

Dawson County  
Rezoning Application  
(AMENDMENT TO LAND USE MAP)

**APPLICANT INFORMATION (or Authorized Representative)**

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

Printed Name: BEN . D. TRAIL

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

Phone (Listed only please) \_\_\_\_\_

Email (Business/Personal): \_\_\_\_\_

Status:  Owner  Authorized Agent  Lessee  Option to purchase

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

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

Meeting Date: JULY 28, 2023 Applicant Signature: \_\_\_\_\_

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: RSRMM  Special Use Permit for: \_\_\_\_\_

Proposed Use: RESIDENTIAL

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: N/A Minimum Lot Size: 2.036 ACRES (acres) No. of Units: ONE

Minimum Heated Floor Area: 1900 SQ. FT. sq. ft. Density/Acre: N/A

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Type of Amenity: BARN Amount of Open Space: \_\_\_\_\_

**COMMERCIAL & RESTRICTED INDUSTRIAL:**

Building area: N/A

No. of Parking Spaces: N/A

# Property Owner/ Property Information

Name: BEN D. TRAIL

Street Address of Property being rezoned: 1291 NEW BETHEL CHURCH ROAD

Rezoning from: RA to: RSRMM Total acreage being rezoned: 2.036 ACRES

Directions to Property (if no address):

South on Highway 53 to Etowah River Road, left on Etowah River Road to Bethel Church Road, left on Bethel Church Road +- 3,500 feet to Bent Tree Drive or 1291 Bethel Church Road being the project site.

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

Current Use of Property: RESIDENCE

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

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

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

## SURROUNDING PROPERTY ZONING CLASSIFICATION:

North RA South RA East RA West RA

Future Land Use Map Designation: RSRMM

Access to the development will be provided from:

Road Name: NEW BETHEL CHURCH ROAD Type of Surface: ASPHALT

# Applicant Certification


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

I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented. The staff will send notices to adjacent property owners advising of the request and proposed use prior to the public hearing.

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

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

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

Signature BEN D TRAIL  Date May 24, 2023  
Witness JESSE TINDELL Date May 24, 2023

# *Trail & Son, Inc.*

Land Planners & Surveyors  
Construction Management  
3898 War Hill Park Road  
Dawsonville, Georgia 30534

Office: 706-216-8980

Cell: 706-974-7046

Fax 706-265-4543

Email:

May 27, 2023

Applicant: Ben D. Trail  
Property: 2.036 acres with frontage on New Bethel Church Road  
Current Zoning: RA- Residential / Agricultural  
Proposed Use: Residential  
Application: Rezoning from RA to RSRMM

PROPOSED USE: Single Family Residential  
Existing 1900 square feet Residents with Barn as an outbuilding  
Dawson County, Georgia

I would like to request a rezoning of this 2.036 acres from RA to RSRMM which complies with the Dawson County Long Range Zoning Map.

There is an easement to the existing well.  
The existing residence is served by a septic system.  
There is an existing gravel driveway from New Bethel Church Road to the residence and barn.  
There is an overhead power line serving this residence.

This residence has substantially increased the profile of this portion of Dawson County without increasing traffic flows, dust, smoke or odors.

Should you have any questions or thoughts, please contact me at this office.

Sincerely,



Ben D. Trail

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
36908 Year-Bill No 2022 - 18028	102 030 / 001 LL 474 PT 499  FMV: \$303,850.00	1,557.63	0.00 Fees 0.00	0.00	1,557.63	1,557.63	0.00
						Paid Date 11/4/2022 14:30:00	Current Due 0.00
Transactions:	36908 - 36908 Totals	1,557.63	0.00	0.00	1,557.63	1,557.63	0.00

Paid By :

CIRCLE D CONTRACTORS INC

JUAREZ INVESTMENTS LLC

Cash Amt: 0.00  
Check Amt: 1,557.63  
Charge Amt: 0.00  
Change Amt: 0.00  
Refund Amt: 0.00  
Overpay Amt: 0.00

Check No 2518  
Charge Acct

## **Ben Trail**

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**From:** Ringle, Bill <Bill.Ringle@dph.ga.gov>  
**Sent:** Friday, July 14, 2023 10:27 AM  
**To:** Harmony Gee  
**Cc:**  
**Subject:** 1291 New Bethel Church Road

Harmony,

Ben Trail came by the office and said that the subject location is trying to get re-zoned and split off as a 2.036-acre lot. A review of the septic system records shows that within this proposed property, there is ample room for a 100% replacement area for the septic system (repair permit # S-042-2004-00411; installed 12/16/2004).

The Dawson County Board of Health Minimum Lot Size Resolution requires 1.5 acres for a lot that is served by a private water supply. This proposed lot meets that requirement.

Do not hesitate to contact me if you have any questions.

Thank you,  
Bill

**George W. "Bill" Ringle**  
Environmental Health Manager  
*Dawson County Environmental Health*  
189 Hwy 53 West  
Suite 102  
Dawsonville, GA 30534  
phone 706-265-2930  
fax 706-265-7529

**Ben Trail**

**From:** Tuesday, July 11, 2023 1:25 PM  
**Sent:** Ben Trail  
**To:** RE: 2.036 acres rezoned to RSRMM on New Bethel Church Road, Dawson County, Georgia.  
**Subject:**

**Property Owner Authorization**

I/We, FAITH DURHAM, hereby swear that I/we own the property located at [fill in address and/or tax map parcel #s]:  
Street Address of Property being rezoned: NEW BETHELLCHURCH ROAD  
TMP#: 102 030  
as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel or parcels will be affected by this request.

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

Printed Name of applicant or agent: BEN D. TRAIL Date: May 24, 2023  
Signature of applicant or agent: \_\_\_\_\_  
Printed Name of Owner(s): FAITH DURHAM  
Signature of Owner(s): Faith Durham Date: 7-11-2023  
Mailing address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Phone (Listed/Unlisted): \_\_\_\_\_

Sworn and subscribed before me this 11 day of July 2023  
Diane J. Dullum  
Notary Public  
My Commission Expires: 7-11-23

DIANE J. DULLUM  
NOTARY PUBLIC  
STATE OF TEXAS  
ID # 104470-1  
Comm. Expires 07-11-2024  
(Notary Seal)

DIANE J. DULLUM  
NOTARY  
STATE OF TEXAS  
ID # 104470-1  
Comm. Expires 07-11-2024

(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.)

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

----- Original message -----

**From: Ben Trail <btrail1@windstream.net>**

**Date: 7/10/23 5:02 PM (GMT-06:00)**

**To:**

**Subject: 2.036 acres rezoned to RSRMM on New Bethel Church Road, Dawson County, Georgia.**

**Please complete sheet 4 (with notary) and e-mail back.**

**Thanks Trail**



# 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 acknowledgment shall be public record.

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

Applicant Printed Name: BEN D. TRAIL

Date Signed: May 24, 2023

Sworn and subscribed before me

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

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

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

{Notary Seal}

Application Number (by staff): \_\_\_\_\_

# 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:

NONE

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: N/A

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

May 24, 2023

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.





## Tonya Abernathy

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**From:** Ben Trail <btrail1@windstream.net>  
**Sent:** Friday, July 28, 2023 9:17 AM  
**To:** Tonya Abernathy  
**Subject:** Rezoning of 2.161 acres at 1291 New Bethel Church Road, Dawson County, Georgia.  
**Attachments:** 23-7-27 New Bethel Church Road Mother Tract.pdf; 23-7-27 Revised New Bethel Church Road Green House.pdf

**Caution:** This is an external email. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department.

Thanks Tonya

Ben Trail