therefore:
  - a. Provide legally required health insurance; and
  - b. Provide legally required worker's compensation insurance
3. UGA Extension shall appoint County Extension personnel in compliance with Equal Employment Opportunity regulations and subject to the approval of the County. The County will provide UGA Extension with written reasons for each disapproval of an appointment recommendation.
4. In the event the work of any County Extension staff member becomes unsatisfactory to the County, it shall be the responsibility of the County to communicate this dissatisfaction to the District Extension Director of the UGA Extension in writing within a reasonable time frame. It shall then be the responsibility of the UGA Extension to address the County's dissatisfaction and advise the County of action taken, if any. UGA Extension shall have the right to terminate or transfer personnel from the County. UGA Extension may select a replacement for the County, following the procedure described above.
5. UGA Extension shall keep at all times an accurate record of all funds received and disbursed under this agreement including all support documents. UGA Extension shall retain such records for a period of three (3) years unless an audit has begun but not been completed or if the audit findings have not been resolved at the end of the three (3) year period. In such cases, the records shall be retained until the audit is complete or until the resolution of the audit findings, whichever is later. UGA Extension will provide the County with a copy of any and all such audits relating to the County Extension office, personnel, and/or operations upon request by the County.



6. UGA Extension shall carry out all work under this agreement in accordance with the administrative and other requirements, including those related to personnel matters, established by the University of Georgia, federal and state laws, regulations, and standards.
7. UGA Extension shall pay its portion of the salary and associated benefits of County Extension personnel at a rate in compliance with the Board of Regents and the UGA Extension salary administration policies.
8. The County shall provide the agreed upon portion of the salaries and associated benefits of County Extension personnel as set forth in the annual Financial Agreement. Benefits, including leave, shall be calculated according to policies established by the Board of Regents.

The County portion of salary shall be paid monthly by the County directly to County Extension personnel. The County will collect and remit FICA taxes on the County portion of the salary. UGA Extension shall provide monthly statements to the County reflecting the County portion of the employer contribution to the employee's retirement benefit with Teachers Retirement System of Georgia. The reimbursement to UGA Extension for the County's portion of this benefit will be made to the UGA Extension in the full amount within fifteen (15) days of receipt of the statement.

The County portion of employee salaries should be adjusted annually based on performance and/or cost of living increases typical of other County employees in accordance with the County's generally applicable rules or conditions for such adjustments. This adjustment should be reported to UGA Extension 30 days prior to effective date. UGA will not allocate any percentage salary increase on the County portion of the employee's salary.

9. The County agrees to pay its share of the annual leave payment in accordance with University of Georgia and UGA Extension leave policies when an employee terminates employment through resignation or retirement during the term of this MOU and chooses to take a lump-sum payment for accumulated annual leave. Such County share shall be based solely on the individual's time serving the County in his or her capacity as part of the County Extension office.

## Addendum C

### COUNTY FUNDED EXTENSION PERSONNEL

**In choosing County Funded Extension Personnel, the County desires for the County Extension Personnel to be an employee of the County receiving compensation from only the County. The County shall be solely responsible for the County Extension Personnel's salary, benefits (including but not limited to health insurance), withholding of federal and state taxes, and retirement benefits (if any).**

#### **For County Funded Extension Personnel, UGA EXTENSION agrees to the following:**

1. UGA Extension shall establish minimum qualifications for County Extension personnel and certify the qualifications of all applicants.
2. UGA Extension may approve or disapprove appointment recommendations by County of County Funded Extension personnel; provided, however, UGA Extension will provide the County with written reasons for each disapproval of an appointment recommendation.
3. UGA Extension shall supervise and evaluate County Funded Extension personnel according to applicable University of Georgia and the Board of Regents policies and procedures.
4. UGA Extension shall collect, approve and transfer employee work time records to the COUNTY on a weekly or monthly basis as agreed upon.
5. In the event the work of any County Funded Extension personnel becomes unsatisfactory to UGA Extension, it shall be the responsibility of UGA Extension to communicate this dissatisfaction to the County. It shall then be the responsibility of the County to appropriately deal with the dissatisfaction and advise the UGA Extension of action taken, if any. The County shall have the right to terminate or transfer personnel.

#### **For County Funded Extension Personnel, the COUNTY agrees to the following:**

1. The County shall employ and determine the total salary that personnel are to be paid.
2. The County shall provide all salary and associated benefits as per County policy.
3. The County shall serve as the employer of record and therefore:
  - a. Provide legally required health insurance;
  - b. Provide legally required worker's compensation insurance;
  - c. Withhold and pay appropriate FICA and income taxes to the relevant government agencies; and
  - d. Designate supervision of extension personnel to the District Extension Director.
4. Annual salary adjustments for County Extension personnel shall be based on County policy and consistent with such policies for other County employees.

5. No provision of this Addendum, the MOU, or the annual Financial Agreement between UGA Extension and the County shall create any employment rights for such personnel above and beyond any such rights enjoyed by County employees generally.



## DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works Department

Work Session: 06/03/2021

Prepared By: Melissa Hawk

Voting Session: 06/17/2021

Presenter: Denise Farr

Public Hearing: Yes  No

Agenda Item Title: IFB # 328-21 Road Rehabilitation Project for Dawson County

**Background Information:**

The study performed by Dawson County Public Works, Road Department shows that Howser Mill Road, G.W. Taffer Road and Wesley Chapel Road are all in need of a full reclamation and repaving rehabilitation.

**Current Information:**

An IFB was let on May 4, 2021, for pricing to complete the full scope of work necessary to fully renovate the three roads discussed. Two bids were received with Blount Construction being the most responsible and responsive low bidder, in the amount of \$2,394,552.11.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
324	4220	541401	\$5,131,931.48	\$5,131,931.48	\$2,394,552.11	\$2,737,379.37

**Recommendation/Motion:** Staff respectfully requests the Board accept the bids submitted and to award a contract to Blount Construction, not to exceed the amount of \$2,394,552.11 and to utilize SPLOST VI funds for this project.

Department Head Authorization: Denise Farr

Date: 05/25/2021

Finance Dept. Authorization: Vickie Neikirk

Date: 5/25/21

County Manager Authorization: David Headley

Date: 5/25/2021

County Attorney Authorization: \_\_\_\_\_

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

**Comments/Attachments:**

Attachment





The Edge of The World

Photo By: Michele DeBlois

# IFB #382-21 ROAD REHABILITATION PROJECT FOR DAWSON COUNTY

WORK SESSION – June 3, 2021

# Background and Overview

- ❖ SPLOST VI designated \$21,200,000.00 for county road projects.
- ❖ Two roads have been chosen for this project that are in need of full depth reclamation and repaving repairs.
- ❖ These roads are:
  - Houser Mill Road  
This road has been broken out into two parts; one for the city street system and one for the county road system
  - G.W. Taffer Road
  - Wesley Chapel Road

# Procurement Approach and Procedure

## BID ACCORDING TO POLICY

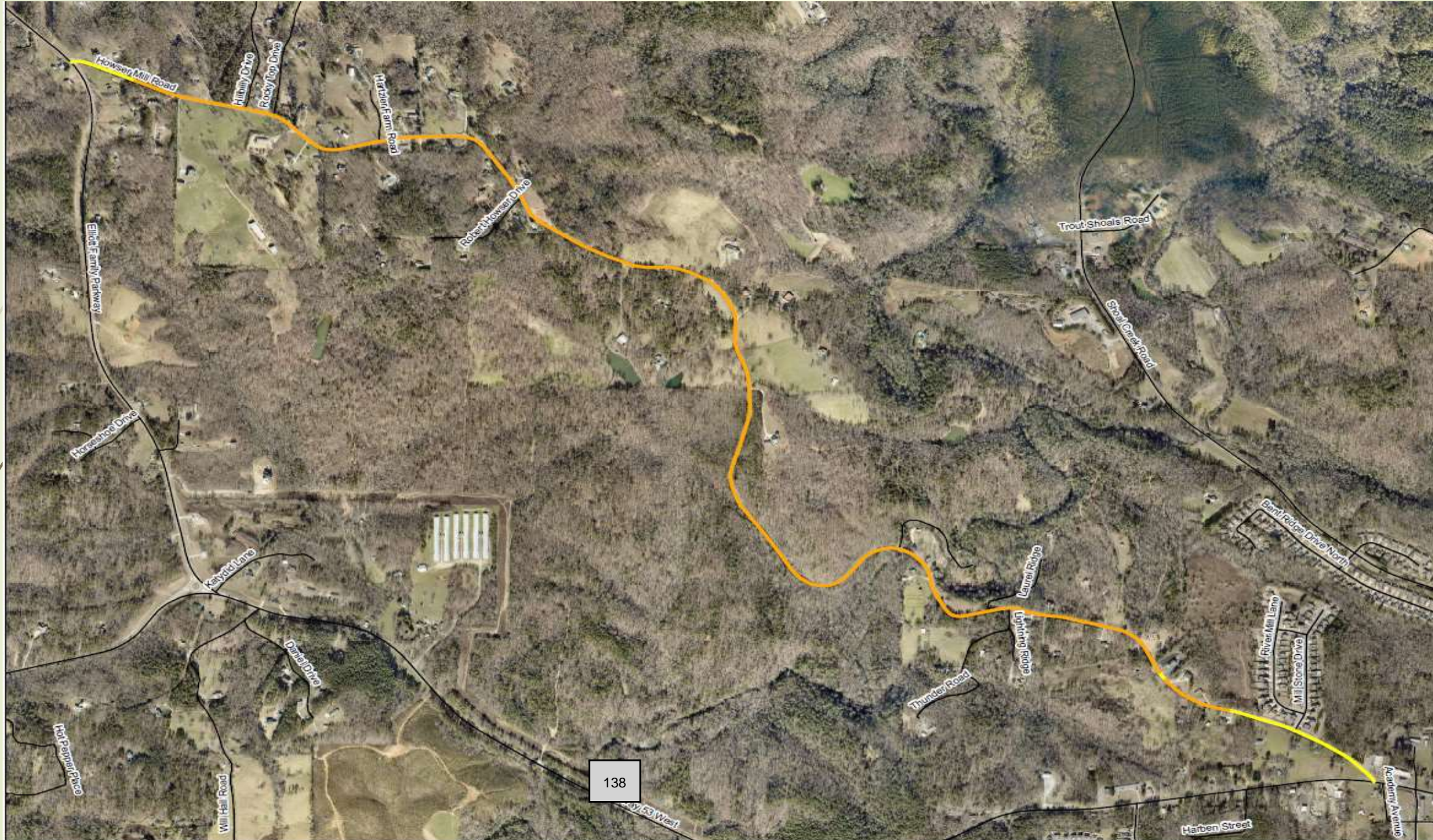
- ✓ Advertised in Legal Organ
- ✓ Posted on County Website
- ✓ Posted on Georgia Procurement Registry
- ✓ Emailed notification through vendor registry
- ✓ Notification through County's Facebook and Twitter accounts
- ✓ Notification through Chamber of Commerce
- ❑ **2 bids received**

# Tasks for the Project

- ❖ Task 1 – Houser Mill Road:
  - Task 1a – Houser Mill Road – City: Intersection of SR 53W to the county road system – approximately 1,300 feet
  - Task 1b – Houser Mill Road – County: Beginning at the city street system to SR 183 – approximately 15,650 feet
  
- ❖ Task 2 – G. W. Taffer Road:
  - Intersection of Lumpkin Campground Road to intersection of Dawson Forest Road - approximately 2,500 feet
  
- ❖ Task 3 – Wesley Chapel Road:
  - Intersection of SR52 to Lumpkin County Line -approximately 1,600 feet



# Map of Howser Mill Road





# Map of G. W. Taffer Road





# Map of Wesley Chapel Road





# Scope of Work

- ❖ Some of the scope of work includes:
  - All GDOT road striping, signage and paving specifications shall be met throughout and upon completion of the project.
  - Paving plan and design mix shall be the contractor's responsibility and shall be submitted and approved prior to starting. All testing shall be the responsibility of the contractor.
  - Contractor pricing will include all driveway tie in with mainline, as well as intersections and turn lanes, if applicable. This includes saw cutting any driveways which protrude out into the widened roadway, if applicable.
  - Contractor pricing will include seeding, sewing and dressing all shoulders to 3% no more than 4% fall following final paving. Shoulders shall be a minimum of 2' from edge of payment as approved by Public Works Director prior to sewing/seeding and straw. Any deviation will be pre-approved by the Public Works Director. Shoulder shall be re-built with materials agreed upon by the Owner and the Contractor, not including millings.
  - Contractor pricing shall include all signage where required during and upon completion of the paving project to meet MUTCD.
  - Materials Transfer Vehicle (MTV) shall be utilized throughout the entire project.

# Offers Received

		BLOUNT CONSTRUCTION	C.W. MATTHEWS
Line Item	Description	Total Estimated Cost	Total Estimated Cost
Phase 1-A	Task 1-A: Houser Mill Road - City: Intersection of SR 53 W to the County Road System. Approximately 1,300 feet	\$182,498.98	\$225,582.50
Line Item	Description	Total Estimated Cost	Total Estimated Cost
Phase 1-b	Task 1-B: Houser Mill Road - County: Beginning at the City Street System to SR183. Approximately 15,650 feet	\$1,666,908.20	\$1,938,362.00
Line Item	Description	Total Estimated Cost	Total Estimated Cost
Phase 2	Task 2: G. W. Taffer Road: Intersection of Lumpkin Campground Road to Intersection of Dawson Forest Road. Approximately 2,500 feet	\$322,358.60	\$354,107.90
Line Item	Description	Total Estimated Cost	Total Estimated Cost
Phase 3	Task 3: Wesley Chapel Road: Intersection of SR52 to Lumpkin County Line. Approximately 1,600 feet	\$222,786.33	\$249,887.20
<b>TOTAL ESTIMATED COSTS FOR ALL WORK:</b>		<b>\$2,394,552.11</b>	<b>\$2,767,939.60</b>
<b>START DATE:</b>		<b>Designs-July/Mix-August</b>	<b>On or about August 1, 2021</b>
<b>DAYS TO COMPLETE PROJECT:</b>		<b>November, 2021</b>	<b>30 days/road - All by November 30, 2021</b>
<b>WARRANTY:</b>		<b>5 years per the IFB document</b>	<b>5 years per IFB contract information</b>



## Staff Recommendation

Staff respectfully requests the Board to accept the bids submitted and to award a contract to Blount Construction, in the amount not to exceed \$2,394,552.11, utilizing SPLOST VI Funds.

DAWSON COUNTY BOARD OF COMMISSIONERS  
APPLICATION FOR APPOINTMENT TO COUNTY  
BOARDS AND AUTHORITIES



The Dawson County Board of Commissioners accepts applications for appointments. Interested parties should submit this form and supporting documentation to the County Clerk.

**Board or Authority Applied for** Dawson County Library Board

**Name** Alexandria (Alex) Williams

**Home Address** 685 Couch Road

**City, State, Zip** Dawsonville, Ga 30534

**Mailing Address (if different)** Same

**City, State, Zip** Same

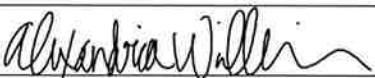
**Telephone Number** \_\_\_\_\_ **Alternate Number** \_\_\_\_\_

**Fax Telephone Number** \_\_\_\_\_

**E-Mail Address** Alexandria.Williams@mwarep.org

**Additional information you would like to provide:**

I am a Financial Advisor with Modern Woodmen of America. I am passionate about  
helping my community and serving the people in it.

**Signature**  **Date** 03/31/2021

**Please note: Submission of this application does not guarantee an appointment.**

**Return to:** **Dawson County Board of Commissioners**  
**Attn: County Clerk**  
**25 Justice Way, Suite 2313**