

DAWSON COUNTY VARIANCE APPLICATION

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

VR 20.22 Tax Map & Parcel # (TMP): 114 033 005
Current Zoning: B.A Commission District #: _____
Submittal Date: 10.9.2020 Time: 10:25 (am/pm) Received by: Unger (staff initials)
Fees Assessed: 350- Paid: check
Planning Commission Meeting Date: November 17, 2020

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King
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: _____

PROPERTY INFORMATION

Street Address of Property: 7142 Hwy 53E, Dawsonville, GA 30534
NW Corner of Hwy 53 & Dawson Forest Road
Land Lot(s): _____ District: _____ Section: _____
Subdivision/Lot: _____ Building Permit #: _____ (if applicable)
Directions to the Property: NW Corner of Hwy 53 & Dawson Forest Road (Behind Walmart east to 53)

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REQUESTED ACTION

A Variance is requested from the requirements of Article # 308 Section # C.8.B. of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: Vary from Section #308.C.8.B Buffer, Landscape & Open Space Requirements

The applicant wishes to utilize a joint alleyway with the service street for the future Commercial Parcels to integrate the two uses rather than separate them; therefore, a buffer is inappropriate.

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):

Applicant will construct a shared access driveway between the residential and commercial uses.

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): _____

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:

- Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: The applicant wishes to utilize a joint alleyway with the service street for the future Commercial Parcels to integrate the two uses rather than separate them; therefore a buffer is inappropriate.

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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: Because this is being developed as a mixed use community and the adjoining property owner affected by this variance is actually the one requesting this variance.

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: This variance will not be detrimental to the public health, safety, morals, or welfare to nearby properties. It will actually help in providing a walkable and vibrant community.

4. Describe why granting this variance would support the general objectives within this Resolution: The Resolution intended to shield & protect neighboring uses from one another, whereas the proposed development is intended to mix uses and create a homogenous live-work environment.

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.)

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PROPERTY OWNER AUTHORIZATION

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

114 033 005

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: 10.06.2020

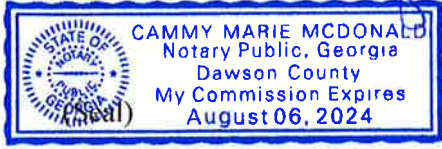
Printed Name of Owner(s): David Duncan

Signature of Owner(s): [Signature] Date 10-6-2020

Sworn and subscribed before me this 6th day of October, 2020.

Cammy Marie McDonald
Notary Public

My Commission Expires: August 10, 2024



(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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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.	_____
TMP _____	2.	_____
TMP _____	3.	_____
TMP _____	4.	_____
TMP _____	5.	_____
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.

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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: 10-9-2020

Signature of Witness: _____ Date: 10.9.2020

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.

OCT 9 10:26 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.

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

OCTOBER 6, 2020
Date

David Duncan
Printed Name

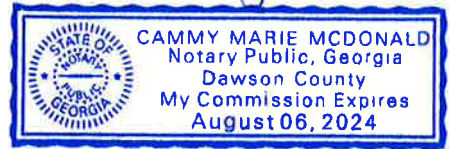
PalMail
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 6th DAY OF October, 2020

Cammy Marie McDonald Notary Public

My Commission Expires: August 6, 2024



(Seal)

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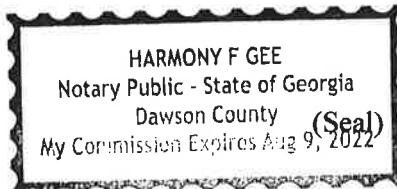
Jim King Signature of Applicant 10-6-2020 Date

 Printed Name Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 9 DAY OF October, 2020

Harmony Gee Notary Public
My Commission Expires: August 9, 2022



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LETTER OF INTENT

The applicant requests Rezoning a portion of Parcel Number: 114 033 005 from RA to RMF in order to build a Residential Neighborhood of 145 homes on 30.48 acres. The property is located at the NW Corner of Dawson Forest Rd and Highway 53E, Dawsonville, GA 30534. The property is bounded on the west by Walmart, the northwest by Dawson Forest Apartments, and the northeast by Farmington Apartments. It is bordered on the south and east by Dawson Forest Rd and SR 53 respectfully. It is designated on the Future Land Use Plan as Commercial Highway Business; however with the boundless available commercial property along the Ga 400 Corridor, this property is not marketable as entirely Commercial. We are proposing a mixed-use solution that will provide Commercial Uses along the Highway frontages of State Route 53 and Dawson Forest Road, while integrating residential uses within walking distance on the property behind the commercial uses. The proposed higher density residential use is a far more logical and realistic use and will provide a transition from the commercial land use along Ga 400 to the more rural residential areas that currently exist.

The neighborhood will provide a much needed solution for younger families and support the workforce resonating in the Ga 400 Corridor without placing an extreme burden upon our transportation infrastructure. The proximity to the existing commercial uses creates a highly desired mixed-use activity area and will provide a true live-work environment.

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