

# DAWSON COUNTY VARIANCE APPLICATION

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

VR 21-18 Tax Map & Parcel # (TMP): \_\_\_\_\_  
Current Zoning: CPCD Commission District #: \_\_\_\_\_  
Submittal Date: \_\_\_\_\_ Time: \_\_\_\_\_ am/pm Received by: \_\_\_\_\_ (staff initials)  
Fees Assessed: \_\_\_\_\_ Paid: \_\_\_\_\_  
Board of Planning Commission Meeting Date: July 15, 2021

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Dave and Lisa Walker  
Address: \_\_\_\_\_  
Phone: Listed \_\_\_\_\_ Email: Business \_\_\_\_\_  
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: 145 Forest Blvd, Suite 465, Dawsonville, GA 30534  
Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_  
Subdivision/Lot: \_\_\_\_\_ Building Permit #: \_\_\_\_\_ (if applicable)

Directions to the Property: Travel GA 400 North to Forest Blvd.  
\_\_\_\_\_  
\_\_\_\_\_

**REQUESTED ACTION**

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

If other, please describe: To be able to utilize the Self-Serve Beer Wall as it was intended. To remove the Barrier Wall in front of the beer wall.

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): To be able to utilize the Self-Serve Beer Wall as it was intended.

If there are other variance requests for this site in past, please list case # and nature of variance: \_\_\_\_\_

Variations 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: The Self-Serve Beer Wall enables the customer to have the ability to pour thier own beer.

After 2 pints of beer have been poured, the beer wall automaticlay cuts you off. The Beer wall is supposed to give the customer and excellent experience

Due to the current regualtions, the customers are not patronizing the wall and causing a massive loss of revenue.

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2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: \_\_\_\_\_

Every other county in the State of Georgia allows the self-serve beer wall

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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 is safer to go into a Crave to get a beer than a tavern, as the beer wall automatically cuts you off.

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

The public has been asking for the past 2 years for this variance and would be graciously welcomed.

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**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 \_\_\_\_\_ hereby swear that I / we own the property located at (fill in address and / or tax map & parcel #):

\_\_\_\_\_  
\_\_\_\_\_

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: \_\_\_\_\_

Signature of applicant or agent: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Owner(s): \_\_\_\_\_

Signature of Owner(s): \_\_\_\_\_ Date \_\_\_\_\_

Sworn and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

(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.)

VR# \_\_\_\_\_

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 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 and Parcel Number listing any parcel(s) adjoining or adjacent to parcel where variance or rezone is being requested.**

**Name**

**Address**

- |           |     |   |       |
|-----------|-----|---|-------|
| TMP _____ | 1.  | Publix Supermarket                          | _____ |
| TMP _____ | 2.  | Atlanta Rehabilitation & Performance Center | _____ |
| TMP _____ | 3.  | Blush Ivey Boutique                         | _____ |
| TMP _____ | 4.  | PetSmart                                    | _____ |
| TMP _____ | 5.  | Tripp and Co. Jewelers                      | _____ |
| TMP _____ | 6.  | Great American Cookie + Marble Slab         | _____ |
| TMP _____ | 7.  | Renovations of North Georgia                | _____ |
| TMP _____ | 8.  | Fit Body Boot Camp                          | _____ |
| TMP _____ | 9.  | Great Clips                                 | _____ |
| TMP _____ | 10. | Top II Cleaners                             | _____ |
| TMP _____ | 11. | Pokeyaki Asian Fusion                       | _____ |
| TMP _____ | 12. | Da Vinci's Donuts                           | _____ |
| TMP _____ | 13. | The Station Salon                           | _____ |
| TMP _____ | 14. | Hacienda Bar & Grill                        | _____ |
| TMP _____ | 15. | Brooklyn Joes Pizza                         | _____ |

Use additional sheets if necessary.

**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.

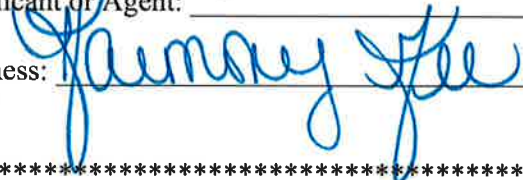
I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

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: 5-18-21

Signature of Witness:  Date: \_\_\_\_\_

\*\*\*\*\*

**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.

**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: \_\_\_\_\_

**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.

  *JD*  

**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 \_\_\_\_\_ (city), \_\_\_\_\_ (state)

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Name of Business**

SUBSCRIBED AND SWORN BEFORE ME ON

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

(Seal)



### Secure and Verifiable Documents Under O.C.G.A. § 50-36-2

The following list of secure and verifiable documents, published under the authority of O.C.G.A. § 50-36-2, contains documents that are verifiable for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status.

- A **United States Passport** or **Passport Card** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **United States Military Identification card** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Driver's License** issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An **Identification Card** issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Tribal Identification Card** of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at:  
<http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm>  
[O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **United States Permanent Resident Card** or **Alien Registration Receipt Card** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An **Employment Authorization Document** that contains a photograph of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Passport Issued by a Foreign Government** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Merchant Mariner Document** or **Merchant Mariner Credential** issued by the United States Coast Guard [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Free and Secure Trade (FAST) card** [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- A **NEXUS Card** [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- A **Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card** [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
- A **Driver's License issued by a Canadian Government Authority** [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A **Certificate of Citizenship** issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]
- A **Certificate of Naturalization** issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]