

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 20-17 Tax Map & Parcel # (TMP) 033.016.001
Submittal Date: Aug. 11 2020 Time: 4:44 am/pm (pm) Received by: Choke (staff initials)
Fees Assessed: 250.00 Paid: CC Commission District: 1
Planning Commission Meeting Date: September 15, 2020
Board of Commissioners Meeting Date: October 15, 2020

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Heather Hensley

Address: _____

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

Status: Owner Authorized Agent Lessee Option to purchase

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

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

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

Meeting Date: _____ Applicant Signature: _____

PROPERTY OWNER/PROPERTY INFORMATION

Name: Heather Hensley

Street Address of Property being rezoned: 3815 Afton RD. Marble Hill, GA 30148

Rezoning from: RA to: RA-C1.5 Total acreage being rezoned: 1.973

Directions to Property: Take Highway 53 West, turn right onto Steve Tate Highway, go straight through the roundabout. Afton Rd

will be on the right after the North Gate of big canoe. Property will be about 2 miles on the right.

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

Current Use of Property: No current use

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 X South _____ East _____ West X

Future Land Use Map Designation: All the tract of parcel of land lying in Land Lot 1157 of the 5th District, 1st Section of Dawson County

Access to the development will be provided from:

Road Name: Afton Rd Type of Surface: Gravel

REQUESTED ACTION & DETAILS OF PROPOSED USE

[] Rezoning to: RA-C1.5 [] Special Use Permit for: _____

Proposed Use:

Build Single Family Home

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

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

RESIDENTIAL

No. of Lots: 1 Minimum Lot Size: 1.973 (acres) No. of Units: _____

Minimum Heated Floor Area: 2300 sq. ft. Density/Acre: ? .75 Acres

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 Heather Kinsley Date 8/10/2020
Witness Chris Herby Date 8/10/2020

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.

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ZA 20.12

TMP#: 033-016-001

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>033-01601</u>	1. <u>Portia Hensley</u>	<u>123 Lovelady Rd, Ballground, GA 30107</u>
TMP		2. <u>Devin Davis</u>	<u>3805 Afton RD, Marble Hill, GA 30148</u>
TMP		3. <u>James Keown</u>	<u>Blue Ridge Address</u>
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: Heather Hensley

Applicant Printed Name: Heather Hensley

Application Number: 2012

Date Signed: August 11, 2020

Sworn and subscribed before me

this 11 day of August, 2020.

Robin McAllister
Notary Public

My Commission Expires: February 4, 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.

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PROPERTY OWNER AUTHORIZATION

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

3815 Afton Rd. Marble Hill, GA 30148

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: Heather Hensley

Signature of applicant or agent: _____ Date: _____

Printed Name of Owner(s): Heather Hensley

Signature of Owner(s): Heather Hensley Date: _____

Mailing address: _____

City, State, Zip: _____

Telephone Number: Listed Unlisted

Sworn and subscribed before me this 11 day of August, 2020.

Robin McAllister
Notary Public

My Commission Expires: February 4, 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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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.

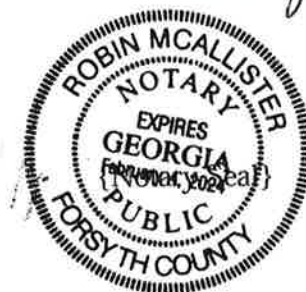
Executed in Dawson (city), Georgia (state)
Heather Hensley
Signature of Applicant August 11, 2020
Date
Heather Hensley
Printed Name _____
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 11 DAY OF August, 2020

Robin McAllister Notary Public

My Commission Expires: February 4, 2024



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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]

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Filed in Office: 07/08/2020 03:15PM
Deed Doc: WD
Bk 01421 Pg 0048-0049
Georgia Transfer Tax Paid \$0.00
Justin Power Clerk of Court
Dawson County
0422020001021

Return to:
Ashway Law Firm
312 West Main Street
Cumming, GA 30040
Draw Deed Only

WARRANTY DEED

STATE OF GEORGIA,

COUNTY OF FORSYTH

THIS INDENTURE, made this 7TH day of July, 2020, by and between Portia Hensley, of the County of Dawson and the State of Georgia, hereinafter referred to as GRANTOR; and Heather Hensley, of the County of Dawson and the State of Georgia, hereinafter referred to as GRANTEE.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee and Grantee's heirs and assigns, all the following described property, to wit:

See the attached Exhibit "A."

TO HAVE AND TO HOLD, the said bargained premises, together 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 behold of Grantee herein Grantee's heirs and assigns, forever in Fee Simple.

And the said Grantor, for Grantor's heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said Grantee, Grantee's heirs and assigns, against the claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

Maria Burnett
Witness

Robin McAllister
Notary Public

Portia Hensley (Seal)
Portia Hensley



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S. 00°01'41"W 183.79'

**EXHIBIT "A"
LEGAL DESCRIPTION**

All that tract or parcel of land lying in Land Lot 1157 of the 5th District, 1st Section of Dawson County, Georgia being as per a survey for Heather Hensley by Richard Webb & Associates dated April 16, 2020, being more fully described as follows:

To find the True Point of Beginning commence at an IPF Govt. Mon. TR.7 at the corner common to Land Lots 1157, 1158, 1223 & 1224; Thence along the eastern Land Lot Line of Land Lot 1157 N00°01'41"E a distance of 330.09' to an IPS #4RB; Said IPS #4RB being the True Point of Beginning;

With the True Point of Beginning being established
Thence leaving said Land Lot Line
N88°53'45"W a distance of 355.58' to an IPS #4RB;
Thence N42°10'38"W a distance of 312.36' to an IPS #4RB on the southeastern R/W of Afton Road (80' R/W);
Thence along said R/W
N32°08'03"E a distance of 39.43' to a Point;
Thence N38°24'48"E a distance of 24.04' to an IPS #4RB;
Thence leaving said R/W
S45°13'35"E a distance of 196.44' to an IPF 1"O.T.;
Thence N41°52'47"E a distance of 51.63' to an IPS #4RB;
Thence S88°53'45"E a distance of 355.58' to an IPS #4RB on the eastern Land Lot Line of Land Lot 1157;
Thence S00°01'41"W a distance of 183.79' to an IPS #4RB;
Thus being the True Point of Beginning,

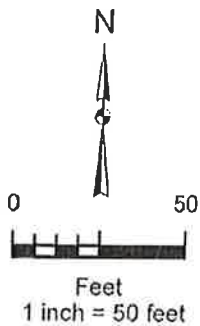
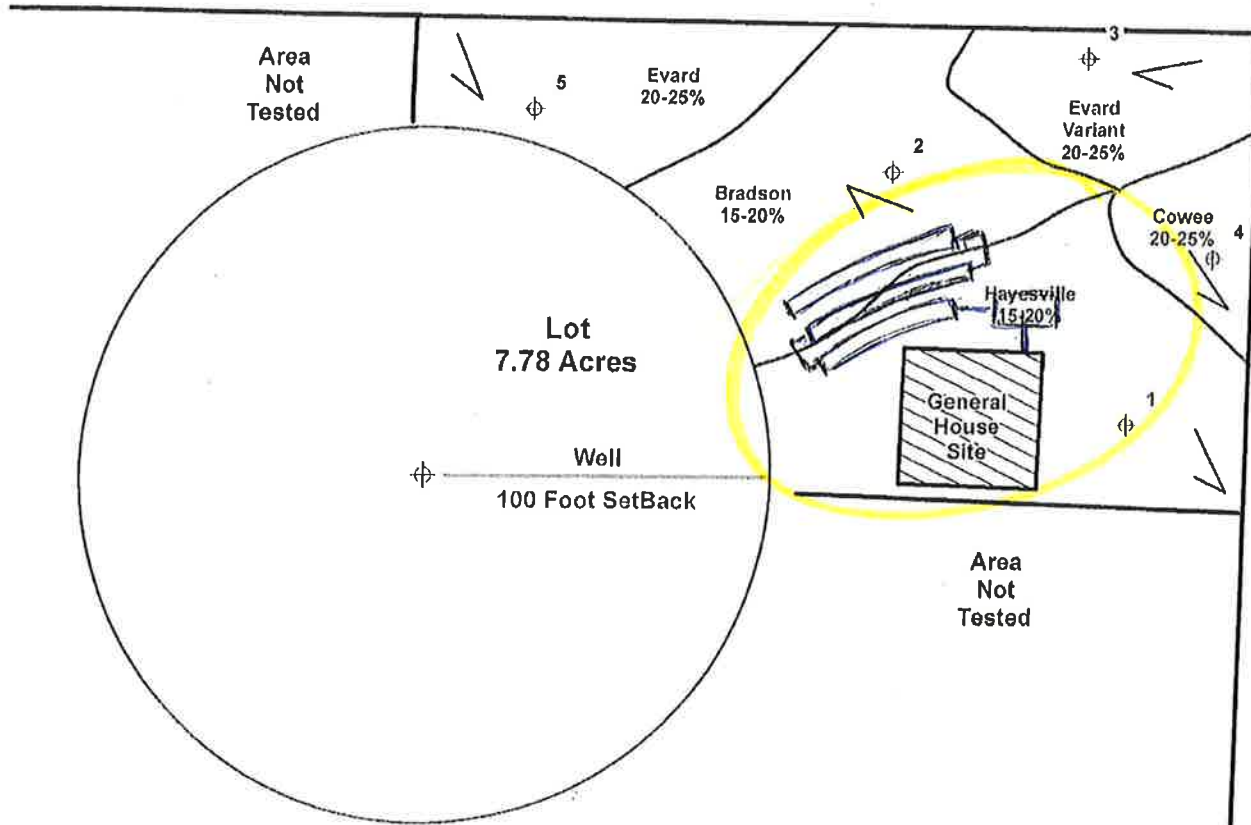
Together with and subject to covenants, easements, and restrictions of record.

Said property contains 85,943.88 Square Feet, 1.973 Acres

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Level 3 Soil Survey



Soil Survey By:
 Appalachian Soil, INC
 Ellijay, GA

- --Shows Slope Direction
- Points mapped with GPS
- All points marked with orange flagging tape

Date: 5/20/2020

Letter of Intent

To Whom it may concern:

I am requesting to be rezoned into the Agricultural (RA) Corrective zone in order to build a single-family dwelling. There is 1.9 acres, which is in the approved 1.5 to less than 5 acres.

Thank you for your consideration,

Heather Hensley

Printed: 11/25/2019 14:33:26
 Register: 11 Clerk: SG

Official Tax Receipt
Nicole Stewart
DAWSON COUNTY Tax Commissioner
 25 Justice Way Suite 1222
 Dawsonville, GA 30534

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

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Balance	
23055 Year-Bill No 2019 - 51971	P34567 / 001 MEFF/ FMV: \$8,405.00	80.24	0.00 Fees 0.00	0.00	80.24	80.24	0.00	
						Paid Date 11/25/2019 14:33:16	Current Due 0.00	
23056 Year-Bill No 2019 - 6549	035 045 / 001 LT 34 DEER RUN ESTATES FMV: \$195,030.00	1,814.18	0.00 Fees 0.00	0.00	1,814.18	1,814.18	0.00	
						Paid Date 11/25/2019 14:33:16	Current Due 0.00	
23057 Year-Bill No 2019 - 6548	035 044 / 001 LOT 33 LL 137 LD 4-1 DEER RUN ESTATES FMV: \$30,100.00	287.36	0.00 Fees 0.00	0.00	287.36	287.36	0.00	
						Paid Date 11/25/2019 14:33:16	Current Due 0.00	
23058 Year-Bill No 2019 - 6553	033 016 001 / 001 LL 1157 LD 5-1 FMV: \$97,280.00	928.71	0.00 Fees 0.00	0.00	928.71	928.71	0.00	
						Paid Date 11/25/2019 14:33:16	Current Due 0.00	
Transactions:	23055 - 23058	Totals	3,110.49	0.00	0.00	3,110.49	3,110.49	0.00

JAMES C HENSLEY CONSTRUCTION



Paid By:
 HENSLEY TRACY

Check No
 Charge Acct

Cash Amt: 3,111.00
 Check Amt: 0.00
 Charge Amt: 1.00
 Change Amt: 0.51
 Refund Amt: 0.00
 Overpay Amt: 0.00

8:33



89%



chneidercorp.com

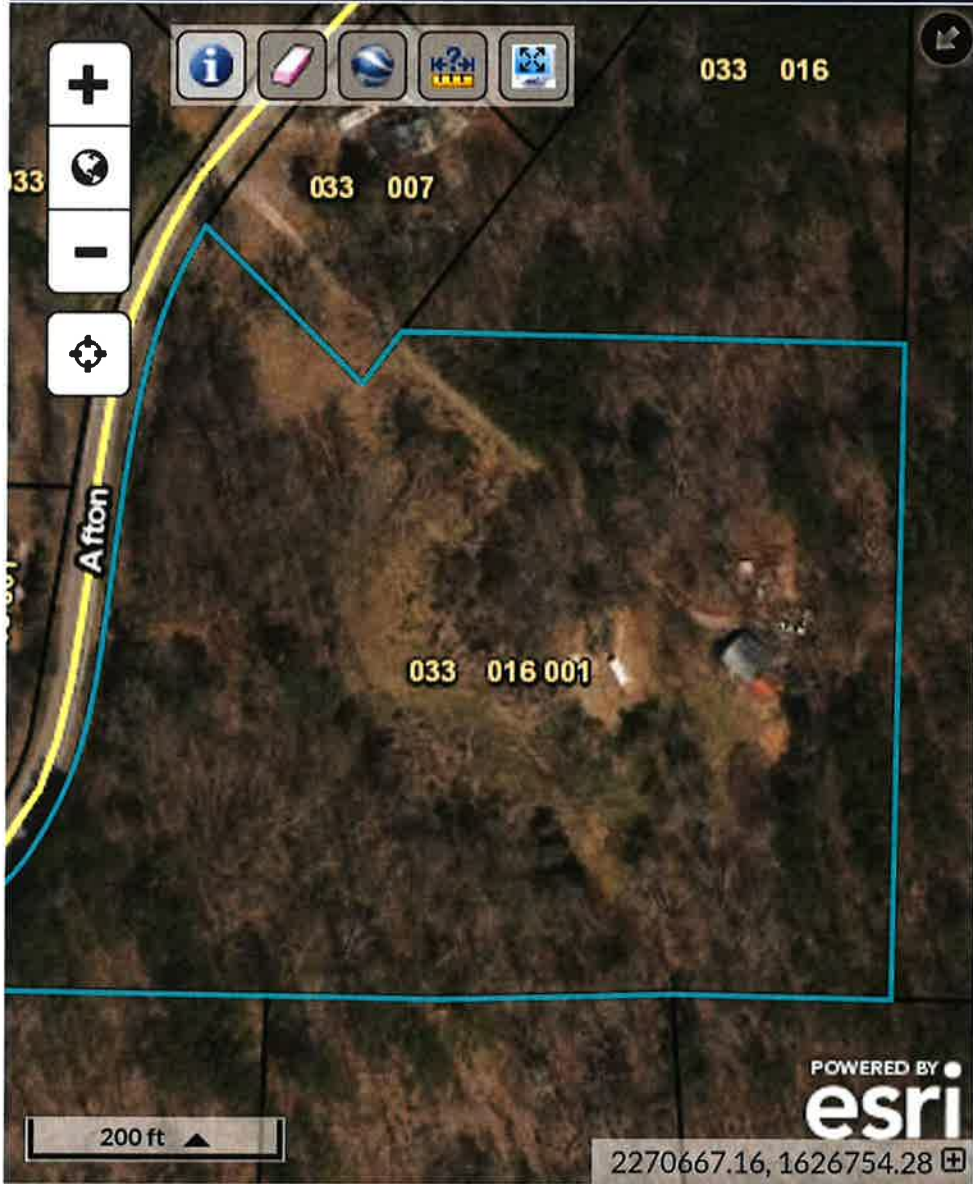


Dawson County, GA



Map

More



Owner: HENSLEY PORTIA

Acres: 7.78

Assessed Value: \$105980

View: [Report](#) | [Field Definitions](#)

