

**AGENDA**  
**PLANNING COMMISSION REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, July 14, 2025, 5:30 P.M.**

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1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Announcements
5. Approval of the Agenda
6. Approval of the Minutes
  - Regular Meeting held Monday, March 10, 2025

**PUBLIC HEARING**

7. **ZA-C2500171**: PR Land Investments, LLC has petitioned for an amendment to the official zoning map applicable to the properties provided below. The applicant proposes the properties be rezoned from R-1 and R-3: Restricted Single-Family Residential District and Single-Family Residential District to RPC: Residential Planned Community, for the development of 120 single-family semi-detached homes.

**Tax Map Parcel 093 010 (592 HWY 9 S), Tax Map Parcel 093 011 (93 Southwest Border Ave), Tax Map Parcel D02 004, and Tax Map Parcel D04 010 (416 HWY 9 S).**

Public Hearings Dates: Planning Commission July 14, 2025, at 5:30 p.m. and Mayor and City Council August 4, 2025, at 5:00 p.m.

**PLANNING COMMISSION REPORTS**

**ADJOURNMENT**

*The next scheduled Planning Commission meeting is Monday, August 11, 2025*

*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.*

**MINUTES**  
**PLANNING COMMISSION REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, March 10, 2025**

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1. **CALL TO ORDER:** Chairperson Randy Davis called the meeting to order at 5:30 p.m.
2. **ROLL CALL:** Present were Planning Commission Members Josh Nichols, Ashley Stephenson, Madison Eiberger, Dr. Saba Haeringer, City Attorney Kevin Tallant, Councilmember Liaison Caleb Phillips, City Manager Bob Bolz, Assistant City Manager Jacob Evans, and Zoning Administrative Assistant Stacy Harris.
3. **INVOCATION AND PLEDGE:** City Attorney B. Bolz led the invocation and pledge.
4. **ANNOUNCEMENTS:** City Manager B. Bolz introduced Jacob Evans, the new Assistant City Manager. Mr. Evans is a native of Dawson County.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda made by A. Stephenson; second by Dr. S. Haeringer. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the regular meeting minutes held on Monday, December 10, 2024, made by J. Nichols; second by A. Stephenson. Vote carried unanimously in favor.

**PUBLIC HEARING**

7. **ANX C2500099:** Trail & Son, LLC on behalf of Matthew Turner has petitioned to annex into the city limits of Dawsonville the 2.90-acre tract known as TMP 092 042, located at Perimeter Road, with a County zoning of RA (Residential Exurban / Agricultural) to City zoning R-1 (Restricted Single-Family Residential District). Public Hearing Dates: Planning Commission on Monday, March 10, 2025, and City Council on Monday, 7, 2025. City Council for a decision on Monday, April 21, 2025.

Chairperson Davis read the rezoning request. Planning Department S. Harris provided staff analysis. She stated that the applicant had car trouble and would not be able to make the meeting. Ms. Harris stated that the applicant intended to build two houses on the proposed 2.90 acres.

Motion to open the public hearing by Dr. S. Haeringer; second by J. Nichols. Vote carried unanimously in favor.

No one spoke in favor of the zoning request.

The following person spoke in opposition to the annexation request:

- Jack Pilcher, 24 Melody Lane, Dawsonville, Georgia – He stated Melody Lane Road cannot handle any more traffic. The road is very narrow, and we back out of our home into the narrow road. My wife and I have asthma, and the dust created from new construction effects our breathing.

Motion to close the public hearing made by A. Stephenson; second by J. Nichols. Vote carried unanimously in favor.

Discussion among the Commission Member A. Stephenson, Chairperson R. Davis, and City Attorney K. Tallant regarding site plan approval and square footage of the homes in a R-1 district.

Commission Member A. Stephenson motioned to table the annexation. Motion died for lack of second.

Motion to approve **ANX C250099** as presented by J. Nichols; second by Dr. S. Haeringer. Vote carried three in favor (Nichols, Haeringer, Eiberger) with one abstain (Stephenson).

MINUTES  
PLANNING COMMISSION REGULAR MEETING  
G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor  
Monday, March 10, 2025

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**PLANNING COMMISSION REPORTS:** Next Planning Commission Meeting is Monday, April 14, 2025.

**ADJOURNMENT:** Motion to adjourn the meeting at 5:53 p.m. made by Dr. S. Haeringer; second by M. Eiberger. Vote carried unanimously in favor.

*Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2025*

\_\_\_\_\_  
Dr. Saba Haeringer, Planning Commission At Large

\_\_\_\_\_  
Madison Eiberger, Planning Commissioner Post 1

\_\_\_\_\_  
Josh Nichols, Planning Commissioner Post 2

\_\_\_\_\_  
Randy Davis, Chairperson Post 3

\_\_\_\_\_  
Ashley Stephenson, Planning Commissioner Post 4

Attested: \_\_\_\_\_  
Stacy Harris, Zoning Administrative Assistant



# CITY OF DAWSONVILLE

## Planning Staff Report

### Request to Amend the Zoning Map (Rezone)

**APPLICANT** .....PR Land Investments, LLC

**CASE NUMBER** .....ZA-C2500171

**REQUEST** .....Amend the zoning map to rezone a 34.71 +/- acre assemblage from R-1: Restricted Single-Family Residential District and R-3: Single-Family Residential District to RPC: Residential Planned Community for the construction of a 120-unit residential subdivision.

**CURRENT ZONING DESIGNATIONS** .....R-1: Restricted Single Family Residential (parcels 093 010 and 093 011); R-3: Single Family Residential (parcels D02 004 and D04 010)

**SITE AREA** ..... +/- 34.71 acres

**LOCATION** .....592 Hwy 9 S, 93 SW Border Ave, 416 Hwy 9 S

**TAX MAP PARCELS** .....093 010, 093, 011, D02 004, D04 010

**FUTURE LAND USE DESIGNATIONS** .....Gateway Corridors, Residential

**PLANNING COMMISSION PUBLIC HEARING DATE** ...July 14, 2025

**CITY COUNCIL PUBLIC HEARING DATE** ..... August 4, 2025

**CITY COUNCIL DECISION HEARING DATE** ..... August 18, 2025

#### INTRODUCTION

The applicant is petitioning to amend the zoning map to rezone four (4) parcels for the development of a 120-unit residential subdivision. Specifically, the applicant has requested the assemblage, which is a mixture of R-1: Restricted Single-Family Residential District and R-3: Single-Family Residential District zoning, be rezoned to RPC: Residential Planned Community. This proposal also includes the construction of a public through access road, which would begin at Maple Street S and terminate at Highway 9 S, in addition to public greenspace. If the development is approved and constructed as proposed, the gross residential density would be 3.46 dwelling units per acre.

#### PROPOSAL

The subject assemblage is 34.71 +/- acres in size. It is located in a primarily residential area and contains two single-family houses and one manufactured home, the oldest of which was constructed in 1938. The site directly

abuts Atlanta Highway, Maple Street, and Southwest Border Ave. If the subject proposal is developed, all existing buildings in the assemblage would be removed.

The development proposal consists of three main components; 120 residences, the extension of Maple Street to Highway 9, and a 14-acre “public park.” The residences would be constructed on individual lots, allowing for fee-simple ownership. In addition to the “Maple Street Extension,” the development is conceptualized with an additional street and alley, both privately owned. The “public park” area appears to be passive; it’s unclear if any amenities or facilities would be constructed within it.

The application describes the residential component of the proposal as “single-family semi-detached homes.” Dwellings which would front the proposed through road (the “Maple Street Extension”) and Highway 9 would have garages at the rear, while the other residences would have front-loaded garages. The RPC: Residential Planned Community district encourages “flexible and creative concepts in site planning,” allowing developers to propose some of their own standards. The table below provides additional specifications for the proposed residences:

Specification	Proposed Development	
	Minimum	Maximum
Heated Floor Area (HFA)	1,737 sq. ft.	2,281 sq. ft.
Lot Width	34 ft.	Unknown
Front Building Setback (includes corner lots)	30 ft.	Unknown
Side Building Setback	4 ft.	≥ 6 ft.
Rear Building Setback	20 ft.	Unknown
Building Separation	8 ft.	12 ft.
Driveway Width (garage to sidewalk)	30 ft.	Unknown
<u>Note:</u> Staff has not identified details in the submittal regarding lot area, lot depth, or building height.		

Sec. 1802.3 of the Zoning Ordinance governs residential density in the RPC: Residential Planned Community district and provides “the overall net density shall be no more than one [1] unit per acre except for multi-family applications which shall be four [4] units per acre.” The proposed development will have a density of 3.46 dwelling units per acre, which does not conform to district requirements for single-family dwelling types. Pursuant to the definition of a variance (Sec. 301), a zoning variance from density requirements is not possible.

The applicant has indicated their product will be a single-family semi-detached residence but uses the multi-family density threshold as a benchmark for the development, creating conflict in the project proposal. The term “semi-detached,” as used in the Zoning Ordinance, is not defined in the Definitions article (Sec. 301). Terms not defined in the article “shall have their customary dictionary definitions” (Sec. 301). Merriam-Webster defines “semidetached” as “forming one of a pair of residences joined into one building by a common sidewall.” This definition is comparable to that of a duplex. The applicant proposes the residences “share an underground footing or foundation wall” and if requested, “an above ground element between connected, semi-detached dwellings, such as a connecting knee wall with a gate.” None of the submitted renderings show the residences sharing a common sidewall, and the letter of intent clarifies that the residences would not touch at or above ground level. Staff concludes that the proposed housing type is single-family detached and must adhere to the applicable requirements for single-family housing in the RPC: Residential Planned Community district, permitting a maximum density of one (1) dwelling unit per acre.

The submittal provides that each garage would be able to hold two vehicles, and each driveway would be able

to hold two vehicles side-by-side. Dwellings would range from 22 to 26 feet in width and measure two stories in height. The application indicates that homebuyers may select the elevation and floor plan of their house from approximately 25 combinations. The distance between each garage and the back of the sidewalk would measure 33 feet; allowing for larger personal vehicles to be parked in driveways without sidewalk obstructions.

Residents of the development would be served by an active amenity area that appears separate from the proposed public park, pursuant to the concept plan. This active amenity area satisfies the requirement of Sec. 1802.3. The letter of intent does not detail the proposed amenities; however, a paved walking trail and children's play area are conceptualized. A mail kiosk and parking spaces to serve the area are also shown on the concept plan.

The applicant proposes the construction of a new, public through road to serve the development and local area, dubbed the "Maple Street Extension." This new route is conceptualized to begin at Maple Street, just south of its intersection with Flat Creek Dr, and terminate at Highway 9 S, forming a three-way intersection there. This proposal would necessitate the portion of Maple Street South, which is south of its proposed beginning to be reconfigured. From Maple Street S, the route would take a winding, northeasterly route toward Highway 9 S, serving the proposed residences on the southeastern side, and stormwater facilities and public land to the northwest.

As part of the submittal, the applicant proposes a public recreation area called the "Maple Street Extension Park." The applicant has not provided the total area of the proposed recreation area, nor are any features or amenities of the space conceptualized or explained. It is unclear where visitors to this space would be able to park their vehicles, as no parking area is conceptualized besides the "private" spaces near the (private) resident amenity area.

On the concept plan, the development is depicted with sidewalks on both sides of the internal, private road, but the through road is shown with a sidewalk only on the side closest to the residences. Pursuant to Sec. 109-53(b) of Dawsonville Street Standards, "sidewalks shall be provided along both sides of all roads within residential developments and along the entire length of the property where a road entrance is constructed." Therefore, sidewalks must be constructed along both sides of the "Maple Street Extension" to meet the Standards. The submittal refers to a traffic study for the development to "follow at later date." Applications for rezoning to RPC: Residential Planned Community must include a traffic impact study (Sec. 1802.4.a.vi), which is absent from the subject request.

Included in the applicant's submittal are nine (9) proposed zoning conditions to accompany the desired rezoning. Zoning Ordinance Sec. 916 allows for conditional approval through the implementation of zoning conditions. State legislation known as "Zoning Procedures Law" governs zoning decisions, local government zoning powers, and public notice requirements. Below are the zoning conditions proposed by the applicant to the City:

1. As required by Zoning Ordinance § 1802(6), the Project shall be developed in general compliance with the Concept Plan, notwithstanding any provision to the contrary in the Zoning Ordinance or the Land Development Regulations of the City of Dawsonville, codified as Subpart B to The Code of Dawsonville, Georgia, and with reasonable modifications necessary to fully engineer and develop the Project on the Property.

2. The minimum heated square footage of dwellings within the development shall be 1,734.
3. The minimum width of dwellings within the development shall be 22 feet.
4. The term “semi-detached” dwellings shall be deemed multi-family dwellings, and semi-detached dwellings shall be two or more dwellings that share one or more common footings or foundation wall(s).
5. The development shall include, as an active amenity, a walking trail, a playground area, and the public use area contemplated by the Concept Plan submitted with the Application.
6. The property contemplated by the Concept Plan for dedication for public purposes, including, but not limited to public park space, shall be included in calculating the required open space for the development.
7. The Applicant, its successors or assigns, contemporaneous with its submission of an application for land disturbance permit, shall commission civil engineering design for the traffic circle (i.e., roundabout) contemplated by The Comprehensive Downtown Strategic Plan of Dawsonville Town Center Master Plan. The City will utilize said plan and bear the expense of revisions to said design for, the right of way acquisition for, and construction and maintenance of said traffic circle (i.e., roundabout).
8. The Public Use Land, once conveyed to the City, shall be automatically zoned INST, Institutional District, without the necessity for any further action by the City Council.
9. Notwithstanding Section 109-53 of The Code of Dawsonville, Georgia, the Applicant shall install a 5’ sidewalk on the south side of the Maple Street Extension only and shall grade the shoulder on the north side of the Maple Street Extension to provide for a potential 8’ wide multi-use path to be constructed by the City in the future.

The applicant has not submitted any variance requests alongside this rezoning application.

#### **SURROUNDING PROPERTIES**

<i><b>Direction from the Site</b></i>	<i><b>Existing Zoning</b></i>	<i><b>Existing Land Use</b></i>	<i><b>Abutting Subdivisions/Developments</b></i>
North	R-1, R-3, R-6, HB, CIR	Single-family residential, multi-family residential, restaurant, small office, vacant land	Maple Street Town Homes (R-3)
South	R-1, R-3, INST	Single-family residential, vacant land	Burt’s Crossing (R-3)
East	R-3, HB, CIR	Single-family residential, vacant land	Burt’s Crossing (R-3)
West	R-1, R-3, INST, HB	Single-family residential, multi-family residential, restaurant, water treatment facility, vacant land	Maple Street Town Homes (R-3)

#### **COMPREHENSIVE PLAN**

Pursuant to the 2023 Dawsonville Comprehensive Plan, the subject assemblage is split between the Gateway Corridors and Residential Character Areas.

The Gateway Corridors Character Area “is the area immediately outside of Central Dawsonville that features a mix of uses, including modern subdivisions and shopping centers, and is most often characterized by the transition from downtown to more rural Dawson County. Its designation is both the result of this need to transition between extreme densities and the desire to strengthen the urbanized core of Central Dawsonville.

As development in this area will comprise mostly of residential uses and smaller-scale commercial activities, it has been designated Urban Neighborhood. As implied, the scale and form of new development should complement (not necessarily be equal to) that found in Central Dawsonville, particularly with regards to the density of land use, size of blocks and capacity for pedestrian accessibility. Streets should maintain connectivity, especially downtown, and properties should limit frontage parking areas. Residential uses may include subdivisions, but these should minimize cul-de-sacs, feature multiple access points, and emphasize connectivity with the city.

Heavier commercial and public activity centers may be reserved for key nodal locations, at the intersection of arterial roadways. This would maximize the infrastructure while preserving the traffic flow, minimizing the number of curb cuts along arterials or traffic flow on collector roads.”

Permissible land use types in the Gateway Corridors are Commercial and Residential.

The Residential Character Area “represents the outlying residential portions of the city to the northwest, northeast and south. There are no immediate plans to alter their general form or land use, and long-term plans suggest these areas will remain residential. Present levels of agricultural activity will continue as development pressures will allow, but neither the city nor the county will pursue capital improvements in this region to facilitate new development.

This area will be fostered as a haven for larger residential uses and rural/conservation subdivisions to facilitate a buffer between the higher densities of Dawsonville and the rest of Dawson County. Most development should entail large lots, with an average approaching or, preferably, surpassing five acres per unit [0.2 du/acre]. Nonresidential activity should be kept to a minimum and compliment the rural character of the area, such as churches, neighborhood scale markets and services with limited parking and traffic generation.”

Permissible land use types in Residential Character Area are Residential, Agricultural, and Conservation.

The proposed development incorporates *residential*, *conservation*, and *recreational* land uses, which generally align with the intent of the Residential and Gateway Corridors Character Areas. However, the proposed gross density of 3.46 du/acre surpasses the intended 0.2 du/acre benchmark of the Residential Character Area.

## **ANALYSIS**

(1) Sec. 909 – Criteria to consider for map amendments (rezonings).

Any proposed amendment to the zoning map shall be submitted by application with a copy of the plat and payment of a fee set by the governing body for the application and review of the proposed amendment to the zoning map. Applicants shall submit six copies of any proposed zoning map amendment and plat to the planning director or designee for distribution to the applicable bodies and/or review agencies. The planning director or

designee may require more or less copies depending on the nature and extent of required review. Applications which require action by the governing body shall require disclosure of any conflicts of interest as specified in the Georgia Zoning Procedures Act.

The applicant, staff, planning commission and governing body should review an application for zoning map amendment with regard to the following criteria:

*(Language in bold is from the City of Dawsonville Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)*

- 1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.**
  - Most of the properties near the subject assemblage are zoned residential (R-1: Restricted Single-family Residential, R-3: Single-family Residential, and R-6: Multiple-family Residential).
    - i. These properties are developed with detached or multi-family housing, if not vacant.
  - A few nearby properties are zoned for commercial (HB: Highway Business and CIR: Restricted Industrial Commercial) or institutional (INST: Institutional) land uses.
    - i. These properties are developed with restaurants, small offices, or detached dwellings, if not vacant.
  - Staff do not anticipate any adverse effects on the use or habitability of nearby properties resulting from the proposal.
- 2. The extent to which property values are diminished by the particular zoning restrictions.**
  - As currently zoned, the assemblage is developed with very low-density, single-family housing.
    - i. Most abutting residential properties are developed more densely, and most of those sites are zoned R-3: Single-family Residential rather than R-1: Restricted Single-family Residential.
  - Absent a formal market analysis, staff is unable to determine the impact of the existing zoning classifications on the sites' property values.
- 3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.**
  - Absent a formal market analysis, staff is unable to determine the impact of the development proposal on local property values.
- 4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**
  - As part of the proposed zoning map amendment, the applicant would construct a through road, known as the "Maple Street Extension", to connect Maple Street S to Highway 9 S.
    - i. This roadway would be open for public use, owned and maintained by the City of Dawsonville as opposed to the rest of the proposed street network in the development.
  - The applicant has voluntarily presented the subject application to the City.
- 5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.**

- The assemblage is currently split between the R-1: Restricted Single-family Residential and R-3: Single-family Residential zoning classifications.
    - i. The site appears suitable for single-family residential development.
  - The applicant proposes to rezone the site to RPC: Residential Planned Community; the letter of intent reflects that “the Property is suitable for the Project proposed” and that “the Project will comply with the requirements of the RPC zoning district ... and all applicable City ordinances.”
    - i. Staff provides analysis of the proposal in relation to district requirements throughout this report finding that the proposal as presented will require revision if it is to be compliant with City ordinances.
- 6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.**
- The assemblage has a history of low-density single-family residence development.
    - i. Property tax records indicate the first residence was constructed in 1938.
  - Staff has not identified any existing or changing conditions that inherently support the approval or disapproval of the subject rezoning request.
- 7. The zoning history of the subject property.**
- The current zoning configuration of the site has been maintained for many years.
- 8. The extent to which the proposed zoning will result in a use, which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.**
- A traffic study has not been provided as part of the application materials. Therefore, the precise impacts of the proposal on local streets and transportation facilities are unknown.
    - i. The proposed “Maple Street Extension” may improve road connectivity in the area, if constructed and completed as proposed.
  - The proposal is not anticipated to burden location utilities, school, parks, or other public facilities.
    - i. The applicant proposes a public park as part of this request. However, it is unclear whether the park will contain any amenities or facilities beyond simple passive greenspace.
- 9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.**
- The zoning proposal somewhat meets the intent of the 2023 Dawsonville Comprehensive Plan.
    - i. The calculated gross residential density of 3.46 du/acre exceeds the intended 0.2 du/acre benchmark of the Residential Character Area.

The staff, planning commission and governing body may consider other factors deemed relevant before formulating recommendations and taking action on a particular request.

- (2) Sec. 1802.4 – An application for zoning and any development permits shall be preceded in each case by informal meeting with the mayor or other council member, the city manager and the planning director or designee as available prior to submission and shall be consistent with the format required for subdivision approval with the following additions:

*(Language in bold is from the City of Dawsonville Zoning Ordinance. Bullet information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)*

**a. A proposed master plan showing at minimum:**

**i. Total property area included in the development with a legal description of the subject property and bounds;**

- The surveys in Attachment “D” yield a total assemblage area of 34.71 acres.
  - i. Attachment “E” includes legal descriptions of the assemblage.

**ii. Proposed buildings with approximate square footage and footprints;**

- The applicant has proposed square footage ranges for the residences, but footprint areas are not approximated.

**iii. Proposed street layout;**

- The submitted concept plan depicts the proposed “Maple Street Extension” in addition to an internal road, parking and alley.

**iv. Existing topographic conditions to include a contour interval of a minimum five feet based on field surveys or photogram metric photogrammetric methods;**

- Contour information is included in the concept plan.

**v. Amenity areas and buildings, including defined open space;**

- The submittal does not define a specific acreage to be dedicated open space.
  - i. The total land areas to be designated for resident amenities and public use are undefined.
- No amenities or buildings are proposed nor conceptualized for the proposed “public park” or “neighborhood park.”

**vi. Traffic impact study.**

- No traffic study or assessment is included in the submittal.

**b. Water and sewage disposal and other utility plans.**

- The submittal indicates that water and sewerage needs will be served by public utilities.
- Detailed plans for utilities are not provided.

**c. A statement of intent containing disclosure of ownership, financial information, of the character of the proposed development, including a summary of gross density, types of dwelling units, stages of the development including completion of amenities, open space and landscaping.**

- A satisfactory statement/letter of intent is provided in the submittal.

**d. A master drainage plan shall be provided with the application for rezoning to identify the detention/retention and encourage creative water quality and quantity treatment processes.**

- A proposed location for “stormwater management” is conceptualized.

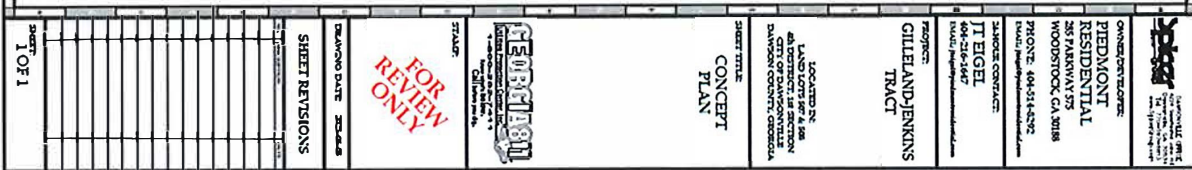
- No master drainage plan has been provided in the submittal.

### **STAFF RECOMMENDATION**

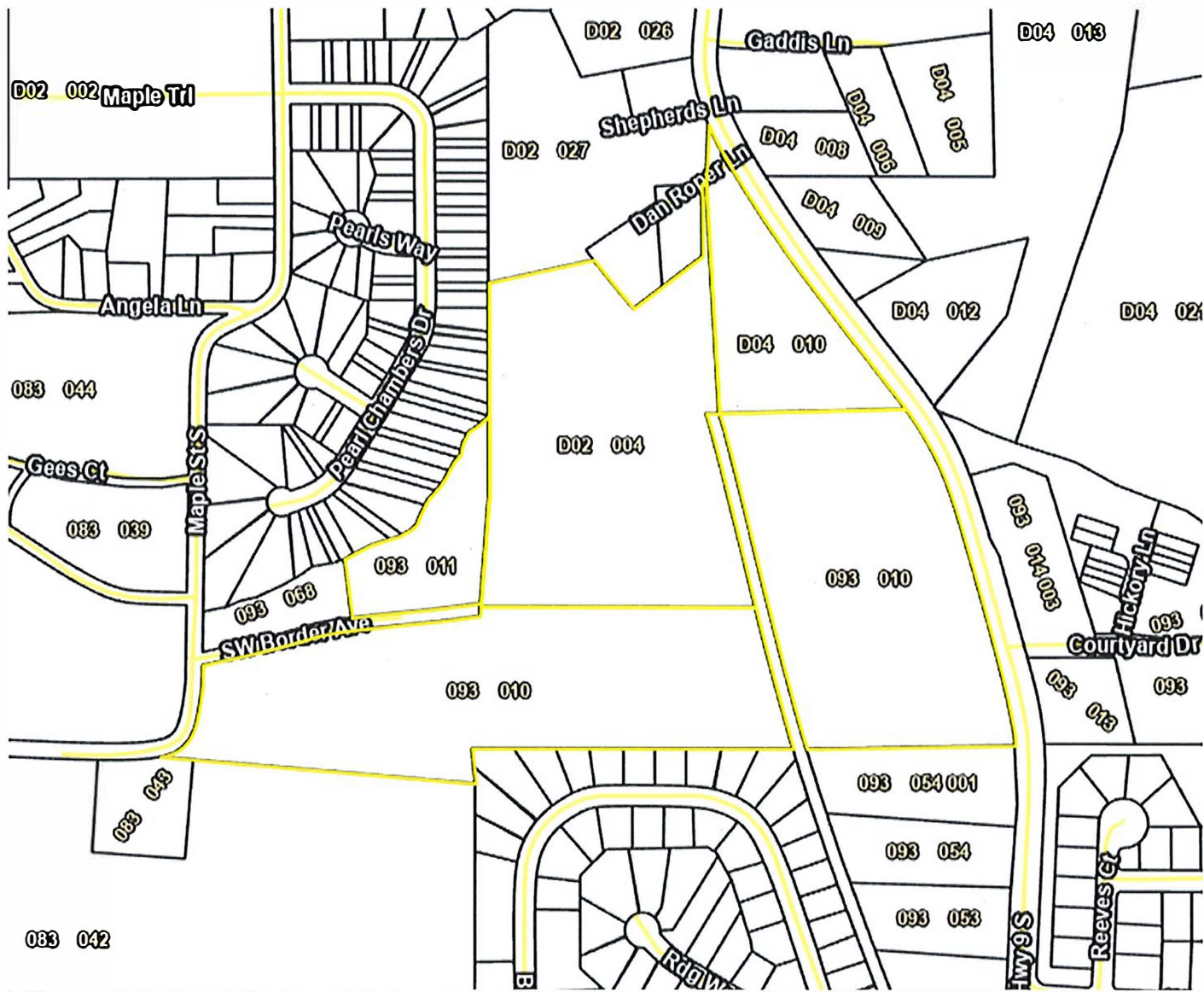
Staff recommends **denial** of the request to amend the zoning map to rezone a 34.71 +/- acre assemblage from R-1: Restricted Single-Family Residential District and R-3: Single-Family Residential District to RPC: Residential Planned Community. The rationale for this recommendation of denial is provided below:

1. The proposed construction of detached, single-family residences at a density of 3.46 units per acre violates the provisions of Zoning Ordinance Sec. 1802.3. Density requirements cannot be relieved by a zoning variance.
2. The proposal does not substantially conform to the Comprehensive Plan's Residential Character Area due to incompatible residential density.
3. Pursuant to Sec. 1802.4, the submitted application to rezone the site to RPC: Residential Planned Community did not include the submittal of a traffic study, as required by the ordinance.

## CONCEPT PLAN



AERIAL IMAGERY



Note: the boundaries of the subject assemblage are approximated in yellow on the map above.

**City Council:**

Caleb Phillips, Post 1  
William Illg, Post 2  
Sandy Sawyer, Post 3  
Mark French, Post 4



John Walden  
**Mayor**

Robert Bolz  
**City Manager**

Jacob Evans  
**Assistant City Manager**

Beverly Banister  
**City Clerk**

**Planning Commission:**

Dr. Saba Haeringer, at Large  
Madison Eiberger, Post 1  
Josh Nichols, Post 2  
Randy Davis – Chairperson, Post 3  
Ashley Stephenson, Post 4

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

Stacy Harris  
**Zoning Admin Assistant**

**PUBLIC HEARING NOTICE**

The following public hearings will be conducted by the City of Dawsonville Planning Commission at 5:30 p.m. and/or the City Council beginning at 5:00 p.m. respectively, on the dates indicated below. Public hearings are conducted in the Council Chambers on the second floor at City Hall located at 415 Highway 53 East, Dawsonville, Georgia 30534. The public is invited to participate.

.....

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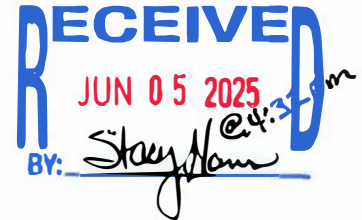
Public Hearings Dates: Planning Commission July 14, 2025, at 5:30 p.m. and Mayor and City Council August 4, 2025, at 5:00 p.m.

If you wish to speak on the request, 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 City Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.*

Steven L. Jones | Partner  
Direct Dial: 678.336.7282  
Cell Phone: 404.218.2756  
E-mail: sjones@taylorduma.com

Wednesday, June 4, 2025

**VIA EMAIL: bob.bolz@dawsonville-ga.gov**City of Dawsonville, Georgia  
Planning and Zoning Department  
c/o The Office of the City Manager  
Attn: Mr. Bob Bolz, City Manager  
415 Highway 53 East, Suite 100  
Dawsonville, Georgia 30534

**Re: Dawson County Tax Assessor Parcel Identification Numbers set forth on Attachment "A"<sup>1</sup> hereto;  
Rezoning Application regarding the Property (the "Rezoning Application" or the "Application").**

Dear City Council of the City of Dawsonville, Georgia:

On behalf of our client, PR Land Investments, LLC (the "**Applicant**"), please accept this letter as the letter of intent (this "**Letter of Intent**") or (this "**LOI**") pertaining to the Application and requesting to rezone 33.5 +/- acres (the "**Property**") fronting on Georgia State Route 9 ("**Highway 9**") and Maple Street. The Application seeks to rezone the Property from the R-1, Restricted Single Family Residential zoning district ("**R-1**") and R-3, Single-Family Residential District ("**R-3**") to the RPC Residential Planned Community zoning district ("**RPC**"), under the Zoning Ordinance of the City of Dawsonville (the "**Zoning Ordinance**"), codified as Appendix A to The Code of Dawsonville, Georgia. The majority of the Property is currently owned by two long-time families and stalwarts of the City of Dawsonville – the Jenkins' and the Gillelands.

The Application and the concept plan (the "**Concept Plan**" and together with the Application, the "**Master Plan**") submitted with the Application propose a development (the "**Project**" or the "**Development**"), which consists of the following:

- (A) 120 single-family semi-detached homes, which pursuant to the City's definition of "density"<sup>2</sup> yields 3.6 dwelling units per acre, which density is less than and consistent with the RPC's envisioned density of 4 multifamily units per acre;
- (B) The construction, at the Applicant's expense, and dedication of an extension of Maple Street (the "**Maple Street Extension**") connecting that street to Highway 9; and

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<sup>1</sup> All attachments to this letter are incorporated by reference as if fully set forth herein.

<sup>2</sup> Section 301 of the Zoning Ordinance (defined below) defines "density" as "[t]he number of dwelling units developed, or to be developed, per gross acre of land, or the gross square footage of a building per acre of land." Unlike other zoning districts, the RPC zoning district does not further specify how density is calculated.

- (C) A proposed public park (“**Maple Street Extension Park**”) fronting on Highway 9 and Maple Street and other public land fronting on the Maple Street Extension. Together, the Maple Street Extension and the Maple Street Extension Park (collectively, the “**Public Use Land**”) consist of approximately 14 acres. The Public Use Land is labeled on the Concept Plan as such. The Public Use Land will be dedicated pursuant to, and at the time of recording of, the final plat for the Project and the exact dimensions of the same will be as set forth on that final plat.

The proposed homes in the Project will be semi-detached, townhome-style, fee simple houses. Under the Zoning Ordinance semi-detached buildings are considered multifamily dwellings.<sup>3</sup> Each semi-detached building will be comprised of two or three homes. The dwellings will be semi-detached because they will share an underground footing or foundation wall, to provide better aesthetics than a traditional, fully attached townhome. However, should it be the desire of the Council, the Applicant is willing to include an above ground element between connected, semi-detached dwellings, such as a connecting knee wall with a gate.

The homes that front on Highway 9 and the proposed Maple Street Extension, will be rear loaded with the front façade of the dwellings facing the public right of way to provide an attractive streetscape. There will be approximately 25 unique combinations of potential floor plans and elevations, which may be selected by homebuyers. The floor plans are 22 feet wide, 24 feet wide, or 26 feet wide with 1,737 to 2,281 of square feet of heated space. For this reason, the distance between buildings will range from 8 feet to 12 feet depending on the adjoining floor plans selected by adjacent homebuyers.

There are no required setbacks in the PRC zoning district. However, the lots within the development will be a minimum of 34 feet wide at the build line to accommodate house widths of 22 feet to 26 feet wide. The resulting distance between buildings will be 8 feet to 12 feet, as measured from the foundation and the distance from the foundation to the property line will be no less than 4 feet. The front setback will be 30 feet measured from the garage door to the right-of-way. Based on a 30 foot wide roadway (from back of curb to back of curb), a 2 foot wide landscape strip on each side of the roadway and a 5 foot sidewalk on each side of the roadway, this will result in a distance of 33 feet from the garage door to the sidewalk. The lots are designed to provide a 20 foot deep rear yard.

Should the Council desire longer driveways, to ensure and promote off street parking, driveway lengths can be increased an additional 2 feet by decreasing the width of the street from 30 feet 26 feet from the back of curb to the back of curb (i.e., a 26 foot wide street).

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<sup>3</sup> Section 301 of the Zoning Ordinance defines “dwelling, multifamily” as “[a] building designed for or occupied exclusively by two or more single housekeeping units with separate kitchen or housekeeping facilities for each family or housekeeping unit, including[, but not limited to,] apartments duplexes, row houses, condominiums, town houses, and similar housing types . . . .” Zoning Ordinance § 301. To that end, Section 1803(b) states that permitted uses within the RPC zoning district include (among other things) “[a]partments, duplexes, triplexes, quadplexes, semi-detached residences[, and townhouses.]” Zoning Ordinance § 1803(b). Thus, the Zoning ordinance contemplates that semi-detached residences are multifamily dwellings.

The Project fulfils the purpose of the RPC zoning district to “encourag[e] the development of large tracts of land as planned communities; encourage flexible and creative concepts in site planning; preserve the natural environment by encouraging scenic and functional open areas within residential areas; and provide for an efficient use of land resulting in increased efficiency in providing services . . . .” Zoning Ordinance § 1801. The semi-detached homes proposed by the Project also fulfil the intent of the RPC zoning district “which advocates [for] the grouping or clustering of lots and buildings on a smaller portion of the [Property] . . . , where the [Applicant] . . . can maintain the same residential density but offer smaller lots, with remaining land dedicated or reserved for open space, agriculture, woodlands[,] or recreation.” Zoning Ordinance § 1802. In other words, the RPC contemplates developments such as the Project.

As required by Section 1802(4)(c) of the Zoning Ordinance, the owners of the Property are set forth on Attachment “A” hereto. Additionally, the Applicant has developed numerous projects of comparable or larger size and has the financial wherewithal to complete the Project. The gross density and types of dwelling units are set forth above. The Project will be developed in one phase. And the open space and landscaping will be consistent with the Concept Plan and all applicable ordinances of the City. As further required Section 1802(4)(c) of the Zoning Ordinance, the Concept Plan shows proposed stormwater management areas. The Project will utilize public water and sewer and all other available utilities, including, but not limited to, electric power and telecommunications. The requirements of Section 1802, and how the Application satisfies each, are summarized in the table below.

<b><u>Application Requirement under Zoning Ordinance § 1802(4)</u></b>	<b><u>Application Reference/Citation to Material Satisfying Application Requirement</u></b>
Informal pre-application meeting with the Mayor or other Councilmember, the City Manager, and the Planning Director, or designee, as available	Meetings held on in 2025 on May 28th, June 2nd, and June 4th that included the Applicant, the Mayor, other Council members, the City Manager, the Assistant City Manager, the Zoning Admin. Assistant and/or a representative of the City’s third-party planning and zoning consultant
Master plan showing: total property area	This LOI & Att. “F” to this LOI – The Concept Plan
Legal description	Att. “E” to this LOI – Legal Description of the Property
Master plan showing: proposed buildings with approximate square footages and footprints	Att. “F” to this LOI – The Concept Plan (see Typical Lot Detail) & Att. “G” to this LOI – Plan Book
Master plan showing: proposed street layout	Att. “F” to this LOI – The Concept Plan
Master plan showing: existing topographic conditions (min. 5 ft. contour lines)	Att. “F” to this LOI – The Concept Plan
Master plan showing: amenities areas and buildings, including defined open space	Att. “F” to this LOI – The Concept Plan
Traffic Impact Study	Att. “H” to this LOI – Traffic Impact Study (to follow at later date)

Water and sewage disposal and other utility plans	Att. "F" to this LOI – The Concept Plan & The paragraph above this table
A statement of intent containing disclosure of ownership, financial information, of the character of the proposed development, including a summary of gross density, types of dwelling units, stages of the development including completion of amenities, open space and landscaping.	This LOI Att. "F" to this LOI – The Concept Plan Att. "G" to this LOI – Plan Book
A master drainage plan	Att. "F" to this LOI – The Concept Plan

### **THE ZONING CRITERIA**

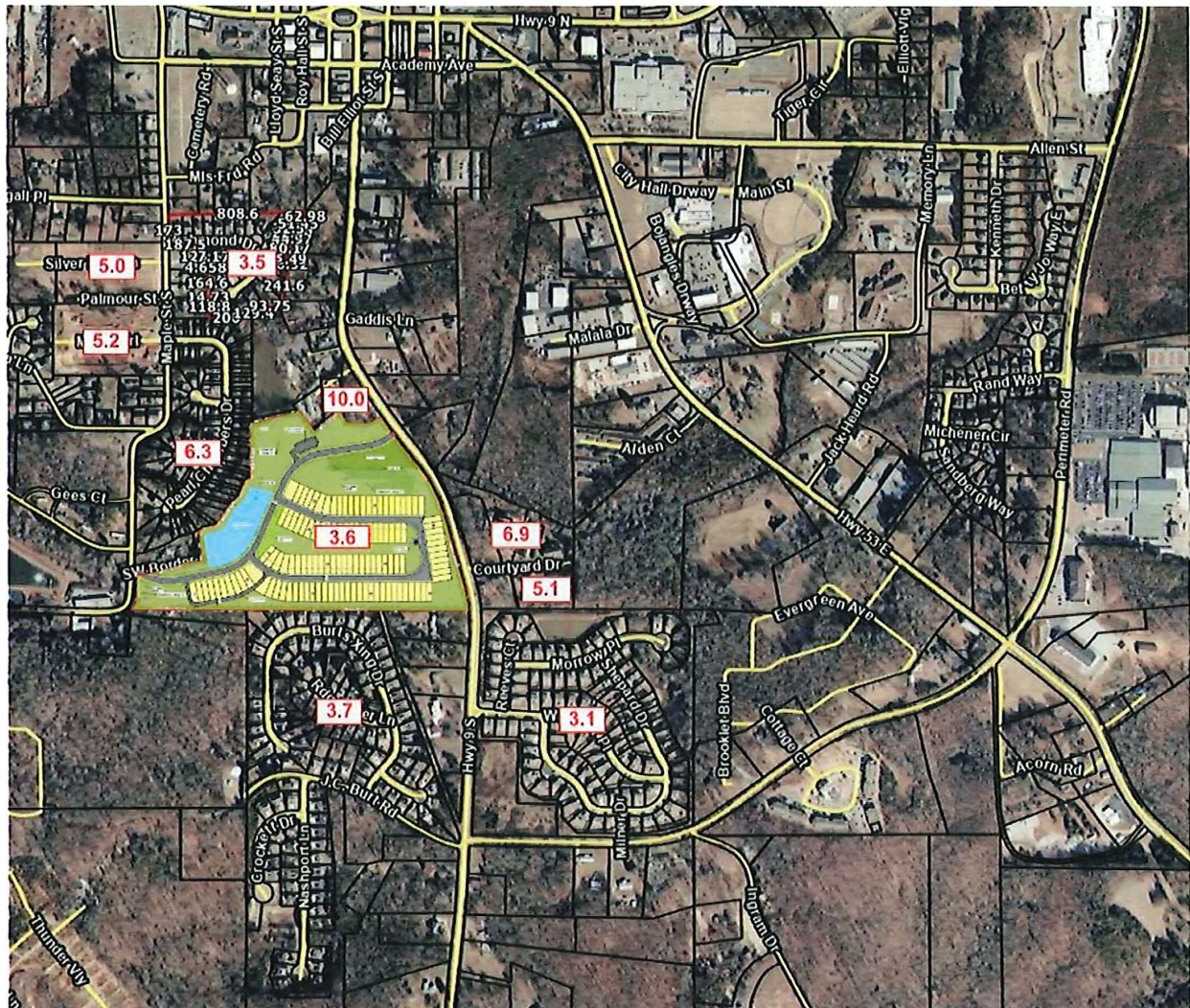
Section 909 of the Zoning Ordinance sets out certain criteria (the "**Zoning Criteria**") by which the Application should be reviewed. Below, the Zoning Criteria are restated along with the Applicant's analysis of each Zoning Criteria as applied to the Project proposed by the Application.

**1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.**

The Property is currently bounded by Highway 9, a single-family detached subdivision known as "Burt's Crossing" with a density of 3.5 dwelling units per acre, property of the Downtown Development Authority of the City of Dawsonville, Georgia, the City of Dawsonville Public Works Department, an attached townhome project with a density of 6.3 dwelling units per acre, another attached townhome project, with a density of 5.1 units per acre, an apartment development with a density of approximately 6.9 units per acre, a special events facility, and a duplex development with a density of approximately 10 units per acre.

The density analysis map below shows the density of residential developments in the area near the Property. The Project has a proposed density of 3.6 units per acre, which is less than all but 1 of the residential developments in the immediate vicinity of the Property.

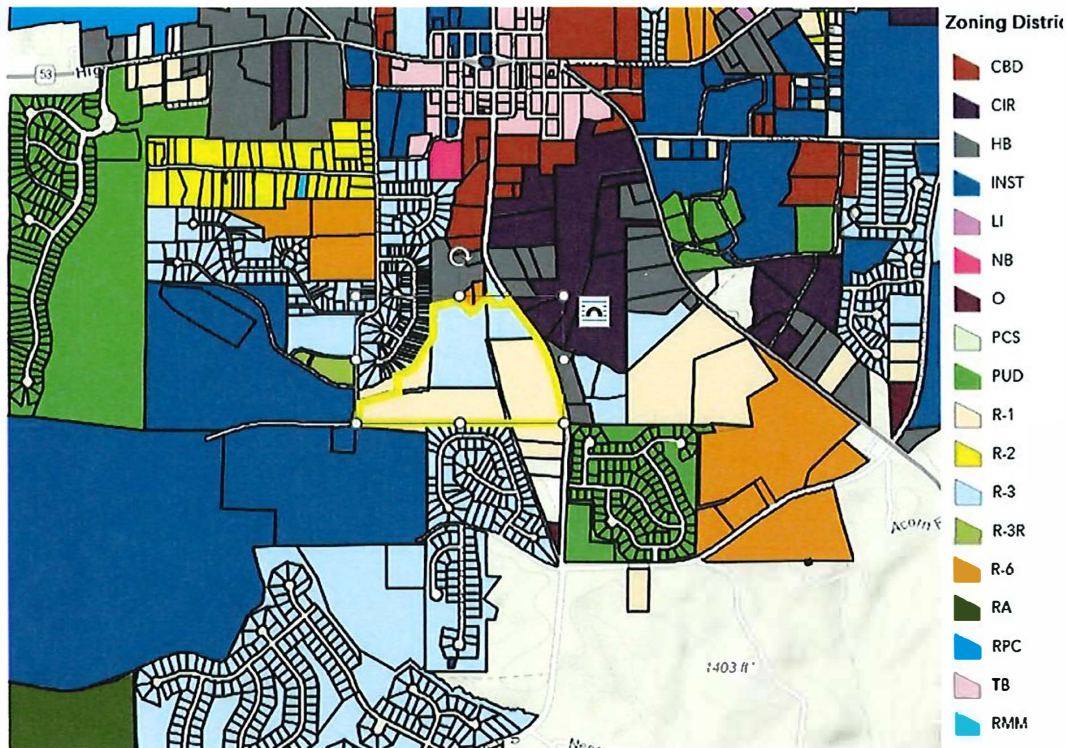
[DENSITY ANALYSIS MAP BEGINS ON NEXT PAGE]



*Density Map*  
*Comparing proposed density of the Project and nearby developments*

As shown by the excerpt of the Zoning Map below, where the Property is outlined yellow, the zoning districts applied to nearby properties range from R-3, CIR, Restricted Industrial Commercial District (“**CIR**”), PUD, Planned Unit Development District (“**PUD**”), HB, Highway Business District (“**HB**”), Inst, Institutional District (“**INST**”), R-6, Multiple-Family Residential District (“**R-6**”), and R-3. In other words, the zoning and use of adjacent and nearby properties is varied from densities comparable to that proposed for the Project by the Application to densities multiple times greater than that proposed for the Project to mixed-use developments envisioned by the City (as further discussed below).

[EXCERPT OF ZONING MAP BEGINS ON NEXT PAGE]



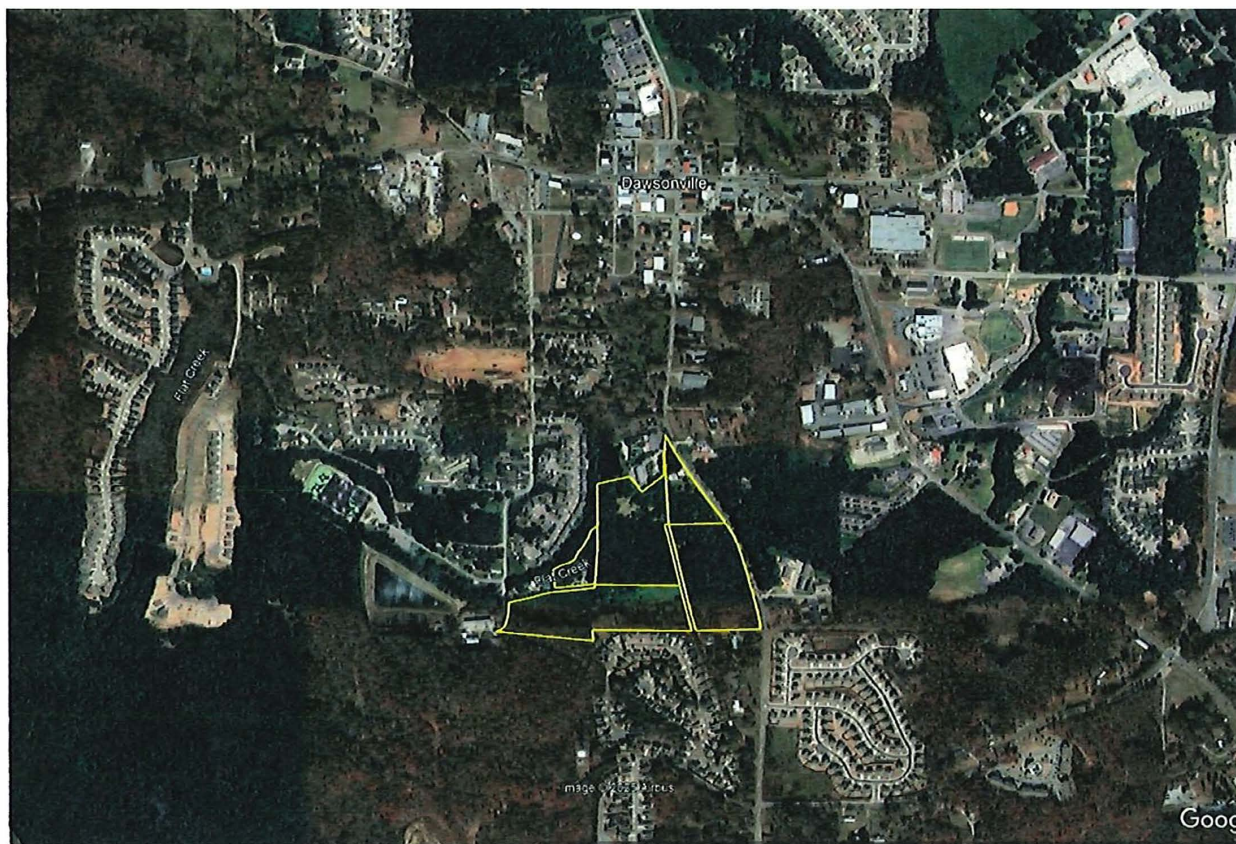
*Excerpt of Zoning Map*

Thus, the zoning and use of nearby properties is consistent with the Project proposed by the Application. As a result, this criteria weighs in favor of approval of the Application.

**2. The extent to which property values are diminished by the particular zoning restrictions.**

As shown in the pictures above and as further discussed in response to Zoning Criteria number 9, and as shown by the aerial/satellite map below (where the Property is outlined yellow), the majority of properties near the Property (a) have been developed as residential developments with densities greater than that proposed for the Project, (b) are part of the Downtown Plan (defined below), or (c) are institutional/governmental properties. Thus, the existing zoning applied to the Property, particularly the R-1 zoning, diminishes the value of the Property. Additionally, the Property's value as a whole is diminished by the inability to develop it in a comprehensive manner, consistent with nearby developments. If the Application is not approved, the Applicant and the owners of the Property will be denied the right to develop the Property consistent with existing and proposed development on nearby and adjacent properties. Thus, this criteria supports approval of the Application.

[AERIAL/SATELLITE MAP BEGINS ON NEXT PAGE]



*Aerial Overview of Property*

**3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.**

The Downtown Plan (discussed further in response to Zoning Criteria number 9) proposed for adjacent property and the development of other nearby properties for high density, master planned developments shows that the development trend in the area is towards residential densities comparable to or greater than the residential density proposed by the Project. As a result, there is no destruction of property values as a result of the Project. This Zoning Criteria, therefore, supports approval of the Application.

**4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**

The public would not gain if the Council did not approve the Application; instead, the public would be hindered in that it would be denied a quality development that proposes a residential use that would aid in the development of downtown Dawsonville by placing a semi-detached residential development within the area the subject of the Downtown Plan. More importantly, the public would be denied the components of the Public Use Land. Consequently, this criteria weighs in favor of approval of the Application.

**5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.**

As shown by the Concept Plan, which has been designed by a Georgia professional civil engineer, the Property is suitable for the Project proposed by the Application. Additionally, the Project will comply with the requirements of the RPC zoning district, all zoning conditions imposed on the Property, and all applicable City ordinances. For these reasons, this criteria also supports approval of the Application.

**6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.**

But for two residential structures, the Property has remained vacant, while the land in the vicinity of the Property has developed with for various uses, including, but not limited to, residential developments with densities comparable to or greater than the density proposed by the Project. Thus, this criteria supports approval of the Application.

**7. The zoning history of the subject property.**

As shown on Attachment "C" to this Letter of Intent, the Property has not been rezoned, except by adoption of new zoning maps for the City. Accordingly, this factor also weighs in favor of approval of the Application.

**8. The extent to which the proposed zoning will result in a use, which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.**

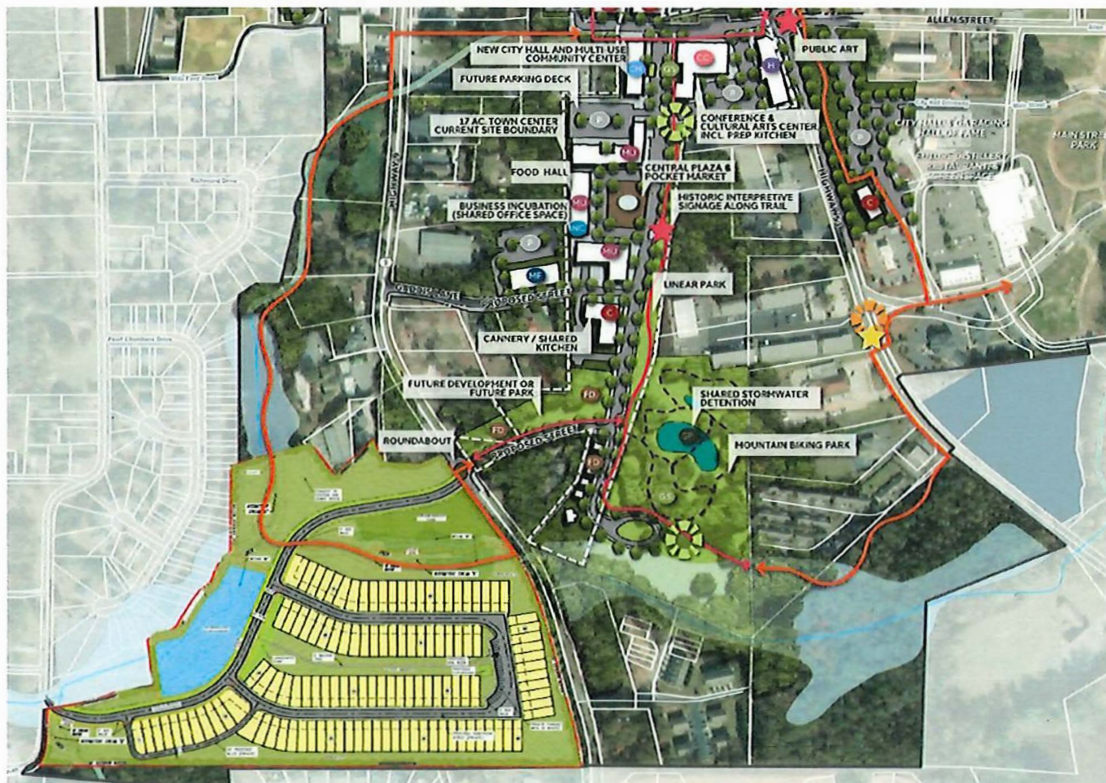
As noted below, the Comp. Plan and the Downtown Plan (both defined below in response to Zoning Criteria number 9) contemplate development and redevelopment of adjacent and nearby properties for a mixture of uses. Additionally, as noted above, nearby properties have been developed with residential densities comparable to or greater than the density of the Project proposed by the Application.

The Project proposes the Maple Street Extension, which will provide transportation connectivity between Maple Street and Highway 9. The Master Plan also proposes more than 14 acres for public use which will relieve the burden and congestion on existing streets, including the traffic circle at the Old Courthouse. For that reason, the Project is unlikely to cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities. Instead, the Project will contribute new streets, transportation facilities, and parks. Thus, this criteria also supports approval of the Application.

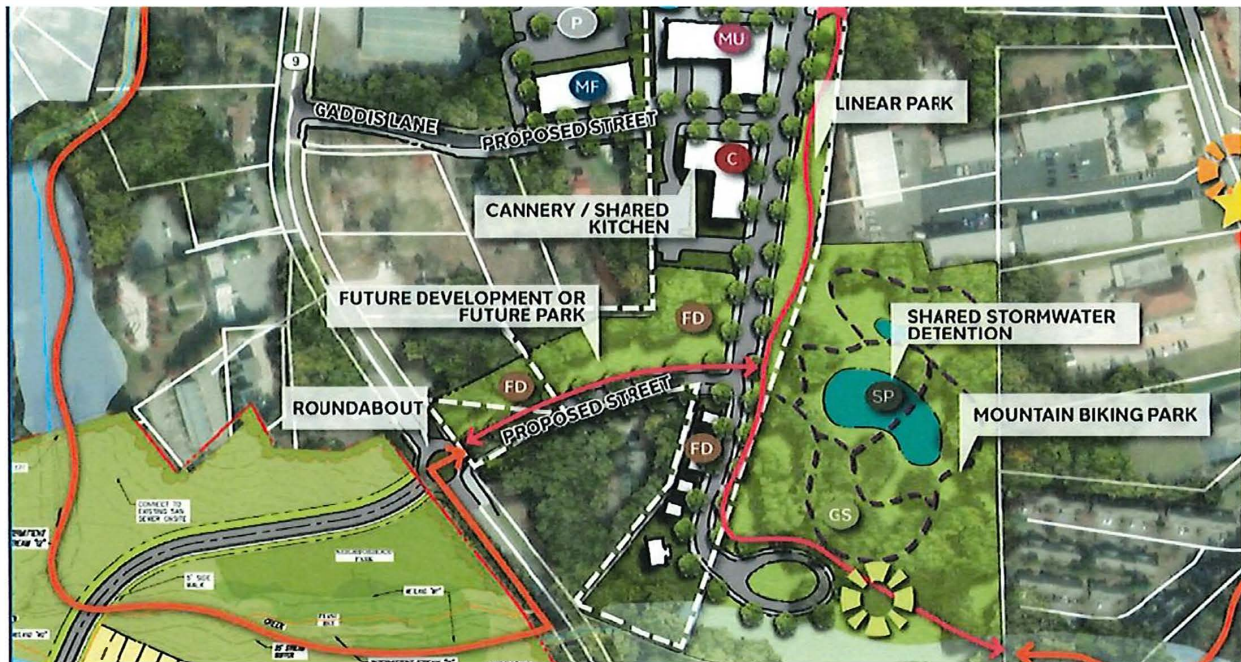
**9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.**

The Property is geographically situated such that, based on the proposed development plan, it uniquely facilitates numerous stated goals and objectives of the 2023 Comprehensive Plan (the “**Comp. Plan**”) and the Dawsonville Town Center Master Plan (the “**Downtown Plan**”). The Project includes the Maple Street Extension from the current dead end of Maple Street at the Public Works facility through the Property to Highway 9, directly across from the Dawsonville Town Center (the “**Town Center**”) contemplated in the Downtown Plan. (E.g., Downtown Plan, p. 7).

The Master Plan for the Project assumes more than 14 acres will be donated to the City for the Maple Street Extension and public parks/greenspace across Highway 9 from the Town Center and other public uses. Additionally, the Master Plan also proposes for the Applicant to provide most, if not all, of the property (from the Property) necessary to construct the roundabout the Downtown Plan contemplates along Highway 9 between the Town Center and the Project/Property. The Public Use Land will provide a natural extension of the proposed Town Center including the area needed to construct a portion of the multi-use trail that is shown on the Property and the Town Center in the Downtown Plan. Alternatively, the City may prefer to designate for commercial use one or more parcels within the Public Use Land.



*Concept Plan Overlaid on Downtown Plan*



*Concept Plan Overlaid on Downtown Plan & Showing the Roundabout and Maple Street Extension Park*

The Comp Plan states that “**Community Goals are the most important part of the plan**” and then lists goals and objectives, including the following:

***Continue efforts to improve the quality and variety of affordable housing***

– As Dawsonville grows so has the demand for more types of housing, including increases demand for senior housing and multi-family units. The city is encouraged to find ways to encourage this variety while also ensuring a safe standard for all new housing units.

Comp. Plan, pp. 6, 12.

The Project will provide new, “for sale”, fee simple, semi-detached homes at a combination of price points and sizes that does not currently exist within the City limits or reasonably close to the City. When coupled with the other project by the Applicant that is currently being permitted at the other end of Maple Street which project has larger lots and larger homes, the Project provides for the quality, type, and variety of housing as desired by the Comp. Plan.

The Comp Plan also discusses “Community Needs and Opportunities” together with Mitigation Strategies for each listed item. Most relevant to this application is a sub-category labeled “Housing”, which lists the following items:

1. Aging housing stock/shortage of specific housing types

- Many local housing units may require structural maintenance or repair while many more may simply lack the amenities or features to remain economically viable in the face of a rapidly growing housing market.
- The recent growth Dawsonville is experiencing has produced an **imbalance in the measure of two housing types: quality entry level housing for the area's workforce, and special needs housing for the elderly and handicapped**. While these sectors are recognized as among the least viable for private developers, **failure to provide options within proximity of Dawsonville will only serve to increase the costs for those consumers and likely adversely impact the general economy and local quality of life**.

## 2. Maintain Housing Variety

- Natural demographic and economic **trends are increasing the volumes of smaller households** within all of Dawson County. As the community moves to support traditional family and large-household programs and development types, **Dawsonville must also ensure that a diversity of housing conditions and programs exist to support this variety of household types**.

Comp. Plan, p. 22 (emphasis added). The Project will clearly contribute to meeting the needs delineated in this section of the Comp Plan.

Among the other Needs and Opportunities are the following items along with certain Mitigation Strategies for each (emphasis added):

Need or Opportunity	Mitigation Strategy
• Managing Growth	• Focus on <b>improved street connectivity</b> and master planning that facilitates alleviating traffic congestion while allowing for future capacity building to promote economic vitality.
• Downtown economic development	• Consider utilizing Georgia Cities Foundation loans to revitalize and enhance downtown areas including such activities as <b>real estate acquisition</b> , building rehabilitation, new construction, the <b>creation of green space and parks or other public spaces</b> to support quality downtown revitalization
• Need for greenspace/ Improved management of greenspace	• Explore options for financing of <b>greenspace acquisition</b>

	<ul style="list-style-type: none"><li>• Seek <b>land acquisition</b> through Department of Natural Resources grants to acquire and establish areas <b>in or near downtown Dawsonville that promote either passive and/or active recreation</b>. Achieving this will benefit both the environment through potential land conservation, local resident quality of life, encourage health and wellness, as well as support efforts to promote downtown Dawsonville to the sports and outdoor tourism market.</li></ul>
<ul style="list-style-type: none"><li>• Balancing local traffic and commercial traffic</li></ul>	<ul style="list-style-type: none"><li>• Focus on <b>improved street connectivity</b> and master planning.</li><li>• Identify intersections where <b>roundabouts</b> can be utilized for safety improvements.</li></ul>

Comp. Plan, pp. 13, 15-16, 23, 29 (emphasis added).

The Project includes significant items consistent with the listed Mitigation Strategies. The Maple Street Extension through the Project to Highway 9 will directly connect the areas in the south and east areas of the City to the future planned Dawsonville Town Center and City Hall. The Applicant intends to donate more than 14 acres of land for public use. If the Application is approved, the Applicant will construct and dedicate the Maple Street Extension at no cost to the City. And the Applicant will dedicate the Public Use Land to the City, at no cost to the City.

Additionally, the Applicant is offering to include the design of the future planned roundabout in the plans for the Project the Public Use Land includes a significant portion of the property required to construct that roundabout.

The Comp. Plan also includes a **Land Use Assessment**, which includes the following statement:

While economic growth is desired, the overall form and types of development are equally important for maintaining the city's character. Central Dawsonville should be the focus of increased commercial, cultural, and civic activity, taking on a more traditional urban form within a small-town context and scale. **New housing will be encouraged with an emphasis on a variety of housing types and price points.** New single-family detached housing closer to the urban core should exhibit traditional neighborhood forms yet also have sustainable structures and lots that readily retain market value.

(Comp. Plan, p. 35 (emphasis added)).

Again, the Project helps “check the box” on this item as well as the next item in the Comp Plan labeled **Areas Requiring Special Attention**, which specifically lists Maple Street and states that Maple Street “require[s] significant improvements to aesthetics or attractiveness”. (Comp. Plan, p. 37).

Next, the Comp Plan describes the various **Character Areas** and includes a map of those Character Areas. The Property lies within two Character Areas – Residential and Gateway Corridor. (Comp. Plan, p. 51). The Property is bounded by four different Character Areas: Commercial, Gateway Corridor, Public/Institutional and Residential. (*Id.*). As noted above, the adjoining residential properties are developed at similar or significantly higher densities that what is proposed within the Project.

The Gateway Corridor character area is defined as excerpted below:

## **2. Gateway Corridors**

### **Description**

This is the area immediately outside of Central Dawsonville that features a mix of uses, including modern subdivisions and shopping centers, and is most often **characterized by the transition from downtown to more rural Dawson County. Its designation is both the result of this need to transition between extreme densities and the desire to strengthen the urbanized core of Central Dawsonville.**

As development in this area will comprise **mostly of residential uses** and smaller-scale commercial activities, it has been designated Urban Neighborhood. As implied, the scale and form of new development should complement (not necessarily be equal to) that found in Central Dawsonville, particularly with regards to the density of land use, size of blocks and capacity for pedestrian accessibility. **Streets should maintain connectivity**, especially downtown, and properties should limit frontage parking areas. **Residential uses may include subdivisions, but these should minimize cul-de-sacs, feature multiple access points, and emphasize connectivity with the city.**

(Comp. Plan, p. 42 (emphasis added)).<sup>4</sup>

The Project fits the proposed uses in the Gateway Corridor character area. It facilitates the recommended goal of transitioning from higher density uses and includes the recommended development features of multiple entries, a loop street and alley (as opposed to cul-de-sacs), and street connectivity. Additionally, as a residential project, the Project is consistent with the Residential character area. Although the Residential character area generally calls for larger lots,

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<sup>4</sup> Note the term Urban Neighborhood is not defined in the Comp. Plan.

as noted above and as contemplated by the Gateway Corridor character area, the Property is uniquely situated for the type of development needed to fulfil the Comp. Plan's and (as discussed further below) the Downtown Plan's visions. (Comp. Plan, p. 45).

Two items contained in the Downtown Plan directly involve the Property and are incorporated into the Project and the Master Plan. First is the roundabout discussed above and the other is a multi-use trail which is shown entering the Property at the proposed roundabout, traversing the Property and eventually tying back into the Dawsonville Town Center at the proposed new City Hall.

Therefore, the Project proposed by the Application is in conformity with the policy and intent of the comprehensive plan, land use plan, and other adopted plans. And this criteria also weighs in favor of approval of the Application.

### **CONCLUSION**

The unique location of the Property relative to the planned Town Center, together with the proposed Maple Street Extension and the donation of significant amounts of land for public use present an opportunity which may not exist anywhere else in the City of Dawsonville. The proposed density in the Project is significantly less than many existing, adjacent residential developments, but sufficient to allow for the proposed beneficial elements to the City while still being economically viable.

If approved, the Project will supply a much-needed housing option that provides the lifestyle, affordability, and quality that is needed throughout every community in the country, including Dawsonville. The Project will provide residents with pedestrian access to the Public Use Land and the Town Center.

To ensure that the development is of the high-quality that the Applicant expects and delivers for its developments, the Applicant proposes the following conditions of approval (the "**Proposed Conditions of Approval**") for the Council's consideration:

1. As required by Zoning Ordinance § 1802(6), the Project shall be developed in general compliance with the Concept Plan, notwithstanding any provision to the contrary in the Zoning Ordinance or the Land Development Regulations of the City of Dawsonville, codified as Subpart B to The Code of Dawsonville, Georgia, and with reasonable modifications necessary to fully engineer and develop the Project on the Property.
2. The minimum heated square footage of dwellings within the development shall be 1,734.
3. The minimum width of dwellings within the development shall be 22 feet.

4. The term “semi-detached” dwellings shall be deemed multi-family dwellings, and semi-detached dwellings shall be two or more dwellings that share one or more common footings or foundation wall(s).
5. The development shall include, as an active amenity, a walking trail, a playground area, and the public use area contemplated by the Concept Plan submitted with the Application.
6. The property contemplated by the Concept Plan for dedication for public purposes, including, but not limited to public park space, shall be included in calculating the required open space for the development.
7. The Applicant, its successors or assigns, contemporaneous with its submission of an application for land disturbance permit, shall commission civil engineering design for the traffic circle (i.e., roundabout) contemplated by The Comprehensive Downtown Strategic Plan of Dawsonville Town Center Master Plan. The City will utilize said plan, and bear the expense of revisions to said design for, the right of way acquisition for, and construction and maintenance of said traffic circle (i.e., roundabout).
8. The Public Use Land, once conveyed to the City, shall be automatically zoned INST, Institutional District, without the necessity for any further action by the City Council.
9. Notwithstanding Section 109-53 of The Code of Dawsonville, Georgia, the Applicant shall install a 5’ sidewalk on the south side of the Maple Street Extension only and shall grade the shoulder on the north side of the Maple Street Extension to provide for a potential 8’ wide multi-use path to be constructed by the City in the future.

Thank you for the opportunity to present this project on behalf of the Applicant and for the City Council’s consideration of the Application. Should you have any questions or concerns, please do not hesitate contact me.

Sincerely,

**TAYLOR DUMA LLP**  
Counsel for the Applicant

A handwritten signature in black ink, appearing to read 'Steven L. Jones', written over a horizontal line.

Steven L. Jones

Dawsonville, Georgia

June 4, 2025

Page 16 of 16

1600 Parkwood Circle

Suite 200

Atlanta, Georgia 30339

(678) 336-7282

[sjones@taylorenghish.com](mailto:sjones@taylorenghish.com)

cc: Kevin Tallant, Esq (City Attorney, via email)

Applicant (via email)

Enclosures, as follows:

Attachment "A" - Chart of TPNs, Owners, and acreage of the Property

Attachment "B" - The Application

Attachment "C" - Documentation of the current zoning of the Property

Attachment "D" - Surveys of the Property

Attachment "E" - A legal description of the Property

Attachment "F" - The Concept Plan

Attachment "G" - Plan Book

Attachment "H" - Traffic Study

Attachment "I" - Constitutional Objection

Attachment "J" - *York* Objection

**ATTACHMENT "A"**

**[CHART OF TPNS, OWNERS, AND ACREAGE OF THE PROPERTY]**

Tax Parcel Number	Owner	Address	Acreage
093 010	Jimmy Jenkins & Judy Jenkins	592 Highway 9 South	17.49 +/-
093 011	Danny Gordon Weaver & Morgan J. Weaver	93 Southwest Border Ave.	1.96 +/-
D02 004	Pamela Joy Oliver Gilleland as Executrix of the Estate of Raymond Roger Gilleland & Dwight Delano Gilleland	0 Dan Roper Lane & 0 Southwest Border Ave.	10.1 +/-
D04 010	Pamela Joy Oliver Gilleland as Executrix of the Estate of Raymond Roger Gilleland & Margaret Callicott Gilleland	416 Highway 9 South	3 +/-

**ATTACHMENT “B”**

**[THE APPLICATION – BEGINS ON NEXT PAGE]**



**Property Owner Authorization**

I / We Dwight D. Gilmour hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 416 Hwy. 9 S (P.O. Box 157) Dawson, GA 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 undersigner 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.

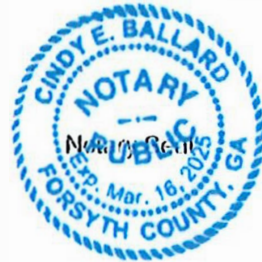
Printed Name of Property Owner Dwight D. Gilmour  
Signature of Property Owner [Signature] Date 3/5/25  
Mailing Address P.O. Box 157  
City Dawson State GA Zip 30034

Sworn and subscribed before me on this

5<sup>th</sup> day of March 2025

Cindy E Ballard  
Notary Public, State of Georgia

My Commission Expires: March 16, 2025



**Property Owner Authorization**

I / We Jimmy Jenkins hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 592 Hwy 9 S (P.O. Box 912) 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 Property Owner Jimmy Jenkins  
Signature of Property Owner Jimmy Jenkins Date 3-5-25  
Mailing Address P.O. Box 912  
City Dawsonville State GA Zip 30034

Sworn and subscribed before me on this

5<sup>th</sup> day of March 2025

Cindy E. Ballard  
Notary Public, State of Georgia

My Commission Expires: March 16, 2025



Notary Seal

**Property Owner Authorization**

I / We WEAVER DANNY GORDON & MORGAN J hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 093 011 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 Property Owner Morgan Jade Weaver  
Signature of Property Owner [Signature] Date 06-02-25  
Mailing Address 93 S.W. Border Ave.  
City Dawsonville State GA Zip 30534

Sworn and subscribed before me on this

2 day of JUNE 2025

[Signature]  
Notary Public, State of Georgia

My Commission Expires: 7/15/2028



**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:

None

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 \$ 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 2 years immediately preceding the filing application for rezoning:

N/A

T B Cole

Signature of Applicant / Representative of Applicant

6/4/25

Date

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

**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:

N/A

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 \$ 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 2 years immediately preceding the filing application for rezoning:

N/A



\_\_\_\_\_  
Signature of Applicant / Representative of Applicant

6/5/2025

\_\_\_\_\_  
Date

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

**ATTACHMENT “C”**

**[DOCUMENTATION OF CURRENT ZONING OF THE PROPERTY – BEGINS ON  
NEXT PAGE]**

Planning and Zoning Department  
415 Highway 53 E. Suite 100  
Dawsonville, Georgia 30534



(706) 265-3256  
[www.dawsonville-ga.gov](http://www.dawsonville-ga.gov)

PR Land Investments, LLC  
Attn: Mr. Michael Miller  
285 Parkway 575  
Woodstock, GA, 30188  
dmm@piedmontinv.com

RE: Zoning Verification;  
Dawson County Tax Parcel Identification Numbers ("TPNs") 093 010; 093 011; D02 004; and D04 010

Dear Mr. Miller:

In response to your request for confirmation of the zoning districts applied to the above, this letter confirms that the above-referenced parcels are zoned as follows:

Dawson County Tax Parcel Identification Number	Current Zoning under the Zoning Ordinance of the City of Dawsonville
093 010	R-1
093 011	R-1
D02 004	R-3
D04 010	R-3

None of these parcels have previously been rezoned.

Thank you,

*Stacy Harris*

Stacy Harris

**ATTACHMENT "D"**

**[SURVEYS OF THE PROPERTY – BEGINS ON NEXT PAGE]**

LOCATION MAP  
NOT TO SCALE



LAND LOT 507 AND 508  
1st SECTION OF THE 4TH DISTRICT  
DAWSON COUNTY, GEORGIA

**HIGHWAY 9**  
(80' RW PER PB 60 PG 221)

[illegible]

Curve	Length	Radius	Delta	Chord Direction	Chord Length
C1	79.93	132.53	34.36	N20° 26' 33"E	70.74
C2	26.09	119.99	12.46	N63° 23' 33"E	20.04
C3	82.20	829.66	3.68	S37° 47' 34"E	82.17
C4	158.43	836.09	11.31	S28° 17' 34"E	168.15

Line #	Length	Direction
L1	44.14	N3° 42' 37" E
L2	46.57	N0° 00' 00" E
L3	38.04	N1° 47' 46" E
L4	33.50	N2° 47' 46" E
L5	25.63	N3° 55' 42" E
L6	49.49	N4° 55' 42" E
L7	28.14	N5° 55' 42" E
L8	0.70	N6° 55' 42" E
L9	98.37	N7° 55' 42" E
L10	0.70	N8° 55' 42" E
L11	134.00	N9° 55' 42" E
L12	10.87	N10° 55' 42" E
L13	120.37	N11° 55' 42" E

PARCEL 1  
32.75 ACRES

HIGHWAY 9  
0' RW PER PB 60 PG 221)

BOUNDARY SURVEY FOR:  
**PEIDMONT RESIDENTIAL**  
952 SR-9  
DAWSONVILLE GA. 30534  
**D-6354**

## SUMMARY OF CONCLUSIONS

**SUMMARY OF CHANGES**

As reported by subscribers (C/O C.G.A. - Section 154.67, the past has been presented in a more complete and detailed manner. The new format is designed to provide a more complete and accurate picture of the activities of the organization. The new format is designed to provide a more complete and accurate picture of the activities of the organization. The new format is designed to provide a more complete and accurate picture of the activities of the organization.

42-1942

Noted Book!

DATE: JUNE 1971



PREPARED BY: NATHAN G. SHEPHERD  
PROFESSIONAL SURVEYOR NO. L5003468  
514 WEST MAPLE ST., SUITE 1202  
CUMMING, GEORGIA 30040  
TEL. 404-384-9178  
CSA@NBY. JTS  
DATE: 03-03-2025  
JOB NUMBER: 13792502025  
www.TripAdvisor.com



**LEGAL DESCRIPTION (AS SURVEYED)**

[illegible]

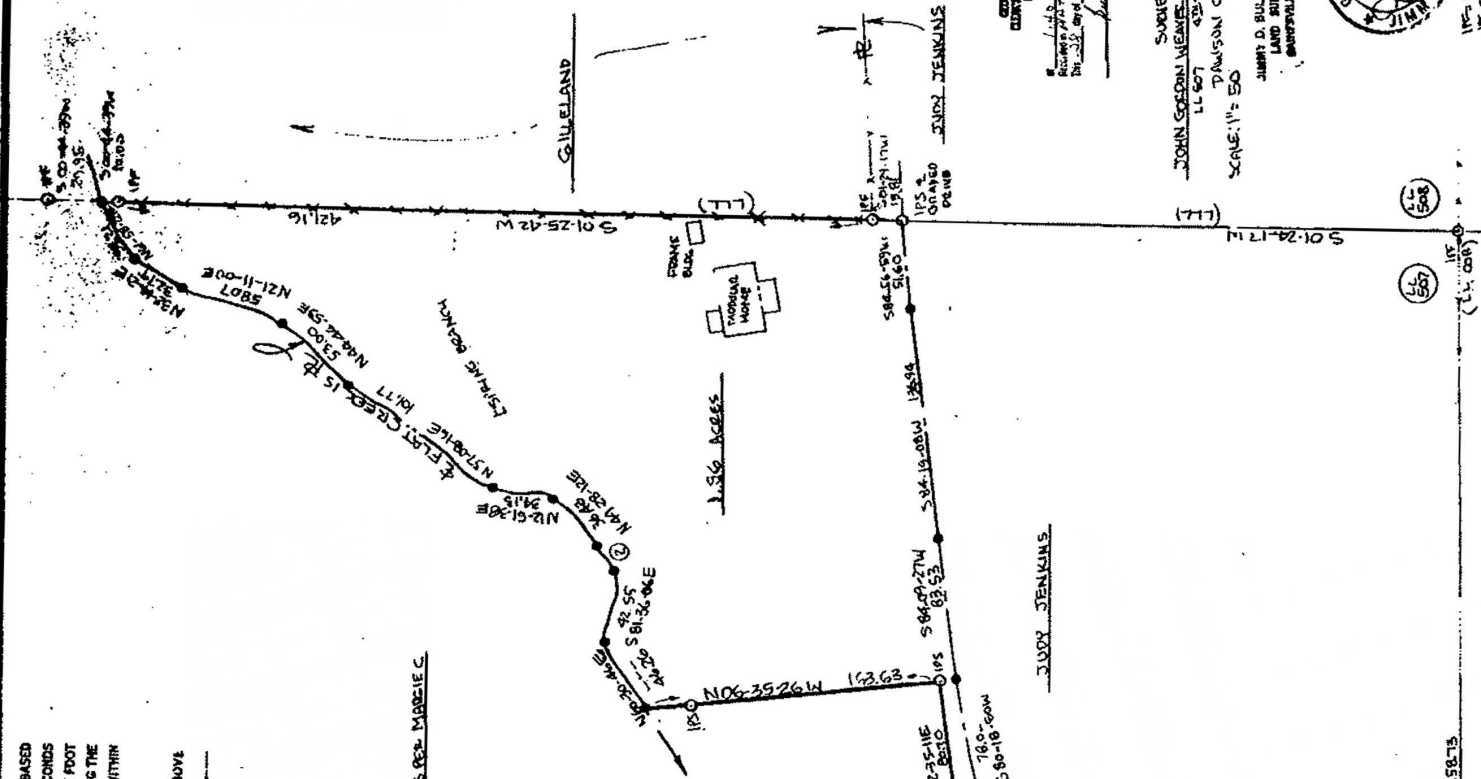
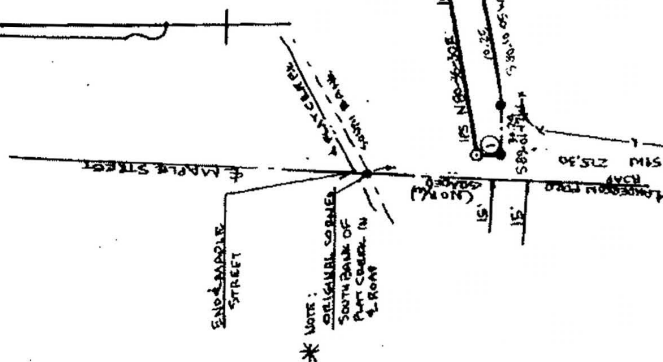
THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS AN ANGULAR ERROR OF 0.000 ONE SECONDS PER WHOLE POINT AND A CLOSURE OF ONE FOOT IN 17,267 FEET AND WAS ADJUSTED USING THE CRANDALL RULE. THIS PLAN IS ACCURATE WITHIN ONE FOOT IN 43,747 FEET.

EQUIPMENT USED TO OBTAIN THE ABOVE RESULTS: TRIMBLE 28  
TOTAL STATION

- ① NOZ-16-47E 11.00
- ② N 51-52-04E 18.16

NOTE: POINTS Q.B.C. ARE CORRECTIONS AS PER MORRIS C.

MAGNETIC NORTH JUNE 15, 1994



CHARTERED SURVEYOR  
COUNTY OF DADE  
FLORIDA  
JUNE 15, 1994  
J. D. WEAVER

SURVEY FOR  
JOHN GORDON WEAVER & MORRIS C. WEAVER  
LL 607 432 DISTRICT 13-SECTION  
DADE COUNTY GEORGIA  
SCALE: 1" = 50'  
JUNE 17, 1994  
JIMMY D. BULLOCK & ASSOCIATES  
LAND SURVEYING SERVICE  
DADE COUNTY GEORGIA 30506



1" = 50' PIN FOUND.  
1" = 1" SET

## ATTACHMENT "E"

### [LEGAL DESCRIPTION OF THE PROPERTY]

*All that tract or parcel of land lying and being in Land Lot 507 and 508 of the 4th District, 1st Section of Dawson County, Georgia and being more particularly described as follows:*

*Beginning at a found 1" rebar located on the Westerly right-of-way of Highway 9; thence leaving said right-of-way along the Southerly line of Land Lot 508 S89°-47'-21"E., 500.61 feet to a found ½ inch rebar; thence S89°-54'-04"E., 786.91 feet to a set pin also being the common corner for land lots 507, 508, 513, and 514 ; thence S89°-56'-55"E., 675.92 feet; thence leaving said land lot line along a curve to the left 79.95 feet with a radius of 132.53 feet; said curve being subtended by a chord bearing N20°-26'-53"E, and a chord distance of 78.74 feet; thence N03°-42'-57"E., 44.14 feet; thence N00°-06'-36"E., 46.57 feet; thence N01°-47'-09"E., 38.04 feet; thence following along the center line of Border Ave the following 9 courses and distances: following along a curve to the left a distance of 26.09 feet with a radius of 119.99 feet; said curve being subtended by a chord bearing N85°-25'-33"E and a chord distance of 26.04 feet; thence N79°-47'-09"E., 73.30 feet; thence N74°-45'-20"E., 97.92 feet; thence N69°-25'-29"E., 60.46 feet; thence N75°-55'-37"E., 28.14 feet; thence N81°-37'-29"E., 71.70 feet; thence N82°-16'-22"E., 96.37 feet; thence N85°-27'-26"E., 69.70 feet; thence N84°-17'-38"E., 138.00 feet; thence leaving centerline of said road N00°-58'-21"E., 442.61 feet; thence N00°-24'-51"E., 311.26 feet to a found rebar; thence N74°-04'-22"E., 297.57 feet; thence S38°-06'-37"E., 147.22 feet; thence N48°-00'-48", 189.43 feet; thence N04°-36'-18"E., 170.14 feet to a found monument; thence N61°-49'-19"E., 10.87 feet; thence N0°-37'-30"E., 129.37 feet to a point located on the Westerly right-of-way of Highway 9; thence moving along said right-of-way the following 8 bearings and distances: following along a curve to the left a distance of 272.99 feet and a radius of 1953.87 feet; said curve being subtended by a chord bearing S30°-15'-21"E and a chord distance of 292.77 feet; thence along a curve to the left a distance of 290.67 feet with a radius of 3144.02 feet; said curve being subtended by a chord bearing S35°-55'-08"E and a chord distance of 290.56 feet; thence S38°-03'-51"E., 191.99 feet; thence along a curve to the right a distance of 82.20 feet with a radius of 829.86 feet; said curve being subtended by a chord bearing S37°-47'-34"E and a chord distance of 82.17 feet; thence along a curve to the right a distance of 168.43 feet and a radius of 838.09 feet; said curve being subtended by a chord bearing S29°-17'-34"E and a chord distance of 168.15 feet; thence along a curve to the right a distance of 241.71 feet with a radius of 2411.63 feet; said curve being subtended by a chord bearing S17°-27'-31"E and a chord distance of 241.61 feet; thence S15°-34'-10"E., 218.34 feet; thence following along a curve to the right a distance of 198.13 feet with a radius of 1012.36 feet; said curve being subtended by a chord bearing S11°-38'-22"E and a chord distance of 197.81 feet to the Point of Beginning*

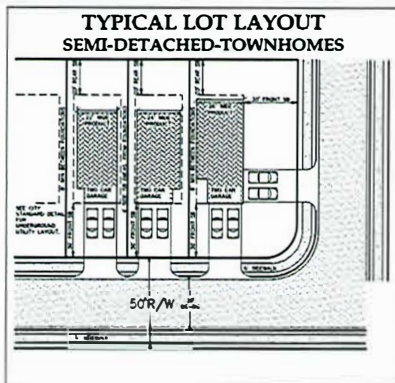
*Said parcel of land contains 32.75 acres more or less of land.*

### TOGETHER WITH

*All that tract or parcel of land lying and being in Land Lot 507 of the 4<sup>th</sup> District, 1<sup>st</sup> Section of Dawson County, Georgia, containing 1.96 acres, more or less, as shown on a plat prepared by Jimmy D. Bullock, Georgia Registered Surveyor, a copy of which is recorded in Plat Book 35, Page 35, Dawson County Deed Records, to which plat this reference is made and incorporated herein by reference.*

**ATTACHMENT “F”**

**[THE CONCEPT PLAN – BEGINS ON NEXT PAGE]**



**SITE DATA**

Parcels: 002-004, 004-010, 093-010  
& 093-011  
Existing Zoning (Mixed): R-3 - Single-Family Residential District & R-1 - Restricted Single-Family Residential District  
Total Site Area: 33.86 ac

**Proposed Zoning: RPC RESIDENTIAL PLANNED COMMUNITY**

Open Space: 10.1 ac Required, 30%+ Provided  
Gross Area: 23.56 ac  
Open Space Required (30%): 10.1 ac  
Open Space Provided: 14+ ac  
Excludes the Detention Pond  
Unusable Open Space (3.0 ac)  
Total Lots: 120 lots  
Density Proposed: 3.6 lots/ac (4 Allowed)  
Min. House Size Proposed: 1,754 sf heated, 2,100 sf total

**OWNER/DEVELOPER:**  
**PIEDMONT  
RESIDENTIAL**  
285 PARKWAY 575  
WOODSTOCK, GA 30188

**PHONE:** 404-514-8292  
**EMAIL:** info@piemontresidential.com

**24-HOUR CONTACT:**  
**JT EIGEL**  
404-216-1647  
**EMAIL:** jt@piemontresidential.com

**PROJECT:**  
**GILLELAND-JENKINS  
TRACT**

**LOCATED IN:**  
LAND LOTS 507 & 508  
4th DISTRICT, 1st SECTION  
CITY OF DAWSONVILLE  
DAWSON COUNTY, GEORGIA

**SHEET TITLE:**  
**CONCEPT  
PLAN**



**STAMP:**  
**FOR  
REVIEW  
ONLY**

**DRAWING DATE:** 2023-06-05

**SHEET REVISIONS**

NO.	DATE	DESCRIPTION	BY	CHECKED

**SHEET:**  
**1 OF 1**



**ATTACHMENT "G"**

**[PLAN BOOK – BEGINS ON NEXT PAGE]**

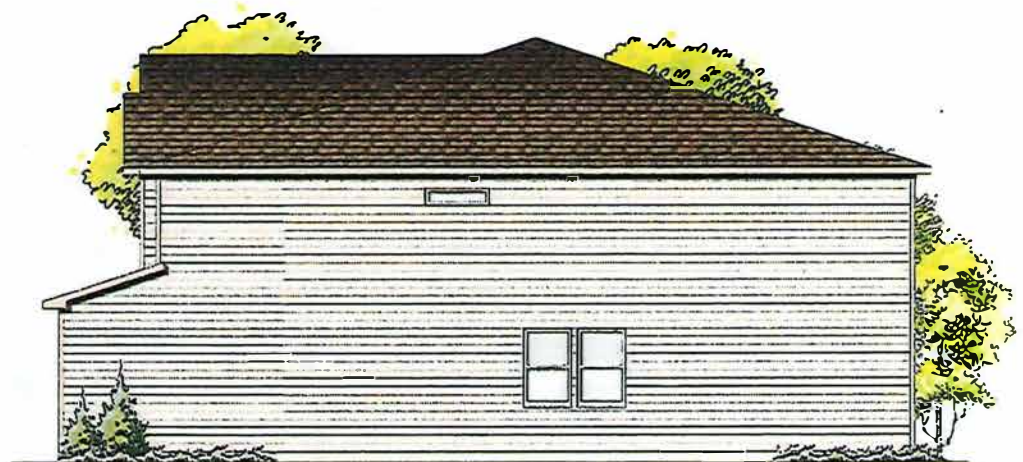
Maple Street and Hwy 9

Maple Street View  
Dawsonville, GA





FRONT ELEVATION



RIGHT ELEVATION

ELEVATION DSR4  
SCHEME #32

Sweetbriar  
April 12, 2024





REAR ELEVATION



LEFT ELEVATION

ELEVATION DSR4  
SCHEME #32

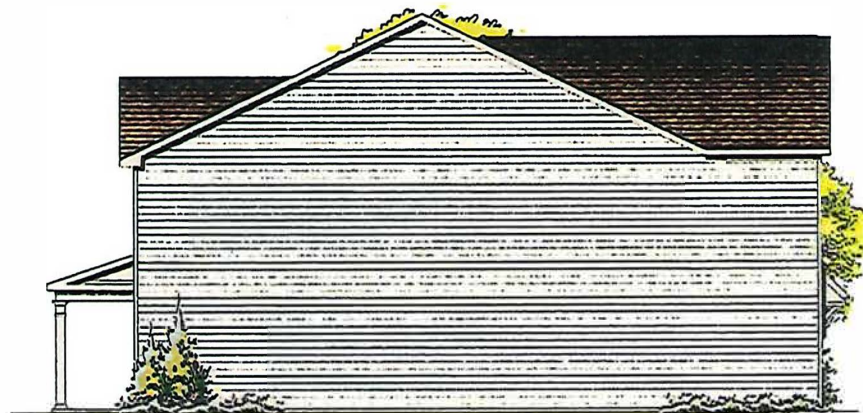


Sweetbriar  
April 12, 2024





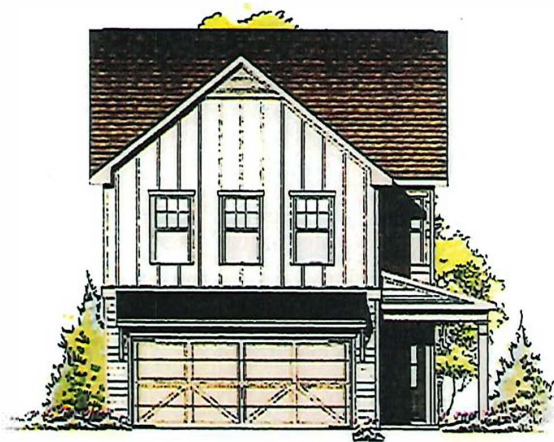
FRONT ELEVATION



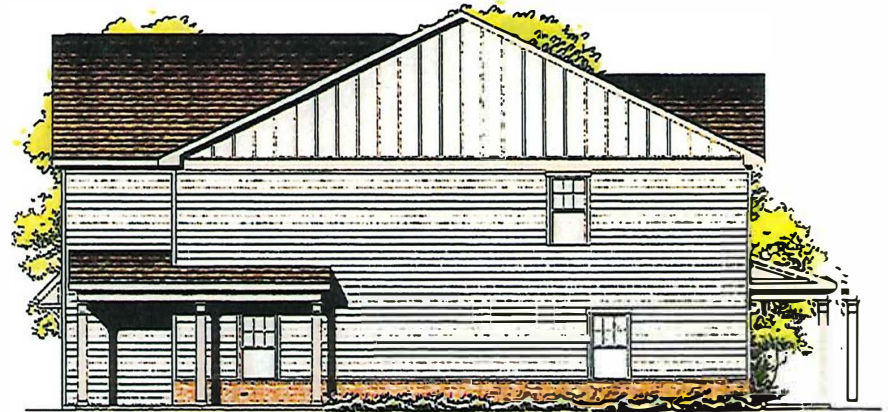
RIGHT ELEVATION

BROOKFIELD - ELEVATION A  
COLOR SCHEME #23





REAR ELEVATION



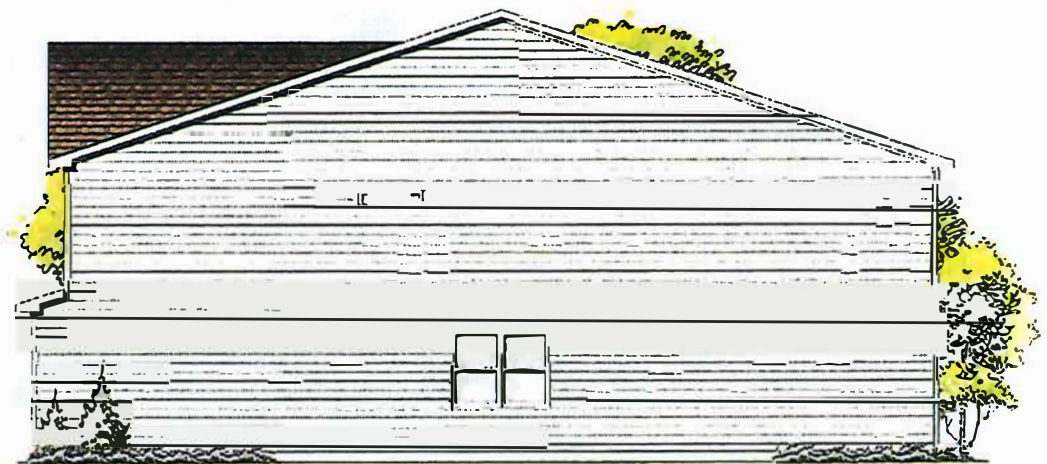
LEFT ELEVATION

BROOKFIELD - ELEVATION A  
COLOR SCHEME #23





FRONT ELEVATION



RIGHT ELEVATION

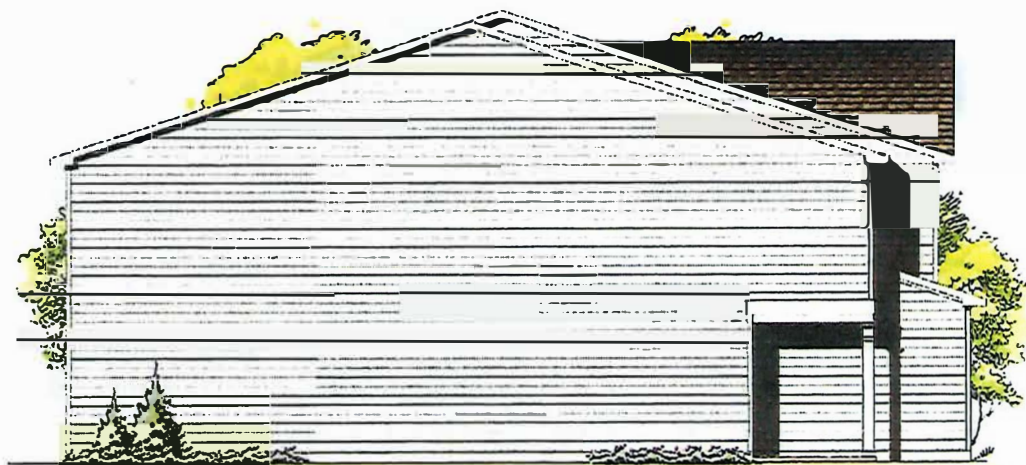
ELEVATION CSR4  
SCHEME #18

Springdale  
April 12, 2024





REAR ELEVATION



LEFT ELEVATION

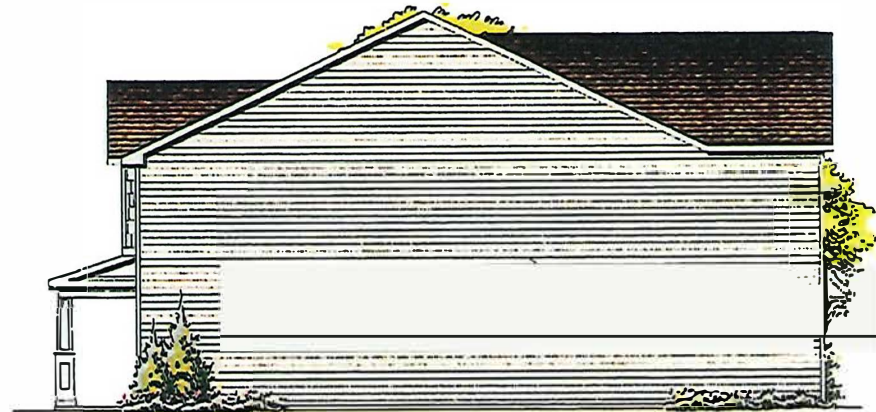
ELEVATION CSR4  
SCHEME #18

Springdale  
April 12, 2024





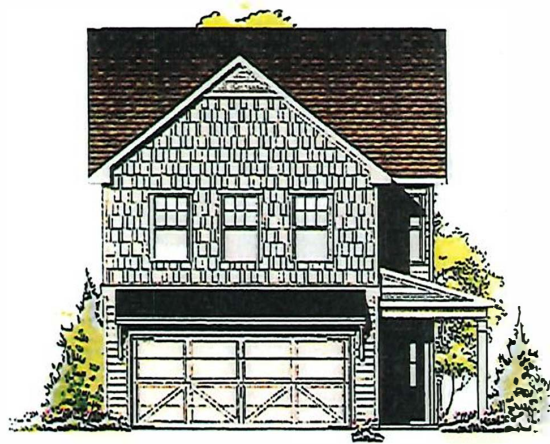
FRONT ELEVATION



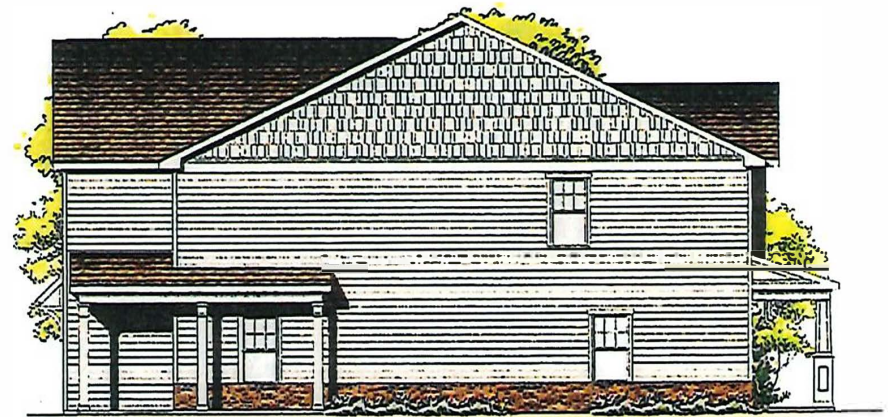
RIGHT ELEVATION

ADDISON - ELEVATION B  
COLOR SCHEME #34





REAR ELEVATION



LEFT ELEVATION

ADDISON - ELEVATION B  
COLOR SCHEME #34



FRONT ELEVATION



RIGHT ELEVATION

ELEVATION CSR3  
SCHEME #30



Cambridge  
April 15, 2024





REAR ELEVATION



LEFT ELEVATION

ELEVATION CSR3  
SCHEME #30

Cambridge  
April 15, 2024





FRONT ELEVATION



RIGHT ELEVATION

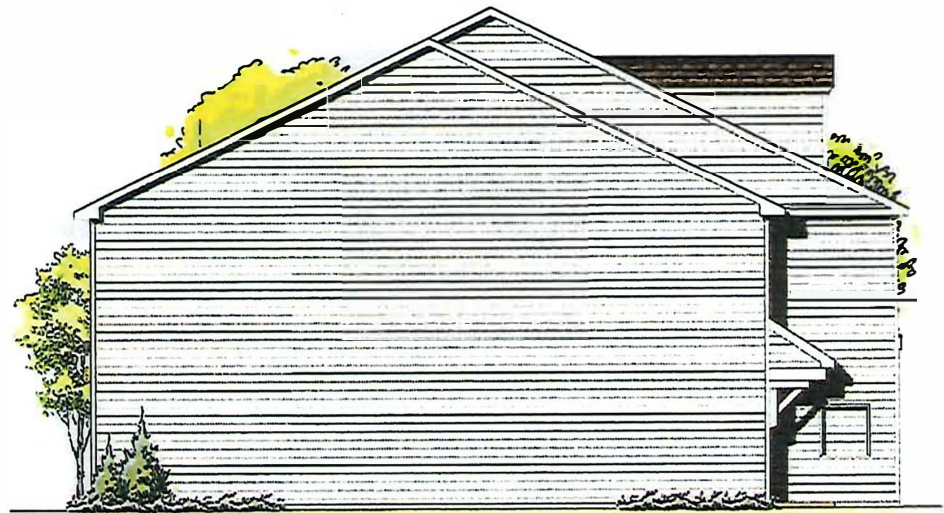
ELEVATION CSR2  
SCHEME #31

Rutherford  
April 12, 2024





REAR ELEVATION



LEFT ELEVATION

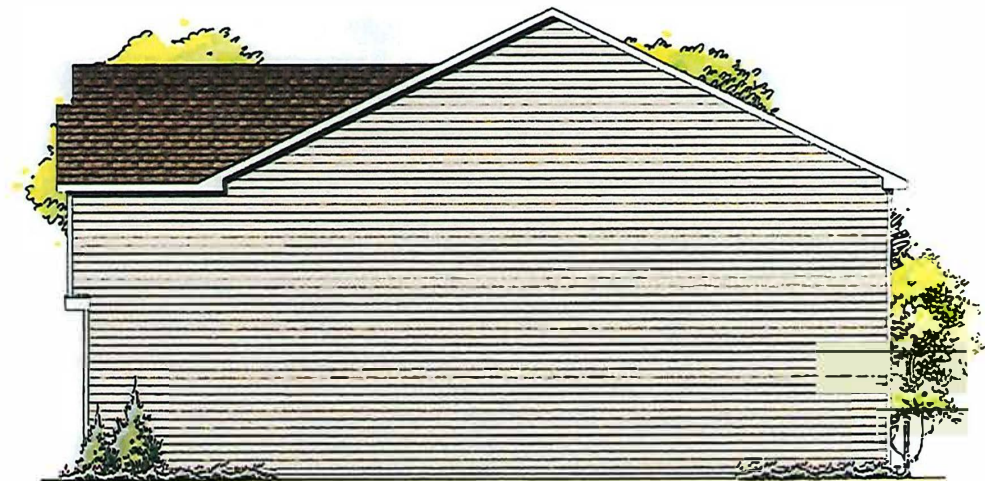
ELEVATION CSR2  
SCHEME #31

Rutherford  
April 12, 2024





FRONT ELEVATION



RIGHT ELEVATION

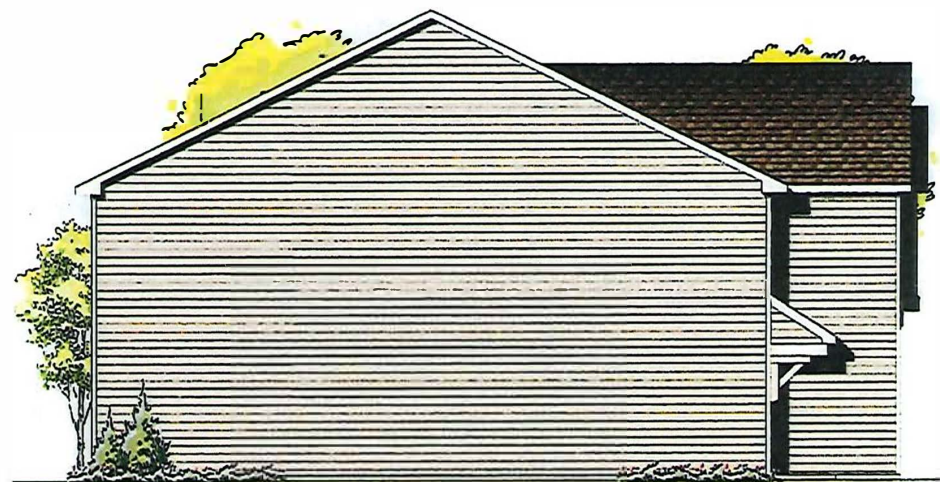
ELEVATION BSB2  
SCHEME #27

Turner  
April 12, 2024





REAR ELEVATION



LEFT ELEVATION

ELEVATION BSB2  
SCHEME #27

Turner  
April 12, 2024



# The GLADE / SPRINGDALE



Piedmont Residential in its sole discretion, reserves the right to modify and change these features in order to improve the homes. This is for information only and is not a part of a legal contract and is subject to errors, omissions and change.

PRINT DATE: 04/26/23

**ATTACHMENT “H”**

**[TRAFFIC IMPACT STUDY – BEGINS ON NEXT PAGE]**

## **ATTACHMENT "I"**

### **CONSTITUTIONAL OBJECTION**

As applied to the real property of the owners identified in the foregoing Attachment "A"<sup>1</sup> (collectively, the "Owners") which are identified as the Dawson County Tax Assessor Parcel Numbers ("TPN") identified in the foregoing Attachment "A" (collectively, the "Property") and is the subject of the previously-filed Application (as that term is defined in the foregoing letter) of PR Land Investments, LLC (the "Applicant"), if the Application, in whole or in part, is not approved or is approved with conditions not consented to by the Applicant, the Zoning Ordinance of the City of Dawsonville (the "Zoning Ordinance"), codified as Appendix A to The Code of Dawsonville, Georgia, will be unconstitutional in that the Applicant's (and the Owners') property rights in and to the Property will be destroyed without first receiving fair, adequate, and just compensation for such property rights. As applied to the Property and the Applicant, in such case, such action on the Application and the Zoning Ordinance, as applied to the Property and the Applicant and facially, will deprive the Applicant (and the Owners) of constitutionally protected rights in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States of America.

If the Application, in whole or in part, is not approved or is approved with conditions not consented to by the Applicant, such action on the Application and the Zoning Ordinance, as applied to the Property and the Applicant and facially, will be unconstitutional, illegal, arbitrary, capricious, null, and void, constitute a taking of the Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States of America thereby denying the Applicant (and the Owners) an economically viable use of the Property while not substantially advancing legitimate state interests.

Inasmuch as it is impossible for the Applicant (and the Owners) to use the Property and simultaneously comply with the Zoning Ordinance, and if the Application, in whole or in part, is not approved or is approved with conditions not consented to by the Applicant, such action on the Application and Zoning Ordinance, as applied to the Property and the Applicant and facially, will constitute arbitrary, capricious, and unreasonable acts by the City of Dawsonville, Georgia (the "City"), by and through the City Council of the City (the "Council"), without any rational basis therefor and constitute abuses of discretion in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Due Process and Equal Protection

---

<sup>1</sup> The foregoing letter is incorporated herein by reference as if fully set forth herein. All capitalized terms used herein shall have the meaning assigned to them in said letter, unless otherwise defined herein.

Clauses of the Fourteenth Amendment to the Constitution of the United States of America.

If the Application, in whole or in part, is not approved or is approved with conditions not consented to by the Applicant, such action on the Application and the Zoning Ordinance, as applied to the Property and the Applicant and facially, will be unconstitutional and discriminate against the Applicant (and the Owners) in an arbitrary, capricious, and unreasonable manner between the Applicant and others similarly situated in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States of America.

Additionally, application of any amendments to the Zoning Ordinance adopted or enacted after the date the Application was filed with the City, to the Application, the Property, and/or the Applicant will constitute an unconstitutional ex post fact law, in violation of Article 1, Section 10 of the Constitution of the United States of America and Article I, Section I, Paragraph X of the Constitution of the State of Georgia of 1983.

WHEREFORE, the Applicant requests that the Council approve the Application, with no condition(s) or only conditions consented to by the Applicant, and take all other action(s) necessary to permit the Applicant to utilize the Property as set forth in the Application and the foregoing letter.

Respectfully submitted this 5th day of June 2025.

**TAYLOR DUMA LLP**  
Counsel for Applicant

A handwritten signature in black ink, appearing to read 'Steven L. Jones', with a stylized, overlapping flourish at the end.

Steven L. Jones  
Georgia State Bar No.: 639038

1600 Parkwood Circle  
Suite 200  
Atlanta, Georgia 30339  
(678) 336-7282  
sjones@taylorduma.com

## ATTACHMENT “J”

### **OBJECTION TO AND FOR HEARINGS BASED ON YORK V. ATHENS COLLEGE OF MINISTRY, INC.**

As applied to the real property of the owners identified in the foregoing Attachment “A”<sup>1</sup> (collectively, the “Owners”) which are identified as the Dawson County Tax Assessor Parcel Numbers (“TPN”) identified in the foregoing Attachment “A” (collectively, the “Property”) and is the subject of the previously Application (as that term is defined in the foregoing letter) of PR Land Investments, LLC (the “Applicant”), as more particularly requested in the foregoing letter, and as applied to the Applicant, the public and/or other hearing(s) regarding, and any action of the City of Dawsonville, Georgia (the “City”), by and through the City Council of the City (the “Council”) on, the Application are objected to by the Applicant based on, but not limited to, the reasons set forth herein (collectively, the “York Objection” and each an “Objection”), in accordance with *York v. Athens College of Ministry, Inc.*, 348 Ga. App. 58 (Ga. Ct. App. 2018):

Contemporaneous with the filing of this *York* Objection, the Applicant is filing a Constitutional Objection, and all Objections set forth therein are incorporated herein by reference as if fully restated.

The Applicant objects to any and every hearing before the Council and/or the City on the Application because the time limitation, if any, imposed on the presentation of evidence and/or testimony in support of (or in rebuttal to any evidence and/or testimony in opposition to) the Application, or any limitation of the Applicant’s ability and right to present evidence and/or testimony at such hearing(s), deprives and will deprive the Applicant a meaningful opportunity to be heard and preserve issues, in violation of the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States and Article I, Section I, Paragraphs I, II, XI, and XII of the Constitution of Georgia of 1983. Likewise, the Applicant objects to any and all members of the public (and/or other persons) who appear (or otherwise give testimony or opinion) at the hearing(s) on the Application, if any, to the extent that (but not limited to) said individuals (a) do not satisfy the substantial interest-aggrieved citizen test and/or are not citizens of the City; (b) are not under oath; (c) are not subject to cross-examination; (d) present evidence on and/or make statements that qualify as (or must or should be assessed with the aid of) expert opinion without any or all individuals being qualified as expert witnesses; (e) present evidence on and/or make statements that are not germane to the purview of the Council, as applicable, with respect to the Application; and/or (f) present evidence and/or make statements that are founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence.

Additionally, the Applicant objects to any and every Council action that does not approve the Applicant and/or does not approve the Application or approves the Application with conditions not consented to by the Applicant, to the extent that (but not limited to) such action is: (a) in violation of Section 50-13-19(h) of the Official Code of Georgia Annotated or otherwise; (1) in violation of any constitutional, statutory, and/or ordinance provisions; (2) in excess of the

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<sup>1</sup> The foregoing letter is incorporated herein by reference as if fully set forth herein. All capitalized terms used herein shall have the meaning assigned to them in said letter, unless otherwise defined herein.

constitutional, statutory, and/or ordinance authority of the Council (if any); (3) made upon unlawful procedure; (4) affected by other error of law; (5) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and/or (6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; (b) founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence; (c) contrary to or outside of the purview (if any) of the Council; (d) based, in whole or part, on evidence or other information received outside of the hearing(s) on the Application, and/or in any manner which does not afford the Applicant an opportunity to review or respond to the same; and/or (e) not made pursuant and in conformance with the Zoning Ordinance; the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*, and/or any other law of the state of Georgia or the United States of America.

By and through this *York* Objection, the Applicant hereby preserves all the above and incorporated Objections, and any and all evidence, arguments, and objections made and/or tendered by the Applicant at or prior to the Council hearing(s) on the Application, and asserts them on and within the record before, and for consideration and resolution (prior to any formal decision on the Application) by, the Council, as applicable.

WHEREFORE, the Applicant requests that the Council approve the Application, with no condition(s) or only conditions consented to by the Applicant, and take all other action(s) necessary to permit the Applicant to utilize the Property as set forth in the Application and the foregoing letter.

Respectfully submitted this 5th day of June 2025.

**TAYLOR DUMA LLP**  
Counsel for Applicant

A handwritten signature in black ink, appearing to read 'Steven L. Jones', with a stylized, cursive script.

Steven L. Jones  
Georgia State Bar No.: 639038

1600 Parkwood Circle  
Suite 200  
Atlanta, Georgia 30339  
(678) 336-7282  
sjones@taylorduma.com



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DATED 8-14-1992. PREPARED  
BY J. A. PAGE, JR., RLS NO.  
1804. SAID PLAT IS  
RECORDED IN PLAT BOOK  
30, PAGE 139 AND  
SUBDIVISION PLAT IS  
RECORDED IN PLAT BOOK 17,  
PAGE 7, DAWSON COUNTY,  
GEORGIA RECORDS, WHICH  
SAID PLAT IS  
INCORPORATED HEREIN BY  
THIS REFERENCE AND MADE  
A PART OF THIS  
DESCRIPTION.

Said property being known  
as: **105 RIVER VALLEY RD,  
DAWSONVILLE, GA 30534**

To, the best of the  
undersigned's knowledge,  
the party or parties in  
possession of said property  
is/are BRANDON WILEY  
SAMPLES or tenant(s).

The debt secured by said  
Security Deed has been and  
is hereby declared due and  
payable because of, among  
other possible events of  
default, failure to pay the  
indebtedness as provided for  
in the Note and said Security  
Deed. The debt remaining in  
default, this sale will be  
made for the purpose of  
paying the same and all  
expenses of sale, including  
attorney's fees (notice of  
intent to collect attorney's  
fees having been given).

Said property will be sold  
subject to the following: (1)  
any outstanding ad valorem  
taxes (including taxes which  
are a lien, whether or not yet  
due and payable); (2) the  
right of redemption of any  
taxing authority; (3) any  
matters which might be  
disclosed by an accurate  
survey and inspection of the  
property; and (4) any  
assessments, liens,  
encumbrances, zoning  
ordinances, restrictions,  
covenants, and matters of  
record superior to the  
Security Deed first set out  
above.

Said sale will be conducted  
subject to the following: (1)  
confirmation that the sale is

IN LAND LOT 474 OF THE  
NORTH HALF OF THE 13TH  
DISTRICT, 1ST SECTION,  
DAWSON COUNTY,  
GEORGIA, CONTAINING 4  
ACRES, SHOWN ON A PLAT  
PREPARED FOR MICHAEL N.  
AND KATHRYN E. JONES BY  
JOHN CRAIG CRANSTON,  
GRS, DATED JUNE 1, 1980, A  
COPY OF WHICH IS

RECORDED IN PLAT BOOK 9,  
PAGE 58, DAWSON COUNTY  
DEED RECORDS AND  
INCORPORATED HEREIN BY  
REFERENCE, AND TO WHICH  
THIS REFERENCE IS MADE  
FOR A MORE PARTICULAR  
DESCRIPTION OF THE  
PROPERTY.

Said property is known as  
**1220 New Bethel Church  
Road, Dawsonville, GA  
30534**, together with all

fixtures and personal  
property attached to and  
constituting a part of said  
property, if any.

This conveyance is made  
subject to that certain  
Security Deed in favor of  
Bank of America, N.A.,  
recorded in Deed Book 618,  
page 305, Dawson County  
Records.

Said property will be sold  
subject to any outstanding  
ad valorem taxes (including  
taxes which are a lien,  
whether or not now due and  
payable), the right of  
redemption of any taxing  
authority, any matters which  
might be disclosed by an  
accurate survey and  
inspection of the property,  
any assessments, liens,  
encumbrances, zoning  
ordinances, restrictions,  
covenants, and matters of  
record superior to the  
Security Deed first set out  
above.

The proceeds of said sale will  
be applied to the payment of  
said indebtedness and all  
expenses of said sale as  
provided in said Deed, and  
the balance, if any, will be  
distributed as provided by  
law.

The sale will be conducted  
subject (1) to confirmation

## Public Hearings

### Notice of Public Hearing

The City of Dawsonville  
Planning Commission and  
the City of Dawsonville  
Mayor and City Council will  
each conduct a public  
hearing at the respective  
dates and times provided  
below, regarding a certain  
matter itemized herein.  
Public hearings will be  
conducted in the Council  
Chambers on the second  
floor of City Hall located at  
415 Hwy. 53 East,  
Dawsonville Georgia 30534.  
The public is invited to  
attend. **ZA-C2500171: PR**  
Land Investments, LLC has  
petitioned for an  
amendment to the official  
zoning map applicable to  
the properties provided  
below. The applicant

proposes the properties be  
rezoned from R-1 and R-3:  
Restricted Single-Family  
Residential District and  
Single-Family Residential  
District to RPC: Residential  
Planned Community, for the  
development of 120 single-  
family semi-detached  
homes. **Tax Map Parcel 093  
010 (592 HWY 9 S), Tax  
Map Parcel 093 011 (93  
Southwest Border Ave),  
Tax Map Parcel D02 004,  
and Tax Map Parcel D04  
010 (416 HWY 9 S).** Public  
Hearings Dates: Planning  
Commission July 14, 2025, at  
5:30 p.m. and Mayor and City  
Council August 4, 2025, at  
5:00 p.m. City Council for a  
decision on August 18, 2025.

**VAR-C2500168:** Integrity  
Engineering and  
Development Services, Inc.  
with Dawsonville Fee Owner,  
LLC has requested to vary  
from the general sign  
regulations at **25 Main  
Street (Tax Map Parcel D04  
020 004)** to allow wall  
signage on all four (4)  
façades of the building.  
Public Hearing Date: City  
Council on Monday, July 21,  
2025. City Council for a

decision on Monday, August  
4, 2025. If you wish to speak  
on the request, 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.

**148864 6/25**

## Public Sales/Auctions

### NOTICE OF PUBLIC SALE OF PERSONAL PROPERTY

Notice is hereby given that  
USA Storage Centers - Grant  
Rd, phone (706) 216-0057,  
located at 42 Grant Rd. Ste  
200, Dawsonville, GA, 30534  
will hold a Public Sale, to  
satisfy the lien of the owner.  
This notice is given in  
accordance with the  
provisions of Georgia Self  
Storage Facility Act, Georgia  
Code 10-4-210 to 10-4-215.  
Units will be sold via online  
auction,

at  
[www.StorageTreasures.com](http://www.StorageTreasures.com).  
Auction will close on or after  
Thursday July 10, 2025 at  
10:00 am. The personal  
goods stored therein by the  
following may include, but  
are not limited to household  
goods, furniture, tools,  
equipment, toys, boxes,  
clothes and misc items.  
Owner reserves the right to  
bid and the right to refuse  
bids. Cleanup deposit is  
required. Sale is subject to  
cancellation. The contents of  
the rental storage units  
belonging to the following  
persons will be sold:

C02 - Anthony and Shamia  
Jones 661-350-8354  
A08 - Amber Gilbert  
D33 - Lisa Estes  
D17 - Lisa Estes

**148542 6/25, 7/2**

To be auctioned on June  
28th, 2025. at 11:00 am to

# PUBLIC NOTICE ON ZONING

AN APPLICATION HAS BEEN FILED WITH THE CITY OF  
DAWSONVILLE IN REGARDS TO THE ZONING  
REGULATIONS AS THEY APPLY TO THIS PROPERTY.

THE APPLICATION IS FOR:

ZA-C2500171  
Re-zoning R1+R3 to RPC  
HEARINGS WILL BE HELD BY:

PLANNING COMMISSION:

DATE: 7/14/2025

TIME: 5:30pm

CITY COUNCIL:

DATE: 8/4/2025

TIME: 5:00pm

HEARING LOCATION:

DAWSONVILLE MUNICIPAL COMPLEX  
415 HIGHWAY 53 E SUITE 100  
DAWSONVILLE, GA 30534

FOR ADDITIONAL INFORMATION CALL  
CITY PLANNING & ZONING DEPT. 706-265-3253