DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator
ZA <u>AO. 19</u> Tax Map & Parcel # (TMP): <u>085.010</u>
Submittal Date: 10.3. 70 Time: 9:49 am/pm Received by: 1000 (staff initials)
Fees Assessed: Paid: Commission District:
Planning Commission Meeting Date! 11. 2020
Board of Commissioners Meeting Date:
APPLICANT INFORMATION (or Authorized Representative)
Printed Name: FALL LEAF RESIDENTIAL LLC
Address:
Phone: Listed Email: Business Personal
Status: [] Owner [] Authorized Agent [] Lessee [\(\)] Option to purchase
Notice: If applicant is other than owner, enclosed Property Owner Authorization form must be completed.
I have /have not participated in a Pre-application meeting with Planning Staff.
If not, I agree /disagree to schedule a meeting the week following the submittal deadline.
Meeting Date: Applicant Signature: \au Whit
PROPERTY OWNER/PROPERTY INFORMATION
Name: James Holbrook and Tim Byrd (deceased) by Janet Byrd
Street Address of Property being rezoned: 4 ghulug 9 South
Rezoning from: BSR to: BS 3 Total acreage being rezoned: 66
Directions to Property: From Georgia Hwy 400 take Dawson Forest Road ist to Georgia Hishway 9. Horth on Georgia Hishway 9
For 2.8 miles, gooperty on the 1eft
5

Subdivision Name (if applicable): ///A	Lot(s) #:
Current Use of Property: <u>Jacant Undeveloped</u>	
Any prior rezoning requests for property? if yes, please pro	ovide rezoning case #: ZA
***Please refer to Dawson County's Georgia 400 Corridor Guid	elines and Maps to answer the following:
Does the plan lie within the Georgia 400 Corridor?(y	yes/no)
If yes, what section?	
SURROUNDING PROPERTY ZONING CLASSIFICATION:	
North BSR South RSR East R Future Land Use Map Designation: Sub Rural Residence	
Access to the development will be provided from: Road Name: Georgia Hishuks 7 Type of s	
REQUESTED ACTION & DETAILS OF PROPOSED	USE
[X] Rezoning to:	for:
Proposed Use: Single Family Subdivision	
Existing Utilities: [X] Water [] Sewer [Gas [X] Elec	
Proposed Utilities: [火] Water [火] Sewer [Gas [火] Elec	etric
RESIDENTIAL	32 000
No. of Lots: 141 Minimum Lot Size: 14, 520 S	(acres) No. of Units: 141
Minimum Heated Floor Area:sq. ft. D	Density/Acre: 2.14
Type: [] Apartments [] Condominiums [] Townhomes []	Single-family [] Other
Is an Amenity Area proposed:; if yes, what?	
COMMERCIAL & INDUSTRIAL	
Building area: No. of Park	ring Spaces:
729 OCT	
ιδ νο	6
(4) 44 (3)	

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.

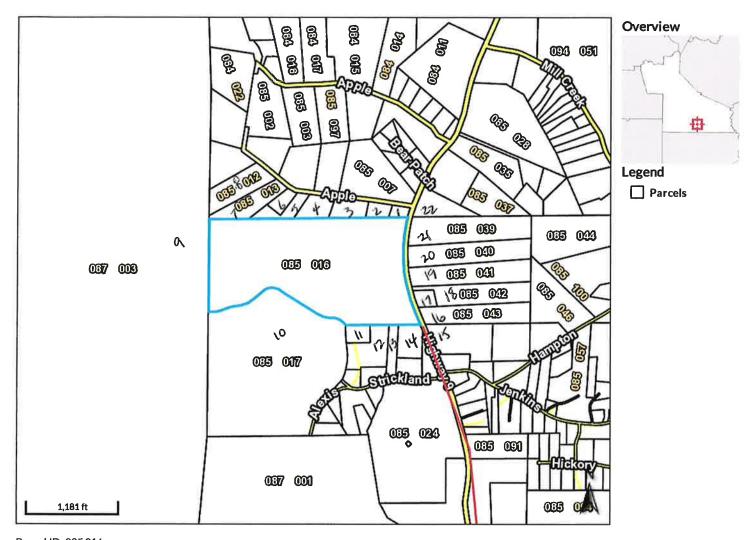
I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial 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 ab	ove information as well as the attached informat	on is
true and correct.		
Signature Wife White	Date 10-1-20	47
Witness Much hade	Date	=======================================
WITHDR	AWAL	
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.

2000T 2 3:50AM



Parcel ID: 085 016 Alt ID: 5892

Owner: HOLBROOK JAMES & TIM BYRD

Acres: 66.02

Assessed Value: \$628100

Date created: 9/15/2020 Last Data Uploaded: 9/14/2020 11:51:52 PM

Developed by Schneider

ZA	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 085/102	1. Eagle Commercial LLC	4110 Heard Industrial Blud
TMP 085 - 015	2. James: Sharon Chambers	Cumming Ga 30041 79 Apple Ridge Z Dawsonville Ga 30534
TMP_085 - 103	3. Brenda J. Johnston	105 Apple Ridge 2 Dawsonville Ga
TMP_085-014	4. Larry G. & Elizabeth Hamil	229 Apple Ridge 2 Dawson Sille Go
TMP 085-014001	5. Donald L. F Rebecca A. Brown	241 Apple hidge 2 Dawson wille Go
TMP 035-106	6. Crystal Larson	200 Clipper Court Alphanetta Ga
TMP 085-013	7. Jeff Worley	321 Apple Ridge 2 Dawson Sille Ga
TMP 085 -012	8. David R. & Fage B. Meallister	335 Apple Ridge 2 Dawson Ville Ge
TMP_087-003	9. City of Atlanta attn Jenifer #	Indiews P.O. Box 20509
TMP 085-017	10. PPNJS LLC	P.O. BOX 286 Camping Ga
	311. David H. & Sgrat. Croft	331 StrickLAND Drive
TMP 085-018		280 Strickery Dawson Wile Ga 30534
TMP 085-019		Dawsonsille Ga 3054 128 StrickLANO Drive
		2676 Hwy 9 South Dawsonville GA
TMP 085-020	· · · · · · · · · · · · · · · · · · ·	30534
TMP 085 - 048 00	1 15. Brody A. & Brittany shay Hushes	2611 Hwy 9 South Dawsonsille Ga
	300 201	30534
	Use additional sheets if no	ecessary.

ZA	 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 085-043 16	Horris B. Hughes Je	2531 Hwy 9 South	Dawsonville Ga
TMP_085-095_\$1	Roger & Ramela Gilleland	2507 Hwy 9 South D	
TMP 085 - 042 18.	John ; Beger D. Livingston	2493 Hwyg South 1	Dawsonville Ga
TMP 085- 041 19.	Joen: Bethy Ann Bearden	2441 Hwy 9 South	Dawsonville Ga
TMP 085-040 16_	India Hawkins	2411 Hugg South	20120
TMP 085 - 039 14	AKA India M. Bechtel Larry Grant	2345 Hwy 9 South	Pawsonuille Ga
TMP_085-038_22_	Clinton D. & Tammy Sheriff	P.O. Box 348 Daws	son ville 69
TMP8	9		3057¥
TMP9			
TMP10.			
TMP 11.			
TMP12.			
TMP13.			
TMP14.			
TMP15.			

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: While
Applicant Printed Name: Fall Leaf Residential LLC by Horman White
Application Number:
Date Signed:
Sworn and subscribed before me
this day of Oct , 20 20. Notary Public
My Commission Expires: 11 70 P.S.
COM ELO SIO TAM Notary Public Seal

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/ρ
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:
Sig	nature of Applicant/Representative of Applicant:

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

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

PROPERTY OWNER AUTHORIZATION

I/we, Inet Byrd, Executor that I/we own the property located at (fill in address and/or tax map & parcel #):	hereby swear
085 016	
as shown in the tax maps and/or deed records of Dawson County, Georgia, and who be affected by this request.	ich parcel will
I hereby authorize the person named below to act as the applicant or agent in rezoning requested on this property. I understand that any rezone granted, and/or stipulations placed on the property will be binding upon the property regardless. The under signer below is authorized to make this application. The under signer is application or reapplication affecting the same land shall be acted upon within a from the date of the last action by the Board of Commissioners.	of ownership.
Printed Name of applicant or agent: FALCUEAF RESIDENTIAC L Signature of applicant or agent: Date:	9-17-20

Printed Name of Owner(s): Tim Band by Janet Band E Signature of Owner(s): Land C-Band by Date:	4.17.2020
Mailing address:	· · · · · · · · · · · · · · · · · · ·
City, State, Zip:	F1
Telephone Number: Listed Unlisted	
Sworn and subscribed before me this 17 day of Suptember 2020. Who was a subscribed before me this 10 day of Suptember 2020. March 10 2024 My Commission Expires: 03 10 2024	BALLING OF THE PARTY OF THE PAR

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

PROPERTY OWNER AUTHORIZATION

I'we, James Holbrook	hereby swear
that I/we own the property located at (fill in address and/or tax map & parcel #):	
085 016	
as shown in the tax maps and/or deed records of Dawson County, Georgia, and who be affected by this request.	ich parcel will
I hereby authorize the person named below to act as the applicant or agent in rezoning requested on this property. I understand that any rezone granted, and/or stipulations placed on the property will be binding upon the property regardless. The under signer below is authorized to make this application. The under signer is application or reapplication affecting the same land shall be acted upon within from the date of the last action by the Board of Commissioners.	of ownership. s aware that no six (6) months
Printed Name of applicant or agent: FALL LEAF RESIDENTIAL LL Signature of applicant or agent: Date:	9-17-20
*******************	******
Printed Name of Owner(s). Times Holkrock	
Printed Name of Owner(s): Times Holls rock Signature of Owner(s): Date:	9-17-20
Mailing address:	
City, State, Zip:	
Telephone Number: Listed Unlisted	
Sworn and subscribed before me this 17 day of September , 20 20. Andrea www. Andrew Notary Public My Commission Expires: 03 10 2024	ART OFFICE OFFIC

(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.)

Dawson County, Georgia Board of Commissioners

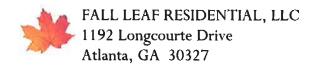
Affidavit for Issuance of a Public Benefit

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: GAN # 060015055 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 (city). Signature of Applicant Date RESIDENTIAL UC **Printed Name** Name of Business SUBSCRIBED AND SWORN BEFORE ME ON My Commission Expires:

A STATE OF THE STA





Dawson County Board of Commissioners Dawson County Planning Commission 25 Justice Way Dawsonville, Ga. 30534

October 1, 2020

Re: Rezoning Application 66 Acres, Georgia Highway 9

Please accept this letter outlining the plans for a 66 acre tract of land fronting on the west side of Georgia Highway 9, approximately 2.8 miles north of the Dawson Forest Road and Georgia Highway 9 intersection.

The property is currently zoned RSR, we are requesting rezoning to the RS-3 zoning classification to allow the development of a single-family residential subdivision. The site plan we have submitted shows 141 lots which is density of 2.14 homes per acre on the 66 acre tract. The community will be subject to a Declaration of Covenants and Conditions and each home will be required to be a member. The Homeowners Association will be responsible for the future maintenance and upkeep of all entrance features, open spaces and any amenities.

The Dawson County Comprehensive Plan points out that the new housing market in Dawson County provides few opportunities beyond single-family homes on large lots. This development will have access to sanitary sewer and provides an opportunity to address the very critical need for single-family homes on somewhat smaller lots.

We think this will be a very nice subdivision providing much needed housing for this area and we respectfully request approval of this rezoning by the Planning commission and the Board of Commissioners.

Sincerely,

Fall Leaf Residential, LLC Norman White, Manager

2019 Property Tax Statement

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

Bill Number	Due Date	CURRENT YEAR DUE
6780	12/1/2019	\$0.00

Payment Good Through:

Map: 085 016

Last payment made on:

11/21/2019

Location: HWY 9 S

Dear Taxpayer,

This is your current year Ad Valorem Property Tax Statement. This bill must be paid in full by December 1st in order to avoid interest and penalty charges. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the NEW OWNER and notify our office.

Thank you for the privilege to serve as your Tax Commissioner.

Nicole Stewart

HOLBROOK JAMES & TIM BYRD

RETURN THIS FORM WITH PAYMENT

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



Scan this code with your mobile phone to view or pay this

Tax Payer:

HOLBROOK JAMES & TIM

BYRD

Map Code: 085 016

LL 709 719 721 LD 4 Description:

Location: HWY 9 S

Bill Number: 6780

District:

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$0.00	\$628,100.00	66.02	628100	12/1/2019	7/18/2019		SV

TOTALS					23.867	681.83	-117.90	563.93
SCHOOL M&O	628100	251240	227612	23628	15.778	372.8	0	372.8
SALES TAX ROLLBACK	0	0	0	23628	-4.99	0	-117.9	0
COUNTY M&O	628100	251240	227612	23628	13.079	309.03	0	191.13
STATE TAX	628100	251240	227612	23628	0	0	0	0
TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax

You can pay your bill in person, by mail, online at www.dawsoncountytax.com, or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, interest at a rate prescribed by law will be added monthly. An additional penalty as prescribed by law will be added every 120 days. If the bill is marked appealed, then this is only 85% of the total bill pending.

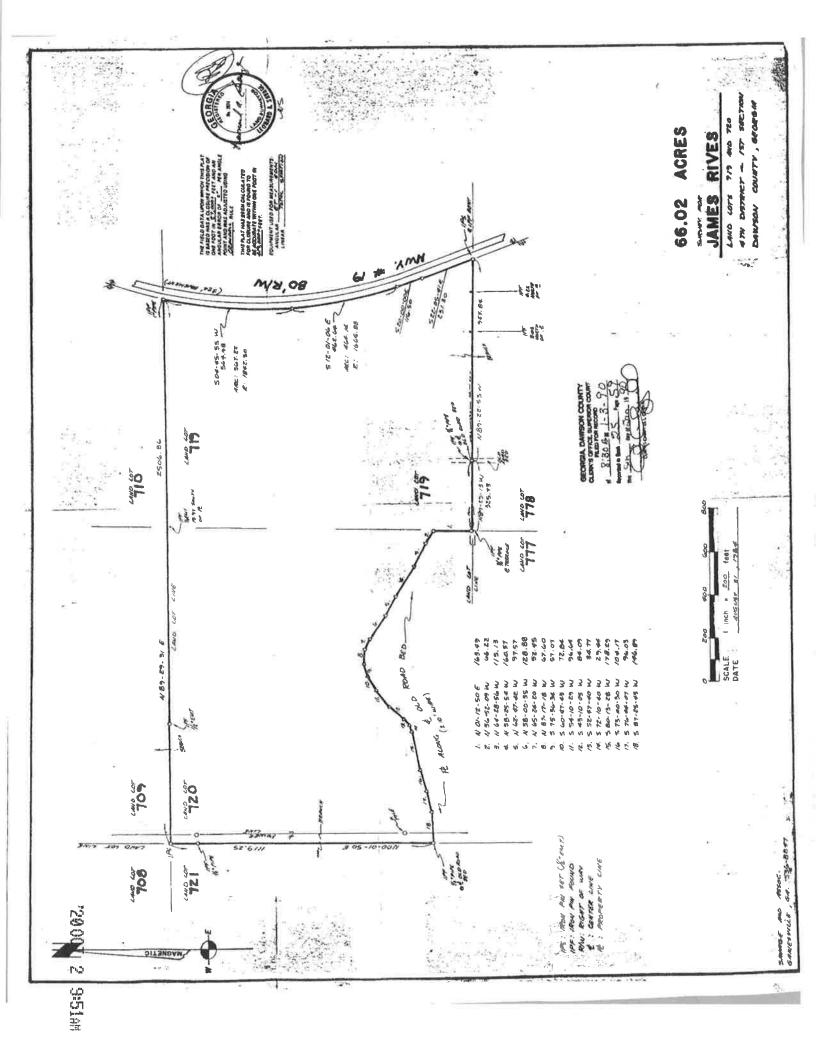
NO PAYMENT CONTRACTS WILL BE ALLOWED.

Current Due: \$563.93 Penalty: \$0.00 Interest: \$0.00 Other Fees: \$0.00 Back Taxes: \$0.00 Amount Paid: \$563.93 **TOTAL DUE:** \$0.00

LEGAL DESCRIPTION 66 Acres Georgia Highway 9

All that tract or parcel of land lying and being in Land Lots 719 and 720 of the 4th District, 1st Section of Dawson County, containing 66.02 acres, more or less, according to a plat of survey for James Rives prepared by Leonard A. Savage, GRLS, dated August 31, 1984 and recorded in Plat Book 25, Page 59 of the Dawson County Records.

The Property is also described as Dawson County tax parcel 085 016.



PAID

Prepared by/return to: Shelly Townley Martin 133 Prominence Court Suite 110 Dawsonville, GA 30534 Deed Preparation Only-No Title Search Performed

WARRANTY DEED

GEORGIA, DAWSON COUNTY

THIS INDENTURE, made this 2nd day of July 2008, between BYRD-HOLBROOK ALL PURPOSE PAVING, INC., Grantor, and JAMES HOLBROOK and TIM BYRD, Grantee,

WITNESSETH:

That the said Grantor, for and in consideration of TEN (\$10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said Grantee the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lots 719 and 720 of the 4th District, 1st Section of Dawson County, Georgia, containing 66.02 acres, more or less, according to a plat of survey for James Rives prepared by Leonard A. Savage, GRLS, dated August 31, 1984, recorded in Plat Book 25, Page 59 of the Dawson County Records. Said plat being incorporated herein and made a part hereof by reference.

Subject to all easements, covenants, and restrictions of record or currently in use.

TO HAVE AND TO HOLD the said premises, together with all rights and appurtenances unto the said Grantee, forever in FEE SIMPLE, and the said Grantor WARRANTS the title to same against the lawful claims of all persons whomsoever.

Whenever there is a reference herein to the Grantor or the Grantee, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered in the presence of:

Byrd-Holbrook All Purpose Paving, Inc.

(SEAL)

official Witness T. MAA Notary Public My commission expires: (SE.

Janet Byrd, Secretar

140

