

**DAWSON COUNTY PLANNING COMMISSION**  
**MEETING Agenda – Tuesday, November 17, 2020**  
**DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM**  
**25 JUSTICE WAY, DAWSONVILLE GEORGIA 30534**  
**6:00 PM**

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**A. MEETING CALLED TO ORDER**

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**E. ANNOUNCEMENTS:**

There will be a Planning Commission meeting December 15<sup>th</sup>

**F. APPROVAL OF MINUTES:**

October 20, 2020

**G. APPROVAL OF THE AGENDA**

**H. STATEMENT OF DISCLOSURE:**

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

**I. OLD BUSINESS:**

1. Presentation of ZA 20-08 Fox Creek Properties, Inc. is requesting to rezone TMP 112-109, 104-065, 112-019, 112-013, 113-057-002, 112-018 from R-A, RPC, C-HB, CPCD, C-OI to Mixed Use Village for the purpose of developing single family, multi-family, retail/commercial/office, hotel, and light industrial uses. (GA 400 & Lumpkin Campground Rd.)
2. Presentation of ZA 20-18 The Pacific Group, Inc. is requesting to rezone TMP 106-053 & 106-052 from RS (Residential Suburban) to RS3 (Residential Suburban 3) for the purpose of developing 183 residential lot subdivision (Dawson Forest Road)

**J. NEW BUSINESS:**

**Application for Rezoning:**

1. Presentation of ZA 20-22 Jim King obo Piedmont Residential is requesting to rezone TMP 114-033-005 from R-A (Residential Agriculture) to RMF (Residential Multi-Family) for the purpose of developing 145 semi-detached residential lot subdivision (Dawson Forest Road East)

A. Presentation of VR 20-22 – Jim King obo Piedmont Residential is requesting to vary from the Dawson County Land Use Resolution Article III, Section 308.C.8.B Landscape & Open Space requirements. A buffer of at least 10 feet in width shall be provided and maintained around the entire exterior perimeter of the development (Dawson Forest Rd).

**K. ADJOURNMENT**

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

# DAWSON COUNTY REZONING APPLICATION

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

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

## APPLICANT INFORMATION (or Authorized Representative)

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

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

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

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

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

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

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

## PROPERTY OWNER/PROPERTY INFORMATION

Name: LUMPKIN CAMPGROUND ROAD LLC

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

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

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

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

Current Use of Property: VACANT

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

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

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

If yes, what section? NORTH

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

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

Future Land Use Map Designation: PLANNED RESIDENTIAL COMMUNITY

Access to the development will be provided from:

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

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

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

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

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: ~~833~~ <sup>941</sup> LOTS Minimum Lot Size: 4800 - 7200 sq ft per lot (acres) No. of Units: ~~833~~ <sup>288</sup> UNITS

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

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

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

**COMMERCIAL & INDUSTRIAL**

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

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## APPLICANT CERTIFICATION

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

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

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

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

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

Signature  Date 7/8/20  
Witness  Date 7/8/2020

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## WITHDRAWAL

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

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

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

### Withdrawal of Application:

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

20 JUL 10 11:27 AM

**List of Adjacent Property Owners**

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

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

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

Use additional sheets if necessary.

20111011:27AM

ZA 2008

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

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

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

Use additional sheets if necessary.

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ZA 20-08

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

**List of Adjacent Property Owners**

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

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

Name

Address

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

Use additional sheets if necessary.

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: 

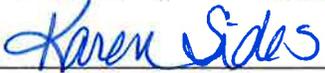
Applicant Printed Name: FOX CREEK PROPERTIES, INC.

Application Number: ZA 20-08

Date Signed: 7/8/20

Sworn and subscribed before me

this 8th day of July, 2020.



Notary Public

My Commission Expires: 01/08/2024



20 JUL 10 11:28 AM

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

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

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

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

N/A

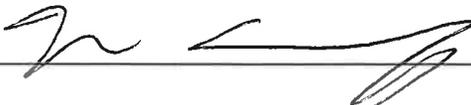
2. The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two (2) years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

Amount \$ N/A Date: \_\_\_\_\_

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

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

Signature of Applicant/Representative of Applicant:

 Date: 7/8/20

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

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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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

(PARCEL IDs: 112 109)

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

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

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

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

\*\*\*\*\*

Printed Name of Owner(s): BARRY CONNER

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

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

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

Telephone Number: Listed  
Unlisted

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

Nikela Verrill  
Notary Public

My Commission Expires: 1-16-23



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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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(PARCEL IDs: 112 109

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

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

\*\*\*\*\*

Printed Name of Owner(s): BARRY CONNER

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

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

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

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

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

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

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

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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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

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

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

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

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

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

\*\*\*\*\*

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

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

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

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

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

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

Nikki Verrill  
Notary Public

My Commission Expires: 1-16-23



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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

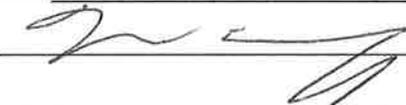
I/we, \_\_\_\_\_, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

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

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

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

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

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

\*\*\*\*\*

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

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

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

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

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

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

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

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

{Notary Seal}

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

20 JUL 10 11:28 AM

**PROPERTY OWNER AUTHORIZATION**

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

(PARCEL IDs: 104 065, 112 019)

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

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

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

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

\*\*\*\*\*

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

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

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

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

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

Listed

Unlisted

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

Nikki Verrill

Notary Public

My Commission Expires: 1-16-23



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

20 JUL 10 11:28 AM



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

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Hello Hayley,

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

Thanks,

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

20 JUL 10 11:29 AM

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

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

State of Georgia, Hall County

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

Parcel 113 057 002

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

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

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

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

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

Signed, sealed and delivered in the presence of:

[Signature] Unofficial Witness  
[Signature] (SEAL)  
 RAYFORD DONALD STEPHENS

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

Comm. Expires: Jan. 10, 2011

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

2011101109AM

EXHIBIT 'A'

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

Parcel 113 057 002

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



20 JUL 10 10 29 AM

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

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

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

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

PAID \$ 8,483.90 LIMITED WARRANTY DEED  
DATE 3-4-05

Becky McCord  
BECKY MCCORD, CLERK  
SUPERIOR COURT

State of Georgia, Hall County

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

Parcel 112 019

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

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

SEE PERMITTED EXCEPTION ATTACHED AS EXHIBIT 'B' HERETO.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

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

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

Signed, sealed and delivered in the presence of:

SOUTHERN CATHOLIC, INC.

*[Signature]*

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

Notary Public, Hall County, GA

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

(CORPORATE SEAL AFFIXED)

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

EXHIBIT 'A'

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

Parcel 112 019

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

AP

20 JUL 10 11:59 AM

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

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

Parcel 112 018

**LIMITED  
WARRANTY DEED**

State of Georgia, Hall County

THIS INDENTURE, Made the 18<sup>th</sup> day of September in the year of our Lord Two Thousand and Nineteen between MYRA AMOS, CHRISTOPHER STEPHENS, ANDREW STEPHENS A/K/A MICHAEL ANDREW STEPHENS, AND ROBERT STEPHENS, of the First Part and AMERICA'S HOME PLACE, INC. of the Second Part

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

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

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

20 JUL 10 11:29 AM

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

112 018

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

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

Signed, sealed and delivered in the presence of:

[Signature]  
Unofficial Witness

[Signature] (SEAL)  
MYRA AMOS

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

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

ANDREW STEPHENS  
[Signature] (SEAL)  
ROBERT STEPHENS

MICHAEL

[Signature]  
Notary Public  
My Commission Expires:

Notary Seal Affixed:



20 JUL 10 11:29 AM

EXHIBIT 'A'

Parcel 112 018

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

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

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

MA  
MAS  
RS

20 JUL 10 1 02 PM '02

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

PT-61-042:2007-001077

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

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

PAID \$ 983.20

DATE 6-15-07

WARRANTY DEED

Clerk

Becky MacCord  
BECKY MACCORD, CLERK  
SUPERIOR COURT

State of Georgia, Hall County

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

Parcel 104 065

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

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

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

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

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

Signed, sealed and delivered in the presence of:

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

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

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

20 JUL 19 11:29 AM

**EXHIBIT 'A'**

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

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

Parcel 104 065

20 JUL 10 11:29 AM

JAMES M. WALTERS DAWSON COUNTY, GEORGIA  
 REAL ESTATE TRANSFER TAX  
 Attorney at Law PAID \$ 1682.00  
 Suite 103 AT 10:45 A.M. 7/7/06  
 311 Green St. N.W. DEED 7-10-06  
 Gainesville, GA 30501 BECKY  
 (770) 536-3264 BECKY MCCORD, CLERK  
 SUPERIOR COURT  
 GEORGIA, DAWSON COUNTY  
 CLERK'S OFFICE, SUPERIOR COURT  
 FILED FOR RECORD  
 Recorded in Deed Book 749 Page 517-518  
 This 10 day of July 2006  
 Becky McCord, Clerk

WARRANTY DEED

Parcel 112 109

State of Georgia, Hall County

THIS INDENTURE, Made the 30<sup>th</sup> day of June in the year of our Lord Two Thousand and Six between ELIZABETH B. PIRKLE FAMILY, L.P. of the county of Hall and State of Georgia, of the First Part and BARRY CONNER of the county of Hall and State of Georgia of the Second Part

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

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

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, his heirs and assigns, forever, in Fee Simple.

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

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

Signed, sealed and delivered in the presence of: ELIZABETH B. PIRKLE FAMILY, L.P.  
 BY: Elizabeth B. Pirkle (SEAL) ELIZABETH B. PIRKLE General Partner  
 Frank Jane Pitts (SEAL) FRANKIE JANE PITTS General Partner  
 JUNE C. WHELCHER Notary Public, Hall County, GA

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

20 JUL 10 11 29 AM

EXHIBIT 'A'

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

Parcel 112 109

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

EBP  
758

20 JUL 10 11:50 AM

JAMES M. WALTERS

Attorney at Law  
Suite 103

311 Green St. N.W.  
Gainesville, GA 30503

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

PAID \$ 562.00

DATE 8-30-07

Becky McCord  
BECKY MCCORD, CLERK  
SUPERIOR COURT

042-07-001482

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

AT 10:30A.M. 8-30-07

Recorded in Deed Book 829 Page 601-602

This 30 day of August 20 07

Parcel 112 013

WARRANTY DEED, McCord, Clerk

State of Georgia, Hall County

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

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

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

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns, forever, in Fee Simple.

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

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

Signed, sealed and delivered in the presence of:

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

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

Clerk's Office, \_\_\_\_\_ Superior Court  
Filed for record at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_, 20\_\_\_\_

Recorded in Deed Book \_\_\_\_\_, Page

\_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_, Clerk

2007 AUG 30 10:30 AM

Parcel 112 013

**EXHIBIT 'A'**

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

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

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

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

*X PUN*  
*X NASH*

20 JUL 10 11:30 AM





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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 8668	104 065 / 1 LL 133 167 192LD13-1 FMV: 303700	\$292.75	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$292.75	\$0.00
<b>Totals:</b>		<b>\$292.75</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$292.75</b>	<b>\$0.00</b>

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

**Charge Amount:** \$292.75

LUMPKIN CAMPGROUND ROAD LLC



Scan this code with your mobile phone to view this bill

20 JUL 10 11:30 AM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 320	113 057 002 / 1 .34 AC LL 198 LD 13-S FMV: 9300	\$88.78	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$88.78	\$0.00
<b>Totals:</b>		<b>\$88.78</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$88.78</b>	<b>\$0.00</b>

Paid Date: 11/4/2019

Charge Amount: \$88.78

AMERICA'S HOME PLACE INC



Scan this code with your mobile phone to view this bill

20 JUL 10 11:30 AM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 2909	112 109 / 1 LL 106 107 LD 13-S FMV: 523800	\$415.14	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$415.14	\$0.00
<b>Totals:</b>		<b>\$415.14</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$415.14</b>	<b>\$0.00</b>

Paid Date: 11/4/2019

Charge Amount: \$415.14

CONNER BARRY



Scan this code with your mobile phone to view this bill

20 JUL 10 11:30AM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 8669	112 019 / 1 LL 135 136 137 138 139 161 162 163 164 FMV: 6222300	\$2622.90	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$2622.90	\$0.00
<b>Totals:</b>		<b>\$2622.90</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2622.90</b>	<b>\$0.00</b>

Paid Date: 11/4/2019

Charge Amount: \$2622.90

LUMPKIN CAMPGROUND ROAD LLC



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20 JUL 10 11:30AM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 13151	112 018 / 1 LL 133 134 166 167 LD 135 FMV: 468600	\$4473.63	\$4007.53 Fees: \$0.00 \$0.00	\$0.00	\$8481.16	\$0.00
<b>Totals:</b>		<b>\$4473.63</b>	<b>\$4007.53</b>	<b>\$0.00</b>	<b>\$8481.16</b>	<b>\$0.00</b>

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

**Charge Amount:** \$8481.16

STEPHENS DORIS BYRD



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Printed: 7/7/2020 3:39:56 PM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 322	112 013 / 1 LL 102 LD 12-1 FMV: 207652	\$1982.32	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$1982.32	\$0.00
<b>Totals:</b>		<b>\$1982.32</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1982.32</b>	<b>\$0.00</b>

Paid Date: 11/4/2019

Charge Amount: \$1982.32

AMFRICAS HOME PLACE INC



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 8668	104 065 / 1 LL 133 167 192LD13-1 FMV: 303700	\$292.75	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$292.75	\$0.00
<b>Totals:</b>		<b>\$292.75</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$292.75</b>	<b>\$0.00</b>

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

**Charge Amount: \$292.75**

LUMPKIN CAMPGROUND ROAD LLC



Scan this code with your mobile phone to view this bill

20 JUL 10 11:30 AM

7/10/2020

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

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

Dear Planning and Zoning officials,

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

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

**Existing Conditions:**

The uses surrounding the property include:

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

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

**Proposed Development**

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

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

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

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



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

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

#### **Zoning Rationale**

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

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

#### **Conclusion**

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

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

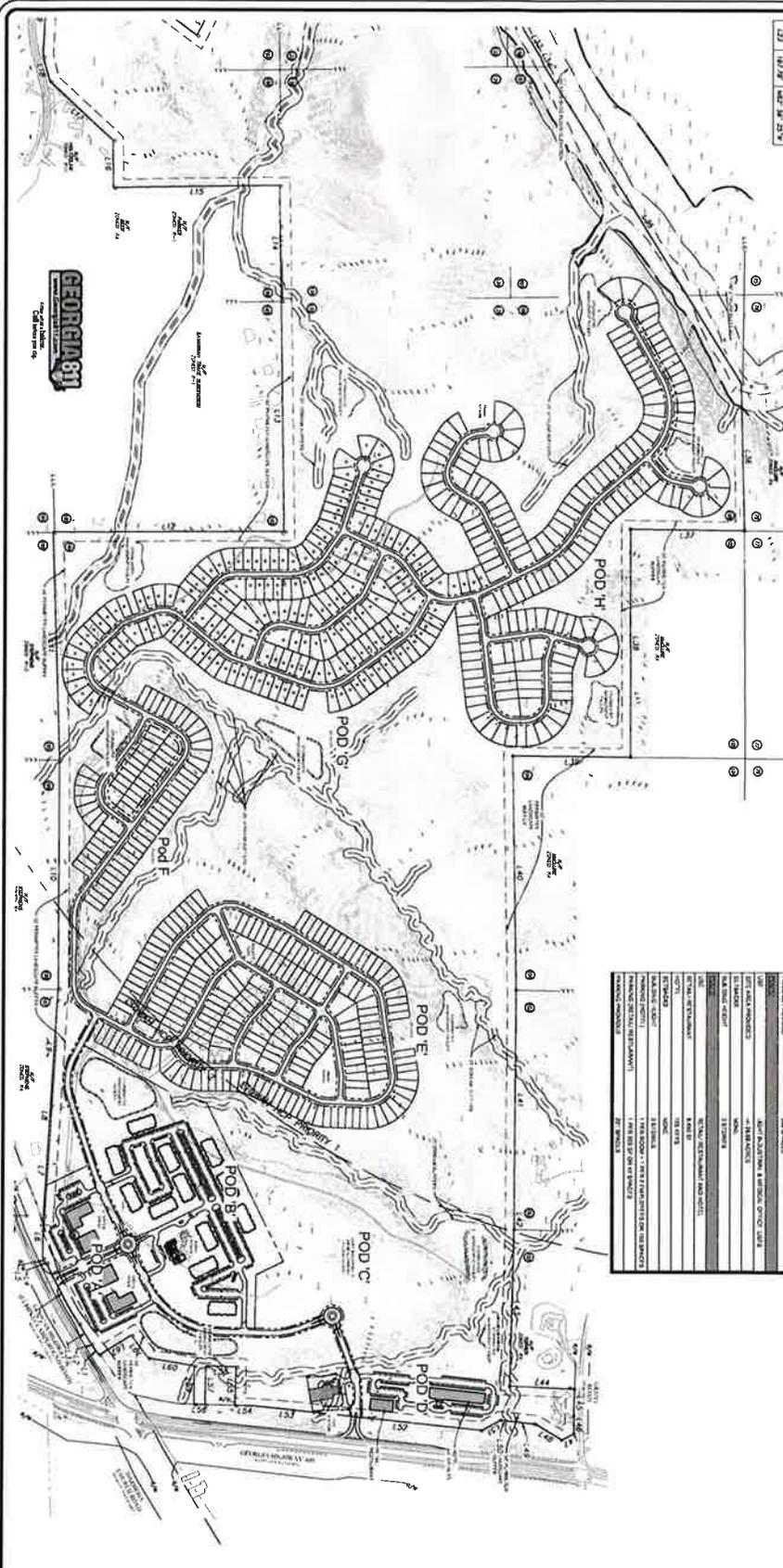
Sincerely,  
**Planners and Engineers Collaborative, Inc.**

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

For the Firm

kjw/ht/dp

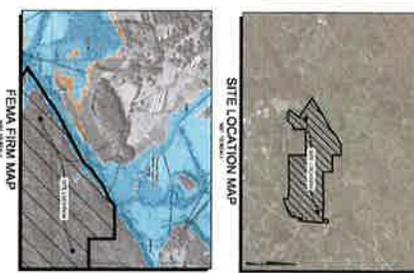
# Site Plan



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

**GENERAL NOTES:**

- PROJECT IS TO BE REVIEWED BY LOCAL JURISDICTIONS.
- PROVIDE TO BE REVIEWED BY LOCAL JURISDICTIONS.
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REVISIONS:	NO.	DATE	DESCRIPTION
	1	01/23/20	ISSUED FOR PERMITTING
	2	01/23/20	ISSUED FOR PERMITTING
	3	01/23/20	ISSUED FOR PERMITTING
	4	01/23/20	ISSUED FOR PERMITTING
	5	01/23/20	ISSUED FOR PERMITTING
	6	01/23/20	ISSUED FOR PERMITTING
	7	01/23/20	ISSUED FOR PERMITTING
	8	01/23/20	ISSUED FOR PERMITTING
	9	01/23/20	ISSUED FOR PERMITTING
	10	01/23/20	ISSUED FOR PERMITTING

REVISIONS:	NO.	DATE	DESCRIPTION
	1	01/23/20	ISSUED FOR PERMITTING
	2	01/23/20	ISSUED FOR PERMITTING
	3	01/23/20	ISSUED FOR PERMITTING
	4	01/23/20	ISSUED FOR PERMITTING
	5	01/23/20	ISSUED FOR PERMITTING
	6	01/23/20	ISSUED FOR PERMITTING
	7	01/23/20	ISSUED FOR PERMITTING
	8	01/23/20	ISSUED FOR PERMITTING
	9	01/23/20	ISSUED FOR PERMITTING
	10	01/23/20	ISSUED FOR PERMITTING

**CONCEPTUAL MASTER PLAN**

SCALE: 1" = 300'

DATE: JANUARY 23, 2020

PROJECT: 1623201

PREPARED BY: DAWSON VILLAGE

DESIGNED BY: DAWSON VILLAGE

APPROVED BY: DAWSON VILLAGE

DATE: 01/23/20

PROJECT: 1623201

SCALE: 1" = 300'

DATE: JANUARY 23, 2020

PROJECT: 1623201

PREPARED BY: DAWSON VILLAGE

DESIGNED BY: DAWSON VILLAGE

APPROVED BY: DAWSON VILLAGE

DATE: 01/23/20

PROJECT: 1623201

**REVISIONS:**

NO.	DATE	DESCRIPTION
1	01/23/20	ISSUED FOR PERMITTING
2	01/23/20	ISSUED FOR PERMITTING
3	01/23/20	ISSUED FOR PERMITTING
4	01/23/20	ISSUED FOR PERMITTING
5	01/23/20	ISSUED FOR PERMITTING
6	01/23/20	ISSUED FOR PERMITTING
7	01/23/20	ISSUED FOR PERMITTING
8	01/23/20	ISSUED FOR PERMITTING
9	01/23/20	ISSUED FOR PERMITTING
10	01/23/20	ISSUED FOR PERMITTING

**DAWSON VILLAGE**

A MASTER PLANNED MIXED-USE DEVELOPMENT FOR FOX CREEK DEVELOPMENT

"WE PROVIDE SOLUTIONS"

**PLANNERS AND ENGINEERS COLLABORATIVE**

SITE PLANNING & LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • LAND SURVEYING

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LAND LOTS 16 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200

DAWSON COUNTY, GEORGIA

DRI#3146

# Developments of Regional Impact

[DRI Home](#)   [DRI Rules](#)   [Thresholds](#)   [Tier Map](#)   [FAQ](#)   [Apply](#)   [View Submissions](#)   [Login](#)

## DEVELOPMENT OF REGIONAL IMPACT Initial DRI Information

This form is to be completed by the city or county government to provide basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

### Local Government Information

Submitting Local Government:

Individual completing form:

Telephone:

E-mail:

\*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

### Proposed Project Information

Name of Proposed Project:

DAWSON VILLAGE (PROPOSED)

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

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

Brief Description of Project:

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

#### Development Type:

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

If other development type, describe:

2025 RELEASE UNDER E.O. 14176

Project Size (# of units, floor area, etc.):	941 SINGLE-FAMILY LOTS, 3-BAY FIRE STATION, 288 MULTI-FAMILY APARTMENT UNITS, 125-KEY HOTEL, APPROX. 60,000 SF OF COMMERCIAL/OFFICE/RETAIL USES		
Developer:	FOX CREEK PROPERTIES, INC.		
Mailing Address:			
Address 2:			
	City:	State:	Zip:
Telephone:			
Email:			
Is property owner different from developer/applicant?	<input type="radio"/> (not selected) <input checked="" type="radio"/> Yes <input type="radio"/> No		
If yes, property owner:	BARRY CONNER (NAMED AS HIMSELF AND OTHER PROFESSIONAL ENTITIES ON AUTHORIZATION)		
Is the proposed project entirely located within your local government's jurisdiction?	<input type="radio"/> (not selected) <input checked="" type="radio"/> Yes <input type="radio"/> No YES - DAWSON COUNTY		
If no, in what additional jurisdictions is the project located?			
Is the current proposal a continuation or expansion of a previous DRI?	<input type="radio"/> (not selected) <input type="radio"/> Yes <input checked="" type="radio"/> No		
If yes, provide the following information:	Project Name: <input type="text"/>		
	Project ID: <input type="text"/>		
The initial action being requested of the local government for this project:	<input checked="" type="radio"/> Rezoning <input type="radio"/> Variance <input type="radio"/> Connect Sewer <input type="radio"/> Connect Water <input type="radio"/> Permit <input type="radio"/> Other <input type="text"/>		
Is this project a phase or part of a larger overall project?	<input type="radio"/> (not selected) <input type="radio"/> Yes <input checked="" type="radio"/> No		
If yes, what percent of the overall project does this project/phase represent?			
Estimated Project Completion Dates:	This project/phase: <input type="text"/> Overall project: 2030		
<input type="button" value="Submit Application"/> <input type="button" value="Save without Submitting"/> <input type="button" value="Cancel"/>			
<a href="#">Back to Top</a>			

# Developments of Regional Impact

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## DEVELOPMENT OF REGIONAL IMPACT Additional DRI Information

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

### Local Government Information

Submitting Local Government: \_\_\_\_\_

Individual completing form: \_\_\_\_\_

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

Email: \_\_\_\_\_

### Project Information

Name of Proposed Project: \_\_\_\_\_

DAWSON VILLAGE (PROPOSED)

DRI ID Number: \_\_\_\_\_

Developer/Applicant: \_\_\_\_\_

FOX CREEK PROPERTIES, INC.

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

Email(s): \_\_\_\_\_

### Additional Information Requested

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.)

 (not selected)  Yes  No

If yes, has that additional information been provided to your RDC and, if applicable, GRTA?

 (not selected)  Yes  No

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

### Economic Development

Estimated Value at Build-Out: \_\_\_\_\_

\$400 million

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:

\$2 million

Is the regional work force sufficient to fill the demand created by the proposed project?

 (not selected)  Yes  No

Will this development displace any existing uses?

 (not selected)  Yes  No

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

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

**Water Supply**

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

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

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

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

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

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

**Wastewater Disposal**

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

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

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

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

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

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

**Land Transportation**

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

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

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

If yes, please describe below:

20110117 AM

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

### Solid Waste Disposal

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

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

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

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

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

### Stormwater Management

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

Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management:  
The site will maintain stream buffers and direct storm drainage into detention and water quality facilities. Proposed impacts to streams or wetlands will be minimized and will be mitigated if necessary.

### Environmental Quality

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

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

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

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20 JUL 10 11:31 AM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

X I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Atlanta (city), Georgia (state)

[Signature]  
Signature of Applicant

7/8/2020  
Date

William M Evans, Jr.  
Printed Name

Fox Creek Properties Inc  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 8th DAY OF July, 2020

Karen Sides Notary Public

My Commission Expires: 01/08/2024

2020 JUL 10 11:51 AM

{Notary Seal





**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

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

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

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

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

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

**Size**.....517± acres

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

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

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

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

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**Applicant Proposal**

The proposed development consists of 8 “pods”. There are 653 single family lots, 288 multi-family housing units, 125 hotel rooms, approximately 60,000 square feet of commercial/retail/office space, and 30 acres of light industrial.

**History and Existing Land Uses**

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

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

**Development Support and Constraints**

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

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

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

**Public Facilities/Impacts**

**Engineering Department** – No comments returned.

**Environmental Health Department** –

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

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

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

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

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

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

### **Analysis**

- Planned growth is always preferable. This concept plan follows the ideals of our comprehensive plan in that it show the majority of commercial along 400 and Lumpkin Campground. It feathers in the less intensive apartments behind the commercial through to the single family lots.
- With a manageable 1.77 unit per acre spread over 500+ acres, this will make is much easier to obtain the 30 % open space requirement. This allow for better buffers to streams and more strategic placement of storm water management facilities. This allows us to better plan and mitigate environmental impact.
- Current zoning allows for the majority of this project to commence without rezoning. Rezoning to MUV allows for more county/community input into the physical planning process and the county will get a better consistent and uniform product. These types of developments better lend themselves to long term sustainability.
- MUV is a two part zoning process. At this stage we are looking at 7 factors
  - 1) Proposed Uses
    - Keeping the proposed Light Industrial, Retail, and Hotel at the front of the development near Hwy 400 this goes with the general character of what we look for in growth along the GA 400 Corridor with those types of uses highway facing and the residential portion further off of the road.
  - 2) Number of units per use
    - 639 single-family lots
    - 288 multi-family units
    - 125 hotel rooms
    - 44,000 square feet of commercial/retail/office space
    - 375,000 as light industrial space
  - 3) Designated Areas of Use
    - See Site Plan
  - 4) Open Space, Amenities, Road Systems, Access Points
    - Open Space 49.2% roughly 257 acres (required 156 acres or 30 %)
    - Three separate amenities areas are associated with residential portions of the development.

- Road systems for concept plan we understand the intent would have 2 access points on GA 400 & Lumpkin Campground. Further discussion regarding road systems and coordination with GDOT will be necessary.
  - 2 access points: Lumpkin Campground Rd. & Georgia 400
- 5) Location of all wetlands and streams as those terms are defined under State and Federal Law
- Per site plan this does not encroach on any wetlands and stays off of appropriate stream buffers.
- 6) Public & Private Streets
- Not listed on site plan
- 7) As it is currently zoned the density would be as follows:
- C-OI (per the previous zoning approval ZA 00-14 based upon faculty/staff within the Southern Catholic College dorms and faculty housing) 3000
  - Residential Planned Community 81units (1 per acre)
  - CPCD 300 units (50 acres at 6 units per acre)

A Mixed Use Village is described within the Comprehensive Plan as a live, work, play Community that is centered around a “Village Center” with civic open space. The most important idea of the Mixed Use Village is the idea of public space which is accessible by walking or bike paths and feathered density surrounding the Center. Mixed Used Villages should be a balance of jobs and housing in a creative, planned community with “corner stores”, specialty boutiques and small grocers.

It is in the opinion of the Planning Department, that this plan does a good job of providing an environmentally friendly concept while checking the boxes for the requirements of the Mixed Use Village zoning classification. However, it does not provide a village center and the live, work, play community that is described within our Comprehensive Plan.

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

- A. The existing uses and classification of nearby property.**  
Adjacent properties to the North and West are residentially zoned and consistent with the Future Land Use Map. Adjacent Properties to the South and East are zoned commercially and consistent with the Future Land Use Map.
- B. The extent to which property values are diminished by the particular land use classification.**  
There should be no diminishment of property values.
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.**  
There should be no destruction of property values.
- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**  
The addition of an industrial park will bring additional jobs paying a higher wage (than

retail) to the County.

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

The property is suitable for the purposed land use classification due to the location and close proximity to GA 400.

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

The property (TMP 112 019) has been vacant since 2005. The other parcels are vacant land.

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

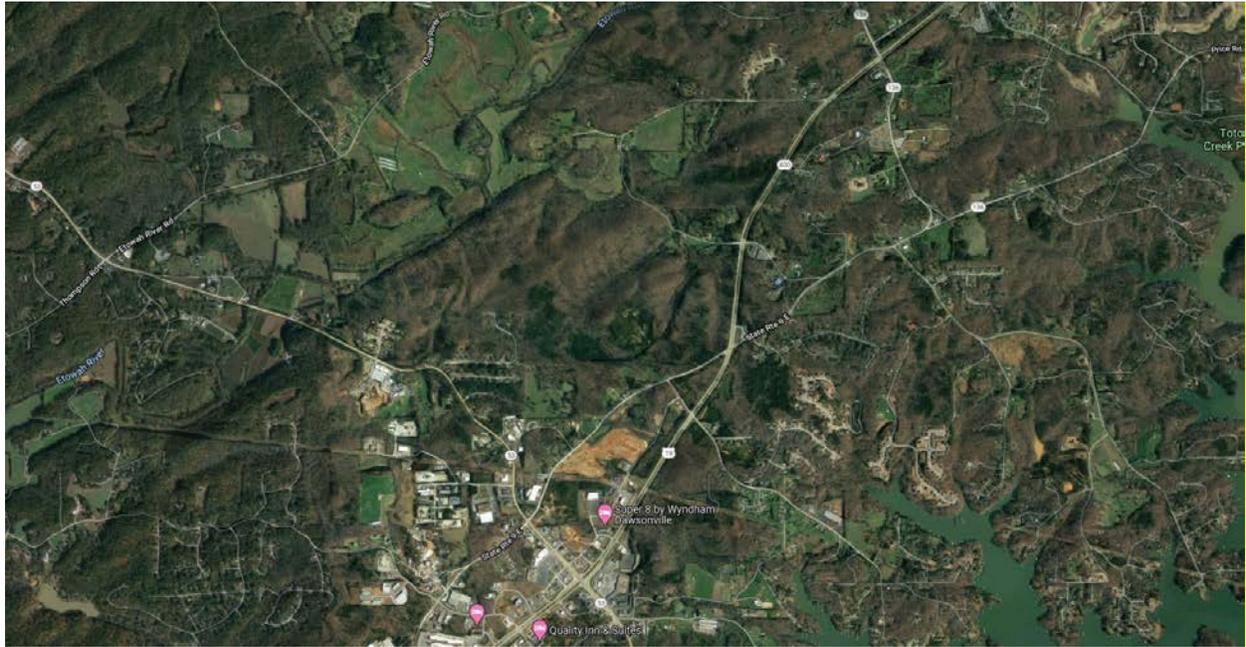
The purposed development would bring additional tax revenue to the county with the retail stores, restaurants, hotel and industrial in adjunct to the jobs that this would provide to area residents. The development would also bring an additional 927 (approximate) homes in the form of residential multi-family and single family, with the before mentioned, comes traffic, crime and public safety concerns from citizens.

Pictures of Property:



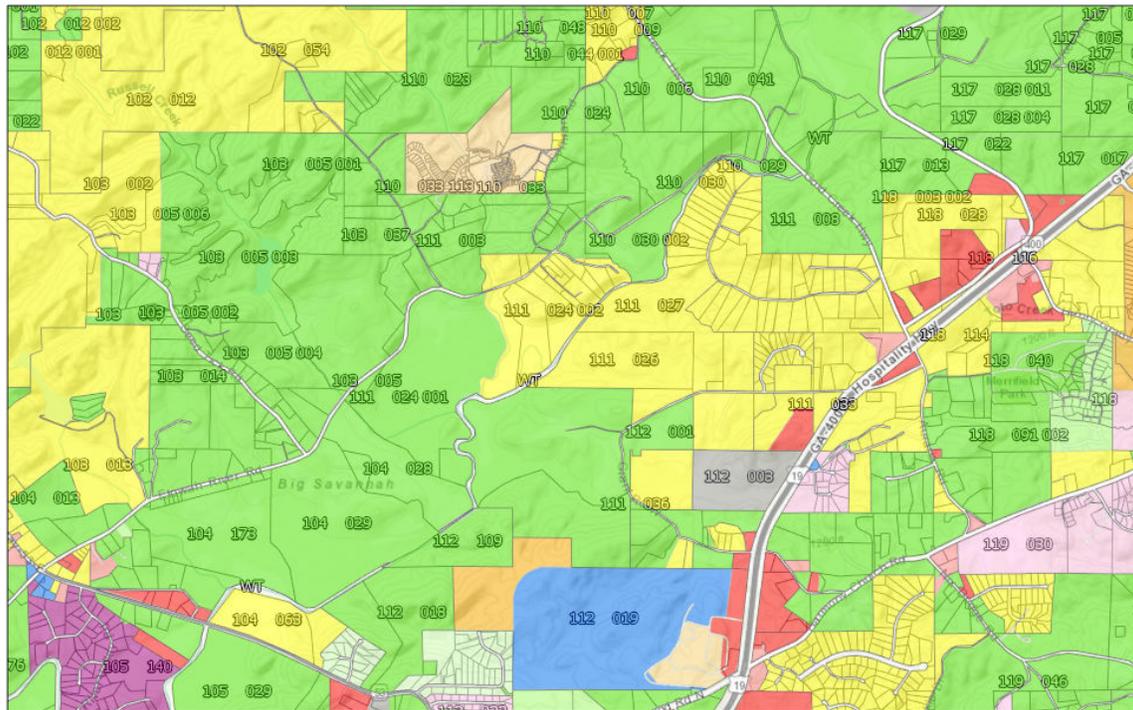


Aerial:



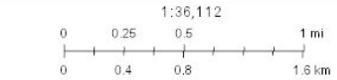
Current Zoning Map:

Dawson County



4/11/2019, 2:35:35 PM

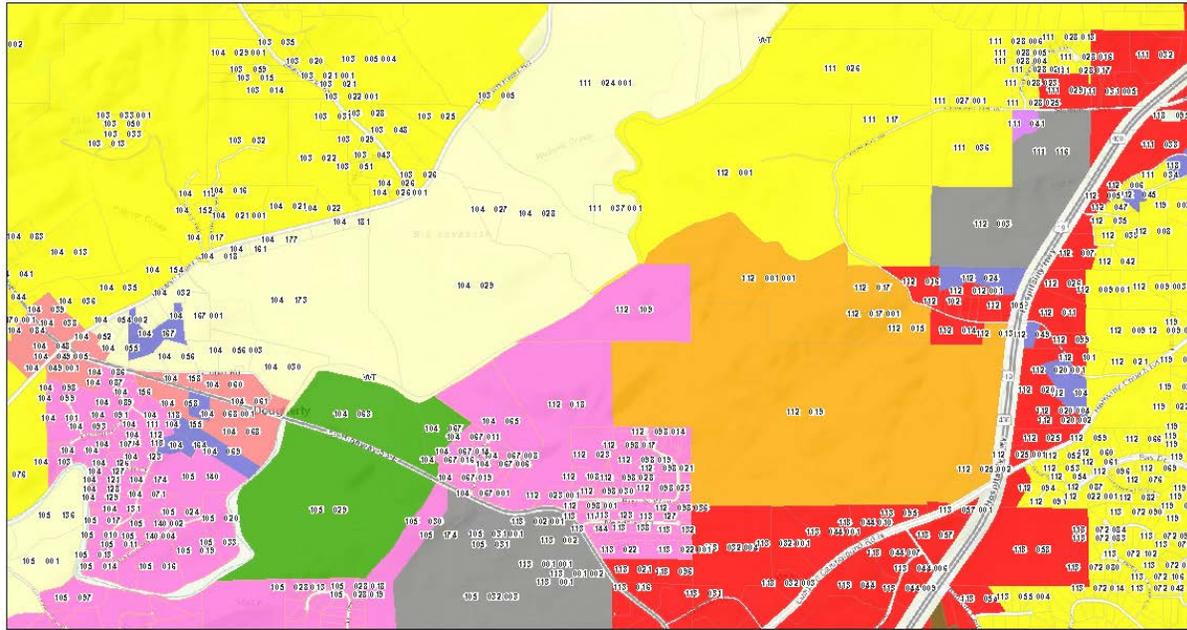
Zoning	VCR	RPC	C-PCD	VC	Parcel
FA	C-HB	C-CB	RS	CT	
RSR	RSRMM	C-IR	C-OI	C-RB	



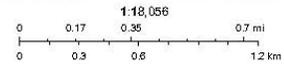
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, Planning and Development  
Esri, HERE, Garmin, INCREMENT P, USGS, METANASA, EPA, USDA

Future Land Use Map:

Future Land Use Map



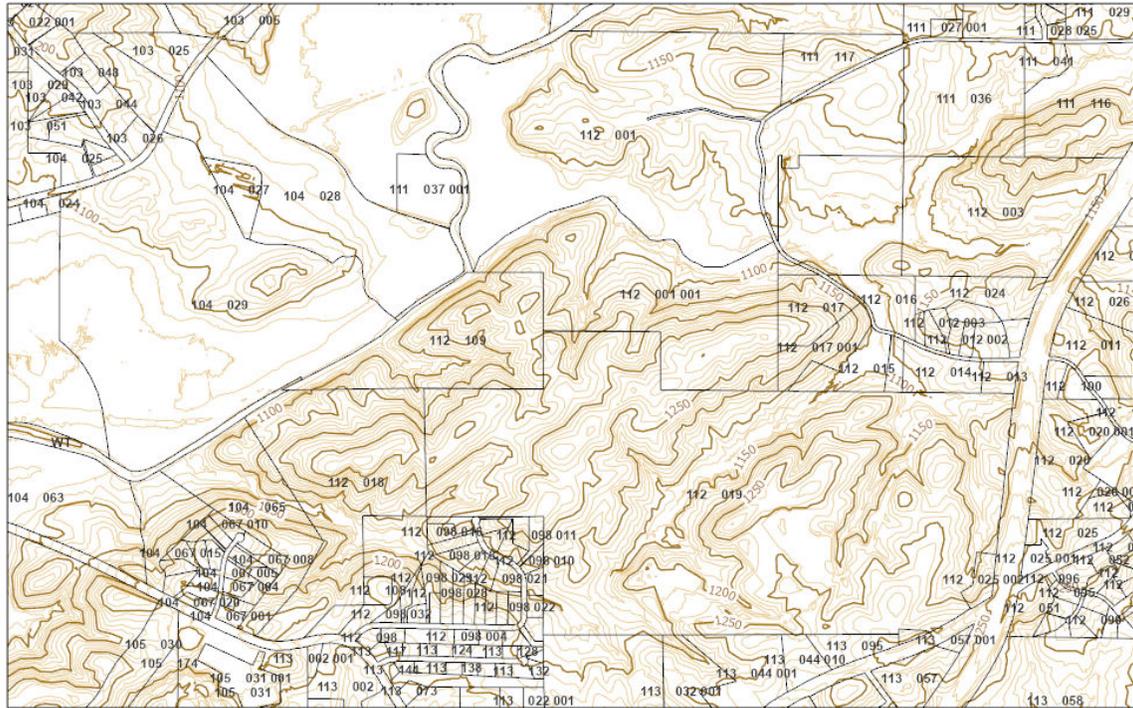
August 13, 2020  
 FLU SRR SR CHB MFR CC  
 PRC RA RR LI PI OP



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

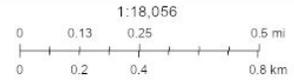
Topography:

### Topo Map



8/13/2020, 10:17:22 AM

Parcels



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





# DAWSON COUNTY REZONING APPLICATION

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

ZA 20.18 Tax Map & Parcel # (TMP): 106.053 + 106.058  
Submittal Date: 9.11.2020 Time: 11:53  am/pm Received by: Yngre (staff initials)  
Fees Assessed: 300- Paid:  Commission District: 4  
Planning Commission Meeting Date: October 20, 2020  
Board of Commissioners Meeting Date: November 19, 2020

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Kevin Seifert/ The Pacific Group, Inc.

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

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

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

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

I have \_\_\_\_\_ /have not  participated in a Pre-application meeting with Planning Staff. <sup>9/8- conversation with Jameson at public meeting.</sup>  
If not, I agree  /disagree \_\_\_\_\_ to schedule a meeting the week following the submittal deadline.  
We are happy to meet at your next available meeting time.

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

## PROPERTY OWNER/PROPERTY INFORMATION

Parcel 106 053- owner- Marathon Development, Inc.  
Name: Parcel 106 052- owner - Gary R. Wildeboer.

Street Address of Property being rezoned: Parcel 106 053- Huckleberry Ford, Dawsonville, GA 30534  
Parcel 106 052- 2367 Dawson Forest Rd, East, Dawsonville, GA 30534

Rezoning from: RS to: RS-3 Total acreage being rezoned: 1.15

Directions to Property: SR 9 South to left of Dawson Forest Road. Property will be 2.5 miles on your left, just before Set Free Church

20 SEP 11 11:53 AM

Subdivision Name (if applicable): The Oaks at Dawson Lot(s) #: n/a

Current Use of Property: undeveloped land and residential home

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

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

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

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

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North RMF South RSRMM & C-CB East RMF, & P-CPD West RS  
C-CB, VCR,

Future Land Use Map Designation: Suburban Residential and Office Professional

Access to the development will be provided from:

Road Name: Dawson Forest Road Type of Surface: asphalt

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: RS-3  Special Use Permit for: \_\_\_\_\_

Proposed Use:  
single family residential

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 183 Minimum Lot Size: 6,000 sf/ 0.14 acre (acres) No. of Units: 183

1,200 - one story

Minimum Heated Floor Area: 1,600- two story sq. ft. Density/Acre: 2.61

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Is an Amenity Area proposed: No; if yes, what? \_\_\_\_\_

**COMMERCIAL & INDUSTRIAL** - not applicable

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

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**APPLICANT CERTIFICATION**

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

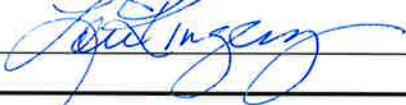
I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

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

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

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

Signature  Kevin Seifert Date 9/10/2020

Witness  Date 9/10/2020

---

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

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

20 SEP 11 11:53 AM

ZA 20.18

TMP#: 106.053  
106.050

**List of Adjacent Property Owners**

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

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

	<u>Name</u>	<u>Address</u>
TMP _____	1. see next pages	_____
TMP _____	2.	_____
TMP _____	3.	_____
TMP _____	4.	_____
TMP _____	5.	_____
TMP _____	6.	_____
TMP _____	7.	_____
TMP _____	8.	_____
TMP _____	9.	_____
TMP _____	10.	_____
TMP _____	11.	_____
TMP _____	12.	_____
TMP _____	13.	_____
TMP _____	14.	_____
TMP _____	15.	_____

Use additional sheets if necessary.

20 SEP 11 11:53 AM

106 001  
ECOPARK PROPERTIES INC  
5510 ECOPARK DR  
ALPHARETTA, GA 30005

106 123  
MICHAELSON ROBERT D  
2231 DAWSON FOREST RD E  
DAWSONVILLE, GA 30534

106 051 001  
DAWSON FOREST ANIMAL  
VETERINARIAN TREATMENT CENTER  
2399 DAWSON FOREST ROAD  
DAWSONVILLE, GA 30534

106 051 002  
SET FREE BAPTIST CHURCH INC  
P O BOX 663  
DAWSONVILLE, GA 30534

106 051 006  
MOORE JR JAMES N &  
SELENA D MOORE  
222 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 007  
ADKINS TAYLOR S & JESSICA R  
214 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 008  
ADKINS TAYLOR S & JESSICA R  
214 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 009  
RUFFNER KENNETH & REBECCA  
BECKY MCNABB  
202 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 361  
WILDEBOER GARY R, TRUSTEE  
THE MARIAN E WILDEBOER LIVING TRUST  
2329 DAWSON FOREST ROAD East  
DAWSONVILLE, GA 30534

106 051 010  
RUFFNER KENNETH & REBECCA  
BECKY MCNABB  
202 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 011  
HUGHES DOUGLAS L & CHARITY A  
184 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 012  
FLETCHER J PALMER JR & DONNA LEE  
MCDONALD FLETCHER  
150 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 013  
REVETTI MICHAEL & DEBRA  
146 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 014  
HAMBY STEVE EDWARD  
122 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 051 015  
HAMBY STEVE EDWARD  
122 PADDOCK PLACE  
DAWSONVILLE, GA 30534

106 341  
JOHN BROADWELL (LIFE ESTATE) & JOHN WESL  
145 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 340  
ALFORD THOMAS L  
163 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 339  
WARD BOBBIE J & JAMES WILLIAM  
169 DEPOT DRIVE  
DAWSONVILLE, GA 30534

20 SEP 11 11:54 AM

106 338  
TORRES SAMUEL B & RAQUEL ZAVALA  
187 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 045  
RIDLEY HARLEN  
P O BOX 731  
DAWSONVILLE, GA 30534

106 337  
FELLOWS JUSTIN & COLLEEN  
225 DEPOT DRIVE  
DAWSONVILLE, GA 30534

106 124  
RIDLEY HARLEN  
P O BOX 731  
DAWSONVILLE, GA 30534

106 362  
HOGUE MELANIE A  
235 DEPOT DR  
DAWSONVILLE, GA 30534

106 044  
ROGERS MARGARET M  
2258 DAWSON FOREST RD  
DAWSONVILLE, GA 30534

106 297  
COUNTRY CROSSINGS REC ASSOC INC  
86 HUCKLEBERRY FORD  
DAWSONVILLE, GA 30534

106 053 034  
MONSERRATE JUAN R & HELEN  
6185 HAWKES BLUFF AVENUE  
DAVIE, FL 33331

106 118  
BELDEN KEVIN D & SARAH K  
455 MAYAPPLE GLEN  
DAWSONVILLE, GA 30534

106 199  
HINTON LAUREN C & ANDREW THOMAS  
488 MAYAPPLE GLENN  
DAWSONVILLE, GA 30534

106 206  
NONNEMACHER HOLLOWAY L & DERRICK F  
556 MAYAPPLE GLEN  
DAWSONVILLE, GA 30534

106 046  
JONES BOYD & LINDA RUTH  
2334 DAWSON FOREST RD  
DAWSONVILLE, GA 30534

20 SEP 11 11:54 AM

not applicable

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

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

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

This notice and acknowledgement shall be public record.

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

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

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

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

Sworn and subscribed before me

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

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

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

{  
Notary Public Seal  
}

20 SEP 11 11:54 AM

Not applicable

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

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

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

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

\_\_\_\_\_ no contributions have been made \_\_\_\_\_

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

Amount \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ Date: \_\_\_\_\_

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

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

Signature of Applicant/Representative of Applicant:

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

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

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

20 SEP 11 11:54 AM

**PROPERTY OWNER AUTHORIZATION**

I/we, JAMES D. KINGERY PRESIDENT MARATHON DEVELOPMENT, INC., hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

106 053

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

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

Printed Name of applicant or agent: THE PACIFIC GROUP KEVIN SEIFERT

Signature of applicant or agent: [Signature] Date: 9.10.20

\*\*\*\*\*

Printed Name of Owner(s): MARATHON DEVELOPMENT INC.

Signature of Owner(s): [Signature] President Date: 9.10.20

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

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

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

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

[Signature]  
Notary Public

My Commission Expires: 12.6.21



LORI KINGERY  
NOTARY PUBLIC  
Paulding County, Georgia  
My Commission Expires  
December 6, 2021

{Notary Seal}

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

20 SEP 11 11:54 AM

**PROPERTY OWNER AUTHORIZATION**

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

Parcel 106 052 236 DAWSON FOREST RD EST DAWSONVILLE, GA as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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

Printed Name of applicant or agent: Kevin Seifert

Signature of applicant or agent: \_\_\_\_\_ Date: 9/10/2020

\*\*\*\*\*

Printed Name of Owner(s): \_\_\_\_\_

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

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

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

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

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

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

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

{Notary Seal}

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

20 SEP 11 15 AM

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

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Cumming (city), GA (state)

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

9/10/2020  
\_\_\_\_\_  
Date

Kevin Seifert  
\_\_\_\_\_  
Printed Name

The Pacific Group, Inc.  
\_\_\_\_\_  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 10 DAY OF September, 2020

 Notary Public

My Commission Expires: 12/6/21



LORI KINGERY  
NOTARY PUBLIC  
Paulding County, Georgia  
My Commission Expires  
December 6, 2021  
{Notary Seal}

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

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

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

20 SEP 11 55 AM



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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 14908	106 052 / 1 LL 366 LD 13-S FMV: 291650	\$304.64	\$0.00  Fees: \$0.00 \$0.00	\$0.00	\$304.64	\$0.00
<b>Totals:</b>		<b>\$304.64</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$304.64</b>	<b>\$0.00</b>

**Paid Date:** 12/2/2019

**Charge Amount:** \$304.64

WILDEBOER GARY R

DAWSONVILLE, GA 30534



Scan this code with your mobile phone to view this bill

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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2019 - 8819	106 053 / 1 LL 289 306-08 350-51 LD 13-SOUTH FMV: 1030500	\$453.80	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$453.80	\$0.00
<b>Totals:</b>		<b>\$453.80</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$453.80</b>	<b>\$0.00</b>

**Paid Date: 12/2/2019**

**Charge Amount: \$453.80**

MARATHON DEVELOPMENT INC

DAWSONVILLE, GA 30534



Scan this code with your mobile phone to view this bill

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**The Pacific Group, Inc.**  
5755 Dupree Drive, Suite 130  
Atlanta, Georgia 30327  
Tel: (770) 984-8170  
Fax: (770) 984-8171

September 10, 2020

Jameson Kinley  
Director  
Harmony Gee  
Zoning Administrator  
Dawson County Planning and Development  
25 Justice Way  
Suite 2322  
Dawsonville, GA 30534

RE: Letter of Intent for Proposed Rezoning of Parcel 106 052 and 106 053 from RS and RS-3

Mr. Kinley and Ms. Gee:

We write to you as a request the rezoning of parcels 106 052 and 106 053 from RS to RS-3. As you will see throughout this letter of intent and development plan, our goal is to work with all our neighbors in addition to working with the County itself. If our application is accepted by the September 11, 2020 deadline, we will plan to send out letters to our neighbors that we have not yet coordinated with and invite them to a virtual zoom meeting to discuss our proposed plan. We will have the ability to meet individuals in person if they are comfortable to do so. We will have this zoom meeting prior to the scheduled Planning Commission hearing that we will be scheduled for.

Currently, the 2018 Comprehensive Plan identifies this parcel in a Suburban Residential land use category. Due to availability of water and sewer (both of which are on-site) and due to the fact that this land use type specifies in its summary statement that guidelines are provided to encourage pedestrian-friendly neighborhoods and adequate open space in such communities, we believe the property is well positioned for an RS-3 zoning. The use of the Conservation Subdivision, Article X., will maximize the open space in our proposed development.

At the time of the adoption of the 2018 Comprehensive Plan there was not an RS-3 zoning district, therefore the current comprehensive plan can't include this district. The adopted amendment to the Lane Use Resolution on December 19, 2019 created the RS-3 zoning district. To put it simply, we believe the RS-3 category is applicable within the Suburban Residential land use category on its own merits. However, we have a much more compelling motivation to approve this rezoning request. We are proposing to establish an emergency only entrance/exit to the north on Huckleberry Ford, thus removing the ability for any future homeowners living on these 70.15 acres from ever using access through County Crossings to Grizzle Road. As currently zoned, the 61.15 acres on Parcel 106 053 could permit 61 home sites and be developed in a Conservation design (of which the option is available is all single-family residential districts as a use by right). Thus, the same size lots could be developed and homes could be built with ZERO conditions of zoning and all 60 lots have their only access through Country Crossings to Grizzle Rd. This would also add sixty (60) homeowners who could use the existing

amenities of Country Crossings. Should the County find our rezoning request worthy of approval, we are committing to conditions of zoning that would

1. NOT allow any traffic through Country Crossings
2. Guarantee no additional homes would have access to the amenities of Country Crossings, including but not limited to the pool and the tennis courts, and
3. Provide minimum architectural conditions similar to those in The Woods at Dawson

We wish to present our proposed plan to request the rezoning of the combined 68.5 acres to RS-3 with the following conditions of zoning:

1. Total lot count shall not exceed 183 lots
2. This shall be a Conservation design and shall abide by Article X of the Land Use Ordinance
3. There shall be a minimum 100' undisturbed buffer to all properties to the north, west, and south of the community as shown on Exhibit C, the Zoning Site Plan. Only adjacency to The Woods at Dawson will not require the minimum 100' undisturbed buffer
4. Carriage style garage doors with decorative hardware or other embellishments shall be used on all homes and each home shall have not less than a two-car garage;
5. The roofing material used on all homes shall be cedar shake, 3-tab architectural/dimensional style asphalt shingles or metal as appropriate to the architectural style of each home as determined by the builder;
6. All overhangs including gables and side gables will have a minimum of a 12-inch overhang on all sides;
7. The developer shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, and other similar techniques so that no house is the same as any house directly in front or on either adjacent side of it;
8. All roofs and gables shall be of a pitch no less than 8/12. This condition shall not apply to dormers, porches, bay windows, and third floor retreats;
9. All homes shall have a minimum of two 12-inch house and foundation offsets in the front;
10. Poured concrete retaining walls visible from the right of way must be painted or faced with stone or brick. No wooden retaining walls over 3-feet in height shall be permitted;
11. The exterior materials for all homes shall consist of brick, stone, cement-based lap siding, cement-based siding panels, cedar and/or shake;
12. The front facade of all homes shall have a minimum of forty-five (45%) brick, stone and/or shake with accents, such as, but not limited to, hardi-plank lap siding;
13. Homes shall have a minimum heated floor area of 1,200 square feet for one (1) story, and 1,600 square feet heated floor space for two (2) story type homes;
14. All roof vents, pipes, and other roof equipment (except chimneys) shall be located on the rear elevations and shall be painted to match the color of the roof;
15. No above-ground swimming pools shall be permitted;
16. No window air conditioning unit may be installed
17. Developer shall allow Georgia Native Plant Society to rescue any native plants prior to grading the property

We have carefully thought through the nature of the original zoning and have attempted to limit our request as much as possible. We are NOT asking for any variances. We are asking to help improve the future of Country Crossings while providing a reasonable economic use for these 70.15 acres that seems to fit the intention of the 2018 Comprehensive Plan that was drafted prior to the creation of the RS-3 zoning district that we are seeking.

To further elaborate on our plan, we have enclosed our Development plan as required by the Land Use Resolution, Chapter 21 of the Code of Ordinances.

Thank you for your time and consideration of this request to amend conditions. Please let us know if there are any other questions we can help answer.

Thanks so much,



Kevin Seifert  
The Pacific Group

[DEVELOPMENT PLAN ON FOLLOWING SHEETS]

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## Development Plan

The proposed community is designed around the fact that there will be only emergency access through Country Crossings via Huckleberry Ford. In order to accomplish this, the currently planned gated entry/exit coming from The Woods at Dawson will be rotated 90 degrees counterclockwise and permanently positioned across Huckleberry Ford. This will stop ALL traffic, other than emergency access, from either The Woods at Dawson or this proposed Oaks at Dawson from accessing Huckleberry Ford and thus will eliminate the potential of any additional traffic through County Crossings. As indicated above, this will also eliminate any new members to the Country Crossings HOA, which will avoid any crowding of the pool and tennis courts and any other common areas of Country Crossings.

Additionally, we are proposing similar architectural requirements in conditions of zoning so that the same quality architecture will be built as in The Woods at Dawson. This is yet another benefit to all in the County, as opposed to the current zoning which would allow construction of 61 homes with ZERO architectural conditions, of which all traffic would go through Country Crossings and all of which would have access to the Country Crossings' amenities, including but not limited, the pool and tennis courts.

The following pages will provide additional exhibits and/or information as follows:

- Exhibit A: General location map
- Exhibit B: Existing topography map
- Exhibit C: Zoning Site plan
- Exhibit D: Residential Home Elevations
- Exhibit E: Legal description
- Exhibit F: Boundary survey
- Exhibit G: Traffic study

Exhibit A

Location Map



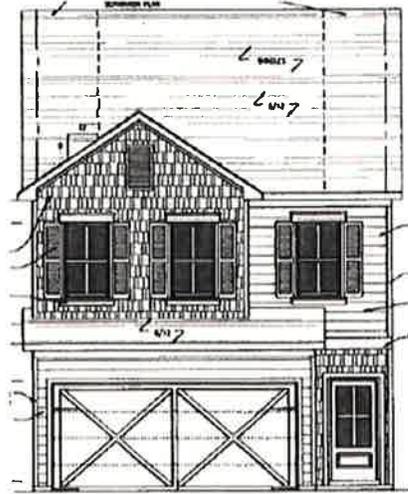
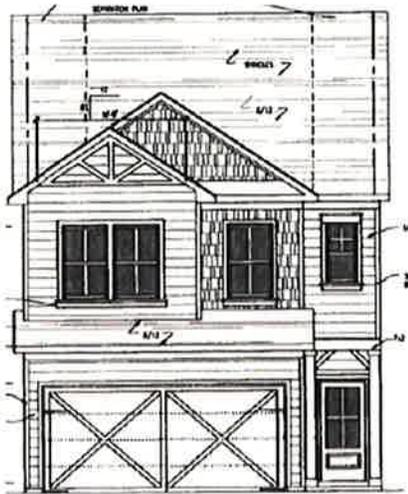
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Exhibit D

Residential Home Elevations



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## Exhibit E

### Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 289, 306, 307, 308, 350 and 351 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia, and being 215.52 acres as shown on a plat for Fricks, Kinsey, Powell and Wheelchel, dated July 21, 1985, as surveyed by David W. Bealle, Registered Surveyor, which plat is recorded in Plat Book 14, page 115 of the Dawson County, Georgia records and incorporated herein by reference for a more complete description thereof.

LESS AND EXCEPT property contained in that certain Warranty Deed between Marathon Development, Inc. and Country Crossings Recreation Association, Inc., dated November 29, 1994, recorded in Deed Book 192, page 547, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT property contained in that certain Limited Warranty Deed between Marathon Development, Inc. and Country Crossings Recreation Association, Inc., dated as of December 23, 2009, recorded in Deed Book 936, page 370, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 289, 307 and 308 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way according to a Final Plat of Country Crossings Subdivision Unit One, recorded in Plat Book 17, pages 91, 93 and 95 and Plat Book 27, page 141, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 306, 307, 308 and 350 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way according to a Final Plat of Country Crossings Subdivision Unit Two, recorded in Plat Book 26, pages 59, 61 and 63, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 289 and 308 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way according to a Final Plat of Country Crossings Subdivision Unit Three, recorded in Plat Book 27, page 85 and Plat Book 27, page 135, Dawson County, Georgia records.

FURTHER LESS AND EXCEPT all that tract or parcel of land lying and being in Land Lots 306, 307 and 350 of the South Half of the 13<sup>th</sup> District and 1<sup>st</sup> Section of Dawson County, Georgia and being all subdivided lots and road rights of way and access easement according to a Final Plat of Country Crossings Subdivision Unit Four, recorded in Plat Book 44, pages 9, 11, 13, 15 and 17, and Plat Book 60, pages 189, 191, 193, 195 and 197, Dawson County, Georgia records.

ALONG WITH

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All that tract or parcel of land, together with all improvements thereon, lying and being in the South half of the 13th District and 1st Section of Dawson County, Georgia, in Land Lot No. 366 as shown by survey of property prepared by Farley-Collins and Associates, Registered Surveyors, dated February 10, 1965, and recorded in Plat Book 1, Page 193 of the Dawson County Records, and as more fully shown on survey of the property of Ralph Wildeboer prepared by S.R. Freeman, Registered Surveyor, dated July, 1974, and being more fully described in accordance with said surveys as follows:

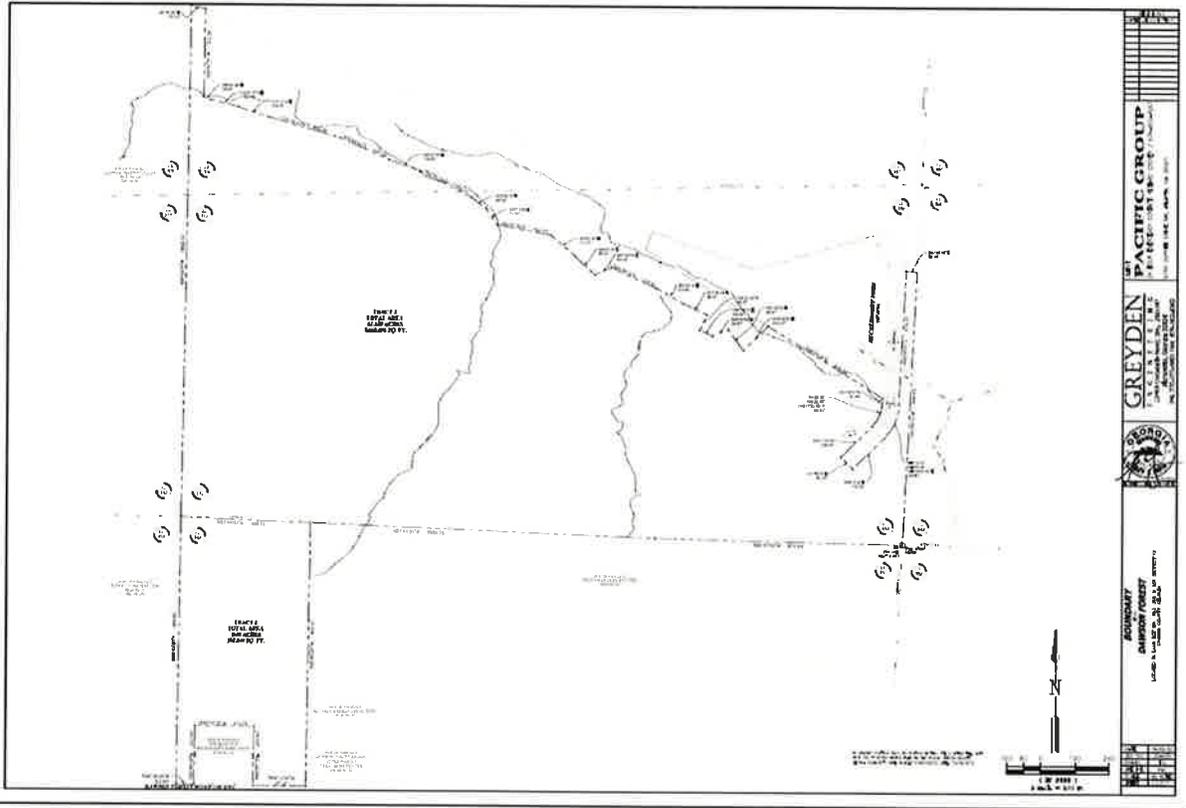
**BEGINNING** at an iron pin corner located on the Northerly right-of-way of State Highway No. 318, which point is 1.2 miles Westerly from the intersection of State Highway 318 with State Highway 9E; thence from said beginning point North 89 degrees 48 minutes West along the Northerly right-of-way of State Highway No. 318 a distance of 460 feet to the west original line of said Land Lot; thence North 0 degrees 45 minutes East along the west original line of said land lot which is the line dividing Land Lots 365 and 366 a distance of 954 feet to an iron pin corner located at the corners of Land Lots 365, 366, 351, and 352; thence South 89 degrees 15 minutes East along the North original line of said Land Lot 366 a distance of 460 feet to an iron pin corner; thence South 0 degrees 45 minutes West 954 feet to the beginning corner, and being the same property described and conveyed in a warranty deed from John B. Carter to Ralph Wildeboer dated April 29, 1971, recorded in Deed Book 15, Page 22, Dawson County, Georgia Deed Records.

**LESS AND EXCEPT:** 1.000 acre conveyed to Marian E. Wildeboer by warranty deed dated August 22, 1995, and recorded in Deed Book 203, Page 648, Dawson County, Georgia Deed Records.

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Exhibit F

Boundary Survey



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**Exhibit G**

**Traffic Study**

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**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

**Applicant**.....Kevin Seifert/ The Pacific Group, Inc

**Amendment #** .....ZA 20-18

**Request**.....Rezone Property from RS (Residential Suburban) to RS-3 (Residential Suburban)

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

**Current Zoning** .....RS (Residential Suburban)

**Size**.....70± acres

**Location** .....Dawson Forest

**Tax Parcel** .....106-053, 106-052

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

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

**Applicant Proposal**

The applicant is seeking to rezone the property from RS (Residential Suburban) to RS-3 (Residential Sub-urban) for the purpose of continuing “The Oaks” development that was previous approved by Dawson County.

**History and Existing Land Uses**

Parcel 106-053 was rezoning 5/14/1996 under ZA96-05 Marathon Development as a part of the Country Crossing development to the north off of Grizzle Road.

<b>Adjacent Land Uses</b>	<b>Existing zoning</b>	<b>Existing Use</b>
North	RS	Residential
South	VCR	Residential
East	CPCD/RMF	Residential
West	RS	Residential

## **Development Support and Constraints**

The extension of water and sewer.

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

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Suburban Residential, which RS-3 is a potential subset of.

## **Public Facilities/Impacts**

**Engineering Department** – Asphalt is in optimal condition. FDR in 2017, good vertical and horizontal alignment based on concept provided. Moderate to high traffic flow, no improvements planned by Dawson County at this time. Public Works requests a traffic impact study to be submitted for review prior to plan approval for construction.

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

**Emergency Services** – Development will cause increased County population, resulting in a proportionate increase in calls for service to Emergency Services and further tasking existing response capability. Second apparatus access via Huckleberry Ford shall meet stipulations of 2018 IFC appendix D.

**Etowah Water & Sewer Authority** – Water main upgrades and extensions will be required to provide adequate potable and sewer at the developer's expense.

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

**Board of Education** – No facility additions would be necessary

## **Analysis**

- RS-3 is a newly added classification in order to allow a higher density classification the one unit per acre for single family residential developments. Along 400 and down Dawson Forest is where we expect to see this growth.

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

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

The majority of all surrounding classifications are some type of residential. There are two commercial properties with less insensitive Commercial Crossroads Business zoning classifications.

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

There should be no diminishment of property values.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

The property is suitable for the purposed land use classification and would be considered a subset of the Future Land Use Map designation.

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

The property is vacant. It was originally designated to be an extension of Country Crossings. The application has it apart of The Oaks which is the neighboring property to the east. The Oaks is currently in the land disturbance phase.

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

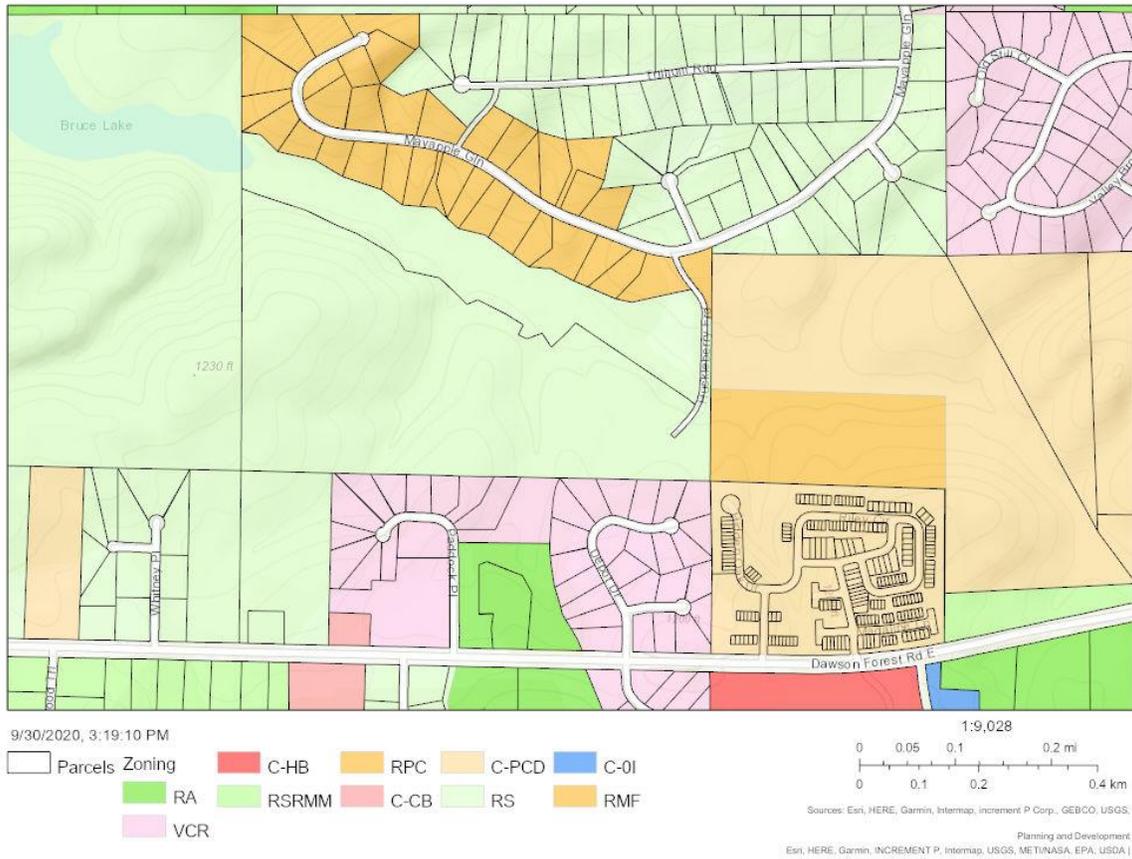
The current zoning would not allow for what the applicant is trying to accomplish.

Pictures of Property:



Current Zoning Map:

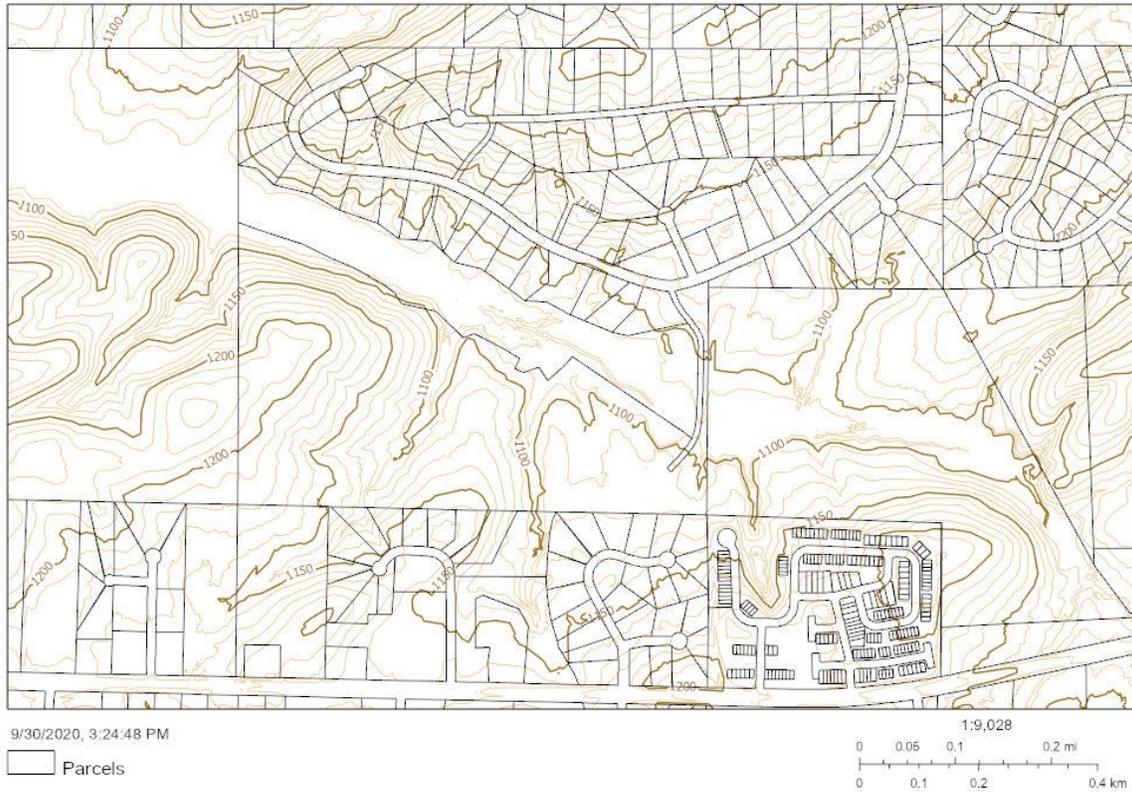
Dawson County Current Zoning





Topography:

Topo Map



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



# DAWSON COUNTY REZONING APPLICATION

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

ZA 20.20 Tax Map & Parcel # (TMP): 114-033-005  
Submittal Date: 10.9.2020 Time: 10:24 (am/pm) Received by: hrg (staff initials)  
Fees Assessed: 475.00 Paid: Check Commission District: \_\_\_\_\_  
Planning Commission Meeting Date: November 17  
Board of Commissioners Meeting Date: December 17

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: JIM KING  
Address: \_\_\_\_\_

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

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

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

## PROPERTY OWNER/PROPERTY INFORMATION

Name: DAVID DUNCAN  
Street Address of Property being rezoned: NW CORNER SR53 + DAWSON FOREST RD  
7142 Hwy 53 E, DAWSONVILLE GA 30534  
Rezoning from: RA to: RMP Total acreage being rezoned: 30.48  
Directions to Property: PROPERTY IS BEHIND WALMART UP TO CORNER OF DAWSON FOREST RD  
AND HWY 53.

20001 910:24AM

Subdivision Name (if applicable): \_\_\_\_\_ Lot(s) #: 145

Current Use of Property: VACANT

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

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

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

If yes, what section? SOUTH

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North ~~RMF~~ RMF South RMF East AG+CHB West CHB

Future Land Use Map Designation: Commercial Highway Business

Access to the development will be provided from:

Road Name: DAWSON FOREST ROAD Type of Surface: ASPHALT

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: RMF [ ] Special Use Permit for: \_\_\_\_\_

Proposed Use: Single Family SEMI-DETACHED Homes

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 145 Minimum Lot Size: \_\_\_\_\_ (acres) No. of Units: 145

Minimum Heated Floor Area: 1500 sq. ft. Density/Acre: 4.76 units/Ac

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

Is an Amenity Area proposed: No; if yes, what? \_\_\_\_\_

**COMMERCIAL & INDUSTRIAL**

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

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**APPLICANT CERTIFICATION**

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

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

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

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

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

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

Date 10/8/2020  
Date 10/8/2020

**WITHDRAWAL**

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

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

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

**Withdrawal of Application:**

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

20 OCT 9 10:24 AM

ZA 20.20

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

**List of Adjacent Property Owners**

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

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

	<u>Name</u>	<u>Address</u>
TMP <u>114 033 001</u>	1. Michael G Hughes-	7142 Hwy 53E, Dawsonville, GA 30534
TMP <u>114 033 005</u>	2. Georgia 400 Industrial Park, Inc.-	6840 Bennett Rd, Cumming GA 30041
TMP <u>114 046 002</u>	3. Farmington Creek LP-	3825 Paces Walk, Suite 100, Atlanta, GA 30339
TMP <u>114 033 003</u>	4. Etowah Water & Sewer Authority-	1162 Hwy 53E, Dawsonville, GA 30534
TMP <u>114 018</u>	5. Georgia 400 Industrial Park, Inc.-	6840 Bennett Rd, Cumming GA 30041
TMP <u>114 033</u>	6. Dawson Forest Holdings, LLC-	4635 Harris Trail, Atlanta GA 30327
TMP <u>114 022 004</u>	7. Dawson County Government-	25 Justice Way Suite 1222
TMP <u>114 022 003</u>	8. James D Hughes+Rocky P Hughes-	244 Thompson Creek Park Rd, Dawsonville, GA 30534
TMP <u>114 021</u>	9. Byrd Elliott Properties, LLC-	7342 Hwy 53 East, Dawsonville, GA 30534
TMP <u>114 022 006</u>	10. Rocky P Hughes & Billy G Hughes, Jr-	PO Box 56607, Atlanta, GA 30343
TMP <u>114 022 009</u>	11. Penler Dawsonville, LLC-	P.O. Box 56607, Atlanta, GA 30343
TMP _____	12.	_____
TMP _____	13.	_____
TMP _____	14.	_____
TMP _____	15.	_____

Use additional sheets if necessary.

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

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: 

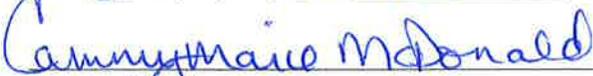
Applicant Printed Name: David Duncan

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

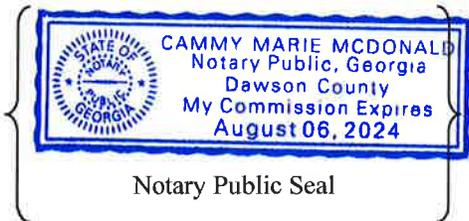
Date Signed: 10-6-2020

Sworn and subscribed before me

this 6<sup>th</sup> day of October, 2020.

  
Notary Public

My Commission Expires: August 6, 2024



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

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

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

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

\_\_\_\_\_

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

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

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

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

Signature of Applicant/Representative of Applicant:

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

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

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

2001 OCT 9 10:24 AM

**PROPERTY OWNER AUTHORIZATION**

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

Parcel # 114 033 005

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

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

Printed Name of applicant or agent: JIM KING

Signature of applicant or agent: [Signature] Date: 10-6-20

Printed Name of Owner(s): David Duncan

Signature of Owner(s): [Signature] Date: 10-6-2020

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

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

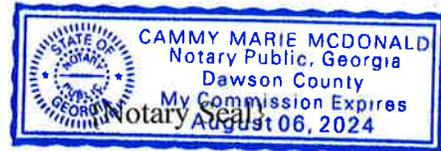
Telephone Number: \_\_\_\_\_

Listed  
Unlisted

Sworn and subscribed before me this 6th day of October, 2020.

Cammy Marie McDonald  
Notary Public

My Commission Expires: August 6, 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.)

200CT 9 10:24AM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

X I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in DAWSONVILLE (city), GA (state)

[Signature]  
Signature of Applicant

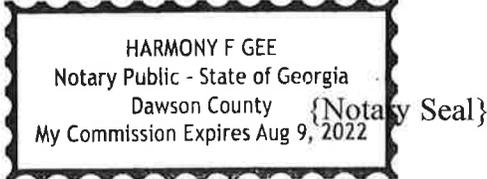
\_\_\_\_\_  
Date

JIM KING  
Printed Name

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

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 9 DAY OF August, 2020  
[Signature] Notary Public  
My Commission Expires October, 2020



20 OCT 9 10:24 AM

## LETTER OF INTENT

The applicant requests Rezoning a portion of Parcel Number: 114 033 005 from RA to RMF in order to build a Residential Neighborhood of 145 homes on 30.48 acres. The property is located at the NW Corner of Dawson Forest Rd and Highway 53E, Dawsonville, GA 30534. The property is bounded on the west by Walmart, the northwest by Dawson Forest Apartments, and the northeast by Farmington Apartments. It is bordered on the south and east by Dawson Forest Rd and SR 53 respectfully. It is designated on the Future Land Use Plan as Commercial Highway Business; however with the boundless available commercial property along the Ga 400 Corridor, this property is not marketable as entirely Commercial. We are proposing a mixed-use solution that will provide Commercial Uses along the Highway frontages of State Route 53 and Dawson Forest Road, while integrating residential uses within walking distance on the property behind the commercial uses. The proposed higher density residential use is a far more logical and realistic use and will provide a transition from the commercial land use along Ga 400 to the more rural residential areas that currently exist.

The neighborhood will provide a much needed solution for younger families and support the workforce resonating in the Ga 400 Corridor without placing an extreme burden upon our transportation infrastructure. The proximity to the existing commercial uses creates a highly desired mixed-use activity area and will provide a true live-work environment.

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[Search for Additional Records](#)

**Owner Information**

GEORGIA 400 INDUSTRIAL PARK INC

**Payment Information**

**Status** ✔ Paid  
**Last Payment Date** 12/02/2019  
**Amount Paid** \$29,465.25

**Property Information**

**Parcel Number** 114 033 005  
**District** 1 DAWSON COUNTY UNINCORPORATED  
**Acres** 51.44  
**Description** LL 374 LD 13-S  
**Assessed Value** \$1,234,560  
**Appraised Value** \$3,086,400

**Bill Information**

**Record Type** Property  
**Tax Year** 2019  
**Bill Number** 5401  
**Account Number** 56913  
**Due Date** 12/01/2019

**Taxes**

**Base Taxes** \$29,465.25  
**Penalty** \$0.00  
**Interest** \$0.00  
**Total Due** **\$0.00**

**Tax Breakdown**

Entity	Adjusted FMV	Net Assmt	Exemptions	Taxable Val	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	3,086,400	1,234,560	0	1,234,560	0	\$0.00	\$0.00	\$0.00
COUNTY M&O	3,086,400	1,234,560	0	1,234,560	13.079	\$16,146.81	\$0.00	\$9,986.36
SALES TAX ROLLBACK	0	0	0	1,234,560	-4.99	\$0.00	-\$6,160.45	\$0.00
SCHOOL M&O	3,086,400	1,234,560	0	1,234,560	15.778	\$19,478.89	\$0.00	\$19,478.89
<b>Totals</b>					<b>23.867</b>	<b>\$35,625.70</b>	<b>-\$6,160.45</b>	<b>\$29,465.25</b>

**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

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

**Amendment #** .....ZA 20-22

**Request**.....Rezone a portion of the property from R-A  
(Residential Agricultural) to RMF  
(Residential Multi-Family)

**Proposed Use** .....To construct 145 units of Multi-Family  
(semi-attached homes)

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

**Size**.....30.48± acres

**Location** .....Dawson Forest Rd. East

**Tax Parcel** .....114-033-005

**Planning Commission Date** .....November 17, 2020

**Board of Commissioners Date**.....December 17, 2020

**Applicant Proposal**

The applicant is seeking to rezone the property from R-A (Residential Agricultural) to RMF (Residential Multi Family) for the purpose of building a 145 unit Multi-Family semi-detached single family residences.

**History and Existing Land Uses**

The current use of the property is vacant land.

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

**Development Support and Constraints**

There appears to be adequate utilities to support both commercial and multi-family uses in this area.

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

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

**Public Facilities/Impacts**

**Engineering Department** – Will need a traffic impact study to determine full impacts to access. Dawson County is currently working with GDOT and surrounds property owners to the east on a Round a bout at the Dawson Forest and SR 53 intersection. It is anticipated that the construction on the traffic circle will begin this coming spring. The property is located adjacent to a tributary to Lake Lanier and is in the Lake Lanier watershed

**Environmental Health Department** – No comments necessary. Project will be handled by EWSA.

**Emergency Services** – No comments returned.

**Etowah Water & Sewer Authority** – Water is adjacent to property. Upgrades to the system would be required for the development. Upgrades & extensions will be required for water and sanitary sewer service to be designed and installed per EWSA specs at the developer’s expense.

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

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

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

Adjacent properties to the North and South are multi-family zoned. The property to the West is commercially zoned. The land to the East is zoned agriculture. This parcel is located in the 400 Corridor with commercial adjacent.

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



There should be no diminished values to the surrounding properties.

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

There should be no destruction of property values.

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

There should be no gain to the public if approved.

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

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

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

The land has always been vacant.

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

The staff has not identified any specific, unusual or unique facts in this case giving rise to any hardship on the part of the community.

## **Analysis**

Our Comprehensive Plan defines development in this area to include developed or undeveloped land on both sides of lands designated along Georgia 400. This area includes retail centers, office and employment areas usually located on large tracts of land with campus or unified development, mixed use activity centers, multi-family development, light industrial and other associated uses.

Residential Multifamily is an appropriate zoning classification in align with our comprehensive plan. The site plan will have to include a second entrance to meet subdivision regulations. The concept of have the residential density behind the potential commercial frontage is aligned with over concept for the 400 Corridor. Although we would like to see more of an inclusive development to include the commercial as well. This rezoning is just for a portion of the property, while the rest is to be left vacant.

It is important to note that the Planning Department is in the process of updating the 400 Corridor guidelines. This development will be held to the guidelines in-place at the time of development unless otherwise stipulated.

Pictures of Property:



Aerial:



Current Zoning Map:



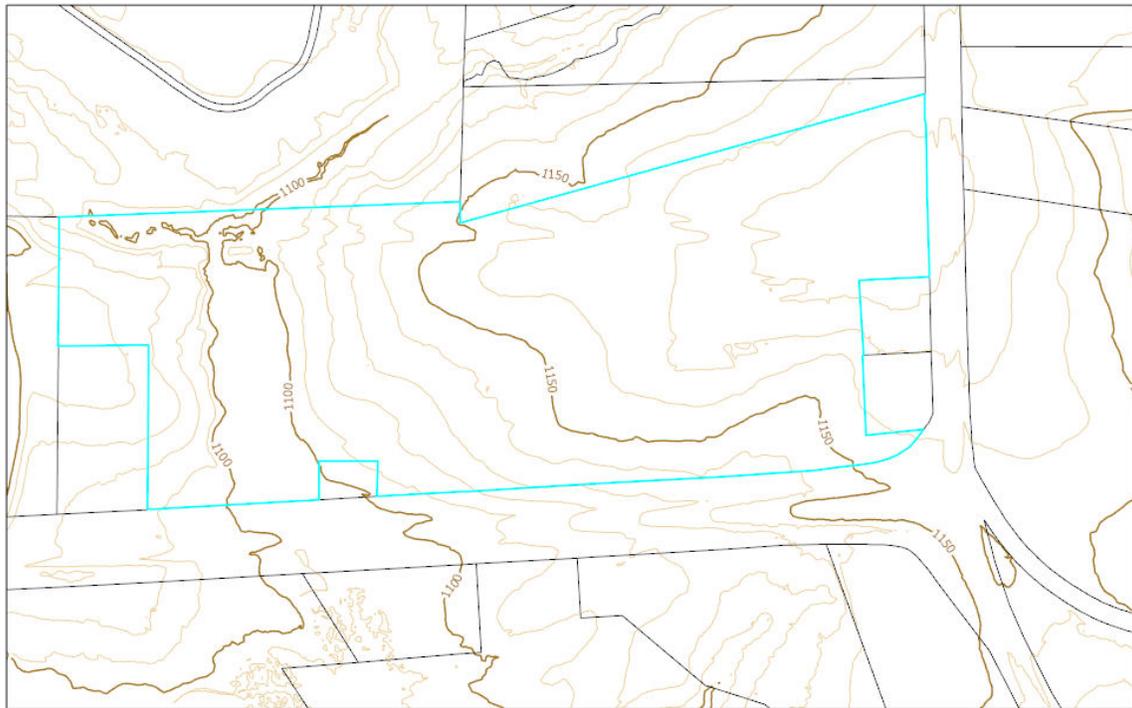
**Legend**

Parcel_Outline	C-HB	C-IR	VC	RMF
RA	RSRMM	C-PCD	MUV	HD
RSR	RPC	RS	CT	911 Roads
VCR	C-CB	C-01	C-RB	



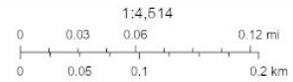
Topography:

Topo Map



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Parcels



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

Future Land Use:



Legend

Parcel_Outline	RL	RR	MFR	CC	TCU
PRC	RA	CHB	PI	OP	PARK
SRR	SR	LI	RT	MUV	





**DAWSON COUNTY PLANNING COMMISSION  
PLANNING STAFF REPORT**

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

**Case Docket #** .....VR 20-22

**Request**.....Landscape & Open Space Requirements

**Proposed Use** .....The development of 145 lot semi-detached residential homes.

**Size**..... 30.48 +/-

**Existing Zoning**.....R-A

**Applicable Regulations**.....Vary from Article III, Section 308.C.8.B

**Location** .....NW Corner of State Route 53 & Dawson Forest Road E

**Tax Parcel #**..... portion of 114 033 005

**Planning Commissioners Date**.....November 17, 2020

**Board of Commissioners Date**.....December 17, 2020

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**Applicant Proposal**

The applicant wishes to utilize a joint alleyway with service street for the future commercial parcels to integrate the two uses rather than separate them. The applicant will construct a shared access driveway between the residential and the commercial uses.

**History and Existing Land Use**

The land is currently vacant and is seeking a rezone from Residential Agriculture to Residential Multi-Family.

## **Staff analysis**

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

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

In addition to ZA 20-22, this variance from the 10ft vegetative buffer along the southern portion of the property would enable the applicant to install an alleyway to service the community. As of now, this would adjoin a residential property. The applicant has mentioned the intention of this/these properties is to become commercial. They also stated in their letter of intent that is area is intended to be more of a mixed-use area, but no commercial rezoning's have been applied for at this time.

Picture of subject property:



**Existing zoning:**



**Legend**

Parcel_Outline	C-HB	C-IR	VC	RMF
RA	RSRMM	C-PCD	MUV	HD
RSR	RPC	RS	CT	911 Roads
VCR	C-CB	C-01	C-RB	



# Future Land Use:



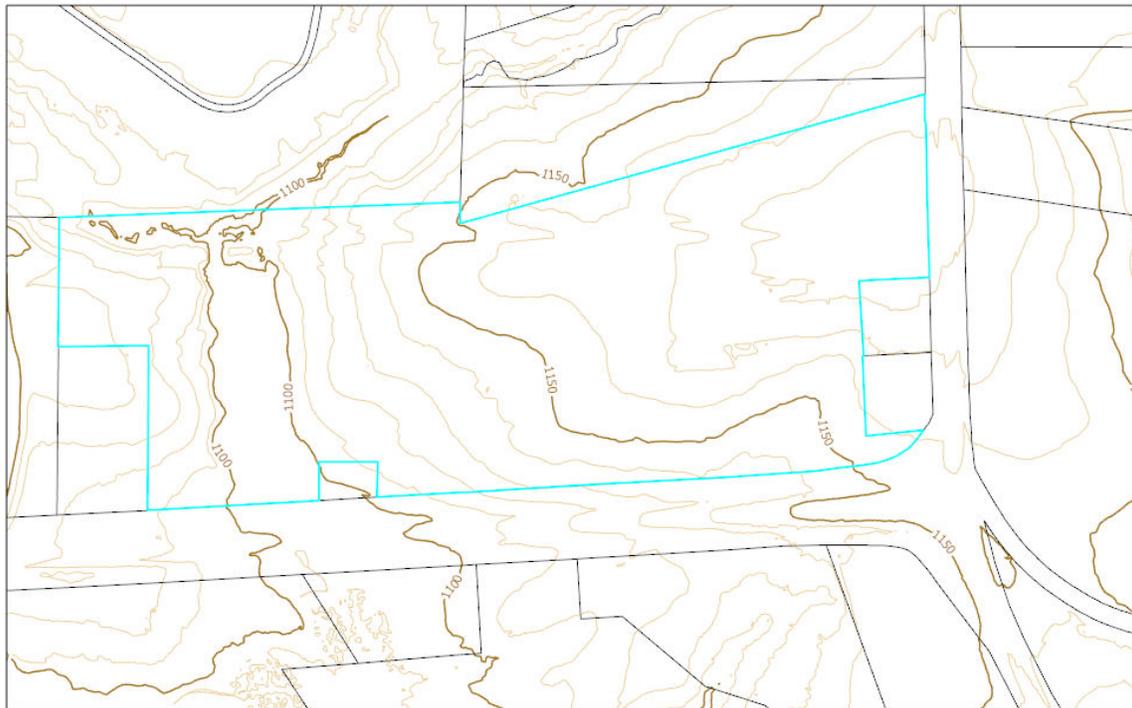
### Legend

Parcel_Outline	RL	RR	MFR	CC	TCU
PRC	RA	CHB	PI	OP	PARK
SRR	SR	LI	RT	MUV	



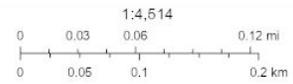
Topo:

### Topo Map



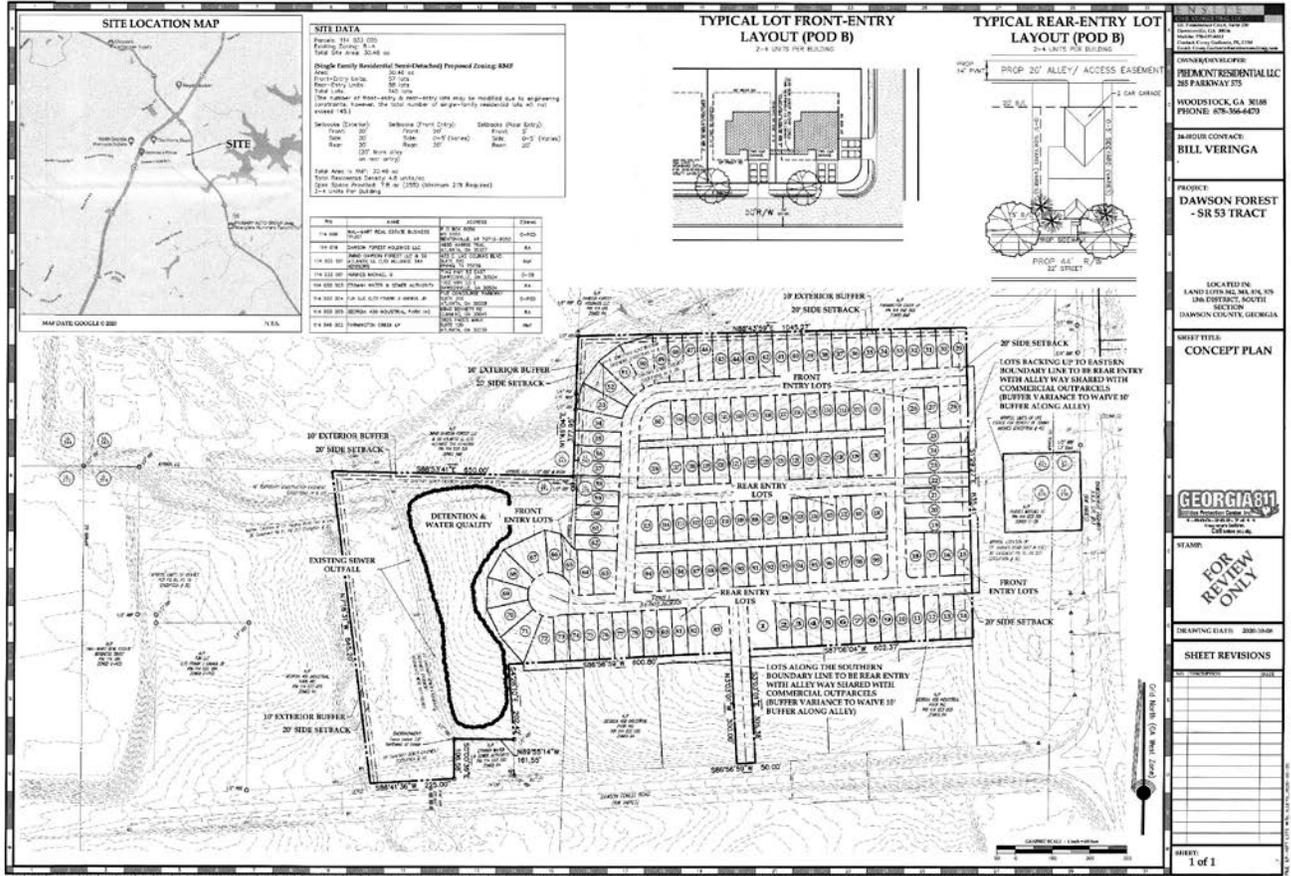
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Parcels



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

**Site Plan:**



**Aerial Photo:**



# DAWSON COUNTY VARIANCE APPLICATION

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

VR 20.22 Tax Map & Parcel # (TMP): 114 033 005  
Current Zoning: B.A Commission District #: \_\_\_\_\_  
Submittal Date: 10.9.2020 Time: 10:25 (am/pm) Received by: Unger (staff initials)  
Fees Assessed: 350- Paid: check  
Planning Commission Meeting Date: November 17, 2020

## APPLICANT INFORMATION (or Authorized Representative)

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

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

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

## PROPERTY INFORMATION

Street Address of Property: 7142 Hwy 53E, Dawsonville, GA 30534  
NW Corner of Hwy 53 & Dawson Forest Road  
Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_  
Subdivision/Lot: \_\_\_\_\_ Building Permit #: \_\_\_\_\_ (if applicable)  
Directions to the Property: NW Corner of Hwy 53 & Dawson Forest Road (Behind Walmart east to 53)

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**REQUESTED ACTION**

A Variance is requested from the requirements of Article # 308 Section # C.8.B. of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: Vary from Section #308.C.8.B Buffer, Landscape & Open Space Requirements

The applicant wishes to utilize a joint alleyway with the service street for the future Commercial Parcels to integrate the two uses rather than separate them; therefore, a buffer is inappropriate.

Type of Variance requested:

- Front Yard  Side Yard  Rear Yard variance of \_\_\_\_\_ feet to allow the structure to:
- be constructed;  remain a distance of \_\_\_\_\_ feet from the: \_\_\_\_\_
- property line,  road right of way, or  other (explain below):

Applicant will construct a shared access driveway between the residential and commercial uses.

instead of the required distance of \_\_\_\_\_ required by the regulations.

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

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

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

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

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

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

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: The applicant wishes to utilize a joint alleyway with the service street for the future Commercial Parcels to integrate the two uses rather than separate them; therefore a buffer is inappropriate.

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2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Because this is being developed as a mixed use community and the adjoining property owner affected by this variance is actually the one requesting this variance.

3. Describe why granting a variance would not be detrimental to the public health, safety, morals or welfare and not be materially injurious to properties in the near vicinity: This variance will not be detrimental to the public health, safety, morals, or welfare to nearby properties. It will actually help in providing a walkable and vibrant community.

4. Describe why granting this variance would support the general objectives within this Resolution: The Resolution intended to shield & protect neighboring uses from one another, whereas the proposed development is intended to mix uses and create a homogenous live-work environment.

**Submit clear explanation of all four questions above. You may add sheets if necessary.**

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

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# PROPERTY OWNER AUTHORIZATION

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

# 114 033 005

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

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

Printed name of applicant or agent: JIM KING

Signature of applicant or agent: [Signature] Date: 10.06.2020

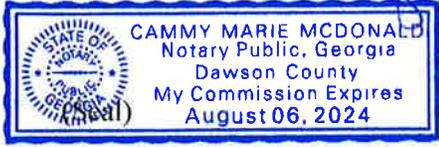
Printed Name of Owner(s): David Duncan

Signature of Owner(s): [Signature] Date 10-6-2020

Sworn and subscribed before me this 6th day of October, 2020.

Cammy Marie McDonald  
Notary Public

My Commission Expires: August 10, 2024



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

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

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

### List of Adjacent Property Owners

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

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

Name

Address

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

Use additional sheets if necessary.

20 OCT 9 10:25 AM

## APPLICANT CERTIFICATION

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

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

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

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

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

Signature of Applicant or Agent: \_\_\_\_\_ Date: 10-9-2020

Signature of Witness: \_\_\_\_\_ Date: 10.9.2020

\*\*\*\*\*

### WITHDRAWAL

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

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

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

#### **Withdrawal of Application:**

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

OCT 9 10:26 AM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

X I am a United States citizen.

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

Executed in Dawsonville (city), Georgia (state)

[Signature]  
Signature of Applicant

OCTOBER 6, 2020  
Date

David Duncan  
Printed Name

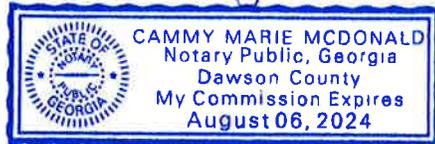
PalMail  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 6th DAY OF October, 2020

Cammy Marie McDonald Notary Public

My Commission Expires: August 6, 2024



(Seal)

20 OCT 6 10:26 AM

**Dawson County, Georgia Board of Commissioners**

**Affidavit for Issuance of a Public Benefit**

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

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

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Executed in Dawsonville (city), GA (state)

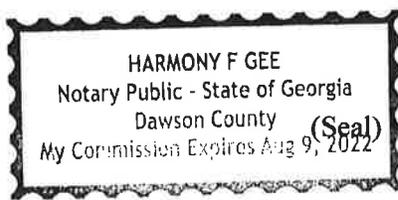
Jim King (Signature of Applicant) 10-6-2020 (Date)

Jim King (Printed Name) \_\_\_\_\_ (Name of Business)

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 9 DAY OF October, 2020

Harmony Gee (Signature) Notary Public  
My Commission Expires: August 9, 2022



20 OCT 9 10:26 AM

## LETTER OF INTENT

The applicant requests Rezoning a portion of Parcel Number: 114 033 005 from RA to RMF in order to build a Residential Neighborhood of 145 homes on 30.48 acres. The property is located at the NW Corner of Dawson Forest Rd and Highway 53E, Dawsonville, GA 30534. The property is bounded on the west by Walmart, the northwest by Dawson Forest Apartments, and the northeast by Farmington Apartments. It is bordered on the south and east by Dawson Forest Rd and SR 53 respectfully. It is designated on the Future Land Use Plan as Commercial Highway Business; however with the boundless available commercial property along the Ga 400 Corridor, this property is not marketable as entirely Commercial. We are proposing a mixed-use solution that will provide Commercial Uses along the Highway frontages of State Route 53 and Dawson Forest Road, while integrating residential uses within walking distance on the property behind the commercial uses. The proposed higher density residential use is a far more logical and realistic use and will provide a transition from the commercial land use along Ga 400 to the more rural residential areas that currently exist.

The neighborhood will provide a much needed solution for younger families and support the workforce resonating in the Ga 400 Corridor without placing an extreme burden upon our transportation infrastructure. The proximity to the existing commercial uses creates a highly desired mixed-use activity area and will provide a true live-work environment.

2001 9 19 26 AM