

**AGENDA**  
**PLANNING COMMISSION REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, December 11, 2023, 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, October 9, 2023

**PUBLIC HEARING**

7. **ANX-C2400048:** Dawson County BOE has petitioned to annex 1.61 acres of TMP 093 005, Located at 516 Allen Street with a County Zoning of C-CB (Community Business Commercial District) to City Zoning INST (Institutional District). Public Hearing Dates: Planning Commission on December 11, 2023, and City Council on December 18, 2023. City Council for a decision on January 11, 2024.
8. **ZSP C2400063:** Atlanta Motorsports Park, LLC has petitioned to amend the site plan to convert the takeout kitchen to a restaurant; located at 20 Duck Thurmond Road (TMP 070 049 001). Public Hearing Dates: Planning Commission on Monday, December 11, 2023, and City Council Monday, December 18, 2023. City Council for a decision on Thursday, January 11, 2024.

**PLANNING COMMISSION REPORTS**

**ADJOURNMENT**

***The next scheduled Planning Commission meeting is Monday, January 8, 2024***

*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, October 9, 2023**

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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, Sandy Sawyer, Josh Nichols, Alexis Noggle, City Attorney Kevin Tallant, Councilmember Liaison John Walden, City Manager Bob Bolz, Planning Director Jameson Kinley, Building Inspector Clay Moss. Anna Tobolski was absent from the meeting.
3. **INVOCATION AND PLEDGE:** City Manager Bob Bolz led Invocation and pledge.
4. **ANNOUNCEMENTS:** None
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda made by J. Nichols; second by S. Sawyer. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the regular meeting minutes held on Monday, August 14, 2023, made by S. Sawyer; second by A. Noggle. Vote carried unanimously in favor.

**PUBLIC HEARING**

7. **VAR-C2300146:** Brooke Walker has petitioned for a reduction in the rear setback for replacing existing deck steps; located at 109 McGregor Lane (TMP 092B 013 027). Public Hearing Date: Planning Commission on Monday, October 9, 2023.

Planning Director J. Kinley provided the staff analysis report for the variance request a reduction in the rear setback.

Chairperson Davis read the variance request and conducted the public hearing. Motion to open the public hearing made by A. Noggle; second by J. Nichols. Vote carried unanimously in favor.

The following person spoke in favor of the zoning request:

- Brooke Walker ,109 McGregor, Dawsonville, GA – Ms. Walker stated that she purchased the home in 2019 and the steps already existed. The steps are in need of replacing.

No one spoke in opposition to the request.

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

S. Sawyer made a motion to approve VAR-C2300146; second by A. Noggle. Vote carried unanimously in favor.

**PLANNING COMMISSION REPORTS:** Next Planning Commission Meeting is Monday, November 13, 2023.

**ADJOURNMENT:** Motion to adjourn the meeting at 5:38 p.m. made by A. Noggle; second by J. Nichols. Vote carried unanimously in favor.

MINUTES  
PLANNING COMMISSION REGULAR MEETING  
G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor  
Monday, October 9, 2023

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*Approved this 11<sup>th</sup> day of December 2023*

\_\_\_\_\_  
Randy Davis, Commission Chairperson

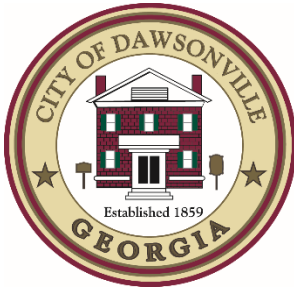
\_\_\_\_\_  
Alexis Noggle, Planning Commissioner Post 1

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

\_\_\_\_\_  
Sandy Sawyer, Planning Commissioner Post 3

\_\_\_\_\_  
Anna Tobolski, Planning Commissioner Post 4

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



# CITY OF DAWSONVILLE

## Planning Staff Report

**APPLICANT:** Dawson County Board of Education

**CASE #:** ANX – C2400048

**REQUEST:** Annex into the City

**LOT SIZE:** +/- 1.61 acres

**CO CURRENT ZONING:** C-CB (Community Business Commercial District)

**PROPOSED ZONING** INST (Institutional District)

**LOCATION:** 516 Allen Street

**TAX MAP PARCEL:** 093 005

**PUBLIC HEARING DATES:** Planning Commission – Monday, December 11, 2023  
City Council – Monday, December 18, 2023

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### APPLICANT PROPOSAL

Dawson County Board of Education has petition to annex 1.61 acres into the city, located at 516 Allen Street, TMP 093 005. Current county zoning C-CB (Community Business Commercial District) to city zoning of INST (Institutional District).

### SURROUNDING PROPERTIES

Adjacent Land Uses	Existing zoning	Existing Use
North	INST	Institutional
South	R-3	Single-Family Residential
East	R-3	Single-Family Residential
West	R-3	Single-Family Residential

### HISTORY

Dawson County Board of Commissioners considered the request of the proposed annexation on November 16, 2023, and had no objection to the annexation.

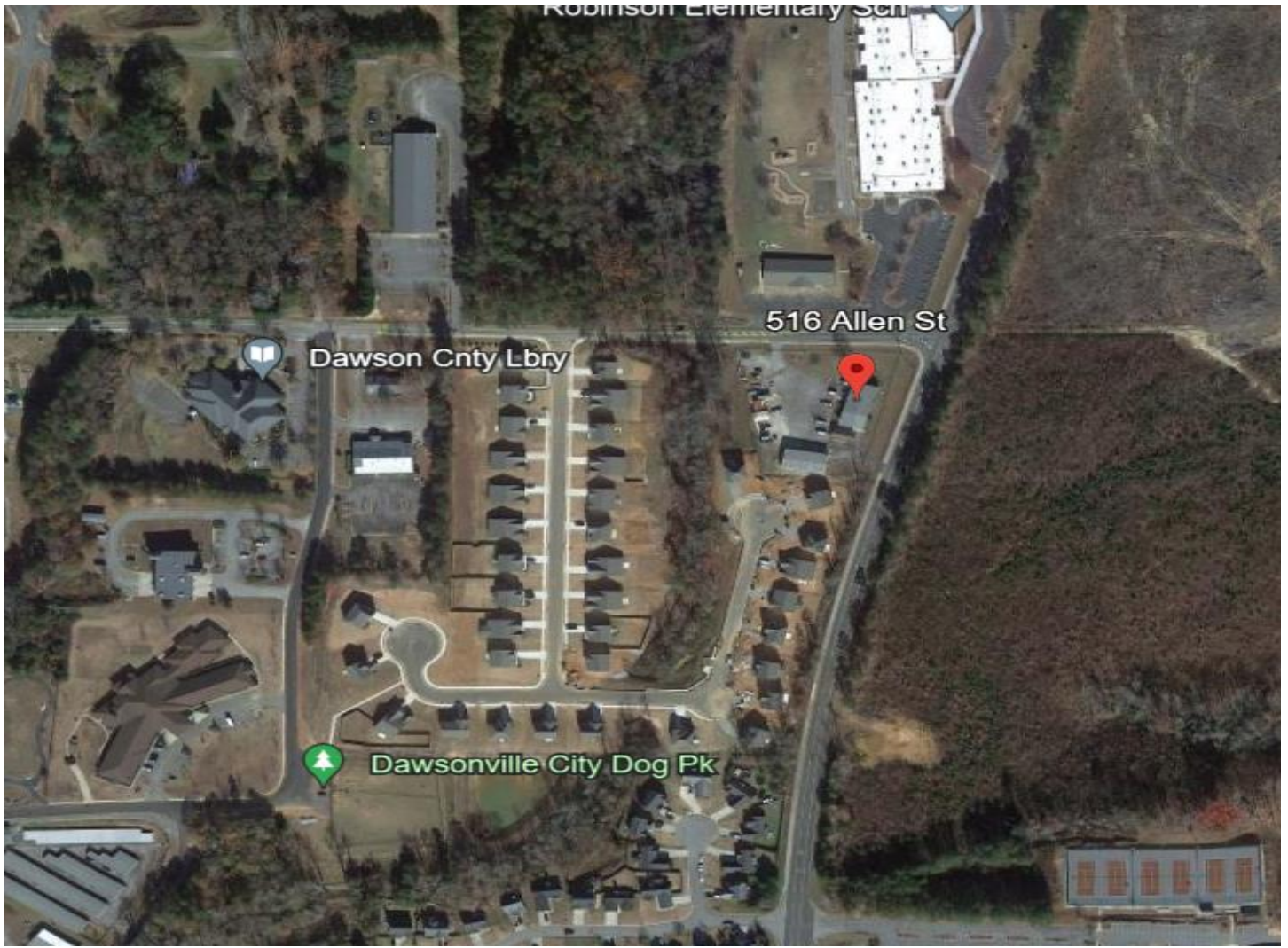


## PICTURES OF PROPERTY





AERIAL VIEW



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



706.203.4923  
[www.dawsonville-ga.gov](http://www.dawsonville-ga.gov)

October 31, 2023

**Via Certified Mail 7022 3330 0002 3339 5201**

Mr. Billy Thurmond  
Board of Commissioners  
Dawson County  
25 Justice Way, Suite 2313  
Dawsonville, GA 30534

**Re: Annexation of Property of Dawson County BOE ANX-C2400048; TMP 093 005; 516 Allen Street**

Dear Mr. Thurmond,

Please be advised that the City of Dawsonville, Georgia, pursuant to authority vested in the Mayor and Council of the City of Dawsonville by Article 2, Chapter 36, Title 36 of the Official Code of Georgia Annotated, received a petition to annex the property referenced above. This annexation petition will be heard during the public hearing segment of the following Planning Commission December 11, 2023, and City Council on December 18, 2023. City Council for a decision on January 11, 2024.

This letter has been sent to you by certified mail, return receipt requested, upon receipt of the Annexation Petition of Stephen Cadwell. Said notice is in compliance with O.C.G.A. §§ 36-36-6, and 36-36-111. Please see the attached copy of the annexation petition and map of the site proposed to be annexed, which are included to allow you to identify the subject area, as well as the intended use of the property.

Pursuant to O.C.G.A. § 36-36-113, upon receipt of this notice Dawson County has thirty (30) calendar days to raise an objection to the proposed use of the above referenced land, and to specify the basis therefore.

Finally, in accord with O.C.G.A. § 36 36-7, Dawson County has five (5) business days from the receipt of this notice to notify the City that there are County-owned public facilities within the area proposed for annexation.

Thank you for your time and attention to this matter, and I look forward to hearing from you regarding this issue. If I may be of assistance in this regard or any other, please do not hesitate to contact me.

Sincerely,

Stacy Harris  
Zoning Administrative Assistance

Enclosures

cc: Joey Leverette, County Manager  
Dawson County Attorney





City of Dawsonville  
Planning and Zoning Department  
415 Highway 53 East, Suite 100  
Dawsonville, GA 30534  
Phone: (706) 265-3256

Annexation Petition  
Application

ANNEXATION # C2400048

**ZONING AMENDMENT APPLICATION AND FEES RECEIVED ? ☐ YES ☐ NO**

Applicant Name(s): DAWSON COUNTY BOE

Address: 28 MAIN STREET City: DAWSONVILLE State: GA Zip: 30534

E-Mail: nlecave@dawson.k12.ga.us

Cell Number(s): \_\_\_\_\_

Property Owner's Name(s): DAWSON COUNTY BOE

Address: 516 ALLEN STREET City: DAWSONVILLE State: GA Zip: 30534

E-Mail: nlecave@dawson.k12.ga.us

Property Owner's Telephone Number(s): \_\_\_\_\_

Address of Property to be Annexed: \_\_\_\_\_

TMP #: 093 005 Acre(s): 1.61 Survey Recorded in Plat Book # Page #: \_\_\_\_\_

Land Lot #: 372 & 428 District #: \_\_\_\_\_ Section # \_\_\_\_\_ Legal Recorded in Deed Book # Page #: 669 221

Current Use of Property: MAINTENANCE BUILDING BOE

County Zoning Classification: C C B City Zoning Classification: INS T

**Land Use & Zoning Ordinance, Article VII. General Provisions Sec. 708. Annexation: Any land area subsequently added to the incorporated area of Dawsonville shall automatically be classified R-1 (single-family residential district) until or unless otherwise classified by amendment to the official zoning map.**

Petition **MUST** include a completed application with signatures and **ALL** attachments.

- ☐ An 8 1/2 x 11 copy of the current RECORDED BOUNDARY SURVEY of said property showing the contiguity of said property to the existing corporate limits of the City of Dawsonville, GA.
- ☐ A copy of the current metes and bounds LEGAL DESCRIPTION that matches the boundary survey of the property being annexed.
- ☐ Survey must be signed and sealed by a Registered Land Surveyor.
- ☐ Survey must be signed, stamped recorded by Dawson County Clerk's of the Court office.

**FEE SCHEDULE**

Annexation Fee	\$300.00
Administrative fee	\$100.00
Public Notice Certified Mail	**per adjacent property owner

**\*\*price is determined by USPS**

<b>Office Use Only</b>		11.6.23 City Council waived fees		
Date Completed Application Rec'd:	<u>10/30/2023</u>	Amount Paid: \$	CK	Cash CC
Date of Planning Commission Meeting:	<u>12.11.2023</u>	Dates Advertised:	<u>11.22.23</u>	
Date of City Council Meeting:	<u>12.18.2023</u>	Rescheduled for next Meeting:		
Date of City Council Meeting:	<u>01.11.2024</u>	Approved by City Council:	YES NO	
Approved by Planning Commission:	YES NO	Postponed:	YES NO	Date:



City of Dawsonville  
Planning and Zoning Department  
415 Highway 53 East, Suite 100  
Dawsonville, GA 30534  
Phone: (706) 265-3256

Annexation Petition  
Application

Property Owner(s) Authorization

I / We the undersigned, being the owner(s) of real property of the territory described herein as  
093 005 (Address/Tax Map Parcel) , respectfully request that the Mayor  
and City Council of the City of Dawsonville, Georgia annex this property into the City and extend the City boundaries to  
include the same.

Upon signature of this document, I / We the undersigned certify that all the information provided is true and accurate to  
the best of our knowledge.

Nicole LeCane  
Property Owner Signature

Property Owner Printed Name

Property Owner Signature  
Nicole LeCane  
Applicant Signature

Property Owner Printed Name

Applicant Printed Name

Applicant Signature

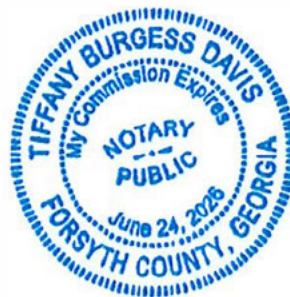
Applicant Printed Name

State of Georgia  
County of Forsyth

Sworn to and subscribed before me this  
this 24<sup>th</sup> day of October 2023

Tiffany Burgess Davis  
Notary Public, State of Georgia

My Commission Expires: 6-24-2026



Notary Seal

Planning Commission Meeting Date: \_\_\_\_\_

Date(s) Advertised: \_\_\_\_\_

1<sup>st</sup> City Council Reading Date: \_\_\_\_\_

2<sup>nd</sup> City Council Reading Date: \_\_\_\_\_

Approved: YES NO

Date Certified Mail to: \_\_\_\_\_ County Board of Commissioners & Chairman \_\_\_\_\_ County Manager \_\_\_\_\_ County Attorney

Letter Received from Dawson County Date: \_\_\_\_\_



DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

PAID \$ 250.00

DATE 6-1-05

File # 43826

GEORGIA, DAWSON COUNTY  
CLERK'S OFFICE, SUPERIOR COURT  
FILED FOR RECORD

AT 1:45 P.M. 5-26-05  
Recorded in Deed Book 669 Page 221-222  
This 1 day of June 2005

BECKY MCCORD, Clerk  
Stewart, Melvin & Frost LLP  
P.O. Box 3280  
Gainesville, Georgia 30503

SPECIAL  
WARRANTY DEED

ARKANSAS, COUNTY OF PULASKI

AFTER RECORDING RETURN TO  
GEORGE C. CALLOWAY, ESQ.  
SPECIALIZED TITLE SERVICES, INC.  
6133 PEACHTREE DUNWOODY ROAD, NE  
ATLANTA, GA 30328  
(770) 394-7000 STS FILE NO. 1087.324

THIS INDENTURE, made this 19 day of May, in the Year of Our Lord Two Thousand Five between STANDARD TELEPHONE COMPANY of the State of Georgia and County of Dawson (hereinafter called "GRANTOR"), and DAWSON COUNTY SCHOOL DISTRICT of the State of Georgia and County of Dawson (hereinafter called "GRANTEE"),

WITNESSETH: That the said GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other valuable considerations, in hand paid at and before the sealing and deliver of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said GRANTEE the following described property, to wit:

All that tract or parcel of land more particularly described according to Exhibit A attached hereto and made a part hereof.

This conveyance is made subject to easements, conditions, restrictions, and other matters of record including, without limitation, the following:

1. Easement from Standard Telephone Company to Georgia Power Company, dated April 14, 2002, filed for record May 1, 2002 at 11:20 a.m., recorded in Deed Book 440, page 497, aforesaid Records.
2. A water meter and water valve located in the northwestern portion of the property described on Exhibit A

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said GRANTEE, forever, in FEE SIMPLE.

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property, unto the said GRANTEE against the claims of all persons owning, holding or claiming by, through or under the Grantor, but none other.

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

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:

Linda K. Adair  
Unofficial Witness

Margaret Ann Overton  
Notary Public  
My Commission Expires: September 1, 2010

STANDARD TELEPHONE COMPANY

By: Brent K. Whittington  
Vice President - Finance



## EXHIBIT A

All that tract or parcel of land lying and being partially in Land Lots 372 and 428, North half, the 13<sup>th</sup> District, 1<sup>st</sup> Section, City of Dawsonville, Dawson County, Georgia, consisting of 1.610 acres and being more particularly described according to a survey for Dawson County Board of Education, prepared by Richard Webb and Associates, being signed by Richard J. Webb, Georgia Registered Land Surveyor #2507, dated February 2, 2005 as follows:

Beginning at an iron pin set at the intersection of the southerly right-of-way line of Allen Street (a variable right-of-way) and the westerly right-of-way line of Perimeter Road (an 80' right-of-way), said iron pin being the POINT OF BEGINNING, thence travel along the westerly right-of-way line of Perimeter Road South 15 degrees 16 minutes 01 seconds West a distance of 19.22 feet to a right-of-way monument; thence continue along said right-of-way line North 74 degrees 44 minutes 50 seconds West a distance of 15.59 feet to a right-of-way monument; thence continue along said right-of-way line South 15 degrees 21 minutes 11 seconds West a distance of 26.22 feet to a right-of-way monument; thence continue along said right-of-way line South 73 degrees 41 minutes 48 seconds East a distance of 15.45 feet to a right-of-way monument; thence continue along said right-of-way line South 15 degrees 16 minutes 01 seconds West a distance of 245.97 feet to an iron pin set; thence leaving said right-of-way line travel North 89 degrees 48 minutes 55 seconds West a distance of 182.77 feet to a point; thence travel North 10 degrees 45 minutes 00 seconds West a distance of 291.45 feet to a right-of-way monument on the southerly right-of-way line of Allen Street; thence continue along said right-of-way line South 88 degrees 59 minutes 00 seconds East a distance of 314.17 feet to an iron pin set and the POINT OF BEGINNING.





*Dawson County Schools  
28 Main Street  
Dawsonville, GA 30534  
(706) 265-3246  
FAX (706) 265-1226  
<http://www.dawson.k12.ga.us>  
Nicole LeCave  
Superintendent*

*Board Members:  
Karen Armstrong  
Doris Cook  
Nathan Ingram  
Barry Slaton  
Elaine Wilson*

Mr. Bob Bolz  
City Manager of Dawsonville  
415 Hwy 53 E, Suite 100  
Dawsonville, GA 30534

Dear Mr. Bolz,

On behalf of the Dawson County Board of Education, we would like to request that the Annexation Fee and Administrative Fee for the Annexation Petition Application be waived. This is for Tax Map Parcel #093005. If you have any questions, please let me know.

Sincerely,

Nicole LeCave  
Superintendent  
Dawson County School System  
nlecave@dawson.k12.ga.us  
706-265-3246



# Dawson County, GA

## Summary

Parcel Number 093 005  
 Location Address PERIMETER RD  
 Legal Description LL 372 & 428 13 N  
 (Note: Not to be used on legal documents)  
 Class E6 Exempt  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 Tax District DAWSONVILLE (District 02)  
 Millage Rate 21.4225  
 Acres 1.61  
 Neighborhood Dawsonville (00003)  
 Homestead Exemption No (S0)  
 Landlot/District N/A

[View Map](#)



## Owner

[DAWSON COUNTY SCHOOL DISTRICT](#)  
 P O BOX 208  
 DAWSONVILLE, GA 30534

## Land

Type	Description	Calculation Method	Frontage	Depth	Acres	Lots
Exempt	DAWSONVILLE COMMERCIAL	Acres	0	0	1.61	1

## Commercial Improvement Information

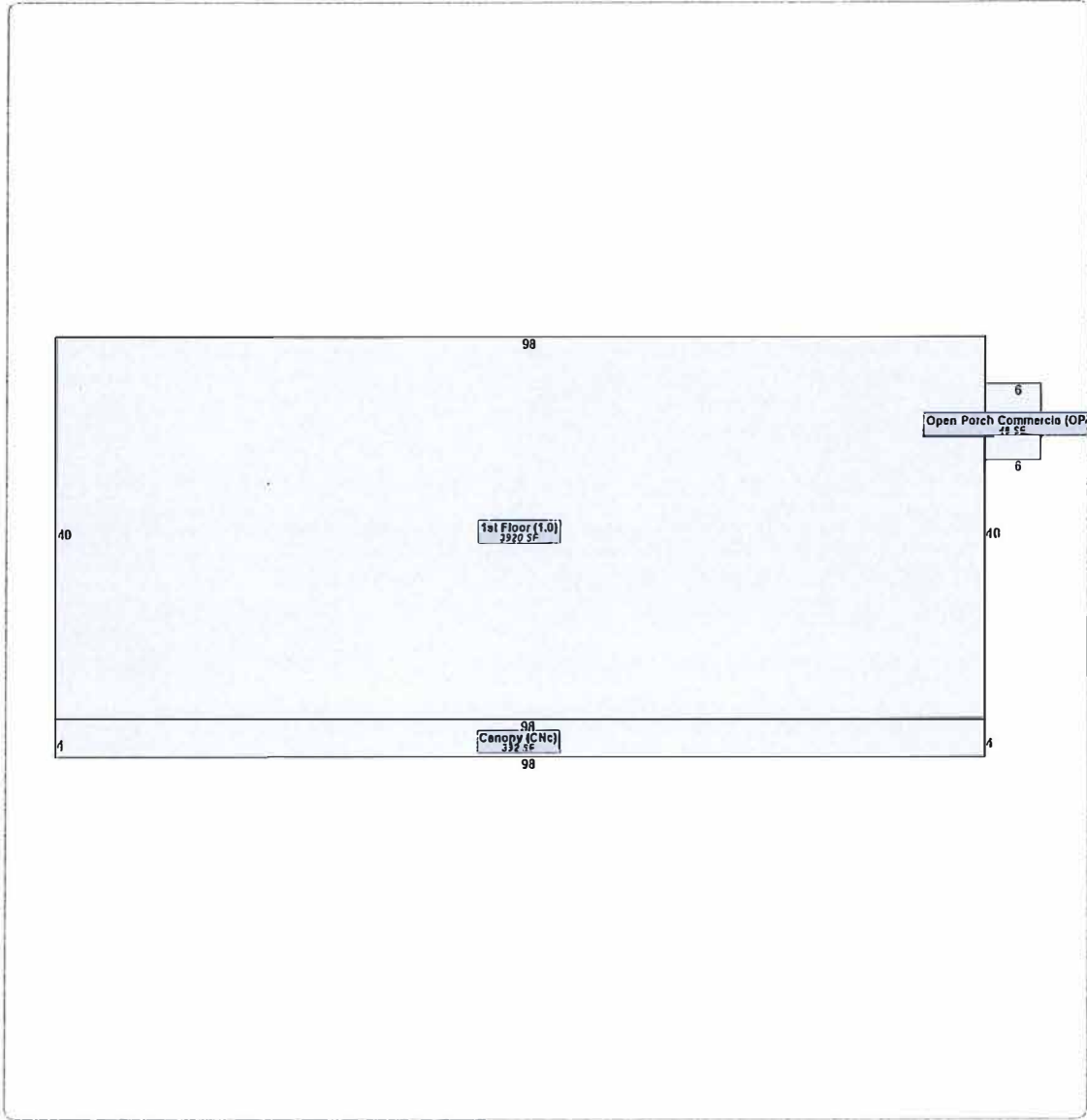
Description Storage Warehouse C Average  
 Value \$154,600  
 Actual Year Built 2006  
 Effective Year Built  
 Square Feet 3920  
 Wall Height 16  
 Wall Frames Bearing Wall  
 Exterior Wall Galvanized Metal  
 Roof Cover Galvanized Metal  
 Interior Walls 50% Sheetrock  
 50% Unfinished  
 Floor Construction Concrete On Ground  
 Floor Finish 50% Concrete  
 50% Carpet/Vinyl Tile  
 Ceiling Finish 50% Acoustical Tile  
 50%  
 Lighting Standard F.F.  
 Heating Cent. Htg. & A.C.  
 Number of Buildings 1

## Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Pole Shed: with Slab	2017	22x25 / 0	0	\$4,600
Mobile Home (Storage)	2008	21x40 / 0	0	\$3,600
Deck	2008	4x4 / 0	0	\$250
COMMERCIAL SITE VALE(10000)	2006	0x0 / 1	0	\$10,000
Garage: (Detached)	2006	40x78 / 0	0	\$91,200
Storage Building: Frame	2006	10x14 / 0	0	\$1,500
Storage Building: Frame	2006	8x12 / 0	0	\$1,000
xPOLE SHED/Lean to (FAIR)	2006	9x11 / 0	0	\$120

## Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
5/19/2005	669 221		\$250,000	School (Exempt)	ALLTEL	DAWSON COUNTY SCHOOL DISTRICT



No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Mobile Homes, Prebill Mobile Homes.

The Dawson County Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.  
| [User Privacy Policy](#) | [GDPR Privacy Notice](#)  
[Last Data Upload: 10/30/2023, 10:30:11 PM](#)

Contact Us

Developed by  
 Schneider  
GEOSPATIAL

**City Council:**

Caleb Phillips, Post 1  
William Illg, Post 2  
John Walden, Post 3  
Mark French, Post 4



Mike Eason  
**Mayor**

Robert Bolz  
**City Manager**

Beverly Banister  
**City Clerk**

**Planning Commission:**

Randy Davis, Chairperson

Alexis Noggle, Post 1  
Josh Nichols, Post 2  
Sandy Sawyer, Post 3  
Anna Tobolski, Post 4

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

Jameson Kinley  
Planning Director

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.

.....

**ANX-C2400048:** Dawson County BOE has petitioned to annex 1.61 acres of TMP 093 005, Located at 516 Allen Street with a County Zoning of C-CB (Community Business Commercial District) to City Zoning INST (Institutional District). Public Hearing Dates: Planning Commission on December 11, 2023, and City Council on December 18, 2023. City Council for a decision on January 11, 2024

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.*









## CITY OF DAWSONVILLE

### Planning Staff Report

**APPLICANT:** Atlanta Motorsports Park, LLC – Jeremy Porter

**CASE #:** ZSP-C2400063

**REQUEST:** Site Plan Amendment – convert takeout kitchen to a Restaurant

**LOT SIZE:** +/- 152.14 acres

**CURRENT ZONING:** Restricted Industrial Commercial (CIR)

**LOCATION:** 20 Duck Thurmond Road

**TAX MAP PARCEL:** 070 049 001

**PUBLIC HEARING DATES:** Planning Commission – Monday, December 11, 2023  
City Council – Monday, December 18, 2023

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#### APPLICANT PROPOSAL

The current site plan allows for a take out kitchen. The applicant is seeking to amend the approved site plan to allow a restaurant rather than a takeout kitchen at either the go-kart clubhouse or the conference center. Atlanta Motorsports Park restaurant style dining.

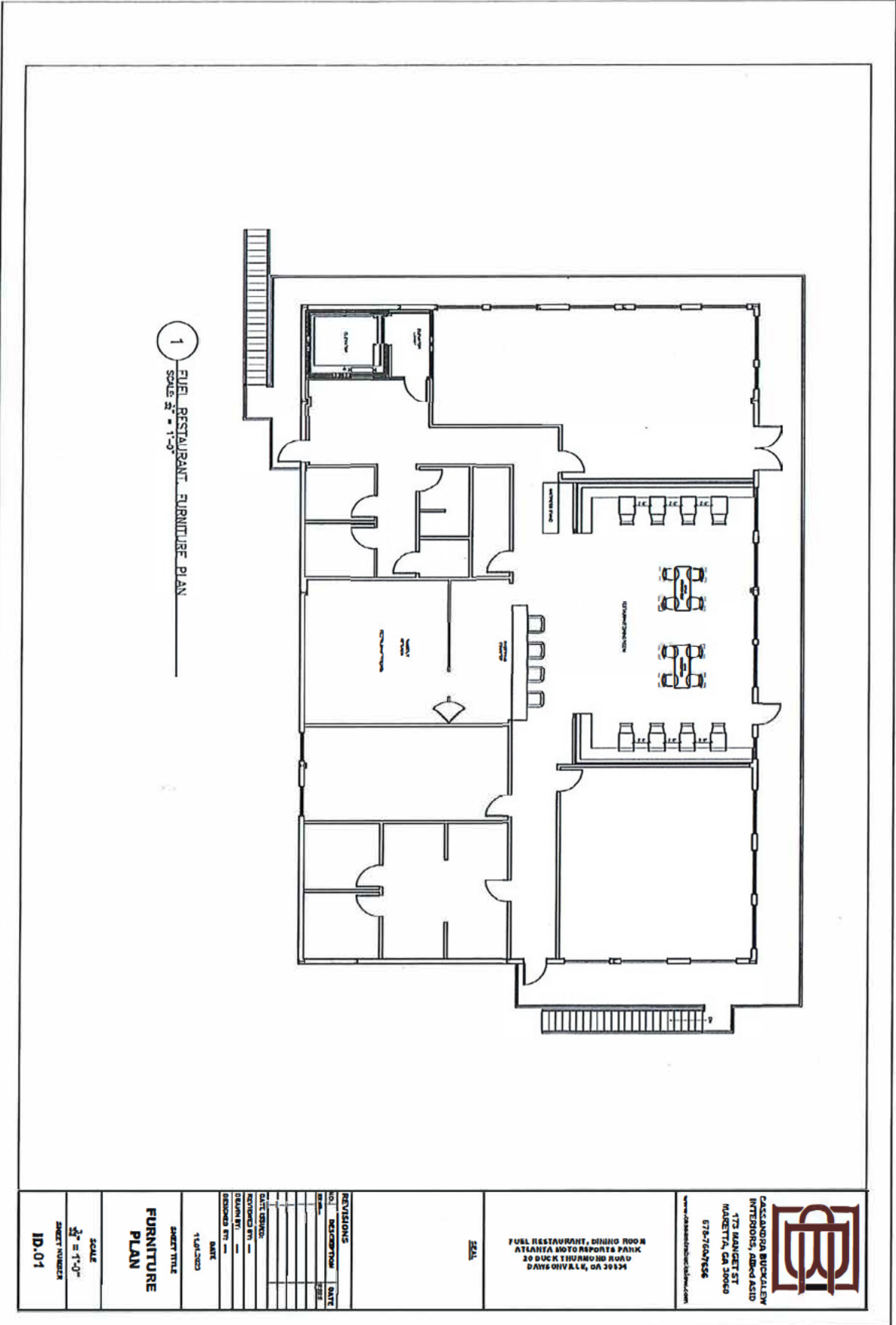
#### SURROUNDING PROPERTIES

Adjacent Land Uses	Existing zoning	Existing Use
North	R 1	Residential
South	RA/HB	Residential Agriculture/Commercial
East	R-1/RA	Residential Agriculture
West	R-1	Residential

#### HISTORY

- A. Annexed into the city on April 13, 2009, rezoned from R-1 to CIR with stipulations (ZA-11-08-1763).
- B. Requested to modify stipulations March 2017 withdrawn by applicant (ZA2017-C7-0089).
- C. Conditional Use Permit to construct garage condominiums approved on September 9, 2019 (CU-C9-00287).
- D. Amended site plan approved on September 9, 2019.
- E. Request for a teen driving school denied on September 9, 2019 (ZA-C9 00287).
- F. Amended stipulations and updated site plan approved on August 21, 2023 (ZSP-C2400063).

PROPOSED SITE PLAN AMENDMENT







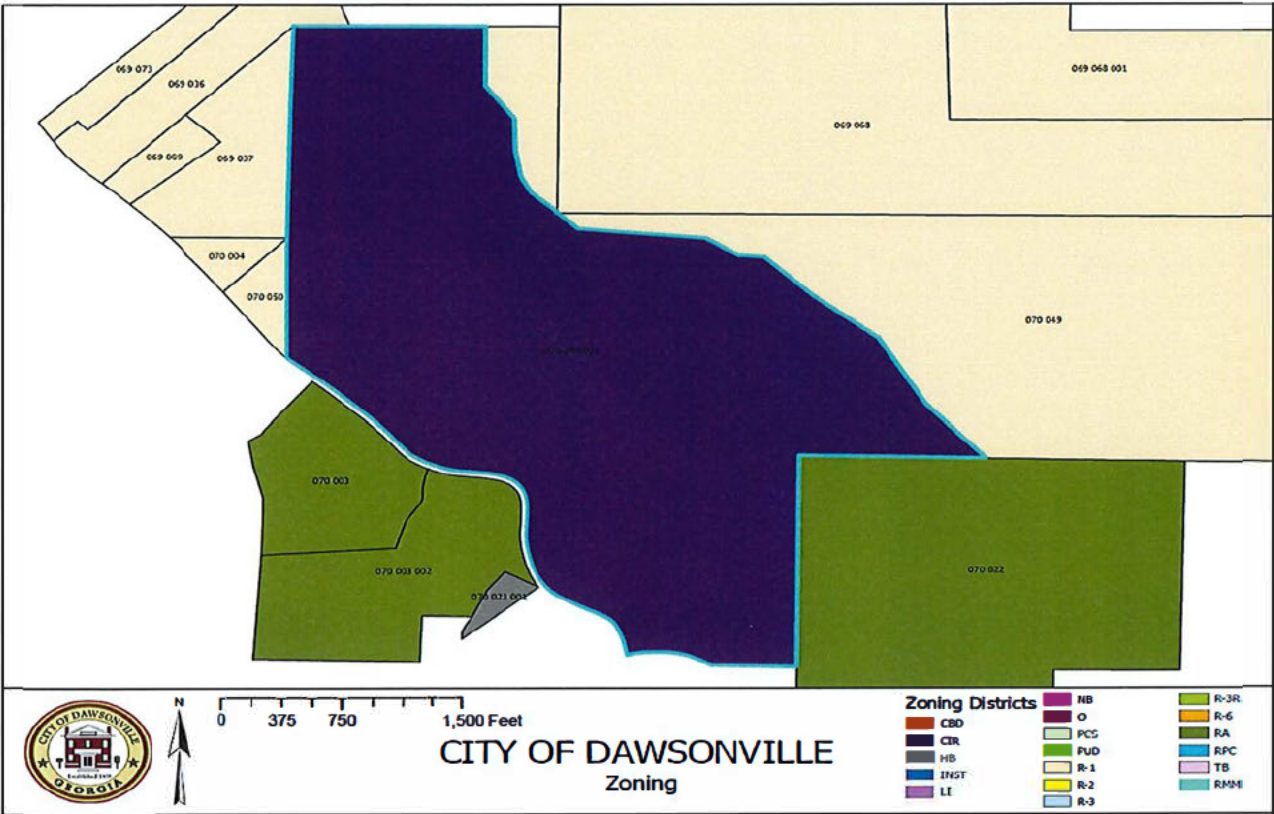


PICTURES OF PROPERTY





**CURRENT ZONING MAP**



**AERIAL VIEW**





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

## Zoning Amendment Application

Application#: ZSP C2400054

Applicant Name(s): Jeremy Porter, Atlanta Motorsports Park, LLC

Address: 20 Duck Thurmond Road City: Dawsonville Zip: 30534

Cell Phone: [REDACTED] Email: [REDACTED]

Signature(s): [Signature] Date: 11/8/23

Property Address: 20 Duck Thurmond Road, Dawsonville, GA 30534

Directions to Property from City Hall: \_\_\_\_\_

Tax Map Parcel #: 070 049 001 Current Zoning: CIR

LandLot(s): 255; 290; 291; 322 District: 4 Section: 1

Subdivision Name: \_\_\_\_\_ Lot#: \_\_\_\_\_

Acres: 153 Current use of property: \_\_\_\_\_

Has a past request of Rezone of this property been made before? Yes If yes, provide ZA#: G2300063 (08/21/2023)

The applicant request: (Convert takeout kitchen to restaurant)

Rezoning to Zoning category: Amend Site Plan Conditional Use permit for: \_\_\_\_\_

Proposed use of property if rezoned: same-CIR

Residential #of lots proposed: \_\_\_\_\_ Minimum lot size proposed: \_\_\_\_\_ (Include Conceptual Plan)

Amenity area proposed Yes If yes, what: \_\_\_\_\_

If Commercial: total building area proposed: \_\_\_\_\_ (Include Conceptual Plan)

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

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

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

Road name: \_\_\_\_\_ Type of Surface: \_\_\_\_\_

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

[Signature]  
Signature of Applicant

11/8/23  
Date

Office Use Only	
Date Completed Application Rec'd: <u>11.03.23</u>	Amount Paid: \$ <u>400.00</u> <u>CK</u> Cash <u>CC</u> <u>210.89</u>
Date of Planning Commission Meeting: <u>12.11.23</u>	Dates Advertised: <u>11.22.23</u>
Date of City Council Meeting: <u>12.18.23</u>	Rescheduled for next Meeting: _____
Date of City Council Meeting: <u>1.11.24</u>	Approved by City Council: <u>YES</u> <u>NO</u>
Approved by Planning Commission: <u>YES</u> <u>NO</u>	Postponed: <u>YES</u> <u>NO</u> Date: _____



**Property Owner Authorization**

I / We Atlanta Motorsports Park, LLC hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 070 049 001 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 Applicant or Agent Jeremy Porter, Owner, LLC Plaintiff  
Signature of Applicant or Agent [Signature] Date 11/8/23  
Mailing Address 20 Duck Thumond Road  
City Dawsonville State GA Zip 30534

Sworn and subscribed before me on this

8<sup>TH</sup> day of November 2023

[Signature]  
Notary Public, State of Georgia

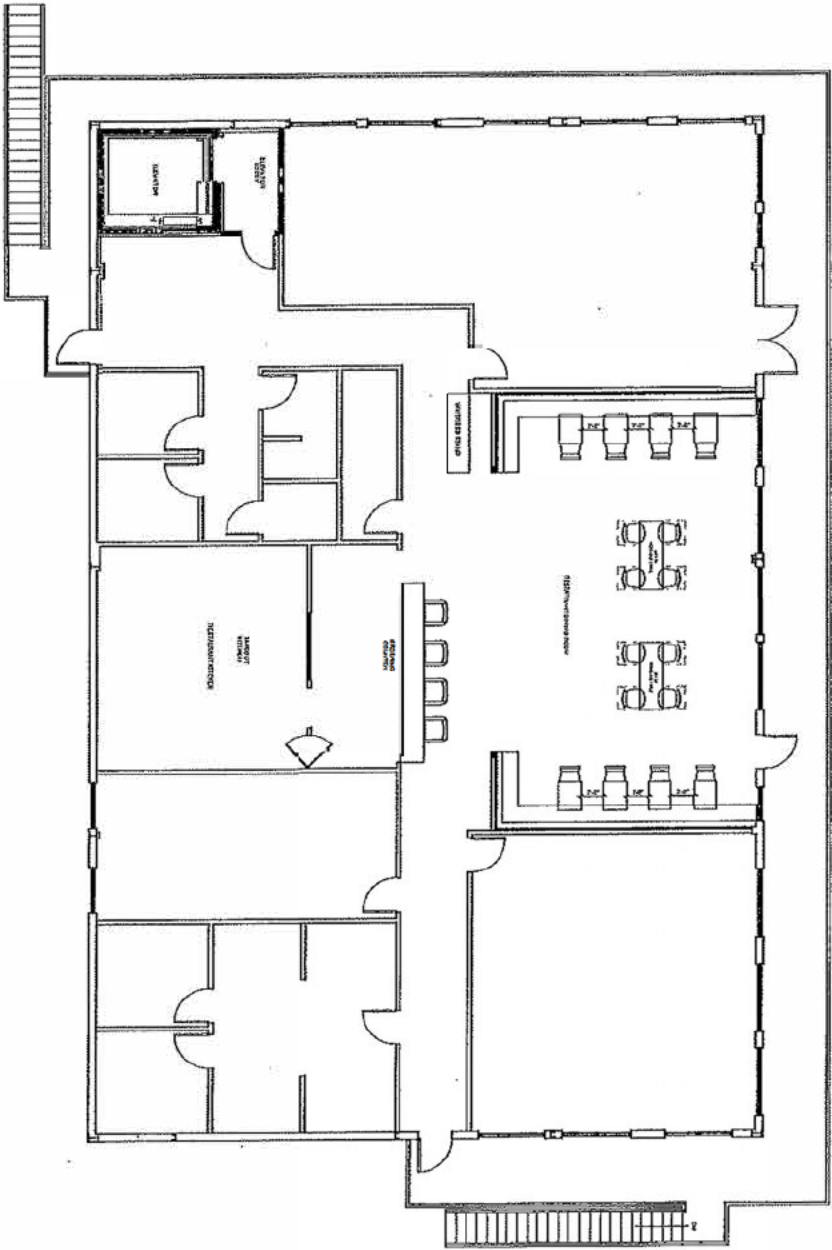
My Commission Expires: September 16, 2027



## **LETTER OF INTENT**

Atlanta Motorsports Park, LLC respectfully submits this letter of intent outlining proposed amendment to the approved site plan.

The current site plan and approved conditional uses were approved April 13, 2009, September 19, 2019 and August 21, 2023. AMP's development has become a destination attraction for Dawsonville and the surrounding area. The proposed site plan amendment to allow a restaurant rather than a takeout kitchen at either the go kart clubhouse or the conference center allows AMP to continue and improve the development consistent with the spirit and intent of the approved site plans and conditions.



1 FUEL RESTAURANT FURNITURE PLAN  
SCALE 3/8" = 1'-0"



CASSANDRA BUCKALEW  
INTERIORS, LLC  
173 MANGET ST  
MARIETTA, GA 30060  
578.760.7656  
WWW.CASSANDRABUCKALEW.COM

FUEL RESTAURANT, DINING ROOM  
ATLANTA MOTORSPORTS PARK  
20 DUCK THURMOND ROAD  
DAWSONVILLE, GA 30634

SEAL

REVISIONS		
NO.	DESCRIPTION	DATE
1		2018

DATE ISSUED:	
REVIEWED BY:	
DRAWN BY:	
DESIGNED BY:	
DATE	11.01.2023

SHEET TITLE  
FURNITURE  
PLAN

SCALE  
3/8" = 1'-0"  
SHEET NUMBER  
ID.01





042-2009-001076

GEORGIA, DAWSON COUNTY  
CLERK'S OFFICE, SUPERIOR COURT  
FILED FOR RECORD

AT 4:58 P.M. 9-17-09  
Recorded in Deed Book 937 Page 107-111  
This 17 day of Sept 20 09  
Judy McCard Clerk

Prepared by/Return to:  
Shelly Townley Martin  
133 Prominence Court  
Suite 110  
Dawsonville, GA 30534

STATE OF GEORGIA,  
COUNTY OF DAWSON.

DAWSON COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX

PAID \$ 1939.80

DATE 9-17-09

LIMITED WARRANTY DEED

BECKY MCCORD, CLERK  
SUPERIOR COURT

THIS LIMITED WARRANTY DEED, is dated this 17<sup>th</sup> day of September, 2009, by BHK

INVESTMENTS, L.L.C., a Georgia limited liability company, (the "Seller") in favor of ATLANTA  
MOTORSPORTS PARK, LLC, a Georgia limited liability company, (the "Purchaser") (the words  
"Seller" and "Purchaser" are used to include their respective legal representative, successors, successors-  
in-title, transfers and assigns where the context requires or permits).

**WITNESSETH:**

That Seller for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and  
other good and valuable consideration in hand paid by Purchaser to Seller at and before the sealing and  
delivery of these presents, the receipt and sufficiency of which are hereby acknowledged by Seller, has  
granted, bargained, sold, assigned, conveyed and transferred, and by these presents does grant, bargain,  
sell, assign, convey and transfer unto said Purchaser, to wit:

See Exhibit A attached hereto and incorporated herein.

Subject to Permitted Exceptions as set forth in Exhibit B, attached hereto and incorporated herein.

TO HAVE AND TO HOLD said Property, with all and singular the rights, members and  
appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use,  
benefit and behoof of said Purchaser forever in fee simple.

AND SAID Seller shall warrant and forever defend the right and title to the Property unto said  
Purchaser against the claims of all persons owning, holding or claiming by, through and under Seller, but  
not otherwise.

IN WITNESS WHEREOF, Seller has caused this Limited Warranty Deed to be properly executed  
under seal and delivered as of the day and year first written above.

Signed, sealed and delivered in the presence of:

BHK INVESTMENTS, L.L.C.

Lauren Thompson  
Unofficial Witness

By: Ernest G. Elliott  
Ernest G. Elliott, Manager

My commission expires:  
Notary Public  
(SEAL)

Exhibit A

MEASURED LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL of land lying and being in Land Lots 322, 323, 290, 255, 254, 291, and 292, of the 4th District, City of Dawsonville, Dawson County, Georgia and being more particularly described as follows:

Beginning at a 1/2" rebar set at the northeasterly intersection of State Route 53 (80' Public Right of Way) and Duck Thurmond Road (60' Right-of-Way as per Dawson County) also being known as THE TRUE POINT OF BEGINNING; Thence N27°25'27"W a distance of 72.38' to a point; Thence continuing in a Northwesterly direction along the easterly right of way of Duck Thurmond Road along an arc of a curve to the left, an arc distance of 92.75', said curve having a radius of 239.23', a chord bearing of N16°22'31"W, and a chord distance of 92.17' to a point; Thence along an arc of a curve to the left, an arc distance of 122.0', said curve having a radius of 235.52', a chord bearing of N43°01'49"W, and a chord distance of 120.64' to a point; Thence centering along an arc of curve to the left, an arc distance of 135.50', said curve having a radius of 717.57', a chord bearing of N64°31'10"W, and a chord distance of 135.30' to a point; Thence along an arc of a curve to the right, an arc distance of 77.04' said curve having a radius of 865.65', a bearing of N64°38'24"W and a chord distance of 77.01' to a point; Thence N59°11'49"W a distance of 35.59' to a point; Thence N48°59'09"W a distance of 57.89' to a point; Thence along an arc of a curve to the left, an arc distance of 306.54' said curve having a radius of 427.67', a chord bearing of N25°03'10"W and a chord distance of 300.02' to a point; Thence along a curve to the right, an arc distance of 89.48' said curve having a radius of 451.47', a chord bearing of N00°56'15"E and a chord distance of 89.33' to a point; Thence N06°36'19"E a distance of 76.36' to a point; Thence N03°45'50"E a distance of 64.77' to a point; Thence along a arc of a curve to the left, an arc distance of 167.33' said curve having a radius of 234.14', a chord bearing of N21°51'15"W and a chord distance of 163.79' to a point; Thence along an arc of a curve to the left, an arc distance of 119.36' said curve having a radius of 268.53', a chord bearing of N58°25'17"W and a chord distance of 118.38' to a point; Thence along an arc of a curve to the left, an arc distance of 107.86' said curve having a radius of 365.94', a chord bearing of N81°21'57"W and a chord distance of 107.47' to a point; Thence N88°17'01"W a distance of 85.51' to a point; Thence along a arc of curve to the left, an arc distance of 263.70', said curve having a radius of 404.68', a chord bearing of N69°19'12"W and chord distance of 259.06' to a point; Thence N39°59'09"W a distance of 200.48' to a point; Thence along an arc of a curve to the left, an arc distance of 185.77' said curve having a radius of 1111.29', a chord bearing of N48°11'58"W and a chord distance of 185.56' to a point; Thence N49°33'55"W a distance of 218.09' to a point; Thence N51°08'30"W a distance of 95.34' to a point; Thence N55°15'34"W a distance of 119.96' to a point; Thence N52°43'47"W a distance of 51.45' to an iron pin set; Thence along the Land Lot leaving said right of way of Duck Thurmond Road along the Land lot line common to Land Lots 289 and 290 N01°11'09"E a distance of 767.23' to a rock found; At the corner common to Land Lots 255, 256, 289 and 290; Thence N00°06'48"E a distance of 1247.89' to a rock found at the corner common to Land Lots 221, 222, 255 and 256; Thence along the Land Lot Line common to Land Lots 222 and 255, S89°22'14"E a distance of 988.06' to an iron pin set; Thence S00°06'28"W a distance of 367.41' to an iron pin set; Thence S38°57'56"E a distance of 239.24' to an iron pin set; Thence S01°04'21"W a distance of 195.53'

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to an iron pin set; Thence S09°41'37"E a distance of 146.38' to an iron pin set; Thence S28°09'13"E a distance of 117.40' to an iron pin set; Thence S47°34'44"E a distance of 123.20' to a 1/2" rebar found; Along the Land Lot Lines common to 255 thence S42°59'17"E a distance of 142.96' to an iron pin set; Thence S82°09'02"E a distance of 104.04' to an iron pin set; Thence S85°40'48"E a distance of 448.49' to an iron pin set; Thence S82°42'58"E a distance of 112.60' to an iron pin set; Thence S59°43'10"E a distance of 196.76' to an iron pin set; Thence S80°54'24"E a distance of 147.32' to an iron pin set; Thence S47°00'05"E a distance of 279.11' to an iron pin set; Thence S51°17'15"E a distance of 472.47' to an iron pin set; Thence S32°20'16"E a distance of 502.47' to an iron pin set; Thence S42°40'23"E a distance of 392.39' to an iron pin set; Thence N88°44'11"W a distance of 950.92' to a 3/8" rebar found; Thence S00°40'09"W, a distance of 1320.28' to a 3/4" rebar found at the corner common to Land Lots 321, 322, 359 and 360; Thence along the Land Lot Lines common to Land Lots 322 and 359, N88°53'58"W a distance of 375.50' to an iron pin set on the northerly right of way of State Route #53; Thence along the Right of Way of State Route 53 N64°03'00"W, a distance of 71.54' to a point; Thence along an arc of a curve to the left, an arc distance of 136.25' said curve having a radius of 588.36', a chord bearing of N72°50'36"W and a chord distance of 135.95' to a point; Thence along an arc of a curve to the left, an arc distance of 208.53', said curve having a radius of 531.42', a chord bearing of S87°54'08"W and a chord distance of 207.20' to a 1/2" iron rebar set also being known as THE TRUE POINT OF BEGINNING.

Said Tract Containing 6,627,155 square feet or 152.139 acres, more or less.

All as more particularly shown on that certain ALTA/ACSM Survey for First American Title Insurance Company, EHK Investments, LLC, a Georgia limited liability company, Atlanta Motorsports Park, LLC, a Georgia limited liability company, dated July 13, 2009, bearing the seal of Seaton G. Shepherd, Jr., Ga. R.L.S. No. 2136, which survey is incorporated by reference herein.

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**City Council:**

Caleb Phillips, Post 1  
William Illg, Post 2  
John Walden, Post 3  
Mark French, Post 4



Mike Eason  
**Mayor**

Robert Bolz  
**City Manager**

Beverly Banister  
**City Clerk**

**Planning Commission:**

Randy Davis, Chairperson  
Alexis Noggle, Post 1  
Josh Nichols, Post 2  
Sandy Sawyer, Post 3  
Anna Tobolski, 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 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.

.....

**ZSP C2400063:** Atlanta Motorsports Park, LLC has petitioned to amend the site plan to convert the takeout kitchen to a restaurant; located at 20 Duck Thurmond Road (TMP 070 049 001). Public Hearing Dates: Planning Commission on Monday, December 11, 2023, and City Council Monday, December 18, 2023. City Council for a decision on Thursday, January 11, 2024.

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.*



