

DAWSON COUNTY VARIANCE APPLICATION

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

VR 19.07 Tax Map & Parcel # (TMP): 113 140
Current Zoning: C-HB Commission District #: 3 - Tim Satterfield
Submittal Date: 5-10-19 Time: 10:00 (am/pm) Received by: Wojel (staff initials)
Fees Assessed: \$300 Paid: _____
Planning Commission Meeting Date: June 18, 2019

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Ashley Hill
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: 5-10-19 Applicant Signature: Ashley Miller

PROPERTY INFORMATION

Street Address of Property: 41 Big Horn Dr., Dawsonville, GA 30534
Land Lot(s): 315 District: 135 Section: _____
Subdivision/Lot: N/A Building Permit #: N/A (if applicable)
Directions to the Property: See attached exhibit "A"

REQUESTED ACTION

A Variance is requested from the requirements of Article # IX Section # D 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: _____
Sign

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: increasing sign height & area due to hardship

Home Occupation Variance to operate: _____ business

Other (explain request): _____

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: The 1st reason this is an unnecessary

hardship is the sign is below road grade. The second reason is because
all of this stores competitors have drastically taller & larger
giving those direct competitors an advantage due to the fact his
existing sign is not visible from the road.

(Please see attached exhibit "B" & "C" an example of competitors signs.)

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: Almost all of this Properties direct

Competitors have billboards, signs well over the allowable square foot and height.

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: As all of the surrounding

properties are commercial, and they all have much larger signage than we are proposing. We see no detriment to any of the above statements.

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

We remain committed to the Counties directive, we ask that you flex a little on the height and total square foot of this sign to remove the unnecessary hardship on this property. To provide a more uniform sign presence in this area.
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 Jasmine Gadhia hereby swear that I / we own the property located at (fill in address and / or tax map & parcel #):

41 Big Horn Dr., Dawsonville, GA 30534

Map + Parcel: 113 041 001

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: Ashley Hill

Signature of applicant or agent: Ashley Hill Date: 5-8-19

Printed Name of Owner(s): Jasmine Gadhia

Signature of Owner(s): Jasmine Gadhia Date 5-8-19

Sworn and subscribed before me this 8th day of May, 20 19.

Astin Adams
Notary Public

My Commission Expires: June 28 2019



(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.**

	<u>Name</u>	<u>Address</u>
TMP <u>113071</u>	1. Dawsonville Sankys LLC	2019 Sugar Spring Dr., Lawrenceville, GA 30043
TMP <u>11301001</u>	2. Karen G. Hughes	441 Herman Susebee Rd, Dawsonville, GA 30534
TMP <u>113090</u>	3. Keith Muller Enterprises, INC	620 Browns Bridge Rd, Cumming, GA 30131
TMP <u>113114</u>	4. Colvis Investments, LLC	647 Gardinia Glen Escondido, CA 92025
TMP <u>113135</u>	5. PHH Investments	4030 Johns Creek Parkway, Suwanee, GA 30024
TMP _____	6. _____	_____
TMP _____	7. _____	_____
TMP _____	8. _____	_____
TMP _____	9. _____	_____
TMP _____	10. _____	_____
TMP _____	11. _____	_____
TMP _____	12. _____	_____
TMP _____	13. _____	_____
TMP _____	14. _____	_____
TMP _____	15. _____	_____

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: 5-8-19
Signature of Witness:  Date: 5/8/19

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

- 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.

- 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:
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 Jasper (city), Georgia (state)
Ashley Hill (Signature of Applicant) 5-8-19 (Date)
Ashley Hill (Printed Name) The Neon Zone (Name of Business)

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 8 DAY OF May, 2019
Astin Adams Notary Public
My Commission Expires: June 28 2019



(Seal)



1893 Talking Rock Rd, Jasper GA 30143

Ph: 706-253-3033 Fax: 706-253-3036 Email: NZIoffice@neonzoneonline.com

Ashley Hill
The Neon Zone
1893 Talking Rock Rd
Jasper, GA 30143
706-253-3033

5/10/19

Letter of Intent

To whom this may concern,

We are applying for a sign variance to a permit application that was denied on 1/22/19 by Grayson Smith which is in reference to Article XI, Section D. In reference to property address 41 Big Horn Drive, Dawsonville, GA 30534. We feel as if we have been placed under an unnecessary hardship, due to the fact that all of this stores' competitors have drastically taller and signs with more square footage, with those stores having larger signs, we feel that that gives them an advantage, as their signs are more visible. Also, due to the fact that our current sign is below road grade. Please see attached Exhibit "B" and "C" which are all adjacent property owners to this convenience store and are all direct competitors to this Shell gas station. Which you will see one has a billboard sign and a high rise sign. One has a large sign and a high rise sign. Please find Exhibit "D" which is the property for which is applying for this variance. We are requesting to install Exhibit "E". The contents of which are a 25-foot sign, with 107.87 square feet. If you have any additional questions, please feel free to call as I would be happy to help.

Sincerely,

A handwritten signature in blue ink that reads "Ashley Hill".

Ashley Hill
Compliance Administrator
The Neon Zone

Exhibit Index

Exhibit A – Directions to property from Planning and Zoning address

Exhibit B – Adjacent direct competitors sign example 1

Exhibit C - Adjacent direct competitors sign example 2

Exhibit D – Photo of existing sign 41 Big Horn

Exhibit E – Proposed sign to be installed

Exhibit F – Aerial view of site

Exhibit G – Paid property tax receipt for property

Exhibit H- Recorded plat of property

Exhibit I – Site plan of property

 Start out going **east** on Howard Ave toward Raymond Parks St.


Then 0.04 miles

 Take the **2nd left** onto Highway 9/GA-9.

Highway 9 is just past Raymond Parks St

If you are on Bill Elliott St and reach Academy Ave you've gone a little too far

Then 0.09 miles

 Enter next roundabout and take the **1st exit** onto Highway 9/GA-53/GA-9.

Then 0.12 miles

 Turn **right** onto Highway 53/GA-53.


If you reach Marmalade Trl you've gone about 0.1 miles too far

Then 6.67 miles

 Turn **right** onto Big Horn Dr.

If you reach Highway 400 you've gone a little too far

Then 0.02 miles

 **41 Big Horn Dr, Dawsonville, GA 30534-6999, 41 BIG HORN DR is on the left.**

If you reach Highway 400 you've gone about 0.1 miles too far

"Exhibit A"

Exhibit "B"



Exhibit "C"



Exhibit "D"



Google

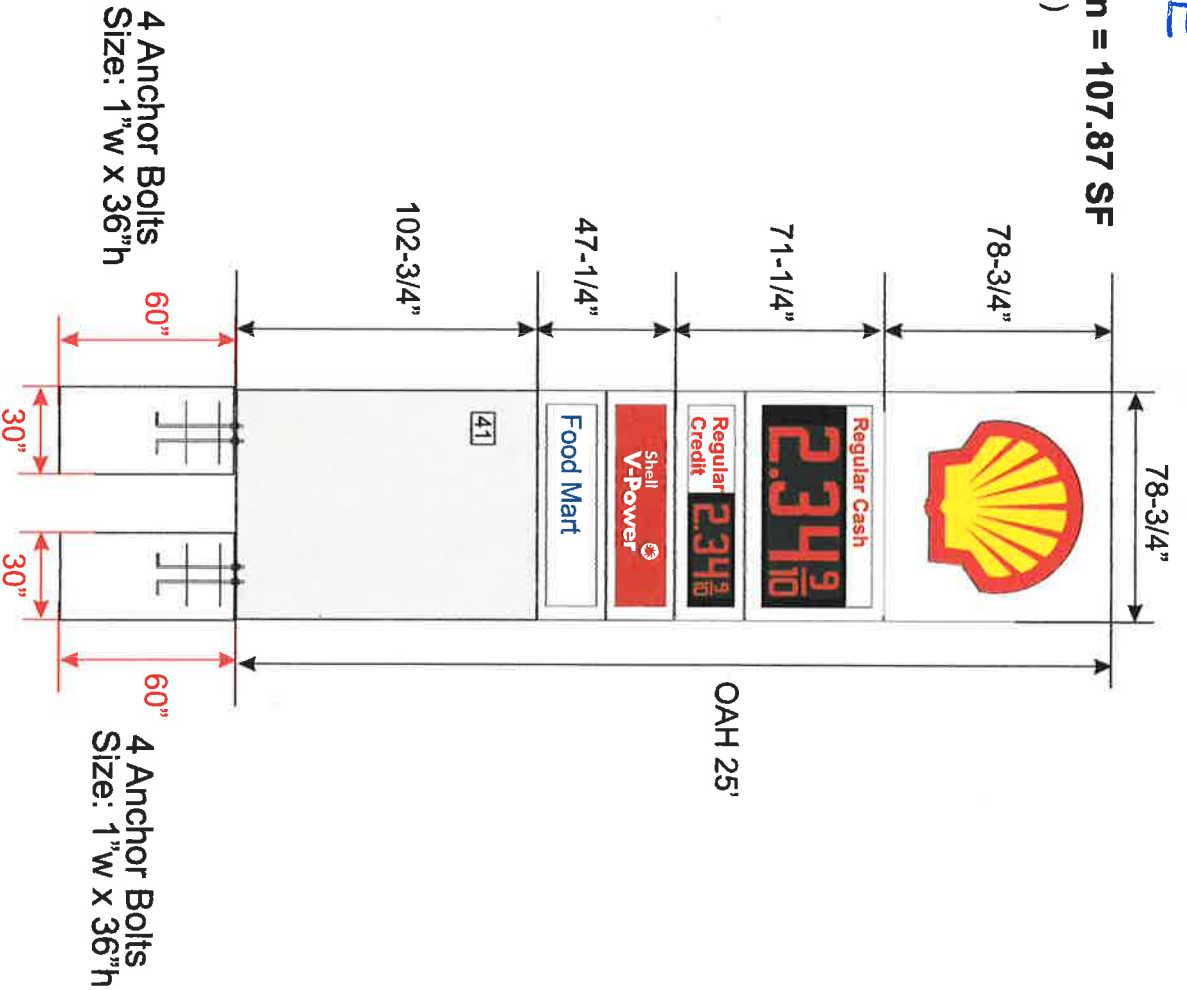
Exhibit "E"

Total Area of Proposed Sign = 107.87 SF
(Scale: 3/16" = 1')

Existing Sign
(to be removed)



Proposed New Sign
(on new footing)



The Neon Zone Inc. dba



5675 Ball Ground Hwy, Ball Ground, GA 30107
Ph: 678.493.2442 Fax: 678.880.3938
Email: office@neonzoneline.com

CONFIDENTIAL MATERIAL

The information contained within this drawing is strictly confidential and shall not be reproduced without the exclusive written permission of Neon Zone, Inc. dba NZI Services. All design information and drawings are the property of The Neon Zone, Inc.

Customer: Wallace

Site No.:

Location: 41 Big Horn Dr., Dawsonville, GA

Drawn By: J. Adams

Date: 12/06/2018

Scale: As Spec'd

Job No.:

Zoning Jurisdiction: Dawson County

Dawson County

Rev #	Description	Rev. Date	By
A			
B			
C			
D			
E			



"Exhibit F"

"Exhibit G"

8/2019

Taxes

2018 Property Tax Statement

Nicole Stewart
 Dawson County Tax Commissioner
 25 Justice Way, Suite 1222
 Dawsonville, GA 30534

Bill Number	Due Date	CURRENT YEAR DUE
7386	12/1/2018	\$0.00

Payment Good Through

Map: 113 140
 Last payment made on: 11/13/2018
 Location: 41 BIG HORN DR

JASMINE BUSINESS INC
 2019 SUGAR SPRINGS DR

LAWRENCEVILLE, GA 30043

RETURN THIS FORM WITH PAYMENT

Dear Taxpayer,
 This is your 2018 Ad Valorem Property Tax Statement. This bill must be paid in full by 12/01/2018 in order to avoid interest and penalty charges. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the NEW OWNER and notify our office. Thank you for the privilege to serve as your Tax Commissioner.
 Nicole Stewart

Nicole Stewart
 Dawson County Tax Commissioner
 25 Justice Way, Suite 1222
 Dawsonville, GA 30534



Scan this code with your mobile phone to view or pay this bill.

Tax Payer: JASMINE BUSINESS INC
 Map Code: 113 140
 Description: LL 315 LD 13S
 Location: 41 BIG HORN DR
 Bill Number: 7386
 District: 1

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
\$542,588.00	\$710,424.00	1.17	1253012	12/1/2018	7/3/2018		

TAXING ENTITY	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	1253012	501206	0	501206	0	0	0	0
COUNTY M&O	1253012	501206	0	501206	14.599	7317.11	0	4078.82
SALES TAX ROLLBACK	0	0	0	501206	-6.461	0	-3238.29	0
SCHOOL M&O	1253012	501206	0	501206	15.778	7908.03	0	7908.03
TOTALS						23.916	15,225.1	- 11,986.8
							4,328.29	5

You can pay your bill in person, by mail, online at www.dawsoncountytax.com, or at the drop box in front of the courthouse at the crosswalk. If postmarked after December 1st, 2018, interest at a rate prescribed by law will be added monthly. An additional penalty as prescribed by law will be added every 120 days. If the bill is marked appealed, then this is only 85% of the total bill pending.
NO PAYMENT CONTRACTS WILL BE ALLOWED.

Current Due:	\$11,986.85
Penalty:	\$0.00
Interest:	\$0.00
Other Fees:	\$0.00
Back Taxes:	\$0.00
Amount Paid:	\$11,986.85
TOTAL DUE:	\$0.00