

DAWSON COUNTY VARIANCE APPLICATION

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

VR 21-10 Tax Map & Parcel # (TMP): 113-044
Current Zoning: C-HB Commission District #: 3
Submittal Date: 6-11-21 Time: 11:29 am/pm Received by: Boyer (staff initials)
Fees Assessed: check Paid: 350.00
Planning Commission Meeting Date: July 2021 + BOC August 2021

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King
Address: [REDACTED]
Phone: Listed [REDACTED] Unlisted Email: Business [REDACTED] Personal
Status: Owner Authorized Agent Lessee Option to purchase

Notice: If applicant is other than owner, enclosed Property Owner Authorization form must be completed.

I have /have not _____ participated in a Pre-application meeting with Planning Staff.
If not, I agree _____ /disagree _____ to schedule a meeting the week following the submittal deadline.
Meeting Date: _____ Applicant Signature: [Signature]

PROPERTY INFORMATION

Street Address of Property: Lumpkin Campground Rd just south of Kilough Church Rd
Land Lot(s): 196, 197, 221, & 222 District: 13th Section: South-half
Subdivision/Lot: _____ Building Permit #: _____ (if applicable)

Directions to the Property: Ga 400 North to SR 53 West, North on Lumpkin Campground Rd, Property is a half-mile on the right (just before the graded site under construction)

REQUESTED ACTION

A Variance is requested from the requirements of Article # See Below Section # _____ of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: Article IV Section 400 A. - Vary the front setback to 40' from existing r/w (not dedicated r/w)
Article VI Section 607.1.A- Vary to 1 space per 2000 sf of Gross Floor Area

Type of Variance requested:

Front Yard [] Side Yard [] Rear Yard variance of _____ feet to allow the structure to:
[] be constructed; [] remain a distance of _____ feet from the: _____
[] property line, [] road right of way, or [] other (explain below):

instead of the required distance of _____ required by the regulations.

[] Lot Size Request for a reduction in the minimum lot size from _____ to _____

[] Sign Variance for: _____

[] Home Occupation Variance to operate: _____ business

Other (explain request): Vary from the required parking spaces. User does not need that many spaces

If there are other variance requests for this site in past, please list case # and nature of variance: VR 16-02
A variance was granted to eliminate the buffer between this Parcel and the RMF Parcel. Both Parcels were previously zoned CHB which required no buffers, when the adjacent parcel was rezoned to RMF, it unfairly created a required Buffer for us. We were granted a variance in 2016 to replace the Property Rights that were taken by the RMF zoning case. Variances to standards and requirements of the Regulations, with respect to open area, setbacks, yard area, lot coverage, height, and other quantitative requirements may be granted if, on the basis of the application, investigation, and other evidence submitted by the applicant, all four (4) expressly written findings below are made:

1. Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: Both Parcels were previously zoned CHB which required no buffers, when the adjacent parcel was rezoned to RMF, it unfairly created a required Buffer for us. We were granted a variance in 2016 to replace the Property Rights that were taken by the RMF zoning case; however, now we are being required to Rezone our property to CIR; because the Zoning Ordinance was revised last year to eliminate our previously granted use from the CHB allowed uses. Because of the need to rezone to a new land-use category, we now must reapply for the same variance again.

11/15/2017 10:23 AM

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Described above in #1

3. Describe why granting a variance would not be detrimental to the public health, safety, morals or welfare and not be materially injurious to properties in the near vicinity: _____

It does not harm anyone. If the RMF parcel feels that a buffer is needed, then they should have created one on their property. The previous RMF rezoning was materially injurious to this property. This variance seeks to correct that injustice.

4. Describe why granting this variance would support the general objectives within this Resolution:

Because the Resolution should not impose hardships on others. The previous RMF rezoning was materially injurious to this property. This variance seeks to correct that injustice.

Submit clear explanation of all four questions above. You may add sheets if necessary.

(Variances should not be granted if the need arises as a result of action by the applicant or previous owner.)

PROPERTY OWNER AUTHORIZATION

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

Tax Parcel #113 044, Lumpkin Campground Rd, Dawson County GA

as shown in the tax maps and / or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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

Printed name of applicant or agent: Jim King

Signature of applicant or agent:  Date: 06/11/2021

Printed Name of Owner(s): Dawson Land Partners, LLC

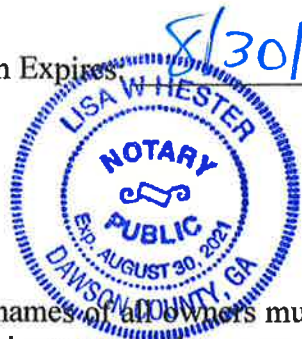
Signature of Owner(s): _____ Date 06/11/2021

Sworn and subscribed before me this 11 day of June, 2021.


Notary Public

My Commission Expires 8/30/2021

(Seal)



(The complete names of all owners must be listed, if the owner is a partnership, the names of all partners must be listed, if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)

NOTARY PUBLIC

ZA _____

TMP#: _____

List of Adjacent Property Owners

It is the responsibility of the Applicant to provide a list of adjacent property owners. This list must include the name and mailing address of anyone who has property touching your property or who has property directly across the street from your property.

****Please note this information should be obtained using the Tax Map & Parcel (TMP) listing for any parcel(s) adjoining or adjacent to the parcel where a variance or rezone is being requested.**

	<u>Name</u>	<u>Address</u>
TMP <u>113 044 011</u>	1. Magnolia Senior Living at Dawsonville, LLC	89 Ozora Rd, Loganville GA 30052
TMP <u>113 044 001</u>	2. Marjorie Ann Stephens	759 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 001</u>	3. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 003</u>	4. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 044 013</u>	5. Trinity Presbyterian Church of Dawson Co.	PO Box 1297 Dawsonville GA
TMP <u>113 032</u>	6. NHT Dawson Ridge, LLC	1776 Peachtree St NW, Ste100, Atlanta GA 30309
TMP <u>113 044 014</u>	7. Hiten Patel	3885 Vic Ar Court, Atlanta GA 30360
TMP _____	8.	_____
TMP _____	9.	_____
TMP _____	10.	_____
TMP _____	11.	_____
TMP _____	12.	_____
TMP _____	13.	_____
TMP _____	14.	_____
TMP _____	15.	_____

Use additional sheets if necessary.

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APPLICATION PROCESSING: STAFF USE ONLY

VR _____ Applicant Name: _____

Application Fee: \$ _____

IF APPLICABLE:

- Legal Advertisement Submitted to Newspaper Date: _____
- Planning Commission & Board of Commissioners Packets Delivered Date: _____
- Application Posted on County Website Date: _____
- Adjacent Property Owner Notices Mailed Date: _____
- Interdepartmental Forms Submitted for Review Date: _____
- Public Notice Signs on Property Verified Date: _____
- Approval or Denial Form placed in folder Date: _____
- Applicant Notified of Final Action Date: _____
- Approval or Denial Form to Office Manager/Building Official/Marshal Date: _____
- Planning Commission Meeting Minutes placed in folder Date: _____

Planning Commission & Board of Commissioners Actions

Planning Commission Recommendation Date: _____ Approval Approval w/stipulations Denial

If Denied by Planning Commission was decision appealed? Yes No

Board of Commissioners Decision Date: _____ Approval Approval w/stipulations Denial

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- If appealed; Applicant Notified of Date of Appeal Hearing Date: _____
 - If appealed; Legal Advertising of Date of Appeal Hearing Date: _____
 - If appealed; Approval or Denial Form Placed in Folder Date: _____
 - Applicant Notified of Final Action of Appeal Date: _____
 - Board of Commission Meeting Minutes placed in folder Date: _____

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Dawson County, Georgia Board of Commissioners
Affidavit for Issuance of a Public Benefit
As Required by the Georgia Illegal Immigration Reform and Enforcement Act of 2011

By executing this affidavit under oath, as an applicant for a Dawson County Business License, Out of County Business Registration, Alcohol License, or other public benefit as referenced in the Georgia Illegal Immigration Reform and Enforcement Act of 2011 [O.C.G.A. § 50-36-1(e)(2)], I am stating the following with respect to my application for such Dawson County public benefit.

X

I am a United States citizen.

_____ I am a legal permanent resident of the United States. (FOR NON-CITIZENS)

_____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. (FOR NON-CITIZENS)

My alien number issued by the Department of Homeland Security or other federal immigration agency is:

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit. (See reverse side of this affidavit for a list of secure and verifiable documents.)

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20 and face criminal penalties as allowed by such criminal statute.

Executed in Dawsonville (city), Georgia (state)

[Signature]
Signature of Applicant

06/11/2021
Date

Jim King
Printed Name

Ensite Civil Consulting, LLC
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 11 DAY OF June, 2021

[Signature] Notary Public

My Commission Expires: 8/30/24



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