

# DAWSON COUNTY REZONING APPLICATION

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

ZA 16-04 Tax Map & Parcel # (TMP): 114-033  
Submittal Date: 7-8-16 Time: 12:00 am/pm  Received by: LM (staff initials)  
Fees Assessed 2500.00 Paid: CHK # 1098 Commission District: \_\_\_\_\_  
Planning Commission Meeting Date: 8-16-16  
Board of Commissioners Meeting Date: 9-15-16

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Lipscomb, Johnson, Sleister Dailey & Smith, LLP  
Address: 112 N Main St, Cumming, GA 30040

Phone:  Listed  Unlisted Email:  Business  Personal \_\_\_\_\_ com  
Status:  Owner  Authorized Agent  Lessee  Optic... \_\_\_\_\_

**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: Emergy Lipscomb

## PROPERTY OWNER/PROPERTY INFORMATION

Name: Dawson Forest Holdings, LLC  
Street Address of Property being rezoned: 7142 Hwy 53 E, Dawsonville GA 30534  
Rezoning from: AG RA to: CHB Total acreage being rezoned: 3.63  
Directions to Property: Adjacent to Tractor Supply & Dawson Co Govt South Annex

Subdivision Name (if applicable): n/a Lot(s) #: \_\_\_\_\_

Current Use of Property: Agricultural

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 CHB South CHB East RA West \_\_\_\_\_

Future Land Use Map Designation: Commercial Hwy

Access to the development will be provided from:

Road Name: State Route 53 Type of Surface: Asphalt

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

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

Proposed Use: ~~Residential Neighborhood aimed at 55+ Seniors~~

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: n/a Minimum Lot Size: n/a (acres) No. of Units: n/a

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: 40,300 SF No. of Parking Spaces: 202

**APPLICANT CERTIFICATION**

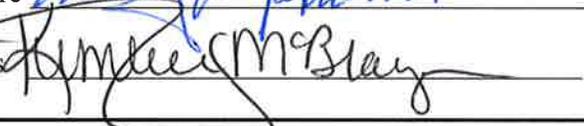
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

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 7/8/16  
Witness  Date 7/8/16

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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.

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 \_\_\_\_\_ 1. \_\_\_\_\_
- TMP 114 033 2. Same as Applicant
- TMP \_\_\_\_\_ 3. \_\_\_\_\_
- TMP \_\_\_\_\_ 4. \_\_\_\_\_
- TMP \_\_\_\_\_ 5. \_\_\_\_\_
- TMP \_\_\_\_\_ 6. \_\_\_\_\_
- TMP 114 022 004 7. Dawson County, 25 Justice Way, Dawsonville, GA 30534
- TMP 114 033 002 8. Martin & Collete Foley Family, LLC. PO Box 13495 Arlington, TX 76094
- 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: *Emory Lipscomb*

Applicant Printed Name: Emory Lipscomb for Lipscomb, Johnson, Sleister Dailey & Smith, LLP

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

Date Signed: 7/8/16

Sworn and subscribed before me

this 8 day of July, 2016.

*Christina L. Brislin*  
Notary Public

My Commission Expires: 8/2019



**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 who 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 \$ \_\_\_\_\_ 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:

\_\_\_\_\_ n/a \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Applicant/Representative of Applicant:

\_\_\_\_\_  \_\_\_\_\_ Date: 7/8/16 \_\_\_\_\_

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

7142 Hwy 53E, Dawsonville, GA 30534 PIN #'s L13 081 & 114 033

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: Lipscomb, Johnson, Sleister Dailey & Smith, LLP

Signature of applicant or agent: [Signature] Date: 7/8/16

\*\*\*\*\*

Printed Name of Owner(s): Dawson Forest Holdings, LLC

Signature of Owner(s): [Signature] Date: 7/8/16

Mailing address: 112 ~~N~~ main Street

City, State, Zip: Cumming, Ga

Telephone Number: Listed 770-887-7761  
Unlisted

Sworn and subscribed before me this 08 day of July, 2016.

Ashley B Mashburn  
Notary Public

My Commission Expires: August 30<sup>th</sup> 2019



(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.)

## LETTER OF INTENT

The Applicant requests the rezoning of a 3.63-acre tract of land bounded on the south by the Dawson County South Government Annex and the north by Tractor Supply to CHB to construct a 40,000-square-foot retail center. The property is currently zoned RA; however, is designated on the Future Land Use Plan as Commercial-Highway.



All that tract or parcel of land being located in Land Lot 341 in the South half of the 13th District, 1st Section, Dawson County, Georgia, being more particularly described as follows:

Commencing at the Southwest corner of Land Lot 342; thence, North 77 degrees 49 minutes 01 seconds East a distance of 1451.69 feet to a point on the eastern R/W of Dawsonville Highway, a.k.a. SR #53 (60' R/W), said point being the True Point of Beginning; thence, along said R/W, North 01 degrees 18 minutes 54 seconds West a distance of 218.38 feet to a point; thence, departing said R/W, North 88 degrees 43 minutes 32 seconds East a distance of 630.14 feet to a point; thence, South 01 degrees 17 minutes 20 seconds East a distance of 283.41 feet to a point; thence, North 85 degrees 22 minutes 54 seconds West a distance of 633.40 feet to a point, said point being the True Point of Beginning.

Said tract contains 3.629 Acres, more or less.

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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2015 - 2385	L13 081 / 001 LL 317 339 340 341  FMV: \$608,479.00	\$6,007.89	\$0.00 Fees: \$0.00 \$0.00		\$6,007.89	\$6,007.89	\$0.00 Current Due: \$0.00
	<b>Totals:</b>	\$6,007.89	\$0.00		\$6,007.89	\$6,007.89	\$0.00

Paid Date: 12/4/2015

Charge Amt: \$6,007.89

CF SOUTHEAST REO LLC  
412 E PARKCENTER BLVD  
STE 300

BOISE, ID 83706



Printed: 7/6/2016 11:35:06 PM

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

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

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2015 - 2382	114 033 / 001 LL 374 LD 13-S  FMV: \$1,020,885.00	\$10,079.82	\$0.00 Fees: \$0.00 \$0.00		\$10,079.82	\$10,079.82	\$0.00 Current Due: \$0.00
	<b>Totals:</b>	\$10,079.82	\$0.00		\$10,079.82	\$10,079.82	\$0.00

Paid Date: 12/4/2015

Charge Amt: \$10,079.82

CF SOUTHEAST REO LLC  
412 E PARKCENTER BLVD  
STE 300

BOISE, ID 83706





Dawson County Assessor			
Parcel: 114 033 Acres: 67.04			
Name:	CF SOUTHEAST REO LLC	Land Value	\$2,525,063.00
Site:	7142 HWY 53 E	Building Value	\$0.00
Sale:	\$3,900,000 on 03-2016 Reason=MV Qual=Q	Misc Value	\$0.00
Mail:	412 E PARKCENTER BLVD STE 300 BOISE, ID 83706	Total Value:	\$2,525,063.00



The Dawson County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER DAWSON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

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