

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA - THURSDAY, SEPTEMBER 19, 2019
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

A. ROLL CALL

B. OPENING PRESENTATIONS

Recognition of Boy Scout Troop 422 and Blake Wood - Eagle Scout Project- Senior Services Director Dawn Pruett

Development Authority of Dawson County Update (DADC)- DADC Chairman Brian Trapnell

C. INVOCATION

D. PLEDGE OF ALLEGIANCE

E. ANNOUNCEMENTS

F. APPROVAL OF MINUTES

[Minutes](#) of the Work Session held on September 5, 2019

[Minutes](#) of the Voting Session held on September 5, 2019

G. APPROVAL OF AGENDA

H. PUBLIC COMMENT

I. ZONINGS

1. [ZA 19-12](#) – Jan Butterworth requests the rezoning of TMP 037-037 from RA (Residential Agriculture) to RSR (Residential Sub-Rural).

2. [ZA 19-13](#) – Jim King on behalf of Charles Turner requests the rezoning of TMP 107-319-007 from CPCD (Commercial Planned Community Development) to CHB (Commercial Highway Business).

3. [ZA 19-14](#) – Miles Hansford & Tallant LLC requests the rezoning of TMP L05-040, L05-041 and L05-097 from RSR (Residential Sub-Rural) and CHB (Commercial Highway Business) to CHB (Commercial Highway Business).

J. PUBLIC HEARING

1. Proposed County Vape Shop Ordinance (*1st of 1 hearing*)

K. UNFINISHED BUSINESS

1. Land Use Resolution Fee Schedule Update (*Tabled from the September 5, 2019, Voting Session following the 2nd of 2 Public Hearings on the item.*)

L. NEW BUSINESS

1. Consideration of Funding Request for Fire Hydrants

- [2.](#) Consideration of Request for Memorandum of Understanding with Georgia Emergency Management Agency Concerning New Grants Management System
- [3.](#) Consideration of IFB #332-19 - Construction Services for the Senior Services Center - Community Development Block Grant
- [4.](#) Consideration of 2019 County Surplus List
- [5.](#) Consideration of Annexation #C2-000024

M. PUBLIC COMMENT

N. ADJOURNMENT

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

**DAWSON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES – SEPTEMBER 5, 2019
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
4:00 PM**

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

NEW BUSINESS

1. Presentation of Application for Parade and Assembly - *Global Warming Awareness* - Planning & Development Director Jameson Kinley
Planning & Development Director Jameson Kinley said the applicant requests to withdraw its application since the Global Warming Awareness event is expected to be held at another location, within the city limits.

Motion passed 4-0 to approve to accept the request to withdraw the Application for Parade and Assembly - Global Warming Awareness. Gaines/Fausett
2. Presentation of Funding Request for Fire Hydrants- Emergency Services Director Danny Thompson
This item will be placed on the September 19, 2019, Voting Session Agenda.
3. Presentation of Request for Memorandum of Understanding with Georgia Emergency Management Agency Concerning New Grants Management System- Emergency Services Director Danny Thompson
This item will be placed on the September 19, 2019, Voting Session Agenda.
4. Presentation of IFB #332-19 - Construction Services for the Senior Services Center - Community Development Block Grant- Public Works Director David McKee / Senior Services Director Dawn Pruett
This item will be placed on the September 19, 2019, Voting Session Agenda.
5. Presentation of 2019 County Surplus List- Fleet Services Director Shannon Harben
This item will be placed on the September 19, 2019, Voting Session Agenda.
6. Discussion of Association County Commissioners of Georgia 2019 Legislative Leadership Conference Voting Delegate- Chairman Thurmond
This item will be added to the September 5, 2019, Voting Session Agenda for consideration.
7. County Manager Report
This item was for information only.

8. County Attorney Report

Interim County Attorney Davis had no information to report and requested an Executive Session.

EXECUTIVE SESSION

Motion passed 4-0 to enter into Executive Session to discuss potential litigation.

Gaines/Satterfield

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – SEPTEMBER 5, 2019
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

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

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

INVOCATION: Chairman Thurmond

PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

Commissioner Gaines announced that this year's Shore Sweep would begin at 8 a.m. September 14, 2019, at War Hill Park and invited the public to participate.

Chairman Thurmond announced that a groundbreaking ceremony for the new Fire Station 8 would be held September 17, 2019, and invited the public to attend.

APPROVAL OF MINUTES:

Motion passed 4-0 to approve the Minutes of the Work Session held on August 15, 2019. Satterfield/Gaines

Motion passed 4-0 to approve the Minutes of the Voting Session held on August 15, 2019. Nix/Fausett

Motion passed 4-0 to approve the Minutes of the Special Called Meeting held on August 22, 2019. Fausett/Gaines

APPROVAL OF AGENDA:

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

- Addition of No. 7 under New Business:
 - Association County Commissioners of Georgia 2019 Legislative Leadership Conference Voting Delegate

Gaines/Fausett

PUBLIC COMMENT:

None

ZONING:

Chairman Thurmond announced that if anyone had contributed more than \$250 to the

commissioners or chairman in the past two years and wished to speak they would have to fill out a disclosure form, which would be made available to them. Under normal program, 10 minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 19-11 – Chestatee LLC requests to rezone TMP 104-063 from RSR (Residential Sub-Rural) to RA (Residential Agriculture).

Planning & Development Director Jameson Kinley said the applicant wishes to rezone 34.76 acres of a 49.72-acre tract in order to come into compliance and continue to operate a seasonal corn maze as has been done for the past 17 years. Kinley said the Planning Commission recommends approval of the application.

Applicant Fred Stowers, owner of the property, thanked the Board of Commissioners and the Planning Commission for giving him the “opportunity and method to regularize this according to the different interpretations given during the past few months.” Stowers said criminal activity has been “lodged against the property” within the past few weeks and “one way to try to minimize future activity is to put sunlight on it...” He said the Gober family is trying to operate Papa Pat’s Corn Maze on the property and has “been subject to at least three known acts of vandalism,” one of which he said involved the spraying of a “controlled chemical to try to kill most of the corn.” Stowers said he hopes the community continues to support the project and help the Gober family operate a “good local business.”

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application and, hearing none, closed the hearing.

Motion passed 4-0 to approve ZA 19-11. Fausett/Satterfield

PUBLIC HEARINGS:

Land Use Resolution Fee Schedule Update (2nd of 2 hearings; 1st hearing was held at the Dawson County Planning Commission Meeting on August 20, 2019)

Planning & Development Director Jameson Kinley said the last update to the county’s building permit fees occurred in 2001. He presented the board with two options: the first to increase the fees “quite a bit” and the second to increase the fees “even more.” Kinley said the goal for the update is to come more in line with the fees of surrounding counties.

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

The following spoke on the Land Use Resolution Fee Schedule Update:

- Christie Moore, Dawsonville, Georgia - spoke on behalf of the Dawson County Chamber of Commerce. Moore thanked Planning & Development department staff for reaching out to the “people it impacts the most.” She said she understands the need for the fee increase and that the proposed fees seem reasonable. Moore requested the board consider that the majority of the revenue from the new fee structure, if approved, be invested in the Planning & Development department, particularly in the areas of code enforcement and planning.

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

Motion passed 4-0 to table the Land Use Resolution Fee Schedule Update until the September 19, 2019, Voting Session. Gaines/Fausett

Fire Prevention / Protection Ordinance (1st of 1 hearing)

Emergency Services Director Danny Thompson said that it was “determined through legal that we actually had an ordinance that needed to come back before you all – had some basic revisions but really, because of just a technicality and an oversight by a previous board, we somewhat repealed our own ordinance.” Thompson said there are many “moving parts” to the ordinance and “many players” involved, including Public Works, Planning & Development, the Fire Marshal’s Office and Etowah Water & Sewer Authority.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Fire Prevention / Protection Ordinance and, hearing none, closed the hearing.

Motion passed 4-0 to approve the Fire Prevention / Protection Ordinance. Satterfield/Nix

NEW BUSINESS:

Consideration of Resolution to Adopt Fire and Emergency Services Fee Schedule

Motion passed 4-0 to approve the Resolution to Adopt the Fire and Emergency Services Fee Schedule. Nix/Satterfield

Consideration to Move Forward with a Public Hearing for Proposed County Vape Shop Ordinance

Motion passed 4-0 to approve to Move Forward with a Public Hearing for the Proposed County Vape Shop Ordinance. Fausett/Satterfield

Consideration of Coroner's Office Request for Fee Adjustment

Motion passed 4-0 to approve the Coroner's Office Request for a Fee Adjustment – increasing the pickup fee from \$100 to \$125 and the crime lab fee from \$160 to \$200; the morgue fee will remain \$100. Nix/Fausett

Consideration of Application for Parade and Assembly - Bootlegger Triathlon

Motion passed 4-0 to approve the Application for Parade and Assembly - Bootlegger Triathlon. Satterfield/Gaines

Consideration of Special Event Business License Application - Fausett Farms

Motion passed 3-0 to approve the Special Event Business License Application - Fausett Farms. Satterfield/Gaines- Commissioner Fausett abstained

Consideration of 2020 Holiday and Payroll Calendar

Motion passed 4-0 to approve the 2020 Holiday and Payroll Calendar. Nix/Gaines

Consideration of Association County Commissioners of Georgia 2019 Legislative Leadership Conference Voting Delegate

Motion passed 4-0 to approve the appointment of District 3 Commissioner Tim Satterfield as the Association County Commissioners of Georgia 2019 Legislative Leadership Conference Voting Delegate. Gaines/Fausett

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 19.18 Tax Map & Parcel # (TMP): 037 037
Submittal Date: 7-18-19 Time: 9:33 am/pm Received by: [Signature] (staff initials)
Fees Assessed: 250- Paid: check Commission District: 1
Planning Commission Meeting Date: Aug.
Board of Commissioners Meeting Date: Sept.

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jan S Butterworth
Address: _____

Phone: Listed _____ Unlisted _____ Email: Business _____ Personal _____
Status: Owner [] Authorized Agent [] Lessee [] Option to purchase

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

I have _____ /have not participated in a Pre-application meeting with Planning Staff.
If not, I agree _____ /disagree to schedule a meeting the week following the submittal deadline.

Meeting Date: _____ Applicant Signature: Jan S Butterworth

PROPERTY OWNER/PROPERTY INFORMATION

Name: Jan S Butterworth
Street Address of Property being rezoned: 105 Holcomb Rd, Dawsonville, GA 30534

Rezoning from: RA to: RSR Total acreage being rezoned: 10.03

Directions to Property: Hwy 53 W to Holcomb Rd on left, driveway is on left right past Mulkey Rd on left.

7:19 JUL 12 9:33AM

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

Current Use of Property: Residential

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

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

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

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RA South RA East RA West BSRMM

Future Land Use Map Designation: _____

Access to the development will be provided from:

Road Name: _____ Type of Surface: _____

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use: Residential

Existing Utilities: Water Sewer Gas Electric

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

RESIDENTIAL

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

Minimum Heated Floor Area: _____ sq. ft. Density/Acre: _____

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

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

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

19 JUL 12 9:56AM

APPLICATION PROCESSING: STAFF USE ONLY

ZA 19-18

Applicant Name: Jan Butterworth

Application Fee: \$ 250-

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

19 JUL 12 9:36AM

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

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

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

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

None

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

Amount \$ 0 Date: _____

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

Signature of Applicant/Representative of Applicant:

Jan S Butterworth Date: 7-12-2019

**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.

19 JUL 12 9:36AM

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]

ZA 19.12

TMP#: 037037

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>037036</u>	1. <u>Thomas M Tallant</u>	<u>578 Cowart Rd, Dawsonville</u>
TMP <u>037114001</u>	2. <u>Thomas M Tallant</u>	<u>578 Cowart Rd, Dawsonville</u>
TMP <u>037039</u>	3. <u>Joe B Hill</u>	<u>123 Holcomb Rd, Dawsonville</u>
TMP <u>037081</u>	4. <u>Charles & Radge Reese</u>	<u>846 Cowart Rd, Dawsonville</u>
TMP <u>037037001</u>	5. <u>Ashley & Josh Brumbelow</u>	<u>107 Holcomb Rd, Dawsonville</u>
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.

19 JUL 12 9:37 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
31107 Year-Bill No 2018 - 2081	037 037 / 001 LL 473 LD 4-1 FMV: \$218,460.00	2,042.04	0.00 Fees 0.00	0.00	2,042.04	2,042.04	0.00
						Paid Date 11/19/2018 07:32:24	Current Due 0.00
Transactions:	30996 - 31331 Totals	2,042.04	0.00	0.00	2,042.04	2,042.04	0.00

Paid By :

Mr. Cooper

BUTTERWORTH JAN S

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

Check No
 Charge Acct

19 JUL 12 9:37 AM



Overview



Legend

-  Parcels
-  Roads

Parcel ID 037 037 Owner BUTTERWORTH JANS

Class Code Agricultural

Taxing District UNINCORPORATED

Acres 10.03 Physical Address

Assessed Value Value \$218460

Last 2 Sales

Date	Price	Reason	Qual
4/25/2001	0	QC	U
2/6/1998	0	GF	U

(Note: Not to be used on legal documents)

Date created: 7/11/2019

Last Data Uploaded: 7/11/2019 12:37:03 PM

Developed by  Schneider GEOSPATIAL

19 JUL 12 9:37 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 Jan S Butterworth Date 7/12/2019
Witness Jana Vernon Date 07/12/2019

WITHDRAWAL

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

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

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

19 JUL 12 9:37 AM

PROPERTY OWNER AUTHORIZATION

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

105 Holcomb Rd, Dawsonville, GA 30534
037037

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: Jan S Butterworth

Signature of applicant or agent: Jan S Butterworth Date: 7-12-2019

Printed Name of Owner(s): Jan S Butterworth

Signature of Owner(s): Jan S Butterworth Date: 7-12-2019

Mailing address: 105 Holcomb Rd

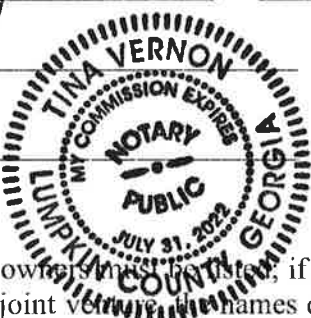
City, State, Zip: Dawsonville, GA 30534

Telephone Number: Listed
Unlisted

Sworn and subscribed before me this 12 day of July, 2019.

Tina Vernon
Notary Public

My Commission Expires: _____ {Notary Seal}



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

19 JUL 12 9:37AM

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

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

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

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

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

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

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

Executed in Dawsonville (city), GA (state)

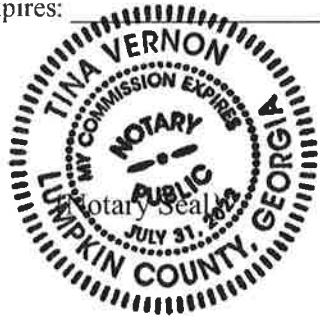
Jan S Buttenworth Date 7-12-2019
Signature of Applicant

Jan S Buttenworth
Printed Name

Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 12 DAY OF July, 2019
Tina Verna Notary Public

My Commission Expires: _____



7/19/2019 9:37AM

July 12, 2019

Dawson County Planning and Zoning

25 Justice Way

Dawsonville, GA 30534

RE: Letter of Intent

It is my intention to divide the property in accordance with the RSR zoning guidelines. I would like to gift 4 acres to my child out of love and consideration as I did for another child 2 years ago.

Thank you,



Jan S Butterworth

105 Holcomb Road

Dawsonville, GA 30534

19 JUL 12 9:37 AM

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT AND RECOMMENDATION**

Applicant.....Jan Butterworth

Amendment #ZA 19-12

Request.....Rezone Property from R-A (Residential Agriculture) to RSR (Residential Sub-Rural)

Proposed UseTo sub divide parcel to gift her child 4 acres

Current ZoningR-A (Residential Agriculture)

Size.....10.03± acres

Location105 Holcomb Rd

Tax Parcel037 037

Planning Commission DateAugust 20, 2019

Board of Commission DateSeptember 19, 2019

Applicant Proposal

The applicant is seeking to rezone the property from R-A (Residential Agriculture) to RSR (Residential Sub Rural) for the purpose of dividing the property in accordance with the RSR zoning guidelines

History and Existing Land Uses

The land was purchased in 2001 by the current owner where they have occupied it since. In 2017 the owner gifted their son 4 (four) acres for the purpose of building his home on.

Adjacent Land Uses	Existing zoning	Existing Use
North	RSRMM	Residential
South	R-A	Residential
East	R-A	Residential
West	RSRMM	Residential

Development Support and Constraints

Having the land zoned for a Residential Sub-Rural would allow the homeowner to gift their other child 4 (four) acres.

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

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

Public Facilities/Impacts

Engineering Department –“No comments necessary.”

Environmental Health Department – No comments returned.

Emergency Services – No comments necessary.

Etowah Water & Sewer Authority –No comments returned.

Dawson County Sheriff’s Office – No comments necessary.

Board of Education – No facility additions would be necessary.

Georgia Department of Transportation –No comments necessary.

Analysis

- It does not conform to the Future Land Use Map and Comprehensive Plan.

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

- A. The existing uses and classification of nearby property.**
Properties surrounding the parcel are zoned residential (R-A & RSRMM).
- B. The extent to which property values are diminished by the particular land use classification.**
There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The property is suitable for the purposed land use classification.

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

The property has been occupied by the owner since it was purchased in 2001.

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

The applicant is looking to gift her child 4 acres so that they have the ability to build their home.

Pictures of Property:



Current Zoning Map:

Dawson County Current Zoning



8/8/2019, 10:41:24 AM

Zoning  RSRMM Parcel
 RA

1:2,257
0 0.01 0.03 0.06 mi
0 0.03 0.05 0.1 km
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,
Planning and Development
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

Future Land Use Map:

Future Land Use Map



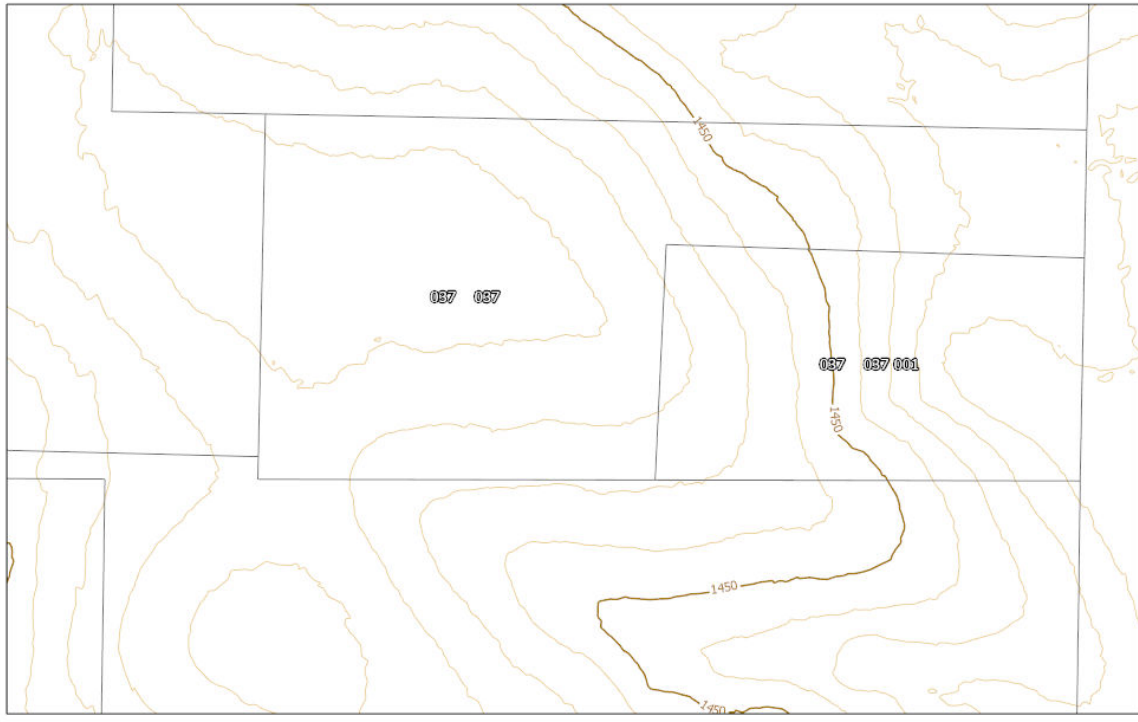
August 8, 2019
FLU
■ RA

1:2,257
0 0.02 0.04 0.08 mi
0 0.04 0.07 0.14 km

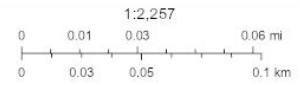
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAM, GeoEye, IGN, Aerotech, W, OnePlace Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Topography:

Topo Map



8/8/2019, 11:21:46 AM



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:



Parcel ID	037 037	Owner	BUTTERWORTH JAN S	Last 2 Sales			
Class Code	Agricultural		105 HOLCOMB RD	Date	Price	Reason	Qual
Taxing District	UNINCORPORATED		DAWSONVILLE GA 30534	4/25/2001	0	QC	U
	UNINCORPORATED	Physical Address	105 HOLCOMB RD	2/6/1998	0	GF	U
Acres	10.03	Assessed Value	Value \$218460				
<i>(Note: Not to be used on legal documents)</i>							

APPROVAL

Public Hearing of Rezoning Request

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

ZA 19-12

Date of Hearing: 8/20/2019

Applicant's Name: Jan Butterworth

Address: Holcomb Rd. Dawsonville, GA 30534

Tax Map Parcel Number: 037 037


Parcel Currently Zoned: R-A

Rezoning Requested: RSR

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

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

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



Chairman Jason Hamby

8/20/2019

Date

Dawson County Planning Commissioner

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 19.13 Tax Map & Parcel # (TMP): 107319007
Submittal Date: 7-12-19 Time: 11:48 am/pm Received by: [Signature] (staff initials)
Fees Assessed: \$2500- Paid: CC Commission District: [Signature]
Planning Commission Meeting Date: Aug.
Board of Commissioners Meeting Date: Sept.

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Pro Truck Outlet, LLC
Address: _____

Phone: Listed _____ Email: _____
 Unlisted _____ Business _____
 Personal _____

Status: Owner Authorized Agent Lessee Option to purchase

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

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

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

Meeting Date: _____ Applicant Signature: _____

PROPERTY OWNER/PROPERTY INFORMATION

Name: Charles Turner, III

Street Address of Property being rezoned: NE corner of Ga 400 & Blue Ridge Parkway

Rezoning from: CPCD to: CHB Total acreage being rezoned: 4.328

Directions to Property: Ga 400 north, property on left right after you cross into Dawson County from Forsyth County. Across Blue Ridge Pkwy from Dawson Fine Wines & Spirits

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

Current Use of Property: Vacant

Any prior rezoning requests for property? Yes if yes, please provide rezoning case #: ZA 03-02

*****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 CHB South CPCD East CPCD West Ga 400

Future Land Use Map Designation: Commercial Highway

Access to the development will be provided from:

Road Name: Blue Ridge Parkway/Ga 400 Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use: Used Car Sales Facility

Existing Utilities: Water Sewer Gas Electric

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

RESIDENTIAL

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

Minimum Heated Floor Area: _____ sq. ft. Density/Acre: _____

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

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

COMMERCIAL & INDUSTRIAL

Building area: 1,500 Sq Ft No. of Parking Spaces: 8 + 94 Sales Exhibit Spaces

ZA 19.13

TMP#: 107 319 007

List of Adjacent Property Owners

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

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

Name

Address

- TMP _____ 1. _____
- TMP _____ 2. _____
- TMP _____ 3. _____
- TMP _____ 4. _____
- TMP _____ 5. _____
- TMP _____ 6. _____
- TMP _____ 7. _____
- TMP _____ 8. _____
- TMP _____ 9. _____
- TMP _____ 10. _____
- TMP _____ 11. _____
- TMP _____ 12. _____
- TMP _____ 13. _____
- TMP _____ 14. _____
- TMP _____ 15. _____

Use additional sheets if necessary.

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
}

N/A

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

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

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

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

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

Amount \$ _____ Date: _____

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

Signature of Applicant/Representative of Applicant:

_____ Date: _____

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

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

PROPERTY OWNER AUTHORIZATION

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

Tax Parcel # 107 319 007

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: Pro Truck Outlet, Inc.

Signature of applicant or agent: _____ Date: 07/12/2019

Printed Name of Owner(s): Charles Turner III

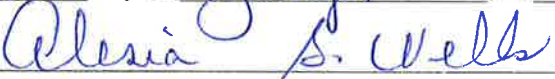
Signature of Owner(s):  Date: 07/12/2019

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed Unlisted _____

Sworn and subscribed before me this 12 day of July, 2019.


Notary Public

My Commission Expires: 6/8/2022



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

DRI INFORMATION

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

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

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

APPLICATION PROCESSING: STAFF USE ONLY

ZA 19-13

Applicant Name: Jim King aka Charles Turner

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

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)

 07/12/2019
Signature of Applicant Date
Charles Turner, III Pro Truck Outlet, Inc.
Printed Name Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 12 DAY OF July, 20 19
Alesia G. Wells Notary Public

My Commission Expires: 6/8/2022



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 a Rezoning for Parcel Number: 107 319 007 to Commercial Highway Business- CHB, in order to develop a Car Sales Business on 4.38 acres on the northeast corner of Ga Hwy 400 and Blue Ridge Parkway. The property was part of the original "Oakmont" development (RZ 03-02) and is currently zoned CPCD. It is bordered on the north and south by other Commercial Properties, the east by the Highland Pointe Neighborhood (also zoned CPCD) and the west by Ga 400. This property is designated as Commercial-Highway on the Future Land Use Plan and the proposed development is in complete conformance with this use.

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

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT AND RECOMMENDATION**

Applicant.....Jim King obo Charles Turner/ Pro Truck Outlet, LLC

Amendment #ZA-19-13

Request.....Rezone Property from CPCD (Commercial Planned Community Development) to C-HB (Commercial Highway Business)

Proposed UseUsed car facility

Current ZoningCPCD (Commercial Planned Community Development)

Size.....4.328± acres

LocationNE Corner of GA Hwy 400 N & Blue Ridge Parkway.

Tax Parcel107-319-007

Planning Commission DateAugust 20, 2019

Board of Commissioners DateSeptember 19, 2019

Applicant Proposal

The applicant is seeking to rezone the property from CPCD (Commercial Planned Community Development) to C-HB (Commercial Highway Business) for the purpose of opening a used car facility.

History and Existing Land Uses

The land is currently vacant but was a part of a master planned CPCD that was zoned in 1999 and the master plan was updated in 2017 omitting this parcel.

Adjacent Land Uses	Existing zoning	Existing Use
North	CPCD	Vacant
South	CPCD	Retail (Liquor Store)

East	CPCD	Vacant
West	C-HB	Commercial

Development Support and Constraints

This parcel has already been approved for this type of commercial use.

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

According to the 2013-2033 comprehensive plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Commercial Highway Business.

Public Facilities/Impacts- No comments returned.

Engineering Department – No comments returned.

Environmental Health Department – No Comments-Property to be serviced by EWSA.

Emergency Services –

“No comments relative to request for rezoning, will reserve those for when civil and architectural plans are submitted if zoning is approved”

Etowah Water & Sewer Authority –

1. Water available at this site? “Yes”
2. Additional Sewer Remarks? “Yes”
3. Additional Water Remarks? Any additions or upgrades must be made at the developer’s expense and up to EWSA standards.

Dawson County Sheriff’s Office –

1. Is police protection in the area adequate presently? “Yes.”
2. Additional police protection remarks? “Minimal impact on law enforcement.”

Board of Education – No comments necessary.

Georgia Department of Transportation – “Coordination with the Department is needed.”

Analysis

Given the previous CPCD zoning, this would be an allowable use within that plan, since that development plan has been updated and this parcel was omitted from the update, the rezoning to C-HB is appropriate.

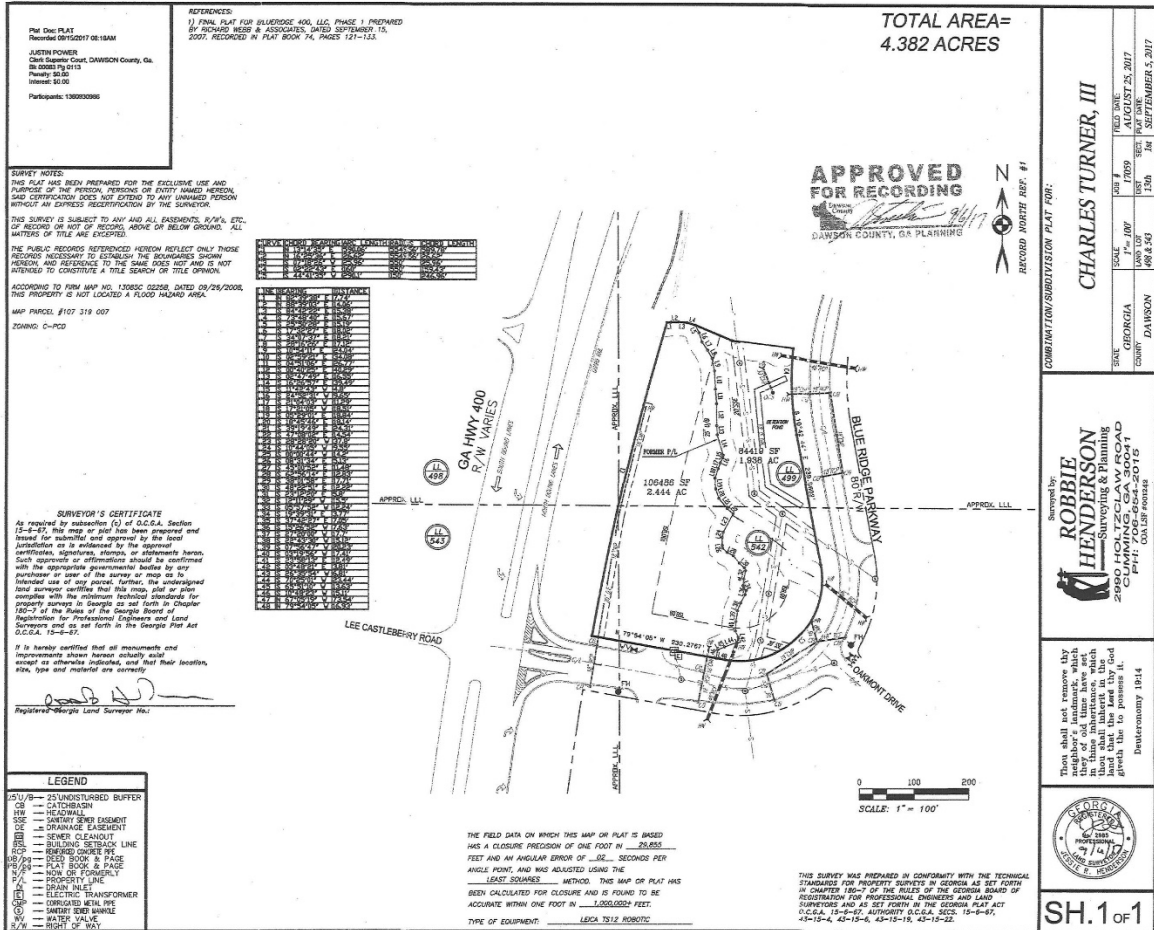
The following observations should be noted with respect to this request:

- A. The existing uses and classification of nearby property.**
Adjacent properties to the North, South, East, and West are commercially zoned and consistent with the Future Land Use Map.
- B. The extent to which property values are diminished by the particular land use classification.**
There should be no diminished values to the surrounding properties.
- 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 subject property is suitable for the purposed 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 is vacant and has been for many years.
- 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 hardship is this development schedule lapsed and needs to go before the board to be updated.

Pictures of Property:

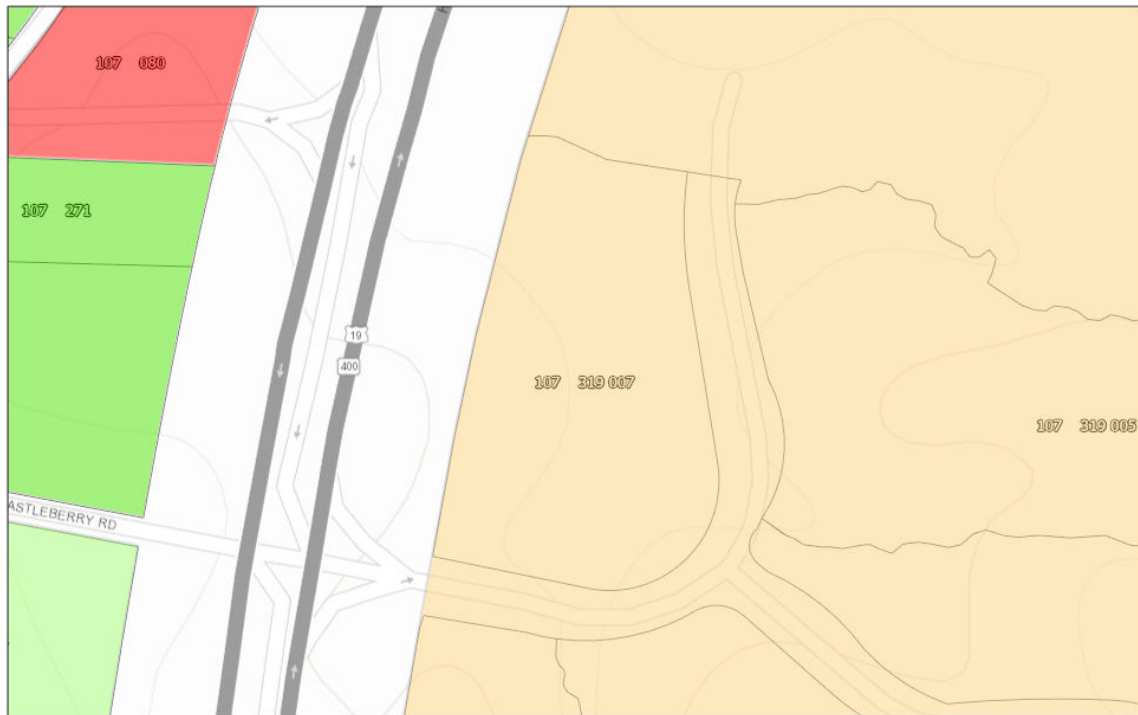


Plat:



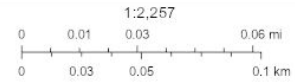
Current Zoning Map:

Dawson County Current Zoning



8/8/2019, 10:40:18 AM

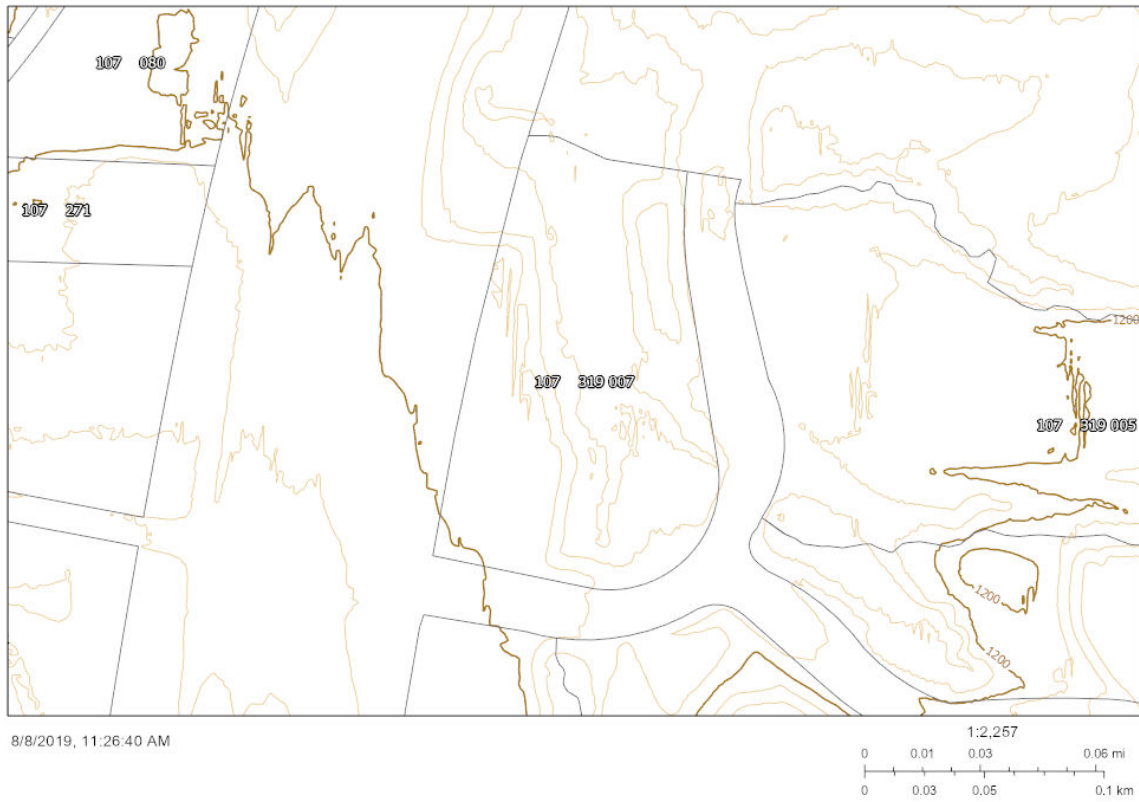
Zoning ■ C-HB ■ C-PCD Parcel
■ RA ■ RSRMM



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, Planning and Development
Forsyth County GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

Topography:

Topo Map



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

Aerial Photo:



Future Land Use:

Future Land Use Map



APPROVAL

Public Hearing of Rezoning Request

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

ZA 19-13

Date of Hearing: 8/20/2019

Applicant's Name: Charles Turner

Address: Hwy 400 N/Blue Ridge Pkwy Dawsonville, GA 30534

Tax Map Parcel Number: 107 319 007


Parcel Currently Zoned: CPCD

Rezoning Requested: C-HB

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

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

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



Chairman Jason Hamby

8/20/2019

Date

Dawson County Planning Commissioner

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

LO5 040
LO5 041
LO5 097

ZA 19.14

Tax Map & Parcel # (TMP): _____

Submittal Date: 7-18-19 Time: 12:00 am/pm Received by: Woj (staff initials)

Fees Assessed: \$2500- Paid: Check Commission District: 3

Planning Commission Meeting Date: August 20, 2019

Board of Commissioners Meeting Date: September 19, 2019

APPLICANT INFORMATION (or Authorized Representative)

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

Address: _____

Phone: Listed _____ Email: Business _____
 Unlisted _____ Personal _____ m

Status: [] Owner [X] 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: 7/2/2019 Applicant Signature: J. Ethan Underwood

PROPERTY OWNER/PROPERTY INFORMATION

Name: See Attached.

Street Address of Property being rezoned: See Attached.

Rezoning from: C-HB & RSR to: C-HB Total acreage being rezoned: Approximately 6.063

Directions to Property: Located at the NE intersection of Price Road and Toto Creek Park Road.

19 JUL 12 12:01 PM

PROPERTY OWNER/PROPERTY INFORMATION

Name: Gary D. Smith & Deborah A. Smith

Street Address of Property being rezoned: 61 Toto Creek Park Road Dawsonville, GA 30534

Rezoning from: C-HB to: C-HB Total acreage being rezoned: Approx. 1.989 Acres

Directions to Property: Located approximately 330 feet east of the NE intersection of Price Road and Toto Creek Park Road.

PROPERTY OWNER/PROPERTY INFORMATION

Name: Ralph H. Knight & Major Knight

Street Address of Property being rezoned: Price Road Dawsonville, GA 30534 Parcel ID L05-041

Rezoning from: RSR to: C-HB Total acreage being rezoned: Approx. 1.328 Acres

Directions to Property: Located at the NE intersection of Price Road and Toto Creek Park Road.

PROPERTY OWNER/PROPERTY INFORMATION

Name: Superior Arbor Management Inc.

Street Address of Property being rezoned: 1378 Price Road Dawsonville, GA 30534

Rezoning from: RSR to: C-HB Total acreage being rezoned: Approx. 2.746 Acres

Directions to Property: Located approximately 640 feet north of the NE intersection of Price Road and Toto Creek Park Road.

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

Current Use of Property: Residential & Vacant

Any prior rezoning requests for property? Yes if yes, please provide rezoning case #: ZA 99-41 & VR99-41

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

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

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RSR South VC East RSR West VC

Future Land Use Map Designation: Lakefront Residential

Access to the development will be provided from:

Road Name: Toto Creek Park Road Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

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

Proposed Use:

Boat, RV, & Vehicle Storage Facility

Existing Utilities: Water Sewer Gas Electric

Proposed Utilities: Water Sewer Gas Electric

RESIDENTIAL

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

Minimum Heated Floor Area: _____ sq. ft. Density/Acre: _____

Type: Apartments Condominiums Townhomes Single-family Other

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

COMMERCIAL & INDUSTRIAL

Building area: Approximately 58,000 sq. ft. No. of Parking Spaces: Approximately 192 (Storage Spaces)

APPLICANT CERTIFICATION

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

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

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

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

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

Signature  Date 7/9/2019
Witness  Date 7/9/19

WITHDRAWAL

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

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

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

ZA _____

L05 040

L05 041

TMP#: L05 097 _____

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>118 008 001</u>	1. <u>Chestatee Golf Club Inc.</u>	<u>653 Night Fire Drive Dawsonville, GA 30534</u>
TMP <u>L05 038 001</u>	2. <u>McDowell Jeffret Douglas & Teresa Ann</u>	<u>1400 Price Road Dawsonville, GA 30534</u>
TMP <u>L05 039</u>	3. <u>Hulsey John</u>	<u>6985 Nicholes Cove Drive Dawsonville, GA 30534</u>
TMP <u>L05 094</u>	4. <u>Dills Bobby E & Judy A</u>	<u>173 Toto Creek Park Road Dawsonville, GA 30534</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.

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: Stuart Scruggs

Application Number: _____

Date Signed: 7-9-2019

Sworn and subscribed before me

this 9th day of July, 2019.



Notary Public

My Commission Expires: 7/12/21



PROPERTY OWNER AUTHORIZATION

I/we, Gary D. Smith & Deborah A. Smith, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

61 Toto Creek Park Road Dawsonville, GA 30534

Parcel ID: L05 040

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: Stuart Scruggs

Signature of applicant or agent: [Signature] Date: 7-10-19

Printed Name of Owner(s): Gary D. Smith & Deborah A. Smith

Signature of Owner(s): [Signatures] Date: 7/10/19

Mailing address: [Address]

City, State, Zip: Dawsonville, Ga. 30534

Telephone Number: Listed [Number]
Unlisted [Number]

Sworn and subscribed before me this 10 day of July, 2019.

[Signature]
Notary Public

My Commission Expires: 2/21/2022



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

PROPERTY OWNER AUTHORIZATION

I/we, Ralph H. Knight & Major Robert Knight, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

Parcel ID LOS 041

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: STUART M SCRUGGS

Signature of applicant or agent: [Signature] Date: 7-9-19

Printed Name of Owner(s): Ralph H. Knight

Signature of Owner(s): Ralph H. Knight Date: 7/11/2019

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed _____
Unlisted _____

Sworn and subscribed before me this 11th day of July, 2019.

Louise Beebe
Notary Public

My Commission Expires: Mar 28, 2020



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

PROPERTY OWNER AUTHORIZATION

I/we, Superior Arbor Management Inc., hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

1378 Price Road Dawsonville, GA 30534

Parcel ID: L05 097

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: Stuart Scruggs

Signature of applicant or agent: [Signature] Date: 7-10-19

Printed Name of Owner(s): Superior Arbor Management Inc.

Signature of Owner(s): [Signature] (President) Date: 7/9/19

Mailing address: _____

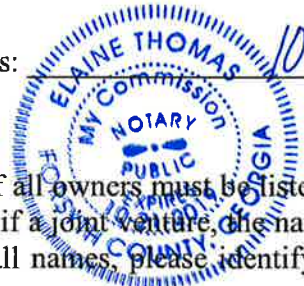
City, State, Zip: _____

Telephone Number: Listed _____
Unlisted _____

Sworn and subscribed before me this 9th day of July, 2019.

Elaine Thomas
Notary Public

My Commission Expires: 10-21-19 {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.)

DRI INFORMATION

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

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

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

APPLICATION PROCESSING: STAFF USE ONLY

ZA 19.14

Applicant Name: Miles Fitzgerald Talant

Application Fee: \$ 2500-

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

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: **Driver's 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 Cumming (city), Georgia (state)

Stuart Scuggs
Signature of Applicant

7-9-2019
Date

Stuart Scuggs
Printed Name

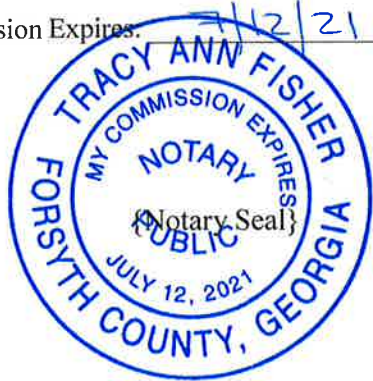
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 9th DAY OF July, 2019

T. Fisher Notary Public

My Commission Expires 7/12/21



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]



J. Ethan Underwood
eunderwood@mhtlegal.com

July 12, 2019

CAMPAIGN DISCLOSURE

Applicant:	Stuart Scruggs
Subject Property:	Approx. 6.063 Acres Designated as Dawson County Tax Parcel(s): L05-040, L05-041, & L05-097
Current Zoning:	C-HB – Community Highway Business & RSR – Residential Sub-Rural
Proposed Zoning:	C-HB – Community Highway Business
Proposed Use:	Boat, RV, & Vehicle Storage Facility
ROW Access:	Toto Creek Park Road

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

This letter constitutes the disclosure of campaign contributions with respect to the above-referenced application and is forms a part of such application.

Sincerely,

Ethan Underwood
Attorney for Applicant



J. Ethan Underwood
eunderwood@mhtlegal.com

LETTER OF INTENT REGARDING LAND USE APPLICATION

Applicant:	Stuart Scruggs
Subject Property:	Approx. 6.063 Acres Designated as Dawson County Tax Parcel(s): L05-040, L05-041, & L05-097
Current Zoning:	C-HB – Community Highway Business & RSR – Residential Sub-Rural
Proposed Zoning:	C-HB – Community Highway Business
Proposed Use:	Boat, RV, & Vehicle Storage Facility
ROW Access:	Toto Creek Park Road

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

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

PROPOSED USE

The Applicant proposes to develop a facility for storage of recreational and marine equipment and vehicles with an approximate total building footprint of 58,000 square feet, facilitating approximately 192 storage spaces. The property is located adjacent to residential uses, and is located between the Chestatee Golf Club and Lake Lanier.

Importantly, one of the component properties (Tax Parcel: L05-040) is currently zoned C-HB and allows development of a boat storage facility.

COMPREHENSIVE PLAN

The Dawson County Comprehensive Plan and the Future Development Map incorporated therein designates the Subject Property as located within the Lakefront Residential Character Area. The Proposed Use conforms to the Comprehensive Plan in that it provides an amenity for future residential development contemplated for this Character Area. Though the Lakefront Residential Character Area is intended to facilitate homes for residents who seek to engage in boating, camping and RV-ing, new residential developments will likely be subject to private covenants that will prohibit the onsite storage of boats, campers and recreational vehicles. In order to facilitate these future residents and maintain

desirable aesthetics, well-maintained and secure commercial storage facilities need to be made available in this Character Area.

In this regard, the Proposed Use will be scaled and landscaped to enhance the architectural quality of the lake community. Heavy landscaping and screening will border the entire development, except at necessary access points, which will be aesthetically landscaped.

IMPACT ON THE LOCAL POPULATION DENSITY PATTERN AND PUBLIC INFRASTRUCTURE

(A) Public Road System

Permanent access to the development will be from the ROW Access. All of the development's interior streets and driveways will be privately-owned and maintained.

Access and traffic are not anticipated to be a problem as traffic generated from the development will be minimal and the entrance will be at a location where sight distance is sufficient. The Applicant anticipates most vehicle trips will be during off-peak traffic hours and on weekends. The Applicant also anticipates the Proposed Use will generate more vehicle trips during summer months, with significant decreases in vehicle trips from October through April.

All curb cuts shall be coordinated and approved by Dawson County and acceleration and deceleration lanes will be installed as required. All streets within the development will be constructed to conform to Dawson County standards. Parking will be provided onsite as required by the Resolution.

(B) County School System

As the Subject Property will be a commercial use, any increase to school population would be due to relocation of employees and their families to the Dawson County area.

(C) Water and Waste Water Systems

The development's water will be provided by the Etowah Water & Sewer Authority. As sanitary sewage treatment is *not* available to the Subject Property, the development's sewage treatment requirements will be served by on-site septic system(s).

(D) Utilities

With regard to public utilities, water and electricity are available to the Subject Property. The impact on public utilities is anticipated to be minimal. The Applicant will install underground utility lines within the development to serve the project on an as-needed basis.

(E) Environmental Impact

The project should also have a minimal impact on the environment. There should be no impact on air quality. Drainage, soil erosion, and sedimentation controls will be extensively utilized on the site after obtaining all required approvals from all applicable regulatory authorities.

The Applicant will submit plans detailing the development for approval by the Dawson County Department of Planning and Development and all other appropriate governmental agencies, based on conformity with applicable land use and development regulations.

Sincerely,



Ethan Underwood
Attorney for Applicant

J. Ethan Underwood
eunderwood@mhtlegal.com

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant:	Stuart Scruggs
Subject Property:	Approx. 6.063 Acres Designated as Dawson County Tax Parcel(s): L05-040, L05-041, & L05-097
Current Zoning:	C-HB – Community Highway Business & RSR – Residential Sub-Rural
Proposed Zoning:	C-HB – Community Highway Business
Proposed Use:	Boat, RV, & Vehicle Storage Facility
ROW Access:	Toto Creek Park Road

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

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

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

The Subject Property is presently suitable for development as proposed in the Application and it is not suitable for development under any other zoning classification, use, or at a density less than that requested by the Applicant. Failure to approve the Application as requested by the Applicant will constitute an arbitrary and capricious abuse of discretion in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the Dawson County Board of Commissioners to approve the Application as requested by the Applicant will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Owner

and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Furthermore, the Board of Commissioners cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the LUR. To do so not only will constitute a taking of the Subject Property as set forth above, but it will also amount to an unlawful delegation of the Board's authority in response to neighborhood opposition, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended. Any zoning conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and Owner that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. As such, the Applicant and Owner reserve the right to challenge any such zoning conditions.

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

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

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

Sincerely,



Ethan Underwood
Attorney for Applicant

2018 Property Tax Statement

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

Bill Number	Due Date	CURRENT YEAR DUE
12666	12/1/2018	\$0.00

Payment Good Through:

Map: L05 040

Last payment made on: 11/20/2018

Location: 61 TOTO CREEK PARK RD

SMITH GARY D

Dear Taxpayer,

This is your 2018 Ad Valorem Property Tax Statement. This bill must be paid in full by 12/01/2018 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: SMITH GARY D
Map Code: L05 040
Description: LL 28 34 LD 13-S
Location: 61 TOTO CREEK PARK RD
Bill Number: 12666
District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$0.00	\$47,300.00	2	47300	12/1/2018	7/3/2018		

TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax	
STATE TAX	47300	18920	0	18920	0	0	0	0	
COUNTY M&O	47300	18920	0	18920	14.599	276.21	0	153.97	
SALES TAX ROLLBACK	0	0	0	18920	-6.461	0	-122.24	0	
SCHOOL M&O	47300	18920	0	18920	15.778	298.52	0	298.52	
TOTALS						23.916	574.73	-122.24	452.49

You can pay your bill in person, by mail, online at www.dawsoncountytax.com, or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, 2018, 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:	\$452.49
Penalty:	\$0.00
Interest:	\$0.00
Other Fees:	\$0.00
Back Taxes:	\$0.00
Amount Paid:	\$452.49
TOTAL DUE:	\$0.00

2018 Property Tax Statement

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

Bill Number	Due Date	CURRENT YEAR DUE
8018	12/1/2018	\$0.00

Payment Good Through:

Map: L05 041

Last payment made on: 12/3/2018

Location:

KNIGHT RALPH H & MAJOR RO

Dear Taxpayer,

This is your 2018 Ad Valorem Property Tax Statement. This bill must be paid in full by 12/01/2018 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: KNIGHT RALPH H & MAJOR RO
Map Code: L05 041
Description: LL 27 35 LD 13S-1
Location:
Bill Number: 8018
District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$9,800.00	\$38,000.00	1.6	47800	12/1/2018	7/3/2018		

TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	47800	19120	0	19120	0	0	0	0
COUNTY M&O	47800	19120	0	19120	14.599	279.13	0	155.6
SALES TAX ROLLBACK	0	0	0	19120	-6.461	0	-123.53	0
SCHOOL M&O	47800	19120	0	19120	15.778	301.68	0	301.68
TOTALS					23.916	580.81	-123.53	457.28

You can pay your bill in person, by mail, online at www.dawsoncountytax.com, or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, 2018, 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:	\$457.28
Penalty:	\$0.00
Interest:	\$0.00
Other Fees:	\$0.00
Back Taxes:	\$0.00
Amount Paid:	\$457.28
TOTAL DUE:	\$0.00

2018 Property Tax Statement

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

Bill Number	Due Date	CURRENT YEAR DUE
13278	12/1/2018	\$0.00

Payment Good Through:

Map: L05 097

Last payment made on: 11/29/2018

Location: 1378 PRICE RD

SUPERIOR ARBOR MANAGEMENT INC

DAWSONVILLE, GA 30534

RETURN THIS FORM WITH PAYMENT

Dear Taxpayer,

This is your 2018 Ad Valorem Property Tax Statement. This bill must be paid in full by 12/01/2018 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

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: SUPERIOR ARBOR MANAGEMENT INC
Map Code: L05 097
Description: LL 34 28 LD 13-S
Location: 1378 PRICE RD
Bill Number: 13278
District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$4,600.00	\$65,700.00	2.8	70300	12/1/2018	7/3/2018		

TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	70300	28120	0	28120	0	0	0	0
COUNTY M&O	70300	28120	0	28120	14.599	410.52	0	228.84
SALES TAX ROLLBACK	0	0	0	28120	-6.461	0	-181.68	0
SCHOOL M&O	70300	28120	0	28120	15.778	443.68	0	443.68
TOTALS					23.916	854.20	-181.68	672.52

You can pay your bill in person, by mail, online at www.dawsoncountytax.com, or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, 2018, 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:	\$672.52
Penalty:	\$0.00
Interest:	\$0.00
Other Fees:	\$0.00
Back Taxes:	\$0.00
Amount Paid:	\$672.52
TOTAL DUE:	\$0.00

Tracy Fisher

From: Ringle, Bill <Bill.Ringle@dph.ga.gov>
Sent: Tuesday, July 09, 2019 1:21 PM
To: Tracy Fisher
Subject: Toto Creek Boat Storage

Ma'am,

I have spoken with Harmony Gee is the Dawson County Zoning Office, and she will send out requests for information once the application for rezoning has been submitted. We do have a septic system permit on file that has expired twice, since 2013. The permit fee will just need to be paid in order for it to be valid again.

At this point, I do not know what you need, if anything. Please feel free to contact me if you do need anything at this point.

Thank you,
Bill

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

Dawson County



6/27/2019, 9:25:58 AM

- Zoning
- RA
- RSR
- VCR
- C-HB
- VC
- Parcel
- RPC

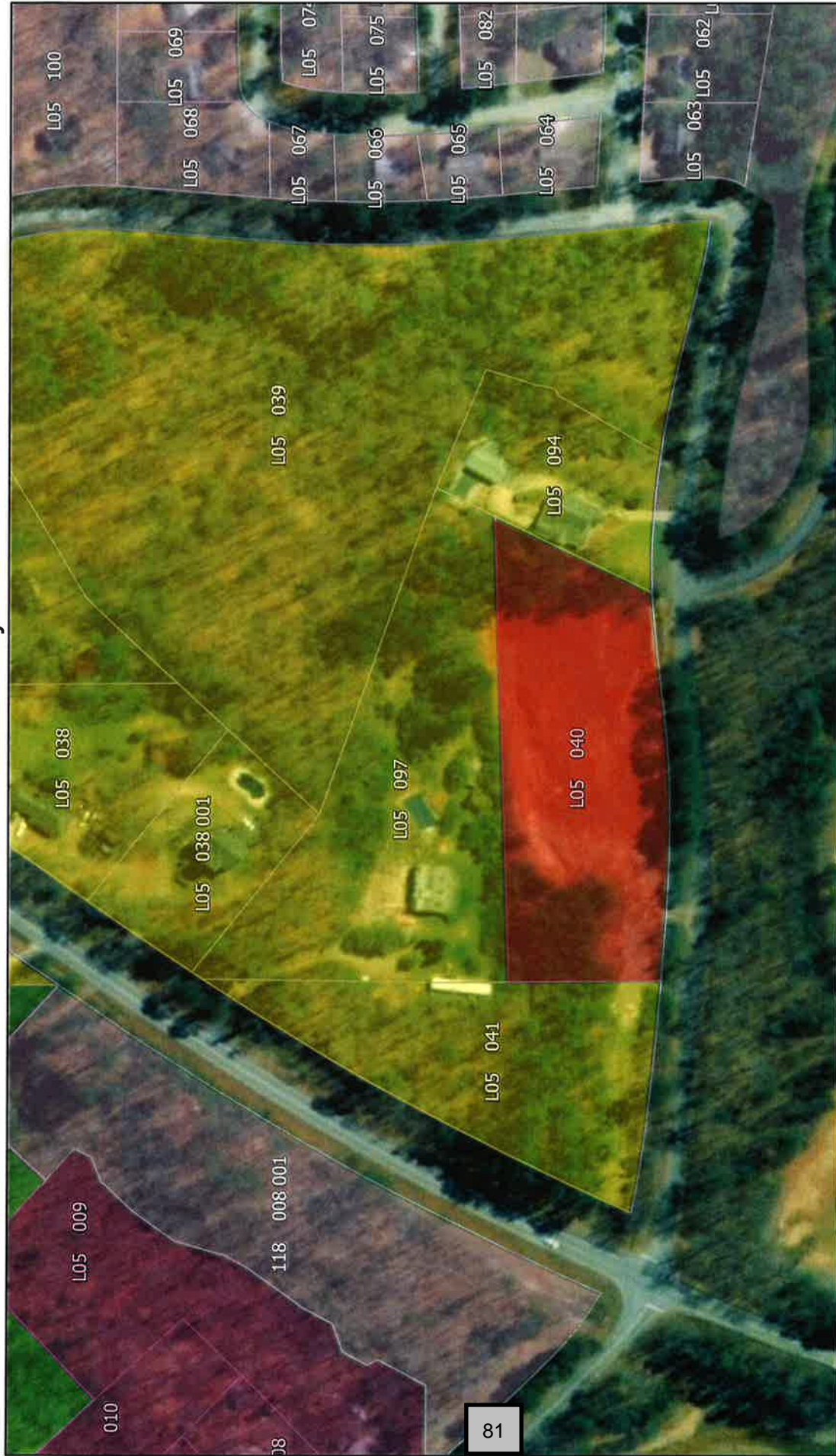
1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Dawson County



7/9/2019, 3:25:22 PM

- Zoning
- RA
- RSR
- C-HB
- VCR
- VC
- Parcel

1:2,257

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0 0.03 0.05 0.1 km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT AND RECOMMENDATION**

Applicant.....Miles, Hansford, Tallant, LLC.

Amendment #ZA 19-14

Request.....Rezone Property from RSR (Residential Sub Rural) & C-HB (Commercial Highway Business) to C-HB (Commercial Highway Business)

Proposed UseTo construct a boat storage facility

Current ZoningRSR (Residential Sub Rural) & C-HB (Commercial Highway Business)

Size.....6.063± acres

LocationNE intersection of Price Rd. and Toto Creek Park Rd.

Tax ParcelL05 040, L05 041, L05 097

Planning Commission DateAugust 20, 2019

Board of Commission DateSeptember 19, 2019

Applicant Proposal

The applicant is seeking to rezone the property from C-HB (Commercial Highway Business) & RSR (Residential Sub Rural) to C-HB (Commercial Highway Business) for the purpose of constructing a Boat/RV/Vehicle storage facility.

History and Existing Land Uses

Parcel L05-040 currently sits undeveloped. Parcel L05-040 was rezoned in 1999 (ZA 99-41) and approved to C-HB for the purpose of opening a restaurant with the stipulation that no boat storages be allowed. The applicant came back in February 2000 (VR99-41) to request a zoning stipulation variance to allow the use of a boat storage facility and that was approved with stipulations. Parcel L05-041 has a mobile home that has been there since approximately 1965 and L05 097 has an home onsite at present.

Adjacent Land Uses	Existing zoning	Existing Use
North	RSR	Residential
South	VCR	US Army Corps (Lake Lanier) Across the cove is residential
East	RSR	Residential
West	VCR	Residential

Development Support and Constraints

The parcels are adjacent to residential properties to the North, South, East & West and does not fall in line with our Future Land Use Map, however, the FLUP map does not take current zonings into consideration. With trucks trailering boats entering Price Road and future bridge construction on Toto Creek Bridge there will need to be coordination with the Public Works department and possibly GDOT.

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 Lakefront Residential. Neither of which take current zonings into consideration which L05-040 is commercially zoned at present.

Public Facilities/Impacts

Engineering Department–No comments returned.

Environmental Health Department – All water and sewer to be managed by Etowah Water and Sewer Authority

Emergency Services –“No comment on the requested zoning change. Will have comments when civil and architectural plans are submitted if zoning approved. Areas to be addressed at that time will include required fire flows, fire apparatus access roads, fire hydrant locations, and consideration of needs for fire sprinklers in structures, etc.”

Etowah Water & Sewer Authority –“Water is available at the site however, sewer is not. Any upgrades or expansion would have to meet EWSA standards and be paid for at the developer’s expense..”

Dawson County Sheriff’s Office – Adequate police protection is in the area.

Board of Education – No facility additions would be necessary.

Georgia Department of Transportation –“This will require GDOT coordination. Jonathan Peevy, P.E.”

Analysis

Should approval be granted to this request, the following stipulations should be considered:

1. Any use of the subject property other than as a Boat, RV, & Vehicle Storage Facility will require approval by the Board of Commissioners.
2. There shall be a graded and replanted 20 ft. buffer around the exterior of the development with required plantings consisting of 2 rows of evergreen trees and 1 row of evergreen shrubs planted in front of the trees. The trees shall be 33.33 percent Cryptomeria, 33.33 percent Arborvitae 'Green Giant' and 33.33 percent Leyland Cypress. All trees must be a minimum of 8 ft. in height at time of planting and spaced no further apart than 12 ft. on center. The shrubs shall be a minimum of 3 ft. in height at time of planting and spaced no further apart than 5 ft. on center. This graded and replanted buffer may be crossed in areas where stormwater drainage, access and utility crossings have been approved. In addition, this graded and replanted buffer shall contain a berm that is a minimum of four (4) feet tall and landscaped in accordance with the provisions above.
3. Each parking stall shall be individually numbered. Vehicles may only be parked in a parking stall, except for temporary (less than 24-hour) parking.
4. Outdoor lighting shall be designed to provide the minimum lighting necessary to ensure adequate safety, night vision and comfort and shall not create nor cause excessive glare upon adjacent properties or public streets or rights-of-way. All light sources shall be located, designed, fitted, aimed, shielded, installed and maintained to limit illumination only to the target area and shall minimize light trespass. Light sources shall not at any time be directed or angled such that the light emitted from the fixture is focused to a point off the property of the owner of such light fixture. Light spillage at any property line abutting a residential zoning district shall be not more than one-half (0.5) foot-candles and not more than one-half (0.5) foot-candles at any property line abutting a public right-of-way.
5. The storage facilitate will only be accessible to the public between the hours of 5:00 am and 10:00 pm.

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

- A. The existing uses and classification of nearby property.**
All adjacent properties are residentially zoned.
- B. The extent to which property values are diminished by the particular land use classification.**
Due to the historic misuse of the boat storage facilities within C-HB zoning

classifications, there could be a potential for a decrease in surrounding residential properties. With that being said, if stipulated properly and held to a higher standard than Dawson County has seen previously, surrounding property values should not be affected.

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

Due to the historic misuse of the boat storage facilities within C-HB zoning classifications, there could be a potential for a decrease in surrounding residential properties. With that being said, if stipulated properly and held to a higher standard than Dawson County has seen previously, surrounding property values should not be affected.

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

There should be no gain to the public if approved.

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

The property is suitable for the purposed land use classification if stipulated properly.

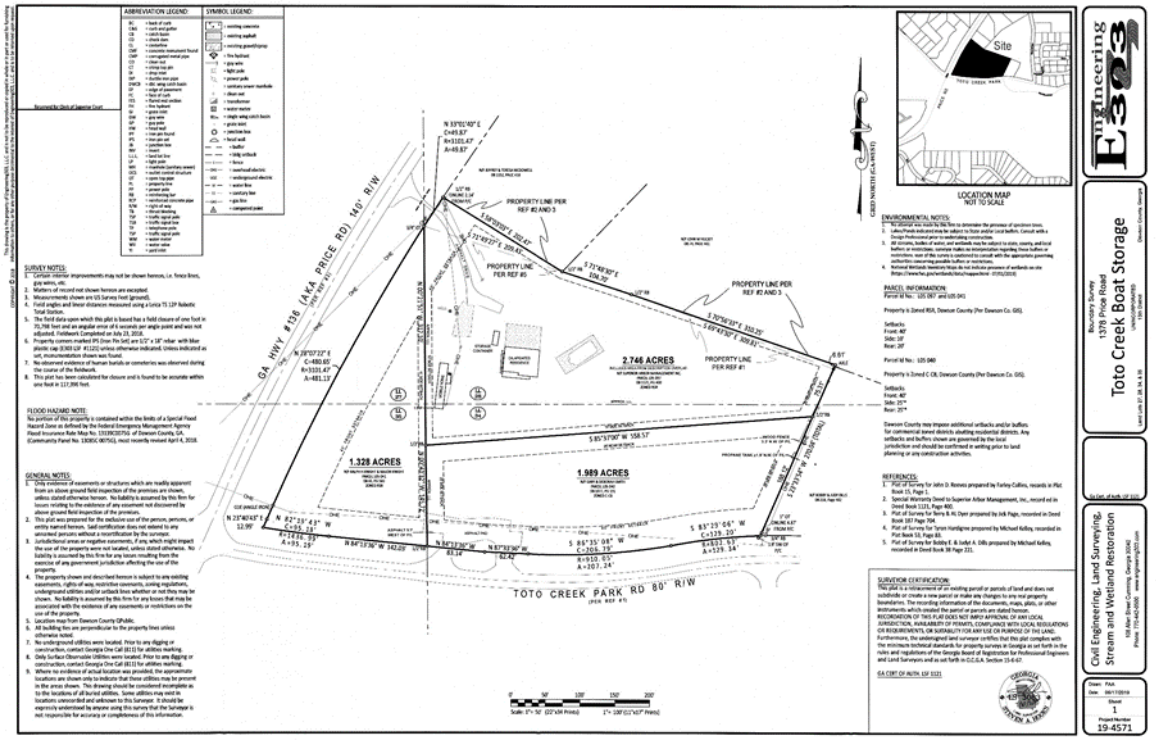
F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.

The commercially zoned property has been vacant for many years and the other two parcels which are residentially zoned the applicant will no longer use for residential purposes.

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.

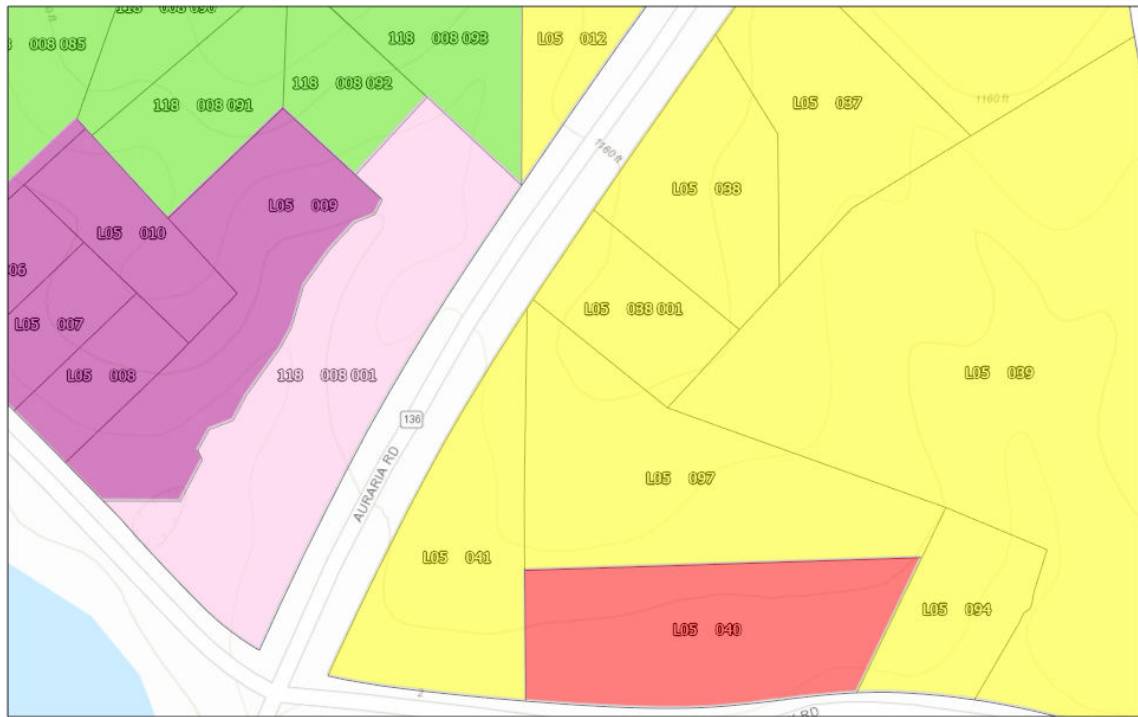
The land that the applicant is seeking to use for commercial purposes is not large enough to accommodate the business that they are seeking to open, hence the need for the additional parcels and the need for rezoning.

Plat:



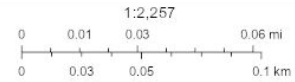
Current Zoning Map:

Dawson County Current Zoning



8/8/2019, 10:38:55 AM

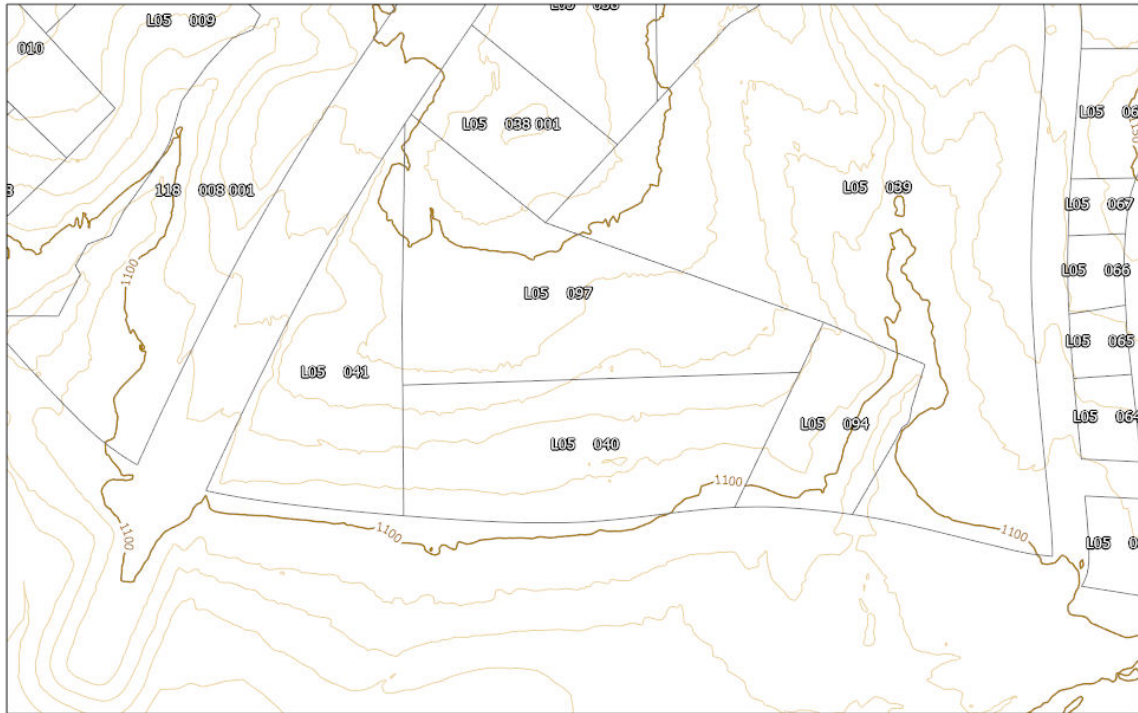
Zoning RSR C-HB Parcel
 RA VCR VC



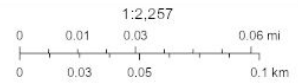
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,
 Planning and Development
 Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

Topography:

Topo Map



8/8/2019, 11:27:45 AM



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:



MINUTES
REGULAR MEETING OF THE
DAWSON COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 27, 2000

EXECUTIVE SESSION: At approximately 6:05 p.m., Commissioner Hughes Nix made a motion to enter into Executive Session to discuss personnel. The motion was seconded by Commissioner Phillips and unanimously approved.

At approximately 6:30 p.m., Commissioner Phillips made a motion to exit Executive Session. Commissioner Hughes Nix seconded the motion and it was unanimously approved.

ROLL CALL: Those present were Chairman Robert Wallace; Commissioner Shane Long, District 1; Commissioner Tracey Phillips, District 2; Vice Chairman Jim King, District 3; and Commissioner Julie Hughes Nix, District 4. Also present were County Attorney Joseph Homans, County Manager Bill Johnsa, County Clerk Cindy Black, and interested citizens of Dawson County, Georgia.

CALL TO ORDER: Chairman Robert Wallace called the meeting to order at 6:30 p.m.

INVOCATION: Commissioner Phillips gave the invocation.

INTRODUCTION: County Attorney Joseph Homans gave the introduction by explaining that the meeting would follow *Robert's Rules of Order*. He advised everyone present that Chairman Wallace would run the meeting and that he should acknowledge any comments or questions. Attorney Homans asked all present to please address any comments to the Commission, not to the audience. Attorney Homans then explained the process for the rezoning and variance requests to be heard.

With the completion of roll call, invocation and the introduction, Chairman Wallace began the meeting with the announcements. Every item thereafter was introduced by Chairman Wallace and presented at his instruction as stated in these minutes. Documents supporting the items in these minutes will be retained as part of the official record.

ANNOUNCEMENTS: Attorney Homans read verbatim the Proclamation to declare April 2000 as Child Abuse Prevention Month in Dawson County, Georgia. It was signed by Chairman Wallace and attested by the County Clerk, Cindy Black.

APPROVAL OF MINUTES: Commissioner Phillips made a motion to approve the minutes of the meeting of March 13, 2000, as submitted. Commissioner Hughes Nix seconded the motion and it was approved unanimously.

CONSENT AGENDA: Upon motion by Commissioner Phillips, seconded by Commissioner Hughes Nix, the following Consent Agenda items were unanimously approved:

- Award of bid for the cattle underpass at Harmony Church Road and Overlook Drive to Grizzle Grading and Excavating in the amount of \$80,402.00.
- Approval of mapping maintenance contract for Tax Assessors office with Tri-State Mapping.

ZONING REQUESTS:

VR99-41: Ms. Terry Dyer was approved on 10/25/99, with conditions, to rezone 2 acres of property, TMP L05-40, from C-CB (Community Business Commercial) to C-HB (Highway Business Commercial). Location: 61 Toto Creek Park Road. One condition was no boat storage on the property. The applicant wishes to amend this condition to allow boat storage on the property.

No one was present to speak in favor of the request.

Claire Lewis spoke against the request. Ms. Lewis stated that on the original request in October 1999, there was no specific layout shown on the plans as to the number of boats planning to be stored or the planned setback from the road. She asked that these items be present in the current application if the request is to be approved.

There was some discussion as to why the applicant was not present. There was also some question as to whether the applicant is aware of the new meeting time of 6:30 p.m. instead of 7:00 p.m. as the time was in October 1999.

The public hearing was then declared closed.

Commissioner Phillips made a motion to table the request. Vice Chairman King seconded the motion and it was approved unanimously.

VR00-04: Fred & Kathy Tosh have made a request for a variance to section 305.C.3 of the Land Use Resolution of Dawson County to reduce the front setback from the required 40 ft. to 35 ft. and to reduce the side yard setback from the required 10 ft. to 5 ft. in order to construct a garage/hobby structure. TMP: L11-013. Location: 855 Lula Garrett Road.

Mr. Fred Tosh spoke in favor of the request. Mr. Tosh explained to the Board that his family needs a separate garage for the storage of boat trailers and the like. They will be moving to this resident full-time in the next year. The lot consists of 8 distinct terraces between the road and the lake's edge. The second terrace is the only appropriate and available space to build the proposed garage. The setback is needed for the purpose of providing more street appeal of the garage and the home. The front porch on the garage would possibly infringe upon the 40 ft. front setback requirement; and to provide an available parking pad and turn around, the garage needs to be placed to the left of the home, which would impose the 5 ft. side yard setback.

Dan Stinson, adjoining property owner, spoke against this request. He has owned his home since 1979 and bought it as a retreat to get away from the crowds and traffic in Atlanta. He feels it is too close to allow someone to come within 5 feet of his property line. Mr. Stinson stated that the lots in this area are very narrow on the front side, and this garage will be crowding the area. He stated that the proposed lay out would, in fact, make the garage removed from the front of Mr. Tosh's home, but at the same time, it would move it closer to his own home. He's unhappy with the possible encroachment and asks that the Board deny the request.

Mrs. Barbara Stinson also spoke against the request. She is very upset and is concerned about the height of the building. Her understanding is that there is a law regarding heights and she is curious as to how tall this intended building will be.

Mr. Tosh spoke again, to help clear up the Stinson's questions. He doesn't know the exact height of the intended garage, but with 8 ft. ceilings and two stories, he assumes it will be approximately 16 to 20 feet in height.

The public hearing was declared closed.

Vice Chairman King made a motion to deny this request. Commissioner Hughes Nix seconded the motion. The vote was 3-1 in favor of denying the request. Commissioner Long was the one vote in favor.

VR99-41: Commissioner Hughes Nix made a motion to remove this request from the table. Vice Chairman King seconded the motion and it was approved unanimously.

As the applicant had arrived at the meeting, the public hearing was reopened and those in favor of this request were asked to come forward.

Mr. Don Arsenault spoke in favor of this request. He stated that he purchased this property from Ms. Terry Dyer several months ago. When he purchased the property, the zoning did allow for boat storage. In drawing up the application for the restaurant and zoning of the restaurant, Mr. Arsenault inadvertently rezoned the entire parcel, instead of just the portion containing the restaurant. He is now asking for the zoning to be placed back to the original status to allow for the boat storage.

Attorney Homans reminded everyone that Ms. Claire Lewis had already spoke in opposition of this request.

The public hearing was then declared closed.

Vice Chairman King made a motion to approve this request with the following stipulations:

- Lighting be low level cut-off luminaries so as not to shine onto adjacent properties;
- All boat storage will be covered with no outside boat storage allowed;
- The setbacks shall be as follows: 25 ft. side setback; 25 ft. rear setback; and 40 ft. front setback.
- 20 ft. landscape strip shall be planted along all public roads with 3" caliper trees planted 30 ft. on center.

Commissioner Long seconded the motion and it was approved unanimously.

COUNTY ATTORNEY REPORT:

AMENDMENT TO LAND USE RESOLUTION: C-PCD

County Attorney Homans called for the second public hearing on an ordinance to amend section 404 of the Land Use Resolution of Dawson County, Georgia, C-PCD (Commercial Planned Comprehensive Development) District.

The primary change is under Section A.2 of the current ordinance. There is no provision regarding density in multi-family residential uses. The amendment would provide the following: "Upon a determination by the County Commission that same will not be a hazard or detrimental to the community, multi-family residential uses that do not exceed a density of six (6) units per acre."

There was no one to be heard at the public hearing and it was declared closed. Attorney Homans then advised that this matter is now right for a consideration by the Board.

Commissioner Phillips made a motion to approve the amendment. Vice Chairman King seconded the motion and it was approved unanimously.

COMPREHENSIVE LAND USE PLAN

Attorney Homans advised the Board that at their instruction, he has met with the new Planning Director, Kip Padgett, and reviewed the Comprehensive Plan. Attorney Homans then deferred to Mr. Padgett for any further comment on the Comprehensive Plan.

Mr. Padgett stated to the Board that he has reviewed the future Land Use Plan with Mr. Homans and has found it to be in compliance. He had no further comment than to say that with the Board's approval, he will forward this plan on to the Regional Development Center for approval.

Commissioner Phillips made a motion to approve the Comprehensive Land Use Plan in order for Mr. Padgett to forward it to RDC for their approval. Commissioner Hughes Nix seconded the motion and it was approved unanimously. There was some discussion about the overlay districts, and it was determined that without RDC approval on the original plan, any decisions regarding the overlay districts will be premature.

Zoning Conditions for Miles, Hansford & Tallant, LLC. ZA 19-14

Exhibit A

1. Any use of the subject property other than as a Boat, RV, & Vehicle Storage Facility will require approval by the Board of Commissioners.
2. There shall be a graded and replanted 20 ft. buffer around the exterior of the development with required plantings consisting of 2 rows of evergreen trees and 1 row of evergreen shrubs planted in front of the trees. The trees shall be 33.33 percent Cryptomeria, 33.33 percent Arborvitae 'Green Giant' and 33.33 percent Leyland Cypress. All trees must be a minimum of 8 ft. in height at time of planting and spaced no further apart than 12 ft. on center. The shrubs shall be a minimum of 3 ft. in height at time of planting and spaced no further apart than 5 ft. on center. This graded and replanted buffer may be crossed in areas where stormwater drainage, access and utility crossings have been approved. In addition, this graded and replanted buffer shall contain a berm that is a minimum of four (4) feet tall and landscaped in accordance with the provisions above.
3. Each parking stall shall be individually numbered. Vehicles may only be parked in a parking stall, except for temporary (less than 24-hour) parking.
4. Outdoor lighting shall be designed to provide the minimum lighting necessary to ensure adequate safety, night vision and comfort and shall not create nor cause excessive glare upon adjacent properties or public streets or rights-of-way. All light sources shall be located, designed, fitted, aimed, shielded, installed and maintained to limit illumination only to the target area and shall minimize light trespass. Light sources shall not at any time be directed or angled such that the light emitted from the fixture is focused to a point off the property of the owner of such light fixture. Light spillage at any property line abutting a residential zoning district shall be not more than one-half (0.5) foot-candles and not more than one-half (0.5) foot-candles at any property line abutting a public right-of-way.
5. The storage facilitate will only be accessible to the public between the hours of 5:00 am and 10:00 pm.
6. A minimum 6-foot tall, black or green vinyl-coated chain link fence.
7. An additional 40 ft. buffer between the development and the residence on the Eastern property line.

In regards to ZA 19-14 a motion was made for denial by Emory Dooley and no second was made. Neil Hornsey then made a motion for approval with the following stipulations:

1. Any use of the subject property other than as a Boat, RV, & Vehicle Storage Facility will require approval by the Board of Commissioners.
2. There shall be a graded and replanted 20 ft. buffer around the exterior of the development with required plantings consisting of 2 rows of evergreen trees and 1 row of evergreen shrubs planted in front of the trees. The trees shall be 33.33 percent Cryptomeria, 33.33 percent Arborvitae 'Green Giant' and 33.33 percent Leyland Cypress. All trees must be a minimum of 8 ft. in height at time of planting and spaced no further apart than 12 ft. on center. The shrubs shall be a minimum of 3 ft. in height at time of planting and spaced no further apart than 5 ft. on center. This graded and replanted buffer may be crossed in areas where stormwater drainage, access and utility crossings have been approved. In addition, this graded and replanted buffer shall contain a berm that is a minimum of four (4) feet tall and landscaped in accordance with the provisions above.
3. Each parking stall shall be individually numbered. Vehicles may only be parked in a parking stall, except for temporary (less than 24-hour) parking.
4. Outdoor lighting shall be designed to provide the minimum lighting necessary to ensure adequate safety, night vision and comfort and shall not create nor cause excessive glare upon adjacent properties or public streets or rights-of-way. All light sources shall be located, designed, fitted, aimed, shielded, installed and maintained to limit illumination only to the target area and shall minimize light trespass. Light sources shall not at any time be directed or angled such that the light emitted from the fixture is focused to a point off the property of the owner of such light fixture. Light spillage at any property line abutting a residential zoning district shall be not more than one-half (0.5) foot-candles and not more than one-half (0.5) foot-candles at any property line abutting a public right-of-way.
5. The storage facilitate will only be accessible to the public between the hours of 5:00 am and 10:00 pm.

No second was made. Chairman Hamby then spoke to the board stating that a move and second was necessary for the hearing. Tim Bennett spoke to say that he understood both sides. Neil Hornsey made a motion for approval with the added stipulation that a 40 ft buffer between the development and the established residence, seconded by Tim Bennett. The motion was carried at a 2 approval (Hornsey/Bennett), 1 abstention (Hamby), and 1 denial (Dooley).



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: 08/01/2019

Prepared By: Harmony Gee

Voting Session: 8/15/2019

Presenter: Jameson Kinley _____

Public Hearing: Yes No

Agenda Item Title: Presentation of County Vape Shop Ordinance

Background Information:

The Planning & Development department has discussed the need for a vaping ordinance.

Current Information:

See attached proposed ordinance.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: _____

Date: _____

Finance Dept. Authorization: _____

Date: _____

County Manager Authorization: DH _____

Date: 7/25/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

AN ORDINANCE OF THE DAWSON COUNTY BOARD OF COMMISSIONERS TO PROVIDE FOR LICENSING OF VAPE SHOPS, IMPOSE RESTRICTIONS ON OPERATION OF VAPE SHOPS, AND RESTRICT USE OF VAPOR PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS AROUND SCHOOLS AND CHURCHES; TO REPEAL CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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

WHEREAS, the Board of Commissioners of Dawson County has determined that it is in the public interest to regulate the sale and use of vapor products and alternative nicotine products to the extent consistent with Georgia law; and

WHEREAS, the Dawson County Board of Commissioners has determined to adopt an ordinance regulating these matters;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Dawson County, Georgia, as follows:

SECTION 1.

Chapter 30, Article II of the Code of Dawson County, Georgia is amended as shown in Exhibit A hereto.

SECTION 2.

Chapter 34, Article I of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit B hereto.

SECTION 3.

Chapter 38, Article II of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit C hereto.

SECTION 4.

If any section, provision or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted had such invalid portion not been included herein.

SECTION 5.

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective on January 1, 2020, the public good demanding the same.

SO ORDAINED this ____ day of _____, 2019.

Dawson County Board of Commissioners

Billy Thurmond, Chairman

Sharon Fausett, Member

Chris Gaines, Member

Tim Satterfield, Member

Julie Hughes Nix, Member

Attest:

By: _____
Kristen Cloud, County Clerk

[COUNTY SEAL]

Exhibit A

Chapter 30, Article II of the Code of Dawson County, Georgia is amended as follows:

1. Section 30-115 is amended by adding a new subsection (b)(4) as follows: “Vape shops as defined in section 30-363.”
2. A new Section 30-128 is added reading as follows: “Sec. 30-128 – Incorporation of Vape Shop License into Business License. As provided in Division 10 of this Article, a license to sell “alternative nicotine products” and “vapor products” (as defined in Division 10) shall, if approved, be issued as a component of an applicant’s business license. Additional application materials and fees will be required from any applicant seeking to have this licensure component included in its business license.”
3. Chapter 30, Article II of the Code of Dawson County, Georgia is amended by adding a new Division 10 containing the following text:

DIVISION 10. – VAPE SHOPS

Sec. 30-362. - State law reference.

The rules and regulations set forth in this division shall govern the operation of all vape shops in the unincorporated areas of Dawson County. This division is adopted under the home rule provisions of Art. IX, Section III, Paragraph I of the state constitution (Ga. Const. art. IX, § III, ¶ I).

Sec. 30-363. – Definitions.

For the purposes of this section, the following terms shall have the following meanings:

- (a) "Alternative nicotine product" shall mean any noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. The term "alternative nicotine product" shall not include any tobacco product (as defined in Ga. R&Reg. 560-8-1.01), vapor product, or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.
- (b) “Flavored vape juice” shall mean vape juice containing an artificial or natural flavor of a fruit, herb, or spice (other than tobacco or menthol), including without limitation strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry, or coffee, that is a characterizing flavor of the product or product smoke.
- (c) "Person" shall mean and refer to any individual, natural person, partnership, firm, corporation, joint venture, proprietorship, business entity, association, agency, group, organization or group of persons or any other entity.

- (d) “Specialty vape shop” shall mean a vape shop whose sales of alternative nicotine products and vapor products, combined, exceed twenty-five percent (25%) of the aggregate retail sales of the shop, as determined by averaging sales from the prior three months.
- (e) “Vape juice” shall mean any substance that contains nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device; and
- (f) “Vapor product” shall mean any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. The term "vapor product" shall include any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, any vape juice, and any vapor cartridge or other container for vape juice. The term "vapor product" shall not include any tobacco product (as defined in Ga. R&Reg. 560-8-1.01), or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.
- (g) “Vape shop” shall mean any business whose product line for retail sale includes alternative nicotine products and/or vapor products.
- (h) “Verified sales report” shall mean a document, sworn to as complete and accurate before a notary public, showing the applicant's total receipts and receipts from sales of alternative nicotine products and vapor products for each month in the prior year.

Sec. 30-364. - Licenses generally; expiration and application dates; renewals.

- (a) Before beginning the business of operating a vape shop, an operator shall first obtain a license to conduct such a business. Only persons who are a minimum of 21 years old will be eligible to obtain a license to operate a vape shop. The application for a license to operate a vape shop shall be made to the County Planning and Development Department, in conjunction with the application for a business license under Division 3 of this Article. Except as specifically provided in this Division 10, the application for, and issuance of, a vape shop license shall be performed in conjunction with, and subject to the terms of, the business licensing process as described in Divisions 2 and 3. No separate paper license will be issued for operation of a vape shop; instead, permission to operate a vape shop will be indicated on the granted business license.
- (b) All persons operating a vape shop under a County business license prior to January 1, 2020 shall file an application for a vape shop license in connection with the shop’s next annual business license renewal application and shall meet the application requirements of this division.
- (c) All licenses issued under this division shall:
 - (1) Permit the licensee to sell alternative nicotine products and vapor products within Dawson County and outside municipalities in Dawson County, Georgia, pursuant to the terms of this division and not inconsistent with the laws of the State of Georgia and of the United States;

- (2) Be subject to the restrictions on transfer of business licenses under Section 30-106, except that a vape shop license may not be transferred from one location to another without the prior approval of the County upon written application; and
 - (3) Be subject to all terms and conditions imposed or provided for by future provisions or amendments to this vape shop ordinance.
- (d) In addition to the administrative fee imposed for a business license, a separate nonprorated, nonrefundable administrative fee of \$25.00 shall be required on all applications for a vape shop license.

Sec. 30-365. - Application for license; issuance of license; denial; appeal; renewal

- (a) *Application Contents.* Each application for a vape shop license, in addition to the standard requirements of an application for a business license, shall provide the following:
- (1) A verified sales report with each license renewal application (i.e., excluding an initial application for a vape shop license); and
 - (2) A survey (dated no more than 180 days prior to submission of the application), certified by a registered surveyor of the State of Georgia, showing a scaled drawing of the premises, the location on the premises where the applicant desires to sell any item of alternative nicotine product and/or vapor product and the distance to the nearest church building, school building, educational building, school grounds or college grounds, and college campus building. The distance shall be measured in a straight line from the front door of the proposed licensed premise to the front door of the church, day care, or treatment facility, and from the front door of the proposed licensed premise to the nearest property line of the real property used for school, college or educational purposes.
- (b) *Grant/Denial.* Grant or denial of applications for a vape shop licenses shall follow the process provided for businesses licenses. No license shall be issued if any of the following are true:
- (1) An applicant is not at least 21 years of age.
 - (2) In the case of a license renewal application, the applicant's verified sales report shows that it operated a specialty vape shop during any consecutive three-month period in the prior year.
 - (3) An applicant is not the owner of the premises for which the license is held or the holder of the lease thereon for the period covered by the license.
 - (4) An applicant has had an application for a license denied under the provisions of this division and has made re-application within one year from the final date of such denial. For purposes of this provision, the final date of a denial of license shall be the date of written notice of such denial if the denial is not appealed; or, if the denial is appealed, the date of written notice of denial of the appeal.
 - (5) An applicant has had a license revoked under the provisions of this division within three years from the date of application. For purposes of this provision, the final date of a revocation of license shall be the date of written notice of such revocation

if the revocation is not appealed; or, if the revocation is appealed, the date of written notice of denial of the appeal.

- (6) An applicant seeks a license to operate a vape shop at a location where the County has suspended or revoked a vape shop license in the previous 36 months; and
 - (A) The applicant worked at that shop when the license was revoked or suspended; or
 - (B) The applicant is related (by blood or marriage within the 5th degree) to the person holding the revoked or suspended license at the location in question.
- (7) A proposed business fails to comply with the minimum distance limits set forth in this division.
- (8) An applicant fails to pay required fees.
- (9) An applicant refuses to respond to requests for information, or provides untruthful or substantially inaccurate information, upon request by the Department of Planning and Development.

Sec. 30-366. - Sale or possession for sale of alternative nicotine products or vapor products without license or beyond boundaries of premises covered by license.

Except as provided in Section 30-364(b), it shall be unlawful for any person to sell, distribute, or possess for the purpose of sale any alternative nicotine product and/or vapor product if the person does not have a vape shop license granted by Dawson County.

Sec. 30-367. – Restrictions on sale and display.

- (a) No licensee or other person may sell or permit to be sold any alternative nicotine product and/or vapor product to any person who is under 21 years of age, either directly or indirectly.
- (b) No licensee or other person may operate a specialty vape shop.
- (c) Each vape shop shall maintain its entire inventory of alternative nicotine product and/or vapor product and any additional line of devices in a screened area. It shall be unlawful for a person to allow any item of alternative nicotine product or vapor product to be in view of the public, except during actual sales transactions of such items.
- (d) No licensee or other person may sell any flavored vape juice or any vape juice that contains any chemical, substance, drug, or other harmful additive other than pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water.
- (e) All vape shops shall prominently post a sign on any premises where vape juice is sold stating that the only chemicals authorized to be used in such vape juice are pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water.
- (f) All vape shops shall prominently post a sign on any premises where alternative nicotine products and/or vapor products are sold explaining how to safely use e-batteries for alternative nicotine product and/or vapor products.

- (g) It shall be prohibited to mix or prepare vape juice on the premises of any building or establishment that offers alternative nicotine products and/or vapor products for retail sales to consumers.

Sec. 30-368. – Location and minimum distance

No license shall be issued under this division for the sale of alternative nicotine products and/or vapor products if the intended premises is within 300 feet of any church building, or on any property owned or leased to a church, or in or within 600 feet of any school building, educational building, school grounds, or college campus, or on any property owned or leased to a public or private school or school board for elementary or secondary education. Provided, however, that any premises that sells alternative nicotine products and/or vapor products as of January 1, 2020 and that is located within such restricted proximity may continue to sell such products in such premises, provided that said license holder remains in compliance with all other provisions of this division and the use of the premises to sell alternative nicotine products and/or vapor products remains ongoing and continuous, and provided further that no license renewal application is denied for violating this section if at the time of the original license application the location was in compliance with this section. If the sale of alternative nicotine products and/or vapor products is discontinued, the grandfathering entitlement under this paragraph shall be forfeited.

Sec. 30-369. - Reporting; suspension or revocation of license.

- (a) Upon receipt of a written request from the Director of the County Planning and Development Department or any other officer authorized to enforce the provisions of this ordinance, a vape shop license holder shall provide a verified sales report for the twelve months preceding the date of the request. Such report shall be provided within two weeks of receipt of the request, unless an extension is granted in the discretion of the requesting officer.
- (b) Suspension or revocation of vape shop licenses shall follow the process provided for business licenses (Sections 30-113 through 30-118).
- (c) A vape shop license may be suspended or revoked for any reason stated under Section 30-113, and/or for any the following reasons:
 - (1) A licensee or its agents commit a felony or any crime involving moral turpitude.
 - (2) A license is determined to have been issued due to administrative error, or due to mistake, or in reliance upon any misrepresentation by the applicant or anyone providing information on behalf of the applicant.

Sec. 30-370. - Penalties for violation of chapter.

Any person who violates any provision of this chapter, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine and/or imprisonment in accord with the limits established in O.C.G.A. § 36-1-20 and O.C.G.A. § 15-10-60.

Sec. 30-371—30-387. – Reserved.

Exhibit B

Chapter 34, Article I of the Code of Dawson County, Georgia is amended by adding a new Section 34-5 with the following text:

Sec. 34-5. – Use of alternative nicotine product and/or vapor products

- (a) For purposes of this section, “alternative nicotine product” and “vapor product” shall have the definitions stated in Section 30-363.
- (b) Prohibition
 - (1) It shall be unlawful for any person under the age of 21 to:
 - (A) Purchase or attempt to purchase, or use alternative nicotine products or vapor products; or
 - (B) Possess for personal use any alternative nicotine products or vapor products. This subparagraph shall not apply to possession of such products by a person under the age of 21 when a parent or guardian of such person gives the alternative nicotine products or vapor products to the person, and the possession occurs in the home of the parent or guardian and such parent or guardian is present; provided that the only additive in such products is tobacco or nicotine; or
 - (C) Misrepresent such person's identity or age or use any false identification of the purpose of purchasing or procuring any alternative nicotine products or vapor products.
 - (2) The use of alternative nicotine products or vapor products is prohibited in or within 300 feet of any church building, or on any property owned or leased to a church, other than in designated areas, if any.
 - (3) The use of alternative nicotine products or vapor products is prohibited in or within 600 feet of any school building, educational building, school grounds, or college campus, or on any property owned or leased to a public or private school or school board for elementary or secondary education, other than in designated areas, if any.
 - (4) The use of alternative nicotine products or vapor products is prohibited in the premises of a shop that offers for sale any alternative nicotine product, vapor product or tobacco product unless such premises has an operational dehumidifier and exhaust fan vented to the outside to dispel any smoke or vapor produced by on-premises use.
- (c) Any person who violates any provision of this section, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine and/or imprisonment in accord with the limits established in O.C.G.A. § 36-1-20 and O.C.G.A. § 15-10-60.

Exhibit C

Chapter 38, Article II, Section 38-44, Subsection (b) of the Code of Dawson County, Georgia is deleted and replaced with the following text:

“No person may use any alternative nicotine product or vapor product (as defined in Section 30-363), including e-cigarettes, on property owned, leased, or operated by Dawson County.”



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: 09/5/2019

Prepared By: Harmony Gee

Voting Session: 9/19/2019

Presenter: Jameson Kinley

Public Hearing: Yes No x

Agenda Item Title: Presentation of Fee Schedule Update

Background Information:

This was first brought to the board in July. The first of two public hearings was held at the Planning Commission meeting on August 20. There are 2 options for increases presented.

Current Information:

This will be the second of the public hearings in regards to the fee schedule.

Budget Information: Applicable: Not Applicable: Budgeted: Yes No n/a

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: _____

Date: _____

Finance Dept. Authorization: _____

Date: _____

County Manager Authorization: _____

Date: _____

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Dawson County Permit Fee Schedule

Fee Comparison Chart

Planning Department

County Comparisons	Dawson County	Lumpkin County	Hall County	White County	Union	Pickens	Cherokee	Forsyth
Residential Building Permit Fees								
Minimum	\$40.00						\$50.00	
1200 sqft	\$144.00	\$405.00	\$360.00	\$338.00	\$300.00	\$205.00	\$529.00	\$613.00
1800 sqft	\$216.00	\$450.00	\$540.00	\$398.00	\$450.00	\$420.00	\$794.00	\$841.00
2500 sqft	\$300.00	\$600.00	\$750.00	\$503.00	\$550.00	\$550.00	\$1,103.00	\$1,105.00
3000 sqft	\$360.00	\$788.00	\$900.00	\$570.00	\$550.00	\$650.00	\$1,323.00	\$1,294.00
3500 sqft	\$420.00	\$975.00	\$1,050.00	\$630.00	\$800.00	\$775.00	\$1,541.00	\$1,483.00
4000 sqft	\$480.00	\$1,200.00	\$1,200.00	\$690.00	\$800.00	\$875.00	\$1,764.00	\$1,668.00
Over 4000 sqft	\$0.12 per sq. ft. plus mechanical fees	\$800.00 plus \$0.15 per sqft over 4000	\$0.30 per sq ft	\$800.00 plus \$0.10 per sq ft over 5000 sqft	\$950 plus \$.020 per sqft	\$0.15 per Sq. Ft. plus \$300.00 certificate of occupancy fee	sq.ft. x construction cost x .0035	Based on value of the home, \$1660 first \$500000 plus \$2 for each additional thousand or fraction of
Residential Additions or Alterations	\$0.12 per sqft (\$40 Min)	\$0.22 per sqft (\$100 Min)		0.12 sq.ft.	\$150.00	\$0.15 per sq. ft.	Value of work x .0035	Based on value of construction by \$40.00 plus sliding scale
Moved in House (based on 1200 sq. ft.)	\$30.00 electrical fee	Residential sq ft rate plus moving fee					\$529.00	
Moving Fee		\$300.00	\$35.00			\$0.15 per sq. ft.		
One Time Inspection Fee	\$30.00	\$50.00				\$100.00	\$50.00	
Reinspection Fee	\$30.00	\$50.00	\$35.00	\$30.00	\$50.00	\$50.00	\$100.00	\$75.00
Temp Power	\$30.00	\$50.00	\$35.00	\$45.00	\$25.00	\$50.00		
Replacement of Permit Card		\$25.00						
Permit Renew		\$100.00				\$100.00		\$100.00
Residential Mechanical Fees	\$30.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.						\$50.00	\$30.00 up to 1000 sq. ft. additional \$10.00 for each additional 1000
Mobile Home (based on 1200 sq. ft.)	\$0.12 per sq. ft. plus \$30.00 electrical fee = \$174.00	\$225.00	\$195.00	\$325.00	\$260.00	\$0.15 per sq. ft.	\$272.00	\$300.00 permit then a \$75.00 yearly fee
Mobile Home Moving		\$75.00	\$50.00	\$500.00		\$100.00		
Conditional Temp Power		\$50.00						
Land Disturbance Application	\$150.00	\$150.00	\$400.00		\$500.00	\$250.00		
Short Term Rental	\$150.00							
Swimming Pool (based on 500 sq. ft.)	\$60.00	\$150.00	\$85.00	\$75.00	\$50.00	\$50.00	\$215.00	\$260.00
Commercial Building Permit Fees								
1000 sq. ft.	\$120.00	\$525.00	\$240.00	\$120.00	\$350.00	\$275.00	\$637.00	\$637.00

County Comparisons	Dawson County	Lumpkin County	Hall County	White County	Union	Pickens	Cherokee	Forsyth
2000 sqft	\$240.00	\$750.00	\$480.00	\$200.00	\$500.00	\$475.00	\$1,275.00	\$1,117.00
2500 sqft	\$300.00	\$975.00	\$600.00	\$300.00	\$600.00	\$575.00	\$1,594.00	\$1,357.00
4000 sqft	\$480.00	\$1,200.00	\$960.00	\$480.00	\$850.00	\$875.00	\$2,550.00	\$1,936.00
6500 sqft	\$780.00	\$1,500.00	\$1,560.00	\$780.00	\$1,525.00	\$1,850.00	\$4,143.00	\$2,732.00
10000 sqft	\$1,200.00	\$1,875.00	\$2,400.00	\$1,200.00	\$3,275.00	\$2,850.00	\$6,374.00	\$3,848.00
Tenant Change	\$150.00							
Non-Commercial Out-Buildings							Sq. Ft. x \$13.75 x .0035	Heated \$40.00/Unheated \$10.00 x sq. ft. for value for sliding scale
	\$0.12 per sqft (\$40 min.) plus plumbing, electrical, mechanical	\$0.10 per sqft (\$100 min.) plus \$50.00 each plumbing, electrical, mechanical		\$0.10 per sq ft		\$0.15 per sq. ft.		
Chicken Houses	\$100	\$500				\$300.00	\$384.00	\$484.00
Commercial Additions or Alterations	\$0.12 per sq. ft.	\$0.25 per sq. ft.				\$0.20 per sq. ft.	Value of work x .004	Value of work to sliding scale
Commercial Mechanical Fee's	\$40.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.						\$50.00	\$30.00 up to 1000 sq. ft. additional \$10.00 for each additional 1000
Plan and Development Fees								
Plat Approval for Recording	\$50.00	\$38.00	\$50.00					
Subdivision Preliminary Plat per Lot	\$10.00 (\$100.00 min.)	\$75.00			\$150.00	\$300.00		\$250.00
Subdivision Final Plat per Lot	\$5.00 (\$100.00 min.)	\$15.00 (\$150.00 min.)			\$5.00 per lot	\$500.00	\$150.00	\$250.00
LDA per Disturbed Acre	\$20.00 (\$100.00 min.)	\$30.00 (\$150.00 min.)	\$50.00		\$20.00		\$700.00	
Stop Work Order Processing	\$100.00	\$150.00						
NOI per Disturbed Acre	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00		\$40.00	
Commercial Land Disturbance								
Disturbed Area: less than 5 Acres	\$200.00	\$300.00	\$400.00				\$310.00	\$250.00
5 to 10 Acres	\$300.00	\$750.00	plus \$40.00 per acre				\$310.00	\$300.00
10 to 25 Acres	\$750.00	\$1,500.00	plus \$40.00 per acre				\$450.00	\$750.00
Over 25 Acres	\$30.00 per acre	\$1500.00 plus \$150.00 per acre	plus \$40.00 per acre				\$750.00	\$30.00 per acre
Review								
Commercial	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.					\$100.00 up to 5000 sq. ft. \$200.00 above 5000		
Land Disturbance	\$200.00							
2nd Review								
3rd Review								
4th Review								
Residential Plan Review		\$40.00						
Cell Tower Permit								
Plan Review	\$300.00	\$2,250.00	\$100.00	113	\$1,500.00	\$1,000.00		
New Tower Building	\$500.00	\$750.00	\$60.00		\$500.00	\$2,625.00		

County Comparisons	Dawson County	Lumpkin County	Hall County	White County	Union	Pickens	Cherokee	Forsyth
Co-Location	\$500.00	\$1,125.00		\$1,000.00		\$500.00		\$200.00
Land Use								
Variance or Appeal	\$300.00	\$225.00	\$350.00	\$100.00	\$200.00	\$250.00		\$350.00
Appeal of Administrative Decision	\$225.00	\$225.00		\$50.00		\$250.00		
Special Land Use Permit (SLUP)	\$150.00 per acre	\$150.00 per acre	\$300.00 0-5 acres \$350 5-10 acres.					
Rezoning - RA,RRE	\$150.00							
Rezoning - RT, RL, RS, RSR,RSRMM	\$250.00							
Rezoning - RMHP	\$300.00							
Rezoning - RMF	\$350.00							
Rezoning - RPC, CRB, CCB	\$500.00							
Rezoning - CHB,CPCD,COI,CIR, MUV	\$2,500.00							
Rezoning - CPDP required section 404.I	\$400.00							
Special Use Permits (based on current zoning district)								
Signs								
Review	\$50.00							\$50.00
Signs per sq.ft.	\$5.00 per \$1000.00 value (\$50.00 minimum)	\$3.00 per \$1000.00 value	\$50.00 - \$95.00		\$25.00	\$1.00 per sq. ft. (\$25.00 minimum)	1-50 sq. ft - \$50.00, 51-100 sq. ft - \$100.00, 101-120 sq. ft. \$200.00	
Business License								
Administrative Fee	\$25.00						\$25.00	\$25.00
Home Office/Home Occupation	\$50.00	\$75.00	\$150.00	\$100.00	\$75.00	\$100.00	\$30.00 per employee	\$300.00 initial then \$30.00 per year
Number of Employees								
1	\$75.00	\$113.00	\$150.00	\$100.00	\$75.00	\$100.00	\$30.00 per employee	\$75.00
2-9	\$150.00	\$225.00	\$577.00	\$200.00	\$125.00	\$100.00	\$270.00	\$225.00
10-19	\$150.00 + \$12.50 per employee	\$200.00 + \$6.00 per employee	\$889.00	\$300.00	\$175.00	\$100.00	\$570.00	\$237.50 + \$12.50 over 9
20-99	\$150.00 + \$12.50 per employee	\$275.00 + \$4.00 per employee	\$840.00	\$600.00	\$325.00	\$100.00	\$2,970.00	\$237.50 + \$12.50 over 9
100 or more	\$150.00 + \$11.50 per employee	\$760.00 + \$2.00 per employee	\$2,360.00		\$425.00	\$100.00	\$30.00 per employee	\$1587.50 + \$17.50 over 99
Late Fee's	Per OCGA 48-13-21							
Advertising & Variance								
Advertising	\$40.00	\$30.00						
Special Event Permit	\$100.00	\$225.00	\$25.00			Varies		

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2
Residential Building Permit Fees			
Administrative Fee	\$25.00	\$50.00	\$50.00
Minimum	\$40.00	\$50.00	\$50.00
1200 sqft	\$144.00	\$393.00	\$477.00
1800 sqft	\$216.00	\$594.00	\$720.00
2500 sqft	\$300.00	\$825.00	\$1,000.00
3000 sqft	\$360.00	\$990.00	\$1,200.00
3500 sqft	\$420.00	\$1,155.00	\$1,400.00
4000 sqft	\$480.00	\$1,320.00	\$1,600.00
Over 4000 sqft	\$0.12 per sq. ft. plus mechanical fees	\$0.33 per sq. ft. plus mechanicals	\$0.40 per sq. ft. plus mechanicals
Residential Additions or Alterations	\$0.12 per sqft (\$40 Min)	\$.33 per sq. ft.	\$.40 per sq. ft.
Moved in House (based on 1200 sq. ft.)	Residential sq ft rate plus \$30.00 electrical fee	Residential sq ft rate plus \$40.00 electrical fee = \$436.00	Residential sq ft rate plus \$40.00 electrical fee = \$520.00
Moving Fee			
One Time Inspection Fee	\$30.00		
Reinspection Fee	\$30.00	\$50.00	\$50.00
Temp Power	\$30.00	\$40.00	\$40.00
Replacement of Permit Card		\$10.00	\$10.00
Permit Renew		Full Charge After 18 Months	Full Charge After 18 Months
Residential Mechanical Fees	\$30.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.	\$40.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.	\$40.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.
Mobile Home (based on 1200 sq. ft.)	\$0.12 per sq. ft. plus \$30.00 electrical fee = \$174.00	\$0.33 per sq. ft. plus \$40.00 electrical fee = \$436.00	\$0.40 per sq. ft. plus \$40.00 electrical fee = \$520.00
Mobile Home Moving			
Conditional Temp Power			
Land Disturbance Application	\$150.00	\$150.00	\$150.00
Short Term Rental	\$150.00	\$150.00	\$150.00
Swimming Pool (based on 500 sq. ft.)	\$60.00	\$.33 per sq. ft. = \$165.00	\$.40 per sq. ft. = \$200.00
Commercial Building Permit Fees			
Administrative Fee	\$25.00	\$50.00	\$50.00
		\$.40 per sq. ft.	\$.55 per sq. ft.
1000 sq. ft.	\$120.00	\$400.00	\$550.00
2000 sqft	\$240.00	\$800.00	\$1,100.00
2500 sqft	\$300.00	\$1,000.00	\$1,375.00
4000 sqft	\$480.00	\$1,600.00	\$2,200.00
6500 sqft	\$780.00	\$2,600.00	\$3,575.00
10000 sqft	\$1,200.00	\$4,000.00	\$5,500.00
Tenant Change	\$150.00	\$250.00	\$250.00

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2
Non-Commercial Out-Buildings	\$0.12 per sqft (\$40 min.) plus plumbing, electrical, mechanical	\$0.40 per sqft (\$50 min.) plus plumbing, electrical, mechanical	\$0.55 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Chicken Houses	\$100	\$400	400
Commercial Additions or Alterations	\$0.12 per sq. ft.	\$0.40 per sqft (\$50 min.) plus plumbing, electrical, mechanical	\$0.55 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Commercial Mechanical Fee's	\$40.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.	\$50.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.	\$50.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.
Plan and Development Fees			
Plat Approval for Recording	\$50.00	\$75.00	\$75.00
Subdivision Preliminary Plat per Lot	\$10.00 (\$100.00 min.)	\$20.00 (\$100.00 min.)	\$20.00 (\$100.00 min.)
Subdivision Final Plat per Lot	\$5.00 (\$100.00 min.)	\$10.00 (\$100.00 min.)	\$10.00 (\$100.00 min.)
LDA per Disturbed Acre	\$20.00 (\$100.00 min.)	\$50.00 (\$100.00 min)	\$50.00 (\$100.00 min)
Stop Work Order Processing	\$100.00	\$200.00	\$200.00
NOI per Disturbed Acre	\$40.00	\$40.00	\$40.00
Commercial Land Disturbance			
Application fee	\$150.00	\$150.00	\$150.00
Review Fee	\$40/acre (State)	\$40/acre (State)	\$40/acre (State)
Review			
Commercial Building Review	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
2nd Review		\$300.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$300.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
3rd Review		\$500.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$500.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
4th Review		\$750.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$750.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
Residential Plan Review			
Cell Tower Permit			
Plan Review	\$300.00	No longer allowed per state	No longer allowed per state
New Tower Building	\$500.00	\$500.00 state cap	\$500.00 state cap
Co-Location	\$500.00	\$500.00 state cap	\$500.00 state cap
Land Use			
Variance or Appeal	\$300.00	\$350.00	\$400.00
Appeal of Administrative Decision	\$225.00	\$300.00	\$350.00
Special Land Use Permit (SLUP)	\$150.00 per acre		
Rezoning - RA,RRE	\$150.00	\$250.00	\$300.00
Rezoning - RT, RL, RS, RSR,RSRMM	\$250.00	\$300.00	\$350.00

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2
Rezoning - RMHP	\$300.00	\$350.00	\$400.00
Rezoning - RMF	\$350.00	\$475.00	\$500.00
Rezoning - RPC, CRB, CCB	\$500.00	\$700.00	\$750.00
Rezoning - CHB,CPCD,COI,CIR, MUV	\$2,500.00	\$3,500.00	\$4,000.00
Rezoning - CPDP required section 404.I	\$2,900.00	\$3,500.00	\$4,000.00
Special Use Permits (based on current zoning district)		Same as Current	Same as Current
Signs			
Review	\$50.00	\$75.00	\$75.00
Signs per sq.ft.	\$5.00 per \$1000.00 value (\$50.00 minimum)	\$10.00 per \$1000.00 value (\$75.00 minimum)	\$10.00 per \$1000.00 value (\$75.00 minimum)
Business License			
Administrative Fee	\$25.00	\$50.00	\$50.00
Home Office/Home Occupation	\$50.00	\$50.00	\$50.00
Background Checks	\$20.00	\$20.00	\$20.00
Address/Business Change Requiring Reissuance of Business License	\$5.00	\$10.00	\$10.00
Massage Business License New	\$100.00	\$100.00	\$100.00
Massage Business License Renewal	\$50.00	\$50.00	\$50.00
Massage Background Owner /Employee	\$0.00	\$20.00	\$20.00
Massage Renewal Employee Yearly	\$50.00	\$50.00	\$50.00
Tattoo Business	Number of Employees	Number of Employees	Number of Employees
Tattoo Background Check	\$20.00	\$50.00	\$50.00
Adult Business License	\$750.00	\$750.00	\$750.00
Adult Background	\$75.00	\$75.00	\$75.00
Financial Institutions	As Per Defined in O.C.G.A 48-6-93	As Per Defined in O.C.G.A 48-6-93	As Per Defined in O.C.G.A 48-6-93
Number of Employees			
1	\$75.00	\$75.00	\$75.00
2-9	\$150.00	\$200.00	\$200.00
10-19	\$150.00 + \$12.50 per employee	\$200.00 + \$14.50 per employee	\$200.00 + \$14.50 per employee
20-99	\$150.00 + \$12.50 per employee	\$200.00 + \$14.50 per employee	\$200.00 + \$14.50 per employee
100 or more	\$150.00 + \$11.50 per employee	\$200.00 + \$13.50 per employee	\$200.00 + \$13.50 per employee
Late Fee's	Per OCGA 48-13-21	Per OCGA 48-13-21	Per OCGA 48-13-21
Pratitioner Fee	Per OCGA 48-13-C	Per OCGA 48-13-C	Per OCGA 48-13-C
Advertising & Variance			
Advertising	\$40.00	\$50.00	\$50.00
Special Event Permit			
	\$100.00	\$200.00	\$200.00

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2

156618			% rev		% exp
	rev				
	350				
	179035				
tax	1200	180585	46.1%		0%
bus lic	45,000.00		11.5%	\$ 45,000.00	10%
	<u>1,000.00</u>				
	12,000.00				
permit fees	135,000.00	157,200.00	40.1%	\$ 157,200.00	75%
	800				
	5,400.00				
	<u>3,000.00</u>				
mis	7,000.00				
	750.00		2.2%	\$ 8,750.00	10%
	1,000.00				
		210,950.00			
		391535	100.0%		
				\$ 202,200.00	
		\$ 1.39			
		293651.25	75.0%		

	25%	50%	75%
all permits	\$ 263,687.50	\$ 316,425.00	\$ 369,162.50
	\$ 106,487.50	\$ 159,225.00	\$ 211,962.50

\$ 39,153.50

\$ 293,651.25

\$ 39,153.50

Fee Schedule

Planning and Development

Proposal

Option 1

- ▶ INCREASE
 - ▶ \$518,133.00

Option 2

- ▶ INCREASE
 - ▶ \$681,963.00

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2
Business License			
Administrative Fee	\$25.00	\$50.00	\$50.00
Home Office/Home Occupation	\$50.00	\$50.00	\$50.00
Background Checks	\$20.00	\$20.00	\$20.00
Address/Business Change Requiring Reissuance of Business License	\$5.00	\$10.00	\$10.00
Massage Business License New	\$100.00	\$100.00	\$100.00
Massage Business License Renewal	\$50.00	\$50.00	\$50.00
Massage Background Owner /Employee	\$0.00	\$20.00	\$20.00
Massage Renewal Employee Yearly	\$50.00	\$50.00	\$50.00
Tattoo Business	Number of Employees	Number of Employees	Number of Employees
Tattoo Background Check	\$20.00	\$50.00	\$50.00
Adult Business License	\$750.00	\$750.00	\$750.00
Adult Background	\$75.00	\$75.00	\$75.00
Financial Institutions	As Per Defined in O.C.G.A 48-6-93	As Per Defined in O.C.G.A 48-6-93	As Per Defined in O.C.G.A 48-6-93
Number of Employees			
1	\$75.00	\$75.00	\$75.00
2-9	\$150.00	\$200.00	\$200.00
10-19	\$150.00 + \$12.50 per employee	\$200.00 + \$14.50 per employee	\$200.00 + \$14.50 per employee
20-99	\$150.00 + \$12.50 per employee	\$200.00 + \$14.50 per employee	\$200.00 + \$14.50 per employee
100 or more	\$150.00 + \$11.50 per employee	\$200.00 + \$13.50 per employee	\$200.00 + \$13.50 per employee
Late Fee's	Per OCGA 48-13-21	Per OCGA 48-13-21	Per OCGA 48-13-21
Pratitioner Fee	Per OCGA 48-13-C	Per OCGA 48-13-C	Per OCGA 48-13-C

Business Licenses

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2
Plan and Development Fees			
Plat Approval for Recording	\$50.00	\$75.00	\$75.00
Subdivision Preliminary Plat per Lot	\$10.00 (\$100.00 min.)	\$20.00 (\$100.00 min.)	\$20.00 (\$100.00 min.)
Subdivision Final Plat per Lot	\$5.00 (\$100.00 min.)	\$10.00 (\$100.00 min.)	\$10.00 (\$100.00 min.)
LDA per Disturbed Acre	\$20.00 (\$100.00 min.)	\$50.00 (\$100.00 min)	\$50.00 (\$100.00 min)
Stop Work Order Processing	\$100.00	\$200.00	\$200.00
NOI per Disturbed Acre	\$40.00	\$40.00	\$40.00
Land Disturbance			
Application Fee	\$150.00	\$150.00	\$150.00
Review Fee	\$40/ acre (State)	\$40/acre (State)	\$40/acre (State)
Review			
Commercial Building Review	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
2nd Review		\$300.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$300.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
3rd Review		\$500.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$500.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
4th Review		\$750.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.	\$750.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.

Review Fees

Land Use

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2
Land Use			
Variance or Appeal	\$300.00	\$350.00	\$400.00
Appeal of Administrative Decision	\$225.00	\$300.00	\$350.00
Special Land Use Permit (SLUP)	\$150.00 per acre		
Rezoning - RA,RRE	\$150.00	\$250.00	\$300.00
Rezoning - RT, RL, RS, RSR,RSRMM	\$250.00	\$300.00	\$350.00
Rezoning - RMHP	\$300.00	\$350.00	\$400.00
Rezoning - RMF	\$350.00	\$475.00	\$500.00
Rezoning - RPC, CRB, CCB	\$500.00	\$700.00	\$750.00
Rezoning - CHB,CPCD,COI,CIR, MUV	\$2,500.00	\$3,500.00	\$4,000.00
Rezoning - CPDP required section 404.I	\$2,900.00	\$3,500.00	\$4,000.00
Special Use Permits (based on current zoning district)		Same as Current	Same as Current

Permit Fees

County Comparisons	Dawson County	Proposed Proposed Dawson County Fees INCREASE Option 1	Proposed Proposed Dawson County Fees INCREASE Option 2
Residential Building Permit Fees			
Administrative Fee	\$25.00	\$50.00	\$50.00
Minimum	\$40.00	\$50.00	\$50.00
1200 sqft	\$144.00	\$393.00	\$477.00
1800 sqft	\$216.00	\$594.00	\$720.00
2500 sqft	\$300.00	\$825.00	\$1,000.00
3000 sqft	\$360.00	\$990.00	\$1,200.00
3500 sqft	\$420.00	\$1,155.00	\$1,400.00
4000 sqft	\$480.00	\$1,320.00	\$1,600.00
Over 4000 sqft	\$0.12 per sq. ft. plus mechanical fees	\$0.33 per sq. ft. plus mechanicals	\$0.40 per sq. ft. plus mechanicals
Residential Additions or Alterations	\$0.12 per sqft (\$40 Min)	\$0.033 per sq. ft.	\$.40 per sq. ft.
Moved in House (based on 1200 sq. ft.)	Residential sq ft rate plus \$30.00 electrical fee	Residential sq ft rate plus \$40.00 electrical fee = \$436.00	Residential sq ft rate plus \$40.00 electrical fee = \$520.00
Moving Fee			
One Time Inspection Fee	\$30.00		
Reinspection Fee	\$30.00	\$50.00	\$50.00
Temp Power	\$30.00	\$40.00	\$40.00
Replacement of Permit Card		\$10.00	\$10.00
Permit Renew		Full Charge After 18 Months	Full Charge After 18 Months
Residential Mechanical Fees	\$30.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.	\$40.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.	\$40.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.
Mobile Home (based on 1200 sq. ft.)	\$0.12 per sq. ft. plus \$30.00 electrical fee = \$174.00	\$0.33 per sq. ft. plus \$40.00 electrical fee = \$436.00	\$0.40 per sq. ft. plus \$40.00 electrical fee = \$520.00
Mobile Home Moving			
Conditional Temp Power			
Land Disturbance Application	\$150.00	\$150.00	\$150.00
Short Term Rental	\$150.00	\$150.00	\$150.00
Swimming Pool (based on 500 sq. ft.)	\$60.00	\$.033 per sq. ft. = \$165.00	\$.40 per sq. ft. = \$200.00
Commercial Building Permit Fees			
Administrative Fee	\$25.00	\$50.00	\$50.00
		\$.40 per sq. ft.	\$.55 per sq. ft.
1000 sq. ft.	\$120.00	\$400.00	\$550.00
2000 sqft	\$240.00	\$800.00	\$1,100.00
2500 sqft	\$300.00	\$1,000.00	\$1,375.00
4000 sqft	\$480.00	\$1,600.00	\$2,200.00
6500 sqft	\$780.00	\$2,600.00	\$3,575.00
10000 sqft	\$1,200.00	\$4,000.00	\$5,500.00
Tenant Change	\$150.00	\$250.00	\$250.00
Non-Commercial Out-Buildings	\$0.12 per sqft (\$40 min.) plus plumbing, electrical, mechanical	\$0.40 per sqft (\$50 min.) plus plumbing, electrical, mechanical	\$0.55 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Chicken Houses	\$100	\$400	\$400
Commercial Additions or Alterations	\$0.12 per sq. ft.	\$0.40 per sqft (\$50 min.) plus plumbing, electrical, mechanical	\$0.55 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Commercial Mechanical Fee's	\$40.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.	\$50.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.	\$50.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.

Conclusion

- ▶ 2001 - last time fees were updates
 - ▶ Home Business went from \$25 to \$75
 - ▶ Building Permit went from \$.08 to \$.12 per square foot
- ▶ Moving Forward
 - ▶ Updating Fee Schedule Document
 - ▶ Updating Business License Ordinance
 - ▶ Updating Land Use Resolution

Ordinance Number: _____

AN ORDINANCE OF THE DAWSON COUNTY BOARD OF COMMISSIONERS TO PROVIDE A SINGLE FEE SCHEDULE FOR THE PLANNING AND DEVELOPMENT DEPARTMENT; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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

WHEREAS, the Board of Commissioners of Dawson County has determined that it is in the public interest to consolidate and update the Fee Schedule into a single ordinance; and

WHEREAS, the Dawson County Board of Commissioners has determined to adopt an ordinance regulating these matters;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Dawson County, Georgia, as follows:

SECTION 1.

Chapter 121, of the Code of Dawson County, Georgia is amended as shown in Exhibit A hereto.

SECTION 2.

Chapter 30 of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit B hereto.

SECTION 3.

Chapter 101, Article IV of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit C hereto.

SECTION 4.

Chapter 34, Article II of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit D hereto.

SECTION 5.

If any section, provision or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted had such invalid portion not been included herein.

SECTION 6.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7.

This Ordinance shall become effective upon adoption, the public good demanding the same.

SO ORDAINED this ____ day of _____, 2019.

Dawson County Board of Commissioners

Billy Thurmond, Chairman

Sharon Fausett, Member

Chris Gaines, Member

Tim Satterfield, Member

Julie Hughes Nix, Member

Attest:

By: _____
Kristen Cloud, County Clerk

[COUNTY SEAL]

Exhibit A

Chapter 121, of the Code of Dawson County, Georgia is amended as follows:

1. Article IV, Section 103 (9) is deleted and replaced with the following text:
 - a. “At time of application for reclassification to Commercial Planned Comprehensive Development (C-PCD), the applicant shall pay a non-refundable fee as set forth by the Dawson County Planning and Development Fee Schedule which fee shall be in addition to any other fees required by this chapter.”
2. Article IV, Section 106 (1), Fees, (c) is deleted and replaced with the following text:
 - a. “The building permit fees shall be as set forth by the Dawson County Planning and Development Fee Schedule and shall cover the tower and associated equipment building. Any other permits required shall be charged at the prescribed rate at the time of development or construction.”
3. Article X, Section 317, (a) through (f) is deleted and replaced with the following text:
 - a. “Applications submitted under this article shall be accompanied by all fees as required by the Dawson County Planning and Development Fee Schedule”
4. Article XII, Section 377, (c) is deleted and replaced with the following text:
 - a. “Should any work be performed for which a building, grading or development permit is required prior to the issuance of a permit by the Dawson County, the fees for such permit as set forth by the Dawson County Planning and Development Fee Schedule shall be doubled or the charge for such permit shall be a minimum of one hundred dollars, whichever is greater.”

Exhibit B

Chapter 30, of the Code of Dawson County, Georgia is amended as follows:

1. Article II, Division 2, Section 50 (a) is deleted and replaced with the following text:
 - a. “A non-prorated, non-refundable administrative fee as set forth by the Dawson County Planning and Development Fee Schedule shall be required on all business occupation tax accounts for the initial start-up, renewal or reopening of those accounts.”
2. Article II, Division 2, Section 51 (b) is deleted and replaced with the following text:
 - a. “The occupation tax shall be determined according to the number of employees of the business or practitioner as computed on a full-time position basis or full-time position equivalent basis. An employee who works 40 hours or more weekly shall be considered a full-time employee. The average weekly hours of employees who work less than 40 hours weekly shall be added and such sum shall be divided by 40 to produce full-time position equivalents. The occupation tax shall be levied as set forth by the Dawson County Planning and Development Fee Schedule. This fee schedule includes a non-refundable administrative fee required for the initial start-up, renewal or reopening of those accounts as shown on the adopted Dawson County Planning and Development Fee Schedule.”
3. Article II, Division 2, Section 56 (2) is deleted and replaced with the following text:
 - a. “A fee as set forth by the Dawson County Planning and Development Fee Schedule per practitioner who is licensed to provide the service, with such tax to be paid at the practitioner's office or location. The per practitioner fee shall include all persons in the business who qualify as a practitioner under the state's regulatory guidelines and framework.”
4. Article II, Division 3, Section 111 (d) is deleted and replaced with the following text:
 - a. “Any applicant for a business license under this section shall submit to the county a business regulatory fee as set forth by the Dawson County Planning and Development Fee Schedule.”
5. Article II, Division 3, Section 124 is deleted and replaced with the following text:
 - a. “The regulatory fees for businesses set forth per the Dawson County Planning and Development Fee Schedule shall be in addition to the administrative fee and the occupation tax imposed in this article. Registration and regulatory fees shall be non-refundable after the fact. Upon written request the occupation tax may be refunded, if the application is not approved or is canceled.”
6. Article II, Division 4, Section 158 is deleted and replaced with the following text:
 - a. “Any person, association, partnership, or corporation desiring to obtain a license to operate, engage in conduct, or carry on any massage and bodywork therapy business shall make application to the County Manager or designee. A nonrefundable new application fee as set forth by the Dawson County Planning and Development Fee Schedule shall be paid to the County Manager or designee with the application and all required supporting documentation. The application for a license does not authorize the engaging in, operation of, or carrying on of

any massage and body work therapy business. An employee license must be secured by each employee who shall work in the business in any capacity as outlined in section 4. 11. Upon payment of an investigation fee, per the Dawson County Planning and Development Fee Schedule, by the applicant, the County Manager or designee shall complete an investigation and upon the applicant meeting the requirements shall issue the employee license.”

7. Article II, Division 4, Section 169 is deleted and replaced with the following text:
 - a. “All fees as provided in the Dawson County Planning and Development Fee Schedule shall apply.”

Exhibit C

Chapter 101 of the Code of Dawson County, Georgia is amended by adding a new Article IV with the following text:

ARTICLE IV. – Fee Schedule

Residential Building Permit Fees	
Administrative Fee	\$50.00
Minimum	\$50.00
1200 sqft	\$393.00
1800 sqft	\$594.00
2500 sqft	\$825.00
3000 sqft	\$990.00
3500 sqft	\$1,155.00
4000 sqft	\$1,320.00
Over 4000 sqft	\$0.33 per sq. ft. plus mechanicals
Residential Additions or Alterations	\$.33 per sq. ft.
Moved in House (based on 1200 sq. ft.)	Residential sq ft rate plus \$40.00 electrical fee = \$436.00
Moving Fee	
One Time Inspection Fee	
Reinspection Fee	\$50.00
Temp Power	\$40.00
Replacement of Permit Card	\$10.00
Permit Renew	Full Charge After 18 Months

Residential Mechanical Fees	\$40.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.
Mobile Home (based on 1200 sq. ft.)	\$0.33 per sq. ft. plus \$40.00 electrical fee = \$436.00
Mobile Home Moving	
Conditional Temp Power	
Land Disturbance Application	\$150.00
Short Term Rental	\$150.00
Swimming Pool (based on 500 sq. ft.)	\$.33 per sq. ft. = \$165.00
Commercial Building Permit Fees	
Administrative Fee	\$50.00
	\$.40 per sq. ft.
1000 sq. ft.	\$400.00
2000 sqft	\$800.00
2500 sqft	\$1,000.00
4000 sqft	\$1,600.00
6500 sqft	\$2,600.00
10000 sqft	\$4,000.00
Tenant Change	\$250.00
Non-Commercial Out-Buildings	\$0.40 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Chicken Houses	\$400

Commercial Additions or Alterations	\$0.40 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Commercial Mechanical Fee's	\$50.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.
Plan and Development Fees	
Plat Approval for Recording	\$75.00
Subdivision Preliminary Plat per Lot	\$20.00 (\$100.00 min.)
Subdivision Final Plat per Lot	\$10.00 (\$100.00 min.)
LDA per Disturbed Acre	\$50. 00 (\$100.00 min)
Stop Work Order Processing	\$200.00
NOI per Disturbed Acre	\$40.00
Commercial Land Disturbance	
Application fee	\$150.00
Review Fee	\$40/acre (State)
Review	
Commercial Building Review	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
2nd Review	\$300.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
3rd Review	\$500.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
4th Review	\$750.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
Residential Plan Review	

Cell Tower Permit	
Plan Review	No longer allowed per state
New Tower Building	\$500.00 state cap
Co-Location	\$500.00 state cap
Land Use	
Variance or Appeal	\$350.00
Appeal of Administrative Decision	\$300.00
Special Land Use Permit (SLUP)	
Rezoning - RA,RRE	\$250.00
Rezoning - RT, RL, RS, RSR,RSRMM	\$300.00
Rezoning - RMHP	\$350.00
Rezoning - RMF	\$475.00
Rezoning - RPC, CRB, CCB	\$700.00
Rezoning - CHB,CPCD,COI,CIR, MUV	\$3,500.00
Rezoning - CPDP required section 404.I	\$3,500.00
Special Use Permits (based on current zoning district)	Same as Current
Signs	
Review	\$75.00
Signs per sq.ft.	\$10.00 per \$1000.00 value (\$75.00 minimum)

Business License	
Administrative Fee	\$50.00
Home Office/Home Occupation	\$50.00
Background Checks	\$20.00
Address/Business Change Requiring Reissuance of Business License	\$10.00
Massage Business License New	\$100.00
Massage Business License Renewal	\$50.00
Massage Background Owner /Employee	\$20.00
Massage Renewal Employee Yearly	\$50.00
Tattoo Business	Number of Employees
Tattoo Background Check	\$50.00
Adult Business License	\$750.00
Adult Background	\$75.00
Financial Institutions	As Per Defined in O.C.G.A 48-6-93
Number of Employees	
1	\$75.00
2-9	\$200.00
10-19	\$200.00 + \$14.50 per employee
20-99	\$200.00 + \$14.50 per employee
100 or more	\$200.00 + \$13.50 per employee

Late Fee's	Per OCGA 48-13-21
Practitioner Fee	Per OCGA 48-13-C
Advertising & Variance	
Advertising	\$50.00
Special Event Permit	\$250 (3 or less hours)
	\$500 (3 to 6 hours)
	\$750 (6 to 9 hours)
	\$1,000 (9 to 12 hours)

Exhibit D

Chapter 34, of the Code of Dawson County, Georgia is amended as follows:

1. Article II, Section 34-37 is deleted and replaced with the following text:
 - a. “All fees as provided in the Dawson County Planning and Development Fee Schedule shall apply. Events that last more than 12 continuous hours require specific approval by the board of commissioners for the event and the duration. The amount of the fee for an event that lasts more than 12 continuous hours shall be set in at an amount deemed reasonably necessary by the board of commissioners to defray the cost of the event imposed upon the county. Fees may be waived at the discretion of the Planning Director or County Manager for Non-profit organizations.”

AN ORDINANCE OF THE DAWSON COUNTY BOARD OF COMMISSIONERS TO PROVIDE A SINGLE FEE SCHEDULE FOR THE PLANNING AND DEVELOPMENT DEPARTMENT; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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

WHEREAS, the Board of Commissioners of Dawson County has determined that it is in the public interest to consolidate and update the Fee Schedule into a single ordinance; and

WHEREAS, the Dawson County Board of Commissioners has determined to adopt an ordinance regulating these matters;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Dawson County, Georgia, as follows:

SECTION 1.

Chapter 121, of the Code of Dawson County, Georgia is amended as shown in Exhibit A hereto.

SECTION 2.

Chapter 30 of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit B hereto.

SECTION 3.

Chapter 101, Article IV of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit C hereto.

SECTION 4.

Chapter 34, Article II of the Code of Dawson County, Georgia is hereby amended as shown in Exhibit D hereto.

SECTION 5.

If any section, provision or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted had such invalid portion not been included herein.

SECTION 6.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7.

This Ordinance shall become effective upon adoption, the public good demanding the same.

SO ORDAINED this ____ day of _____, 2019.

Dawson County Board of Commissioners

Billy Thurmond, Chairman

Sharon Fausett, Member

Chris Gaines, Member

Tim Satterfield, Member

Julie Hughes Nix, Member

Attest:

By: _____
Kristen Cloud, County Clerk

[COUNTY SEAL]

Exhibit A

Chapter 121, of the Code of Dawson County, Georgia is amended as follows:

1. Article IV, Section 103 (9) is deleted and replaced with the following text:
 - a. “At time of application for reclassification to Commercial Planned Comprehensive Development (C-PCD), the applicant shall pay a non-refundable fee as set forth by the Dawson County Planning and Development Fee Schedule which fee shall be in addition to any other fees required by this chapter.”
2. Article IV, Section 106 (1), Fees, (c) is deleted and replaced with the following text:
 - a. “The building permit fees shall be as set forth by the Dawson County Planning and Development Fee Schedule and shall cover the tower and associated equipment building. Any other permits required shall be charged at the prescribed rate at the time of development or construction.”
3. Article X, Section 317, (a) through (f) is deleted and replaced with the following text:
 - a. “Applications submitted under this article shall be accompanied by all fees as required by the Dawson County Planning and Development Fee Schedule”
4. Article XII, Section 377, (c) is deleted and replaced with the following text:
 - a. “Should any work be performed for which a building, grading or development permit is required prior to the issuance of a permit by the Dawson County, the fees for such permit as set forth by the Dawson County Planning and Development Fee Schedule shall be doubled or the charge for such permit shall be a minimum of one hundred dollars, whichever is greater.”

Exhibit B

Chapter 30, of the Code of Dawson County, Georgia is amended as follows:

1. Article II, Division 2, Section 50 (a) is deleted and replaced with the following text:
 - a. “A non-prorated, non-refundable administrative fee as set forth by the Dawson County Planning and Development Fee Schedule shall be required on all business occupation tax accounts for the initial start-up, renewal or reopening of those accounts.”
2. Article II, Division 2, Section 51 (b) is deleted and replaced with the following text:
 - a. “The occupation tax shall be determined according to the number of employees of the business or practitioner as computed on a full-time position basis or full-time position equivalent basis. An employee who works 40 hours or more weekly shall be considered a full-time employee. The average weekly hours of employees who work less than 40 hours weekly shall be added and such sum shall be divided by 40 to produce full-time position equivalents. The occupation tax shall be levied as set forth by the Dawson County Planning and Development Fee Schedule. This fee schedule includes a non-refundable administrative fee required for the initial start-up, renewal or reopening of those accounts as shown on the adopted Dawson County Planning and Development Fee Schedule.”
3. Article II, Division 2, Section 56 (2) is deleted and replaced with the following text:
 - a. “A fee as set forth by the Dawson County Planning and Development Fee Schedule per practitioner who is licensed to provide the service, with such tax to be paid at the practitioner's office or location. The per practitioner fee shall include all persons in the business who qualify as a practitioner under the state's regulatory guidelines and framework.”
4. Article II, Division 3, Section 111 (d) is deleted and replaced with the following text:
 - a. “Any applicant for a business license under this section shall submit to the county a business regulatory fee as set forth by the Dawson County Planning and Development Fee Schedule.”
5. Article II, Division 3, Section 124 is deleted and replaced with the following text:
 - a. “The regulatory fees for businesses set forth per the Dawson County Planning and Development Fee Schedule shall be in addition to the administrative fee and the occupation tax imposed in this article. Registration and regulatory fees shall be non-refundable after the fact. Upon written request the occupation tax may be refunded, if the application is not approved or is canceled.”
6. Article II, Division 4, Section 158 is deleted and replaced with the following text:
 - a. “Any person, association, partnership, or corporation desiring to obtain a license to operate, engage in conduct, or carry on any massage and bodywork therapy business shall make application to the County Manager or designee. A nonrefundable new application fee as set forth by the Dawson County Planning and Development Fee Schedule shall be paid to the County Manager or designee with the application and all required supporting documentation. The application for a license does not authorize the engaging in, operation of, or carrying on of

any massage and body work therapy business. An employee license must be secured by each employee who shall work in the business in any capacity as outlined in section 4. 11. Upon payment of an investigation fee, per the Dawson County Planning and Development Fee Schedule, by the applicant, the County Manager or designee shall complete an investigation and upon the applicant meeting the requirements shall issue the employee license.”

7. Article II, Division 4, Section 169 is deleted and replaced with the following text:
 - a. “All fees as provided in the Dawson County Planning and Development Fee Schedule shall apply.”

Exhibit C

Chapter 101 of the Code of Dawson County, Georgia is amended by adding a new Article IV with the following text:

ARTICLE IV. – Fee Schedule

Residential Building Permit Fees	
Administrative Fee	\$50.00
Minimum	\$50.00
1200 sqft	\$477.00
1800 sqft	\$720.00
2500 sqft	\$1,000.00
3000 sqft	\$1,200.00
3500 sqft	\$1,400.00
4000 sqft	\$1,600.00
Over 4000 sqft	\$0.40 per sq. ft. plus mechanicals
Residential Additions or Alterations	\$.40 per sq. ft.
Moved in House (based on 1200 sq. ft.)	Residential sq ft rate plus \$40.00 electrical fee = \$520.00
Moving Fee	
One Time Inspection Fee	
Reinspection Fee	\$50.00
Temp Power	\$40.00

Replacement of Permit Card	\$10.00
Permit Renew	Full Charge After 18 Months
Residential Mechanical Fees	\$40.00 up to 1,000 sq. ft., additional \$10.00 for each additional 1,000 sq. ft.
Mobile Home (based on 1200 sq. ft.)	\$0.40 per sq. ft. plus \$40.00 electrical fee = \$520.00
Mobile Home Moving	
Conditional Temp Power	
Land Disturbance Application	\$150.00
Short Term Rental	\$150.00
Swimming Pool (based on 500 sq. ft.)	\$.40 per sq. ft. = \$200.00
Commercial Building Permit Fees	
Administrative Fee	\$50.00
	\$.55 per sq. ft.
1000 sq. ft.	\$550.00
2000 sqft	\$1,100.00
2500 sqft	\$1,375.00
4000 sqft	\$2,200.00
6500 sqft	\$3,575.00

10000 sqft	\$5,500.00
Tenant Change	\$250.00
Non-Commercial Out-Buildings	\$0.55 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Chicken Houses	400
Commercial Additions or Alterations	\$0.55 per sqft (\$50 min.) plus plumbing, electrical, mechanical
Commercial Mechanical Fee's	\$50.00 up to 1000 sq. ft. additional \$10.00 for each additional sq. ft.
Plan and Development Fees	
Plat Approval for Recording	\$75.00
Subdivision Preliminary Plat per Lot	\$20.00 (\$100.00 min.)
Subdivision Final Plat per Lot	\$10.00 (\$100.00 min.)
LDA per Disturbed Acre	\$50. 00 (\$100.00 min)
Stop Work Order Processing	\$200.00
NOI per Disturbed Acre	\$40.00
Commercial Land Disturbance	
Application fee	\$150.00

Review Fee	\$40/acre (State)
Review	
Commercial Building Review	\$200.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
2nd Review	\$300.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
3rd Review	\$500.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
4th Review	\$750.00 up to 5000 sq. ft. add additional \$10.00 per 1000 sq. ft.
Residential Plan Review	
Cell Tower Permit	
Plan Review	No longer allowed per state
New Tower Building	\$500.00 state cap
Co-Location	\$500.00 state cap
Land Use	
Variance or Appeal	\$400.00
Appeal of Administrative Decision	\$350.00

Special Land Use Permit (SLUP)	
Rezoning - RA,RRE	\$300.00
Rezoning - RT, RL, RS, RSR,RSRMM	\$350.00
Rezoning - RMHP	\$400.00
Rezoning - RMF	\$500.00
Rezoning - RPC, CRB, CCB	\$750.00
Rezoning - CHB,CPCD,COI,CIR, MUV	\$4,000.00
Rezoning - CPDP required section 404.I	\$4,000.00
Special Use Permits (based on current zoning district)	Same as Current
Signs	
Review	\$75.00
Signs per sq.ft.	\$10.00 per \$1000.00 value (\$75.00 minimum)
Business License	
Administrative Fee	\$50.00
Home Office/Home Occupation	\$50.00
Background Checks	\$20.00
Address/Business Change Requiring Reissuance of Business License	\$10.00
Massage Business License New	\$100.00
Massage Business License Renewal	\$50.00

Massage Background Owner /Employee	\$20.00
Massage Renewal Employee Yearly	\$50.00
Tattoo Business	Number of Employees
Tattoo Background Check	\$50.00
Adult Business License	\$750.00
Adult Background	\$75.00
Financial Institutions	As Per Defined in O.C.G.A 48-6-93
Number of Employees	
1	\$75.00
2-9	\$200.00
10-19	\$200.00 + \$14.50 per employee
20-99	\$200.00 + \$14.50 per employee
100 or more	\$200.00 + \$13.50 per employee
Late Fee's	Per OCGA 48-13-21
Practitioner Fee	Per OCGA 48-13-C
Advertising & Variance	
Advertising	\$50.00

Special Event Permit	\$250 (3 or less hours)
	\$500 (3 to 6 hours)
	\$750 (6 to 9 hours)
	\$1,000 (9 to 12 hours)

Exhibit D

Chapter 34, of the Code of Dawson County, Georgia is amended as follows:

1. Article II, Section 34-37 is deleted and replaced with the following text:
 - a. “All fees as provided in the Dawson County Planning and Development Fee Schedule shall apply. Events that last more than 12 continuous hours require specific approval by the board of commissioners for the event and the duration. The amount of the fee for an event that lasts more than 12 continuous hours shall be set in at an amount deemed reasonably necessary by the board of commissioners to defray the cost of the event imposed upon the county. Fees may be waived at the discretion of the Planning Director or County Manager for Non-profit organizations. ”



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **Emergency Services**

Work Session: **09.05.19**

Prepared By: **Danny Thompson**

Voting Session: **09.19.19**

Presenter: **Danny Thompson**

Public Hearing: Yes _____ No **X**

Agenda Item Title: **Funding Fire Hydrants**

Background Information:

Etowah Water & Sewer (EWSA) is expanding its service of water and sewer. It has added 3 miles of 12-inch water main from Highway 136 East toward the Etowah River. It has extended service on several secondary roads in Dawson County: Herman Sosebee, Overlook Circle, Cleve Wright Road. Due to the reconfiguration of the Highway 9 and Dawson Forest Road project, a hydrant will be placed between the two roundabouts. There will be a line upgrade to 12 inch going from Perimeter Road to Highway 9 South and terminating in front of the new subdivision.

Current Information:

We are requesting funding for the proposed addition of 8 new fire hydrants in the above listed service delivery areas. These additions provide valuable water in areas that have limited or no water currently. EWSA is only extending about 5-6 miles of water lines this year in the previously mentioned areas. We are requesting that this purchase of \$27,029 be funded from fund balance.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: **Approve agenda item**

Department Head Authorization: DT

Date: 8-7-2019

Finance Dept. Authorization: Vickie Neikirk

Date: 8/28/19

County Manager Authorization: DH

Date: 8/28/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

There is \$27,598 remaining in the Contingency account. Finance recommends this funding come from that line item if approved. VLN



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **Emergency Services**

Work Session: **09.05.19**

Prepared By: **Danny Thompson**

Voting Session: **09.19.19**

Presenter: **Danny Thompson**

Public Hearing: Yes _____ No **X**

Agenda Item Title: **MOU GEMA**

Background Information:

GEMA has transitioned to a new grants management system for all grants affiliated with GEMA. The new program will enable us to submit and manage our grants through this new portal. The new system is called Georgia EMGrantsPro.

Current Information:

With the new system, GEMA is requiring all EMA directors to complete and submit a Memorandum of Understanding to have access to this new grant portal. This will enable EMA directors and Finance to manage their grants online. We currently use a similar system with our SAFER grant through FEMA. We request the board allow us to complete and submit the MOU as directed by GEMA.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: **Approve agenda item**

Department Head Authorization: DT

Date: 8.7.19

Finance Dept. Authorization: Vickie Neikirk

Date: 8/28/19

County Manager Authorization: DH

Date: 8/28/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Memorandum of Understanding (MOU) Instructions

1. The MOU consists of a 7-page document and 1 Exhibit (A); 8 pages total. All documents must be completed and returned to Georgia Emergency Management and Homeland Security Agency (GEMA/Homeland Security) with the appropriate signatures.
2. The MOU and Exhibit A should be filled out electronically. If you cannot fill it out electronically, please make sure to print all of the required information.
3. To complete the MOU and Exhibit A, use either the tab key or the arrow keys to move through the pages field by field. All fields must be completed prior to submission.
4. Once all required information has been entered into the fillable fields of the MOU and Exhibit A; print the entire document.
5. The last page of the MOU document, before Exhibit A, requires the signature of the Chief Elected/Appointed Official or the Chief Executive Officer, title, telephone and date of signature. The MOU also requires the signature of a witness.
6. Exhibit A (Designation of Applicant's Agent) requires the signature of the Chief Elected/Appointed Official or the Chief Executive Officer, title, telephone and date of signature. An email address is required to obtain access to the system (all email addresses must be unique; no duplicates are allowed).
7. **Please Note: The same person must sign the MOU and Exhibit A.**
8. Once the documents are complete and signed, they must be sent to the following email address: hsgrants@gema.ga.gov

Note: If email is unavailable to you, a paper copy may be submitted to the address below. Please note that this may slow the process of obtaining access to the Georgia EMGrantsPro system as it will need to be scanned and uploaded by our staff.

GEMA/Homeland Security
Post Office Box 18055
Atlanta, Georgia 30316
ATTN: Preparedness Grants and
Programs Division

Memorandum of Understanding (MOU)
BY and BETWEEN
GEORGIA EMERGENCY MANAGEMENT AND HOMELAND SECURITY AGENCY
AND
DAWSON COUNTY EMERGENCY MANAGEMENT AGENCY

This Memorandum of Understanding (Agreement) made and entered into between the Georgia Emergency Management and Homeland Security Agency, hereinafter referred to as the “GEMA/Homeland Security” and [Click or tap here to enter text.](#)

officially domiciled at 393 Memory Lane Dawsonville, GA 30534

hereinafter referred to as Subgrantee relating to application for grants under the U. S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) Emergency Management Performance Grant (EMPG).

WHEREAS, GEMA/Homeland Security as the State Administrative Agency (SAA), on behalf of the State of Georgia, is the Grantee receiving funding under the DHS FEMA EMPG as authorized under Section 662 of the *Post-Katrina Emergency Management Reform Act of 2006* (PKEMRA), as amended, (Pub. L. No. 109-295) (6 U.S.C. 762); the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, as amended (Pub. L. No. 93-288) (42 U.S.C. 5121 *et seq.*); the *Earthquake Hazards Reduction Act of 1977*, as amended (Pub. L. No. 95-124) (42 U.S.C. 7701 *et seq.*); and the *National Flood Insurance Act of 1968*, as amended (Pub. L. No. 90-448) (42 U.S.C. 4001 *et seq.*) and has the fiduciary responsibility to ensure those funds are spent on eligible Subgrantee facilities and activities, and are properly reimbursed to the Subgrantee; and

WHEREAS, the agreement is part of the referenced Subgrantee’s application and profile record in the Georgia EMGrantsPro system and will become effective and binding upon approval by GEMA/Homeland Security;

NOW, THEREFORE, in consideration thereof, the parties hereby agree as follows:

Responsibilities of the Subgrantee

The Subgrantee is primarily responsible for compliance with and agrees to obtain a working knowledge of the above-mentioned Acts and all applicable DHS FEMA regulations as provided in all applicable Subparts of 2 Code of Federal Regulations (CFR) Part 200 and 44 CFR that govern the EMPG and shall adhere to the application of those above-mentioned

Acts and those applicable regulations and policies as a condition for acceptance of and expenditure of said DHS FEMA funding.

As a further condition for the acceptance of and expenditure of DHS FEMA funding, the Subgrantee hereby agrees to follow all GEMA/Homeland Security guidelines, regulations and directives, to include but not to limited to the following:

- Use gema.ga.gov and gaemgrants.com, as applicable to access forms, request time extensions and submit requests for reimbursements with supporting documentation.
- The Subgrantee shall assure that all project documents are made available to GEMA/Homeland Security, DHS FEMA, Office of Inspector General (OIG) or to any state or federal agency as determined by GEMA/Homeland Security, to include but not limited to: procurement policies, accounting policies, and all other documentation substantiating eligible costs.
- All records, reports, documents and other materials delivered or transmitted to GEMA/Homeland Security by the Subgrantee shall become the property of GEMA/Homeland Security.
- The Subgrantee will be required to execute a separate subgrant agreement for EMPG in addition to this MOU.
- The Subgrantee agrees to monitor gema.ga.gov and gaemgrants.com for any changes in law, regulations, policy or procedure which affects the Subgrantee's grant requirements.
- The undersigned, as the appointed agent of the Subgrantee hereby declares that the individuals named herein as the Subgrantee's agents are knowledgeable of the requirements outlined herein.

The subgrantee hereby acknowledges that failure to adhere to all applicable state and federal law, regulations, policies and directives may result in suspension and/or termination of funding/reimbursements and/or all or part of the de-obligation of previously received funding.

Responsibilities of GEMA/Homeland Security

- GEMA/Homeland Security agrees to maintain gaemgrants.com subject to the availability of funding.
- GEMA/Homeland Security shall, through the Subgrantee's assigned Program Manager and Grant Specialist, review Subgrantee's requests for advancement of funds, assist Subgrantee in correcting deficiencies, and disburse funds to the Subgrantee in a timely manner as possible.
- GEMA/Homeland Security shall communicate to the Subgrantee, in a timely manner, any changes in law, regulations, policy or procedure which affects the Subgrantee's grant requirements through gaemgrants.com, gema.ga.gov and/or the appropriate alternate methods of communication.
- GEMA/Homeland Security shall provide technical assistance to assist the Subgrantee in the formulation and management of its DHS FEMA grants (see Disclaimer paragraph herein below).

Terms of Agreement

This MOU shall remain in full force and effect for the duration of any DHS FEMA grants Subgrantee receives, including the record retention period. Any changes in regulations, policies or procedures applicable to EMPG funding shall constitute an amendment to this Agreement.

Limitation of Liability

The Subgrantee acknowledges that this MOU is intended for the benefit of the Grantee and the Subgrantee and does not confer any rights upon any third parties. Furthermore, the Subgrantee hereby agrees to hold harmless and indemnify Grantee from any actions or claims brought on behalf of any third parties, including those to whom services or materials are provided under any project funded by the DHS FEMA EMPG.

Disclaimer

In its capacity as the Grantee and state fiduciary of (DHS FEMA) and other federal grant funds, GEMA/Homeland Security provides technical assistance to current and potential Subgrantees (collectively referred to as "Subgrantees") of the FEMA EMPG.

Technical assistance includes the application of specific knowledge to a specific situation in order to address a specific need and as such is not a legal opinion or an endorsement of the Subgrantee's grants management practice. GEMA/Homeland Security does not render legal opinions to Subgrantees, but rather provides information intended to assist a Subgrantee prudently manage its own grants management program by employing effective methods and sound practices to manage DHS FEMA grants.

Technical assistance and other grants management information provided by GEMA/Homeland Security and adopted by the Subgrantee, does not serve as GEMA/Homeland Security's endorsement of the Subgrantee's grants management practice and does not relieve the Subgrantee of the responsibility of assuring that its grants management practice is in compliance with applicable laws, regulations and policies as required by the DHS FEMA EMPG.

The Subgrantee, by its decision to participate in the EMPG, bears the ultimate responsibility for ensuring compliance with all applicable state and federal laws, regulations and policies, and bears the ultimate consequences of any adverse decisions rendered by GEMA/Homeland Security, DHS FEMA, or any other state and federal agencies with audit, regulatory, or enforcement authority. Throughout the grants management process, GEMA/Homeland Security, as the state fiduciary of this federal funding, reserves the right to demand that the Subgrantee comply with all applicable state and federal laws, regulations and policies, require refund of advanced funds and

take any and all other actions it deems appropriate to protect those funds for which it is responsible.

Additional Laws and Policies

The Subgrantee agrees to abide by the requirements of the following as applicable: Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, Federal Execution Order 11246, the Federal Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Act of 1975, and the Americans with Disabilities Act of 1990.

The Subgrantee agrees not to discriminate in its employment practices, and will render services under this Agreement without regard to race, color, religion, sex, national origin, veteran status, political affiliation, or disabilities.

Any act of discrimination committed by the Subgrantee or failure to comply with these statutory obligations, when applicable, shall be grounds for termination of this Agreement.

Notices

All notices and other communications pertaining to this Agreement shall be in electronic format and/or writing and shall be transmitted either by email, personal hand delivery (and receipted for) or deposited in the United States Mail, as certified mail, return receipt requested and postage prepaid, to the other party, addressed as follows:

GEMA/Homeland Security
Post Office Box 18055
Atlanta, Georgia 30316
ATTN: Preparedness Grants and Programs

Or

hsgrants@gema.ga.gov

IN WITNESS WHEREOF, the parties have executed this Agreement on the day, month and year first written above.

WITNESSES:

State's Witness

Name: Sheneka Turner

State Coordinating Officer

Name: Ceporia McMillian

Date

Telephone Number: (404) 635-7095

Subgrantee's Witness

Name: Danny Thompson

Chief Elected/Appointed Official
or Chief Executive Officer

Name: Billy Thurmond

Title: Chairman

Date [Click or tap here to enter text.](#)

Telephone Number: [Click or tap here to enter text.](#)

Exhibit A

Designation of Applicant's Agent

Provide the information below for 1 primary, 1 alternate (optional), 1 authorized and 1 financial individual that will be designated as agents. Changes to the below authorized agents must be communicated to GEMA/Homeland Security in the manner as detailed above within fourteen (14) days of such change.

Primary Agent's Name: Danny Thompson

Title: Fire Chief/EMA Director

Telephone number: 678-410-1738

Email Address: dthompson@dawsoncounty.org

Alternate Agent's Name (Optional): Jason Dooley

Title: Deputy EMA Director

Telephone number: 770-262-9664

Email Address: jdooley@dawsoncounty.org

Authorized Agent's Name: Laurie Whalen

Title: Grants Administrator

Telephone number: 706-344-3500

Email Address: lwhalen@dawsoncounty.org

Financial Agent's Name: Vicki Neikirk

Title: Chief Financial Officer

Telephone number: 706-344-3500

Email Address: vneikirk@dawsoncounty.org

I, as Chief Elected or Appointed Official of the Subgrantee am authorized to execute and file an Application for the Emergency Management Performance Grant Program on behalf of the Subgrantee for the purpose of obtaining funding under the above-mentioned Acts. The above named agent(s) is/are authorized to represent and act on behalf of the Subgrantee in all dealings with the State of Georgia on all matters pertaining to the management of grants as required by this MOU.

Chief Elected/Appointed Official
or Chief Executive Officer

Date

Name: Billy Thurmond

Title: Chairman

Telephone Number: [Click or tap here to enter text.](#)



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Senior Center

Work Session: 09/05/2019

Prepared By: Melissa Hawk

Voting Session: 09/19/2019

Presenter: David McKee/Dawn Pruett

Public Hearing: Yes No

Agenda Item Title: IFB #332-19 Construction Services for the Senior Srv Ctr - CDBG Presentation

Background Information:

In 2017, Dawson County received a donation from the Ivy Trust in the amount of \$945,014.90. In 2018, Dawson County was awarded a Community Development Block Grant from GA Department of Community Affairs in the amount of \$750,000. The County released an IFB for construction services on April 11, 2019.

Current Information:

The County received 3 bids on May 23, 2019, for this project. The lowest bidder is Diversified Construction of Georgia. The original offer received was in the amount of \$2,242,000. Contract negotiations resulted in a reduced scope of work and the deletion of the staff conference room, for a bid of \$1,969,853.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
351	5521	541300	945,014.90	718,297.45		
Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
250	5521	541300	750,000.00	750,000.00		

Recommendation/Motion: The Board accept the bids submitted and to award a contract to Diversified Construction of Georgia, not to exceed the amount of \$1,969,853; to accept and utilize the donation in the amount of \$945,014.90; to utilize the CDGB funds of \$750,000 and to approve additional funds in the amount of \$501,556 to be transferred from the monies of the Board's discretion for this project.

Department Head Authorization: Dawn Pruett

Date: 08/26/2019

Finance Dept. Authorization: Vickie Neikirk

Date: 08/28/19

County Manager Authorization: DH

Date: 8/28/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

Presentation



NELSON
ARCHITECTURAL FIRM

IFB #332-19 CONSTRUCTION SERVICES FOR SENIOR SERVICES CENTER - CDBG

WORK SESSION – SEPTEMBER 5, 2019



Background and Overview



- ❖ In 2017, the County was blessed to receive a donation from the Ivy Trust in the amount of \$ 945,014.90.
- ❖ This act of kindness led to the dream to extend the senior center services into a second building next to the Margie Weaver Senior Center. This will allow to expand services and prepare for future growth.
- ❖ On August 24, 2018, the County was awarded a Community Development Block Grant in the amount of \$750,000.00.
- ❖ The current building will maintain its name in memory of the commitment and dedication of Margie Weaver to the County and its senior citizens.
- ❖ The new building will be named the Pauline Stephens Ivey Center, Senior Life Center.

Procurement Approach and Procedure



BID ACCORDING TO POLICY

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



Special Terms and Conditions



- ❖ Some of the special terms and conditions associated with grant include:
 - Bidders to be registered in the Federal System for Award Management (SAM) and cannot be barred from doing business with the federal or state governments
 - Utilize small and minority-owned businesses in accordance with Section 3 of the Housing and Urban Development Act of 1968
 - Comply with:
 - ❖ President's Executive Order No. 11246 & 11375
 - ❖ Title VI of the Civil Rights Act of 1964
 - ❖ Architectural Barriers Act of 1968
 - ❖ Affirmative Action Clause
 - ❖ Non-Segregated Facilities Clause
 - ❖ Copeland Anti-Kick Back Clause
 - ❖ Davis-Bacon Clause
 - ❖ Work Hours & Safety Clause
 - ❖ Clean Air/Water Clause
 - ❖ Georgia Energy Codes for Buildings



Scope of Services



❖ Some of the scope of services include:

- Construct an approximately 8,260 square foot building
- Stone masonry
- Heavy timber construction & trusses
- Rough Carpentry
- Wood decking
- Standing seam metal roof panels
- Doors/windows
- Plumbing/electrical/HVAC



Space Usage for New Building



❖ Some of the space usage in the new building include:

- Large multi-purpose space
- Large kitchen
- Game Room
- Office Space
- Lobby
- Lavatory Facilities
- Nurse's Office
- Respite Room

Offers Received



Diversified Construction of GA

Scroggs & Grizzel Contracting

Carroll Daniel Construction Company

ITEM DESCRIPTION	UNIT OF MEASURE		TOTAL COST	TOTAL COST	TOTAL COST
Construction Services for Senior Services Center - CDBG -Base Bid	Lump Sum		\$2,242,000.00	\$2,580,000.00	\$2,780,000.00

ITEM DESCRIPTION	UNIT PRICE DESCRIPTION	UNIT OF MEASURE	UNIT COST	UNIT COST	UNIT COST
Unsuitable Soil	Per cubic yard unforeseen, removal and hauloff (based on minimum of 25 CY)	CY	\$55.00	\$12.00	\$0.00
Structural Soil	Per cubic yard additional structure soils (based on minimum of 25 CY)	CY	\$55.00	\$15.00	\$0.00
Sidewalks	Typical 4" thick	SF	\$9.00	\$3.50	\$0.00



REDUCED SCOPE OF WORK/COSTS AFTER CONTRACT NEGOTIATIONS

Diversified Construction of Georgia – Pre-Contract Negotiations

Diversified Construction of Georgia - Post Contract Negotiations

ITEM DESCRIPTION	UNIT OF MEASURE	ORIGINAL TOTAL COST	ITEM DESCRIPTION	UNIT OF MEASURE	NEGOTIATED TOTAL COST
Construction Services for Senior Services Center - CDBG –Turn Key	Lump Sum	\$2,242,000.00	Construction Services for Senior Services Center - CDBG –Turn Key	Lump Sum	\$1,969,853.00

Some of the scope of work negotiated resulted in a savings of **\$272,147.00** and include:

- Remove staff conference room, reducing building to approximately 7,867 square feet
- Install architectural shingles instead of metal roof
- Remove canopy from breezeway
- Remove second sidewalk closest to the road
- Cover entire building in Hardy Plank instead of brick and stone facade
- Remove sloped ceiling in the multi-purpose room, match height of ceiling to other portion of the building
- Adjust interior doors from a commercial grade package to a residential grade package
- Adjust window package from vinyl clad to a high-quality PVC
- Adjust brand name and model for flooring, countertops, kitchen equipment and storage cabinets
- Remove the glazed transom windows from 171 multi-purpose room and game room



Staff Recommendation

Staff respectfully requests the Board to accept the bids submitted and to award a contract to Diversified Construction of Georgia, not to exceed the amount of \$1,969,853.00; and to accept and utilize the donation in the amount of \$945,014.90; utilize the CDBG funds of \$750,000.00 and to approve the additional funds in the amount of \$501,556.00 to be transferred from the monies of the Board's discretion for this project.

Note:

The County does not have a contingency fund amount included for unforeseen issues.

2018 Expenses for project include survey/geotechnical services, A&E contract, application contract w/GMRC, newspaper announcements and training in amount of \$223,692.62.

2019 Expenses for the project include newspaper announcements and A&E contract in the amount of \$3,024.83.

THANK YOU



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Fleet

Work Session: 9/05/19

Prepared By: Kara Wilkins

Voting Session: 9/19/19

Presenter: Shannon Harben

Public Hearing: Yes No

Agenda Item Title: 2019 Dawson County BOC Surplus List.

Background Information:

This is a compilation of dilapidated Dawson County assets.

Current Information:

The current 2019 surplus list is included for consideration for surplus.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Staff recommends approving surplus for disposal

Department Head Authorization: SH

Date:

Finance Dept. Authorization: Vickie Neikirk

Date: 8/28/19

County Manager Authorization: DH

Date: 8/28/19

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

2019 Dawson County BOC Surplus List

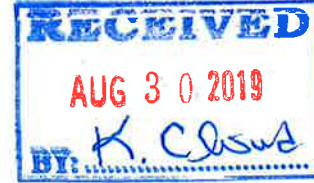
<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN/ Serial #</u>	<u>Miles/ Hours</u>	<u>Justification</u>
2014	Dodge	Charger	2C3CDXAT2EH216958	100,000 mile	Failed engine/ electrical issues
2001	Ford	Crown Vic	2FAFP71W61X124087	200,000 mile	Fulfilled service life
2005	Ford	Expedition	1FMPU17535LA70491		Over 75% value to repair
2011	Ford	Crown Vic	2FABP7BV7BX153863		Over 75% value to repair
2007	Ford	Crown Vic	2FAFP71W67X134563		Fulfilled service life
1999	Ford	E250	1FT5534L9XHC14067		Over 75% value to repair
2001	Ford	Crown Vic	2FAFP71W71XV24048	220,168	Fulfilled service life
2006	Ford	Crown Vic	2FAFP71W16X118933		Fulfilled service life
2011	Ford	Crown Vic	2FABP7BV4BX183113	146,000	Over 75% value to repair
2007	Ford	F250	1FTSX21P37EB43484	173,154	Over 75% value to repair
2005	Ford	F250	1FTSW21P55EC55848		Over 75% value to repair
2008	Ford	Explorer	1FHEU73E98UA70557	136,500	Over 75% value to repair
1987	Ford	8000 Cust Cab	1FDYD80U9HVA9909	41,433	Fulfilled service life
2006	Ford	F150	1FTRW14W46FB17242	207,528	Fulfilled service life
2006	Chevy	Trail Blazer	1GNDT13S362188545	191,829	Fulfilled service life
2004	Ford	Expedition	1FMPU16L24LB87736	236,340	Fulfilled service life
2005	Ford	Ranger	1FTYR14U45PA87878	78,900	Fulfilled service life/ Repair value
2006	Dodge	Charger	2B3KA43H26H503534	215,000	Over 75% value to repair
	Caterpillar	120G Grader	87V08617	Unknown	Fulfilled service life/ Repair value
	Hi-Way	E2020XT	125608		Fulfilled service life
	Hi-Way	E2020XT	125609		Fulfilled service life
	Bush Hog	2810-3	12-20081		Fulfilled service life
	Bush Hog	296 Cutter	12-05411		Fulfilled service life
	Hi-Way HR317	Shoulder Builder	HR317	N/A	Fulfilled service life
	Billy Goat	SP-170 Blower	91908455		Fulfilled service life
	Wonder Blower	Push Blower	N/A		Fulfilled service life
	North Star	Steam Cleaner	0506 1438		Fulfilled service life
	Toro	22" push mower	21038203324		Fulfilled service life
	Husky	Pressure Washer	GJAAA 2062124		Fulfilled service life
	Ice-O-Matic	Ice Maker			Fulfilled service life
	Max Ice	Ice Maker			Fulfilled service life
	Belle Aire	318VL Compressor	117752		Fulfilled service life
	Light Asm Approx (70) total				Replaced with LED energy saving lights
	Lot of 18 10R22.5 wheels/Tires used				Fulfilled service life
	Lot of 4 Sthil saws, parts only				Fulfilled service life
	Misc lot of light/siren equipment				Fulfilled service life
	Bleachers	Bleachers			Not needed anymore
	Medtronic LifePak	Defibrillator	14286499		Fulfilled service life
2007	Chevy 2500	Truck long bed			Not needed anymore
	Case Backhoe wheels and filled tires	Wheels/ tire			Not needed anymore
	Dollar General building steel				Not needed anymore
	Misc lot of old a/c units Detention Center				Fulfilled service life

415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



(706) 265-3256
Fax (706) 265-4214
www.dawsonville-ga.gov

August 27, 2019



CERTIFIED MAIL

Mr. Billy Thurmond
Board of Commissioners
Dawson County
25 Justice Way, Suite 2313
Dawsonville, GA 30534

Re: Annexation of Property of City of Dawsonville; ANX-C2000024

Dear Mr. Thurmond,

Please be advised that the City of Dawsonville, Georgia, pursuant to authority vested in the Mayor and Council of the City of Dawsonville by Article 2, Chapter 36, Title 36 of the Official Code of Georgia Annotated, received a petition to annex the property referenced above. This annexation petition will be heard during the public hearing segment of the following City Council meetings; September 23, 2019 at 5:30pm and October 7, 2019 at 5:30pm.

This letter has been sent to you by certified mail, return receipt requested, upon receipt of the Annexation Petition of City of Dawsonville. Said notice is in compliance with O.C.G.A. §§ 36-36-6, and 36-36-111. Please see the attached copy of the annexation petition and map of the site proposed to be annexed, which are included to allow you to identify the subject area, as well as the intended use of the property.

Pursuant to O.C.G.A. § 36-36-113, upon receipt of this notice Dawson County has thirty (30) calendar days to raise an objection to the proposed use of the above referenced land, and to specify the basis therefore.

Finally, in accord with O.C.G.A. § 36-36-7, Dawson County has five (5) business days from the receipt of this notice to notify the City that there are County-owned public facilities within the area proposed for annexation.

Thank you for your time and attention to this matter. If I may be of assistance in this regard or any other, please do not hesitate to contact me.

Sincerely,

Robbie Irvin
Planning Director
City of Dawsonville

Enclosures

cc: David Headley, County Manager
County Attorney



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Annexation Petition
 into the
 City of Dawsonville, GA**

Annexation # C2-000024

FEE \$250.00 (NONREFUNDABLE) Date Paid N/A Cash /Ck # N/A

No fee - City owned property

Please Print Clearly **ZONING AMENDMENT APPLICATION AND FEES RECEIVED ?** YES NO

Applicant Name(s): Bob Bolz

Mailing Address 415 Hwy 53 E, Ste 100 City Dawsonville State GA Zip 30534

E-Mail _____

Applicant Telephone Number(s): 706-265-3256

Property Owner's Name(s): City of Dawsonville

Mailing Address 415 Hwy 53 E, Ste 100 City Dawsonville State GA Zip 30534

E-Mail _____

Property Owner's Telephone Number(s): _____

Address of Property to be Annexed: 1000 Cleve Wright Rd. VACANT LOT

Tax Map & Parcel # 080036003 Property Size in Acres: 32.68 Survey Recorded in Plat Book # 84 Page # 198

Land Lot # 113, 160, 161 District # 4 Section # 1 Legal Recorded in Deed Book # _____ Page # _____

Current Use of Property: City Well Site

County Zoning Classification: RA City Zoning Classification: INST

Land Use & Zoning Ordinance, Article VII. General Provisions Sec. 708. Annexation:

Any land area subsequently added to the incorporated area of Dawsonville shall automatically be classified R-1 (single-family residential district) until or unless otherwise classified by amendment to the official zoning map.

Petition **MUST** include a completed application with signatures and **ALL** attachments.

An 8 1/2 x 11 copy of the current **RECORDED BOUNDARY SURVEY** of said property showing the contiguity of said property to the existing corporate limits of the City of Dawsonville, GA.

A copy of the current metes and bounds **LEGAL DESCRIPTION** that matches the boundary survey of the property being annexed.

Survey **must** be signed and sealed by a Registered Land Surveyor.

Survey **must** be signed, stamped recorded by Dawson County Clerk's Office, Superior Court



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Annexation Petition
 into the
 City of Dawsonville, GA**

Please answer the following questions to meet and comply with the United States Department of Justice, Civil Rights Division, Voting Section, Section 5 of the Voting Rights Act.

1. Intended Use of Land: _____ Residential _____ Commercial
 _____ Existing Structure(s) _____ Vacant
 Other (specify) City Well Sites
2. Number of persons currently residing on the property: 0; VACANT
 Number of persons 18 years or older: 0; Number of persons registered to vote: 0
3. The number of all residents occupying the property:

_____ American Indian	_____ Alaskan Native
_____ Asian	_____ Pacific Islander
_____ Black, not of Hispanic Origin	_____ Hispanic
_____ White, not of Hispanic Origin	_____ VACANT

Please answer the following questions to meet and comply with the U. S. Department of Commerce, which requires this information to provide Population Estimates.

ARC Population Estimate Information

- A. Number of existing housing units: 0
- B. List of Addresses for each housing unit in the annexed area at the time of the annexation:
N/A
- C. Disposition of existing structures (e.g. to stay the same, be demolished, moved or converted):
N/A
- D. Names of affected Subdivision: N/A
- E. Name of affected Multi-Family Complex: N/A
- F. Names of Group Quarters (dormitories, nursing homes, jails, etc.):
N/A
- G. Names of affected Duplexes: N/A
- H. Names of Mobile Home Parks: N/A



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Annexation Petition
 into the
 City of Dawsonville, GA**

Property Owner(s) Authorization

I / We the undersigned, being the owner(s) of real property of the territory described herein as 1000 Cleve Wright Rd (Address/Tax Map Parcel) , respectfully request that the Mayor and City Council of the City of Dawsonville, Georgia annex this property into the City and extend the City boundaries to include the same.

Upon signature of this document, I / We the undersigned certify that all the information provided is true and accurate to the best of our knowledge.

(1) _____
 Property Owner Signature

City of Dawsonville
 Property Owner Printed Name

(2) _____
 Property Owner Signature

 Property Owner Printed Name

(1) * Bob Bolz
 Applicant Signature

Bob Bolz
 Applicant Printed Name

(2) _____
 Applicant Signature

 Applicant Printed Name

Sworn to and subscribed before me
 this 22 day of August 2019.

Nalita Y. Copeland
 Notary Public, State of Georgia



Nalita Y. Copeland
 NOTARY PUBLIC
 Dawson County, Georgia
 My Commission Expires
 May 15, 2023

My Commission Expires: May 15, 2023

Notary Seal

Annexation Application Received Date Stamp:	Rec'd <u>8/22/19</u>	Completed Application with Signatures
	Rec'd <u>ll u</u>	Current Boundary Survey
	Rec'd <u>ll u</u>	Legal Description
	Rec'd <u>ll u</u>	ARC Population Estimate Information

Planning Commission Meeting Date (if rezone): 9/16/19

Dates Advertised: 8/28/19

1st City Council Reading Date: 9/23/19

2nd City Council Reading Date: 10/7/19

Approved: YES NO

Date Certified Mail to: 8/27/19 County Board of Commissioners & Chairman 8/27/19 County Manager 8/27/19 County Attorney

Letter Received from Dawson County Date: _____



City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534 Phone:
 (706) 265-3256

Zoning Amendment Application

Request # ZA- C2000024 Condition/Stipulation Change

Original ZA # _____

Applicant Name(s): Bob Boltz - City of Dawsonville

Address: 415 Hwy 53 E, Ste 100 City: Dawsonville GA Zip: 30534

Phone: 706-265-3256 Cell Phone: _____

Property Address: 1000 Cleve Wright Rd.

Directions to Property from City Hall: _____

Tax Map # 080 Parcel # 036 003 Current Zoning**: RA - County

Land Lot(s): 113, 160, 161 District: 4 Section: 1

Subdivision Name: N/A Lot # _____

Acres: 32.68 Current Use of Property: City Well Site

Has a past Request of Rezone of this property been made before? NO If yes, provide ZA # _____

The applicant request:

Rezoning to zoning category: INST Special Use permit for: _____

Proposed use of property if rezoned is: Same - City Well Site

If Residential: # of lots proposed N/A Minimum lot size proposed N/A (Include Conceptual Plan)

Is an Amenity area proposed N/A, if yes, what N/A

If Commercial: Total Building area proposed N/A (Include Conceptual Plan)

Existing Utilities: (utilities readily available at the road frontage) ___ Water ___ Sewer Electric ___ Natural Gas

Proposed Utilities: (utilities developer intends to provide) ___ Water ___ Sewer ___ Electric ___ Natural Gas

Road Access/Proposed Access: (Access to the development/area will be provided from)

Road name: Cleve Wright Road Type of Surface: _____

- ◆ Failure to complete all sections will result in rejection of application and unnecessary delays.
- ◆ I understand that failure to appear at a public hearing may result in the postponement or denial of this application.

* Robert Boltz
 Signature of Applicant

8-22-19
 Date

Office Use Only:	
Date Completed Application Rec'd <u>8/22/19</u>	Amount Paid \$ _____ Check # _____ /Cash
Date of Planning Commission Meeting: <u>9/16/19</u>	Dates Advertised: <u>8/28/19</u>
Date of City Council Meeting: <u>9/23/19</u>	Dates Advertised: <u>8/28/19</u>
Postponed: YES NO Date: _____	Rescheduled for next Meeting: _____
Approved by Planning Commission: YES NO	Approved by City Council: YES NO



180



DAWSON COUNTY, GEORGIA
080
 January 2017

- LEGEND**
- Unincorporated Areas
 - Interstate
 - State Route
 - County Road
 - Road Construction
 - City Limits
 - Precinct
 - TOWNS
 - Industrial Zoning District
 - Single-Family Residential Zoning District
 - Medium-Density Residential Zoning District
 - Low-Density Residential Zoning District
 - Rural Zoning District
 - Agriculture Zoning District
 - Forest Zoning District
 - Public Use Zoning District
 - Other Zoning District

County Zoning Map RA zoning

Prepared by/return to:
Law Office of Shelly T. Martin, LLC
133 Prominence Court, Suite 110
Dawsonville, GA 30534

WARRANTY DEED

GEORGIA, DAWSON COUNTY

THIS INDENTURE, made this 29th day of March 2018, between **MATTHEW L. HAMBY** and **JULIE G. HAMBY**, Grantor, and **CITY OF DAWSONVILLE**, a duly authorized municipal corporation pursuant to the laws of the State of Georgia, 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 113, 160, & 161, of the 4th District, 1st Section, Dawson County, Georgia, as shown on a plat of survey for The City of Dawsonville, dated September 20, 2017, October 29, 2017, prepared by Jason-D. Watkins, GRLS No. 3241, and being more particularly described as follows:

COMMENCING AT A 1/2" open top pipe found at the corner common to Land Lots 161, 162, 179, 180. THENCE N01°00'11"W a distance of 546.29' to point at the center line of Pigeon Creek. Said point being the POINT OF BEGINNING; THENCE, along the center line of Pigeon Creek, the following courses and distances: N60°11'09"W a distance of 5.52'; S80°08'04"W a distance of 70.88'; S50°32'55"W a distance of 39.03'; S15°48'27"W a distance of 38.93'; N89°24'33"W a distance of 103.92'; N88°18'06"W a distance of 23.54'; N80°33'08"W a distance of 93.64'; N60°30'56"W a distance of 69.92'; S79°59'27"W a distance of 77.35'; S80°28'09"W a distance of 105.06'; S62°49'55"W a distance of 67.17'; S64°55'23"W a distance of 56.04'; THENCE, leaving the center line of Pigeon Creek, N00°32'01"E a distance of 268.73' to a 1/2" rebar set; THENCE N89°27'59"W a distance of 200.00' to a 1/2" rebar set; THENCE S00°31'59"W a distance of 289.32' to a point at the centerline of Pigeon Creek; THENCE, along the center line of Pigeon Creek, the following courses and distances: N75°08'39"W a distance of 53.60'; N75°23'26"W a distance of 55.73'; N62°28'17"W a distance of 60.32'; N70°07'08"W a distance of 55.10'; N64°21'43"W a distance of 51.09'; N73°21'38"W a distance of 42.11'; N87°17'00"W a distance of 64.49'; N40°27'51"W a distance of 51.35'; N27°03'40"W a distance of 56.14'; N59°23'06"W a distance of 31.72'; S76°25'23"W a distance of 54.96'; S33°37'26"W a distance of 27.51'; S03°30'43"E a distance of 37.90'; S35°13'29"E a distance of 49.24'; S08°27'11"E a distance of 33.62'; S66°44'02"W a distance of 33.65'; N83°02'52"W a distance of 55.52'; N77°19'03"W a distance of 12.30'; S86°13'38"W a distance of 41.33'; N83°37'40"W a distance of 35.25'; N61°53'24"W a distance of 34.88'; N69°08'58"W a distance of 53.02'; S67°43'58"W a distance of 55.46'; S23°35'54"W a distance of 10.75'; N84°39'36"W a distance of 72.39'; N75°16'48"W a distance of 34.66'; THENCE, leaving the centerline of Pigeon Creek, N28°50'44"E a distance of 281.43' to a 1/2" rebar set; THENCE N61°09'19"W a distance of 200.00' to a 1/2" rebar set; THENCE S28°50'44"W a distance of 317.77' to a point in the centerline of Pigeon Creek; THENCE, along the center line of Pigeon Creek, the following courses and distances: N87°19'00"W a distance of 2.63'; N85°04'53"W a distance of 65.05'; N80°39'24"W a distance of 28.82'; S82°09'22"W a distance of 34.19'; S78°46'01"W a distance of 39.37'; N63°35'21"W a distance of 31.19'; N33°16'25"W a distance of 56.90'; N16°06'18"W a distance of 52.14'; N09°35'05"E a distance of 69.55'; N06°59'04"E a distance of 73.58'; N00°46'34"W a distance of 36.20'; N31°36'38"W a distance of 57.79'; N25°00'13"W a distance of 52.07'; N70°41'55"W a distance of 65.67'; N53°24'01"W a distance of 45.07'; N32°30'13"W a distance of 70.89'; N15°52'42"W a distance of 23.64'; N14°21'57"W a distance of 20.55'; N25°54'55"W a distance of 3.11'; N14°14'00"W a distance of 33.97'; N08°01'22"W a distance of 44.75'; N48°12'16"W a distance of 20.25'; N36°32'48"W a distance of 31.90'; N26°33'07"W a distance of 24.24'; N24°15'59"W a distance of 50.45'; N50°44'38"W a distance of 27.21'; N58°21'36"W a distance of 14.77'; N48°07'05"W a distance of 15.88'; N50°48'50"W a distance of 18.86'; N31°13'51"W a distance of 13.84'; N20°44'44"W a distance of 27.54'; N22°55'26"W a distance of 26.94'; N12°23'58"W a distance of 28.98'; N22°09'11"W a distance of 18.26'; N26°22'54"W a distance of 4.36'; THENCE, leaving the centerline of Pigeon Creek, N86°40'51"E a distance of 148.59' to a 1/2" rod found; THENCE N03°19'03"W a distance of 505.29' to a point at the southerly right of way of Cleve Wright Road (30' R/W); THENCE, along the southerly right of way of Cleve Wright Road, N81°48'22"E a distance of 18.46' to a point; THENCE, continuing along the right of way of Cleve Wright Road, with a curve to the left, having an arc length of 79.04' and a radius of 177.80', with a chord bearing of N69°08'17"E and a chord length of 78.39', to a 1/2" rebar set; THENCE, leaving the southerly right of way of Cleve Wright Road, S24°00'14"E a distance of 295.95' to a 1/2" rebar set; THENCE S46°44'29"E a distance of 55.29' to a 1/2" rebar set; THENCE S52°46'58"E a distance of 1537.17' a 1/2" rebar set; THENCE S89°11'04"E a distance of 496.63' a 1/2" rebar set; THENCE N55°14'02"E a distance of 608.77' a 1/2" rebar set; THENCE S01°00'11"W a distance of 554.05' to a point at the centerline of Pigeon Creek. Said point being the POINT OF BEGINNING;

Said property contains 30.000 acres more or less and includes the 6.34 acres that is the subject property conveyed in the Utility Easement to City of Dawsonville, recorded in Deed Book 1277, Page 13-18, filed January 8, 2018, Dawson County Deed Records.

MLH
JGK

Subject to all matters of record, including but not limited to Easement Agreements recorded in Deed Book 1274, Page 90-91 and Deed Book 1267, Page 190, Dawson County records.

Grantor reserves unto himself and for his heirs, successors and/or assignees, in perpetuity, a non-exclusive 80 foot easement for Access and Utilities extending from the Southeastern side of the right-of-way of Cleve Wright Road, in a southerly and easterly direction, to a point on the East Land Lot line of Land Lot 162, across the property being more described and set forth on Exhibit A which is attached hereto and incorporated herein by reference.

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:

Mark J. [Signature]
Unofficial Witness

Matthew L. Hamby [Signature] (SEAL)
MATTHEW L. HAMBY

Sherry D. Martin [Signature]
Notary Public
My commission expires: _____ (SEAL)

Julie G. Hamby [Signature] (SEAL)
JULIE G. HAMBY

