

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator


ZA 21-18 Tax Map & Parcel # (TMP): 102-040
Submittal Date: 8/26/21 Time: 10:03 am/pm Received by: mjh (staff initials)
Fees Assessed: 250.00.00 Paid: Check Commission District: 2
Planning Commission Meeting Date: October 19, 2021
Board of Commissioners Meeting Date: November 18, 2021

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Benjamin T. Smith
Address: _____

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

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

I have /have not _____ participated in a Pre-application meeting with Planning Staff.
If not, I agree _____ /disagree _____ to schedule a meeting the week following the submittal deadline.
Meeting Date: 08-23-21 Applicant Signature: 

PROPERTY OWNER/PROPERTY INFORMATION

Name: Benjamin T. Smith
Street Address of Property being rezoned: Patience Way Map 102 Parcel 040
Rezoning from: RSR to: RA Total acreage being rezoned: 4.29
Directions to Property (if no address): New Bethel Church Rd to Buck Trl, to Blackberry Ln, to Illahee Rd, to Patience Way, Property is on the right past 126 Patience Way.

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

Current Use of Property: None

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

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

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

If yes, what section? North _____ South _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RSR South RSR East RSR West RSR

Future Land Use Map Designation: _____

Access to the development will be provided from:

Road Name: Patience Way Type of Surface: Gravel

REQUESTED ACTION & DETAILS OF PROPOSED USE

Rezoning to: ~~RA~~ RA Special Use Permit for: Sawmill

Proposed Use: Workshop - future main residence

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

Proposed Utilities: Water [] Sewer [] Gas Electric

RESIDENTIAL

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

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

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

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

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA SU 21-05 Tax Map & Parcel # (TMP): 102-040

Submittal Date: 8/26/2021 Time: 10:03 am/pm Received by: mhonn (staff initials)

Fees Assessed: _____ Paid: _____ Commission District: _____

Planning Commission Meeting Date: _____

Board of Commissioners Meeting Date: _____

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Benjamin T. Smith

Address: _____


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

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

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21 AUG 26 10:03 AM

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

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COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

APPLICANT CERTIFICATION



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

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

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

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

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

Signature  Date 08-25-21
Witness  Date 8/25/21

WITHDRAWAL

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

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

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

Official Tax Receipt
Nicole Stewart
DAWSON COUNTY Tax Commissioner

25 Justice Way Suite 1222
 Dawsonville, GA 30534

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
23980 Year-Bill No 2020 - 6692	102 040 / 001 LL 379 LD 13 N-1 FMV: \$67,000.00	634.16	0.00 Fees 0.00	0.00	634.16	634.16	0.00
						Paid Date 9/29/2020 10:54:57	Current Due 0.00
Transactions:	23980 - 23980 Totals	634.16	0.00	0.00	634.16	634.16	0.00

Paid By :

HIGGINS EARL & DIANE M

HIGGINS EARL & DIANE M

Cash Amt: 0.00
 Check Amt: 634.16
 Charge Amt: 0.00
 Change Amt: 0.00
 Refund Amt: 0.00
 Overpay Amt: 0.00

Check No 2559
 Charge Acct

ZA _____

TMP#: 102-040

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>102-010004</u>	1. <u>Helen Smathers</u>	<u>312 Tilahee Rd.</u>
TMP <u>102-010</u>	2. <u>Helen Smathers</u>	<u>Patience Way</u>
TMP <u>102-010002</u>	3. <u>Robert Bruce</u>	<u>442 Tilahee Rd.</u>
TMP <u>102-042</u>	4. <u>Mary Dodson</u>	<u>Patience Way</u>
TMP <u>102-009</u>	5. <u>Earnest Picklesimer</u>	<u>99 Patience Way</u>
TMP <u>102-006</u>	6. <u>Mary Dodson</u>	<u>126 Patience Way</u>
TMP _____	7. _____	_____
TMP _____	8. _____	_____
TMP _____	9. _____	_____
TMP _____	10. _____	_____
TMP _____	11. _____	_____
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

Use additional sheets if necessary.

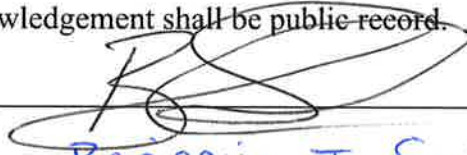
NOTICE OF RESIDENTIAL EXURBAN/AGRICULTURAL DISTRICT (R-A) ADJACENCY

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

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

This notice and acknowledgement shall be public record.

Applicant Signature: _____



Applicant Printed Name: _____

Benjamin T. Smith

Application Number: _____

Date Signed: _____

08-26-21

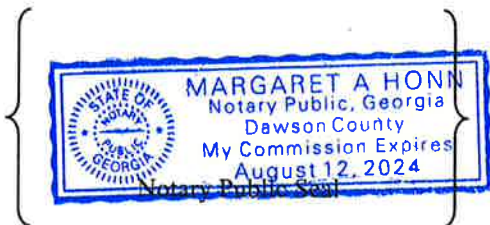
Sworn and subscribed before me

this 26th day of August, 2021.

Margaret A Honn

Notary Public

My Commission Expires: _____



'21 AUG 26 10:04AM

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

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

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

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

_____ N/A _____

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

Amount \$ _____ Date: _____

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

Signature of Applicant/Representative of Applicant:

_____  _____ Date: 08-25-21

**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.

'21 AUG 26 10:04 AM

APPLICATION PROCESSING: STAFF USE ONLY

ZA _____ **Applicant Name:** Ben Smith

Application Fee: \$ _____

IF APPLICABLE:

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

Planning Commission & Board of Commissioners Actions

PC Recommendation Date: _____ Approval Approval w/stipulations Denial

BOC Decision Date: _____ Approval Approval w/stipulations Denial

'21 AUG 26 10:04AM

Dawson County, Georgia Board of Commissioners

Affidavit for Issuance of a Public Benefit

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

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

✓ I am a United States citizen.

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

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

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

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

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

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

Executed in Dawsonville (city), GA (state)

[Signature]
Signature of Applicant

8-26-21
Date

Benjamin T Smith
Printed Name

BENJAMIN T SMITH
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 26th DAY OF August, 2021

Margaret A Honn Notary Public

My Commission Expires: _____



{Notary Seal}

21 AUG 26 10:04 AM

Letter of Intent

Patience Way; LL 379; District 1; Sec 1; Dawson Co; Map 102; Parcel 040


To Planning & Zoning and all interested parties,

I purchased the listed property in February of 2021. My wife Anna and I intend to build our home on the property once conditions (building prices) become somewhat reasonable again. In the meantime, we intend to build a workshop building on the property. The building will be 25' wide by 30' deep and matching the style of our future home. We were told that this was not allowed due to the current zoning. This caught us off-guard due to the property being marketed as Res/Ag by the listing agent when we bought it. Our real estate agent, having missed this, has offered to pay the re-zoning fee. Our goals for the property also include a decently sized garden and at least two honeybee colonies. I have also purchased a sawmill that will go on the property temporarily. Lumber for the non-residential building, the wood flooring for our house, and whatever other projects I can come up with will come from tree on the property. We are also currently in negotiations to purchase a small portion of an adjoining property. We are requesting a re-zoning to Res/Ag to continue with the development of our property. Thank you for your consideration in this matter. God Bless.

Anastasia Smith



Ben Smith



LEGEND

- 1 IRP
- 2 IRON PIN FOUND
- 3 CT
- 4 O.T.
- 5 R/W
- 6
- 7
- 8 LL
- 9 PP
- 10 N/F
- 11 LL
- 12 N.T.S.
- 13 R.C.P.
- 14 C.M.P.
- 15 ..P.
- 16 ..W.
- 17 ..G.
- 18 ..X.

- = IRON PIN FOUND
- = IRON PIN SET
- = CRIMP TOP
- = OPEN TOP
- = RIGHT OF WAY
- = CENTER LINE
- = PROPERTY LINE
- = LAND LOT LINE
- = POWER POLE
- = NON OR FORMERLY
- = LAND LOT
- = NOT TO SCALE
- = REINFC. CONC. PIPE
- = CORRUGATED METAL PIPE
- = POWER LINE
- = WATER LINE
- = GAS LINE
- = FENCE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 57,225 FEET AND AN ANGLE ERROR OF 0.05" PER ANGLE POINT WAS ADJUSTED USING CANTRELL

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 149,340 FEET

THIS (PROPERTY) (APPROXIMATELY) IS NOT LOCATED WITHIN THE 100 YEAR FLOOD AREA PER OFFICIAL 1:14 FLOOD HAZARD MAPS

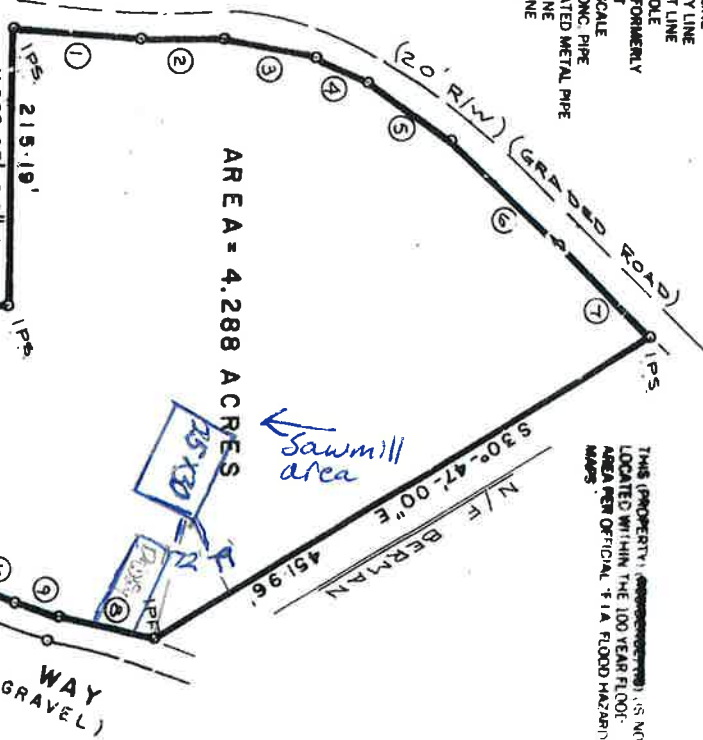
EQUIPMENT USED FOR MEASUREMENTS
TOPCON GTS-2

MAGNETIC NORTH

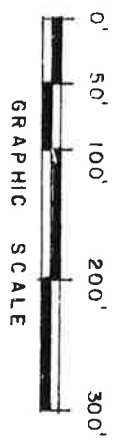
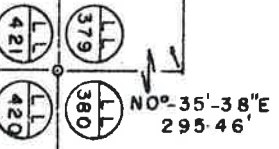


IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

FREDERICK C. YOUNGMAN



Station	Bearing	Distance	Angle
1	N 04°-04'-46"E	100.13'	
2	N 00°-36'-08"E	65.73'	
3	N 11°-44'-55"E	73.08'	
4	N 25°-43'-26"E	44.44'	
5	N 35°-17'-21"E	77.92'	
6	N 42°-44'-52"E	118.17'	
7	N 45°-35'-15"E	104.21'	
8	S 12°-28'-36"W	77.69'	
9	S 19°-19'-48"W	34.37'	
10	S 23°-23'-43"W	44.01'	
11	S 24°-01'-21"W	48.40'	
12	S 33°-02'-24"W	50.66'	
13	S 35°-43'-41"W	38.59'	



REVISED 12/19/86 TO INCLUDE EXISTING 20' R/W FOR RAINBOW TRAIL.

GEORGIA, DAWSON COUNTY
CLIENT'S OFFICE, SUPERIOR COURT
FILED FOR RECORD
8:30 AM 12-31-86
Per 165
Dec 19 1986
JWP

Youngman & Associates
P. O. DRAWER D
CUMMING, GA. 30130
CUMMING 887-5188
DAWSONVILLE 265-8585

x +

ictometry.com/index.php#

DRER™



'21 AUG 26 10:04AM



Letter of Intent

Patience Way; LL 379; District 1; Sec 1; Dawson Co; Map 102; Parcel 040

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Ben Smith



'21 AUG 26 10:04AM

- LEGEND
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 - 2. I.P.S. = IRON PIN SET
 - 3. C.T. = CORNER TOP
 - 4. O.T. = ORIGIN TOP
 - 5. R/W = RIGHT OF WAY
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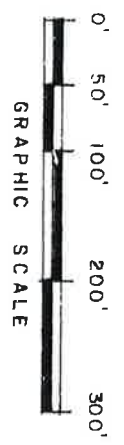
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EQUIPMENT USED FOR MEASUREMENTS
TOPCON GTS-2

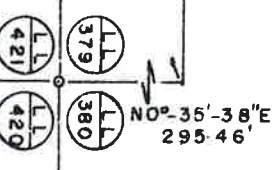
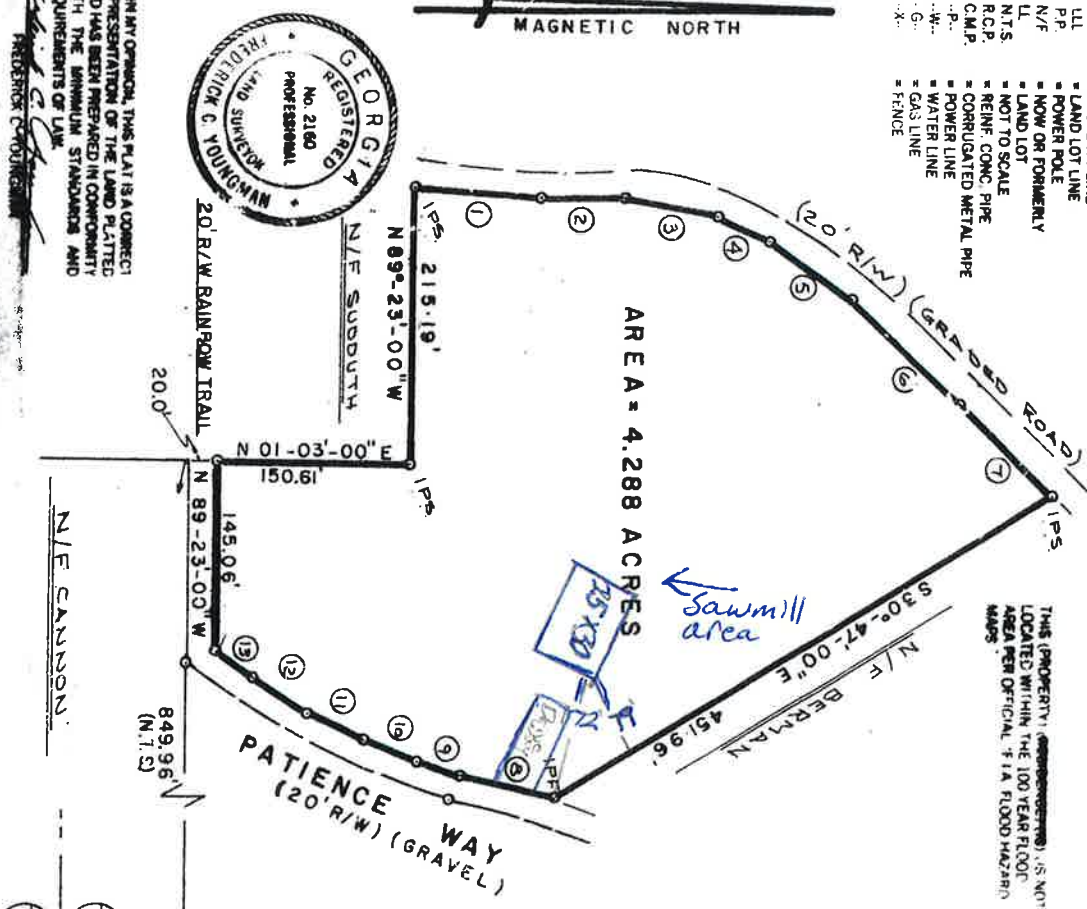
SURVEY FOR
THERESA M. NEMMERS
LAND LOT 379
NORTH HALF 13TH DISTRICT
1ST SECTION
DAWSON COUNTY, GEORGIA
SCALE 1"=100' JULY 10, 1986



REVISED 12/19/86 TO INCLUDE EXISTING 20' R/W FOR RAINBOW TRAIL.

GEORGIA, DAWSON COUNTY
CLIENT'S OFFICE, SUPERIOR COURT
FILED FOR RECORD
5:30 PM 12-31-86
Notarized in Book 19 Page 165
this 31 day of Dec 1986
[Signature]
CLERK OF SUPERIOR COURT

1	N 04°-04'-46"E	100.13'
2	N 00°-36'-08"E	65.73'
3	N 11°-44'-55"E	73.08'
4	N 25°-43'-26"E	44.44'
5	N 35°-17'-21"E	77.92'
6	N 42°-44'-52"E	118.17'
7	N 45°-35'-15"E	104.21'
8	S 12°-28'-36"W	77.69'
9	S 19°-19'-48"W	34.37'
10	S 23°-23'-43"W	44.01'
11	S 24°-01'-21"W	48.40'
12	S 33°-02'-24"W	50.66'
13	S 35°-43'-41"W	38.59'



Youngman & Associates
P. O. DRAWER D
CUMMING, GA. 30130
CUMMING 887-5188
DAWSONVILLE 265-8585

21 AUG 26 10:05 AM

