

AGENDA
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 7, 2022
5:00 P.M.

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Announcements
5. Approval of the Agenda
6. Public Input
7. Consent Agenda
 - a. Approve Minutes
 - Regular Meeting and Work Session held January 20, 2022
 - b. Approve Appointment to the Dawsonville History Museum Board of Directors and the Downtown Development Authority

PUBLIC HEARING

8. ZA-C2200079: Crawford West Properties, LLC has petitioned a zoning amendment for TMP 091 010, Located at 2279 HWY 9 North from R1 (Restricted Single-Family Residential) to HB (High Business). Public Hearing Date: City Council on February 7, 2022. City Council for a decision on February 21, 2022.
9. Ordinance No. 02-2022: An Ordinance By The City Of Dawsonville To Amend Its Zoning Ordinance; To Amend Provisions On Conditional Uses And Variances; To Amend Provisions Related To City Initiated Rezoning; To Address Buffers; To Provide For An Effective Date; To Provide For Severability; And For Other Purposes (First Reading: January 20, 2022; Public Hearing, Second Reading and Consideration to Adopt: February 7, 2022)

BUSINESS

10. Modification Request for Improvement to Winners Circle
11. Ordinance No. 03-2022: An Ordinance To Amend The Charter Of The City Of Dawsonville For The Purpose Of Reapportionment Of Representative Districts Pursuant To O.C.G.A. § 36-35-3 And § 36-35-4.1 (First Reading and Adoption: February 7, 2022; Second Reading and Final Adoption: February 21, 2022)

EXECUTIVE SESSION, IF NEEDED

ADJOURNMENT

The next scheduled City Council meeting is Monday, February 21, 2022

Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7

SUBJECT: CONSENT AGENDA

CITY COUNCIL MEETING DATE: 02/07/2022

PURPOSE FOR REQUEST:

**CONSIDERATION AND APPROVAL OF ITEMS BELOW; SEE ATTACHED
SUPPORTING DOCUMENTS**

- a. **Approve Minutes**
 - **Regular Meeting and Work Session held January 20, 2022**
 - b. **Approve Appointment to the Dawsonville History Museum Board of Directors and the Downtown Development Authority**
-



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7a

SUBJECT: APPROVE MINUTES

CITY COUNCIL MEETING DATE: 02/07/2022

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

TO APPROVE THE MINUTES FROM:

- **REGULAR MEETING AND WORK SESSION HELD JANUARY 20, 2022**
-

HISTORY/ FACTS / ISSUES:

OPTIONS:

AMEND OR APPROVE AS PRESENTED

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

MINUTES
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Thursday, January 20, 2022
5:00 P.M.

1. **CALL TO ORDER:** Mayor Eason called the meeting to order at 5:00 pm.
2. **ROLL CALL:** Present were Councilmember John Walden, Councilmember Mark French, Councilmember Caleb Phillips, Councilmember William Illg, City Attorneys Kevin Tallant and Kip O'Kelley, City Manager Bob Bolz, City Clerk Beverly Banister, Public Works Director Trampas Hansard, Utilities Operation Manager Jacob Barr, Planning Director David Picklesimer and Finance Administrator Robin Gazaway.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember French.
4. **ANNOUNCEMENTS:** Mayor Eason reminded the public the City Council meetings were scheduled for Thursdays this month due to the New Year and Martin Luther King holidays. Councilmember Walden announced he has scheduled a public forum with local leaders which will be held at City Hall on January 25, 2022 from 6:00 pm to 7:30 pm and he invited the public to come out and participate.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by J. Walden; second by W. Illg. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** Christopher Light, 112 N. Main St., Cumming – He spoke on behalf of Allen Street Properties and B&K Turner Family, LLP regarding item #10 on the agenda. He stated they do have a signed plat reflecting the revised boundaries for the 32.937 acre property. He also reminded the Council of the conditions they would agree to which he originally submitted in October; of particular importance is the condition in which they agree to connect to City water and sewer.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a) made by M. French; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting and Work Session held December 20, 2021
8. **EMPLOYEE RECOGNITION:** The Mayor and Council awarded Beth Tuttle a one-year service award and Clay Moss was awarded the January 2022 Employee of the Month award. Additionally, the Public Works Department and the Utilities Department were given special recognition for their hard work over the weekend during the winter storm.

BUSINESS

9. **ADMINISTER OATH OF OFFICE TO ELECTED OFFICIALS:** Mayor Mike Eason, Councilmember William Illg, Councilmember Caleb Phillips and Councilmember Mark French were sworn into office by City Attorney Kevin Tallant; they subsequently executed the oath of office as required by the City's Charter, Section 3.16.
10. **ANX-C2100043 and ZA-C2100043:** Allen Street Properties, LLC and B & K Turner Family, LLP have petitioned to annex into the city limits of Dawsonville tract 2 with 32.937 acres (amended application) tract known as a portion of TMP 093 004 001, located at Perimeter Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) and RA (Restricted Agriculture) to City Zoning of R3 (Single Family Residential). Public Hearing Dates: Planning Commission on September 13, 2021 and City Council on October 4, 2021. City Council for a decision on October 18, 2021 – **Tabled from October 18, 2021 to December 6, 2021 to January 20, 2022**

Planning Director Picklesimer read the annexation and zoning request. Mayor Eason stated the City has been working with Etowah Water and Sewer Authority for a water and sewer agreement; a response was received earlier that day, but the City Council has not had the opportunity to review it. He also stated there are several things the Council would like to discuss with the Turners and recommends postponing the decision.

Motion made by J. Walden to postpone ANX-C2100043 and ZA-C2100043 until the March 21, 2022 City Council meeting; second by W. Illg. Councilmember Phillips stated both sides have worked well together to make the project work with the last hurdle being the agreement with Etowah Water and

MINUTES
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Thursday, January 20, 2022
5:00 P.M.

Sewer Authority. Mayor Eason stated it is in the City's best interest to have the agreement in place. Vote carried unanimously in favor.

- 11. MAPLE HILL DRIVE DETENTION POND:** Attorney Tallant reviewed the details of the gratuities clause which prevents the government from providing a service for which it does not receive anything of value in return. The City has been asked to clean out a detention pond that it does not own. He stated if the City agrees to clean out the detention pond, then an agreement would need to be in place with the homeowners who contribute to the detention pond so that in the future, they are responsible for the maintenance of the detention pond.

Motion to direct legal to prepare an agreement with the property owners of Maple Hill Drive to address the detention pond issue made by M. French; second by C. Phillips. Councilmember Illg abstained from the vote. Vote carried three in favor (French, Phillips, Walden) with one abstained (Illg).

- 12. ORDINANCE NO. 01-2022:** An Ordinance To Amend The Water And Sewer Ordinance Of The City Of Dawsonville; To Provide For Further Regulation Of Wastewater Suspended Solids, To Provide An Effective Date; And For Other Purposes. (First Reading: December 20, 2021; Second Reading And Consideration To Adopt: January 20, 2022)

Utilities Operation Manager Barr read the second reading of the ordinance.

Motion to approve the ordinance as presented made by W. Illg; second by M. French. Vote carried unanimously in favor. (Exhibit "A")

- 13. ORDINANCE NO. 02-2022:** An Ordinance By The City Of Dawsonville To Amend Its Zoning Ordinance; To Amend Provisions On Conditional Uses And Variances; To Amend Provisions Related To City Initiated Rezoning; To Address Buffers; To Provide For An Effective Date; To Provide For Severability; And For Other Purposes (First Reading: January 20, 2022; Public Hearing, Second Reading And Consideration To Adopt: February 7, 2022)

Planning Director Picklesimer read the first reading of the ordinance amendment. Councilmember Illg asked legal about the term "undisturbed buffer". Attorney Tallant stated the ordinance amendment does not describe any of the buffers as undisturbed and explained that by definition of the City of Dawsonville all buffers are undisturbed. Mayor Eason asked if the ordinance amendment passes, would its effect be for all future development; Attorney Tallant stated all newly submitted development plans and such would have to comply.

- 14. AWARD BID – CONSTRUCTION OF AN ADMINISTRATIVE BUILDING FOR PUBLIC WORKS AND UTILITIES DEPARTMENT:** Motion to award the bid to Bayne Development Group, LLC in the amount of \$367,373.00 to be paid out of American Rescue Plan Act (ARPA) funds, if permissible, or a combination of SPLOST VI and VII and the Enterprise fund made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.

WORK SESSION

- 15. DISCUSS AMENDING PERSONNEL POLICY TO INCLUDE A FLOATING HOLIDAY FOR EMPLOYEES:** Finance Director Gazaway provided an overview of the request to add a floating holiday for City employees.

Motion to approve the addition of a floating holiday for City employees made by J. Walden; second by M. French. Vote carried unanimously in favor.

STAFF REPORTS

- 16. BOB BOLZ, CITY MANAGER:** City Manager Bolz provided his report in the agenda packet and reported all staff is back from quarantine and the leak adjustment for the month was \$441.91. Councilmember Illg asked about the Christmas event for 2022 and Bolz stated it was a mutual decision with the Chamber to hold it prior to Thanksgiving this year kicking the season off about two weeks earlier; the anticipated date is November 19, 2022.

MINUTES
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Thursday, January 20, 2022
5:00 P.M.

- 17. ROBIN GAZAWAY, FINANCE ADMINISTRATOR:** Financial reports representing fund balances and activity through December 31, 2021 were provided in the agenda packet. No questions from Council.

ADJOURNMENT:

At 5:43 p.m. a motion to adjourn the meeting was made by W. Illg; second by J. Walden. Vote carried unanimously in favor.

Approved this 7th day of February 2022

By: CITY OF DAWSONVILLE

Mike Eason, Mayor

Caleb Phillips, Councilmember Post 1

William Illg, Councilmember Post 2

John Walden, Councilmember Post 3

Mark French, Councilmember Post 4

Attested: _____
Beverly A. Banister, City Clerk

ORDINANCE NUMBER 01-2022

AN ORDINANCE TO AMEND THE WATER AND SEWER ORDINANCE OF THE CITY OF DAWSONVILLE; TO PROVIDE FOR FURTHER REGULATION OF WASTEWATER SUSPENDED SOLIDS, TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Dawsonville, Georgia, is authorized by Article IX, Section II, Paragraph III of the Constitution of the State of Georgia of 1983, and O.C.G.A. § 36-35-3 to provide water and sewer utilities; and

WHEREAS, pursuant to the City Charter, Mayor and Members of City Council are authorized to establish rights, rules, regulations, and ordinances as may be necessary for the operation of its utilities and as they deem proper for the general welfare of the inhabitants of the City of Dawsonville; and

WHEREAS, pursuant to Section 1.12(9) of the City Charter, the City is empowered to acquire, lease, construct, operate, maintain, sell and dispose of public utilities, including sewer and drains, sewage disposal; and

WHEREAS, high suspended solids in high strength wastewater can adversely affect the treatment process, clog sewers and equipment, and increase sludge costs. Multiple violations have an adverse effect on plant operation, even if the monthly average of several tests is below the City's current surcharge level.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DAWSONVILLE HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amendments to Section 14-84

(a) Section 14-84 High strength wastewater surcharge is hereby amended by adding the following language to Section (a):

(7) Total suspended solids above 300 milligrams per liter (mg/L), not to exceed a maximum of 600 mg/L.

(b) Section 14-84 (c) shall be amended by repealing the current sub-section (1) and replacing it with the following:

(1) Monitoring to determine surcharge shall be conducted by the user as required in either the pretreatment permit or a minimum of two tests per month. The average of all test results will be used to calculate the surcharge. If multiple tests are taken and at least two tests exceed the allowable limit, then the surcharge and penalty will be prorated.

SECTION 2. Amendment to Section 14-30

Section 14-30 Penalties for violation, is hereby amended as follows: The current sub-section (d) shall become sub-section (e) and a new sub-section (d) will now read as follows:

(d) For the second offense in any twelve (12) month period, a repeat offender fee equal to 25% of the penalty shall be added, with a fee equal to 50% of the penalty for the third offense, 75% of the penalty for the fourth and the fee shall be doubled (100%) for the fifth and any subsequent offense during any twelve (12) month period. The foregoing notwithstanding, no fees shall be assessed in excess of that allowed by State Law to the extent addressed by State Law.

SECTION 3. Repeal of conflicting ordinances

All parts of Ordinances in conflict with the terms of this Ordinance are hereby repealed; but, it is hereby provided that any ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof and shall be legally construed to be in favor of upholding this ordinance on behalf of the City of Dawsonville.

SECTION 4. Severability

If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be invalid or unconstitutional, such invalidity shall not be construed to affect the provisions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. IT IS HEREBY DECLARED to be the intent of the City Council of the City of Dawsonville to provide for separate indivisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

SECTION 5. Effective date

This Ordinance shall take effect upon passage by the City Council of the City of Dawsonville.

BE IT ORDAINED by the Mayor and Members of Dawsonville, Georgia City Council this 20 day of January, 2022.

DAWSONVILLE CITY COUNCIL

By: 
Mike Eason, Mayor

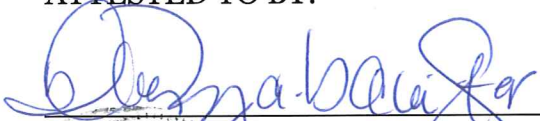

Caleb Phillips, Council Member Post 1


William Ilg, Council Member Post 2


John Walden, Council Member Post 3


Mark French, Council Member Post 4

ATTESTED TO BY:


Beverly A. Banister, City Clerk





DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7b

SUBJECT: APPROVE APPOINTMENT TO THE DAWSONVILLE HISTORY MUSEUM BOARD OF DIRECTORS AND THE DOWNTOWN DEVELOPMENT AUTHORITY

CITY COUNCIL MEETING DATE: 02/07/2022

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO APPROVE APPOINTMENT OF DUSTIN HEARD TO THE DAWSONVILLE HISTORY MUSEUM AND TO APPROVE APPOINTMENT OF JONATHAN CAMPBELL TO THE DOWNTOWN DEVELOPMENT AUTHORITY

HISTORY/ FACTS / ISSUES:

DAWSONVILLE HISTORY MUSEUM

- **DUSTIN HEARD: 3-YEAR TERM: 01/01/2022 – 12/31/2024**
- **RECOMMENDED BY DHM BOARD OF DIRECTORS**

DOWNTOWN DEVELOPMENT AUTHORITY

- **JONATHAN CAMPBELL: UNEXPIRED TERM THROUGH 12/31/2023**
- **RECOMMENDED BY COUNCILMEMBER ILLG**

VETTING COMPLETED BY DONNA; ALL REQUIREMENTS HAVE BEEN MET

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



(706) 265-3256
Fax (706) 265-4214
www.dawsonville-ga.gov

Date: 12/14/2021

To: Mayor and Council

Reference: ZA C2200079 Planning and Zoning Department Summary

The Planning and Zoning Department has provided the following pertinent information to help you decide on this request:

1. Property is in Mark French Post 4 district.
2. Applicant is requesting to rezone property from R1 district (Restricted Single Family Residential) to HB district (Highway Business).
3. Applicant is requesting to rezone tract one 24.265ac and tract two 1.170ac for a total of 25.435ac.
4. Property was Annexed into the city in 2006.
5. The subject property adjoins county zoned RA district to the north, city zoned R1 zoning district to the west, city zoned Highway Business and RA district to the east and city zoned Highway Business and Neighborhood Business district to the south.
6. 2018 comprehensive plan character area proposes residential use.
7. Planning Commission approved 12/13/21 without conditions.


David Picklesimer
Planning Director

City Council:

John Walden
Caleb Phillips
William Illg
Mark French



Mike Eason
Mayor

Robert Bolz
City Manager

Beverly Banister
City Clerk

David Picklesimer
Planning Director

Stacy Harris
Zoning Admin Assistant

Planning Commission:

Matt Fallstrom
Randy Davis
Anna Tobolski
Sandy Sawyer

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
Office (706)265-3256
www.dawsonville-ga.gov

PUBLIC NOTICE

The following public hearing will be heard by the City Council beginning at 5:00 p.m. respectively on the dates indicated below. Public hearings are heard in the Council Chambers on the second floor at City Hall located at 415 Hwy 53 East, Dawsonville, Georgia 30534. The public is invited to participate.

.....

ZA-C2200079: Crawford West Properties, LLC has petitioned a zoning amendment for TMP 091 010, Located at 2279 HWY 9 North from R1 (Restricted Single-Family Residential) to HB (High Business). Public Hearing Dates: Planning Commission on December 13, 2021 and City Council on February 7, 2022. City Council for a decision on February 21, 2022.

If you wish to speak on the requests, please contact City Hall for a CAMPAIGN DISCLOSURE form. ***This form is only needed if you have made campaign contributions in the amount of \$250.00 or more within 2 years prior to this date.***

Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.



City of Dawsonville

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
(706) 265-3256

Zoning Amendment
Application

Application#: ZA C2200079

Applicant Name(s): Crawford West Properties LLC

Address: PO Box 269 City: Dawsonville GA Zip: 30534

Phone: [Redacted] Email: [Redacted]

Signature(s): Melita J Copeland Date: [Redacted]

Property Address: 2279 Hwy 9 North

Directions to Property from City Hall: North 1 1/2 miles on Hwy 9, NW corner of State 9/136 intersection

Tax Map #: 091 010 Parcel#: Tract 1 + 2 Current Zoning: R1

Land Lot(s): 194/193 District: 13 Section: 1

Subdivision Name: N/A Lot #: N/A

Acres: 25.435 Current use of property: Auto/Truck Rep + Trucking Co. / Rental Residence

Has a past request of Rezone of this property been made before? NO If yes, provide ZA # Annexed 2005-Zoning defaulted to R1

The applicant request:

Rezoning to zoning category: H.B Conditional Use permit for: N/A

Proposed use of property if rezoned: Same plus towing company

Residential #of lots proposed: N/A Minimum lot size proposed: N/A (Include Conceptual Plan)

Amenity area proposed: N/A, if yes, what

If Commercial: total building area proposed: N/A (Include Conceptual Plan)

Utilities:(utilities readily available at the road frontage): Water Sewer Electric Natural Gas

Proposed Utilities:(utilities developer intends to provide) Water Sewer Electric Natural Gas

Road Access/Proposed Access: (Access to the development/area will be provided from)

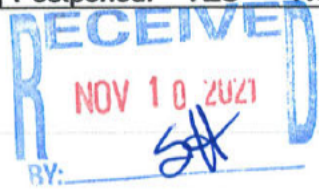
Road name: State Hwy 9 + State 136 Type of Surface: Asphalt

- Failure to complete all sections will result in rejection of application and unnecessary delays.
I understand that failure to appear at a public hearing may result in the postponement or denial of this application.

Melita J Copeland
Signature of Applicant

11/8/2021
Date

Table with 2 columns: Office Use Only and Application Details. Rows include Date Completed Application Rec'd, Date of Planning Commission Meeting, Date of City Council Meeting, Approved by Planning Commission, Amount Paid, Dates Advertised, Rescheduled for next Meeting, Approved by City Council, Postponed.





City of Dawsonville

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
(706) 265-3256

**Zoning Amendment
Authorization**

Property Owner Authorization

I / We Crawford West Properties LLC hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 2279 Hwy 9 N, TMP 091010 Tracts 1 + 2 as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by the request.

I hereby authorize the person(s) or entity(ies) 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 undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 6 months from the date of the last action by the City Council.

Printed Name of Applicant or Agent Nelita Y Copeland, Mg Member
Signature of Applicant or Agent Nelita Y Copeland Date 11/8/2021
Mailing Address 106 Hwy 136 East
City Dawsonville State GA Zip 30534
Telephone Number [REDACTED]

Sworn to and subscribed before me
this 8th day of November 2021.

Tammy B. Roggins
Notary Public, State of Georgia

My Commission Expires: _____

Notary Seal

(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 have the additional sheet notarized also.)





City of Dawsonville

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
(706) 265-3256

Zoning Amendment
Adjacent Property Owners

Application # ZA - C2200079

TMP# 091 010 ~~091 010~~

It is the responsibility of the applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property. (Use additional sheets if necessary)

****Please note**** This information should be obtained at the Planning Office using the Tax Map Parcel Map listing any parcel(s) adjoining or adjacent to parcel where rezone is being requested.

Location address

owner + mailing addresses

TMP # 091-001 1. Name(s): Bennett, Charles R, Kathy E, + Ryan C
2607 Hwy 9 North Address: 2607 Hwy 9 North
Dawsonville GA 30534

TMP # 091-010-0022 Name(s): Bearden, James + Anita
2432 Hwy 9 North Address: 2432 Hwy 9 North
Dawsonville GA 30534

TMP # 091-010-010 3. Name(s): Cox, Greg M.
285 Hwy 136 East Address: 285 Hwy 136 East
Dawsonville GA 30534

TMP # 091-012-003 4. Name(s): Patel, Sachinkumar
441 Gold Bullion Dr. W. Address: 441 Gold Bullion Dr. West
Dawsonville GA 30534

TMP # 091-010-004 5. Name(s): Shree Gajkarna Corp. (Probably Send notice to)
2131 Hwy 9 North Address: 2334 Dawson Forest Rd / (441 Gold Bullion Dr. W.)
Dawsonville GA 30534

TMP # 091-042 6. Name(s): Wilson, Charles Anthony
123 Hwy 136 West Address: 123 Hwy 136 West
Dawsonville GA 30534

TMP # 091-010-009 7. Name(s): Grogan, Dennis R + Kathy
144 Hwy 136 West Address: 144 Hwy 136 West
Dawsonville GA 30534

Adjacent Property Owner notification of a zoning amendment request is required.



City of Dawsonville

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
(706) 265-3256

**Zoning Amendment
Campaign Disclosure**

Disclosure of Campaign Contributions
(Applicant(s) and Representative(s) of Rezoning)

Pursuant to OCGA, Section 36-67 A-3. A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made with two 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 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 2 years immediately preceding the filing application for rezoning: _____

Scott J. Copeland
Signature of Applicant / Representative of Applicant

11/8/2021
Date

Failure to complete this form is a statement that no disclosure is required



City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 (706) 265-3256

**Zoning Amendment
 Notice of R-A Adjacency**

Notice of Residential-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 which are not in R-A land use districts shall be provided with this "Notice of R-A 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 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 R-A 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 R-A district constitute a nuisance against local governments and adjoining landowners whose property is located in an R-A district.

This notice and acknowledgement shall be public record.

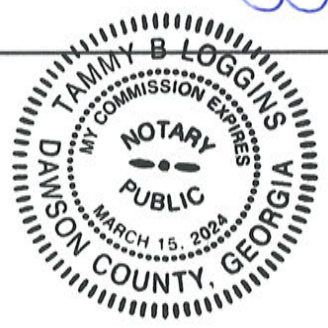
Applicant Signature *[Handwritten Signature]* Date 11/8/2021
 Application Number: ZAC2200079

Sworn to and subscribed before me
 this 8th day of November 2021

[Handwritten Signature]
 Notary Public, State of Georgia

My Commission Expires: _____

Notary Seal



Property Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 193 and 194 of the North Half of the 13th District, 1st Section of Dawson County, Georgia, containing 25.435 acres, more or less, together with all improvements located thereon and being more fully described and delineated as Tract 1 and Tract 2 on a plat dated August 16, 2005 prepared by Greg W. Bagwell, Georgia Registered Surveyor, and recorded in Plat Book 66, Page 161 of the Dawson County Plat records, which is incorporated herein by reference.

RECEIVED
DEC 13 2021
BY: op

RICHARD WEBB & ASSOCIATES
 Technical Land Services Inc. d/b/a
 Land Surveying Consultants
 P.O. Box 531 Commerce Station
 151 Woodland Drive Cumming GA 30040
 (770) 484-4103

LEGEND
 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2. ALL CURVES ARE FULL CIRCULAR UNLESS OTHERWISE NOTED.
 3. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 4. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 5. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 6. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 7. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 8. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 9. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
 10. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.

NOTES AND REFERENCES:
 1 - PLAT FOR LYNDON WEST BY YOUNGMAN & ASSOCIATES DATED 3/14/90.
 2 - PLAT BOOK 19 PAGE 125.
 3 - PLAT BOOK 22 PAGE 268.
 4 - PLAT BOOK 31 PAGE 125.
 5 - DEED BOOK "X" PAGE 185.

APPROVED
 NOV 6 7 2005
FOR RECORDING

**LAND LOTS 193 AND 194
 NORTH HALF 13TH DISTRICT
 DAWSON COUNTY, GEORGIA**

SCALE: 1" = 100'
 AUGUST 16, 2005

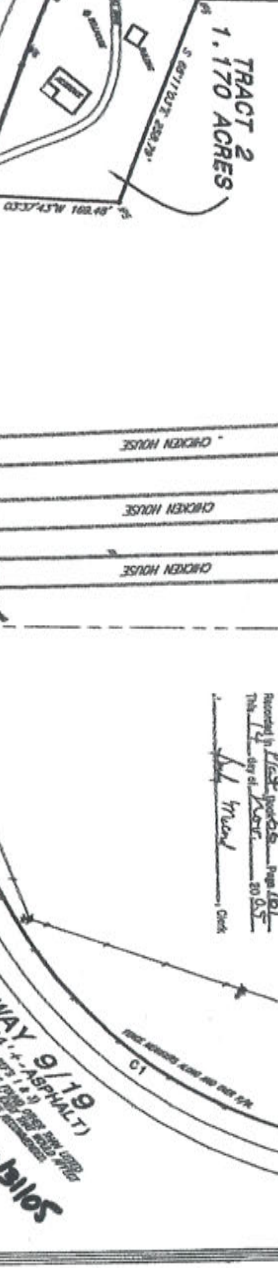
**TOTAL ACREAGE
 29.883 ACRES**

**TRACT 1
 24.265 ACRES**

**TRACT 2
 1.170 ACRES**

**TRACT 3
 4.448 ACRES**

**HIGHWAY 9/19
 (60' R/W) (24' x ASPHALT)**



Course	Bearing	Distance
L1	S 04°27'33\"	110.41'
L2	S 04°27'33\"	101.35'
L3	S 04°45'20\"	87.09'
L4	S 60°41'33\"	187.80'
L5	S 70°58'58\"	282.15'
L6	N 70°12'05\"	208.97'
L7	N 69°38'52\"	204.83'
L8	N 70°04'03\"	161.78'
L9	N 68°53'14\"	127.52'

Curve	Radius	Length	Chord	Chord Bear.
C1	554.00'	638.44'	698.12'	S 37°08'37\"
C2	1589.50'	310.17'	309.86'	N 64°28'58\"
C3	1589.50'	198.45'	198.33'	N 68°31'37\"

THE SURVEY AND ITS DIMENSIONS DO NOT CONSTITUTE A
 TITLE SEARCH OR THE GROUND BY DEEDS, MORTGAGES & ASSOC.
 AS LAND SURVEYORS, ALL DATA USED FOR THE LOCATION OF
 CURVED ROAD PLATS, RECORDS, THE CLERK OF SUPERIOR COURT
 AS REFERENCED, NO REPRESENTATIVE OF THE CLERK OF SUPERIOR COURT
 IS RESPONSIBLE FOR THE ACCURACY OF THE DATA. THE SURVEYOR
 WOULD ACCEPT THE RESPONSIBILITY OF THE DATA AND THE LOCATION
 OF THE CURVED ROAD PLATS, RECORDS, THE CLERK OF SUPERIOR COURT
 IN THE SURVEY FOR YOU MUST CONSULT WITH A COMPETENT
 TITLE ATTORNEY.

GEORGIA, DAWSON COUNTY
 CLERK OF SUPERIOR COURT
 AT 2:15 P.M. 11-14-05
 Received by *[Signature]* Page 161
 This is the day of *[Date]* A.D. 2005

[Signature]
 Clerk



01-01-05

Crawford West Properties LLC
PO Box 269
Dawsonville Ga 30534

November 8, 2021

City of Dawsonville

REF: Zoning Application for TMP 091 010



We are wishing to have our property rezoned in order to bring it into compliance with the City's zoning codes and be able to continue its current and related uses.

Historically, for about the past 50 years, the property located at 2279 Hwy 9 North on tract 1 has been a long distance trucking company and chicken farm, at one time employing approximately 30 local individuals. Since the original trucking company closed, there have been various related businesses that have operated at the location with the latest being another long distance trucking company for the last several years. The chicken houses have not been in operation for over 15 years and have no equipment in them. In the future, as funds allow, it is our intention to remove at least one of the chicken houses.

The rental house, located on tract 2, is currently occupied, but we anticipate that it will not be viable for occupation beyond a few years. It is very old and was not well built. The property it sits on is actually more suitable for a business use.

Our current tenant in the shop/business building is downsizing his operations and a potential new tenant is interested in operating a towing business at the location. There would not be any permanent storage of inoperable vehicles and that particular issue would also be addressed in any lease or rental agreement. As owners and stewards of the property we do not wish to have any kind of junk yard.

Both tracts consist of substantial road frontage on state highways that experience a lot of traffic and this will only increase over time.

Tract three was sold by us a few years ago and is not included in this request.

Thank you for your consideration of this matter,

A handwritten signature in blue ink that reads 'Nalita Y Copeland'.

Nalita Y Copeland, Managing Member

Fox, Chandler, Homans, Hicks & McKinnon, LLP

ATTORNEYS AT LAW

JOSEPH A. HOMANS
CATHERINE HENRY HICKS, P.C.
GRAHAM McKINNON IV, P.C.
THEODORE G. CASSERT, P.C.

OF COUNSEL:
DAVID A. FOX, P.C.
ROBERT L. CHANDLER, P.C.
CATHERINE T. CRAWFORD

POST OFFICE BOX 477
DAWSONVILLE, GEORGIA 30534
Telephone: 706-265-3090
Facsimile: 706-865-3147
www.foxchandler.com

January 5, 2022



Mike Eason
Mayor, City of Dawsonville
415 Highway 53 East, Suite 100
Dawsonville, GA 30534

**via Email: mike.eason@dawsonville-ga.gov

Kevin Tallant
Miles, Hansford & Tallant, LLC
202 Tribble Gap Road, Suite 200
Cumming, GA 30040

**via Email: ktallant@mhtlegal.com

Re: Zoning Amendment Application of Crawford West Properties LLC
Rezoning to Highway Business (HB)
25.435 acres; Land Lots 193 and 194, N. Half 13th District, 1st Section, Dawson
County
Tax Parcel Number 091 010


Dear Mayor and Mr. Tallant:

I represent Crawford West properties, LLC regarding the rezoning application dated November 8, 2021 and submitted November 10, 2021 scheduled for public hearing before City Council on January 6, 2022 and City Council consideration on January 20, 2022. Unfortunately, COVID guidelines prevent me from attending the public hearing on January 6. The Planning Commission recommends approval of the request.

Any refusal by the City of Dawsonville to rezone the subject property as requested pursuant to the application for rezoning referenced herein is unconstitutional. The continued application of the current zoning classification or application of any intervening zoning classification and/or zoning condition constitute a taking of property without just compensation in violation of Article I, Section I, Paragraph I and Article I,

Section III, Paragraph I(a) of the Georgia Constitution because no reasonable or feasible use of the property exists other than as requested. Additionally, denial of the application for rezoning as requested constitutes a denial of substantive due process and equal protection under the due process and equal protection clauses of the Fourteenth Amendment of the United States Constitution and the Georgia Constitution (Article I, Section I, Paragraph I and Article I, Section I, Paragraph II).

Respectfully,



Joseph A. Homans

cc: Nalita Copeland
David Picklesimer, Planning Director



City Council

Mike Eason, Mayor
Caleb Phillips, Councilmember Post 1
William Illg, Councilmember Post 2
John Walden, Councilmember Post 3
Mark French, Councilmember Post 4

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
Office (706)265-3256 Fax (706)265-4214
www.dawsonville-ga.gov

Robert Bolz
City Manager
Beverly Banister
City Clerk

PUBLIC NOTICE – MEETING CANCELLED

The regularly scheduled meeting of the City of Dawsonville City Council to be held on Thursday, January 6, 2022 has been cancelled.

The next regular scheduled meeting is set for Monday, January 20, 2022 at 5:00 pm in the Council Chambers.

as set forth therein, held at public outcry to order for cash before the door of Dawson County, within the legal on Tuesday, February following described

PARCEL OF LAND LING IN LAND LOT(S) ICT 5, SECTION 2, UNTY, GEORGIA, 2211, THE MCLEROY EIGHBORHOOD OF BDIVISION, AS PER ED IN PLAT BOOK AWSON COUNTY, RDS.

D INTENDING TO E SAME PREMISES A DEED RECORDED AGE 396. 211 CHEROKEE TRAIL 001

red by said Security en and is hereby because of, among e events of default, the indebtedness as and in the manner he Access 3 Equity d and Disclosure d Security Deed. The g in default, this sale for the purpose of me and all expenses as provided in the and by law, including s (notice of intent to y's fees having been

will be sold subject anding ad valorem g taxes which are a et due and payable), ater or sewage bills e a lien against the ther due and payable and payable and ot be of record, any nption of any taxing matters which might y an accurate survey n of the property, any liens, encumbrances, nances, restrictions, id matters of record e Security Deed first e including but not hat certain Security y Gordon Higgins and gins to Crescent Bank os, dated 10/6/2005 20/2005, recorded in 13, Page 604, Dawson ia Records, conveying described property Note in the original ount of \$50,000.00 d) and that certain d given by Gordon Meredith Higgins to k-Marble Hill dated id filed 8/13/2007, Deed Book 827, Page n County, Georgia veying the above- erty to secure a Note il principal amount of iter modified and later t that certain Security y Gordon Higgins i Higgins to Renasant 8/15/2013 and filed rded in Deed Book 538, Dawson County, rds, conveying the ed property to secure he original principal 0,000.00. knowledge and belief lsigned, the party

1029 Cherokee Trail, Big Canoe, GA 30143.

In compliance with Georgia law, please find below the contact information for the entity who has authority to negotiate, amend, and modify the terms of the loan documents which may include a note, mortgage, security deed or deed to secure debt.

SunTrust Bank
Attn: Consumer Home Retention Group, VA-Richmond-RVW 7954
1001 Semmes Avenue
Richmond, VA 23224
1(888) 886-0696

The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the Security Deed. to any rights of rescission of the party conducting this foreclosure sale pursuant to Georgia law including, but not limited to O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and non-judicial sales in the state of Georgia.

Please note that the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided immediately above and final review by the party conducting this foreclosure sale for compliance with contractual and legal obligations pursuant to the terms of the loan documents and State and Federal law, including but not limited to any and all rights of rescission.

Truist Bank, Successor by Merger to SunTrust Bank, as Attorney in Fact for Gordon Higgins and Meredith Higgins

By: Andrew D. Gleason
Attorney for Truist Bank, Successor by Merger to SunTrust Bank
Lefkoff, Ruben, Gleason, Russo & Williams, P.C.
5555 Glenridge Connector
Suite 900
Atlanta, Georgia 30342
(404)869-6900
(404)869-6909 (fax)
103249 1/5,12,19,26

Forfeiture/Seizure

IN THE SUPERIOR COURT OF DAWSON COUNTY STATE OF GEORGIA
ST A TE OF GEORGIA
CIVIL ACTION NO.: 2021-CV-0301-C V.

2007 GMC Sierra, VIN #2GTEK13C171575511; and 1990 Ford Ranger, VIN #1FTCR11T8LUB32261 (Michael Lamar Stapler) Defendants in rem.

COMPLAINT FOR FORFEITURE NOTICE OF PUBLICATION

By Order for Service by Publication dated the September 21 2021, you are notified that on July 14, 2021, the State of Georgia filed suit against you for forfeiture of 2007 GMC Sierra, VIN #2GTEK13C171575511; and 1990 Ford Ranger, VIN #1FTCR11T8LUB32261.

You are required to file with the Clerk of the Superior Court and to serve upon the State of Georgia through the District Attorney, 25 Justice Way, Suite 1302, Dawsonville, GA 30534, an Answer in writing within thirty (30) days of

CLERK,~ DAWSON COUNTY SUPERIOR COURT 103671 1/19,26

Local Government

NOTICE OF MEETING CHANGE

Due to threat of potential inclement weather, The Board of Elections and Registration of Dawson County shall move its regularly scheduled meeting of January 19, 2022 to January 26, 2022 at 9:30 am, if able at that time. All members will meet at The Board of Elections office at 96 Academy Avenue. If COVID concerns increase, we will meet by Zoom and will post on our website and office. Any questions or concerns, please call the Elections office at 706-344-3640. Meetings are open to the public.
103741 1/19

Public Hearings

Notice of Public Hearing

The following public hearings will be heard by the City Council beginning at 5:00 p.m. respectively on the dates indicated below. Public hearing will be heard in the Council Chambers on the second floor at City Hall located at 415 Hwy 53 East, Dawsonville, Georgia 30534 and / or via teleconference during the COVID restrictions. Please refer to agenda for more information. The public is invited to participate.

ZA-C2200079: Crawford West Properties, LLC has petitioned a zoning amendment for TMP 091 010, Located at 2279 HWY 9 North from R1 (Restricted Single-Family Residential) to HB (High Business). Public Hearing Date: City Council on February 7, 2022. City Council for a decision on February 21, 2022. If you wish to speak on the requests, please contact City Hall for a CAMPAIGN DISCLOSURE form. This form is only needed if you have made campaign contributions in the amount of \$250.00 or more within 2 years prior to this date. Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.
103483 1/19

Public Notice

2022 Regular Meetings of the Long Range Planning Committee
The Dawson County Long Range Planning Committee will conduct regular meetings on the dates set forth at the Dawson County Government Center Administration Training Room (2nd floor), located at 25 Justice Way, Dawsonville, Georgia. Meetings will begin at 11 a.m. The public is invited to attend.
January 26, 2022
February 23, 2022
March 23, 2022
April 27, 2022
May 25, 2022
June 22, 2022
July 27, 2022
August 24, 2022
September 28, 2022

the Thanksgiving holiday. The December meeting is tentatively set for December 21, 2022, but subject to change.
103711 1/19

Public Sales/Auctions

Notice of Public Sale

All Sales are Final Pursuant to O.C.G.A 10-4213, an online auction will be held to satisfy a landlord's lien at www.storage-treasures.com. Sale is competitive bidding ending on December 27th, 2021 at 10:30AM. Property will be sold by unit to the highest bidder for cash. A \$100.00 refundable cleaning deposit per unit will be required. All units are sold as-is and all contents must be removed within 48 hours at close of bidding. Sale is subject to cancellation up to time of sale. Company reserves the right to refuse any online bid. Unless otherwise noted, units contain household goods and/or personal goods.
Securlock Storage - 184 Carlisle RD Dawsonville GA, 30534
Justin Kyall: Pots, chairs/stools, lamps, entertainment center, patio furniture, and chest of drawers
Greg Scott: Vacuum, fans, boxes, picture frames
Douglas Martin: Floating cooler, speakers, briefcase, fishing rods, gaming system, tubs, lamp, and tool box.
103246 1/12,19

Probate Notices

IN THE PROBATE COURT OF DAWSON COUNTY STATE OF GEORGIA

IN RE: ESTATE OF ALINE MCCLURE DECEASED

ESTATE NO. 2021-ES-176 NOTICE
IN RE: The Petition to Probate Will (and Codicil(s)) in Solemn Form in the above-referenced estate having been duly filed.

[For use if an heir is required to be served by publication]
TO: David Bennett & Jason M. Fausett
[List here all heirs having unknown addresses to be served by publication]
This is to notify you to file objection, if there is any, to the petition to probate will in solemn form, in this Court on or before January 24th, 2022

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the petition may be granted without a hearing.
Judge Jennifer Burt
Judge of the Probate Court
By Allie Phillips
Clerk of the Probate Court
25 Justice Way, Suite 4322

IN THE PROBATE COURT OF DAWSON COUNTY STATE OF GEORGIA

IN RE: DOUGLAS JAMES MASON DECEASED

ESTATE NO. 2022-ES-5 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

To whom it may concern: SONJA MARIE MASON has petitioned to be appointed administrator(s) of the estate of DOUGLAS JAMES MASON, deceased, of said county. (The petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, and/or grant of certain powers contained in O.C.G.A. & 53-12-261.) All interested persons are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before February 14th, 2022.

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.
Judge Jennifer Burt
Judge of the Probate Court
By Allie Phillips
Clerk of the Probate Court
25 Justice Way, Suite 4322
Dawsonville, GA 30534
(706)344-3580
103662 1/19,26,2,2,9

IN THE PROBATE COURT OF DAWSON COUNTY STATE OF GEORGIA

IN RE: ROBERT U BENSON DECEASED

ESTATE NO. 2021-ES-182 NOTICE OF PETITION TO FILE FOR YEAR'S SUPPORT

The petition of LINDA SUE BENSON, for a year's support from the estate of ROBERT U BENSON, deceased, for decedent's (surviving spouse), having been duly filed, all interested persons are hereby notified to show cause, if any they have, on or before January 31st 2022, why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed on or before the time stated in the preceding sentence. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be (scheduled at a later date). If no objections are filed the petition may be granted without a hearing.
Judge Jennifer Burt
Judge of the Probate Court
By Allie Phillips
Clerk of the probate Court



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 9

SUBJECT: ORDINANCE NO. 02-2022 – ZONING ORDINANCE AMENDMENT

CITY COUNCIL MEETING DATE(S): 02/07/2022

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST: **PUBLIC HEARING, SECOND READING AND CONSIDER ADOPTION**

ORDINANCE NO. 02-2022: AN ORDINANCE BY THE CITY OF DAWSONVILLE TO AMEND ITS ZONING ORDINANCE; TO AMEND PROVISIONS ON CONDITIONAL USES AND VARIANCES; TO AMEND PROVISIONS RELATED TO CITY INITIATED REZONINGS; TO ADDRESS BUFFERS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES (FIRST READING: JANUARY 20, 2022; PUBLIC HEARING, SECOND READING AND CONSIDERATION TO ADOPT: FEBRUARY 7, 2022)

HISTORY/ FACTS / ISSUES:

REQUEST TO AMEND THE CITY'S ZONING ORDINANCE CONCERNING EXPIRATION OF DEVELOPMENT ZONING STATUS AND ADDITIONAL UNDISTURBED BUFFER REQUIREMENTS

COUNCIL APPROVED TO MOVE FORWARD WITH ZONING AMENDMENT AT THE 12/20/2021 CITY COUNCIL MEETING

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: David Picklesimer, Planning Director

Subject Matter: Zoning Amendment-Expirations and Buffers
Date of First Reading: January 20, 2022
Date of Second Reading and Public Hearing: February 7, 2022
Date of Adoption:

ORDINANCE NUMBER 02-2022

AN ORDINANCE BY THE CITY OF DAWSONVILLE TO AMEND ITS ZONING ORDINANCE; TO AMEND PROVISIONS ON CONDITIONAL USES AND VARIANCES; TO AMEND PROVISIONS RELATED TO CITY INITIATED REZONINGS; TO ADDRESS BUFFERS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES

WHEREAS, the Constitution of the State of Georgia provides in article IX, Section II, Paragraph IV thereof, that the governing body may adopt plans and exercise the power of zoning;

WHEREAS, the Georgia General Assembly has enacted the Georgia Planning Act of 1989, Georgia Laws, 1989 pp. 1317-1391, Act 634, which, among other things, provides for local governments to adopt plans and regulations to implement plans for the protection and preservation of natural resources, the environment, vital areas, and land use;

WHEREAS, the City finds that the regulations contained in this Ordinance are necessary for the purposes of implementing its comprehensive plan adopted pursuant to the requirements of the Georgia Planning Act of 1989;

WHEREAS, this Ordinance has been prepared and considered in accordance with the Zoning Procedures Act, O.C.G.A. § 36-66-1 *et seq.*;

WHEREAS, this Ordinance is necessary for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the City of Dawsonville (the “City”);

AND WHEREAS, the Mayor and City Council of the City desire to exercise their authority to adopt this ordinance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE HEREBY ORDAINS AS FOLLOWS:

SECTION 1.

Appendix A, Article VIII, of Subpart B of the Code of Dawsonville, Georgia, **Section 802: Buffer Required** is hereby amended by repealing the existing Section 802, and replacing it with the following which shall be a new Section 802:

Sec. 802. Buffer required.

Property zoned for commercial and industrial uses shall provide a buffer, as defined by these regulations, along any rear or side property lines abutting a residential district or abutting an alley across from a specified residential district, provided that no buffer shall extend within 15 feet of a public right-of-way line. Minimum buffer widths shall be established in accordance with the following stipulations.

1. When an HB, CBD, or NB district abuts a residential district, a setback of 40 feet shall be provided, including a 30-foot buffer.
2. When an LI or CIR district abuts a residential district, a setback of 60 feet shall be provided, including a 50-foot buffer.
3. When any district abuts a TB district, a ten-foot planted landscape buffer shall be provided on property which abuts the TB district.
4. Properties zoned residential in common subdivision developments shall provide a 20-foot undisturbed buffer along any of the development adjoining property lines.

It shall be the responsibility of the developer to designate required buffers on construction plans and provide tree save to delineate buffer areas to ensure that existing vegetation within required buffers is maintained, unless disturbance of the buffer is approved by the planning director or designee as specifically provided herein. Wherever a buffer, in the determination of the Planning Director or his designee, is so sparsely vegetated that it does not achieve the buffer purpose of visually screening and separating properties, it shall be the duty of the developer to provide for additional plantings to achieve that purpose.

Prohibited buffer encroachments include, but are not limited to, buildings, pavement, parking, service areas, detention ponds, roads, septic tanks, septic drain fields, walls.

A buffer may be disturbed for approved access and utility crossings including, but not limited to, water and sewer lines, drainage pipes, drainage swells, privacy fence and gas lines if it does so via perpendicular crossing. Privacy fence installed parallel shall be installed along adjoining property line and or along the 20-foot buffer line. In addition, the removal of non-native, invasive species is allowed within the buffer zone at the discretion of the planning director. Any approved buffer disturbance must be accompanied by buffer replanting in order to achieve the buffer purpose of visual screening and separation.

It shall be the responsibility of the property owner of the lot to be used or built upon to maintain existing vegetation within required buffers and to replant where sparsely vegetated or install fencing as approved to achieve the desired screening. Installation of vegetation or fencing may be phased in accordance with approved building plans.

SECTION 2.

Appendix A, Article IX of Subpart B of the Code of Dawsonville, Georgia, **Section 917: Expiration of Conditional Use, Variance and Zoning Approval**, is hereby amended by repealing the existing Section 917 and replacing it with the following which shall be a new Section 917:

Sec. 917. Expiration of conditional use, variance and zoning approval.

- a. If, after one year from the date the governing body approves a conditional use permit or the planning commission approves a variance, action has not been taken with the city to utilize the property in accordance therewith (such as securing a development permit, business license, or taking other actions involving obtaining a city permit, certificate or license showing a reliance thereon) the approval of the conditional use permit or variance as the case may be shall expire. At such point, the conditional use permit or variance shall be null, void and of no further force or effect. Prior to any expiration of approval, the owner of the property in question may petition the governing body for a modification or extension of variance or conditional use approval. Any such extension shall be valid for one year from the date of approval. Only one such extension shall be permitted.
- b. If a landowner takes action with the city to utilize the property in accordance with a conditional use permit and then ceases or abandons that conditional use for a continuous period of one year or more, the conditional use shall lapse, expire and be of no further validity.
- c. Any approved zoning of property where there has been no application for land disturbance permit submitted within twenty-four months from the date of zoning approval shall result in a notice being delivered to the owner and the zoning applicant, if different, advising that a city-initiated rezoning to a constitutional zoning designation for the subject property may occur if no land disturbance permit application is tendered within thirty days and approved ninety days of said notice. Upon no land disturbance permit application being tendered and approved within the timelines set forth in this paragraph, the property shall be placed upon a city council agenda for consideration of a city-initiated rezoning.

SECTION 3.

If any section, provision or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted had such invalid portion not been included herein.

SECTION 4.

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5.

This ordinance shall become effective upon adoption, the public good demanding the same.

SO ADOPTED AND ORDAINED by the City Council of Dawsonville, Georgia, this ____ day of _____, 2022.

MAYOR AND DAWSONVILLE CITY COUNCIL

By: _____
Mike Eason, Mayor

Caleb Phillips, Council Member Post 1

William Illg, Council Member Post 2

John Walden, Council Member Post 3

Mark French, Council Member Post 4

ATTESTED TO BY:

Beverly A. Banister, City Clerk



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 10

SUBJECT: MODIFICATION REQUEST FOR IMPROVEMENT TO WINNERS CIRCLE

CITY COUNCIL MEETING DATE: 02/07/2022

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO CONSIDER REQUEST FROM CINDY ELLIOTT TO MODIFY THE WINNERS CIRCLE TO INCLUDE A COVERED PORTICO AND TO IMPROVE THE EXTERIOR FAÇADE OF THE MUSEUM ENTRANCE

HISTORY/ FACTS / ISSUES:

ITEM 7 IN THE LEASE AGREEMENT STATES THE FOLLOWING:

Improvements. To the extent Lessee desires to modify, change or improve the Museum Space for Lessee's intended use, all such costs shall be borne by Lessee, and no such costs shall be the responsibility of the Lessor. **Any plans for modifications or improvements must be presented and approved in writing by Lessor prior to initiation of any change, modification or construction.**

NOTE: TO DATE, THE 2022 LEASE AGREEMENT WITH THE MUSEUM HAS NOT BEEN EXECUTED TO INCLUDE THE WINNERS CIRCLE AS A PART OF THE RENTAL SPACE. CHANGES CONCERNING THE LEASE HAVE BEEN REQUESTED BY THE DIRECTOR AND ATTORNEY FOR THE DAWSONVILLE HISTORY MUSEUM.

STAFF IS CONCERNED FOR STABILITY AND BUILDABILITY OF EXISTING CONCRETE AREA AND FOR LOCATION OF THE CHRISTMAS TREE

OPTIONS:

1. DENY CONSTRUCTION TO MODIFY THE WINNERS CIRCLE
2. ALLOW CONSTRUCTION, IF MUSEUM HAS FUNDING AVAILABLE
3. TABLE PENDING OPINION FROM UNIVERSAL CONCEPTS (CHRISTMAS DÉCOR COMPANY), AN ENGINEERING REPORT AND THE FIRE MARSHAL

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager



The Dawsonville History Museum, dba The Georgia Racing Hall of Fame is a 501c3 not for profit organization seeking your support.

It is our hope to expand our facility thus growing our local economy by adding additional community center space. Our request herein specifically relates to a covered portico over the existing winners circle area and entrance to the museum. The new design would be a very nice accent to the Farmers Market and would provide much needed shade for the many various community events we host at the museum.

The modernization of the exterior facade would include the six front loadbearing glass doors that weather has severely deteriorated over the last 25+ years.

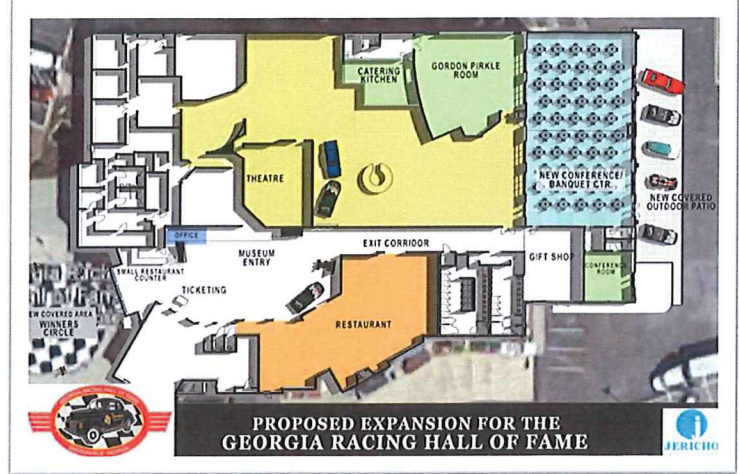
As the city rents the farmers market and the pavilions at the park, we too would make this portico area available for rental to the public for special community events such as corn hole tournaments, car auction/shows and weddings etc....

We humbly request your support in our efforts to improve the quality of life in our community with this project.

Dawson County Conference Center:

Complete the construction and renovations necessary to transform the GRHOF with:

- Over 12,000 sq. ft. of added and improved space.
- New construction will add 5,000 sq. ft. of new space on the east side of the museum for the conference and banquet space, that will comfortably seat up to 550 persons.
- New warming and catering kitchen, (in the process of upgrades with funds provided by the City of Dawsonville).
- **Outside, a roof added over the racing pavilion where crowds gather for major events.**
- Improvements made to the outdoor seating area.
- No existing local conference facility of the proposed size and seating capacity to provide services in a safe and professional manner.



Our **GOAL** is to increase tourist spending by providing the necessary infrastructure to accommodate large convention center gatherings and take our revenue generation to the next level by competing in the lucrative Travel and Hospitality Industry.

**Results of Economic Impact Study
(2022 – 2026, Grant Period)**



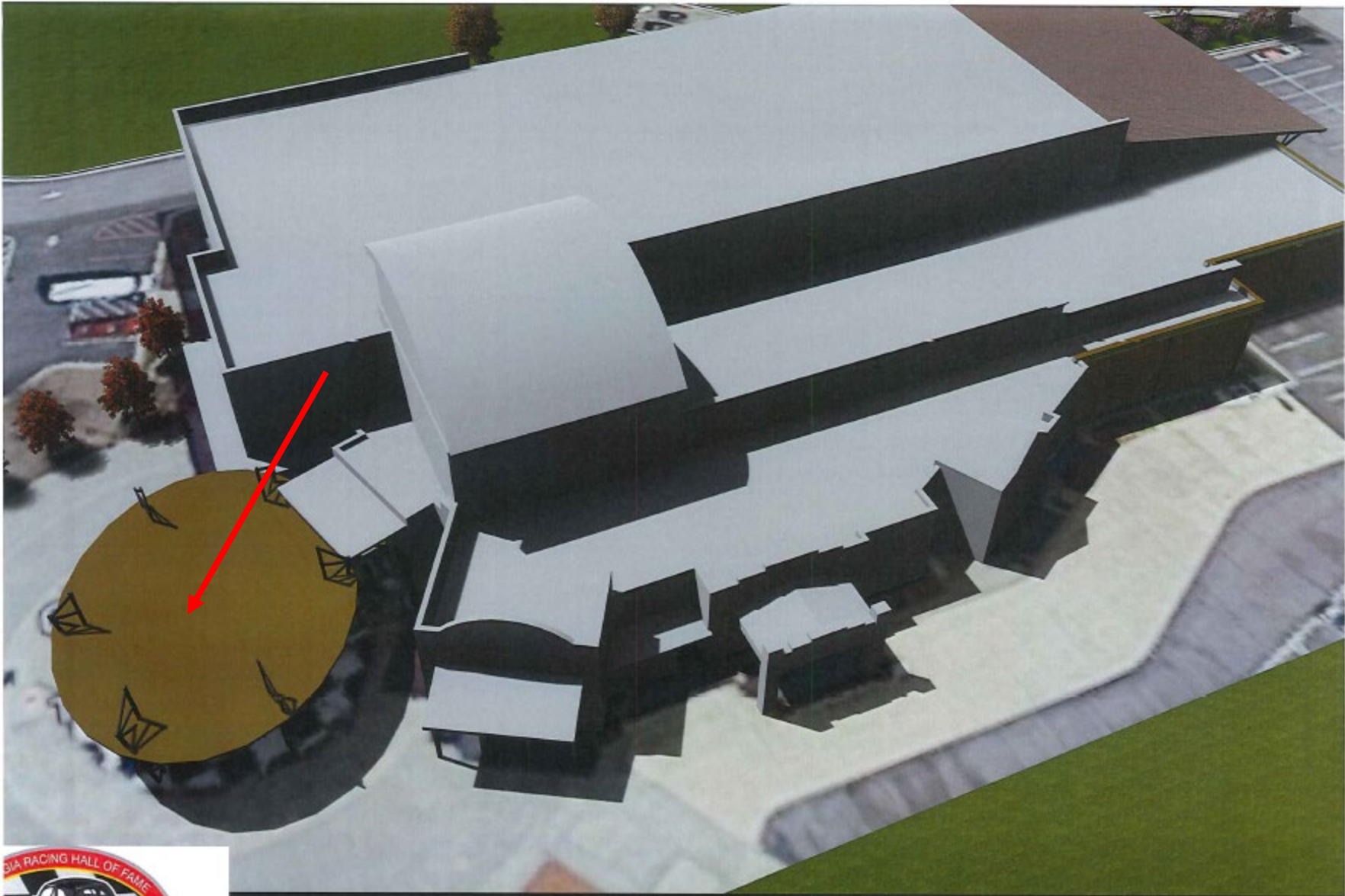
Economic Indicators by Impact				
Impact	Employment	Labor Income	Value Added	Output
1 - Direct	91.73	\$3,534,653.41	\$3,607,694.19	\$8,663,738.91
2 - Indirect	15.8	\$487,115.13	\$819,985.44	\$2,223,373.25
3 - Induced	8.43	\$293,169.18	\$660,717.44	\$1,157,461.22
Totals	115.96	\$4,314,937.73	\$5,088,397.07	\$12,044,573.39

Tax Results					
Impact	Sub County Special Districts	County	State	Federal	Total
1 - Direct	\$ 13,226.42	\$ 13,060.34	\$ 59,729.88	\$ 571,808.59	\$ 657,825.22
2 - Indirect	\$ 17,436.72	\$ 17,629.65	\$ 43,061.09	\$ 86,861.36	\$ 164,988.82
3 - Induced	\$ 17,928.36	\$ 18,163.30	\$ 40,854.99	\$ 58,601.97	\$ 135,548.61
Totals	\$ 48,591.50	\$ 48,853.29	\$ 143,645.96	\$ 717,271.92	\$ 958,362.65

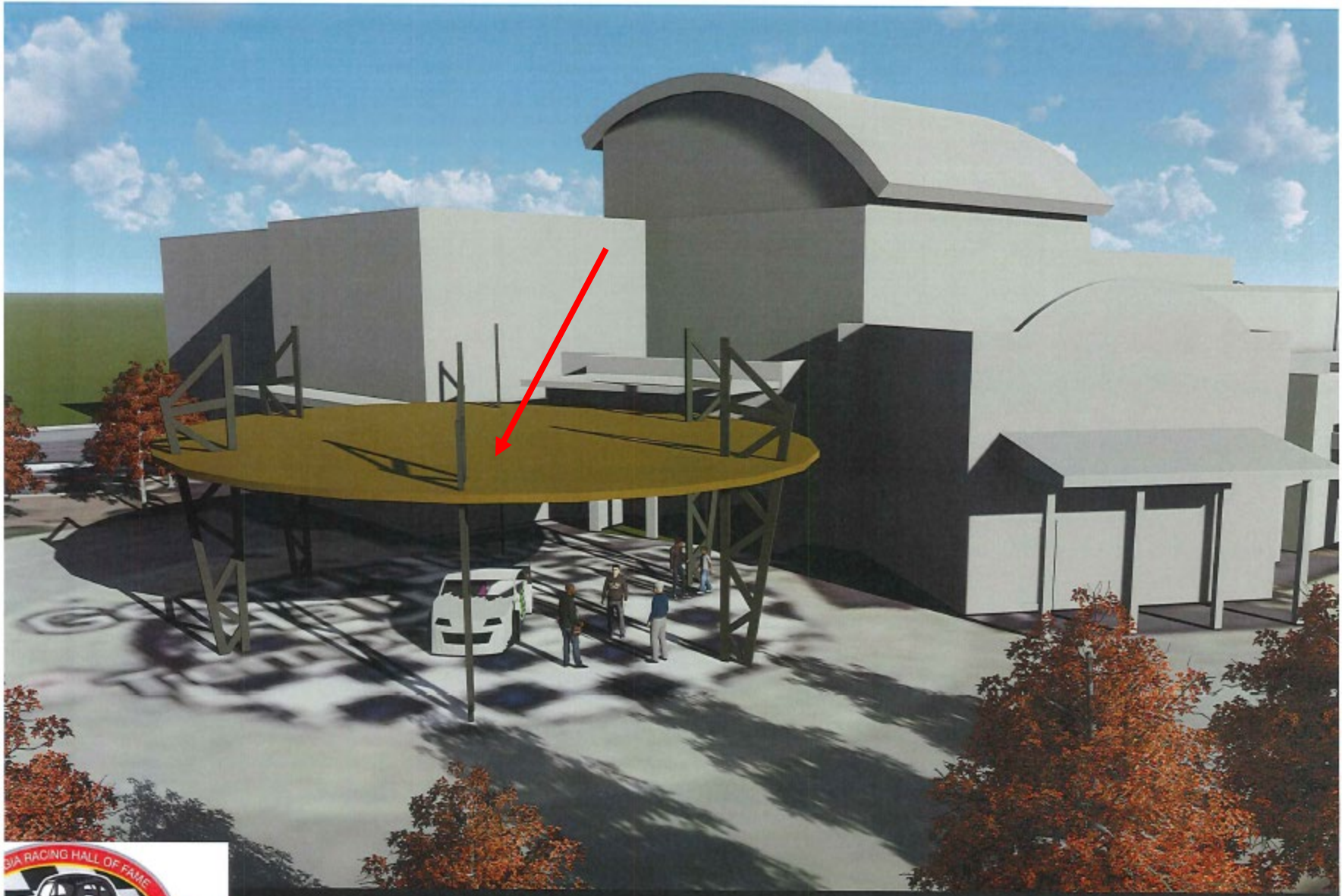
Broader Impact to the Community and Industries.

The new conference center will serve not only as a business conference center and banquet hall, but also as a community resource when community emergencies requiring a large space to accommodate for example, food distribution, or assist public health with mitigation tactics to administer emergency immunizations. We can successfully address educational disparities with field-trip or after-school programs to get kids involved in STEM. A lot of science, technology, engineering, and math go into NASCAR racing, and this will be a fun and engaging location for the kids to learn. Not for just the kids, our location can be used to provide needed community job-training or educational seminars.





PROPOSED EXPANSION FOR THE GEORGIA RACING HALL OF FAME



PROPOSED EXPANSION FOR THE GEORGIA RACING HALL OF FAME



PROPOSED EXPANSION FOR THE GEORGIA RACING HALL OF FAME



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 11

SUBJECT: CHARTER AMENDMENT ORDINANCE

CITY COUNCIL MEETING DATE: 02/07/2022

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST: **FIRST READING AND ADOPTION**

Ordinance No. 03-2022: An Ordinance To Amend The Charter Of The City Of Dawsonville For The Purpose Of Reapportionment Of Representative Districts Pursuant To O.C.G.A. § 36-35-3 And § 36-35-4.1 (First Reading and Adoption: February 7, 2022; Second Reading and Final Adoption: February 21, 2022)

HISTORY/ FACTS / ISSUES:

- **GMRC DEVELOPED NEW DISTRICT POST MAPS AS A RESULT OF THE 2020 CENSUS DATA AND PRESENTED TO COUNCIL ON 12/20/2021. REDISTRICTING CAN BE ACHIEVED THROUGH A CHARTER AMENDMENT AND DOES NOT REQUIRE LEGISLATIVE APPROVAL FROM THE STATE**
- **AS REQUIRED, CHARTER AMENDMENT HAS BEEN ADVERTISED ACCORDING TO GUIDELINES AND A COPY OF THE AMENDMENT HAS BEEN RECORDED WITH THE DC SUPERIOR COURT CLERK.**

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor/Kevin Tallant, City Attorney

Subject Matter: Charter Amendment – Redistricting

First Reading and Adoption: February 7, 2022

Second Reading and Final Adoption: February 21, 2022

Publication Dates: Feb. 2, 2022, Feb. 9, 2022, Feb. 16, 2022

Filed with DC Clerk of Court (publication version): January 27, 2022

Filed with DC Clerk of Court (adopted version): _____

Filed with Georgia Secretary of State: _____

ORDINANCE NO. 03-2022

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF DAWSONVILLE FOR THE PURPOSE OF REAPPORTIONMENT OF REPRESENTATIVE DISTRICTS PURSUANT TO O.C.G.A. § 36-35-3 AND § 36-35-4.1

WHEREAS, the Charter of the City of Dawsonville, Georgia provides in Section 5.11(e) there shall be four (4) council member districts of approximately equal populations that shall be created and modified as required.

WHEREAS, the City of Dawsonville’s current voting district posts were created utilizing data obtained from the 2010 United States Census;

WHEREAS, the City utilized the services of the Georgia Mountain Regional Commission to analyze available data and information from the most recent decennial census to describe population growth and change;

WHEREAS, the Georgia Mountain Regional Commission determined population growth and shifts resulted in uneven voting districts;

WHEREAS, the Mayor and City Council have determined that such reapportionment is necessary due to the addition and shift of the population of the City of Dawsonville since the previous census and thus have determined the below Charter amendment reapportioning said Council Voting Districts is necessary;

WHEREAS, Article IX, Section II, Paragraph II of the Constitution of the State of Georgia, titled *Home Rule for Municipalities*, permits the General Assembly of the State of Georgia to provide by law for the self-government of municipalities, which the General Assembly has done with *The Municipal Home Rule Act of 1965*, O.C.G.A. § 36-35-1, et seq.;

WHEREAS, the United States Constitution requires voting districts be drawn to give maximum effect to one-person/one-vote as required by the 14th Amendment to the Constitution;

WHEREAS, O.C.G.A. § 36-35-4.1 authorizes municipalities to reapportion election districts for the next municipal elections when the municipality is on notice wherein districts may be unconstitutionally out of balance;

WHEREAS, Georgia law also establishes each reapportioned district shall be formed of contiguous territory with boundary lines be at the center of streets or other well-defined boundaries, the variations in populations among the districts created comply with the one person-one vote requirements of the Constitution, and the reapportionment is limited to the extent necessary to establish one person-one vote limits and that the number of representative districts may not be changed, O.C.G.A. § 36-35-4.1(b);

WHEREAS, the data obtained and analyzed by the Georgia Mountain Regional Commission, using criteria and methods where are generally accepted in the field of demography and relying on data that is generally relied upon by demographers, establishes the current district lines must be revised to comply with the one person-one vote mandate of the United States Constitution and the requirements of O.C.G.A. § 36-35-4.1(b);

WHEREAS, a notice of the proposed Charter Amendment, authorized by the General Assembly pursuant to O.C.G.A. § 36-35-3 was published in the Legal Organ for Dawson County for each of three (3) weeks within sixty (60) days of the final action on this ordinance, O.C.G.A. § 35-35-3(b)(1);

WHEREAS, the title of these Ordinances shall have been read and the Ordinance duly adopted at two (2) consecutive City Council meetings not less than seven (7) nor more than sixty (60) days apart, as required by Georgia law;

NOW THEREFORE, the Mayor and Council for the City of Dawsonville, at consecutive Regular meetings of the Governing Authority for the City of Dawsonville, does HEREBY DECLARE AND ORDAIN as follows:

1. The statements and conclusions contained in the “Whereas” paragraphs above are made the findings of fact of the City Council.
2. Any previous maps, depictions, or representations of the voting district posts found in the Charter of the City of Dawsonville are hereby REPEALED in their Entirety.
3. A new Appendix A is hereby enacted and described as shown in the attached Exhibit 1 illustrating the new district lines.
4. The City Attorney is directed to provide notice of this redistricting to the Georgia Secretary of State and to the Legislative Reapportionment Office within 30 days of this Ordinance, and to the Office of the United States Attorney General, to the extent the law requires such communication.

SO ADOPTED AND ORDAINED by the City Council of Dawsonville, Georgia, this ____ day of _____, 2022.

MAYOR AND DAWSONVILLE CITY COUNCIL

By: _____
Mike Eason, Mayor

Caleb Phillips, Council Member Post 1

William Illg, Council Member Post 2

John Walden, Council Member Post 3

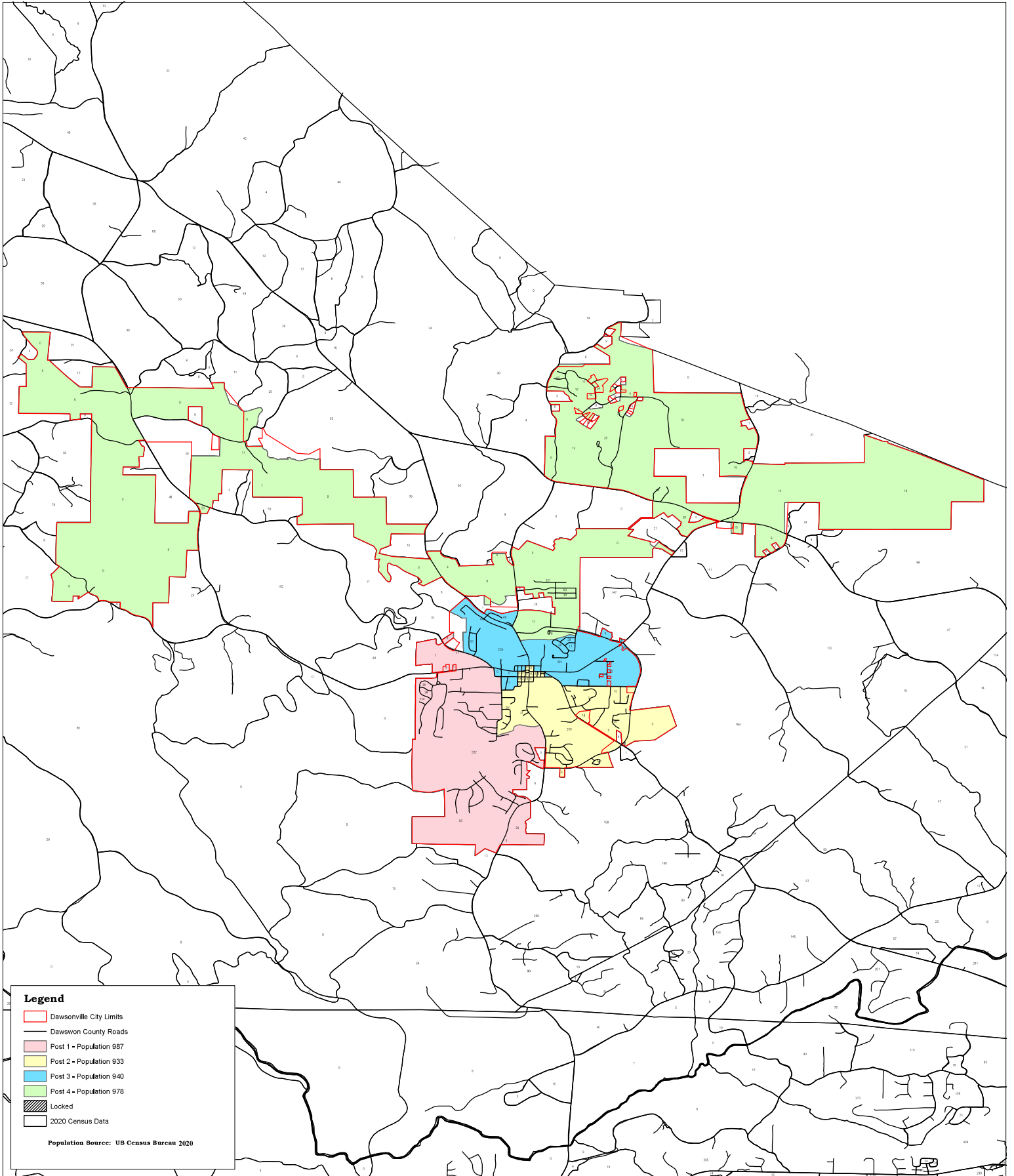
Mark French, Council Member Post 4

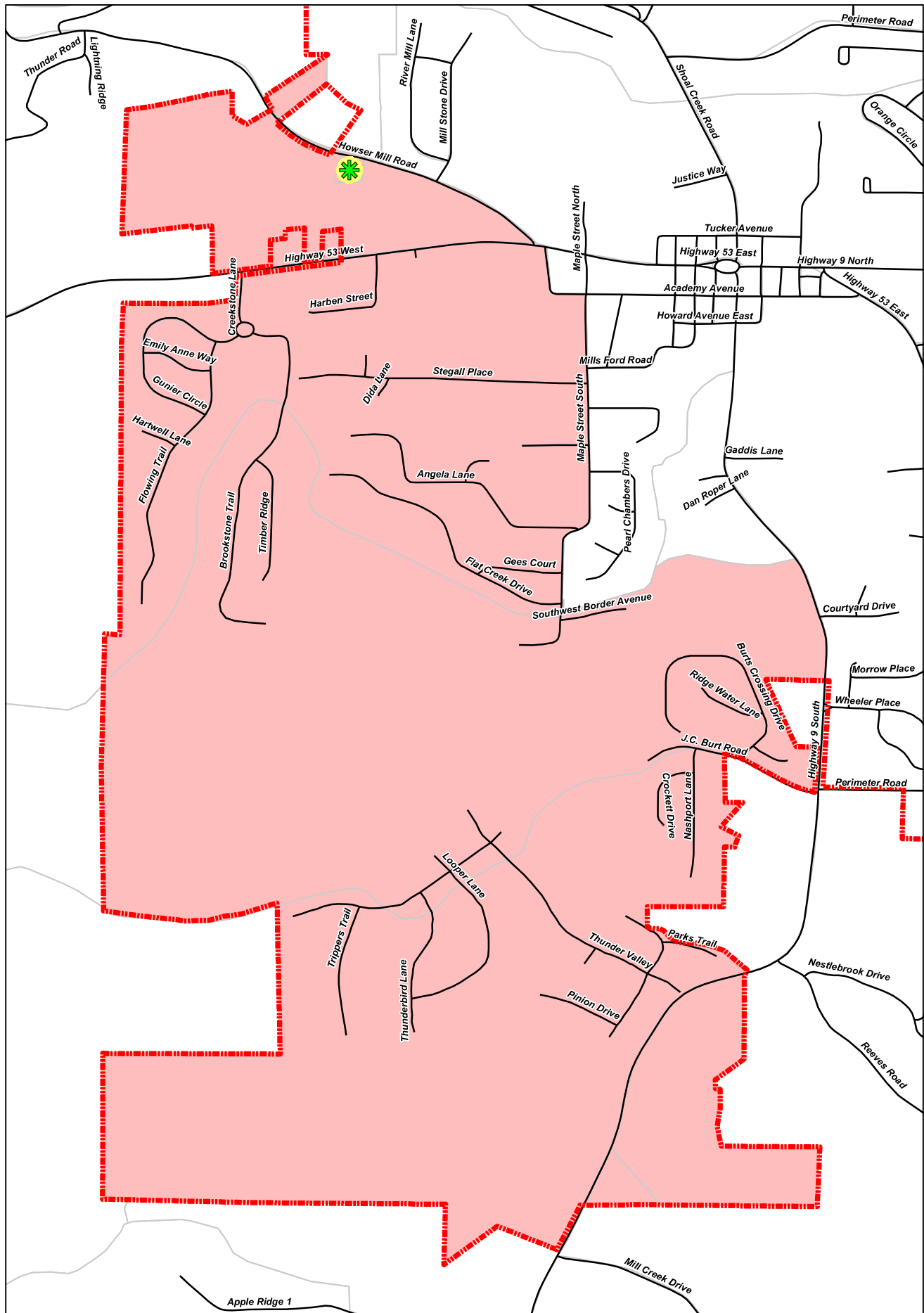
ATTESTED TO BY:

Beverly A. Banister, City Clerk

City of Dawsonville

Proposed Revised Voting District Posts

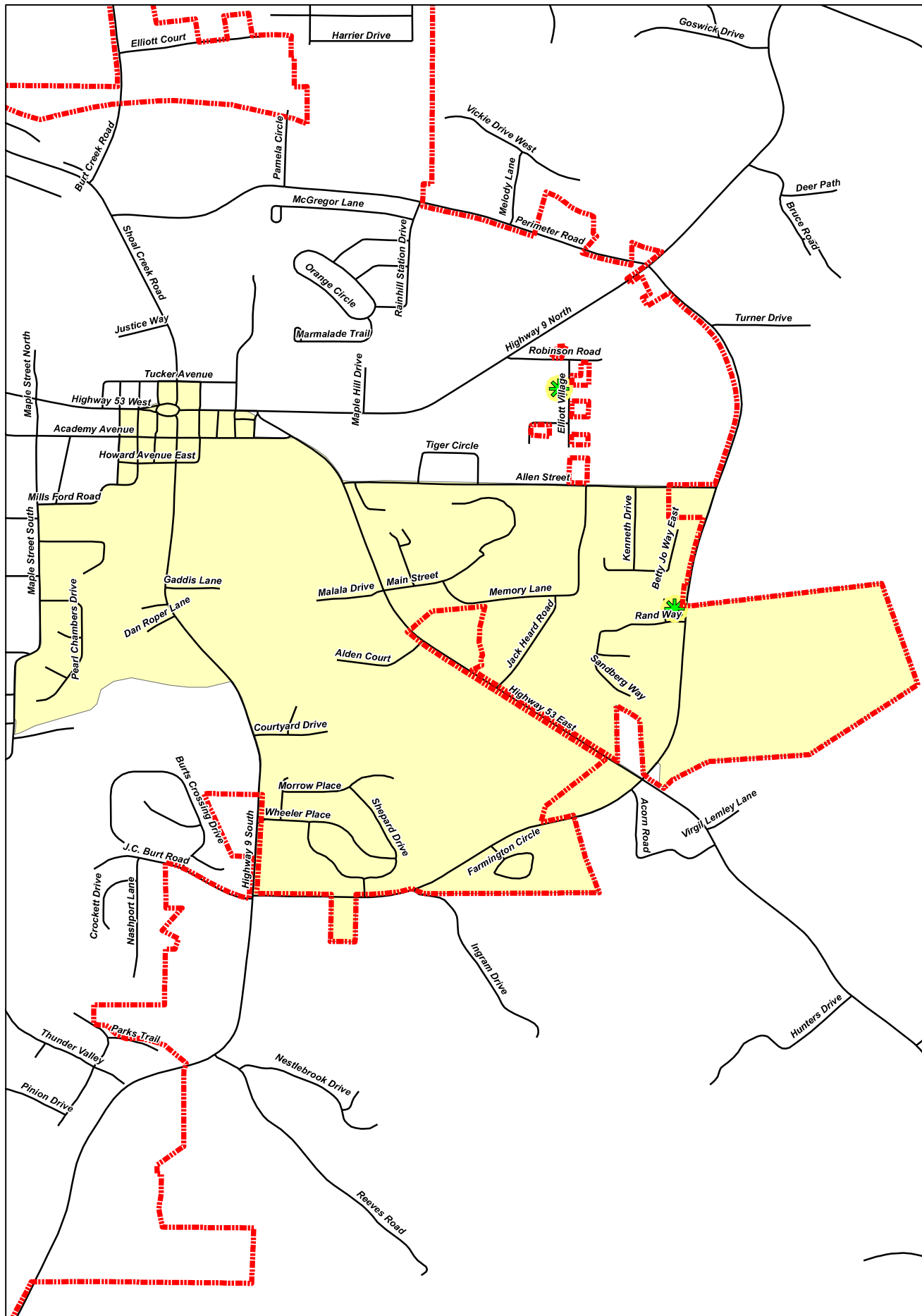




**City of Dawsonville
Voting Post 1
Population - 987**

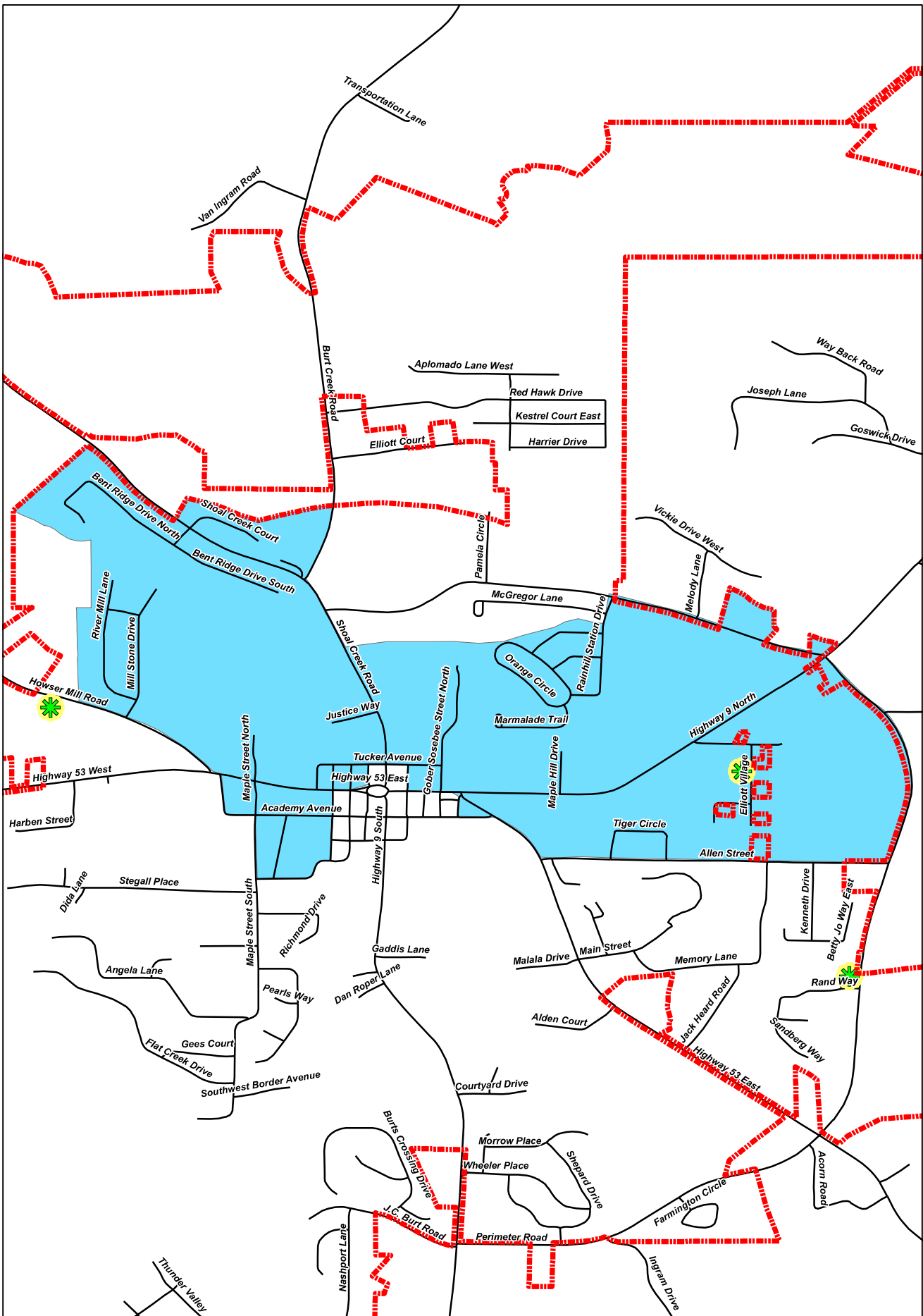


Exhibit 1



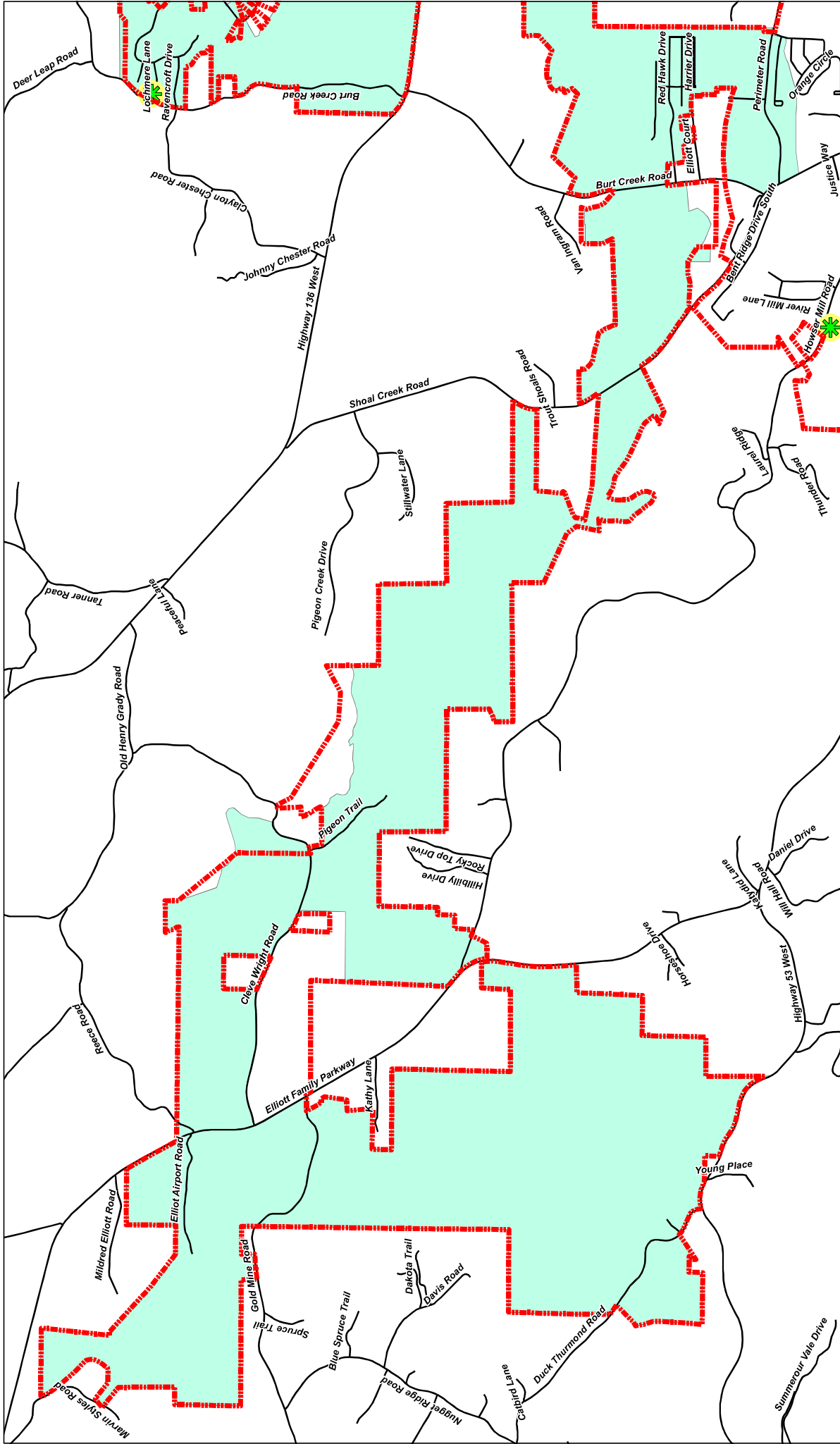
City of Dawsonville
Voting Post 2
Population - 933





City of Dawsonville
Voting Post 3
Population - 940





City of Dawsonville
Voting Post 4 - Section 1
Population - 978 (Both Sections)



