

DAWSON COUNTY VARIANCE APPLICATION

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

VR 21-11 Tax Map & Parcel # (TMP): 113-044
Current Zoning: C-4B Commission District #: 3
Submittal Date: 6-11-21 Time: 11:29 am/pm Received by: WJG (staff initials)
Fees Assessed: 350.00 Paid: Check
Planning Commission Meeting Date: July + BOC August

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King
Address: [REDACTED]
Phone: Listed [REDACTED] Email: Business [REDACTED]
 Unlisted 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.

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: [Signature] 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.

[Signature]
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.)

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APPLICANT CERTIFICATION

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

I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my special use or rezoning application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Dawson County.

I hereby certify that I have read the above and that the above information as well as the attached information is true and correct.

Signature of Applicant or Agent: _____ Date: 06/11/2021

Signature of Witness: [Handwritten Signature] _____ Date: 6-11-2021

WITHDRAWAL

Notice: This section only to be completed if application is being withdrawn.

I hereby withdraw application #: _____

Signature: _____ Date: _____

Withdrawal of Application:

Withdrawals of any application may be accommodated within the Planning & Development office if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following that written request and publication the Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Commission. Further the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fee may be made unless directed by the Board of Commissioners.

11/11/2021 10:11:11 AM

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.



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

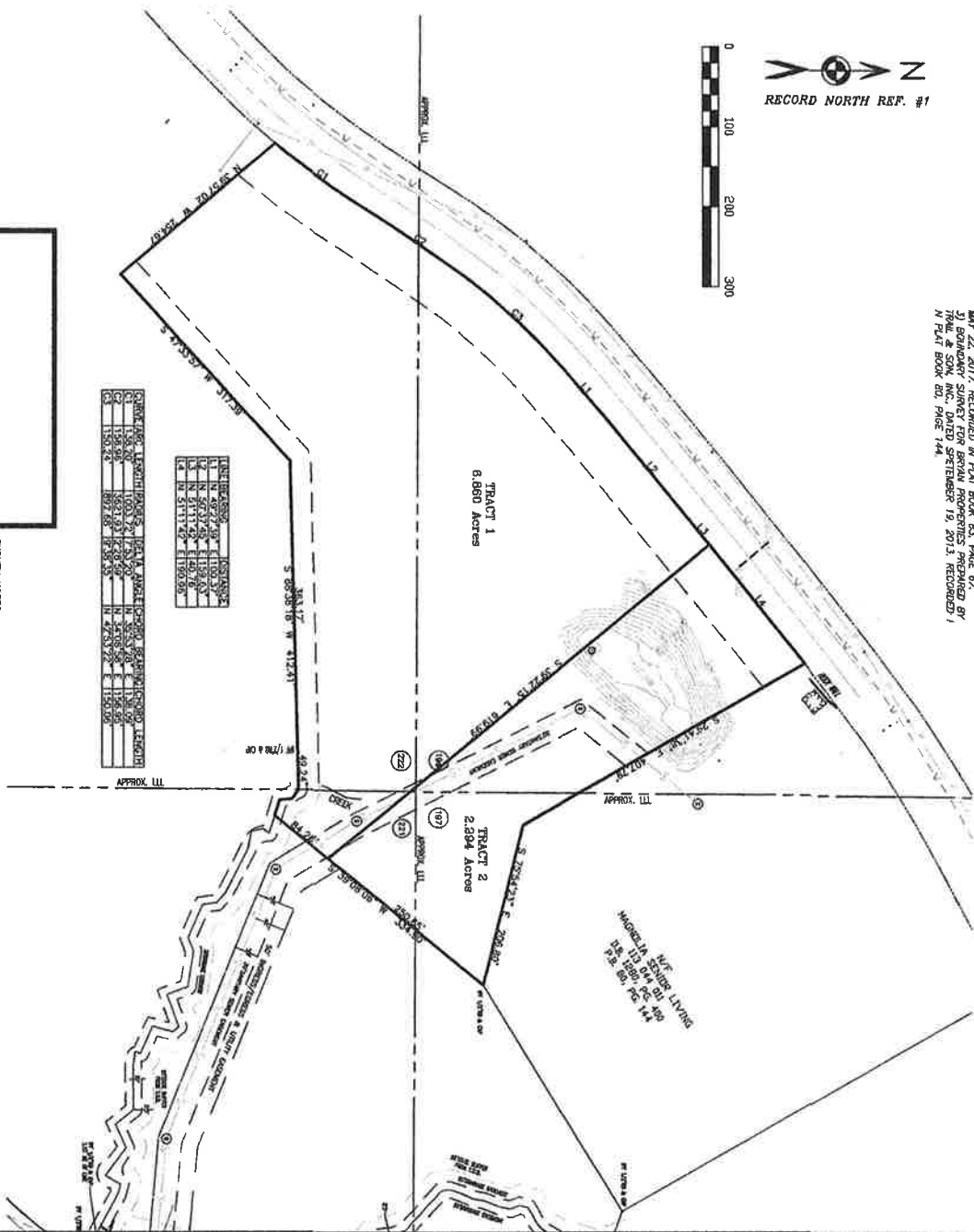
[Signature] Notary Public

My Commission Expires: 8/30/21



REFERENCES:
 1) BOUNDARY SURVEY FOR CATOR PROPERTIES, LLC PREPARED BY LAND DEVELOPMENT PROFESSIONALS, DATED FEBRUARY 9, 2016, RECORDED IN PLAT BOOK 83, PAGE 67.
 2) BOUNDARY SURVEY FOR DAWSON LAND PARTNERS, L.P., DATED MAY 22, 2017, RECORDED IN PLAT BOOK 83, PAGE 67.
 3) BOUNDARY SURVEY FOR SPENCER SPACCS, PREPARED BY LAND DEVELOPMENT PROFESSIONALS, DATED FEBRUARY 9, 2016, RECORDED IN PLAT BOOK 83, PAGE 144.

RECORD NORTH R.S.F. #1



LINE	BEARING	DISTANCE
1	S 88°17' N	112.51
2	S 88°18' N	112.51
3	S 88°19' N	112.51
4	S 88°20' N	112.51
5	S 88°21' N	112.51
6	S 88°22' N	112.51
7	S 88°23' N	112.51
8	S 88°24' N	112.51
9	S 88°25' N	112.51
10	S 88°26' N	112.51
11	S 88°27' N	112.51
12	S 88°28' N	112.51
13	S 88°29' N	112.51
14	S 88°30' N	112.51
15	S 88°31' N	112.51
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44	S 89°00' N	112.51

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42	S 88°58' N	112.51
43	S 88°59' N	112.51
44	S 89°00' N	112.51

LEGEND

- 25' U/B - 25' UNDISTURBED BUFFER
- CATION
- SWIMMING POOL
- SWIMMING POOL EASEMENT
- DRAINAGE EASEMENT
- SEWER CLEANOUT
- SEWER MAIN
- RIBBED CONCRETE PER
- DEED BOOK & PAGE
- N.M. OF FENCE L.
- PROPERTY LINE
- DRAIN INLET
- CLOSURE
- CLOSURE METAL POST
- SWIMMING POOL
- WATER VALVE
- RIGHT OF WAY

NO SIDE OR REAR SETBACK MAY BE REQUIRED WHEN THE ADJACENT PROPERTY IS COMMERCIAL AND THERE IS A SETBACK WHEN ADJUTING A RESIDENTIAL DISTRICT IS 50 FEET WHERE THE COMMERCIAL DISTRICT ADJUTS A TRUCK TRAILER OR TRUCK. A SETBACK MAY BE REQUIRED IN ORDER TO PROVIDE A 10 FOOT WIDE SCREEN OR BUFFER AT THE DISCRETION OF THE PLANNING COMMISSION OR BOARD OF COMMISSIONERS. THE SETBACK MAY BE REQUIRED TO PROTECT THE ADJACENT PROPERTY FROM THE POSSIBILITY OF NOISIOUS GOINGS THAT MAY AFFECTIVELY IMPACT THE ADJACENT RESIDENTIAL PROPERTY. THE PLANNING COMMISSION MAY REQUIRE A SETBACK OR SCREEN AT THE DISCRETION OF THE PLANNING COMMISSION OR BOARD OF COMMISSIONERS.

SURVEY NOTES:

THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE AND PURPOSE OF THE PERSON, PERSONS OR ENTITY NAMED PERSON, WITHOUT AN EXPRESS REDEEMPTION BY THE SURVEYOR. THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, R/W'S, ETC., MATTERS OF TITLE ARE EXCEPTED. THE PLAT RECORDS REFERRED HEREIN REFLECT ONLY THOSE RECORDS AND REFERENCES TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR TITLE OPINION. ACCORDING TO PLAT MAP NO. 13099C 02299, DATED 09/28/2008, THIS PROPERTY IS NOT LOCATED A FLOOD HAZARD AREA.

THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYS IN GEORGIA AS SET FORTH IN THE SURVEYING ACT OF 1932, AS AMENDED, AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 43-13-6, 43-13-13, 43-13-22. THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 23,655 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,000,000 FEET. TYPE OF EQUIPMENT: LEICA TS12 ROBOTIC

SH.1 OF 1

Deuteronomy 19:14
 Thou shall not remove thy neighbor's landmark, which he has set in thine inheritance, which thou shall inherit of the land that the Lord thy God giveth thee to possess it.

Surveyed by:
ROBBIE HENDERSON
 Surveying & Planning
 3040 PILGRIM MILL ROAD
 CUMMINGS, GA 30041
 PH: 706-854-2015
 COA LSP #001242

SUBDIVISION PLAT FOR:

DAWSON LAND PARTNERS

STATE: GEORGIA	SCALE: 1" = 100'	JOB #: 18039	FIELD DATE: JULY 18, 2018
COUNTY: DAWSON	LAND LOT: 196, 197, 221 & 222	DIST. SECT: S.1/2-13th	PLAT DATE: AUGUST 9, 2018