

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA – THURSDAY, OCTOBER 17, 2024
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
TO IMMEDIATELY FOLLOW THE 4:00 PM WORK SESSION**

A. ROLL CALL

B. OPENING PRESENTATION

1. Proclamation Recognizing Facilities Director James Tolbert

C. INVOCATION AND PLEDGE OF ALLEGIANCE

D. ANNOUNCEMENTS

E. APPROVAL OF MINUTES

1. Minutes of the Work Session held on October 3, 2024
2. Minutes of the Voting Session held on October 3, 2024

F. APPROVAL OF AGENDA

G. PUBLIC COMMENT

H. ALCOHOL LICENSE

1. New Alcohol License (*Retail Package Sale of Malt Beverages and Wine*) – Om Sai Barrettsville LLC dba Barrettsville Food Store, 2237 Kelly Bridge Road, Dawsonville, GA 30534

I. PUBLIC HEARINGS

1. Capital Improvements Element Update (*1st of 1 hearing*)
2. Abandonment of a Portion of Black's Mill Valley Road (*1st of 1 hearing*)

J. ZONINGS

1. ZA 24-05 - Kurt Trump requests a Land Use Amendment to zone 3.13 acres of property zoned VCR (Vacation Cottage Residential) to CIR (Commercial Industrial Restricted). Issuing a Special Use Permit to operate an open-storage business (boat storage) also is necessary. This property is located at 126 Oak Grove Road (Parcel ID L17-189). The property is located north of War Hill Park Road.
2. ZA 24-06 - Sean Courtney, on behalf of Chad Kimbral, requests a Land Use Amendment to zone 2.86 acres of property zoned RSR (Residential Sub-Rural) to a commercial designation (CRB, CCB or CHB) to operate an automotive repair and services business. This property is located east of Georgia Highway 9 near Jewel Slaton Road (Parcel ID 088-108-004).

3. ZA 24-07 - Davis Engineering, on behalf of Will Wade, requests a Land Use Amendment to zone 1.47 acres of property zoned RSR (Residential Sub-Rural) to a commercial designation (CCB) to construct a medical office building. This property is located at 900 Highway 53, Georgia Highway 53 and Perimeter Road.

K. UNFINISHED BUSINESS

1. Consideration of Proposal to Increase Annual Paid Time Off (PTO) Payout (*Tabled from October 3, 2024*)

L. NEW BUSINESS

1. Consideration to Move Forward to a Public Hearing Concerning Recommendations to Chapter 22 Fire Code Related to Fire Flows

M. PUBLIC COMMENT

N. ADJOURNMENT

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

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



**DAWSON COUNTY
BOARD OF COMMISSIONERS**

**PROCLAMATION
IN RECOGNITION OF JAMES TOLBERT'S
OVER 30 YEARS OF SERVICE TO DAWSON COUNTY**

WHEREAS, James Tolbert has served more than 30 years with Dawson County Government;

WHEREAS, Mr. Tolbert began his career with Dawson County in 1993 as director for the Parks & Recreation department;

WHEREAS, in 2007, Mr. Tolbert transitioned from the Parks & Recreation department to take on the role that eventually became the Facilities department director;

WHEREAS, each time he was called upon, Mr. Tolbert responded without hesitation and was always prepared to put in the work for the citizens of Dawson County;

WHEREAS, Mr. Tolbert sacrificed and spent many of his nights and weekends away from his family to ensure that the citizens of Dawson County were provided with quality recreational experiences;

WHEREAS, even as the director of the Facilities department, Mr. Tolbert has remained involved in and has had an enormous positive impact on the Parks & Recreation department and other county departments over the years, and his work ethic has served as an exceptional example for all county employees;

NOW, THEREFORE, BE IT PROCLAIMED that the Dawson County Board of Commissioners expresses its sincere appreciation to Mr. Tolbert for his loyalty to Dawson County and wishes him much happiness as he begins this exciting new chapter in his life. The board urges all residents and employees to join us in congratulating Mr. Tolbert on an outstanding career with Dawson County.

On this 17th day of October, 2024.

Attest:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

**DAWSON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES – THURSDAY, OCTOBER 3, 2024
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
4:00 PM**

Those present were Chairman Billy Thurmond; Commissioner Seth Stowers, District 1; Commissioner Chris Gaines, District 2; Commissioner Alexa Bruce, District 3; Commissioner Emory Dooley, District 4; County Manager Joey Leverette; County Attorneys Angela Davis and Paul Frickey; County Clerk Kristen Cloud; and interested citizens of Dawson County.

UNFINISHED BUSINESS

1. Presentation of Recommendations to Chapter 22 Fire Code Related to Fire Flows- County Manager Joey Leverette / County Attorney (*Last discussed at the August 1, 2024, Work Session*)
This item will be placed on the October 17, 2024, Voting Session Agenda for consideration to move forward to a public hearing.

NEW BUSINESS

1. Presentation of Character Area Map Amendment Request- Planning & Development Director Sharon Farrell
This item, also presented by County Attorney Davis, was for information and discussion only.
2. Presentation of RFP #442-24 - Transportation Special Purpose Local Option Sales Tax Program Management Services- Public Works Director Robert Drewry / Purchasing Manager Melissa Hawk
This item will be added to the October 3, 2024, Voting Session Agenda.
3. Presentation of a Resolution to Approve / Ratify the Administrative Order of the Northeastern Judicial Circuit Superior Court Judges Regarding the Setting of Salary and Compensation Terms of Juvenile Court Judges- County Attorney
This item, presented by County Attorney Davis, was tabled until more information is collected.
4. County Manager Report
This item was for information only.
5. County Attorney Report
County Attorney Davis had no information to report.

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – THURSDAY, OCTOBER 3, 2024
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Seth Stowers, District 1; Commissioner Chris Gaines, District 2; Commissioner Alexa Bruce, District 3; Commissioner Emory Dooley, District 4; County Manager Joey Leverette; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County.

OPENING PRESENTATION:

Breast Cancer Awareness Month Proclamation

Chairman Thurmond read aloud a Breast Cancer Awareness Month Proclamation.

Motion passed 4-0 to approve a Breast Cancer Awareness Month Proclamation. Dooley/Bruce

INVOCATION AND PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

None

APPROVAL OF MINUTES:

Motion passed 4-0 to approve the Minutes of the Work Session held on September 19, 2024.
Gaines/Stowers

Motion passed 4-0 to approve the Minutes of the Voting Session held on September 19, 2024.
Bruce/Stowers

APPROVAL OF AGENDA:

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

- Addition of No. 6 under New Business:
 - RFP #442-24 – Transportation Special Purpose Local Option Sales Tax Program Management Services

Stowers/Dooley

PUBLIC COMMENT:

None

ALCOHOL LICENSE:

New Alcohol License (Retail Package Sale of Malt Beverages and Wine) – Aarush Business LLC dba Harmony Food Mart, 1128 Harmony Church Road, Dawsonville, Georgia 30534.

Dawson County Alcohol Administrator Kathryn Massey presented an alcohol license application for Harmony Food Mart.

Motion passed 4-0 to approve a New Alcohol License (*Retail Package Sale of Malt Beverages and Wine*) – Aarush Business LLC dba Harmony Food Mart, 1128 Harmony Church Road, Dawsonville, Georgia 30534. Gaines/Stowers

NEW BUSINESS:

Consideration of Request for a New Shared Server for the District Attorney's Office

Motion passed 4-0 to approve a Request for a New Shared Server for the District Attorney's Office in the amount of \$20,189, plus \$3,000 annually for cloud storage; monies will come from General Fund's fund balance. Stowers/Bruce

Consideration of RFP #441-24 - Playground Upgrade for Rock Creek and Veterans Memorial Parks

Motion passed 4-0 to approve RFP #441-24 - Playground Upgrade for Rock Creek and Veterans Memorial Parks; to accept the proposals received and to award a contract to Great Outdoors Play in the amount not to exceed \$579,912, and a 10 percent county-controlled contingency, utilizing Special Purpose Local Option Sales Tax VII funds. Bruce/Gaines

Consideration of Professional Exemption and Budget Request for Engineering Services for Site Development of Future Fire Station 3 Location (Harmony Church Road Property) - Phase 1

Motion passed 4-0 to approve a Professional Exemption for BM&K and Budget Request for Engineering Services for Site Development of the Future Fire Station 3 Location (Harmony Church Road Property) - Phase 1; 56,900 will come from Special Purpose Local Option Sales Tax VII funds. Bruce/Stowers

Consideration of Proposal to Increase Annual Paid Time Off (PTO) Payout

Motion passed 4-0 to table a Proposal to Increase Annual Paid Time Off (PTO) Payout until October 17, 2024. Gaines/Stowers

Consideration of Request to Write Off Old, Uncollectable Ambulance Accounts

Motion passed 4-0 to approve a Request to Write Off Old, Uncollectable Ambulance Accounts that have passed the period of collections allowed by law. This includes 667 accounts from 2019-2020 totaling \$355,543.37. Dooley/Bruce

Consideration of RFP #442-24 – Transportation Special Purpose Local Option Sales Tax Program Management Services

Motion passed 4-0 to approve RFP #442-24 – Transportation Special Purpose Local Option Sales Tax Program Management Services (TSPLOST); to accept the offers received and to award a contract to BM&K for personnel positions and hourly rates offered, not to exceed the amount of \$250,000 annually. Monies will come from TSPLOST funds. Gaines/Stowers

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT



Dawson County Marshals Office

Alcohol Licensing

25 Justice Way, Suite 2227 | 706-344-3232 | Ext. 42258 |

Application for Alcoholic Beverage License

This application must be signed by the applicant and notarized. Every question must be fully answered with the answer typewritten or printed. If the space provided is not sufficient, answer on a separate sheet and indicate in the space provided that a separate sheet is attached. When completed, the application must be dated, signed, and verified under oath by the applicant and submitted to Planning and Development, together with the license fee(s) and the administrative/investigative fee (separate checks). All fees are payable to Dawson County in certified funds (bank check, certified check, or money order). **The applicant must be not less than 21 years of age.**

NOTICE: Any false answer to any question could result in the denial of a license, or in the event a license is issued, in the revocation or suspension of the license. *****KEEP A COPY OF ALL FORMS SUBMITTED*****

FOR OFFICIAL USE ONLY:

Name of Business: _____

Date Received: _____

License Fee Enclosed: \$ _____

Approved: _____

Denied: _____

State License Number: _____

Local License Number: _____

Administrative/ Investigative Fee Enclosed: \$ _____ Advertising Fee Enclosed: \$ _____

1. Type of License: (check one):

New

Amendment (*transfer*)

2. Administrative and Investigative Fee

\$300.00 (Consumption on Premises)

Administrative and Investigative Fee

\$300.00 (Retail Package)

Administrative and Investigative Fee

\$300.00 (Transfer of License)

Note: Administrative/Investigative fees may be higher depending on the number of persons for which we conduct a federal and state background check

Advertising Fee:

\$50.00 (Distilled Spirits)
(Consumption on Premises & Retail Package)

Application for Alcoholic Beverage License

3. Type of Business:

- | | |
|---|--|
| <input type="checkbox"/> Eating Establishment | <input type="checkbox"/> Super Market |
| <input checked="" type="checkbox"/> Convenience Store | <input type="checkbox"/> Hotel/Motel |
| <input type="checkbox"/> Private Club | <input type="checkbox"/> Other
Please explain:
_____ |

Will live entertainment be offered? _____ If yes, explain: _____

4. Type of License and Fees: (Check all that apply)

****Payment by certified funds only. If license is issued after July 1st, fees are one half. ****

- a) **Retail Package: (Total: Beer – Wine – Distilled Spirits = \$5,800)**
(Total: Beer – Wine = \$1,500)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Beer \$1,000 | <input checked="" type="checkbox"/> Wine \$1,000 | <input type="checkbox"/> Distilled Spirits \$4,500 |
|--|--|--|

Grocery & Convenience Stores: Attach copy of Department of Agriculture food establishment license.

- b) **Retail Consumption on Premises: (Total: Beer – Wine – Distilled Spirits = \$4,800)**
(Total: Beer – Wine = \$1,500)

- | | |
|---|--|
| <input type="checkbox"/> Distilled Spirits
\$3,300 | <input type="checkbox"/> Additional Fixed Bars # _____ \$500.00 (each bar) |
| <input type="checkbox"/> Beer
\$1,000 | <input type="checkbox"/> Movable Bars # _____ \$200.00 (each bar) |
| <input type="checkbox"/> Wine
\$1,000 | <input type="checkbox"/> Wine, Farm Winery, Tasting Room
\$500 |
| <input type="checkbox"/> Brewpub
\$300 | <input type="checkbox"/> Alcohol Beverage Catering
\$300 |

- c) **Hotel In-Room Service:** *(Must obtain a Retail Consumption on Premise license before Hotel In-Room Service license is issued.)*

- Beer & Wine \$100

Application for Alcoholic Beverage License

5. Business:

a) Business Name: BARRETTSVILLE FOOD STORE

b) Location: 2237 KELLY BRIDGE RD
Street Number Street Name

DAWSONVILLE GA 30534 ADA 903 4106
City State Zip Code Phone Number

c) Mailing Address: 2237 KELLY BRIDGE RD
Street Number Street Name

DAWSONVILLE GA 30534 ADA 903 4106
City State Zip Code Phone Number

6. Owner:

a) Full Name: ARCHIT PATEL Social Security Number

b) Corporation or LLC Name (if applicable) OM SAI BARRETTSVILLE LLC

c) Location: 2237 KELLY BRIDGE RD
Street Number Street Name

DAWSONVILLE GA 30534
City State Zip Code Phone Number

d) Mailing Address: 2237 KELLY BRIDGE RD
Street Number Street Name

DAWSONVILLE GA 30534
City State Zip Code Phone Number

7. Registered Agent: (Applicant may name a Registered Agent – attach Registered Agent Consent Form # 3-A.)

a) Full Name: _____ Social Security Number

b) Address: _____
Street Number Street Name

City State Zip Code Phone Number

Application for Alcoholic Beverage License

8. Type of Ownership:

- | | |
|---|--|
| <input type="checkbox"/> Sole Proprietorship

<input type="checkbox"/> Private Held Corporation

<input type="checkbox"/> Public Held Corporation Subject to S. E. C. Regulations

<input type="checkbox"/> Other; explain: _____ | <input type="checkbox"/> Legally Registered Partnership

<input type="checkbox"/> Public Held Corporation

<input checked="" type="checkbox"/> Limited Liability Company |
|---|--|

9. For Partnership Only:

- a) Date the Partnership was formed: _____
- b) Attach Partnership Agreement
- c) List Partners: *(Attach separate sheet if necessary)*

<i>Name & Resident Address</i>	<i>Social Security Number</i>	<i>G- General L- Limited S- Silent</i>	<i>Investment Participation \$</i>	<i>Interest %</i>

10. For Corporation of LLC Only: *(Attach Articles & Certificate of Incorporation/ Organization)*

- a) Date of Incorporation/ Organization: 07/26/2024
- b) Place of Incorporation/ Organization: 2237 KELLY BRIDGE RD, DAWSONVILLE, GA 30534
- c) State Parent Corporation, if applicable: _____
- d) Number of Shares of Capital Stock, if applicable: _____
- e) Number of Shares of Outstanding Stock, if applicable: _____

Application for Alcoholic Beverage License

f) For Corporations of LLC's, list officers, directors, members, and/or principal shareholders with **20% or more** of the stock:

<i>Name</i>	<i>Social Security Number</i>	<i>Position</i>	<i>Interest %</i>
ARCHIT PATEL		OWNER	100%

g) Is the corporation owned by a parent corporation or held by a holding company? _____

If yes, explain: _____

11. For Private Clubs Only:

a) Date of organization under the laws of the State of Georgia: _____

b) State the total number of regular dues paying members: _____

c) Is any member, officer, agent, or employee compensated directly or indirectly from the profits of the sale of distilled spirits beyond a fixed salary as established by its members at any annual meeting or by its governing board out of the general revenue of the club? _____

d) **Attach minutes of the annual meeting setting salaries.** For private club, list officers, directors and/or principal shareholders with 20% or more of the stock.

<i>Name</i>	<i>Social Security Number</i>	<i>Position</i>

Application for Alcoholic Beverage License

12. Financing:

- a) Bank to be used by business, include branch: _____
_____ 3
- b) State total amount of capital that is or will be invested in the business by any party or parties: _____

- c) State total amount of funds invested by the Owner: _____
- d) State total amount of funds invested by parties other than the Owner: MIL
- e) If any capital is borrowed, please identify the lender below:

Name of Lender	Date	Amount

13. General Information:

- a) Does Owner and/or individual Partner, Shareholder, Director, Officer or Member have any interest in any manufacturer or wholesaler of alcoholic beverage? NO
- b) Has Owner and/or individual Partner, Shareholder, Director, Officer or Member received any financial aid or assistance from any manufacturer or wholesaler of alcoholic beverages? NO
- c) If answer is "Yes" to either of immediate foregoing, explain: _____

- d) On the following page, show hereunder any and all persons, corporations, partnerships, limited liability companies or associations (other than persons stated herein as Owner(s), Director(s), Officer(s) or Member(s)) who have received or will receive, as a result of your operation under the requested license, any financial gain or payment derived from any interest or income from the operation. Financial gain or payment shall include payment or gain from any interest in the land, fixtures, building, stock, and any other asset of the proposed operation under the license. In the event any Corporation or limited liability company is listed as receiving an interest or income from this operation, show the names of the Officers, Directors or Members of said corporation together with the names of the principal

Application for Alcoholic Beverage License

stockholders. _____

- e) List all other businesses engaged in the sale of alcohol beverages that you the Owner, or any individual, Partner, Shareholder, Officer, Director or Member has interest in, is employed by or is associated with in any way whatsoever, or has had interest in, has been employed by, or has been associated with in the past. _____

14. List wholesalers from which the business will procure alcohol:

- a) In accordance with the Georgia state law, **Rule 560-2-3-.08 Retailer Purchase from Licensed Wholesaler**, businesses in Georgia must purchase alcoholic beverages from licensed wholesalers. *(To ensure compliance, there will be an opportunity each month on the Dawson County Excise Tax Reporting Form, to identify new wholesalers from which the business purchases alcohol.)*

Wholesaler's Name	Phone Number
LEON FARMER	
GENERAL WHOLESALE	
NORTHEAST	
CLASSIC CITY	

Application for Alcoholic Beverage License

15. For Package Liquor Store Applicants: ***State of Georgia Regulations***

- a) The State of Georgia will not issue a State Alcohol License to any person who has more than two (2) retail package liquor licenses. See official language below. Do not apply for a Dawson County License if you already have (or have interest in) two (2) package liquor store licenses in the State of Georgia.

O.C.G.A. 3-4-21 and Regulation 560-2-2-40.

No person shall be issued more than two retail package liquor licenses, nor shall any person be permitted to have a beneficial interest in more than two retail package liquor licenses issued by the Department regardless of the degree of such interest.

For the purposes of explanation and applicability of the Code:

"Beneficial interest" as used here means: when a person holds the retail package liquor license in his own name, or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest in, or derives any economic benefit from, or has control over a retail package liquor business.

The term "person" shall include all members of a retail package liquor dealer licensee's family; and the term "family" shall include any person related to the holder of the license within the first degree of consanguinity and affinity as computed according to the canon law which includes the following: spouse, parents, step-parents, parents-in-law, brothers and sisters, step-brothers and step-sisters, brothers-in-law and sisters-in-law, children, step-children and children-in-law.

- b) Do you currently hold any package liquor licenses in your own name or have a beneficial interest in any package liquor licenses as described above? Yes No No. If yes, attach a separate sheet listing names, addresses, and license numbers.

Application for Alcoholic Beverage License

NOTE: Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath and subject to the penalties of false swearing, and it includes all attached sheets submitted herewith.

STATE OF GEORGIA, DAWSON COUNTY

I, ARCHIT PATEL, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT.

[Handwritten Signature]

APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT ARCHIT PATEL SIGNED HIS NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT SAID STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS 3rd DAY OF September, 2024.

[Handwritten Signature]

NOTARY PUBLIC



Application for Alcoholic Beverage License

FOR OFFICIAL USE ONLY:

MARSHALS OFFICE REVIEW:

Date: _____

Applicant has obtained all necessary Permits and Licenses.
(Building Permit / Business License)

Dawson County Marshal

Applicant has completed all necessary inspections.
(Fire Dept. / Health Dept. / Dept. of Agriculture-Retail Package only)

Dawson County Marshal

Applicant has completed premise & structure form
3 and attached all required information in items 10 through 15.

Dawson County Marshal

FOR OFFICIAL USE ONLY:

SHERIFF'S OFFICE REVIEW:

Date: _____

Applicant has completed all requirements for federal
and state background check and is sheriff approved
for this application process.

Dawson County Sheriff



Dawson County Marshals Office

Alcohol Licensing

25 Justice Way, Suite 2227 | 706-344-3232 | Ext. 42258 |

Premise and Structure Form

Instruction: This statement must be typewritten or printed and executed under oath. Each question must be fully answered. If space provided is not sufficient, answer on a separate sheet and indicate in the space provided that a separate sheet is attached.

1. Type of Business:

- Eating Establishment
- Indoor Commercial Recreation Establishment
- Convenience Store
- Super Market
- Package Liquor Store
- Hotel Or Motel
- Other (describe) _____

2. Trade Name of Business: BARRETTSVILLE FOOD STORE

Location: 2237 KELLY BRIDGE RD
Street Number Street Name
DAWSONVILLE GA 30534 404-903-4106
City State Zip Code Phone Number
076 061
Land Lot Map and Parcel Number

3. Is this location within a commercial zoning district? ✓ yes _____ no
(Proof of zoning is required from Planning and Development)

- a) For package liquor stores, is this zoned Commercial Highway Business (C-HB) or Commercial Planned Comprehensive Development (CPCD) as required by the ordinance? _____ yes _____ no
(Proof of C-HB or CPCD zoning is required from planning and development.)

4. Does the completed building or the proposed building comply with ordinances of Dawson County, regulations of the State Revenue Commissioner, and the laws of the state of Georgia? YES If no, explain non-compliance and proposed methods.
To rectify same: _____

Premise and Structure Form

5. Building Lighting:

- a) Does the building in which the business is to be located contain sufficient lighting so that the building itself and the premises on all sides of the building are readily visible at all times from the front of the street on which the building is located as to reveal all of the outside premises of such building? YES
- b) Is the building so illuminated so that all hallways, passage ways, and open areas may be clearly seen by the customer therein? YES
- c) If the answer is no to either or both (a) or (b) above, please explain proposed methods to rectify the insufficient lighting. _____

6. For Consumption on Premises and Retail Package Applications:

(Answer "N/A" for items that are not applicable to your business)

- a) Number of square feet of total floor area: 2,000 Sq Ft.
- b) Number of square feet devoted to dining area: N/A
- c) Seating capacity excluding bar area: N/A
- d) Do you have a full-service kitchen? N/A
- e) Does the full-service kitchen contain a three (3) compartment sink? N/A
- f) Is the stove and/or grill permanently installed and approved by the health and fire departments? N/A
- g) If the answer to any of the immediate foregoing is no, please explain: _____
- h) Hours prepared meals or foods are served: N/A
- i) Hours that alcoholic beverages are served or sold: N/A
- j) Hours of operation: 7 AM to 9 PM
- k) Maximum number of employees on highest shift: one
- l) Number of parking spaces: 8
- m) Number of parking spaces devoted to handicapped persons: 1

7. Package Liquor Stores:

- a) Do you comply with ordinance Article 5 Section 503 - Posting of License Number? _____
*Every licensee shall have posted on the front of the licensed premises the name of the licensee together with the following inscription, "County Retail Package Sales of Distilled Spirits License No."
- b) Do you comply with ordinance Article 5 Section 505 a) (2) - Types of Outlets Where Package Sales Are Permitted? _____
*Outlets that are devoted exclusively to the retail sale of distilled spirits, malt beverages and/or wine by the package with ingress and egress provided directly to and only to the exterior of the building and not to any other enclosed part of the building or adjoining building.

8. For Hotel/Motel Only:

- a) Number of rooms available for hire to general public: _____
- b) Number of square feet of floor space devoted to restaurant: _____
- c) Number of square feet of floor space devoted to dining area: _____

Premise and Structure Form

d) Seating capacity excluding bar area. (*Explain if more than one dining area*):

e) Do you have a full-service kitchen? _____

Does the full-service kitchen contain a three (3) compartment sink? _____

Is the stove and/or grill permanently installed and approved by the Health and Fire Departments?

If the answer to any of the immediate foregoing is no, please explain: _____

f) Hours prepared meals or foods are served: _____

g) Hours that alcoholic beverages are served: _____

h) Maximum number of employees on the highest shift devoted to the operation other than the restaurant:

i) Maximum number of employees on highest shift devoted to the restaurant operation:

j) Number of parking spaces: _____

k) Number of parking spaces devoted to handicapped persons: _____

9. For All Applications:

Attach a certified scale drawing of the proposed premises by a registered land surveyor or professional engineer, showing the distance requirement from church, school, daycare facility, or alcohol treatment center. (*See survey form # 4-A*)

10. Attach applicant's certification that the location complies with the distance requirement from church, school, daycare facility or alcohol treatment center. (*See Survey Form 4-A*)

11. Attach evidence of ownership (*deed, lease, sales agreement, letter of intent*).

12. If the applicant is a franchise, attach a copy of the franchise agreement or contract.

13. If the applicant is an eating establishment, attach a copy of the menu(s).

14. **Building Plans:**

a) If the building is complete, attach copies of detailed site plans of said building including outside premises and floor plan.

b) If the building is proposed, attach copies of proposed site plan and specifications and building permit of the proposed building.

Premise and Structure Form

NOTE: Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath and subject to the penalties of false swearing, and it includes all attached sheets submitted herewith.

STATE OF GEORGIA, DAWSON COUNTY

I, ARCHIT PATEL, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT.



APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT ARCHIT PATEL SIGNED HIS NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT SAID STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS 3rd DAY OF September, 2024.



NOTARY PUBLIC



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:

EAD CARD

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

Executed in DAWSONVILLE (city), GA (state)
[Signature] 09/03/24
Signature of Applicant Date
ARCHIT PATEL DM SAI RAPPETTSVILLE LLC
Printed Name Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 3rd DAY OF September, 20 24
[Signature] Notary Public
My Commission Expires: 5/10/27

*This affidavit is a State of Georgia requirement that must be completed for **initial** applications and **renewal** applications for public benefits as referenced in O.C.G.A § 50-36-1(a)(3). The person who has made application for access to public benefits on behalf of an individual, business, corporation, partnership or other private entity must complete and sign the affidavit and provide a secure and verifiable document.*

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]



Dawson County Marshals Office

Alcohol Licensing

25 Justice Way, Suite 2227 | 706-344-3232 | Ext. 42258 |

Certified Report of Survey

For All Consumption on Premises and Retail Package Establishments

Applicant: ARCHIT PATEL

Business Name: OM SAL BARRETTSVILLE LLC

Address of Premises to be Licensed: 2237 KELLY BRIDGE RD
DAWSONVILLE GA 30534

The premises to be licensed must comply with the following minimum distance requirements to comply with the Official Code of Georgia §§ 3-3-2; 3-3-21; Reg. 560-2-2-.32; and the Dawson County Consolidated Alcohol Ordinance.

1. Church Building:

"Church building" means the main structure used by any religious organization for purposes of worship.

The premises to be licensed must be a minimum of 600 feet (200 yards) from the nearest church building, measured in a straight line from the front door of the licensed facility to the front door of the church building.

County Ordinance References: Article 5 Section 501(A), Article 6 Section 600(B), Article 7 Section 700 (B)

Name and Address of Nearest Church: SALEM UNITED METHODIST CHURCH
412 SALEM CHURCH Rd, DAWSONVILLE GA

Distance Measured: 4094'

2. School Building or School Grounds:

"School building or school grounds" shall apply only to state, county, city, or church school buildings and to such buildings at such other schools in which are taught subjects commonly taught in the common schools and colleges of this state and which are public schools or private schools.

The premises to be licensed must be a minimum of 600 feet (200 yards) from any school, educational building or college, measured in a straight line from the front door of the licensed facility to the front door of the school, educational building or college. County Ordinance References: Article 5 Section 501(A), Article 6 Section 600(B), Article 7 Section 700 (B)

Name and Address of Nearest School: RIVERVIEW ELEMENTARY SCHOOL
28 MAIN ST, DAWSONVILLE GA

Distanced Measured: 15100'

Certified Report of Survey

3. Daycare:

"Daycare" means any place operated by a person, society, agency, corporation, institution, or group wherein are received for pay for group care for less than 24 hours per day, without transfer of legal custody, children under 18 years of age, and is not accredited as a public or private school (except that centers offering state funded pre-K programs are still considered daycares).

The premises to be licensed must be a minimum of **600 feet (200 yards)** from the nearest daycare, **measured in a straight line from the front door of the licensed facility to the front door of the daycare.** *County Ordinance References: Article 5 Section 501(A), Article 6 Section 600(B), Article 7 Section 700 (B)*

Name and Address of Nearest Daycare: NO DAYCARE WITHIN 600'

Distance Measured: _____

4. Alcohol Treatment Facility:

"Alcohol treatment facility" means any alcohol treatment center owned and operated by the State or the County government.

The premises to be licensed must be a minimum of **600 feet (200 yards)** from the nearest alcohol treatment facility, **measured in a straight line from the front door of the licensed facility to the front door of the alcohol treatment facility.** *County Ordinance References: Article 5 Section 501(A), Article 6 Section 600(B), Article 7 Section 700 (B)*

Note: The only State or County operated alcohol treatment facility is Dawson County Treatment Court, 189 Highway 53 West, Suite 106, Dawsonville, GA 30534.

Name and Address of Nearest Alcohol Treatment Facility: AVITA COMMUNITY PARTNERS
671 LUMPKIN CAMPGROUND Rd,

Distance Measured: 38580'

5. Another Package Store:

Applies to Package Liquor Stores Only

No license shall be issued under this ordinance for use at a location which is within **one (1) mile (1,760 yards)** of any other business licensed to sell packaged liquor (distilled spirits) at retail. This distance shall be **measured in a straight line from the front door of the licensed facility to the front door of the other package store.** This restriction shall not apply to any location for which a new license is applied if the retail package sale of distilled spirits was lawful at such location during the 12 months immediately preceding such application. *County Ordinance Reference Article 5 Section 501(B)*

Name and Address of Nearest Package Liquor Store: _____

Distance Measured: _____

6. Housing Authority Property:

Applies to Alcohol by the Drink Establishments

There is NO housing authority property in Dawson County.

"Housing authority property" means any property containing 300 housing units or fewer owned or operated by a housing authority created under the State Housing Authorities Law.

The premises to be licensed must be a minimum of **600 feet (200 yards)** from the nearest housing authority property, **measured in a straight line from the front door of the licensed facility to the front door of the housing authority property.** *County Ordinance Reference Article 7 Section 700(B)*

Name and Address of Nearest Housing Authority Property: None in Dawson County

Distance Measured: _____

Certified Report of Survey

Note: A scale drawing (by a Georgia Registered Land Surveyor/Engineer) of the location of the premises to be licensed, showing the closest prohibited structures and identifying the minimum distance, must be attached hereto.

The License Applicant Completes the Following Certification:

The undersigned certifies that subject location is in compliance or non-compliance with the distance requirements set forth above. I have found: (check one)

The above listed structures are inside the minimum distance restrictions stated above

or

The premises to be licensed meets the minimum distance requirements for licensing stated above.

ARCHIT PATEL

Applicant's Printed Name



Applicant's Signature

09/03/2024

Date of Signature



Notary Signature

9/3/24

Date of Signature



Dawson County Marshals Office

Alcohol Licensing

25 Justice Way, Suite 2227 | 706-344-3232 | Ext. 42258 |

Statement of Personal History

Instruction: This statement must be typed or neatly printed and executed under oath. Each question must be fully answered. If space provided is not sufficient, answer on a separate sheet and indicate in the space if a separate sheet is attached.

1. NAME: DATEL ARCHIT
Last First Middle

RESIDENCE: _____
Street Number Street Name

_____ City State Zip Code Telephone Number

2. CHECK: (all that apply)

- Sole Owner/Proprietor Partner: General Limited Silent
- Director Principal Stockholder (20% or more)
- Registered Agent Officer: _____
- Manager Employee: _____

3. Trade name of business for which this statement is made:

Name of Business: BARRETTSVILLE FOOD STORE

Location: 2237 KELLY BRIDGE RD
Street Number Street Name P. O. Box

DAWSONVILLE GA 30534 404-903-4106
City State Zip Code Telephone Number

4. State the percentage of ownership or interest, if any, in this business: 100%

5. State method and amount of compensation, if any, directly or indirectly: _____

6. Date of birth: 12/24/1982 Place of birth: _____
 SSN: _____ Sex: Male Female Race: ASIAN
 Color of hair: BLACK color of eyes: BROWN

7. U.S. Citizen Legal Permanent Resident Qualified Alien or Non-Immigrant

*Requirements: Affidavit for Issuance of a Public Benefit and a Secure & Verifiable Document
 E-Verify Private Employer Affidavit of Compliance or E-Verify Private Employer Exemption Affidavit*

Statement of Personal History

8. Single Married Widowed Divorced Separated

If married or separated, complete information listed below:

Full name of spouse: BHAVIKA PATEL SSN# _____

Maiden name: _____ Place of birth: _____

Date of birth: _____ Name and address of spouse's employer: _____

9. State any other names that you have used: maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, show dates, etc.:

10. Employment record for the past ten (10) years. (list the most recent experience first).

From Mo/Yr.	To Mo/Yr.	Occupation & Duties Performed	Salary Received	Employer (Business Name)	Reason for Leaving
-------------	-----------	-------------------------------	-----------------	--------------------------	--------------------

11. List all of your residences for the past ten (10) years, starting with the most recent:

From	To	Street	City	State
------	----	--------	------	-------

Statement of Personal History

12. Do you have any financial interest, or are you employed in any other wholesale or retail business engaged in distilling, bottling, rectifying, or selling alcoholic beverages? NO

If your answer is "yes" to number 14, give names, locations, and amount of interest in each:

13. Have you ever had any financial interest in an alcoholic beverage business that was denied a license? NO
If so, give details: NO

14. Has any alcoholic beverage license in which you hold, or have held, any financial interest of, or employed, or have been employed, ever been cited for any violations of the rules and regulations of the state revenue commissioner relating to the sale and distribution of alcoholic beverages? NO

If so, give details: _____

15. If during the past ten years you have bought or sold any business associated with alcohol, give details. (date, license number, persons, and considerations involved): NO

16. Have you ever been denied bond by a commercial security company? NO

If so, give details: _____

17. Are you a registered voter? NO. In what state? _____

18. Have you ever been arrested, or held by federal, state or other law enforcement authorities, for any violation of any federal law, state law, county or municipal law, regulation or ordinances? (Do not include traffic violations. All other charges must be included even if they were dismissed. Give reason charged or held, date, place where charged and disposition. If no arrest, write no arrest. After last arrest is listed, please write no other arrest):

1. NO.
2. _____
3. _____
4. _____

Statement of Personal History

19. List below four references (personal and business). Give complete address and phone number including area code. If giving a business reference, name a person at the location to be contacted. *Do not include relatives or employers or fellow employees of particular business.*

1. _____

2. _____

3. _____

4. _____

20. Have you had any license under the regulatory powers of Dawson County denied, suspended, or revoked within two (2) years prior to the filing of this application?

NO.

If so, give details: _____

21. Copy of photo ID of applicant attached? YES NO

22. Attach photograph (front view) taken within the past year:



Note: attach a copy of your driver's license to this form.

Statement of Personal History

NOTE: Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath and subject to the penalties of false swearing, and it includes all attached sheets submitted herewith.

STATE OF GEORGIA, DAWSON COUNTY.

I, ARCHIT PATEL, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENT AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING PERSONAL STATEMENT ARE TRUE AND CORRECT. FURTHER, AS PART OF THE PROCESS RESULTING FROM MY APPLICATION FOR BACKGROUND INVESTIGATION, FOR AN ALCOHOLIC BEVERAGE LICENSE. I HEREBY AUTHORIZE PERSONNEL OF THE DAWSON COUNTY SHERIFF'S DEPARTMENT OR DAWSON COUNTY MARSHAL'S OFFICE TO RECEIVE, VERIFY, AND DISSEMINATE ANY CRIMINAL HISTORY INFORMATION WHICH MAY BE IN THE FILES OF ANY LOCAL, STATE, OR FEDERAL CRIMINAL JUSTICE AGENCY FOR INVESTIGATIVE PURPOSES, DENIAL, OR APPEALS.



APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT ARCHIT PATEL SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE/SHE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT SAID STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS, THE 3rd DAY OF September, 2024

Sara Kathryn Massey
NOTARY PUBLIC



STATE OF GEORGIA
Secretary of State
Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

Om Sai Barrettsville LLC
a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **07/19/2024** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **07/26/2024**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ARTICLES OF ORGANIZATION

Electronically Filed
Secretary of State
Filing Date: 7/19/2024 3:16:25 PM

BUSINESS INFORMATION

CONTROL NUMBER 24141736
BUSINESS NAME Om Sai Barrettsville LLC
BUSINESS TYPE Domestic Limited Liability Company
EFFECTIVE DATE 07/19/2024

PRINCIPAL OFFICE ADDRESS

ADDRESS 2237 Kelly Bridge Rd, Dawsonville, GA, 30534, USA

REGISTERED AGENT

NAME	ADDRESS	COUNTY
Archit Patel	2237 Kelly Bridge Rd, Dawsonville, GA, 30534, USA	Dawson

ORGANIZER(S)

NAME	TITLE	ADDRESS
Archit Patel	ORGANIZER	6502 Ivy Summit Ct, Cumming, GA, 30041, USA

OPTIONAL PROVISIONS

N/A

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE Archit Patel
AUTHORIZER TITLE Organizer



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice:

Employer Identification Number:

Form: S:

Number of this notice:

OM SAI BARRETTSVILLE LLC
ARCHIT PATEL SOLE MBR
2237 KELLY BRIDGE RD
DAWSONVILLE, GA 30534

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 99-4177098. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

Taxpayers request an EIN for their business. Some taxpayers receive CP575 notices when another person has stolen their identity and are opening a business using their information. If you did **not** apply for this EIN, please contact us at the phone number or address listed on the top of this notice.

When filing tax documents, making payments, or replying to any related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.
- * Provide future officers of your organization with a copy of this notice.

Your name control associated with this EIN is OMSA. You will need to provide this information along with your EIN, if you file your returns electronically.

Safeguard your EIN by referring to Publication 4557, Safeguarding Taxpayer Data: A Guide for Your Business.

You can get any of the forms or publications mentioned in this letter by visiting our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions about your EIN, you can contact us at the phone number or address listed at the top of this notice. If you write, please tear off the stub at the bottom of this notice and include it with your letter.

Thank you for your cooperation.

Keep this part for your records.

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

Your Telephone Number () -	Best Time to Call	DATE OF THIS NOTICE: _____
_____	_____	EMPLOYER IDENTIFICATION NUMBER FORM: _____

INTERNAL REVENUE SERVICE
 CINCINNATI OH 45999-0023
 111

OM SAI BARRETTSVILLE LLC
 ARCHIT PATEL SOLE MBR
 2237 KELLY BRIDGE RD
 DAWSONVILLE, GA 30534

UNITED STATES OF AMERICA
EMPLOYMENT AUTHORIZATION

Surname
PATEL

Given Name
ARCHIT

USCIS#

Category Card#

Country of Birth

Terms and Conditions
None

Date of Birth

Sex
M

Valid From

Card Expires: **03**

Fingerprint
not
available

NOT VALID FOR REENTRY TO U.S.

Scanned with CamScanner

GEORGIA
DRIVER'S LICENSE

LIMITED-TERM
DRIVER'S LICENSE

DL



Governor: *B. Perdue*

4d DL NC
9 CLASS
2 ARCHIT
1 PATEL

3 DOB
4b EXP 0:

Commissioner: *James P. Moore*



8 E
12 REST A
9a END NONE
4a ISS
15 SEX M 18 EYES BRO
16 HGT 5'-10" 17 WGT 154 lb

30



10008623741



MEDICAL INFORMATION: NONE

CLASS: C-≤ 26,000 lbs. GVWR and Trailer ≤ 10,000 lbs. All recreational vehicles included

ENDORSEMENTS: NONE

RESTRICTIONS: A-None

01/02/2019

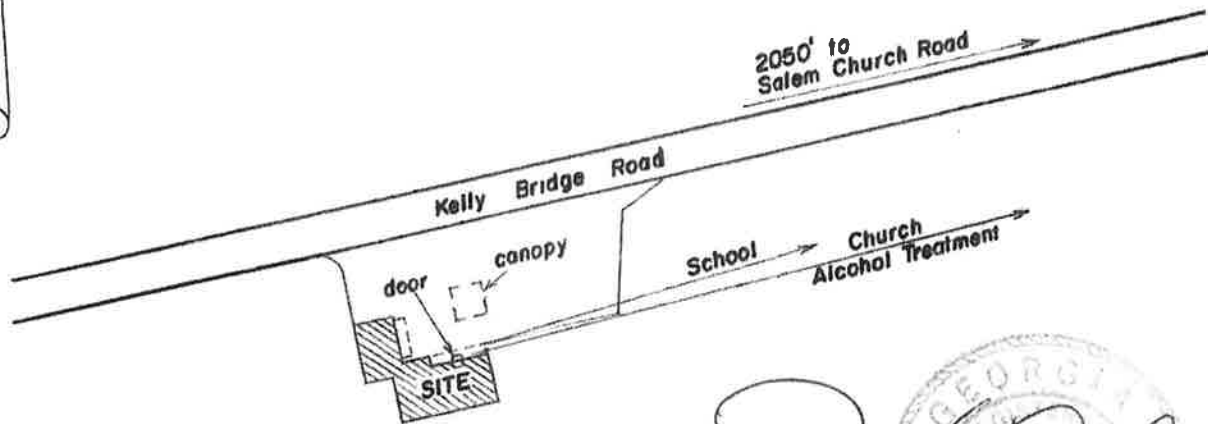
www.dds.georgia.gov



DOB: 10/04/1982

MAGNETIC NORTH

Site Address-
2237 Kelly Bridge Road
Dawsonville, Georgia 30534



[Handwritten Signature]

[Professional Seal: GEORGIA LAND SURVEYING BOARD]

The following distances were measured by straight line/most direct route of travel on the ground, per Dawson County and State of Georgia code:

CHURCH- 4094' to Salem United Methodist Church, @ 412 Salem Church Road.

SCHOOL- 15100' to Riverview Elementary School, @ 28 Main Street.

ALCOHOL TREATMENT- 38580' to Avita Community Partners, @ 671 Lumpkin Campground Road.

There are no day care facilities within 600' of this site.

Dawson County Beer and Wine Retail Package License Survey for:
Om Sai Barrettsville LLC

DATE: 8 / 2 / 2024	SCALE: 1" = 100'		
DRAWN BY: GD	GRAPHIC SCALE IN FEET		
LAND LOT 1178	4th DISTRICT	1st SECTION	
DAWSON COUNTY	GEORGIA		
GEORGIA LAND SURVEYING CO. 155 CLIFTWOOD DRIVE, ATLANTA, GA 30328 PHONE (404)255-4671 FAX (404)255-6607 WWW.GEORGIALANDSURVEYING.COM			205143



Dawson County Marshals Office

Alcohol Licensing

25 Justice Way, Suite 2227 | 706-344-3232 | Ext. 42258 |

Registered Agent Consent Form

OM SAI BARRETTSVILLE LLC

Business Name

2237 KELLY BRIDGE RD, DAWSONVILLE, GA 30534

Business Address

I, _____, do hereby consent to serve as the Registered Agent for the licensee, owners, officers, and/or directors and to perform all obligations of such agency under the Alcoholic Beverage Ordinance of Dawson County. I understand the basic purpose is to have and continuously maintain a Registered Agent upon which any process, notice, or demand required or permitted by law or under said Ordinance to be served upon the licensee or owner may be served.

This 3rd day of September, 20 24.

G Patel

Signature of Agent

GAURANG KUMAR BHIDMURHAT PATEL

Print Name of Agent

Print Agent's Street Address

Print Agent's City - County - State - Zip Code

Approved:

[Signature]

Sole Owner/Partner

OWNER / Director

Officer or Director

Title

GEORGIA
DRIVER'S LICENSE

Government of Georgia
Commissioner: *B. N.*

DL 

4d DL NO. [REDACTED] 3 DOB [REDACTED]

9 CLASS C 4b EXP. 1

2 GAURANG KUMAR BHIKHUBHAI

1 PATEL

12 REST A

9a END M/NAME

4a RES 12/

15 SEX M

16 HGT 6'-00"

18 EYES BRO

17 WGT 250 lb

[Signature]



Dawson County Marshal's Office Alcohol Log Sheet

	Application Date	Applicant's Name (first, middle initial, last)	DOB	Business Name
1	08/12/2024	Archit Patel		Barrettsville Food Store
2				
3				
4				
5				
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10				
11				
12				
13				
14				
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16				
17				
18				
19				
20				



DAWSON COUNTY SHERIFF'S OFFICE
SHERIFF JEFF JOHNSON
 19 Tucker Avenue
 Dawsonville, Georgia 30534
 Office (706) 344-3535 ~ Fax (706) 344-3537



CRIMINAL HISTORY REQUEST

I hereby request for the Dawson County Sheriff's Office to retrieve any criminal history record information, which may pertain to myself (or the person named below), that may be found in any state or local criminal justice agency in Georgia. Records obtained from the Dawson County Sheriff's Office shall only be used by the requesting agency or individual solely for the purposes requested. If any information is used to deny employment or license, it shall not reflect on the liability of this office, but on the agency or entity who makes that decision and to allow the person/applicant a chance to dispute any information which may be in error. Any dissemination of the information provided must be with permission of the person/applicant. Dawson County shall not be held responsible for information obtained by another agency, state or federal, which provides such information and whose files reflect records which may contain errors or omissions.

TO ENSURE ACCURACY, PLEASE PRINT AND PROVIDE COMPLETE INFORMATION.

Date of request: 08/01/2024 Authorization good for: 7 30 60 90 180 days

Agency requesting criminal history (name and phone #): Dawson County Marshals Office, 706-344-3232

Full name: ALBERT PATEL Phone #: _____

Address: _____

SSN: _____ Providing your SSN is voluntary. SSN helps confirm your identity and history.

DOB: _____ Sex: MALE Race: ASIAN State of birth: _____

Height: 5.10" Weight: 150LB Hair: BLACK Eyes: BLACK

Individual(s) authorized to receive criminal history: Kathryn Massey and Angela Byers

Any authorized individual(s) must present a valid identification upon receipt of this criminal history. If a valid identification cannot be presented, the criminal history will not be released.

- Special employment provisions (check if applicable):
- Employment with mentally disabled (Purpose code "M")
 - Employment with elder care (Purpose code "N")
 - Employment with children (Purpose code "W")

To be completed by Dawson County Sheriff's Office personnel:

Select purpose code used: C E F J M N P U W Z

Case number or criminal history number used: _____

Date of inquiry: _____ Time of inquiry: _____ Operator's initials: _____

[Signature]
 SIGNATURE OF APPLICANT

[Signature]
 NOTARY SIGNATURE
 NOTARY STAMP

 SIGNATURE OF RECEIVING PERSON



This file contains confidential information. Disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited.

APATEL/SERVPERMIT/AHORNSBY, E,

Received 08/13/2024 16:09:03

SOURCE: CCH

GEORGIA CRIMINAL HISTORY NAME AND IDENTIFIER SEARCH

REQUESTED BY:

DATE: PUR: E ATTN: APATEL/SERVPERMIT/AHORNSBY

ARN:

RESPONSE DATE:

QUERY REQUESTED ON:

NAM/PATEL, ARCHIT

DOB/

SEX/M

RAC/A

SOC/

NO RECORD IN GEORGIA
DAWSON COUNTY SHERIFF'S OFFICE
JEFF JOHNSON SHERIFF

*Amey
Hornstey*

NO RECORD FOUND

END OF RECORD

TRACKING:

- MKE:
- Source:
- To:
- REF:
- ISN:



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST FORM

Department: Planning and Development

Work Session: July 18, 2024

Prepared By: S.Farrell

Voting Session: August 1, 2024

Presenter: Sharon O. Farrell

Public Hearing: October 17, 2024

Agenda Item Title: Presentation of annual CIE adoption

Background Information:

This is a DCA-mandated reporting requirement to maintain QLG status. Its annual adoption deadline is Oct. 31. It includes a brief financial report for the previous fiscal year and updated years and project costs, if applicable. The CWP is based on the full list of projects in the 2018 CIE- until 2024.

Current Information :

There was a public hearing on the draft annual CIE update; the Georgia Department of Community Affairs approved the transmittal and adoption date of October 17.

Budget Information:

Applicable: Not Applicable: Budgeted: Yes _____ No _____

Fund	Department	Account #	Budget	Balance	Requested	Remaining

*If this is a personnel-related request, has it been reviewed by Human Resources? n/a

*If this item is being requested to move to the same day’s voting session for BOC consideration, provide *detailed justification* for the request:

Recommendation/Motion: Approval

Department Head Authorization: SOFarrell

Date: 9/25/24

Finance Department Authorization: _____

Date: _____

County Manager Authorization: _____

Date: _____

Comments/Attachments: CIE for 2023

**Capital Improvements Element
2023 Annual Update:**

**Financial Report &
Community Work Program**

Dawson County, GA

2023							
DAWSON COUNTY	Annual Impact Fee Financial Report - Fiscal Year 2023						
	Libraries	Fire Protection	Detention	Roads	Parks & Recreation	Administration	TOTAL
Service Area	County-wide	County-wide	County-wide	Ga 400 Corridor	County-wide		
Impact Fee Fund Balance January 1, 2023	\$1,160,414.08	(\$208,857.32)	\$46,681.01	\$315,943.28	\$2,762,437.91	\$113,629.84	\$4,190,248.80
Impact Fees Collected (January 1, 2023 through December 31, 2023)	\$273,085.44	\$121,811.14	\$0.00	\$69,415.34	\$867,404.80	\$39,949.31	\$1,371,666.03
Subtotal: Fee Accounts	\$1,433,499.52	(\$87,046.18)	\$46,681.01	\$385,358.62	\$3,629,842.71	\$153,579.15	\$5,561,914.83
Accrued Interest	\$36,906.62	(\$2,241.08)	\$1,201.84	\$9,921.37	\$93,453.28	\$3,954.02	\$143,196.07
(Impact Fee Refunds)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(FY 2023 Expenditures)	\$26,459.18	\$149,064.42	\$0.00	\$0.00	\$1,951,335.16	\$3,185.00	\$2,130,043.76
Impact Fee Fund Balance December 31, 2023	\$1,443,946.96	(\$238,351.68)	\$47,882.85	\$395,279.99	\$1,771,960.83	\$154,348.17	\$3,575,067.14
Reimbursement from City		\$373,027.00					
Impact Fees Encumbered	\$1,443,946.96	\$134,675.32	\$47,882.85	\$395,279.99	\$1,771,960.83		\$3,948,094.14

Public Facility:	Library Services							
Service Area:	County-wide							
Project Description	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended to Date	Impact Fees Encumbered	Status/Remarks
Collection Materials	2018	2018	\$38,934.07	99.49%	\$38,735.51	\$ -		Delayed
Collection Materials	2019	2019	\$38,934.07	99.49%	\$38,735.51	\$ -		Delayed
Books and Periodicals	2020	2020	\$39,262.72	99.50%	\$39,066.41	\$ 16,822.62	\$ 289,387.12	Ongoing
Collection Materials	2021	2021	\$39,350.36	99.50%	\$39,153.61	\$ 24,200.08	\$ 20,613.79	Ongoing
Collection Materials	2022	2022	\$39,021.71	99.49%	\$38,822.70	\$ 24,997.29	\$ 39,021.71	Ongoing
Collection Materials	2023	2023	\$38,605.42	99.49%	\$38,408.53	\$ 26,459.18	\$ 38,605.42	Ongoing
Collection Materials	2024	2024	\$38,758.79	99.49%	\$38,561.12		\$ 38,758.79	
Collection Materials	2025	2025	\$38,671.15	99.49%	\$38,473.93		\$ 38,671.15	
Collection Materials	2026	2026	\$38,934.07	99.49%	\$38,735.51		\$ 5,132.41	
New library (13,991 sf)	2026	2026	\$4,365,192.00	100.00%	\$4,365,192.00			
			\$4,715,664.36		\$4,713,884.81	\$ 92,479.17	\$ 470,190.39	

Public Facility:	Fire Protection							
Service Area:	County-wide							
Project Description	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended to Date	Impact Fees Encumbered	Status/ Remarks
Medic	2020	2020	\$250,000.00	100.00%	\$250,000.00			
Engine	2019	2019	\$400,000.00	100.00%	\$400,000.00	\$ 122,000.00		
Tender	2021	2021	\$300,000.00	100.00%	\$300,000.00			
Engine	2022	2022	\$400,000.00	100.00%	\$400,000.00			
Medic	2022	2022	\$250,000.00	100.00%	\$250,000.00	\$ 730,521.00		
Engine	2023	2023	\$400,000.00	100.00%	\$400,000.00	\$ 146,245.00		
Ladder	2023	2023	\$1,100,000.00	100.00%	\$1,100,000.00			
Engine	2028	2028	\$400,000.00	100.00%	\$400,000.00			
New Station 3	2023	2023	\$1,937,339.00	25.00%	\$484,334.75			
Station 11	2025	2025	\$133,894.00	100.00%	\$133,894.00			
Station 12	2028	2028	\$505,594.00	100.00%	\$505,594.00			
Station 13	2031	2031	\$140,997.00	100.00%	\$140,997.00			
Station 14	2034	2034	\$144,658.00	100.00%	\$144,658.00			
Station 15	2037	2037	\$2,184,961.00	100.00%	\$2,184,961.00			
Training Center	2024	2024	\$220,807.00	100.00%	\$220,807.00			
			\$8,768,250.00		\$7,315,245.75	\$ 998,766.00	\$ 134,675.32	

Public Facility:	Roads							
Service Area:	County wide							
Project Description	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended to Date	Impact Fees Encumbered	Status/ Remarks
Kelly Bridge Road, full depth reclamation and widening both lanes	2018	2018	\$ 2,262,592.57	44.6778557%	\$ 1,010,877.84			delayed
Lumpkin Campground Road, lane addition and lane widening	2019	2019	\$ 4,230,847.21	44.6778557%	\$ 1,890,251.81			satisfied
Red Rider Road, right-of-way acquisition and road widening	2019	2019	\$ 1,269,254.16	44.6778557%	\$ 567,075.54			satisfied
Sweetwater Juno Road, road widening and resurfacing	2019	2019	\$ 1,375,025.34	44.6778557%	\$ 614,331.84			delayed
Grant Road East, upgrade dirt to pavement and road widening	2020	2020	\$ 870,243.95	44.6778557%	\$ 388,806.34			delayed
Shoal Creek - Shoal Creek Road Bridge, replacement with additional lanes and weight	2020	2020	\$ 2,719,512.35	44.6778557%	\$ 1,215,019.80			delayed
Amicalola River - Goshen Church Bridgem replacement with additional lanes and weight	2025	2026	\$ 1,678,131.39	44.6778557%	\$ 749,753.12			delayed
Whitmire Drive West, add third (center turn) lane	2021	2021	\$ 895,003.41	44.6778557%	\$ 399,868.33			satisfied
Prepare Transportation Plan; Dawson Forest Lumpkin Campground Road Corridor Study; soouth segment Forsyth County Line to Dawson Forest Road.	2022	2022	\$ 17,300.00	100.0000000%	\$ 17,300.00			satisfied
Update Impact Fee Methodology for CIE	2022	2023	\$ 63,700.00	100.00%	\$ 63,700.00			In process
			\$ 15,381,610.38		\$ 6,916,984.63	\$0.00	\$ 443,162.84	

Public Facility:	Parks and Recreation							
Service Area:	County wide							
Project Description	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended to Date	Impact Fees Encumbered	Status/Remarks
Park Acres	2020	2026	\$ 2,995,770.00	84.76%	\$ 2,539,214.65	\$ 651,130.00		
ADA Field Rock Creek	2023	2023	\$ 699,289.00	100.00%	\$ 699,289.00			
Baseball/Softball Fields	tbd	tbd						
Basketball Courts (outdoor)	tbd	tbd	\$ 395,649.00	99.53%	\$ 393,789.45			
Multi-Purpose Fields	2020	2020	\$ 1,134,839.00	95.16%	\$ 1,079,912.79			
Picnic Pavilions	tbd	tbd	\$ 463,753.00	77.78%	\$ 360,707.08			
Playgrounds	tbd	tbd	\$ 695,626.00	66.66%	\$ 463,704.29			
Turf Field Veterans Park	2022	2022	\$ 528,210.00	100.00%	\$ 528,210.00	\$ 528,210.00		satisfied
Aquatic Center (deferred)	tbd	tbd		58.34%				deferred
Turf Fields	2022	2023	\$ 1,951,335.00	100.00%		\$ 1,951,335.00		satisfied
Tennis Courts	tbd	tbd	\$ 993,690.00	83.33%	\$ 828,041.88			
Gymnasium	tbd	tbd	\$ 2,550,964.00	100.00%	\$ 2,550,964.00			
Maintenance Sheds	tbd	tbd	\$ 415,646.00	100.00%	\$ 415,646.00			
Office/Concession	tbd	tbd	\$ 489,462.00	100.00%	\$ 489,462.00			
Recreation Center	tbd	tbd	\$ 5,402,116.00	100.00%	\$ 5,402,116.00			
Restroom/Concession	tbd	tbd	\$ 799,593.00	95.18%	\$ 761,052.62			
Maintenance Yard	tbd	tbd	\$ 6,118.00	100.00%	\$ 6,118.00			
Walking Trails	tbd	tbd	\$ 569,373.00	100.00%	\$ 569,373.00			
Parking	tbd	tbd	\$ 1,898,284.00	100.00%	\$ 1,898,284.00			
LED Lighting	2020	2024					\$0.00	
			\$21,989,717.00		\$18,985,884.76	\$3,130,675.00	\$1,771,960.83	



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST FORM

Department: Public Works

Work Session: September 5, 2024

Prepared By: Robert W. Drewry

Voting Session: September 19, 2024

Presenter: Robert W. Drewry

Public Hearing: Yes No

Agenda Item Title: Presentation of Resolution to determine that the cross-hatched parcel on Black's Mill Valley Road in the attached plat no longer serves a substantial public purpose and to initiate abandonment procedures in accordance with state law.

Background Information:

At the regular meeting on April 7, 1986, the Board of Commissioners accepted Black's Mill Valley road as a county road and shown on survey dated February 21, 1986, by surveyor David W. Bealle. See attached plat. Highlighted on the plat is the dedicated right-of-way and included in the right-of-way and cross-hatched on the plat is an appendage to the right-of-way of approximately 0.4 acres.

The County Attorney has been consulted and agrees that Black's Mill Valley road is county owned, including the cross-hatched appendage.

Current Information :

Parcel 2 on the attached plat is the abutting property and is owned by Land Planning & Development, LLC (Deed Book 1457 Page 171). The owner, represented by Joannah Shoushtarian, desires to obtain the appendage parcel of approximately 0.4 acres from the County and leave the right-of-way intact.

In order to do so, the County must determine the parcel to be surplus and could consider disposing of it to the abutting property owner in accordance with state law. The owner is willing to have a survey of the appendage parcel prepared and appraised to determine fair market value.

Assuming the Board is in favor of the recommendation, the County Attorney will prepare an agreement with the abutting property owner wherein the owner will agree to cover the cost of the survey and appraisal to pay for the value of the property in exchange for the conveyance.

Budget Information:

Applicable: Not Applicable:

Budgeted: Yes No

Fund	Department	Account #	Budget	Balance	Requested	Remaining
n/a			52			

*If this is a personnel-related request, has it been reviewed by Human Resources? _____

*If this item is being requested to move to the same day's voting session for BOC consideration, provide *detailed justification* for the request:

Recommendation/Motion: Board approve a Resolution to determine that the cross-hatched parcel on Black's Mill Valley Road in the attached plat no longer serves a substantial public purpose and to initiate abandonment procedures in accordance with state law.

Department Head Authorization: RWD

Date: August 27, 2024

Finance Department Authorization: Vickie Neikirk

Date: 8/27/24

County Manager Authorization: J. Leverette

Date: 8/28/24

Comments/Attachments: _____

NAME & ADDRESS OF OWNER

THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

Pursuant to the Subdivision Regulations for Dawson County, Georgia, all requirements of approval having been fulfilled, this Final Plat was given Final Approval by the Dawson County Municipal Planning Commission on 19...

REAL PROPERTY FINANCIAL SERVICE INC. 165 W. WIEUCA RD. N.W. SUITE 215 ATLANTA, GA

Owner's Certification: State of Georgia, County of Dawson

"The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey."

Date: Chairman, Dawson County Municipal Planning Commission

"It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist or are marked as 'future', and their location, size, type, and material are correctly shown and that all engineering requirements of the Subdivision Regulations of Dawson County, Georgia, have been fully complied with."

Agent: Terry Phillips, Vice President, Real Property Financial Services, Inc. Date: 3-27-86

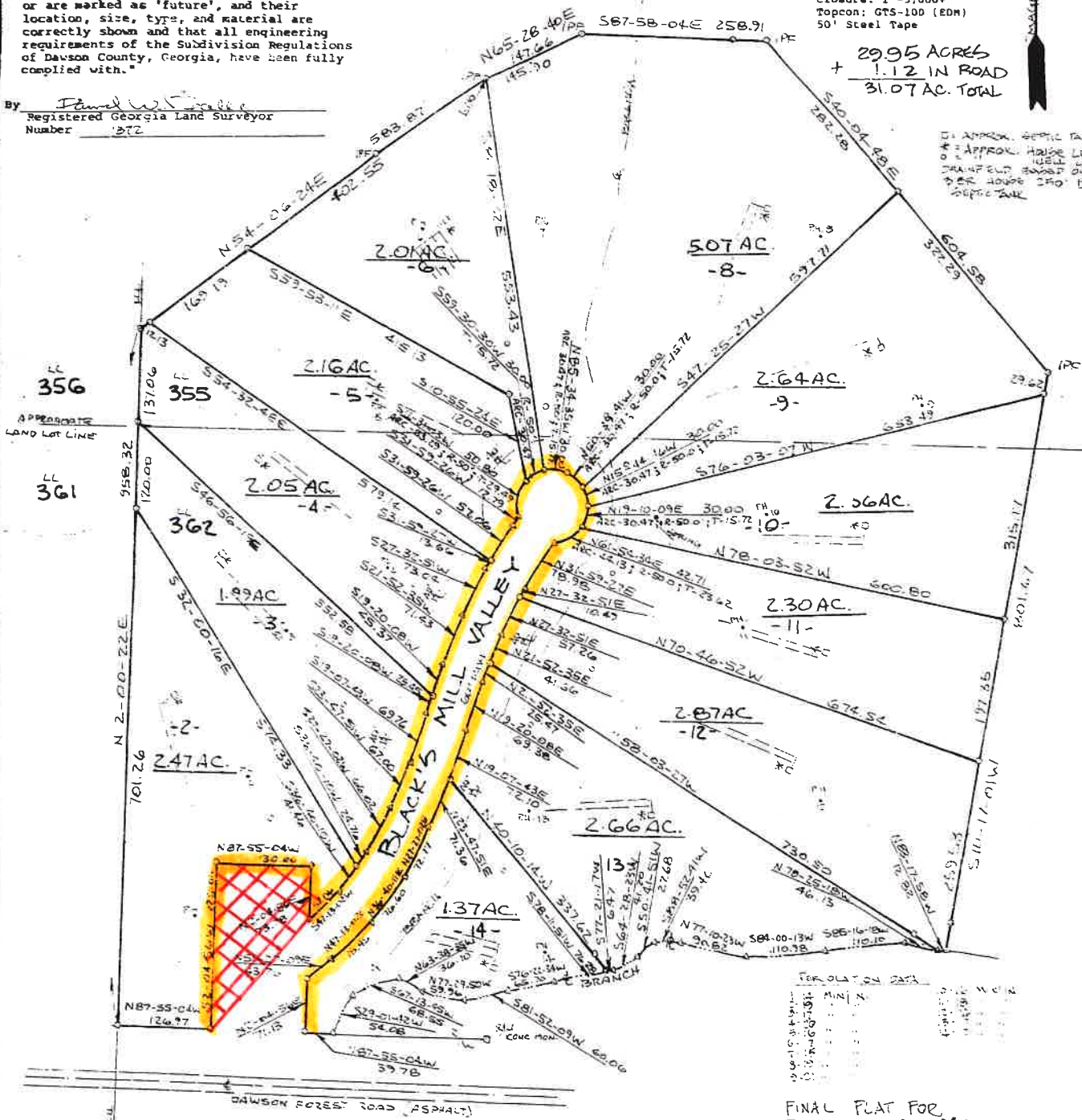
IPS: Iron Pin Set, IFF: Iron Pin Found, CL: Center Line, PL: Property Line, R/W: Right of Way, Closure: 1"-5,000', Topcon: GTS-100 (EDM), 50' Steel Tape

29.95 ACRES + 1.12 IN ROAD = 31.07 AC. TOTAL



By: Daniel W. Bealle, Registered Georgia Land Surveyor, Number: 272

APPROX. SEPTIC TANK LOC., APPROX. HOUSE LOCATION, WELL LOCATION, DRAINAGE BASED ON PER HOUSE 240' E. S. 000 GAL. SEPTIC TANK



FINAL PLAT FOR BLACK'S MILL CREEK PHASE VI LAND LOTS 355 & 362 SOUTH HALF 13:14 DISTRICT ~ 1ST SECTION DAWSON COUNTY, GEORGIA

GEORGIA, DAWSON COUNTY CLERK'S OFFICE, SUPERIOR COURT FILED FOR RECORD 9:25 A.M. APRIL 8, 1986

Scale: 1" = 20', DATE: FEB 20 1986



IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND IS IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS AND STATE LAW.

DAVID BEALLE SURVEYORS, LTD. 100 WEST HAZARD STREET COLUMBUS, GEORGIA 31906

**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF
DAWSON COUNTY, GEORGIA, TO DETERMINE THAT CERTAIN COUNTY
RIGHT-OF-WAY NO LONGER SERVES A SUBSTANTIAL
PUBLIC PURPOSE; TO INITIATE ABANDONMENT PROCEDURES;
AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the Official Code of Georgia Annotated (“O.C.G.A.”) § 32-7-1, the County is authorized to abandon any public road under its jurisdiction when such abandonment is deemed to be in the public interest;

WHEREAS, O.C.G.A. § 32-7-2(b)(1) authorizes a County to abandon a section of the County road system which has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it or removal of the road is otherwise in the best public interest;

WHEREAS, O.C.G.A. § 32-7-2(b)(1) further provides that upon the determination by a County, by certification recorded in its minutes, accompanied by a plat or sketch, that any of its right-of-way has, for any reason, ceased to be used by the public to the extent that no substantial public purpose is served by it or that its removal from the County’s road system is otherwise in the best public interest, the County, and after notice to property owners located thereon, and after notice of such determination is published in the County’s legal organ once a week for a period of two weeks, and after a public hearing on the issue, may declare that section of the County’s road system abandoned;

WHEREAS, **Black’s Mill Valley Road** is public road as shown on that certain Final Plat for Black’s Mill Creek (Phase VI), recorded in the Dawson County Superior Court Clerk Property Records at Plat Book 17, Page 1;

WHEREAS, **Black’s Mill Valley Road** was dedicated to and accepted by the County as reflected in the Minutes of the Monthly Meeting of Dawson County Board of Commissioners Held April 7, 1986 at 8:00 P.M., and corresponding quit claim deed dated April 7, 1986, and recorded on April 8, 1986, in the Dawson County Superior Court Clerk Property Records at Deed Book 88, Page 58; and

WHEREAS, a portion of **Black’s Mill Valley Road** as highlighted on the plat or sketch attached hereto marked “Exhibit A” has not been used by the County as public roadway area and should be deemed surplus right-of-way area which no longer serves a substantial public purpose; and

WHEREAS, in accordance with O.C.G.A. § 32-7-2(b)(1), as cited above, before the County may declare such portions of the right-of-way abandoned, the processes required thereunder must first be initiated.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, and it is hereby resolved by the authority of the same, as follows:


1. That portion of **Black's Mill Valley Road** as shown highlighted on the plat or sketch attached hereto marked as Exhibit "A," has ceased to be used by the public to the extent that no substantial public purpose is served by said right-of-way area, and the removal of said right-of-way area is in the best public interest.
2. The proceedings regarding the abandonment of said portion of **Black's Mill Valley Road** herein described shall be initiated.
3. The County Manager, or designee, shall provide notice of the County's determination in paragraph 1 above to the abutting property owner,

Land Planning & Development, LLC (TPN 097 106 001),

and shall cause notice of such determination to be published in the County's legal organ once a week for a period of two weeks prior to a public hearing on the proposed abandonment of that portion of **Black's Mill Valley Road** herein described.

4. The County Manager, or designee, shall schedule a public hearing for this Board to consider the abandonment of that portion of **Black's Mill Valley Road** herein described to be held after the above requirements have been met.

DAWSON COUNTY BOARD OF COMMISSIONERS

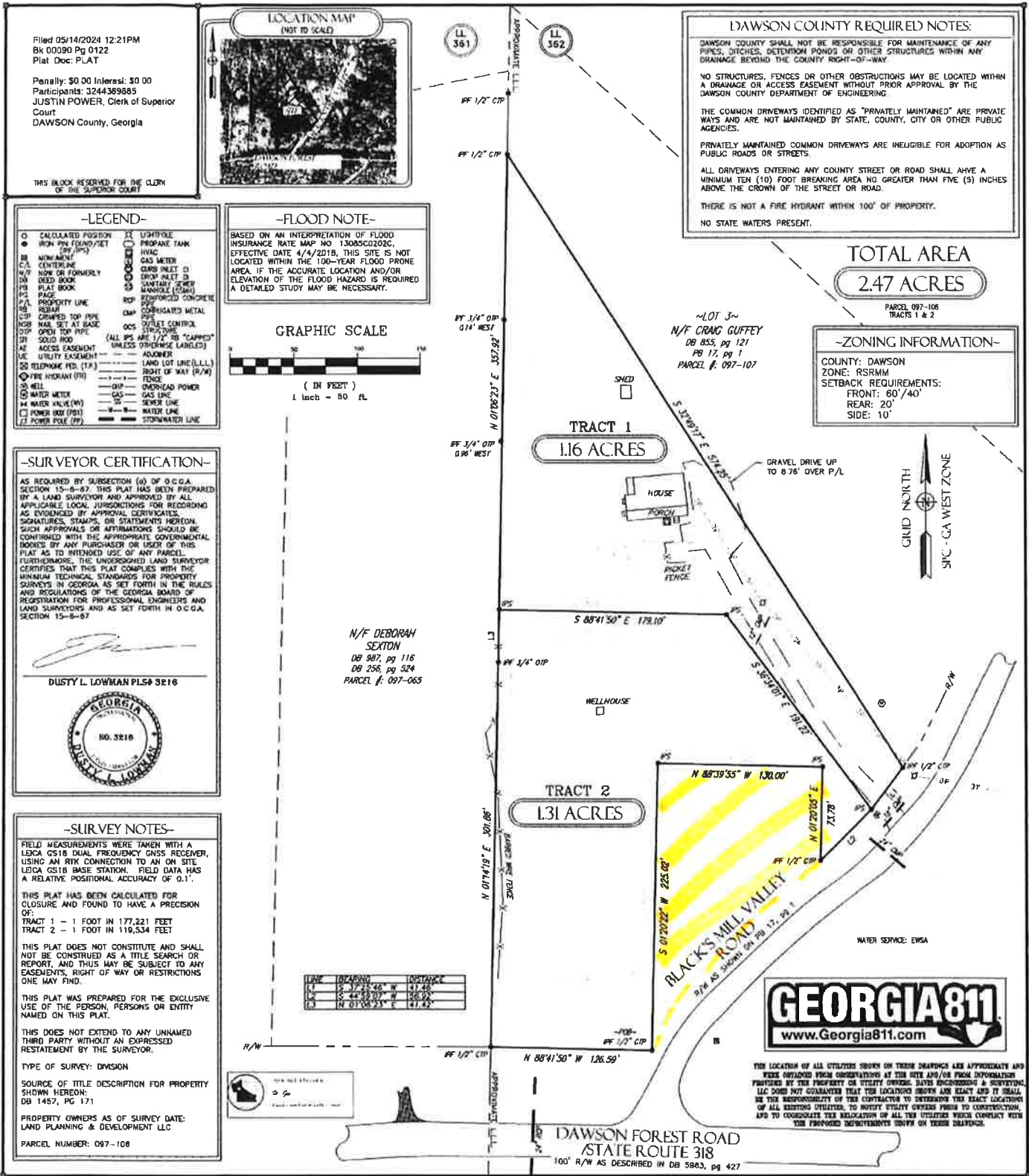
By: 
Billy Thurmond, Chairman

Attest:

Kristen Cloud, County Clerk



EXHIBIT A



SHEET NO.
1 of 1

PROJECT NO.
24-107

DRAWN BY: CAW
 FIELD CREW: CC/DK
 PLAT DATE: 4/23/2024
 FIELD DATE: 3/21/2024
 FILE: 24-107 BQA.dwg

SURVEY FOR:
 JOANNAH SHOUSHARIAN
 LOT 2, BLACK'S MILL CREEK SUBDIVISION, PHASE VI, PB 17, PG 1
 LAND LOT 362
 SOUTH HALF OF 13th DISTRICT, 1st SECTION
 DAWSON COUNTY, GEORGIA

PREPARED BY
DES DAVIS
 ENGINEERING & SURVEYING
 24 DAWSON VILLAGE
 WAY SOUTH
 DAWSONVILLE, GA 30534
 PHONE: (706) 265-1234
 DAVISENGINEERS.COM

**A RESOLUTION BY THE BOARD OF COMMISSIONERS
OF DAWSON COUNTY, GEORGIA, TO DECLARE CERTAIN COUNTY
RIGHT-OF-WAY ABANDONED; TO DISPOSE OF SUCH ABANDONED
RIGHT-OF-WAY; AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the Official Code of Georgia Annotated (“O.C.G.A.”) § 32-7-1, the County is authorized to abandon any public road under its jurisdiction when such abandonment is deemed to be in the public interest; and

WHEREAS, O.C.G.A. § 32-7-2(b)(1) authorizes a County to abandon a section of the County road system which has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it or removal of the road is otherwise in the best public interest; and

WHEREAS, O.C.G.A. § 32-7-2(b)(1) further provides a process that must be initiated and concluded before the County may declare any portion of its road system abandoned; and

WHEREAS, at a regular public meeting held on September 19, 2024, the Dawson County Board of Commissioners (the “Board”) determined that a portion of **Black’s Mill Valley Road** as set forth in the plat or sketch attached as Exhibit “A”, has ceased to be used by the public to the extent that no substantial public purpose is served by said right-of-way area, and the removal of said right-of-way area is in the best public interest (the “County’s Determination”); and

WHEREAS, at the public meeting described above, the Board directed that the processes required under O.C.G.A. § 32-7-2(b)(1) should be initiated and completed; and

WHEREAS, the real property parcel abutting the right-of-way area proposed for abandonment bears assigned Dawson County Tax Parcel Number (“TPN”) 097 106 001, which is titled in the name of “Land Planning & Development, LLC” (“LP&D”); and

WHEREAS, LP&D was notified of the County’s Determination; and

WHEREAS, notice of the County’s Determination was published in the County’s legal organ once a week for a period of two weeks; and

WHEREAS, prior to considering this Resolution, the Board held a duly-noticed public hearing regarding the proposed abandonment of that portion of **Black’s Mill Valley Road** as set forth in the plat or sketch attached as Exhibit “A”; and

WHEREAS, in accordance with O.C.G.A. § 32-7-3, the County is authorized to dispose of any part of its property which is no longer needed for public road purposes; and

WHEREAS, in accordance with O.C.G.A. § 32-7-4, upon notice to the owner of real property abutting the County property to be disposed, such property owner (i.e., LP&D) shall have the right to acquire such property with respect to which notice is given; and

WHEREAS, the Board finds that the County has no other use for that portion of the County's roadway to be abandoned and disposed of herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, and it is hereby resolved by the authority of the same, as follows:

1. The above recitals are hereby incorporated as if fully stated herein.
2. That portion of **Black's Mill Valley Road** shown on the plat or sketch attached hereto marked Exhibit "A" has ceased to be used by the public to the extent that no substantial public purpose is served by said road and it is hereby abandoned.
3. Such abandoned portion of **Black's Mill Valley Road** shall no longer be part of the County's road system and the rights of the public in and to such section of road as a public road shall cease.
4. The best interest of Dawson County is served by disposing of said property to the abutting property owner, Land Planning & Development, LLC.
5. The County Manager, or his designee, shall notify Land Planning & Development, LLC, of its opportunity to acquire the abandoned portion of **Black's Mill Valley Road** as shown on the plat or sketch attached hereto marked Exhibit "A" under the following minimum terms and conditions:
 - a. The Buyer will enter into a purchase agreement, the form of which will be prepared by the County Attorney, regarding the County's sale and the Buyer's acquisition of the subject area.
 - b. The subject area purchase agreement, once finalized and executed by the Buyer, will be brought back to the Board of Commissioners for further consideration and approval.
 - c. The subject area will be surveyed, at the Buyer's cost, to determine the area boundaries and to develop a legal description of the subject area.
 - d. The subject area will be appraised, at the Buyer's cost, to determine its fair market value on a per acre and/or per square foot basis.
 - e. The County agrees to sell the subject area, as surveyed, for the appraised fair market value and will convey the subject area to the Buyer by Quit Claim Deed.
 - f. Upon closing on the sale transaction, the Buyer must follow all applicable County Code requirements and regulations related to incorporating the subject area into Buyer's abutting parcel (i.e., TPN 097 106 001).

THIS RESOLUTION is hereby adopted this ____ day of _____ 2024, the public health, safety, and general welfare demanding it.

DAWSON COUNTY BOARD OF COMMISSIONERS

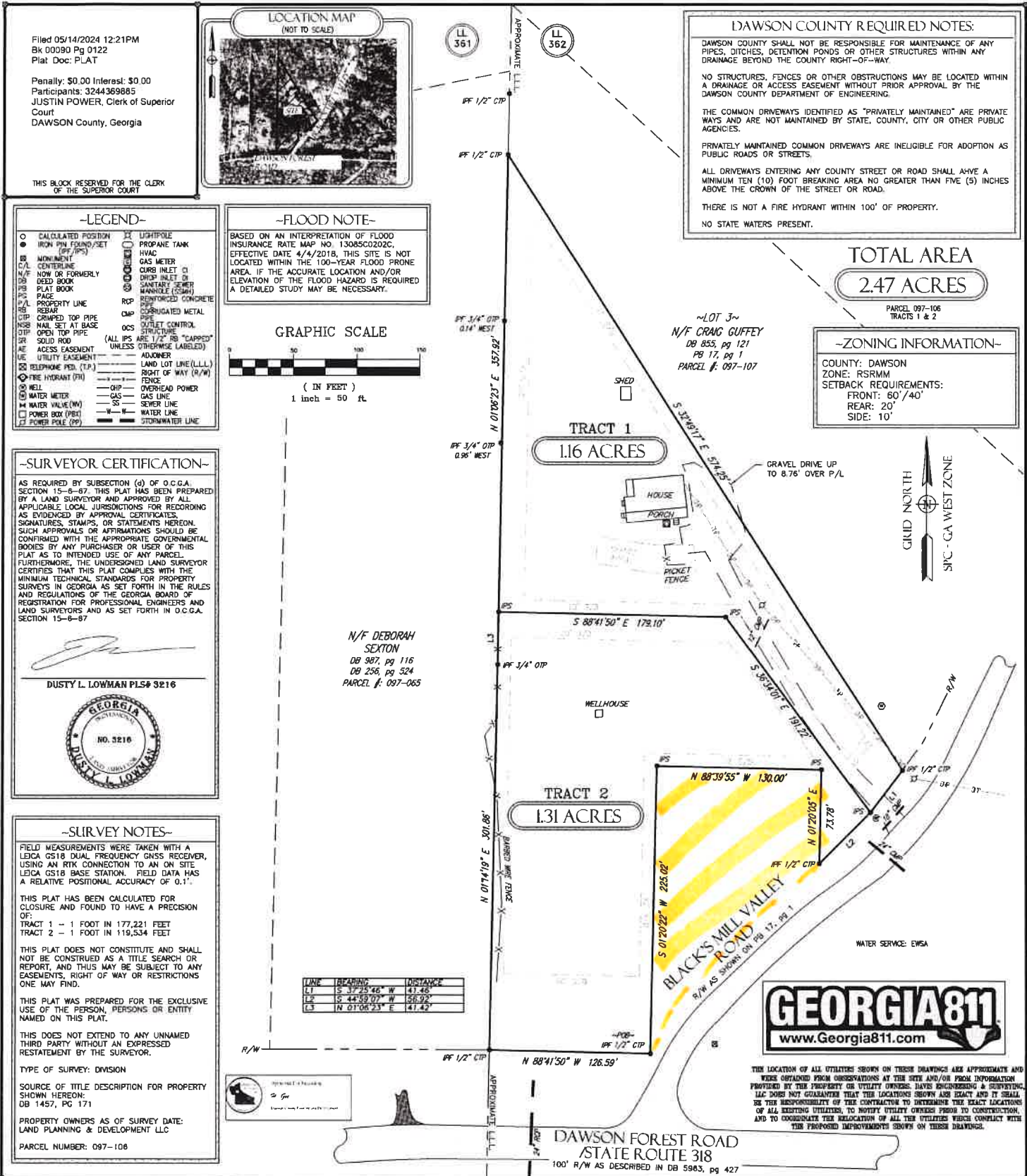
By: _____
Billy Thurmond, Chairman

Attest:

[COUNTY SEAL]

Kristen Cloud, County Clerk

EXHIBIT A



SHEET NO.
1 OF 1

PROJECT NO.
24-107

DRAWN BY: CAW
FIELD CREW: CC/DK
PLAT DATE: 4/23/2024
FIELD DATE: 3/21/2024
FILE: 24-107 BDA.dwg

SURVEY FOR:
JOANNAH SHOUSHARIAN
LOT 2, BLACK'S MILL CREEK SUBDIVISION, PHASE VI, PB 17, PG 1
LAND LOT 362
SOUTH HALF OF 13th DISTRICT, 1st SECTION
DAWSON COUNTY, GEORGIA

PREPARED BY:
DES DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE
WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

Letter of Intent

In regards to commercializing parcel/ Land lot LL 117- 189 land currently zoned VCR to commercial use at 126 Oak Grove Rd. where my home is currently located on 1.89 acres This will allow me to convert roughly 1 to 1.2 acre of my land into a private, gated, covered selfserve boat yard. Hidden behind 8-9 foot abrivita rows will be roughly 35 10x20 overhead covered storage slips or parking spots on asphalt millings and gateing will be solar with dc back up provided though a meter base.

This will allow me more finacial freedom to continue to improve this parcel. My propasal includes removing the old shop. Which in another time has decent bones but is a far cry from a fit for work, astheticaly pleasing or costeffective member of my property or the value of surronding properties. That being said I will also be applying for a demo permit and building permit for a 24x 30 pole barn/ garage.

I have been working third shift through the remodle of my home. Which has been a bit of improvement to the area. and this will allow me to continue that and help grow myself finacially and the community with a private more secure storage option. convienient to the the Boat ramps at Warhill Park. I have communicated with Mauldin grading for providing the proposed grading and retention pond in accordance with the plans and surveys provided by Davis engineering whom Ive employeed to provide the appicable surveys and geological appurtenances of this proposal.

I would also add that rearranging the drive way and front of my own home to include the mail box, shrubbery and foilage will allow for me to donate or give up much need road frontage on Oak grove it may be a small amout.. how ever 12 to 14 inches over a100-200ftshould be ample to allow for safe egress stripping and to alieviate the surrounding community from being scared to pass one another across the face of my parcel/land, from my mail box which has been hit twice to the next on the opposing side of the road. I would also move my mail box uoon approval from the post office to a pull off location to alow freer flow to the traffic and safty to the Mail man.

Thank you for your considerations, good day and god bless.

Kurt Trump

Dawson County
Rezoning Application
(AMENDMENT TO LAND USE MAP)

APPLICANT INFORMATION (or Authorized Representative)

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

Printed Name: KURT TRUMP

Address: 126 OAK GROVE RD, DAWSONVILLE

Phone (Listed only please) ---

Email (Business/Personal): [REDACTED]

Status: Owner Authorized Agent Lessee Option to purchase

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

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

Meeting Date: 27 NOV 23 Applicant Signature: [Signature]

REQUESTED ACTION & DETAILS OF PROPOSED USE

Rezoning to: CR Special Use Permit for: _____

Proposed Use:

Existing Utilities: Water Sewer Gas Electric

Proposed Utilities: Water Sewer Gas Electric

RESIDENTIAL

No. of Lots: _____ Minimum Lot Size: 1.83 (acres) No. of Units: _____

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

Type: Apartments Condominiums Townhomes Single-family Other

Type of Amenity: _____ Amount of Open Space: _____

COMMERCIAL & RESTRICTED INDUSTRIAL:

Building area: 1.83

No. of Parking Spaces: 35 STORAGE

63

STAFF USE DATE STAMP:

Property Owner/ Property Information

Name: KURT TRAMP

Street Address of Property being rezoned: 126 OAK GROVE RD, DANSONVILLE GA

Rezoning from: VCR to: CBD Total acreage being rezoned: 1.83

Directions to Property (if no address):

400 NB LEFT ON 53 EB 2.3 MILE TO WARHILL LEFT 1.3 MILE TO OAK GROVE RD. FIRST DEVELOPED PROPERTY ON RIGHT

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

Current Use of Property: RESIDENTIAL

Does this proposal reach DRI thresholds? NO If yes, the application will require submittal of a transportation study. DRIs require an in depth review by County agencies, and regional impact review by the Georgia Mountains Regional Planning staff. This adds several weeks to processing; additionally, the applicant is responsible for the expense of third party review of the required technical studies associated with the project.

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

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

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RCV South RCV East RCV West RCV

Future Land Use Map Designation: _____

Access to the development will be provided from:

Road Name: OAK GROVE Type of Surface: GRAVEL/MILLINGS

Applicant Certification

I hereby request the action contained within this application relative to the property shown on the attached survey, plat, 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. The staff will send notices to adjacent property owners advising of the request and proposed use prior to the public hearing.

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

I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning or 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 Kurt TRUMP Date 11-9-23

Witness Tanya Davis Date 11-9-23

PLANNING
COMMISSION
CLERK

Property Owner Authorization

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

Street Address of Property being rezoned: 126 OAK GROVE RD, DANSONVILLE GA.

TMP#:

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel or parcels 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: KURT TRUMP

Signature of applicant or agent: *Kurt Trump* Date: 9-11-23

Printed Name of Owner(s): KURT TRUMP

Signature of Owner(s): *Kurt Trump* Date: 9-11-23

Mailing address: 126 OAK GROVE RD

City, State, Zip. DANSONVILLE, GA 30534

Phone (Listed/Unlisted): [REDACTED]

Sworn and subscribed before me
this 9 day of NOV., 20 23.

Tanya Davis
Notary Public

My Commission Expires: 7-30-24

{Notary Seal}



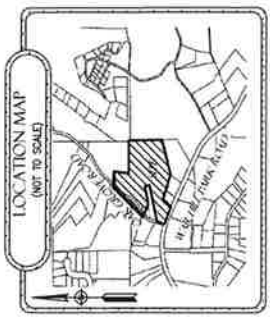
(The complete names of all owners must be listed; if the owner is a partnership, the names of all partners must be listed; if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet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

227

MINOR PLAT FOR:
 KURT DANIEL TRUMP
 LAND LOTS 395 & 446
 13TH DISTRICT, 1ST SECTION
 DAWSON COUNTY, GEORGIA

REV BY: AM
 REV DATE: 03/25/2024
 DRAWN BY: JCM
 PLAT DATE: 03/19/2024
 FIELD CREW: JCM
 FIELD DATE: 02/27/2024
 FILE: 24-051R

SHEET NO.
 1 OF 1
 PROJECT NO.
 24-051



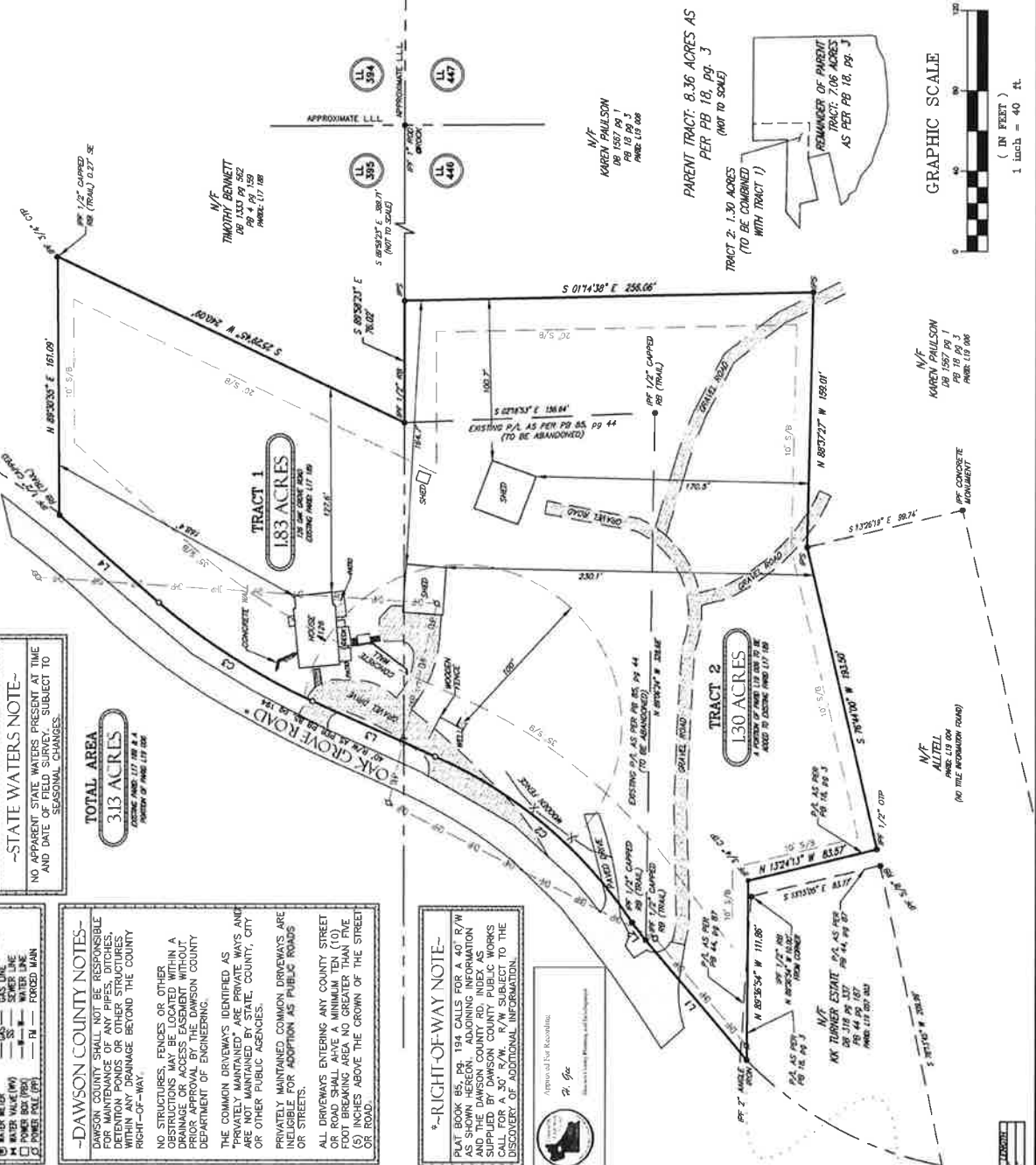
-FLOOD NOTE-
 BASED ON AN INTERPRETATION OF FLOOD ZONING MAPS AND DATA, THIS SITE IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PROTECTION AREA. IF THE ACCURATE LOCATION AND/OR ELEVATION OF THE FLOOD HAZARD IS REQUIRED, A DETAILED STUDY MAY BE NECESSARY.

-ZONING INFORMATION-
 COUNTY: DAWSON
 ZONE: VCR
 SETBACK REQUIREMENTS:
 FRONT: 35'
 REAR: 20'
 SIDE: 10'

-SURVEY NOTE-
 THE PURPOSE OF THIS SURVEY IS TO TAKE A PORTION OF EXISTING PARCEL # L19 006 AND COMBINE IT WITH EXISTING PARCEL # L17 189.

-STATE WATERS NOTE-
 NO APPARENT STATE WATERS PRESENT AT TIME AND DATE OF FIELD SURVEY. SUBJECT TO SEASONAL CHANGES.

TOTAL AREA
 3.13 ACRES
 (APPROXIMATE)



-LEGEND-

●	CALCULATED POSITION	○	UTILITY
○	IRON PIN FOUND/SET	○	HVAC
○	WATER METER	○	WATER
○	WATER VALVE	○	SEWER
○	WATER METER	○	SEWER
○	WATER VALVE	○	SEWER
○	WATER METER	○	SEWER
○	WATER VALVE	○	SEWER
○	WATER METER	○	SEWER
○	WATER VALVE	○	SEWER
○	WATER METER	○	SEWER
○	WATER VALVE	○	SEWER

-DAWSON COUNTY NOTES-
 DAWSON COUNTY SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY, DETECTION PONS OR OTHER STRUCTURES WITHIN ANY DRAINAGE BEYOND THE COUNTY RIGHT-OF-WAY.

NO STRUCTURES, FENCES OR OTHER OBSTRUCTIONS MAY BE LOCATED WITHIN A DRAINAGE OR ACCESS EASEMENT WITHOUT PRIOR APPROVAL BY THE DAWSON COUNTY DEPARTMENT OF ENGINEERING.

THE COMMON DRIVEWAYS IDENTIFIED AS "PRIVATELY MAINTAINED" ARE PRIVATE WAYS AND ARE NOT TO BE ADOPED AS PUBLIC ROADS OR STREETS.

ALL DRIVEWAYS ENTERING ANY COUNTY STREET OR ROAD SHALL HAVE A MINIMUM TEN (10) FOOT CLEARANCE FROM THE CORNER OF THE STREET OR ROAD.

THE COMMON DRIVEWAYS IDENTIFIED AS "PRIVATELY MAINTAINED" ARE PRIVATE WAYS AND ARE NOT TO BE ADOPED AS PUBLIC ROADS OR STREETS.

-RIGHT-OF-WAY NOTE-
 PLAT BOOK 185, 194, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

-SURVEYOR CERTIFICATION-
 AS REQUIRED BY SUBSECTION (G) OF O.C.G.A. SECTION 15-2-67, THIS PLAT HAS BEEN PREPARED BY A LICENSED SURVEYOR IN ACCORDANCE WITH APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EMBEDED BY APPROVAL CERTIFICATE. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE OBTAINED FROM THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF THE GEORGIA BOARD OF SURVEYING AND MAPPING AND AS SET FORTH IN THE RULES AND REGULATIONS FOR PROFESSIONAL ENGINEERS AND SURVEYORS IN O.C.G.A. SECTION 15-2-67.

DUSTY L. LOWMAN PLS# 3216

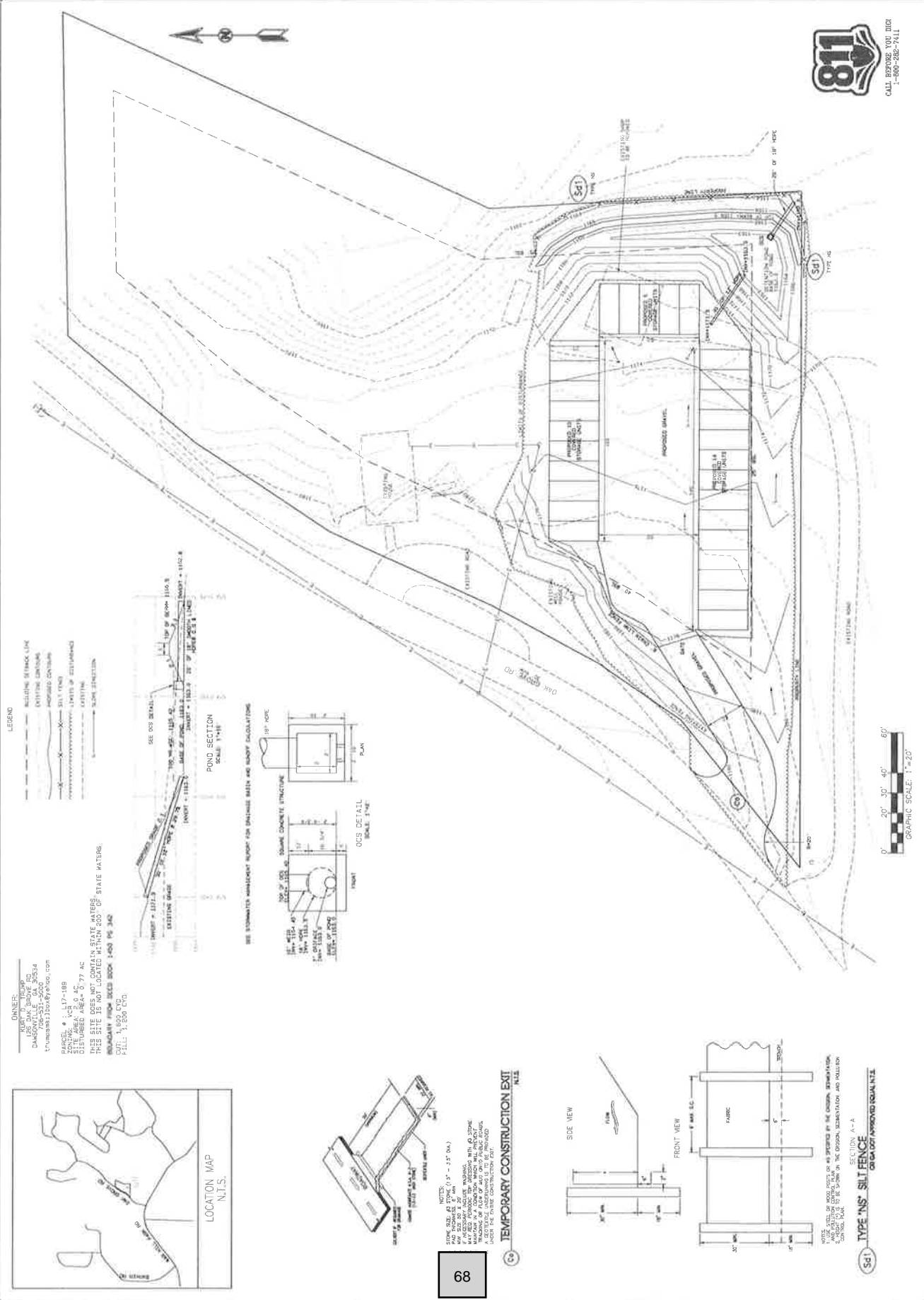
NO. 3216

APPROVAL FOR RECORDING

706

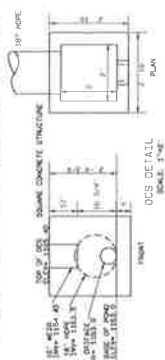


REVISION	DATE	DESCRIPTION



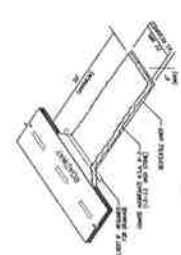
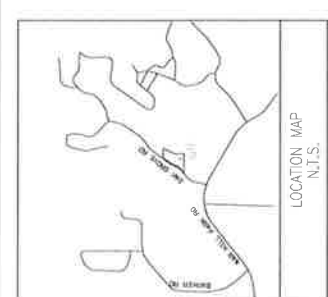
LEGEND

- PROPOSED EITWORK LINK
- EXISTING UTILITIES
- PROPOSED CONDUITS
- EXISTING CONDUITS
- EXISTING LIMITS OF DISTURBANCE
- EXISTING
- SLOPE INDICATION

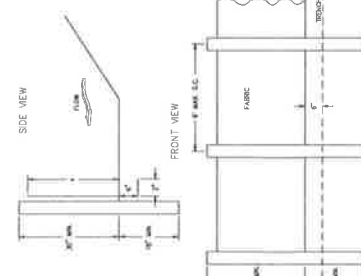


OWNER:
 TRUMP
 126 OAK GROVE RD
 DAWSONVILLE, GA 30534
 TEL: 706-525-5555 FAX: 706-525-5554
 WWW.DAVISDAVIS.COM

PARCEL # 1, L17-188
 5.0 AC.
 DISTURBED AREA = 0.77 AC.
 UNDISTURBED AREA = 4.23 AC.
 THIS SITE IS NOT CONTIGUOUS TO STATE WATERS.
 BOUNDARY FROM DEED BOOK 1403 PG 340
 CUT: 1,693 CUB.
 FILL: 1,200 CUB.



NOTE:
 SHOW SIZE AS STAKE (1.9" x .25" DIA.)
 DIA. SIZE IS IN 20' DIA.
 MAY BE REPLACED BY PERMANENT W/RT. #3 STEEL
 TRAILING OF FACE OF MARK ON PUBLIC RIGHTS
 UNDER THE EITWORK CONSTRUCTION FENCE.



NOTE:
 TYPE 'NS' SILT FENCE SHALL BE AS SPECIFIED IN THE DESIGN, SPECIFICATION,
 AND CONTRACT DOCUMENTS. ALL MATERIALS SHALL BE TESTED IN THE DESIGN,
 SPECIFICATION, AND CONTRACT DOCUMENTS TO BE SURE AS TO DESIGN, QUALITY,
 CONTROL, AND INSTALLATION.

TYPE 'NS' SILT FENCE
 DESIGN APPROVED QUALITY



LAND USE AMENDMENT STAFF REPORT

PLANNING & DEVELOPMENT

ZA Number: **24-05**
Public Meetings: Planning Commission Hearing September 17, 2024
 Board of Commission Hearing October 17, 2024
Project Name: Boat Storage (Open)
Owner: Kurt Trump
Applicant: Kurt Trump
Requested Action: Special Use Permit and rezoning to CIR

Planning Commission Recommendation: **Denial of the request.**

Property Size: 3.13 acres (Survey of July 2024)
Location: Oak Grove Road off of War Hill Park Road
Commission District: District 3
Parcel I.D. Number: L17 189
Zoning District: VCR
Road Classification: Paved residential
Proposed Zoning District: Commercial Industrial Restricted
Character Area: Lanier
Dawson Trail Segment: n/a
Environmental Constraints: n/a

	Character Area	Zoning	Existing Use	Status
Site	Lanier	VCR	Residential	homesite
North	Lanier	VCR	Residential	vacant
South	Lanier	VCR	Residential	vacant
East	Lanier	VCR	Residential	homesite
West	Lanier	VCR	Residential	homesite

-Analysis-

The applicant proposes to develop an open storage facility with up to 35 spaces. Oak Grove Road is an established residential area with various sizes of properties and homes. The subject property is located on a local residential street with insufficient infrastructure for commercial development.

The comprehensive plan designates the property within the Lanier Character area. One of the principal strategies of the plan's character area designation is to retain the low-intensity residential community character. Dawson County's comprehensive plan provides various other areas supporting commercial and industrial growth. The Lanier Character Area is not associated with commercial or industrial development. The applicant's request is inconsistent with the comprehensive plan.

Sec. 121-313. Guidelines to be considered when granting an amendment.

Whenever consideration is being given to an amendment to the Land Use Code, the planning commission shall make its recommendations, and the board of commissioners shall make its decision based on the following criteria:

- (1) The existing uses and classification of nearby property.**
- (2) The extent to which property values are diminished by the particular land use classification;**
- (3) The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public;**
- (4) The relative gain to the public, as compared to the hardship imposed upon the individual property owner;**
- (5) The suitability of the subject property for the proposed land use classification;**
- (6) The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property; and**
- (7) Whether the requested zoning would result in a use that could create an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Public Works Department

- Paved residential road less than 25 feet in width
- Proposed access is not adequate for commercial use
- The width of the road is inadequate for significant commercial development
- Minimal standard of 24' width and radii to accommodate trailers
- Requires a paved apron in the right of way
- Requires a stormwater Management Plan

Transportation Level of Service: No road improvements are planned.

Etowah Water and Sewer Authority

Per EWSA's current records, a 6" PVC water main is on the opposite side of the road from this property. The water main is suitable for domestic service; if fire protection is needed, EWSA must conduct a flow test and model. We require the owner/developer to pay a fee for this service. If it is required, the owner/developer should contact me directly.

If road work improvements are required for developing the property and the work will encroach on the existing water main, it will be the responsibility of the owner/developer to relocate/upgrade the water main as required by EWSA at their cost. Engineered plans designed per EWSA specifications will be required for review and approval for this type of work. All water main relocations/upgrades must be designed and installed per EWSA specifications at the expense of the owner/developer.

If additional water service is needed for the property for development purposes for domestic and/or fire service, upgrades must be designed and installed per EWSA specifications at the expense of the owner/developer.

There is no sanitary sewer in this area. Septic is the only option.

Emergency Services

Commercial development requires the Fire Marshal's office to review LDP and architectural plans. The applicant must show the calculated minimum required fire flow availability and how it will be achieved.

- (8) Whether the proposal is in conformity with the policy and intent of the future land use plan; and
- (9) The specific, unusual, or unique facts of each case that give rise to special hardships incurred by the applicant and/or surrounding property owners.

Lanier

Constructed by the U.S. Army Corps of Engineers in the 1950s, Lake Lanier is a multi-purpose lake authorized for flood protection, power production, water supply, navigation, recreation, and fish and wildlife management. The Lanier character area comprises property adjacent to or near the county's 47 miles of Lake Lanier shoreline.

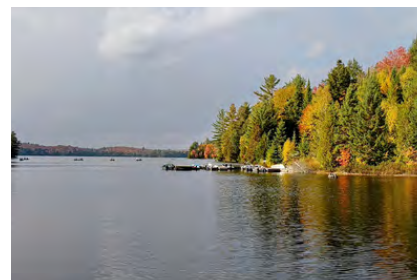
In the 1970s, people building weekend cabins and second homes developed the lake's northwestern shore. Many of these structures have been modernized, expanded, or upgraded since. The Lanier character area is comprised almost exclusively of detached, single-family housing and conservation land protected by the U.S. Army Corps of Engineers (USACE). Housing here is predominantly in older, established communities along Lake Lanier—residential uses vary wildly in age, size, and character. With few exceptions, these areas are not served by sewer service; however, central water is available. With about 12 million visitors last year, Lake Lanier is one of the nation's most-visited USACE-built lakes.

Table 3-13. Lanier Character Area Land Uses

LAND USES	LAND USE DESIGNATION
Residential Uses	Lakefront Residential (RL)
Places of Worship	Residential Sub-Rural (RSR)
Small scale agriculture	Residential Rural Estate (RRE)
Public Parks	Residential Suburban (RS)
Existing commercial	Commercial Rural Business (C-RB)

MITIGATION STRATEGIES:

- Strategy 3.1: Evaluate options for Dawson County to take over the management of (Corps of Engineers) USACE lake parks during the development of the Parks Master Plan (2025)
- Strategy 3.2: Commercial and mixed-use development should be concentrated along Hwy 53.
- Strategy 3.3 Develop systems and processes to improve policies that support eliminating substandard housing, including community resources, to accomplish compliance.
- Strategy 3.4: Ensure that commercial centers do not encroach near residential development
- Strategy 3.5: Increase public access to the lake by revamping conservation lands, i.e., Toto Creek Park, Thompson Creek, and Nix Park.
- Strategy 3.6: Open storage yards, open-air businesses, and automobile sales are inappropriate within the Lanier Character Area.
- Strategy 3.7: Retain low-intensity residential community character.
- Strategy 3.8: The Warhill Park Road commercial uses should not expand beyond the existing commercial structures at the intersection with Highway 53 to remain at the residential community scale.
- Strategy 3.9: New residential development should provide pedestrian access via sidewalks, multi-use trails, and walkways.
- Strategy 3.10: Update the county's regulations to address drainage, driveway, and impervious surface requirements.
- Strategy 3.11: Vehicle service establishments are inappropriate within the Lanier Character Area.
- Strategy 3.12: Evaluate options to establish regulations for the inspection of septic systems.
- Strategy 3.13: Support the upgrade of infrastructure, i.e., water mains, to improve the fire safety of the lakeside communities.



ZA 24-05: Kurt Trump is requesting the rezoning of 3.13 acres (survey of July 2024) on Oak Grove Road, off War Hill Park Road, from *Vacation Cottage Restricted (VCR)* to *Commercial Industrial Restricted (C-IR)* to construct and operate a thirty-five (35) slip open boat storage facility.

Chairman Hamby asked if anyone could speak on behalf of the application. Kurt Trump, owner and resident of the subject property, provided a verbal history of the property previously operating as a commercial machinery repair shop under the ownership of his late father. Mr. Trump detailed his physical and financial efforts to improve his property through a permitted remodel, removing over 40 “junk” cars and various rubbish and grading/silt fencing to improve erosion concerns. When asked about the scope of the proposed storage yard, Mr. Trump verbally noted that he intended to create forty-five (45) boat slips.

Chairman Hamby asked if there was anyone to speak in favor of the application. There were none.

Chairman Hamby asked if there was anyone to speak in opposition to the application. Fred Wiedenmann, resident of Dawson County, spoke for 2 minutes 47 seconds regarding the cumulative worth of properties along Oak Grove Road and believed the proposed boat storage facility would cause property values to drop.

Chairman Hamby asked if anyone could speak in opposition to the application. Jim Pearson, a resident of Dawson County, spoke for 2 minutes and 58 seconds. Mr. Pearson identified issues such as the road width for large boat-pulling traffic, lack of turnaround access for boat owners if they were to miss the entrance of the proposed storage facility, and safety concerns for other residents in the area who use Oak Grove Road as a walking route. Mr. Pearson acknowledged the improvements Mr. Trump has made to his property.

Chairman Hamby asked if anyone else could speak in opposition to the application. There were no additional speakers.

Chairman Hamby closed the Board for discussion.

Chairman Hamby asked for a motion.

Motion to recommend denial of the request passed 4-1 (Sanvi/Hornsey – Townley).



PUBLIC NOTICE ON ZONING

AN APPLICATION HAS BEEN FILED WITH DAWSON COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT - Kurt Trump
CASE # ZA24-D5
RE - ~~Rezone from VCR to CIR~~ for Boat Storage
HEARINGS WILL BE HELD BY:

PLANNING COMMISSION DATE: SEPT 17 TIME: 6:00
BOARD OF COMMISSIONERS DATE: OCT 17 TIME: 4:00

HEARING LOCATION:
DAWSON COUNTY GOVERNMENT CENTER
ASSEMBLY ROOM 2303
25 JUSTICE WAY, DAWSONVILLE GA 30534
FOR ADDITIONAL INFORMATION CALL
DAWSON COUNTY PLANNING AND DEVELOPMENT
706-344-3500 x42336

THIS SIGN NOT TO BE REMOVED WITHOUT AUTHORIZATION

APPLICANT INTENT

Applicant's Request (Letter of Intent):

LETTER OF INTENT

APPLICANT: Chad Kimbarl
SUBJECT PROPERTY: Map and Parcel 088-108-004
CURRENT ZONING: RA – Residential Exurban/Agricultural
PROPOSED ZONING: C-HB – Highway Business Commercial District
PROPOSED USE: General and Specialty Automotive Repair/Maintenance
APPLICATION: 1) Rezoning from R1 to C-HB
ROW ACCESS: 2) Highway 9

PROPOSED USE:

The Applicant proposes to development approximately 3,200 square footage automotive service/repair facility on the subject property. The proposed use will have 7 parking spaces.

The Applicant is an individual that is seeking to construct the facility on the subject property in order provide automobile services. Such services will include but aren't limited to oil changes, brake services and other uses as provided. The Applicant will provide adequate buffering to adjacent properties. The property to the east is encumbered by a stream which will provide additional protection to the rear of the property, making subject property suitable for the proposed C-HB zoning.

The proposed amendment and intended use of the subject property meets the demonstrated changes in Dawson County community needs and although differs from the Dawson County Future Development Map is suitable for the area. Facts and evidence would show that there are similar commercial uses in the area and this proposal would be consistent with the population, economic, and land use data upon which the future land use map was based.

Water, power will be provided to the subject property. The Applicant is seeking to utilize public sewer service when it becomes available. The impact on public utilities will be minimal.

The construction and development schedule will depend on the availability of public sewer; however, the small scale of the development should allow for a short build-out schedule.

A refusal by Dawson County to approve this Application, so as to permit viable economic use of the property, would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and the owners of similarly situated property in violation of Article I, Section 1, Paragraph 2 of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Furthermore, a decision denying the Application would constitute an arbitrary and irrational abuse of discretion and constitute an unreasonable application of local land use authority bearing no relationship to the public health, safety, morality or general welfare of the public in violation of Article I, Section 1, Paragraph 1 of the Constitution of the State of Georgia and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States. The Applicant maintains that a refusal to approve the Application as requested would be an abuse of discretion under the power granted to local governments by the Georgia Constitution and the Zoning Procedures Law, O.C.G.A. Section 36-66-1, et seq.

The Applicant reserves all other rights and privileges under the Constitutions of the United States and the State of Georgia, and available at law and in equity, in the event that Dawson County refuses to approve this Application as requested by the Applicant. The Applicant respectfully asks that the Application be approved as requested and reserves the right to amend this Letter of Intent and the Application by supplementing additional responses and documents

Sincerely,

Sean Courtney

(or attach the write up)



Dawson County

PUBLIC HEARING APPLICATION- LAND USE AMENDMENT

A short summary of the proposed use:

The applicant purposes to develop an approximately 3,200 square footage automotive service/repair facility on the subject property.

Contact Information:

Contact Name: Chad Kimbarl

Address: 2922 Dawson Forest Road. E Suite: _____

City: Dawsonville State: GA Zip: 30534

Telephone: [REDACTED] Email: [REDACTED]

PLEASE DO NOT PROVIDE UNLISTED NUMBER

Subject Property Information:

Address: Georgia Highway 9 Current Zoning: RA

District: 4 Section: 1 Land Lot: 1193 Parcel ID: 088-108-004

Proposed Zoning: C-HB Current Use: vacant

This Application Is For (Check All That Apply):

- Appeal of Administrative Decision
- Rezoning (Land Use change)
- Special Use
- Master Plan Review - MUV
- Amendment of Master Plan
- Amendment of Stipulations
- Other: _____

Applicant Certification

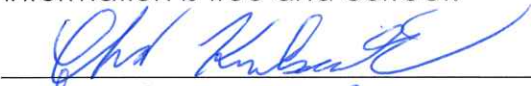

I hereby request the action contained within this application relative to the property shown on the attached survey, plat, and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

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. The staff will send notices to adjacent property owners advising of the request and proposed use prior to the public hearing.

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

I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning or 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 7-24-24
Witness  Date 7-24-24

Property Owner Authorization

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

Street Address of Property being rezoned: Highway 9

TMP#: 088-108-004

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel or parcels 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: Chad Kimbral

Signature of applicant or agent: *Chad Kimbral* Date: 7-24-24

Printed Name of Owner(s): Chad Kimbral and Randy Kimbral

Signature of Owner(s): *Chad Kimbral Randy Kimbral* Date: 7-24-24

Mailing address: 2922 Dawson Forest Road, E

City, State, Zip: Dawsonville, Georgia 30534

Phone (Listed/Unlisted): [REDACTED]

Sworn and subscribed before me
this 24 day of July, 2024.

Melissa G Corliss
Notary Public



My Commission Expires: _____

(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.)

THIS SURVEY AND ITS FINDINGS DOES NOT CONSTITUTE A TITLE SEARCH OR TITLE OPINION BY MCCLURE SURVEYING, INC. AS LAND SURVEYORS. ALL DATA USED FOR THE LOCATION OF PROPERTY LINES, EASEMENTS, ADJOINING OWNERS, ETC. WAS GAINED FROM PUBLIC RECORDS, THE CLIENT, OR OTHER SOURCES AS REFERENCED. NO ABSTRACT OF TITLE OR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE PROVIDED TO THE SURVEYOR, UNLESS OTHERWISE NOTED. OTHER DOCUMENTS OR SITUATIONS MAY EXIST THAT WOULD AFFECT THIS PROPERTY, AS WITH ANY LAND TRANSACTION, A TITLE SEARCH AND CERTIFICATE IS RECOMMENDED IN CONJUNCTION WITH THIS SURVEY, OR YOU MUST CONSULT A COMPETENT TITLE ATTORNEY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS OF PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

PROPERTY OWNER ACKNOWLEDGES THAT ANY SEPTIC SYSTEMS CONFORM TO ALL SETBACK REQUIREMENTS. APPROVAL OF PLAT DOES NOT GUARANTEE THAT THE DAWSON COUNTY HEALTH DEPARTMENT WILL ISSUE A SEPTIC SYSTEM PERMIT.

DAWSON COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF ANY PIPES, DITCHES, DETENTION PONDS OR OTHER STRUCTURES WITHIN ANY DRAINAGE EASEMENT BEYOND THE COUNTY RIGHT-OF-WAY.

NO STRUCTURES, FENCES OR OTHER OBSTRUCTIONS MAY BE LOCATED WITHIN A DRAINAGE OR ACCESS EASEMENT WITHOUT PRIOR APPROVAL BY THE DAWSON COUNTY DEPARTMENT OF ENGINEERING.

THE COMMON DRIVEWAYS IDENTIFIED AS "PRIVATELY MAINTAINED" ARE PRIVATE WAYS AND ARE NOT MAINTAINED BY STATE, COUNTY, CITY OR OTHER PUBLIC AGENCIES.

PRIVATELY MAINTAINED COMMON DRIVEWAYS ARE INELIGIBLE FOR ADOPTION AS PUBLIC ROADS OR STREETS.

ALL DRIVEWAYS ENTERING ANY COUNTY STREET OR ROAD SHALL HAVE A MINIMUM TEN (10) FOOT BRAKING AREA NO GREATER THAN FIVE (5) INCHES ABOVE THE CROWN OF THE STREET OR ROAD.

DATE OF SURVEY: APRIL 2-5, 2021

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 63,994 FEET, AN ANGULAR ERROR OF 00 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARED METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 816,664 FEET.

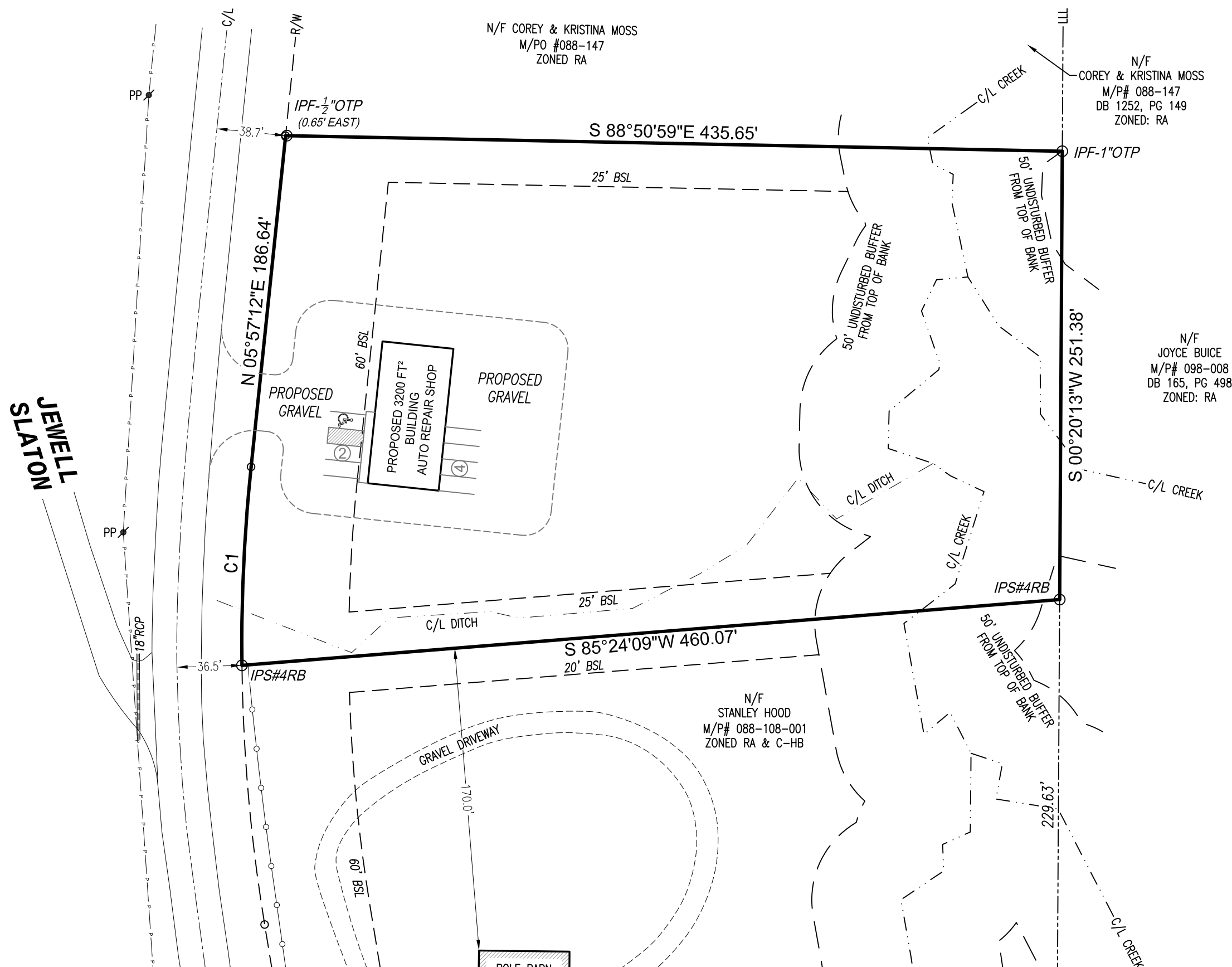
BEARINGS SHOWN ARE BASED ON ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION AND ARE SUBJECT TO FIELD CONDITIONS.

THE EQUIPMENT USED FOR ANGULAR AND DISTANCE MEASUREMENTS WAS A LEICA ROBOTIC TOTAL STATION, TS12.

THIS PROPERTY IS NOT LOCATED WITHIN THE 100-YEAR FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP NO. 13085C0203C, DATED 4-4-18.

NOTES & REFERENCES

- TAX MAP/PARCEL #088-108-004
- PLAT BOOK 87 PAGE 158
- CURRENT ZONING RA
PROPOSED ZONING C-HB
- PROPOSED SETBACKS
FRONT = 60'
SIDE = 25'
REAR = 50'
- PROPOSED USE - AUTO REPAIR
- PARKING REQUIREMENTS
MAX: 4 SPACES PER 1000 FT²
MIN: 2 SPACES PER 1000 FT²
MIN = 6
6 SPACES SHOWN PLUS ONE ACCESSIBLE SPACE
- SITE WILL CONNECT TO FUTURE SEWER



Curve	Radius	Length	Chord	Chord Bear.
C1	963.44'	111.54'	111.48'	N 02°38'47" E

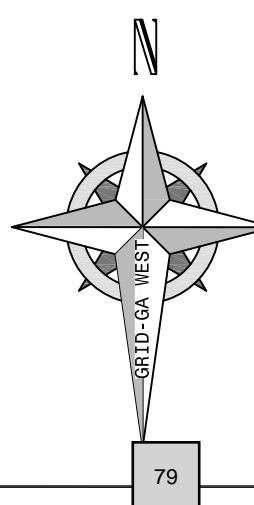
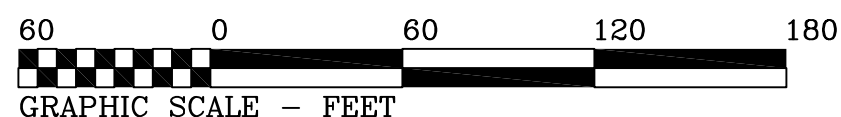
REZONING PLAN FOR:

CHAD KIMBRAL & RANDY KIMBRAL

TRACT 2 - PLAT BOOK 87 PAGE 158
LAND LOT 1193
4TH DISTRICT
1ST SECTION
DAWSON COUNTY, GEORGIA
PLAT DATE: JULY 24, 2024
REVISION DATE:

TOTAL = 2.826 ACRES
123,119.213 SQUARE FEET

OWNER INFO:
CHAD KIMBARL & RANDY KIMBARL
6015 JETT ROAD
DAWSONVILLE, GA 30534



LEGEND
BOC = BACK OF CURB
BSL = BUILDING SETBACK LINE
P/L = PROPERTY LINE
R/W = RIGHT OF WAY
LL = LAND LOT
LLL = LAND LOT LINE
N/F = NOW OR FORMERLY
M/P# = TAX MAP / PARCEL NO.
POB = POINT OF BEGINNING
NTS = NOT TO SCALE
IPF = IRON PIN FOUND
IPS = IRON PIN SET
COR MON = USCOE MONUMENT
RB = REBAR
CTP = CRIMP TOP PIPE
OTP = OPEN TOP PIPE
SQ. ROD = SQUARE ROD
AIF = ANGLE IRON FOUND
CMP = CORRUGATED METAL PIPE
RCP = REINFORCED CONC. PIPE

LEGEND
WM = WATER METER
WV = WATER VALVE
PP = POWER POLE
LP = LIGHT POLE
SP = SERVICE POLE
PH.BOX = PHONE BOX
U/G = UNDERGROUND
C.O. = SEWER CLEAN-OUT
MB = MAILBOX
SS = SANITARY SEWER
MH = MAN HOLE
FFE = FINISHED FLOOR ELEV.
FH = FIRE HYDRANT
--G-- = GAS LINE
--P-- = POWER LINE
--SS-- = SANITARY SEWER LINE
--FM-- = SANITARY FORCE MAIN
--T-- = TELEPHONE LINE
--W-- = WATER LINE
--X-- = FENCE LINE

McCLURE SURVEYING, INC.
2505 JOHNSON DRIVE - SUITE D
CUMMING, GA 30040
O: (470) 297-5592 O: (770) 889-0281
CERTIFICATE OF AUTHORIZATION: LSF001203
NATHAN@MCCLURESURVEYING.COM
WWW.MCCLURESURVEYING.COM

Surveyor's Certificate
"It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated and that their locations, size, type, and material are correctly shown."
By: *Nathan M. McClure*
Registered Georgia Land Surveyor No. 3086
JOB NO. 24179

Filed 05/05/2022 01:05PM
 BK 00087 Pg 0158
 Plat Doc: PLAT

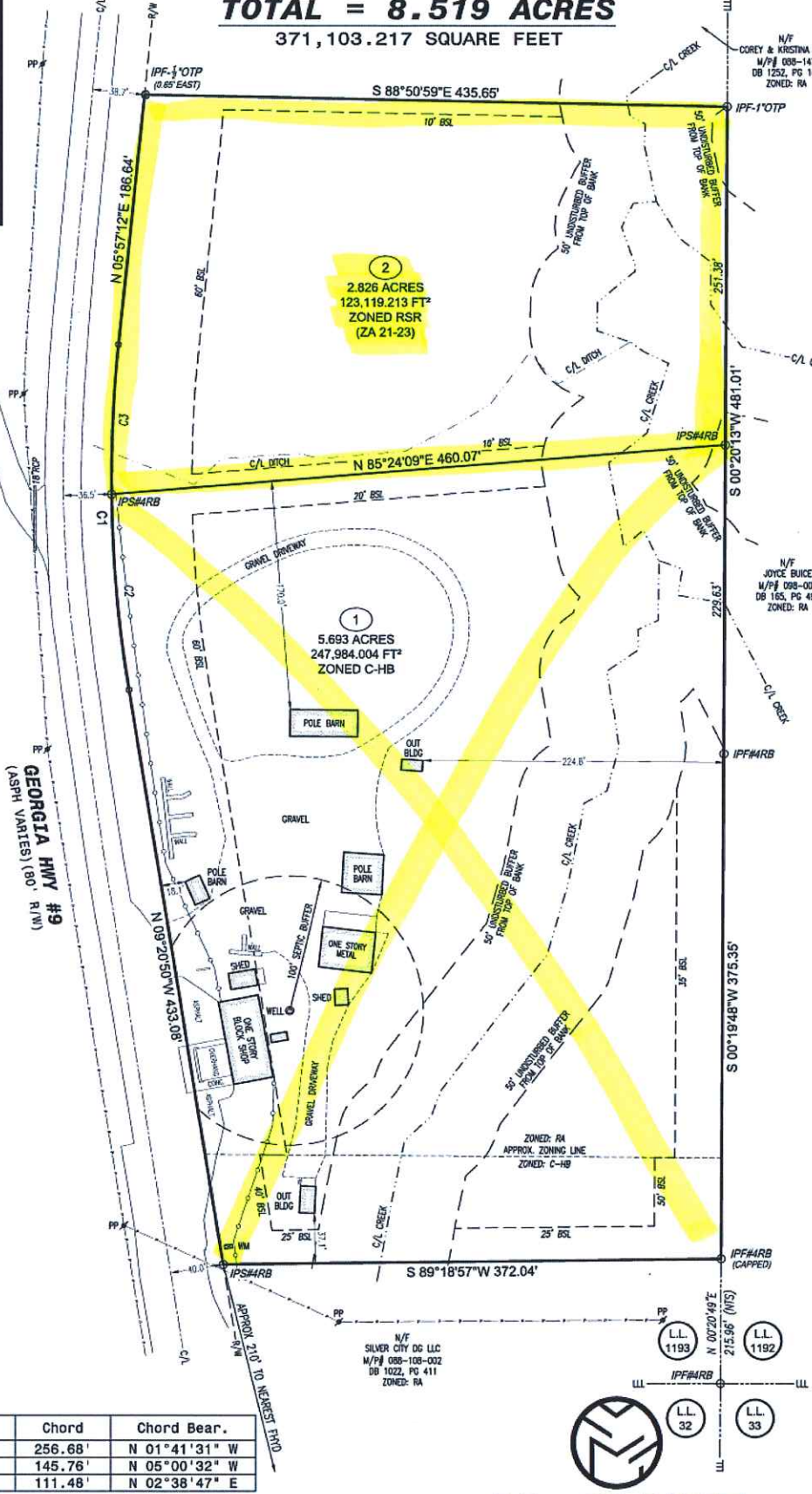
Penalty: \$0.00 Interest: \$0.00
 Participants: 3892914031
 JUSTIN POWER, Clerk of Superior
 Court
 DAWSON County, Georgia

TOTAL = 8.519 ACRES
 371,103.217 SQUARE FEET



THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

- LEGEND**
- BOC = BACK OF CURB
 - BSL = BUILDING SETBACK LINE
 - PL = PROPERTY LINE
 - R/W = RIGHT OF WAY
 - LL = LAND LOT
 - LL = LAND LOT LINE
 - N/F = NOW OR FORMERLY
 - M/P# = TAX MAP / PARCEL NO.
 - POB = POINT OF BEGINNING
 - N/S = NOT TO SCALE
 - IPF = IRON PIN FOUND
 - IPS = IRON PIN SET
 - CON MON = USCOE MONUMENT
 - RS = REBAR
 - CIP = CONCRETE IN PLACE
 - OIP = OPEN TOP PIPE
 - SQ. ROD = SQUARE ROD
 - MF = ANGLE IRON FOUND
 - CMP = CORRUGATED METAL PIPE
 - RCP = REINFORCED CONC. PIPE
 - WM = WATER METER
 - W = WATER VALVE
 - PP = POWER POLE
 - LP = LIGHT POLE
 - SP = SERVICE POLE
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 - U/G = UNDERGROUND
 - C.O. = SEWER CLEAN-OUT
 - M.B. = MANHOLE
 - SS = SANITARY SINKER
 - M.H. = MAIN HOLE
 - FTE = FINISHED FLOOR ELEV.
 - FI = FIRE HYDRANT
 - G.L. = GAS LINE
 - P. = POWER LINE
 - SS = SANITARY SINKER LINE
 - FW = FIRE WATER MAIN
 - TEL. = TELEPHONE LINE
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 - F.L. = FENCE LINE



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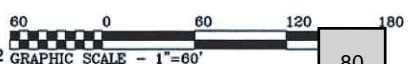
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- NOTES & REFERENCES**
1. TAX MAP/PARCEL #088-109 & #088-108-002
 2. PARCELS ARE ZONED RSR & C-HB
 3. RSR SETBACKS
 FRONT - 60 FEET
 SIDE - 20 FEET
 REAR - 35 FEET
 3. C-HB SETBACKS
 FRONT - 40 FEET
 SIDE - 25 FEET
 REAR - 50 FEET
 4. DEED BOOK 1238 PAGE 639
 5. DEED BOOK 1238 PAGE 641
 6. PLAT BOOK 80 PAGE 2
 7. PLAT BOOK 80 PAGE 3

Curve	Radius	Length	Chord	Chord Bear.
C1	963.44'	257.45'	256.68'	N 01°41'31" W
C2	963.44'	145.90'	145.76'	N 05°00'32" W
C3	963.44'	111.54'	111.48'	N 02°38'47" E

SUBDIVISION SURVEY FOR:
STANLEY HOOD

LAND LOT 1193
 4TH DISTRICT
 1ST SECTION
 DAWSON COUNTY, GEORGIA
 PLAT DATE: JUNE 10, 2021
 REVISIONS: MAY 5, 2022 - ZONING TRACT 2



McCLURE
 SURVEYING, INC.
 2505 JOHNSON DRIVE - SUITE D
 CUMMING, GA 30040
 O: (470) 297-5592 O: (770) 889-0281
 CERTIFICATE OF AUTHORIZATION: LSF001203
 NATHAN@MCCLURESURVEYING.COM
 WWW.MCCLURESURVEYING.COM

Surveyor's Certificate

"It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated and that their locations, size, type, and material are correctly shown.

By: *Nathan M. McClure*

Registered Georgia Land Surveyor No. 3086

JOB NO. 21104



LAND USE AMENDMENT STAFF REPORT

PLANNING & DEVELOPMENT

ZA Number: **24-06**
Public Meetings: Planning Commission September 17, 2024
 Board of Commission Hearing October 17, 2024
Project Name: Kimbral Garage
Owner: Chad Kimbral
Applicant: Lipscomb Johnson, LLP , Cumming GA

Requested Action: The Applicant proposes to develop approximately 3,000 square foot automotive service/repair facilities.

Planning Commission Recommendation: **Approved the C-HB zoning request.**

Property Size: 2.83 acres
Location: Highway 9 South
Commission District: District 4
Parcel I.D. Number: 088 108 004
Zoning District: RSR ZA21-23
Road Classification: State Highway
Requested Zoning District: Commercial -
Character Area: Rural Living
Dawson Trail Segment: N/A
Environmental Constraint: Etowah Watershed

Location	Character Area	Zoning	Existing Use	Status
Site	Rural Living	RSR	wooded	vacant
North	Rural Living	RA	Residential	Single-family
South	Rural Living	RA/RSR	Landscape Company	Supplies in the wooded area
East	Rural Living	RA	Residential	Single-family
West	Rural Living	RA	Residential	Single-family

-Analysis-

The applicant proposes constructing a 3000-square-foot automotive service facility on State Highway 9 South. The existing uses and classification of nearby property are almost exclusively RA, with a single-family use. Some neighboring lots are nonconforming as to the minimum RA district lot size. The adjacent non-residential use is a landscape installation company, and the property is wooded. The nearest commercial use, over 500 feet away, is the Dollar General retail store to the south.

Stanley Hood (Amendment #ZA 21-23) zoned this parcel from R-A (Residential Agriculture) to RSR (Residential Sub-Rural). The proposed use presented in that application was to subdivide the RA parcel into two parcels for residential construction. Subsequently, the county approved a minor plat, creating two lots from the parcel.

The property is located within the Rural Living Character area as delineated on the Character Area Map adopted in October of 2023 by Dawson County. **CRB** Community Rural Business is the only permitted commercial designation within the Rural Living character area.

The Land Use Resolution directs automotive repair services to the C-HB Highway Business, C-HI Highway Intense, and C-IR Industrial Restricted districts. As requested, the application is not consistent with the Comprehensive Plan.

The crossroads of Hwy 9 South and Highway 369 may allow for rural community commercial uses within Forsyth County.

After consideration of Sec. 121-313. Guidelines to be considered when granting an amendment, if the commission grants this request, staff recommends the following:

1. Zone the property to **CRB Community Rural Business** – consistent with the Comprehensive Plan.
2. Direct staff to amend the Land Development Code, **Table 3.3, Principal Use Table** to allow automotive repair in facilities less than 3500 square feet along state roads within the C-RB and C-CB district.
3. Define *Automobile services* as - An indoor establishment with fully enclosed service bay(s) with operable door(s) for performing indoor vehicle repair and maintenance, including but not limited to brakes, oil changes, lubrication, transmission, engine, belts, hoses, inspections, and tire mounting and installation. Towing services shall constitute a permissible accessory use to this establishment, provided no open storage yard or impound storage occurs on the property.
4. A landscape strip of 25 feet along State Highway 9 S.

Rural Living

The Rural Living character area seeks to preserve the pastoral landscape of the county, celebrating the natural landscape that remains both a scenic value to the community and a critical facet of supporting the environment and natural resources. This character area corresponds to lands near the forested greenbelt. This area includes rural residences, farms, and privately owned forested tracts. These areas are located outside of established sewer service areas. A five-acre lot size ensures that this area remains rural and has very low-density residential development to prevent the need to extend facilities and services to that area. Some sites may have access to central water.

Table 3-18. Rural Living Character Area Land Uses

LAND USES	LAND USE DESIGNATION
Residential homesteads	Rural Agriculture (RA) Rural Residential Estate (RRE) Community Rural Business (C-RB)
Places of worship	
Agricultural Uses	
Forestry	
Wildlife Management Areas	
Passive Recreation	
County Parks	

MITIGATION STRATEGIES:

- Strategy 8.1: Retain and conserve the rural character of the area.
- Strategy 8.2: Small-scale retail services serving nearby residents are appropriate around intersections (crossroads).
- Strategy 8.3: Coordinate with the local office of the United States Department of Agriculture (USDA) Natural Resources Conservation Office to eliminate improper stream crossings that can result in erosion and the introduction of sediment into a stream, affecting water quality.
- Strategy 8.4: Support existing and proposed agricultural activities and venues such as equestrian-related uses, wedding venues, and landscape nurseries.
- Strategy 8.5: Update the regulations to address access management (shared drives) for all property divisions.
- Strategy 8.6: Require trail construction or payment instead of for those land uses adjacent to the trail.

Sec. 121-313. Guidelines to be considered when Granting an Amendment.

Whenever consideration is being given to an amendment to the Land Use Code, the planning commission shall make its recommendations, and the board of commissioners shall make its decision based on the following criteria:

1. The existing uses and classification of nearby property.
2. The extent to which the particular land use classification diminishes property values;
3. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public;
4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;
5. The suitability of the subject property for the proposed land use classification;
6. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property and
7. Whether the requested zoning would result in a use that could create an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

Public Works Department:

Road access is good. The property is within the Etowah watershed and has an unnamed tributary.

Etowah Water and Sewer Authority

Per EWSA's current records, a 6" PVC water main is on the opposite side of the road from this property. The water main is suitable for providing domestic service, but if fire protection is needed, EWSA must conduct a flow test and model. We require the owner/developer to pay a fee for this service. If it is needed, the owner/developer should contact me directly.

If road work improvements are required for developing the property and the work will encroach on the existing water main, it will be the responsibility of the owner/developer to relocate/upgrade the water main as required by EWSA at their cost. Engineered plans designed per EWSA specifications will be required for review and approval for this type of work. All water main relocations/upgrades must be designed and installed per EWSA specifications at the expense of the owner/developer.

If additional water service is needed for the property for development purposes for domestic and/or fire service, upgrades must be designed and installed per EWSA specifications at the owner's/developer's expense. There is no sanitary sewer in this area; septic is the only option.

Emergency Services

The applicant must submit LDP and architectural plans for the Fire Marshal's office's approval. A calculated minimum fire flow is required to demonstrate how that will be achieved. The details provided in the architectural plan submittal will determine any potential requirements for a fire sprinkler system.

8. Whether the proposal conforms with the policy and intent of the future land use plan; and
9. The specific, unusual, or unique facts of each case that give rise to special hardships incurred by the applicant and/or surrounding property owners.

ZA 24-06: Chad Kimbral of Kimbral Garage, is requesting to rezone 2.83 acres, parcel 088 108 004, from RSR (ZA 21-23) to CBH (GA Hwy 9 & Dawson Forest Road) to construct and operate an automotive repair and service garage.

Chairman Hamby asked if anyone could speak on behalf of the application. Christopher Light, of Lipscomb Johnson, LLP (Cumming, GA), representing Mr. Kimbral detailed the scope the proposed automotive repair shop if successfully rezoned. Mr. Light made note of Planning Director, Sharon Farrell's assistance navigating the complexities of the Code and Comprehensive Plan requirements. Staff proposed an alternate rezoning option, from RSR to C-RB, that would be more consistent with the Comprehensive Plan, but would also require an amendment to the Land Development Code, Table 3.3.

Chairman Hamby asked if there was anyone to speak in favor of the application. Chad Kimbral, owner of the subject property, spoke for 2 minutes 4 seconds regarding his proposed repair and service garage.

Chairman Hamby asked if there was anyone to speak in opposition to the application. There were none.

Chairman Hamby closed the Board for discussion.

Chairman Hamby asked for a motion.

Motion to recommend approval of the request passed unanimously, 5-0 (Hornsey/Maloney).



APPLICANT INTENT

Applicant's Request (Letter of Intent):

Davis Engineering & Surveying has prepared the enclosed plan for Will Wade. This project is located at 922 Hwy 53, parcel 093-06. This 1.47 acre site is currently developed with a service repair garage that is proposed to be demolished. The proposed development consists of the construction of a three-story medical office building. The development will have adequate parking, concrete sidewalks, necessary stormwater management provided on the adjacent parcel, and landscaping/buffers to meet County ordinance requirements.

The current zoning for this parcel is Residential Sub Rural. The rezoning request is for Community Business Commercial (C-CB). The conceptual plan includes a 15,120 s.f. medical office building with a covered drop off entrance. As shown there are a total of 69 parking spaces including 6 ADA spaces. The development will meet any necessary Dawson County and/or Georgia Department of Transportation road improvement requirements.

The parcels to the north and northwest are zoned R-6 Multiple Family Residential within the City of Dawsonville, proposed for construction to begin soon. The vacant parcel to the south is zoned RSR Residential Sub Rural. The parcel to the east is zoned RSR Residential Sub Rural with an existing residence.

The 2023 Dawson County Comprehensive Plan shows the subject property as Crossroads Commercial.

Water, sanitary sewer, gas, and electricity providers are currently available to the subject property. The impact to the existing utilities will be consistent with the area.

(or attach the write up)



Dawson County

PUBLIC HEARING APPLICATION- LAND USE AMENDMENT

A short summary of the proposed use:

The proposed use for this parcel is physician offices. The requested zoning is C-CB.

Contact Information:

Contact Name: Will Wade

Address: 23 Nugget Lane Suite: _____

City: Dawsonville State: GA Zip: 30534

Telephone: _____ Email: _____
PLEASE DO NOT PROVIDE UNLISTED NUMBER

Subject Property Information:

Address: 922 Highway 53, Dawsonville, GA 30534 Current Zoning: RSR

District: 4th Section: 1st Land Lot: 56 Parcel ID: 093-046

Proposed Zoning: C-CB Current Use: Service Repair Garage

This Application Is For (Check All That Apply):

- Appeal of Administrative Decision
- Rezoning (Land Use change)
- Special Use
- Master Plan Review - MUV
- Amendment of Master Plan
- Amendment of Stipulations
- Other: _____

Property Owner Authorization

I/we, JSW Gee Corner, LLC., hereby swear that I/we own the property located at (fill in address and/or tax map parcel #s):

Street Address of Property being rezoned: 922 Highway 53, Dawsonville, GA 30534

TMP#: 093-046

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel or parcels 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: Will Wade

Signature of applicant or agent: _____ Date: _____

Printed Name of Owner(s): JSW Gee Corner, LLC.

Signature of Owner(s): [Signature] Date: 7/25/24

Mailing address: 922 Highway 53

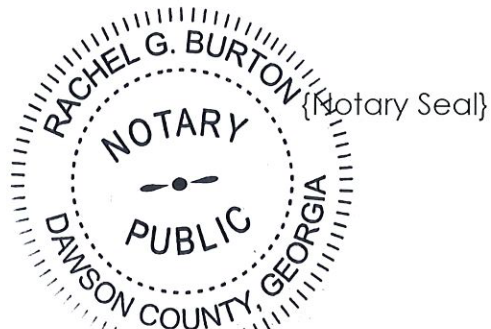
City, State, Zip: Dawsonville, GA 30534

Phone (Listed/Unlisted): [Redacted]

Sworn and subscribed before me this 25 day of JULY, 2024.

Rachel G. Burton
Notary Public

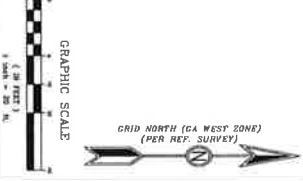
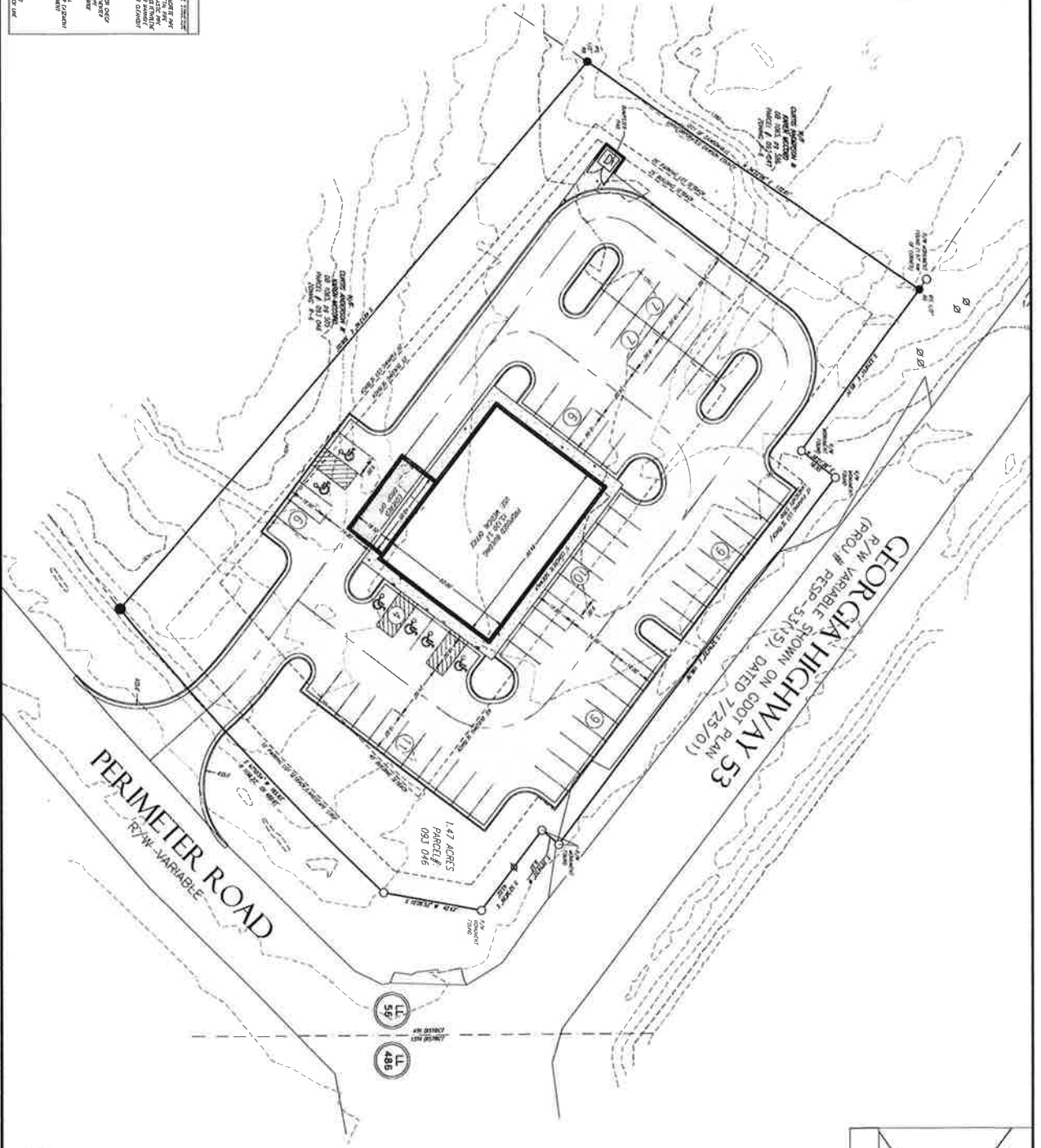
My Commission Expires: 12/3/2024



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

PROJECT INFORMATION:
 PROJECT NO. 2020-079
 PROJECT NAME: PHYSICIAN OFFICES
 PROJECT LOCATION: GA HWY 53/PERIMETER ROAD
 PROJECT DATE: 7/25/20
 PROJECT OWNER: JSW GEE CORNER LLC
 PROJECT ARCHITECT: WILLI WADE
 PROJECT ENGINEER: DAWSON COUNTY
 PROJECT SURVEYOR: WILLI WADE
 PROJECT PLANNING: WILLI WADE
 PROJECT LANDSCAPE: WILLI WADE
 PROJECT LIGHTING: WILLI WADE
 PROJECT SIGNAGE: WILLI WADE
 PROJECT FURNITURE: WILLI WADE
 PROJECT PAINT: WILLI WADE
 PROJECT MATERIALS: WILLI WADE
 PROJECT FINISHES: WILLI WADE
 PROJECT MECHANICAL: WILLI WADE
 PROJECT ELECTRICAL: WILLI WADE
 PROJECT PLUMBING: WILLI WADE
 PROJECT CONCRETE: WILLI WADE
 PROJECT ROOFING: WILLI WADE
 PROJECT EXTERIOR FINISHES: WILLI WADE
 PROJECT INTERIOR FINISHES: WILLI WADE
 PROJECT LANDSCAPE FINISHES: WILLI WADE
 PROJECT LIGHTING FINISHES: WILLI WADE
 PROJECT SIGNAGE FINISHES: WILLI WADE
 PROJECT FURNITURE FINISHES: WILLI WADE
 PROJECT PAINT FINISHES: WILLI WADE
 PROJECT MATERIALS FINISHES: WILLI WADE
 PROJECT FINISHES FINISHES: WILLI WADE

NO.	DESCRIPTION	DATE
1	CONCEPT PLAN	7/25/20
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
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8	REVISION	
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29	REVISION	
30	REVISION	



SITE ADDRESS
 HWY 53 E
 DAWSONVILLE, GA 30534
PARCEL ID
 093 046
OWNERS
 JSW GEE CORNER LLC
 622 HWY 53 E
 DAWSONVILLE, GA 30534
24-HOUR CONTACT
 WILLI WADE
 (678) 776-5395
 WMSWADE@GMAIL.COM

CONCEPT PLAN
 PHYSICIAN OFFICES
 GA HWY 53/PERIMETER ROAD
 LAND LOT 56
 4th DISTRICT, 1st SECTION
 DAWSON COUNTY, GEORGIA

REVISION	DATE	DESCRIPTION

DESIGN
 ENGINEERING & SURVEYING
 28 DAWSONVILLE
 DAWSONVILLE, GA 30534
 DAWSONVILLE, GA 30534
 DAWSONVILLE, GA 30534

DATE: 7/25/2020	PROJECT NO: 2020-079
SHEET NO: 1	OF: 1
OWNER: JSW GEE CORNER LLC	ARCHITECT: WILLI WADE
ENGINEER: DAWSON COUNTY	SURVEYOR: WILLI WADE
LANDSCAPE: WILLI WADE	LIGHTING: WILLI WADE
SIGNAGE: WILLI WADE	FURNITURE: WILLI WADE
PAINT: WILLI WADE	MATERIALS: WILLI WADE
FINISHES: WILLI WADE	MECHANICAL: WILLI WADE
ELECTRICAL: WILLI WADE	PLUMBING: WILLI WADE
CONCRETE: WILLI WADE	ROOFING: WILLI WADE
EXTERIOR FINISHES: WILLI WADE	INTERIOR FINISHES: WILLI WADE
LANDSCAPE FINISHES: WILLI WADE	LIGHTING FINISHES: WILLI WADE
SIGNAGE FINISHES: WILLI WADE	FURNITURE FINISHES: WILLI WADE
PAINT FINISHES: WILLI WADE	MATERIALS FINISHES: WILLI WADE
FINISHES FINISHES: WILLI WADE	

Applicant Certification

I hereby request the action contained within this application relative to the property shown on the attached survey, plat, 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. The staff will send notices to adjacent property owners advising of the request and proposed use prior to the public hearing.

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

I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning or 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 7/25/24

Witness  Date 7/25/24



LAND USE AMENDMENT STAFF REPORT

PLANNING & DEVELOPMENT

ZA Number: **24-07**
Public Meetings: Planning Commission Meeting September 17, 2024
 Board of Commission Hearing October 17, 2024
Project Name: Physician’s Offices
Owner: Will Wade
Applicant: Davis Engineering
Requested Action: Zone the property for office use.

Planning Commission Recommendation: **Approved with Stipulations**

Property Size: 1.47 acres
Location: Downtown Dawsonville, Hwy 53 and Perimeter Road
Commission District: District 2
Parcel I.D. Number: A portion of 093 046
Zoning District: RSR Residential
Road Classification State Highway 53
 Local collector – Perimeter Road
Requested Zoning District: C-CB Commercial
Character Area: Crossroads Commercial
Dawson Trail Segment: n/a
Environmental Constraint n/a

	Character Area	Zoning	Existing Use	Status
Site	Crossroads Commercial	RSR	Block structure	No occupancy
North	Crossroads Commercial	RSR	Residential	
South	Dawson	RSR	vacant	pasture
East	Dawson	City	vacant	pasture
West	City of Dawsonville	R-6	vacant	

Crossroads Commercial

This character area is for small nodes (2-8 acres) of commercial development at intersections, primarily in rural and suburban areas along corridors. Crossroads Commercial nodes are inappropriate for automobile sales, service establishments, or other highway commercial uses. Instead, they are intended to be limited to small, enclosed trade and service establishments serving the immediate area. Crossroads Commercial maintains and creates access to goods and services at designated intersections throughout the county.

Table 3-19. Crossroads Commercial Character Area Land Uses

LAND USES	LAND USE DESIGNATION
Professional Offices	Commercial Rural Business (C-RB) Commercial Community Business (C-CB) Residential Agricultural (RA) Residential Rural Estate (RRE) Residential Suburban (RS) Residential Sub-Rural (RSR)
Retail Centers <7500 square feet	
Restaurants	
Parks, Recreation, and Conservation	
Forestry	
Agriculture	
Residential	

MITIGATION STRATEGIES:

- Strategy 9.1: Monitor and sustain land use management policies through Comprehensive Planning and land use regulations
- Strategy 9.2: Nonresidential development shall provide a minimum of 20% of the net buildable area as open space. The maximum Impervious Surface Ratio shall be 0.60.
- Strategy 9.3: Residential development exceeding five (5) dwelling lots/ units shall be required to protect a minimum of 25% of the net buildable area, exclusive of utility easements, as common open space.
- Strategy 9.4: Review regulations for any impediments to a diverse set of site design techniques (i.e., reducing impervious surface) and Low Impact Development structures (i.e., bio-retention areas, enhanced swales, permeable pavement).
- Strategy 9.5: Identify trail connections during the county's Parks and Recreation Plan update.
- Strategy 9.6: Support establishing and continuing sites for farmers' markets.
- Strategy 9.7: Require trail construction or payment instead of land uses adjacent to the proposed greenway and trails.



-Analysis-

The property lies within the Crossroads Commercial Character area at State Highway 53 and Perimeter Road intersect. Zoning the parcel to Commercial Community Business (C-CB) for professional offices is consistent with the comprehensive plan.

The establishment of additional office space is connected to the success of service businesses, housing, and entertainment. It is essential in promoting a community where people can live, work, and play. Office space is a component of a lively downtown because it generates employment and daytime activity, which supports other downtown businesses such as restaurants, retail, and personal and professional service businesses. Downtown office space also supports housing and lodging development, which can help bring patrons to the downtown outside regular working hours.

Staff recommends the following stipulations:

1. The widening Perimeter Road will allow a full center left turn lane.
2. Provide sidewalks on both frontages.

Requiring pedestrian access between land uses is important because people and students walking and bicycling are at greater risk of injury and death if they are involved in a collision with a vehicle.

3. Exterior building materials visible from the rights-of-way shall consist of a minimum of 70 percent per vertical wall plane of brick, natural or precast stone, stucco, prefinished colored architectural masonry with a rough-hewn texture, and glass.
Accent wall materials do not exceed 30 percent per vertical wall plane. Accent building materials include, but are not limited to, stucco and thin brick. Smooth-faced or painted concrete masonry units, aluminum siding, vinyl siding, and corrugated steel are prohibited. Metal coping and metal framing for windows and doors are acceptable.
4. Building colors should emphasize earth tones.

To promote architectural and site design treatments that enhance the appearance of the built environment, create an image of commercial quality, and provide visual interest and a sense of place.

Sec. 121-313. Guidelines to be considered when granting an amendment.

Whenever consideration is being given to an amendment to the Land Use Code, the planning commission shall make its recommendations, and the board of commissioners shall make its decision based on the following criteria:

- (1) The existing uses and classification of nearby property.
- (2) The extent to which property values are diminished by the particular land use classification;
- (3) The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public;
- (4) The relative gain to the public, as compared to the hardship imposed upon the individual property owner;
- (5) The suitability of the subject property for the proposed land use classification;
- (6) The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property; and
- (7) Whether the requested zoning would result in a use that could create an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

Public Works Department

Recommend widening Perimeter Road to allow a full center left turn lane and sidewalks on both frontages.

Etowah Water and Sewer Authority

EWSA does not service this particular piece of property. It is inside the City of Dawsonville's water and sewer service area. Please contact City Hall.

Emergency Services

The Fire Marshal's Office must review the LDP and architectural plans. This building data must show the calculated required minimum fire flow and demonstrate how that will be provided. Also, as the proposed building is described, it must be sprinkled with a deferred plan submittal under a separate permit.

- (8) Whether the proposal is in conformity with the policy and intent of the future land use plan; and
- (9) The specific, unusual, or unique facts of each case that give rise to special hardships incurred by the applicant and/or surrounding property owners.

ZA 24-07: David Engineering, on behalf of Will Wade, is requesting 1.47 acres, a portion of 093-046, from RSR to C-CB (Southwest corner of GA Hwy 53 and Perimeter Road).

Chairman Hamby asked if there was anyone to speak in favor of the application. Payton Anderson of Davis Engineering, on behalf of property owner Will Wade, spoke regarding the proposed medical office intended for the property if rezoning is granted. Mr. Anderson detailed the appropriateness of this use, given the surrounding zonings, per the Comprehensive Plan. Adequate parking allowance and utilities availability were confirmed.

Chairman Hamby asked if there was anyone to speak in opposition to the application. There were none.

Chairman Hamby closed the Board for discussion.

Chairman Hamby asked for a motion.

The motion to recommend approval of the request passed unanimously, 5-0 (Sanvi/Maloney).





DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST FORM

Department: HR & Risk Management

Work Session: 09/15/2024

Prepared By: Kristi Finley, Director

Voting Session: 10/03/2024

Presenter: Kristi Finley, Director

Public Hearing: Yes _____ No X

Agenda Item Title: Presentation of Proposal to Increase Annual Paid Time Off (PTO) Payout

Background Information:

Requesting to increase Annual PTO Payout options to adjust for high PTO earnings and reduce loss of earned time. Approval would also allow employees who previously received the pre-existing 40 hour pay out in 2024 to request up to the new approved limits by the end of the year.

Current Information :

Budget Information:

Applicable: _____ Not Applicable: X

Budgeted: Yes _____ No x

Fund	Department	Account #	Budget	Balance	Requested	Remaining

*If this is a personnel-related request, has it been reviewed by Human Resources? _____

*If this item is being requested to move to the same day's voting session for BOC consideration, provide *detailed justification* for the request:

Recommendation/Motion: _____

Department Head Authorization: _____

Date: _____

Finance Department Authorization: Vickie Neikirk

Date: 9/11/24

County Manager Authorization: J. Leverette

Date: 9/11/24

Comments/Attachments: _____

Proposal to Increase Annual PTO Rollover and Annual PTO Payout

Class	80 (8)	84 (12)	96 (24)
Current APO	40	40	40
Proposed APO	120	126	144

- **Sec. 22-23. - Sprinkler systems.**

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The following sprinkler standards are hereby adopted:

(a)

Commercial buildings (10,000 square feet or more). ~~All~~ **Any** commercial buildings containing 10,000 square feet or more under a common roof, and any building over one story in height, and any building with an occupant load of ~~400~~ **300** persons or more shall ~~contain~~ **have an approved** sprinkler system in accord with ~~an approved~~ National Fire Protection Association (NFPA) 13.

(b)

Multi-family dwellings. Multi-family dwellings which require an approved NFPA 13 **sprinkler system** shall include full sprinkler coverage in all attics and breezeways.

(c)

Commercial buildings (6,000 square feet or more). ~~All~~ **Any** commercial buildings containing 6,000 square feet or more under a common roof where vehicles are placed or stored inside the building for purpose of maintenance, repair, storage, or installation of accessories shall have an approved NFPA13 sprinkler system, ~~unless the vehicle bay areas in the building are less than 600 square feet.~~ **Notwithstanding the foregoing sentence,** if the vehicle bays in such building are less than 600 square feet, ~~then~~ an approved NFPA 13 **sprinkler system** with a maximum of six sprinkler heads from the domestic water supply may be provided instead of an approved sprinkler system for the entire building. Any calculations in accord with this subsection shall be performed by a sprinkler system contractor certified by the State of Georgia, and such calculations shall be provided on plans submitted for approval by the Dawson County Fire Marshal.

(d)

Day care and preschool structures. All day care and preschool structures shall ~~install~~ **have** a sprinkler system in accordance with NFPA 13.

(e)

Home day care structures. All home day care structures ~~with-serving~~ seven or more children shall install a sprinkler system in accordance with NFPA 13.

(f)

Group home care structures. All group home care structures for assisted living shall ~~install~~have a sprinkler system in accord with NFPA 13.

(g)

Mixed occupancies. A structure or building designed for mixed occupancies that include a residential occupancy shall ~~install~~have a sprinkler system in accord with NFPA 13. If a residential occupancy ~~shall be~~is located above any nonresidential occupancy ~~of in~~ the same building or structure, ~~then~~ a fire-resistance separation rating of not less than one hour shall be required.

(h)

~~*National fire protection association regulations.* A copy of the National Fire Protection Association Regulations shall be available for public review in the office of the fire marshal of Dawson County during normal business hours of Monday through Friday from 9:00 a.m. until 5:00 p.m.~~

Commented [PF1]: This was moved to section 22-28.

(i)

Review of construction documents. The ~~Dawson County F~~ire ~~M~~arshal of Dawson County may ~~shall~~ require construction documents and calculations for all fire protection systems with a stamp/seal from a licensed architect or engineer to be submitted for review and appropriate permitting before installation, rehabilitation, or modification of any fire protection systems. ~~All construction documents for fire protection systems shall be submitted for review and approval before installation.~~

Commented [PF2]: This seems to be repetitive of the first sentence.

(j)

Other laws. Any resolution or law which may be applicable hereto and aid in carrying out or making effective the intent, purpose, and provisions hereof, which shall be liberally construed to be in favor of Dawson County and is hereby adopted as a part hereof.

(Ord. of 2-16-2006, §§ I—IX; Ord. of 9-5-2019, § 1(Exh. A))

- **Sec. 22-26. - Fire flows—Minimum requirements.**

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(1) Residential developments shall be served by an approved water supply capable of supplying fire flows as the standards set forth below:

(a)

~~One- and two-family residential construction up to 3,600 square feet.~~ Fire flow requirements for all one- and two-family residential buildings up to 3,600 square feet shall be a minimum of 1,000 gallons per minute **sustainable for 2 hours with a 20 psi residual pressure.** Fire flow requirements shall be verified and certified to Dawson County by a Georgia registered **professional** engineer prior to the issuance of _____. This subsection shall apply to all new construction of major subdivision developments with six or more residences therein.

Individual single-family dwellings not addressed in the major subdivision regulations, and not served by either public or private water supply, shall not be required to meet the minimum flow requirements.

(b)

~~Fire flow requirements for~~ For all residential dwellings over 3,600 square feet, **shall be determined by application of the requirements use** of International Fire Code (IFC) Table B105.1 **is the approved method to determine the required fire flow.** (look under the column heading type VB). Find the number in the column corresponding to the fire area. The fire flow is the number under the Fire Flow heading corresponding to the fire area. For example: a 4,500 square foot home would have a required fire flow of 1,750 gallons per minute.

This subsection shall apply to all new construction of major subdivision developments with six or more residences therein. Individual single-family dwellings not addressed in the major subdivision regulations, and not served by either public or private water supply, shall not be required to meet the minimum flow requirements.

~~Construction other than one- or two-family dwellings.~~

Commented [PF3]: Should this also be “one- and two-family residential buildings”?

(2) For commercial and institutional developments within a distance of 2,500 LF linear feet of an approved water supply capable of supplying adequate fire flows, the approved standard and method for determining fire flows shall be as follows:

- (a) Fire flows shall be a minimum of 1500 gallons per minute (gpm) sustainable for 2 hours with a 20-psi residual pressure. Fire flow requirements shall be verified and certified to Dawson County by a registered professional engineer.
- (b) The distance of within 2,500 LF of an approved water supply is measured from the location of the terminus of a properly sized water main that can provide the required fire flow to the center of the parcel of the existing or planned commercial or institutional development property. The Dawson County Fire Chief or the Dawson County Fire Official shall make the final determination and approval as to the correct interpretation of measurement of distances.
- (c) Where specific additional fire flow requirements, based on type or change of use, such as for industrial developments, and occupant loads may require higher fire flow rates above 1500 gallons per minute or sprinkler systems based on the development, State Minimum Fire Safety Standards and the use of International Fire Code (IFC) Table B105.1 may shall be establish the applicable standards for specific industrial or large scale commercial/Institutional type developments.

Commented [PF4]: Need to choose which one.

(3) For commercial and institutional developments beyond a distance more than of 2,500 LF linear feet of from an approved water supply capable of supplying adequate fire flows, or in isolated rural areas, the approved standard and method for determining fire flows shall be as follows:

- (a) If approved as determined by the Dawson County Fire Chief and/or Dawson County Fire Marshal official, the use of NFPA 1142, Standards for Rural Firefighting, is an approved and allowable method may be applied to reduce fire flow requirements for isolated buildings in isolated rural areas. A monitored NFPA 72 compliant fire alarm system shall be required if NFPA 1142 standards are applied to reduce the fire flow requirement.
- (b) A reduction in fire flow requirements, based on the largest fire flow area in the building, can be obtained by compartmentalization of the building into separate fire areas utilizing fire barriers. Portions of a building which are separated by fire walls without openings and which are constructed in accordance with the International Building Code, can be considered as separate fire flow calculation areas. Passive fire protection of the fire area can be obtained with utilization of fire-resistant rated walls, ceilings, doors and other fire barriers rated for the type of occupancy. A

Commented [PF5]: Probably should be just one.

monitored NFPA 72 compliant fire alarm system shall be required if the compartmentalization method is utilized to reduce the fire flow requirement.

- (c) The State Minimum Fire Safety Standards recognizes the concept of a performance-based design approach. A reduction in fire flow requirements, utilizing a Performance Based Design approach is allowable to provide a partial equivalency to fire flow requirements. In order to utilize a Performance Based Design approach, a registered professional engineer shall must submit a performance-based design plan, which includes such elements as additional fire extinguishers, additional exterior door exists, emergency preparedness plans, crowd control plans, occupant fire safety training plan, or other approved elements. A monitored NFPA 72 compliant fire alarm system shall be required if the Performance Based Design method approach is utilized to reduce the fire flow requirement.
- (d) An approved standard for fire flow requirements for commercial and institutional developments beyond a distance of more than 2,500 LF linear feet from of an approved water supply capable of supplying the required fire flows, can be determined by singular application or by combining the approved methods outlined in Section 22-26 (3) (a) (b) or (c).
- (e) The distance of 2,500 LF beyond to an approved water supply is measured from the location of the terminus of a properly sized water main that can provide the adequate fire flow to the center of the parcel of the existing or planned commercial or institutional property development. The Dawson County Fire Chief or the Dawson County Fire Marshal official shall make the final determination and approval as to the correct interpretation of measurement of distances.

Commented [PF6]: I would think just one person makes the "final" determination.

(1)

Based upon the fire area (square footage) and type of construction utilized for each building, the county fire marshal shall determine the minimum fire flow requirements.

(2)

The required fire flow for a building can be reduced by two methods:

a.

Installing an approved fire sprinkler system:

i.

For one and two family dwellings, the required fire flow is reduced by 50 percent in sprinkled buildings.

ii.

For buildings other than one- and two-family dwellings, the fire flow can be reduced up to 75 percent, but the resulting fire flow cannot be reduced below 1,500 gallons per minute.

1.

Fire flow calculation area: The fire flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, except as modified in Section B104.3IFC.

2.

Separate fire flow calculation areas: Portions of a building which are separated by fire walls without openings, constructed in accordance with the International Building Code (IBC 702.1), may be considered as separate fire flow calculation areas.

3.

Fire wall: A fire-resistance rated wall having protected openings (no openings of any kind, whether protected or otherwise, are allowed for separating fire flow calculation areas) which restricts the spread of fire.

b.

Dividing the building into separate fire flow calculation areas constructed in accordance with the International Building Code (IBC). The fire flow for each fire flow calculation area within the building is then calculated according to Table B105.1IFC.

(3)

Water pressure:

a.

Water systems shall be hydraulically designed to provide a maximum pressure range of 30—100 psi with desired range of 40—90 psi. A minimum residual pressure of 30 psi under peak hour design flow is required, and 20 psi residual pressure shall be maintained throughout the system under combined fire flow.

b.

The minimum fire flow duration shall be designed for two hours.

(Ord. of 9-5-2019, § 1(Exh. A))

ARTICLE II. FIRE CODE AND FIRE SAFETY STANDARDS¹

Sec. 22-21. Reserved.

Editor's note(s)—An Ord. of 10-18-2007 repealed § 22-21 which pertained to International Fire Code and derived from Ord. of 4-6-2006(1), §§ I—IV, VI, and VIII.

Cross reference(s)—Codes enumerated, § 105-21.

Sec. 22-22. Fire resistance rating of structures near lot lines.

(a) *Structures designed for occupancy by humans 25 feet or less from the lot line and 20 feet or less from another structure for occupancy by humans.* Any structure designed for human occupancy that is located 25 feet or less from the lot line ~~and/or is located~~ 20 feet or less from another structure designed for human occupancy ~~by humans~~ shall meet the following requirements:

(1) Any exterior wall parallel to, or less than 90 degrees to, and within 25 feet of a property lot line shall

(a) be constructed of noncombustible material within the 25 feet; or

(b)(2) Shall have a UL approved fire resistant rating of not less than one hour within the 25 feet; and

(23) Any such structure shall be constructed in a manner and with materials that will ensure that the structure shall be in compliance with the fire rating standards for proposed spacing and shall be constructed in accord with plans and conditions approved by the offices of the Dawson County Building Officials and the Dawson County Fire Marshal's office of Dawson County in accord with the terms of this article and the currently adopted International Fire Code; and

(43) The exterior wall shall be constructed of noncombustible or fire resistant rating as set forth herein, which shall include masonry veneer, rock,

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¹State law reference(s)—State construction code, O.C.G.A. § 8-2-20 et seq.

stone, concrete, or noncombustible siding. Vinyl siding may be approved with a one-hour rated fire resistant sheathing applied under the vinyl siding.

(b) *Variance*. The Dawson County Director of Planning and Development may grant administrative variances from the regulation of structures designed for human occupancy 25 feet or less from the lot line in sub-section (a), above, if the intent of the section and equal performance can be achieved and equal performance.

Commented [PF1]: Do we want the planning director involved with Fire Code considerations? Should this still be the fire marshal?

(1) *Guidelines for granting variances*. When considering a request for a variance described in in this subsection, the Dawson County Director of Planning and Development shall apply the following guidelines:

Commented [PF2]: Fire Marshal?

- a. The applicant shall state a clear hardship.
- b. Previous zoning or variance conditions or stipulations will be addressed during staff review of the application.
- c. The type of building materials of adjacent structures will be considered.
- d. If approved, approvals will be based on the International Residential Code (IRC).

(2) *Notification*. The applicant may choose to either submit an affidavit attesting to notice of the variance application that includes signatures of all adjoining property owners listed within the applicable package or the applicant may choose to permit written notice of the variance application to be sent from the county planning and development department to the adjoining property owners of the variance application. The Dawson County Director of Planning & Zoning shall not consider the application sooner than ten business days after notice of the application is sent to the adjoining property owners and then wait at least ten business days from notice to all adjoining property owners before the variance may be considered for approval. Also, In addition to notice to adjoining property owners as described above, notice of the variance application shall be posted upon the property at least ten days before the variance is considered and shall state the variance requested and the date the variance shall be considered.

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- (3) *Conditions of approval.* The Dawson County Director of Planning and Development may impose reasonable conditions upon any administrative variance to ensure that the public health, safety, and general welfare are protected. A violation of any imposed condition shall be a violation of this subsection.
- (4) *Compliance with other county codes.* The effect of an administrative variance approval shall be that a specific request is determined to be appropriate for a specific location. The grant of an administrative variance application shall not operate to waive or modify any other requirements of any other county code other than as specifically granted pursuant to the variance.
- (5) *Appeal.* The applicant or an adjoining property owner may appeal ~~to the county commission~~ the decision of the Dawson County Director of Planning and Development ~~director~~ regarding an administrative variance to the Dawson County Board of Commissioners within ten days of the decision via written objection and appeal. Any such appeal shall be heard by the Dawson County Board of Commissioners in accord with the standard appeal procedures described in Chapter 121, Article IX of the Code of Dawson County, Georgia. The developer may at their own risk proceed with development during the appeal period if the application for a variance is approved, but shall not gain any vested right should the grant of the variance be reversed on appeal.
- (c) *Enforcement.* The Dawson County Fire Marshal's office and the building inspection department of Dawson County or any other entity designated by the Dawson County Board of Commissioners shall be authorized to enforce the terms hereof.
- (d) *Penalty.* Any person who violates any provision of this ~~section~~ Article shall be subject to the jurisdiction of the Magistrate Court of Dawson County and may be punished by a maximum fine of \$1,000.00 per day of the violation, and all work at any site subject to the terms hereof may be stopped until the site is brought into compliance.
- ~~(e) *Repealer.* All resolutions or parts of resolution in conflict with the terms of this section are hereby repealed but it is hereby provided that any resolution or law which may be applicable hereto and aid in carrying out or making~~

~~effective the intent, purpose, and provisions hereof, which shall be literally construed to be in favor of Dawson County is hereby adopted as a part hereof.~~

(Ord. of 4-6-2006(2), §§ 1—IV; Ord. of 3-21-2013, §§ I—IV; Ord. of 9-5-2019, § 1(Exh. A))

State law reference(s)—Penalties for ordinance violations, O.C.G.A. § 36-1-20.

Sec. 22-23. Sprinkler systems.

The following sprinkler standards are hereby adopted:

- (a) *Commercial buildings (10,000 square feet or more).* All commercial buildings containing 10,000 square feet or more under a common roof and any building over one story in height, and any building with an occupant load of 100 persons or more shall contain a sprinkler system in accord with an approved National Fire Protection Association (NFPA) 13.
- (b) *Multi-family dwellings.* Multi-family dwellings which require an approved NFPA 13 shall include full sprinkler coverage in all attics and breezeways.
- (c) *Commercial buildings (6,000 square feet or more).* All commercial buildings containing 6,000 square feet or more under a common roof where vehicles are placed or stored inside the building for purpose of maintenance, repair, storage, or installation of accessories shall have an approved NFPA13 sprinkler system, unless the vehicle bay areas in the building are less than 600 square feet. If the vehicle bays in such building are less than 600 square feet, then an approved NFPA 13 with a maximum of six sprinkler heads from the domestic water supply may be provided instead of an approved sprinkler system for the entire building. Any calculations in accord with this subsection shall be performed by a sprinkler system contractor certified by the State of Georgia, and such calculations shall be provided on plans submitted for approval by the Dawson County Fire Marshal.
- (d) *Day care and preschool structures.* All day care and preschool structures shall install a sprinkler system in accordance with NFPA 13.
- (e) *Home day care structures.* All home day care structures with seven or more children shall install a sprinkler system in accordance with NFPA 13.

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- (f) *Group home care structures.* All group home care structures for assisted living shall install a sprinkler system in accord with NFPA 13.
 - (g) *Mixed occupancies.* A structure or building designed for mixed occupancies that include a residential occupancy shall install a sprinkler system in accord with NFPA 13. If residential occupancy shall be located above any nonresidential occupancy of the building or structure, then a fire-resistance separation rating of not less than one hour shall be required.
 - (h) *National fire protection association regulations.* A copy of the National Fire Protection Association Regulations shall be available for public review in the office of the fire marshal of Dawson County during normal business hours of Monday through Friday from 9:00 a.m. until 5:00 p.m.
 - (i) *Review of construction documents.* The fire marshal of Dawson County may require construction documents and calculations for all fire protection systems with a stamp/seal from a licensed architect or engineer to be submitted for review and appropriate permitting before installation, rehabilitation, or modification of any fire protection systems. All construction documents for fire protection systems shall be submitted for review and approval before installation.
 - (j) *Other laws.* Any resolution or law which may be applicable hereto and aid in carrying out or making effective the intent, purpose, and provisions hereof, which shall be liberally construed to be in favor of Dawson County and is hereby adopted as a part hereof.

(Ord. of 2-16-2006, §§ I—IX; Ord. of 9-5-2019, § 1(Exh. A))

Commented [PF3]: See separate new language and comments thereto

Sec. 22-24. County to enforce state minimum fire safety standards.

Pursuant to an agreement made and entered into on August 4, 2005, by and between Dawson County, Georgia, a political subdivision of the State of Georgia, and the Safety Fire Commissioner of the State of Georgia, the County is authorized to adopt and enforce the state minimum fire safety standards as follows:

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- (1) Dawson County hereby adopts the State Minimum Fire Safety Standards as set forth in O.C.G.A. § 25-2-12 and any amendments thereto and will enforce such standards.
 - (2) Dawson County shall continue to enforce the state minimum fire safety standards regarding buildings and structures listed in O.C.G.A. § 25-2-13, except as otherwise provided herein.
 - (3) Dawson County personnel shall conduct fire safety inspections of new and existing commercial buildings and structures; issue building permits when plans are approved and conduct fire safety inspections of such buildings and structures; and issue permits and temporary certificates of occupancy, together with such other functions as shall from time to time be specified by state law or regulation. The following occupancies are excepted from the enforcement activities of Dawson County: hospitals, nursing homes, jails, ambulatory health care centers and penal institutions, buildings and structures owned and operated or occupied by the State of Georgia.
 - (4) Dawson County shall be responsible for investigating all cases of arson and other suspected incendiary fire within its jurisdiction in accord with O.C.G.A. § 25-2-12(a)(6).
 - (5) Dawson County shall report all incidents of fire, whether accidental or incendiary, to the office of the Safety Fire Commissioner in accordance with O.C.G.A. § 25-2-32(b).
 - (6) Dawson County shall be entitled to charge and retain appropriate fees, which shall not exceed the fees authorized by state statutes or regulations, for the activities performed in accordance with O.C.G.A. § 25-2-12 and the agreement referenced in subsection (a) above, and the fees to be charged and collected shall be in accordance with O.C.G.A. § 25-2-4.1, as amended. Fees for licenses, permits, and any other services provided by the fire department outside those licenses, permits, and services referenced in O.C.G.A. § 25-2-4.1 shall be established by separate resolution of the board of commissioners. Further, Dawson County shall have the right to designate an appropriate agency and appropriate personnel for the performance of the duties set forth herein.

(Res. of 8-4-2005; Ord. of 9-5-2019, § 1(Exh. A))

Sec. 22-25. Fire hydrants.

- (a) Water mains and fire hydrants shall be installed and shall be under sufficient water pressure as set forth below, and ready for fire service prior to beginning construction with combustible materials. Slab work may be completed prior to installation of water mains and fire hydrants, but water to the required mains and fire hydrants at pressure sufficient for fighting fires must be available before any framework of combustible materials is started. ~~provided, however, that~~ Notwithstanding the foregoing sentence, materials used in forming footings and foundations on grade shall not require the prior installation of water mains and fire hydrants.
- (b) Fire hydrants shall be:
- (1) Placed a maximum of 500 feet apart as measured along an improved roadway;
 - (2) Installed within 500 roadway feet of any portion of the exterior of all buildings;
 - (3) Installed along the Fire Department access roadway; and
 - (4) Installed within not less than three feet and not to exceed ten feet from the edge of the pavement with the "steamer" connection facing the roadway.
- (c) The "steamer" fire hose connection on all fire hydrants shall be not less than 18 inches, nor more than 24 inches above the final surface grade ~~a distance not less than 18 inches, nor more than 24 inches~~, as measured from the bottom of the steamer cap.
- (d) Residential and multi-family occupancies, commercial and industrial buildings provided with automatic fire sprinkler protection or standpipe systems shall have a three-~~way barrel~~ type fire hydrant placed within 50 ~~roadway~~ feet of the fire department connections as measured along the shortest path by road.
- (e) No obstacle shall obstruct the approach or visibility of any fire hydrant or fire department connection, closer than five feet in any direction, ~~parallel with street access~~.

(f) It shall be the responsibility of the property owner to maintain all privately-owned fire hydrants, as well as fire extinguishers, sprinkler systems, fire department connections (FDC), and emergency lighting as required by this Code. Such items shall be inspected at least annually, at the expense of the property owner, by a firm or company licensed to perform such inspections. A copy of the inspection report shall be maintained and kept available for review by the Dawson County Fire Marshal or his designee.

(Ord. of 9-5-2019, § 1(Exh. A))

Sec. 22-26. Fire flows—Minimum requirements.

(a) One- and two-family residential construction up to 3,600 square feet. Fire flow requirements for all one- and two-family residential buildings up to 3,600 square feet shall be a minimum of 1,000 gallons per minute. Fire flow requirements shall be verified and certified to Dawson County by a Georgia registered engineer. This subsection shall apply to all new construction of major subdivision developments with six or more residences therein. Individual single-family dwellings not addressed in the major subdivision regulations, and not served by either public or private water supply, shall not be required to meet the minimum flow requirements.

(b) All dwellings over 3,600 square feet. For all dwellings with a fire area larger than 3,600 square feet, use Table B105.1IFC to determine the required flow (look under the column heading type VB). Find the number in the column corresponding to the fire area. The fire flow is the number under the Fire Flow heading corresponding to the fire area. For example: a 4,500 square foot home would have a required fire flow of 1,750 gallons per minute. This subsection shall apply to all new construction of major subdivision developments with six or more residences therein. Individual single-family dwellings not addressed in the major subdivision regulations, and not served by either public or private water supply, shall not be required to meet the minimum flow requirements.

(c) Construction other than one- or two-family dwellings.

(1) Based upon the fire area (square footage) and type of construction utilized for each building, the county fire marshal shall determine the minimum fire flow requirements.

(2) The required fire flow for a building can be reduced by two methods:

a. Installing an approved fire sprinkler system:

- i. For one- and two-family dwellings, the required fire flow is reduced by 50 percent in sprinkled buildings.
- ii. For buildings other than one- and two-family dwellings, the fire flow can be reduced up to 75 percent, but the resulting fire flow cannot be reduced below 1,500 gallons per minute.
 1. Fire flow calculation area: The fire flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, except as modified in Section B104.3IFC.
 2. Separate fire flow calculation areas: Portions of a building which are separated by fire walls without openings, constructed in accordance with the International Building Code (IBC 702.1), may be considered as separate fire flow calculation areas.
 3. Fire wall: A fire-resistance rated wall having protected openings (no openings of any kind, whether protected or otherwise, are allowed for separating fire flow calculation areas) which restricts the spread of fire.

b. Dividing the building into separate fire flow calculation areas constructed in accordance with the International Building Code (IBC). The fire flow for each fire flow calculation area within the building is then calculated according to Table B105.1IFC.

(3) Water pressure:

- a. Water systems shall be hydraulically designed to provide a maximum pressure range of 30—100 psi with desired range of 40—90 psi. A minimum residual pressure of 30 psi under peak hour design flow is required, and 20 psi residual pressure shall be maintained throughout the system under combined fire flow.
- b. The minimum fire flow duration shall be designed for two hours.

(Ord. of 9-5-2019, § 1(Exh. A))

Commented [PF4]: See comments to new language.

Sec. 22-27. Inspection of buildings and structures.

- (a) The Dawson County Fire Marshal shall inspect or cause to be inspected once yearly, or as often as reasonably practicable, all existing buildings and structures identified in O.C.G.A. § 25-2-13, as amended, and all commercial buildings and places of public assembly within the unincorporated area of Dawson County.
- (b) The Dawson County Fire Marshal shall inspect or cause to be inspected at reasonable intervals all construction work, required to have a construction permit, in all buildings and structures which are covered by this chapter, in conjunction with the Dawson County Planning and Development zoning department.

When a certificate of occupancy is required to be issued by the Dawson County Fire Marshal:

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- (1) An 80 percent completion inspection and a 100 percent final inspection shall be obtained from the ~~fire safety division~~ Dawson County Fire Marshal prior to a certificate of occupancy being issued and the building or structure being occupied.
- (2) A 50 percent completion inspection shall also be obtained from the Dawson County Fire Marshal for all multi-family residential buildings, and any other buildings required by the Dawson County Fire Marshal, shall also obtain a 50 percent completion inspection in order that the methods of sealing penetrations within and through walls can be inspected.
- (c) At least 30 days before beginning any construction, owners, ~~their agents or designees~~, of buildings and structures described in subsection (a) above, or their agents or designees, shall submit plans and specifications to the Dawson County Fire Marshal, or his or her designee, for review and approval in accord with the following requirements:-
 - (1) All commercial site plans and fire protection system plans shall be submitted for review and approval.

Commented [PF5]: This really is going to be too vague to be enforceable if it were to be challenged. There needs to be some set of guidelines that we can at least argue are being followed (even if those guidelines are almost as broad in scope)

Commented [PF6]: This seems to be repetitive of the basic requirement in the main body of the paragraph c, so I am not sure that it is necessary. Does it mean something different?

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- (2) Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the Dawson County Fire Marshal ~~to allow sufficient review with respect to compliance with this Article.~~
 - (3) One set of construction documents shall be retained by the Dawson County Fire Marshal for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.
 - (4) One set of approved construction documents shall be returned to the applicant and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.
 - (5) Plans and specifications shall be submitted ~~to the fire marshal~~ according to procedures approved by the Dawson County Fire Chief.
 - (6) Any person who builds, constructs, or erects any building or structure described in subsection (a) above without approved plans or in violation of approved plans, from which no appeal has been taken, shall be in violation of this section and subject to the issuance of an immediate stop work order.

(Ord. of 9-5-2019, § 1(Exh. A))

Sec. 22-28. Division of fire prevention.

- (a) The division of fire prevention of the Dawson County Emergency Services Department shall also be known as the fire safety division.
- (b) The fire safety division shall be under the supervision of the Dawson County Fire Chief or his or her designee.
- (c) The fire safety division shall enforce the provisions of this chapter.
- (d) The fire safety division shall be managed by the Dawson County Fire Marshal who shall report to the Dawson County Fire Chief. The Dawson County Fire Marshal shall have qualifications as set forth by the Dawson County Fire Chief.
- (e) There shall be inspectors in the fire safety division who shall report to the Dawson County Fire Marshal. The inspectors shall have qualifications as set forth by the Dawson County Fire Marshal. The inspectors shall conduct

inspections of all newly constructed buildings and structures described in section 22-27 which buildings and structures shall be re-inspected at least annually, or as often as reasonably practicable.

(f) The fire safety division is authorized to enter and inspect any building or structure described in section 22-27, upon a showing that the public health or safety of the citizens of Dawson County require such entry and inspection. Except under circumstances which require immediate entry or the exigencies of the situation demand otherwise, no entry or inspection under the authorization granted herein shall take place other than during normal business hours; further, the one making the entry and inspection shall first make known his purpose, and seek permission for the entry and inspection from a person representing the building or structure. Entry into a structure covered by this section without the assistance or ~~collaboration consent~~ of an occupant shall not occur unless there ~~be is~~ imminent danger to the lives of persons within the structure or one endangered by the structure sought to be entered.

Commented [PF7]: I am not sure what is intended by this clause so am not sure how to revise it.

(g) A report of the fire safety division shall be made semi-annually and transmitted to the board of commissioners. The report shall contain all activities and inspections undertaken pursuant to this section along with any additional information as determined by the fire chief.

(h) A copy of the National Fire Protection Association Regulations shall be available for public review in the office of the Dawson County Fire Marshal during normal business hours of Monday through Friday from 9:00 a.m. until 5:00 p.m.

Commented [PF8]: This came from the changes to section 22-23,

(Ord. of 9-5-2019, § 1(Exh. A))

Secs. 22-29—22-44. Reserved.