

DAWSON COUNTY VARIANCE APPLICATION

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

VR 19.03 Tax Map & Parcel # (TMP): 113 085
Current Zoning: CHB Commission District #: _____
Submittal Date: Feb 7, 19 Time: 10:54 am/pm Received by: Urg (staff initials)
Fees Assessed: \$300 Paid: check
Planning Commission Meeting Date: March 19, 2019

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Landbridge Development, LLC
Address: _____
Phone: Listed Unlisted Email: Business 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: February 5, 2019 Applicant Signature: 

PROPERTY INFORMATION

Street Address of Property: 65 North 400 Center Lane, Dawsonville, GA 30534

Land Lot(s): LL 283-282 Tract 1 District: LD 13 Section: S-1

Subdivision/Lot: _____ Building Permit #: _____ (if applicable)

Directions to the Property: From the intersection of GA-53 & US-19, travel northwesterly for 0.1 mile, turn right on North 400 Center Lane, continue for 0.1 mile, the property is on the left.

REQUESTED ACTION

A Variance is requested from the requirements of Article # III Section # 306 RMF of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: _____

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): F.7. Allow up to 16 units per building.

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

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: Efficient apartment buildings (industry standard) are 8 units per floor, which results in fewer buildings and less impact to site.
- _____

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Allowing 16 unit buildings will permit less impact to greenspace and allow construction monies to be spent on amenities and building components.

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: 16 unit buildings as proposed are industry standard and conform to all local, state, and national codes.

4. Describe why granting this variance would support the general objectives within this Resolution: The request is in keeping with local and regional trends for apartment buildings.

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.)

APPLICANT CERTIFICATION


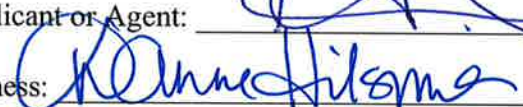
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

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: 2/6/2019
Signature of Witness:  Date: 2/6/2019

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.

PROPERTY OWNER AUTHORIZATION

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

65 NORTH 400 CENTER LANE, DAWSONVILLE, GA 30534
TAX DISTRICT 1 (UNINCORPORATED), PARCEL NUMBER 113 085

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: LANDBRIDGE DEVELOPMENT, LLC

Signature of applicant or agent: _____

Date: 2/5/19

Printed Name of Owner(s): WJS DAWSON, LLC

Signature of Owner(s): _____

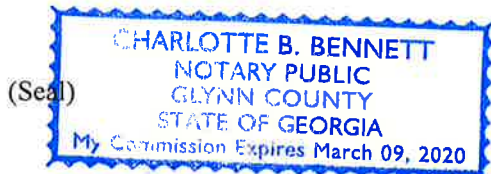
Date 2/5/2019

Sworn and subscribed before me this 5th day of February, 2019.

Notary Public

My Commission Expires: _____

3/9/2020



(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.)

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>113 092</u>	1. <u>D53 LLC</u> Northeast Georgia Primary Care Inc	<u>355 Brogdon Road, Suite 211, Suwanee, GA 30024</u>
TMP <u>113 179</u>	2. <u>Neighborhood Health Care</u> Nanrob Properties LP & 657 Mission	<u>743 Spring Street NE, Gainesville, GA 30501</u>
TMP <u>113 180</u>	3. <u>C/O Brenda Bernheim</u>	<u>4984 Vistazo West, Belvedere Tiburon, CA 94920</u>
TMP <u>113 040</u>	4. <u>Howe H Clay & Kathleen</u>	<u>1 CVS Drive Occ. Exp. Dept., Woonsocket, RI 02895</u>
TMP <u>113 085 003</u>	5. <u>Cutchin Company LLC</u>	<u>PO Box 978, Gainesville, GA 30503</u>
TMP <u>113 085 009</u>	6. <u>Colvis Investments LLC</u>	<u>647 Gardinia Glen, Escondido, CA 92025</u>
TMP <u>113 114</u>	7. <u>Colvis Investments LLC</u>	<u>647 Gardinia Glen, Escondido, CA 92025</u>
TMP <u>113 121</u>	8. <u>Waffle House Inc</u>	<u>PO Box 6450, Norcross, GA 30091</u>
TMP <u>113 122</u>	9. <u>Fuentes Daniel</u>	<u>412 Pine Ridge Court, Woodstock, GA 30188</u>
TMP <u>113 087</u>	10. <u>PAR Dawson LLC</u>	<u>50 Cinema Lane, St. Simons Island, GA 31522</u>
TMP <u>113 085 004</u>	11. <u>Autozone Inc</u>	<u>123 South Front Street (Dept. 8088), Memphis, TN 38101</u>
TMP <u>113 085 005</u>	12. <u>Armando Castillo LLC</u>	<u>6429 Grand Marina Circle, Gainesville, GA 30506</u>
TMP <u>113 085 002</u>	13. <u>Mahadev Inc</u>	<u>5133 Aurelia Trail, Suwanee, GA 30024</u>
TMP <u>113 085 006</u>	14. <u>WJS Dawson LLC</u> Spirit Master Funding IX LLC	<u>50 Cinema Lane, St. Simons Island, GA 31522</u> <u>2727 North Hardwood Street, Suite 300</u>
TMP <u>113 042</u>	15. <u>C/O Spirit SPE Manager LLC</u>	<u>Dallas, TX 75201</u>

Use additional sheets if necessary.



7000 Peachtree Dunwoody Road
Suite 4-100
Atlanta, GA 30328
Phone: (770) 481-0853
Fax: (770) 481-0854

February 6, 2019

Dawson County Planning and Development
25 Justice Way, Suite 2322
Dawsonville, GA 30534

RE: Peaks of Dawsonville
65 North 400 Center Lane Dawsonville, GA 30534
Tax Parcels # 113 085
Rezoning/Variance Applications

To Whom It May Concern:

Landbridge Development, LLC, seeks support for the rezoning of the above listed property from Dawson County C-HB to RMF. This proposed change would allow for the construction of the Peaks of Dawsonville, a Multi-Family Development of 80 units. This development will help to address issues and opportunities identified within the Dawson County Comprehensive Plan. Under Housing specifically they state, "The new housing market currently provides few options beyond single-family homes on large lots and limits options that would meet residents' needs at all stages of life", and "Zoning regulations that segregate housing types and do not provide for mixed use development". The Plan lists that "Multi-family housing near Georgia 400, between Georgia 53 and Dawson Forest Road, can provide housing for people working in the retail center."

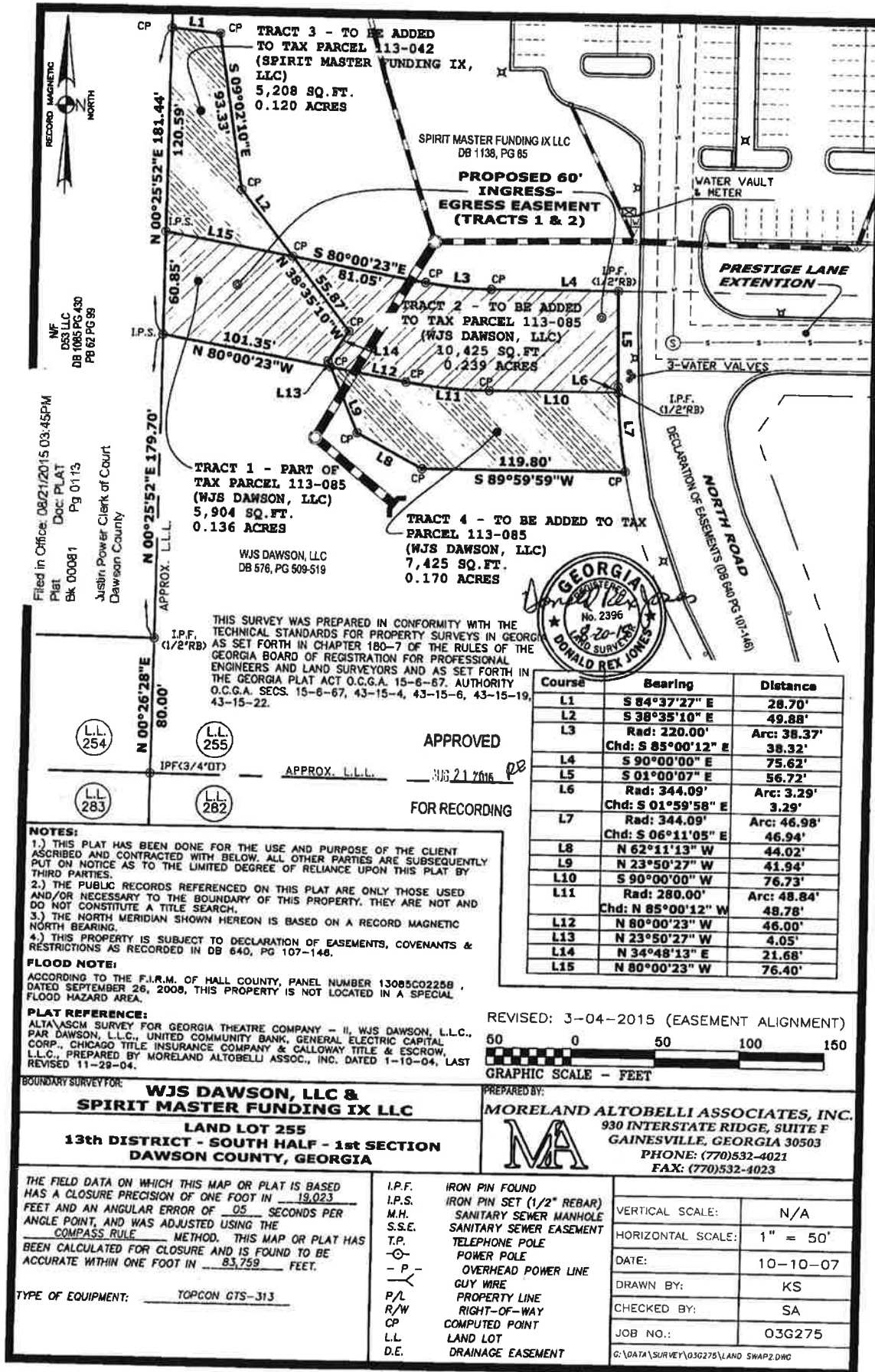
The property is owned by WJS Dawson, LLC, and is a ± 14.28 acre tract of vacant land. The proposed development will include new construction of 80 one, two, and three-bedroom garden style apartment homes (or 5.6 units/per acre) and a community building that will house the onsite management office along with additional resident amenities.

The Development of the proposed apartment community is anticipated to commence summer 2020 with a proposed completion of summer 2021.

The proposed Peaks of Dawsonville will be developed through the Georgia Department of Community Affairs LIHTC Program and will be subject to a Declaration of Land Use Restricted Covenant ("LURC") that will be recorded at closing. This LURC defines the number and type of units that will be constructed/operated on the property; dictates the owner's representations, covenants, and warranties such as performance agreements and maintenance of site amenities. Additionally the LURC lists out all additional site, use, occupancy restrictions, with a detailed amenity and supportive services list. The Georgia Department of Community Affairs requires Annual Owner Certifications and conducts physical inspections and compliance audits every two to three years to make sure properties are well maintained and managed per their program requirements. The community will also have an executed Management Plan to provide onsite Management to include management and maintenance staff to operate and maintain the property. Third party contractors may be used for landscaping and other maintenance items that fall outside of their typical maintenance activities.

Sincerely,

Gary R. Hammond, Jr



THESE REFERENCES:

(1) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(2) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(3) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(4) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(5) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(6) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(7) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(8) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(9) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(10) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

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(13) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(14) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(15) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

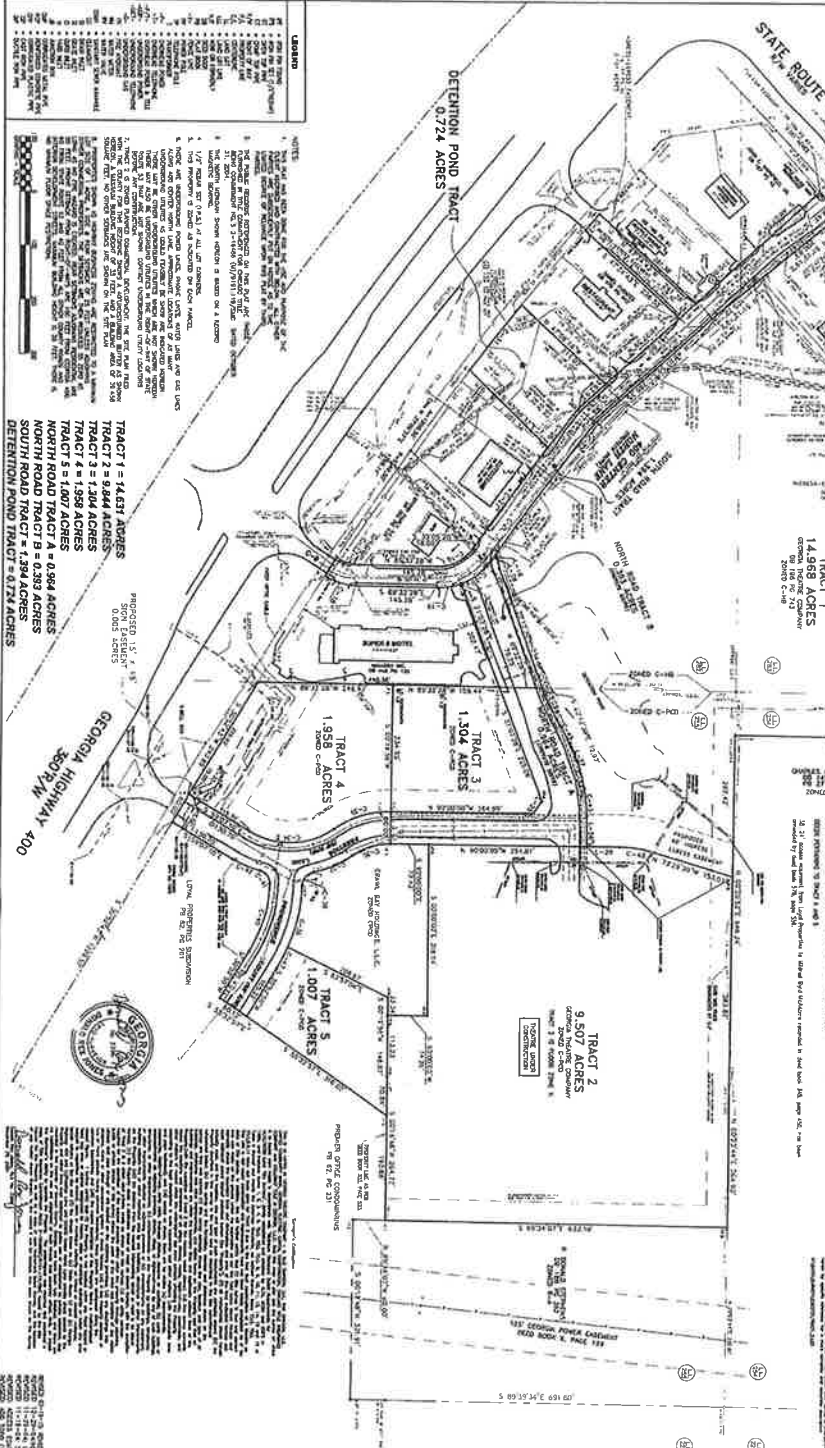
(16) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(17) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(18) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

(19) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA

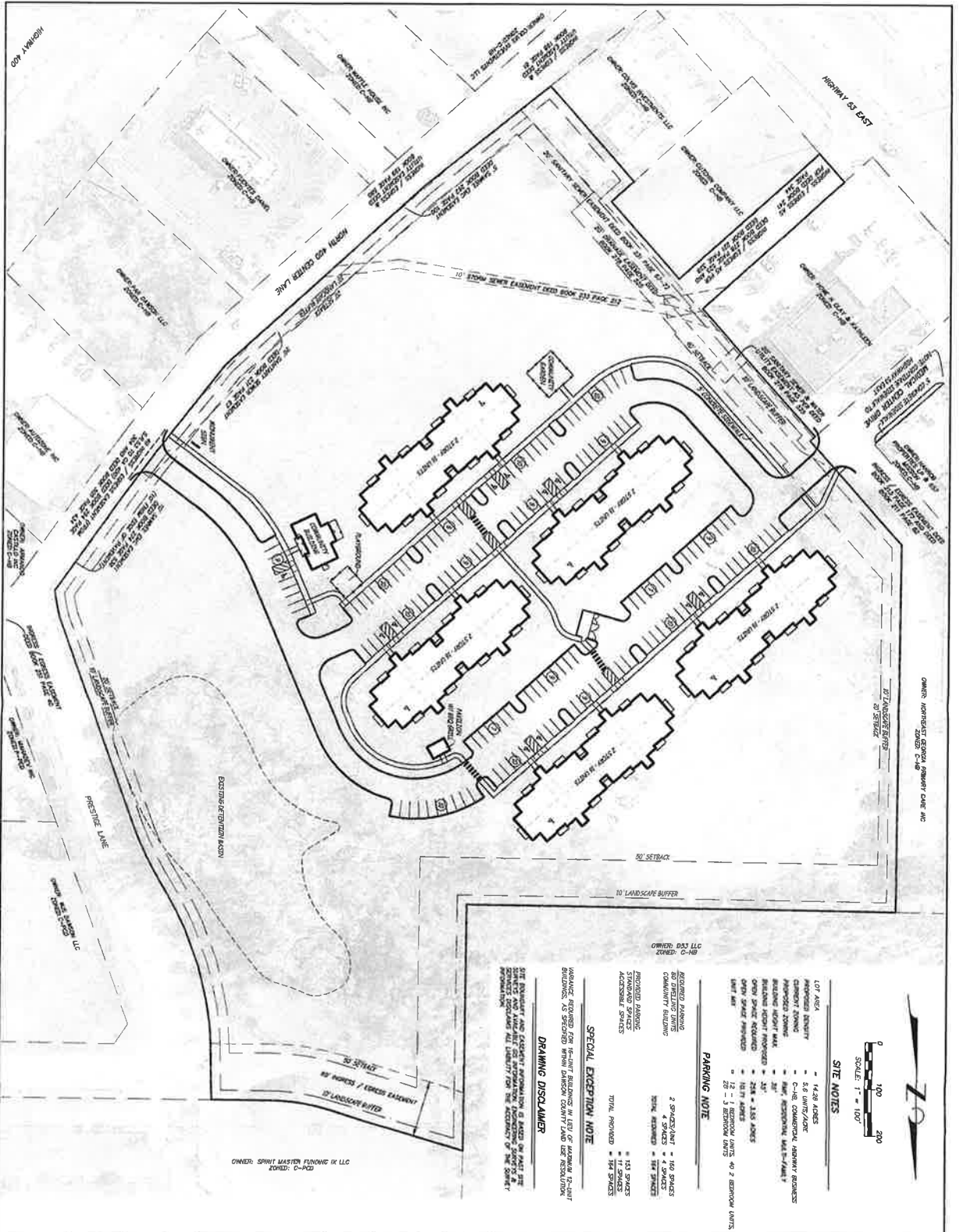
(20) 2001-2002 STATE ROAD MAP, GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA



CLONE	ACRES	LENGTH	WIDTH	PERCENTAGE	AREA
C-1	14,968.00	64.00	64.00	100.00	14,968.00
C-2	9,507.00	64.00	64.00	100.00	9,507.00
C-3	1,304.00	64.00	64.00	100.00	1,304.00
C-4	1,958.00	64.00	64.00	100.00	1,958.00
C-5	1,007.00	64.00	64.00	100.00	1,007.00
C-6	1,304.00	64.00	64.00	100.00	1,304.00
C-7	1,304.00	64.00	64.00	100.00	1,304.00
C-8	1,304.00	64.00	64.00	100.00	1,304.00
C-9	1,304.00	64.00	64.00	100.00	1,304.00
C-10	1,304.00	64.00	64.00	100.00	1,304.00
C-11	1,304.00	64.00	64.00	100.00	1,304.00
C-12	1,304.00	64.00	64.00	100.00	1,304.00
C-13	1,304.00	64.00	64.00	100.00	1,304.00
C-14	1,304.00	64.00	64.00	100.00	1,304.00
C-15	1,304.00	64.00	64.00	100.00	1,304.00
C-16	1,304.00	64.00	64.00	100.00	1,304.00
C-17	1,304.00	64.00	64.00	100.00	1,304.00
C-18	1,304.00	64.00	64.00	100.00	1,304.00
C-19	1,304.00	64.00	64.00	100.00	1,304.00
C-20	1,304.00	64.00	64.00	100.00	1,304.00
C-21	1,304.00	64.00	64.00	100.00	1,304.00
C-22	1,304.00	64.00	64.00	100.00	1,304.00
C-23	1,304.00	64.00	64.00	100.00	1,304.00
C-24	1,304.00	64.00	64.00	100.00	1,304.00
C-25	1,304.00	64.00	64.00	100.00	1,304.00
C-26	1,304.00	64.00	64.00	100.00	1,304.00
C-27	1,304.00	64.00	64.00	100.00	1,304.00
C-28	1,304.00	64.00	64.00	100.00	1,304.00
C-29	1,304.00	64.00	64.00	100.00	1,304.00
C-30	1,304.00	64.00	64.00	100.00	1,304.00
C-31	1,304.00	64.00	64.00	100.00	1,304.00
C-32	1,304.00	64.00	64.00	100.00	1,304.00
C-33	1,304.00	64.00	64.00	100.00	1,304.00
C-34	1,304.00	64.00	64.00	100.00	1,304.00
C-35	1,304.00	64.00	64.00	100.00	1,304.00
C-36	1,304.00	64.00	64.00	100.00	1,304.00
C-37	1,304.00	64.00	64.00	100.00	1,304.00
C-38	1,304.00	64.00	64.00	100.00	1,304.00
C-39	1,304.00	64.00	64.00	100.00	1,304.00
C-40	1,304.00	64.00	64.00	100.00	1,304.00
C-41	1,304.00	64.00	64.00	100.00	1,304.00
C-42	1,304.00	64.00	64.00	100.00	1,304.00
C-43	1,304.00	64.00	64.00	100.00	1,304.00
C-44	1,304.00	64.00	64.00	100.00	1,304.00
C-45	1,304.00	64.00	64.00	100.00	1,304.00
C-46	1,304.00	64.00	64.00	100.00	1,304.00
C-47	1,304.00	64.00	64.00	100.00	1,304.00
C-48	1,304.00	64.00	64.00	100.00	1,304.00
C-49	1,304.00	64.00	64.00	100.00	1,304.00
C-50	1,304.00	64.00	64.00	100.00	1,304.00

Moreland Attobelli Associates, Inc.
 350 Dewey Boulevard NE
 Gainesville, Georgia 30601
 PHONE: (770) 532-4021 FAX: (770) 532-4023

GEORGIA THEATRE COMPANY - H. W. S. DAWSON, L.L.C.
 F.W. GARDNER, L.L.C. - UNITED COMPANY BANK, GENERAL
 ELECTRIC CAPITAL CORPORATION, CHICAGO TITLE
 INSURANCE COMPANY, CALDWAY TITLE & ESCROW, L.L.C.
 138 DISTRICT, SOUTH HALL - 131 SECTION



OWNER: D33 LLC
ZONED: C-NB

SITE NOTES

- LOT AREA = 14.28 ACRES
- PROPOSED DENSITY = 5.6 UNITS/ACRE
- CONCEPT ZONING = C-NB COMMERCIAL, HIGHWAY BUSINESS
- RELYING ADJACENT MAP = 2017 INTERMEDIATE MAP-C-2017-001
- RELYING ADJACENT PROJECTS = 2017
- OPEN SPACE REQUIRED = 25% = 3.56 ACRES
- 18.74 ACRES
- 7.5 - 1 BROWNSVILLE UNITS, 40 2 BEDROOM UNITS
- NET AREA

PARKING NOTE

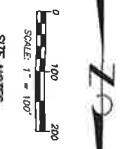
- PROPOSED PARKING = 2 SPACES/UNIT = 112 SPACES
- QUALITY BUILDING = 4 SPACES = 4 SPACES
- TOTAL REQUIRED = 116 SPACES
- PROVIDED PARKING = 112 SPACES
- ADDITIONAL SPACES = 4 SPACES
- TOTAL PROVIDED = 116 SPACES

SPECIAL EXCEPTION NOTE

REMARK: REQUEST FOR SPECIAL EXCEPTIONS IN LEFT OF HIGHWAY TO ADJACENT BUILDINGS, AS SHOWN ON PLANS AND IN THE SUBMITTALS.

DRAWING DISCLAIMER

THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THIS SITE AND THE SITE PLAN AND FOUND THAT THE INFORMATION PROVIDED IS CORRECT AND ACCURATE TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THIS DOCUMENT DOES NOT REPRESENT THE ACCURACY OF THE CONCEPT.



SITE PLAN
PEAKS OF DAWSONVILLE
DAWSON COUNTY, GEORGIA
FEBRUARY 6, 2019

Engineering Surveys & Services
1113 Fay Street, Columbia, Missouri 65201
573 - 449 - 2646 | www.ess-inc.com
Georgia Professional Engineering Corp # PEF005339



IF ORIGINAL SIGNATURE OR DIGITAL AUTHENTICATION IS NOT PRESENT THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT.

REGISTERED PROFESSIONAL ENGINEER
MATTHEW A. KRIETE
No. 032958
2/6/2019

MATTHEW A. KRIETE
REGISTERED PROFESSIONAL ENGINEER NO. 032958

Sheet
CI.01



Official Tax Receipt
Dawson County
25 Justice Way, Suite 1222
Dawsonville, GA 30534
--Online Receipt--

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2018 - 15006	113 085 / 1 LL 283-282 TRACT 1 LD 13 S-1 FMV: 2570400	\$20901.05	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$20901.05	\$0.00
Totals:		\$20901.05	\$0.00	\$0.00	\$20901.05	\$0.00

Paid Date: 12/3/2018

Charge Amount: \$20901.05

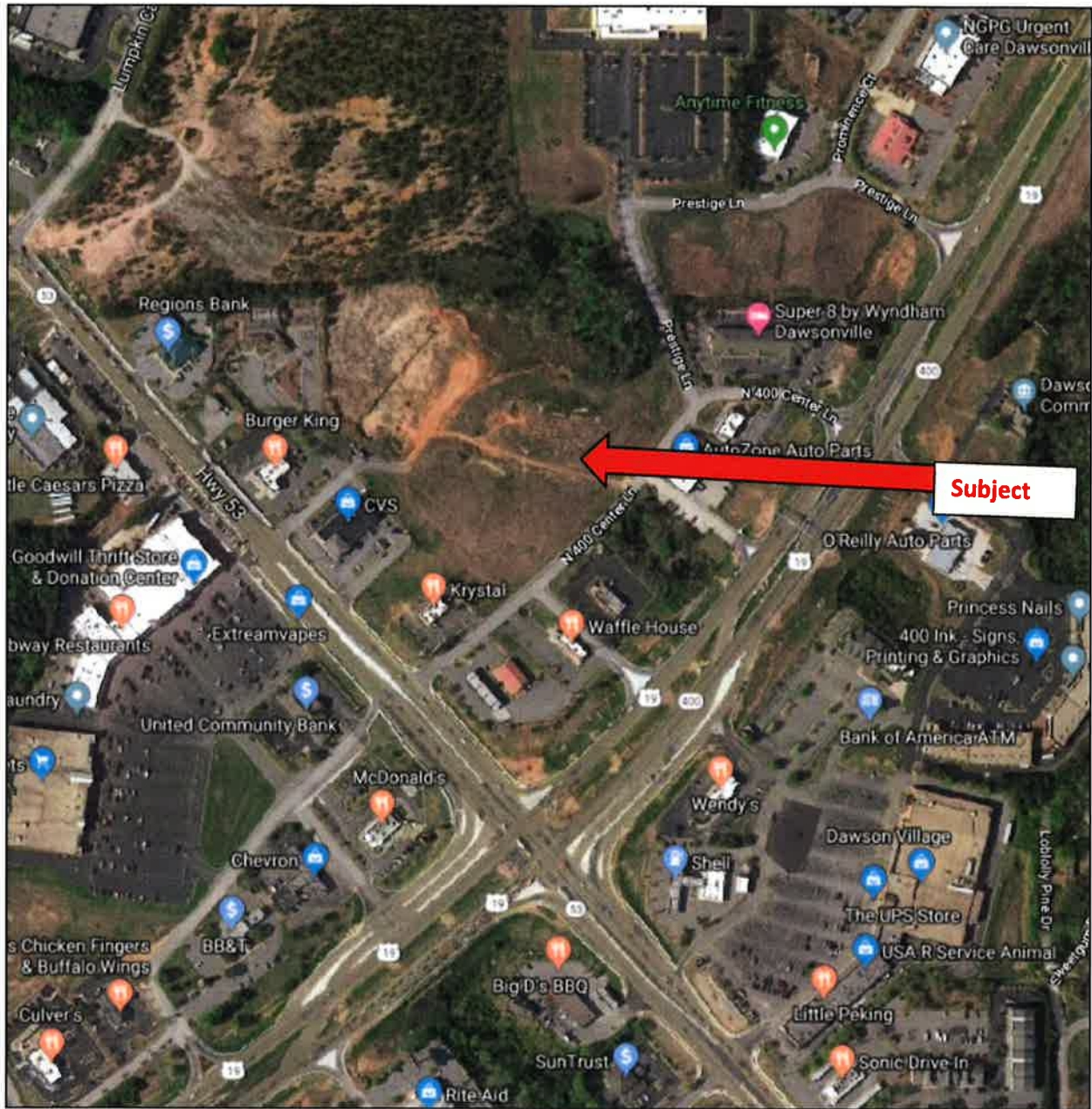
WJS DAWSON LLC
50 CINEMA LANE

ST SIMONS ISLAND, GA 31522



Scan this code with your
mobile phone to view
this bill

Aerial Location Map



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:
Georgia Drivers License

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 Atlanta (city), Georgia (state)
[Signature] 2/6/2019
Signature of Applicant Date
Gary R. Hammond, Jr. Landbridge Development, LLC
Printed Name Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 6th DAY OF February, 20 19
[Signature] Notary Public
My Commission Expires: 10/20/19

