

DAWSON COUNTY PLANNING COMMISSION
MEETING Agenda – Tuesday, July 20, 2021
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE GEORGIA 30534
6:00 PM

A. MEETING CALLED TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ANNOUNCEMENTS:

There will not be a Planning Commission meeting for the month of August.

F. APPROVAL OF MINUTES:

June 15, 2020

G. APPROVAL OF THE AGENDA

H. STATEMENT OF DISCLOSURE:

For speakers in favor or opposition to any application who have made contributions more than \$250.00 to any local official campaign.

I. NEW BUSINESS:

Application for Rezoning and Variances:

1. Presentation of ZA 21-14, VR 21-10 & VR 21-11 Jim King is requesting to rezone TMP 113-044 from C-HB to C-IR and vary from front setbacks and number of required parking spaces.

J. UPDATES BY PLANNING & DEVELOPMENT:

K. ADJOURNMENT

Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 706-344-3666, extension 44514. The county will make reasonable accommodations for those persons

**DAWSON COUNTY PLANNING COMMISSION
PLANNING STAFF REPORT**

Applicant.....Jim King obo Dawson Land Partners, LLC

Amendment #ZA 21-14, VR 21-10 & VR 21-11

Request.....Rezone Property from C-HB (Commercial Highway Business) to C-IR (Commercial Industrial Restricted)

Variance.....Vary from Article IV Section 400 A a front setback reduction to 40’ from existing Right of Way

Variance.....Vary to 1 space per 2000 sq. ft of gross floor area

Proposed UseTo expand an existing business

Current ZoningC-HB (Commercial Highway Business)

Size.....9.15± acres

LocationLumpkin Campground Rd. North

Tax Parcel113 044

Planning Commission DateJuly 20, 2021

Board of Commission DateAugust 19, 2021

Applicant Proposal

The applicant requests a rezoning of parcel 113-044 to Commercial Industrial Restricted in order to develop warehouse and office warehouse space on 9.15 acres approximately one-half mile north of Hwy 53 East on Lumpkin Campground Rd. North. The applicant is requesting a reduction to the front setback from 60’ to 40’ at the cost of dedicating 20’ of additional right of way which was stipulated in a rezoning for this and two other parcels, zoning being ZA 13-07. The proposed development does not generate public traffic, only employees. For that reason, they are requesting a reduction of the minimum parking spaces requirements. (From 1 for every 500 square feet to 1 for every 2000 square feet)

History and Existing Land Uses

The current use of the property vacant and was approved for a Variance in 2016 for buffer and building setback reductions on the west. The parcel has Residential Multi-Family and Commercially zoned parcels surrounding.

Adjacent Land Uses	Existing zoning	Existing Use
North	R-A	Residential
South	RMF	Residential Multi Family
East	C-HB	Commercial
West	RSRMM	Residential

Development Support and Constraints

The parcel is bordered on the north and west by other Commercial Properties and to the east by RMF (Residential Multi-Family). Special attention should be made to the access the applicant intends to and or may be required to provide onto Lumpkin Campground Rd as this roadway sees heavy commercial and non-commercial traffic.

Relationship to the Comprehensive Plan and FLUP (Future Land Use Plan)

According to the Comprehensive Plan and accompanying FLUP (Future Land Use Plan), the subject property is identified as Commercial Highway Business.

Public Facilities/Impacts

Engineering Department – No comments returned.

Environmental Health Department – No comments returned.

Emergency Services – No comments returned.

Etowah Water & Sewer Authority – No comments returned.

Dawson County Sheriff’s Office – No comments returned.

Analysis

A zoning approved in 2013, ZA 13-07, which required the dedication of 20’ additional ROW for TMP 113-032, 113-086 and a portion of this property 113-044. No adverse conditions would be generated in a reduction of the front setback of this property from 60 feet to 40 feet. Concerning parking, the applicant is requesting a reduction from 130 spaces (current requirement for warehousing) to 32 spaces. While the argument of intent does not take into account future use of the property, failure to provide the minimum required parking now for this type of use could create hardships if the reduced number of parking spaces could limit future tenants.

The following observations should be noted with respect to this request:

- A. The existing uses and classification of nearby property.**
Properties to the North and South are vacant but zoned commercial. This parcel is adjacent to the RMF zoned Dawson Ridge. Properties immediately across the street are zoned RSRMM and RA respectively.
- B. The extent to which property values are diminished by the particular land use classification.**
There should be no diminishment of property values.
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.**
There should be no destruction of property values.
- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.**
There should be public gain if the project is approved bringing jobs and economic growth to the county.
- E. The suitability of the subject property for the proposed land use classification.**
The property is suitable for the purposed land use classification however is designated as CHB within the Future Land Use Map.
- F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.**
The property is vacant land.
- G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.**
Corrective county initiated changes to zoning rules may have played a part in the need to rezone this parcel to comply with current requirements. Furthermore, the stipulation contained in ZA 13-07, although the original development proposal has failed to come to fruition, places a historical hardship upon this request.

Pictures of Property:

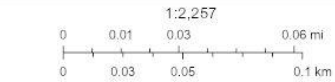
Current Zoning Map:

Dawson County



7/2/2021, 2:46:08 PM

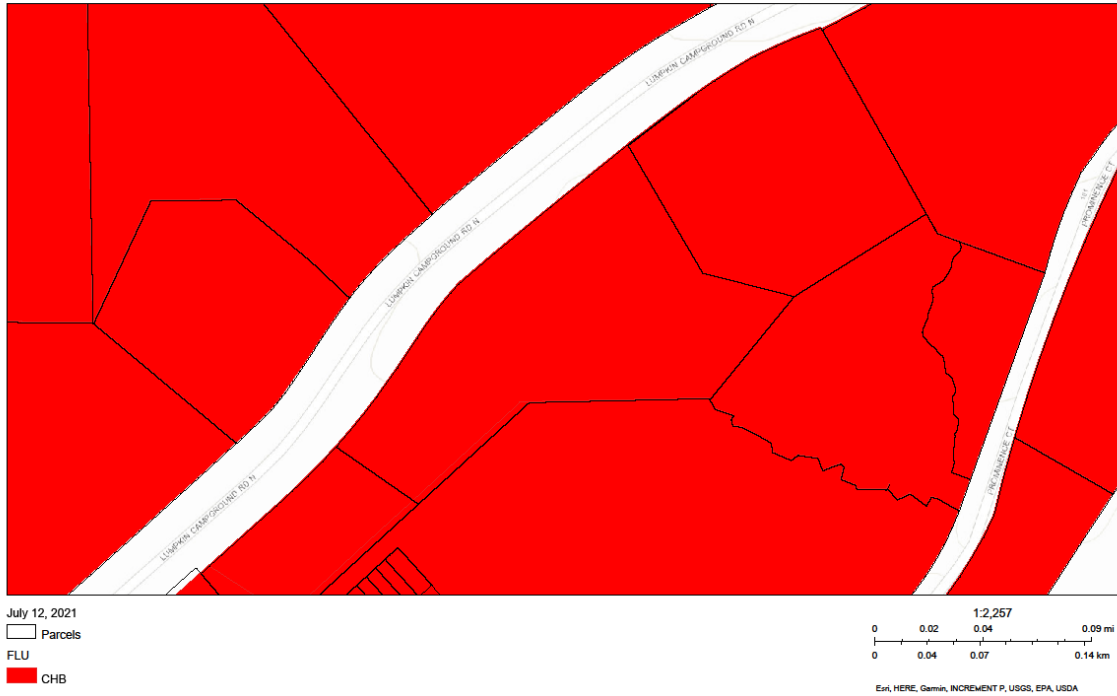
- Energov Layers - Parcels
- Energov Layers - Zoning
- RA
- C-HB
- RSRMM
- RMF



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |
Planning and Development
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

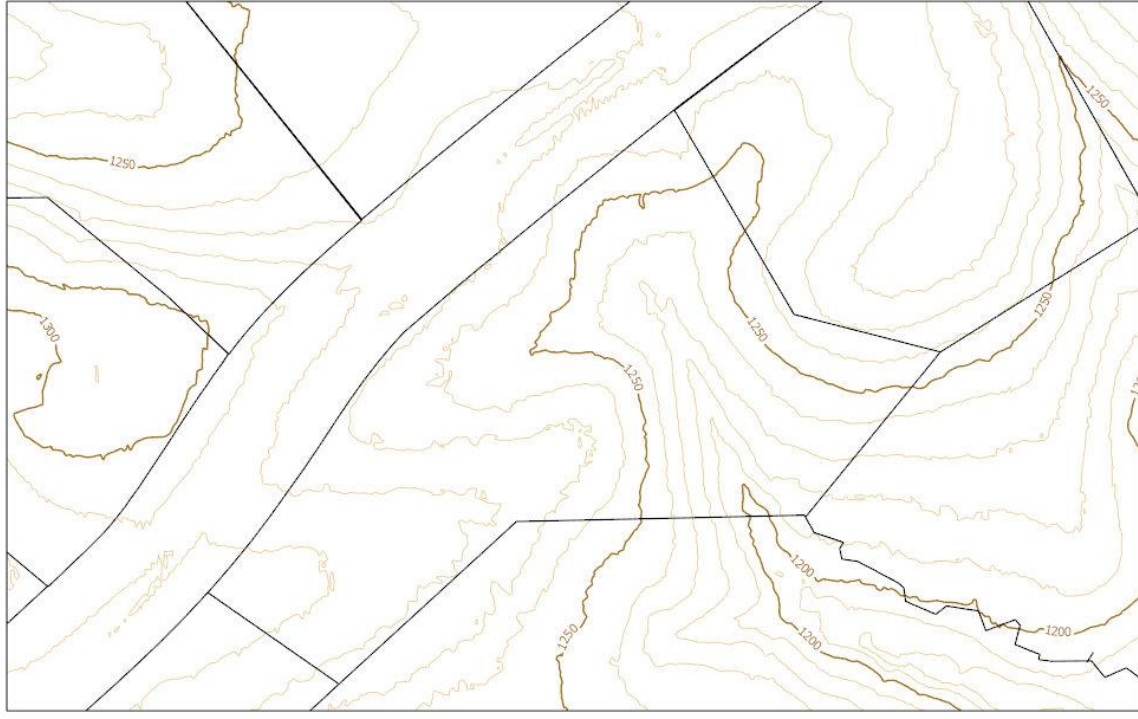
Future Land Use Map:

Future Land Use Map



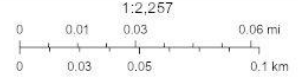
Topography:

Topo Map



7/12/2021, 11:33:40 AM

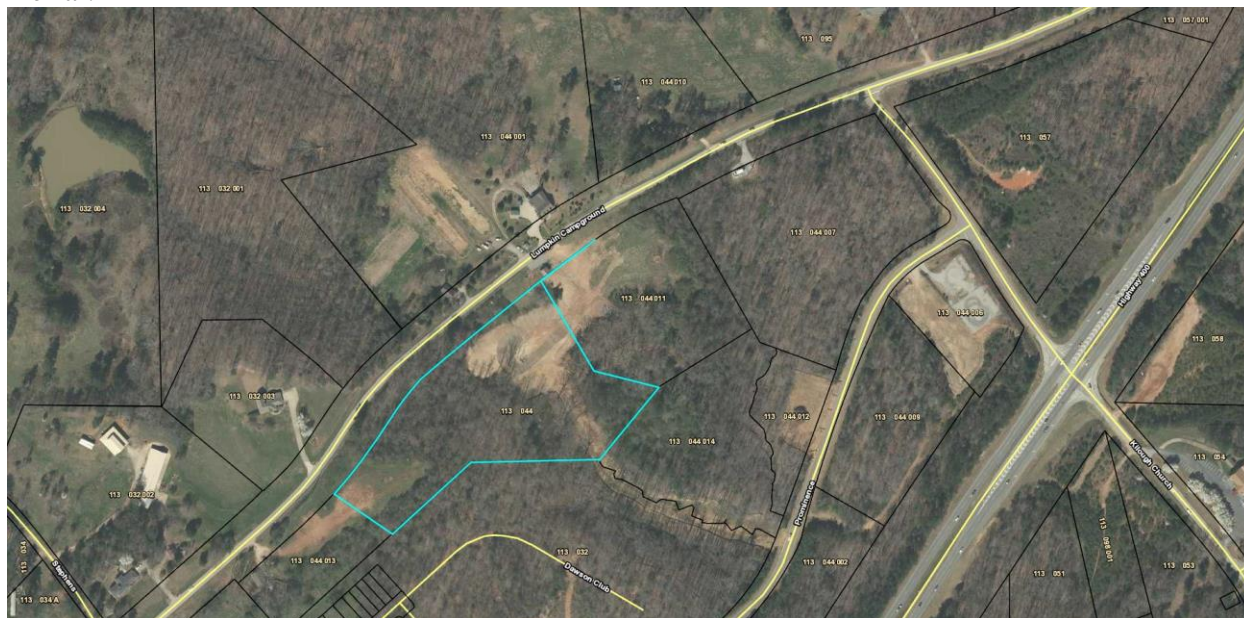
□ Parcels



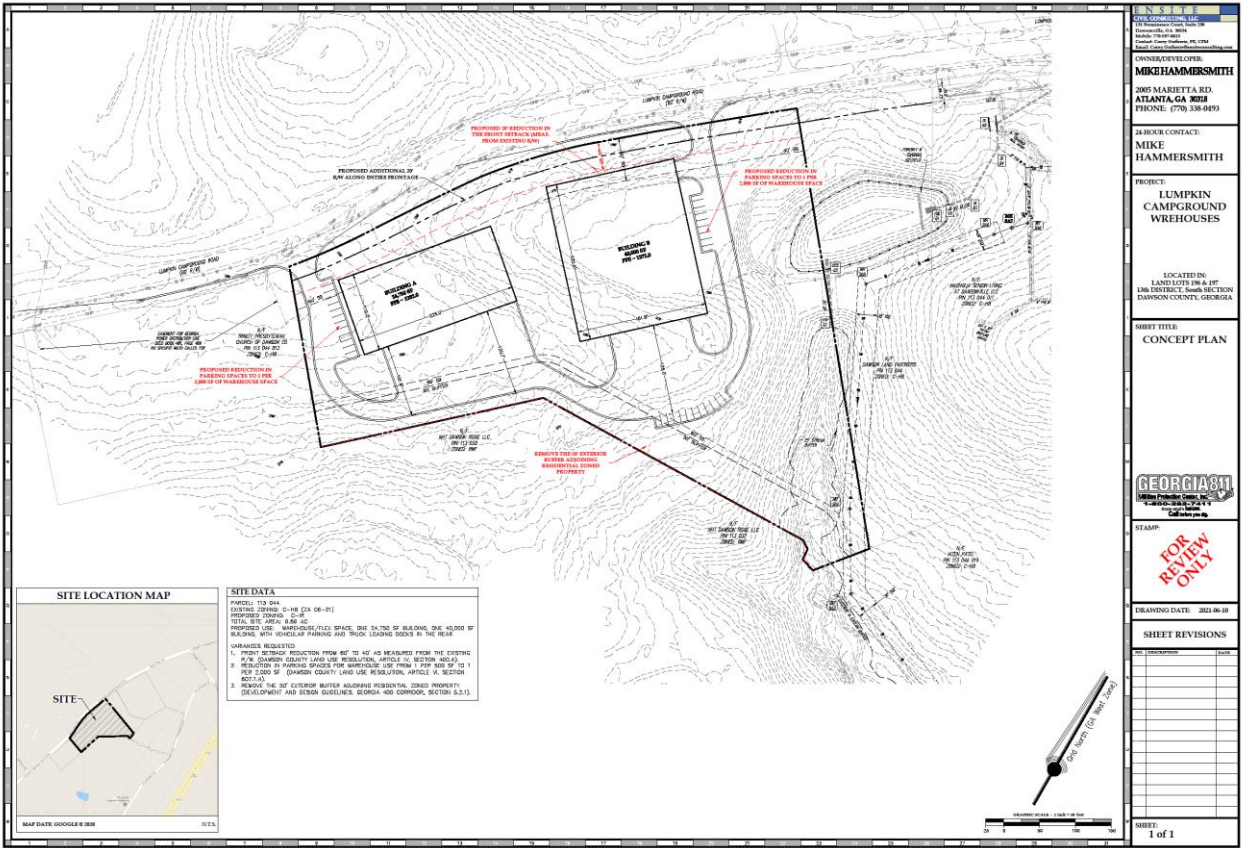
1:2,267

Dawson County
The information on this map (or data product) is from a computer database accessed using a Geographic Information System (GIS). Dawson County Public Works cannot guarantee the accuracy of the information contained on this map. Each user of this map is

Aerial:



Concept Site Plan:



SITE DATA

PARCELS: 113 244
 EXISTING ZONING: M-HS (24-06-21)
 PROPOSED ZONING: G-2-C
 TOTAL SITE AREA: 8.88 AC
 PROPOSED USE: WAREHOUSE/ICE STABLE, ONE (1) TO 20' BEARING, ONE (1) COLUMN OF BEARING, WITH HOVARIABLE PARKING AND TRUCK LOADING DOCKS BY THE REAR

VARIANCES REQUESTED

1. FRONT SETBACK REDUCTION FROM 60' TO 42' AS MEASURED FROM THE EXISTING PROPERTY LINE
2. REAR SETBACK REDUCTION FROM 25' TO 15' AS MEASURED FROM THE EXISTING PROPERTY LINE
3. REDUCTION IN PARKING SPACES FOR WAREHOUSE USE FROM 11 SPACES TO 10 SPACES
4. REDUCTION IN PARKING SPACES FOR WAREHOUSE USE FROM 11 SPACES TO 10 SPACES
5. REMOVAL OF 30' EXISTING BUFFER ADJACENT TO ZONED PROPERTY

DEVELOPMENT AND DESIGN GUIDELINES, GEORGIA 400 CORRIDOR, SECTION 5.2-13

<p>OWNER/DEVELOPER: MIKE HAMMERSMITH</p> <p>2085 MARIETTA RD. ATLANTA, GA 30328 PHONE: (770) 338-0493</p> <p>ARCHITECT CONTACT: MIKE HAMMERSMITH</p> <p>PROJECT: LUMPKIN CAMPGROUND WAREHOUSES</p> <p>LOCATED ON: LAND LOTS 178 & 177 1265 DISTRICT, SOUTH SECTION DAWSON COUNTY, GEORGIA</p> <p>SHEET TITLE: CONCEPT PLAN</p> <p> GEORGIA DEPARTMENT OF TRANSPORTATION DIVISION OF PERMITS 100 Peachtree Street, N.W. Atlanta, Georgia 30334 404.487.2400</p> <p>STAMP: </p> <p>DRAWING DATE: 2023-06-08</p> <p>SHEET REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>SHEET: 1 of 1</p>		NO.	DESCRIPTION	DATE												
NO.	DESCRIPTION	DATE														

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.)

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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.)

15

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>113 044 011</u>	1. Magnolia Senior Living at Dawsonville, LLC	89 Ozora Rd, Loganville GA 30052
TMP <u>113 044 001</u>	2. Marjorie Ann Stephens	759 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 001</u>	3. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 003</u>	4. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 044 013</u>	5. Trinity Presbyterian Church of Dawson Co.	PO Box 1297 Dawsonville GA
TMP <u>113 032</u>	6. NHT Dawson Ridge, LLC	1776 Peachtree St NW, Ste100, Atlanta GA 30309
TMP <u>113 044 014</u>	7. Hiten Patel	3885 Vic Ar Court, Atlanta GA 30360
TMP _____	8.	_____
TMP _____	9.	_____
TMP _____	10.	_____
TMP _____	11.	_____
TMP _____	12.	_____
TMP _____	13.	_____
TMP _____	14.	_____
TMP _____	15.	_____

Use additional sheets if necessary.

21 JUN 2011 10:47 AM

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.

PLANNING & DEVELOPMENT
DAWSON COUNTY, GEORGIA

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: _____

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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

Jim King
Printed Name

06/11/2021
Date

Ensite Civil Consulting, LLC
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

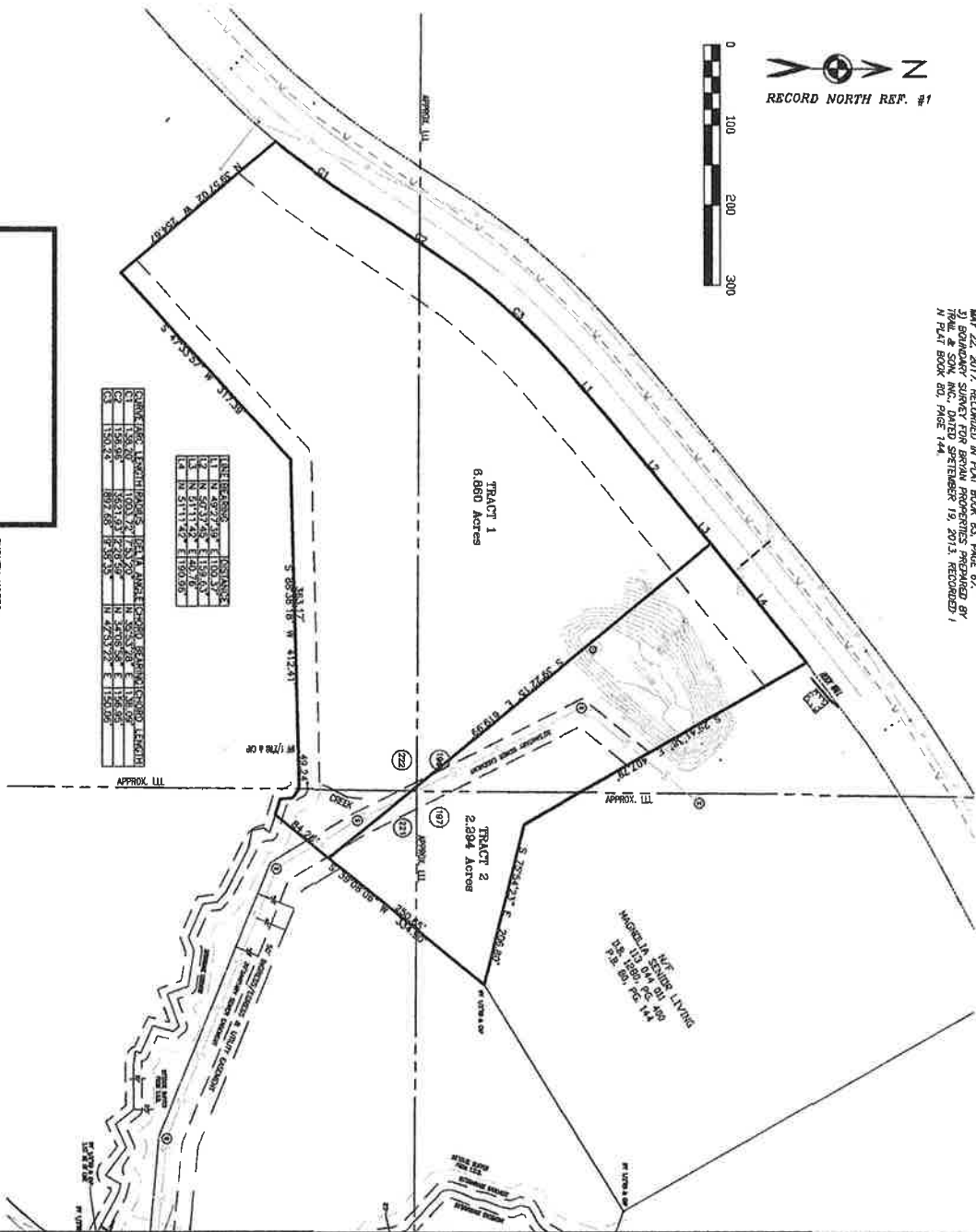
THIS 11 DAY OF June, 2021

[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 AT DAWSONVILLE, LLC PREPARED BY TALL & SON, INC. DATED MAY 22, 2017, RECORDED IN PLAT BOOK 83, PAGE 67.
 3) BOUNDARY SURVEY FOR SPANISH SPRINGS PREPARED BY TALL & SON, INC. DATED FEBRUARY 19, 2013, RECORDED IN PLAT BOOK 80, PAGE 144.



LINE	BEARING	DISTANCE
1	N 15° 12' 00" E	110.00
2	N 87° 07' 00" E	110.00
3	N 87° 07' 00" E	110.00
4	N 87° 07' 00" E	110.00
5	N 87° 07' 00" E	110.00
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LINE	BEARING	DISTANCE
1	N 15° 12' 00" E	110.00
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20	N 87° 07' 00" E	110.00

LEGEND

- 25' U/B - 25' UNDISTURBED BUFFER
- CATIONIZATION
- SWIMMING POOL EASEMENT
- DRAINAGE EASEMENT
- SEWER CLEANOUT
- SEWER MAIN
- RIBBED CONCRETE PER
- DEED BOOK & PAGE
- N/A - NOT APPLICABLE
- PROPERTY LINE
- DRAIN INLET
- CLOSURE
- CLOSURE WITH SIGN
- WATER VALVE
- RIGHT OF WAY

NO SIDE OR REAR SETBACK MAY BE REQUIRED WHEN THE ADJACENT PROPERTY IS COMMERCIAL AND THERE IS A SETBACK OF 10 FEET. THE SETBACK SHALL BE 10 FEET WHERE THE COMMERCIAL DISTRICT SETS A SETBACK WHEN ADJUTING A RESIDENTIAL DISTRICT IS 50 FEET. THE SETBACK SHALL BE 10 FEET WHERE THE COMMERCIAL DISTRICT SETS A SETBACK WHEN ADJUTING A RESIDENTIAL DISTRICT IS 50 FEET. THE SETBACK SHALL BE 10 FEET WHERE THE COMMERCIAL DISTRICT SETS A SETBACK WHEN ADJUTING A RESIDENTIAL DISTRICT IS 50 FEET. THE SETBACK SHALL BE 10 FEET WHERE THE COMMERCIAL DISTRICT SETS A SETBACK WHEN ADJUTING A RESIDENTIAL DISTRICT IS 50 FEET.

SURVEY NOTES:

THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE AND PURPOSE OF THE PERSON, PERSONS OR ENTITY NAMED PERSON, WITHOUT AN EXPRESS RECEPTION 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. 13899C 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 CHAPTER 100-1-10 OF THE OFFICIAL CODE OF GEORGIA AND THE RULES AND REGULATIONS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS 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 23,855 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

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

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

DAWSON COUNTY VARIANCE APPLICATION

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

VR 21-10 Tax Map & Parcel # (TMP): 113-044
Current Zoning: C-HB Commission District #: 3
Submittal Date: 6-11-21 Time: 11:29 am/pm Received by: Boyer (staff initials)
Fees Assessed: check Paid: 350.00
Planning Commission Meeting Date: July 2021 + BOC August 2021

APPLICANT INFORMATION (or Authorized Representative)

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

2025

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.)

PLANNING
DEPARTMENT
CITY OF
DENVER
1500
BENNETT
BLVD
DENVER
CO 80202

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:  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.


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.)

2021

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>113 044 011</u>	1. Magnolia Senior Living at Dawsonville, LLC	89 Ozora Rd, Loganville GA 30052
TMP <u>113 044 001</u>	2. Marjorie Ann Stephens	759 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 001</u>	3. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 003</u>	4. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 044 013</u>	5. Trinity Presbyterian Church of Dawson Co.	PO Box 1297 Dawsonville GA
TMP <u>113 032</u>	6. NHT Dawson Ridge, LLC	1776 Peachtree St NW, Ste100, Atlanta GA 30309
TMP <u>113 044 014</u>	7. Hiten Patel	3885 Vic Ar Court, Atlanta GA 30360
TMP _____	8.	_____
TMP _____	9.	_____
TMP _____	10.	_____
TMP _____	11.	_____
TMP _____	12.	_____
TMP _____	13.	_____
TMP _____	14.	_____
TMP _____	15.	_____

Use additional sheets if necessary.

21 JUN 11 10:04 AM

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: Aura Hester _____ 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.

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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: _____

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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

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: 8/30/24



2021 JUN 11 10:30 AM

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 21-14 Tax Map & Parcel # (TMP): 113.044
Submittal Date: 6-11-21 Time: 11:30 am/pm Received by: Wheeler (staff initials)
Fees Assessed: \$3500 Paid: Check Commission District: 3
Planning Commission Meeting Date: July
Board of Commissioners Meeting Date: August

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Jim King
Address: [REDACTED]

Phone: Listed [REDACTED] Unlisted [REDACTED] Email: Business [REDACTED] Personal [REDACTED]

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: 6/10/2021 Applicant Signature: [Signature]

PROPERTY OWNER/PROPERTY INFORMATION

Name: Dawson Land Partners, LLC

Street Address of Property being rezoned: Lumpkin Campground Rd

Rezoning from: C-HB to: C-IR Total acreage being rezoned: 9.15

Directions to Property (if no address): 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)

2021 JUN 11 11:30 AM

Subdivision Name (if applicable): _____ Lot(s) #: _____

Current Use of Property: Vacant

Any prior rezoning requests for property? yes if yes, please provide rezoning case #: ZA 06-21

*****Please refer to Dawson County's Georgia 400 Corridor Guidelines and Maps to answer the following:**

Does the plan lie within the Georgia 400 Corridor? _____ (yes/no)

If yes, what section? North _____ South

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North CHB South CHB East RMF West AG

Future Land Use Map Designation: Business Park

Access to the development will be provided from:

Road Name: Lumpkin Campground Rd Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

Rezoning to: C-IR [] Special Use Permit for: _____

Proposed Use: Warehouse and Office Warehouse

Existing Utilities: Water Sewer Gas Electric

Proposed Utilities: Water Sewer Gas Electric

RESIDENTIAL

No. of Lots: _____ Minimum Lot Size: _____ (acres) No. of Units: _____

Minimum Heated Floor Area: _____ sq. ft. Density/Acre: _____

Type: [] Apartments [] Condominiums [] Townhomes Single-family [] Other

Is an Amenity Area proposed: _____ ; if yes, what? _____

COMMERCIAL & INDUSTRIAL

Building area: Approx 70,000 SF No. of Parking Spaces: 35

UNSCANNED

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 the 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 rezoning of special use 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 _____

Date 06/10/2021

Witness *Aura Hester*

Date 06/10/2021

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 Department 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 the written request and publication the Planning 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 Planning Commission. Further, the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fees may be made unless directed by the Board of Commissioners.

21 JUN 11 1:30 AM

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>113 044 011</u>	1. Magnolia Senior Living at Dawsonville, LLC	89 Ozora Rd, Loganville GA 30052
TMP <u>113 044 001</u>	2. Marjorie Ann Stephens	759 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 001</u>	3. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 032 003</u>	4. Russ & Felicia Stephens	555 Lumpkin Campground Rd, Dawsonville GA
TMP <u>113 044 013</u>	5. Trinity Presbyterian Church of Dawson Co.	PO Box 1297 Dawsonville GA
TMP <u>113 032</u>	6. NHT Dawson Ridge, LLC	1776 Peachtree St NW, Ste100, Atlanta GA 30309
TMP <u>113 044 014</u>	7. Hiten Patel	3885 Vic Ar Court, Atlanta GA 30360
TMP _____	8.	_____
TMP _____	9.	_____
TMP _____	10.	_____
TMP _____	11.	_____
TMP _____	12.	_____
TMP _____	13.	_____
TMP _____	14.	_____
TMP _____	15.	_____

Use additional sheets if necessary.



NOTICE OF RESIDENTIAL EXURBAN/AGRICULTURAL DISTRICT (R-A) ADJACENCY

Agricultural districts include uses of land primarily for active farming activities and result in odors, noise, dust and other effects, which may not be compatible with adjacent development. Future abutting developers in non RA land use districts shall be provided with this "Notice of RA Adjacency" prior to administrative action on either the land use district or the issuance of a building or occupancy permit.

Prior to administrative action the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing adjacent to his use which will produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent RA use, the applicant agrees by executing this form to waive any objection to those effects and understands that his district change and/or his permits are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the RA district constitute a nuisance) against local governments and adjoining landowners whose property is located in an RA district.

This notice and acknowledgement shall be public record.

Applicant Signature: _____

Applicant Printed Name: Jim King

Application Number: _____

Date Signed: 06/11/2021

Sworn and subscribed before me

this 11 day of June, 2021.

Lisa Hester

Notary Public

My Commission Expires: 8/30/21



21 JUN 11 2021

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANT(S) AND REPRESENTATIVE(S) OF REZONING)

Pursuant to O.C.G.A. Section 36-67 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for rezoning, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government showing the following:

1. Name of local official to whom campaign contribution was made:

2. The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two (2) years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

Amount \$ _____ Date: _____

Enumeration and description of each gift when the total value of all gifts is \$250.00 or more made to the local government official during the two (2) years immediately preceding the filing of application for rezoning:

Signature of Applicant/Representative of Applicant:

_____ Date: _____

**BY NOT COMPLETING THIS FORM YOU ARE MAKING A STATEMENT THAT NO
DISCLOSURE IS REQUIRED**

This form may be copied for each applicant. Please attach additional sheets if needed.

2025
APR 10 10:00 AM
COURT REPORTERS
1000 N. W. 10TH AVE
SUITE 100
MIAMI, FL 33136
305.571.1111

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 #):

113 044

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 rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations 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 six (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): [Signature] Date: 06-11-2021

Mailing address: [Redacted]

City, State, Zip: [Redacted]

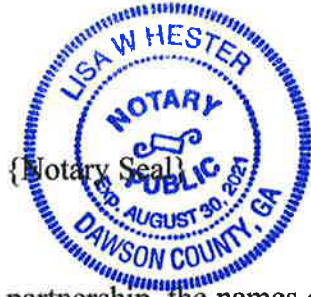
Telephone Number: [Redacted]

Listed
Unlisted

Sworn and subscribed before me this 11 day of June, 2021.

[Signature]
Notary Public

My Commission Expires: 8/30/21



(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.)

113044

APPLICATION PROCESSING: STAFF USE ONLY

ZA _____ **Applicant Name:** _____

Application Fee: \$ _____

IF APPLICABLE:

- | | |
|--|-------------|
| <input type="checkbox"/> Legal Advertisement Submitted to Newspaper | Date: _____ |
| <input type="checkbox"/> Planning Commission & Board of Commissioners Packets Delivered | Date: _____ |
| <input type="checkbox"/> Application Posted on County Website | Date: _____ |
| <input type="checkbox"/> Adjacent Property Owner Notices Mailed | Date: _____ |
| <input type="checkbox"/> Interdepartmental Forms Submitted for Review | Date: _____ |
| <input type="checkbox"/> Department of Transportation Notified | Date: _____ |
| <input type="checkbox"/> Georgia Mountains Notified (DRI) | Date: _____ |
| <input type="checkbox"/> Public Notice Signs on Property Verified | Date: _____ |
| <input type="checkbox"/> Approval or Denial Form placed in folder | Date: _____ |
| <input type="checkbox"/> Applicant Notified of Final Action | Date: _____ |
| <input type="checkbox"/> Approval or Denial Form to Office Manager/Building Official/Marshal | Date: _____ |
| <input type="checkbox"/> Rezoning Change Form to Director | Date: _____ |
| <input type="checkbox"/> Zoning Map Amended | Date: _____ |
| <input type="checkbox"/> Change Zoning in EnerGov by Parcel | Date: _____ |
| <input type="checkbox"/> Planning Commission Meeting Minutes placed in folder | Date: _____ |
| <input type="checkbox"/> Board of Commission Meeting Minutes placed in folder | Date: _____ |

Planning Commission & Board of Commissioners Actions

PC Recommendation Date: _____

Approval Approval w/stipulations Denial

BOC Decision Date: _____

Approval Approval w/stipulations Denial

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

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, 20 21

[Signature] Notary Public

My Commission Expires: 8/30/21



21 JUN 11 2021

February 2, 2016

Dawson County Planning & Development
25 Justice Way, Suite 2322
Dawsonville, GA 30534
Attention: Rachel Burton, Director

RE: Variance Request #16-02

Ms Burton,

This letter is to attest our **SUPPORT** for Dawson County Variance Application #16-02. We own the land immediately adjacent to the Variance Request. Our property zoned RMF. We feel that the adjacent proposed use will complement our Multi-Family development creating a Mixed Use Area with connectivity and the potential for a Live-Work Environment.

Thank you,

Bret Clark, D40, LLC

355 Brogdon Road
Suite 211
Suwanee, GA 30024

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February 2, 2016

Dawson County Planning & Development
25 Justice Way, Suite 2322
Dawsonville, GA 30534
Attention: Rachel Burton, Director

RE: Variance Request #16-02

Ms Burton,

This letter is to attest our **SUPPORT** for Dawson County Variance Application #16-02. We own the land south of the Variance Request along Lumpkin Campground Rd down to Highway 53. Our property is zoned CBD. We feel that the proposed use is consistent with our development and the rest of this area and should not require additional setbacks and buffers to separate uses.

Thank you,

Keith Breedlove, D53, LLC

355 Brogdon Road
Suite 211
Suwanee, GA 30024

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APPROVAL

PUBLIC HEARING OF VARIANCE REQUEST

We, the Dawson County Planning Commission, do hereby **APPROVE** the following request:

VR #: 16-02 DATE OF HEARING: 2/16/16

Applicant's Name: Corey Guthrie on behalf of Dawson Land Partners

Address: Lumpkin Campground Road

Tax Map Parcel & Parcel Number: 113-044 Parcel Zoned: C-HB

Variance Request For: a 0'buffer and 25' side building setback along the west property line and a 0' buffer and 25' buffer as shown on site plan submitted dated 1/8/2016.

(Article IV, Section 121-99.1, Land Use Resolution and Georgia 400 Corridor Guidelines, Division 6 Section 117-207).

This **APPROVAL** is based upon the following which we feel will/will not:

- A. Affect the property values of surrounding property.
- B. Affect the health, safety or general welfare of the public.
- C. Impose any special hardships on the surrounding property owners.
- D. The subject property is suited for the proposed land use.

This **APPROVAL** is, however, subject to the following stipulations and/or modifications:


Chairman Dick Bergen
Dawson County Planning Commissioner

2/16/16
Date

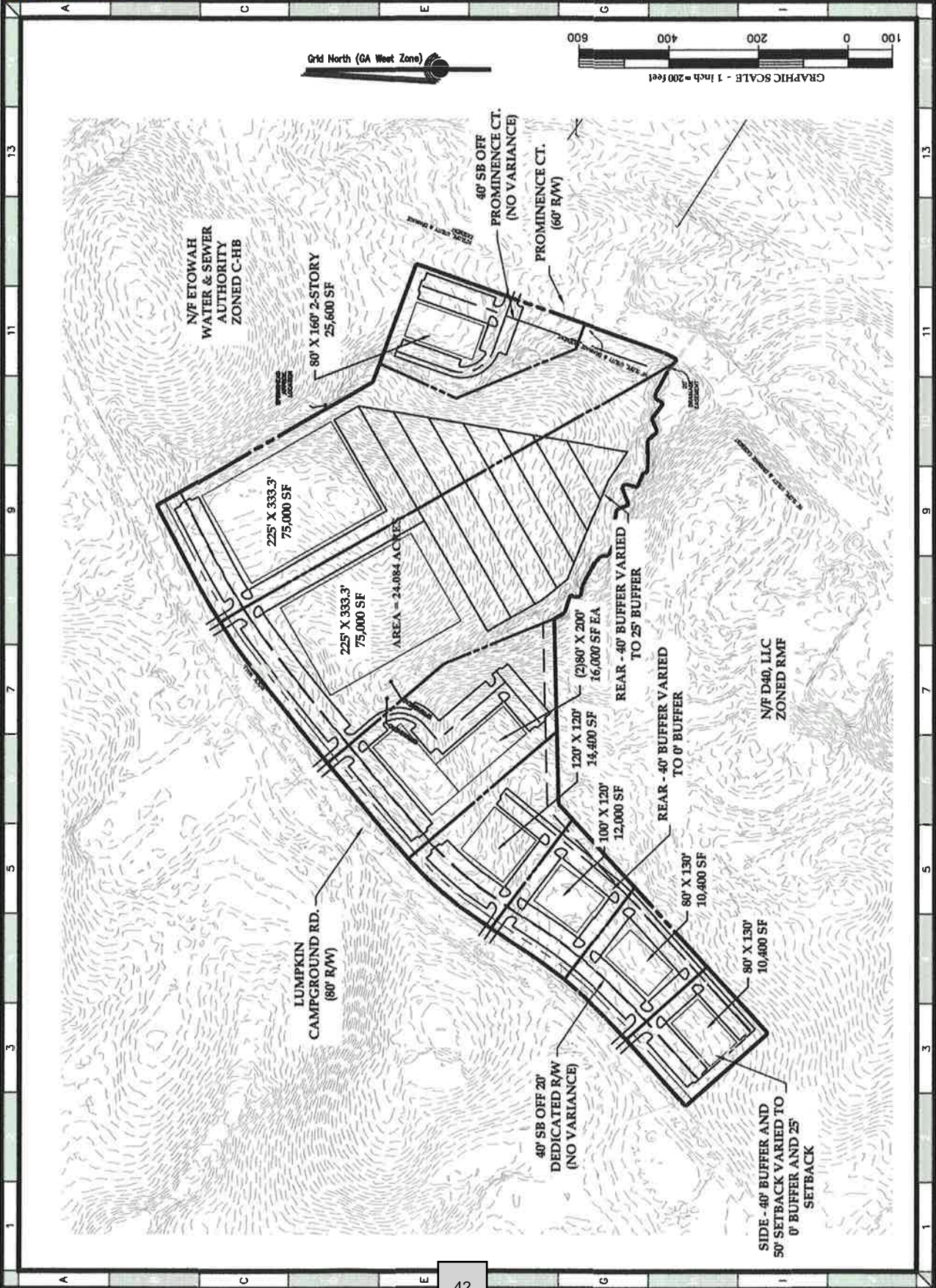
ENSITE
 CIVIL CONSULTING, LLC
 3384 Elliott Family Parkway
 Dawsonville, GA 30534
 Mobile: 678-776-6023
 Contact: Corey Guiberte, PE, CFM
 Email: Corey.Guiberte@gmail.com

PROJECT:
LUMPKIN CAMPGROUND TRACT (ZONED C-HB)
 LOCATED IN:
 LAND LOTS 196, 197, 221, & 222 S 1/2 13TH DISTRICT
 DAWSON COUNTY, GEORGIA
 PARCEL 113 044

SHEET TITLE:
SITE PLAN

NO.	DESCRIPTION	DATE

SHEET:
C1.00





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

Phone: (706) 344-3520
Fax: (706) 344-3522

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2020 - 3830	113 044 / 1 LL 198-198 221 222 LD 13-S FMV: 458000	\$4335.07	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$4335.07	\$0.00
Totals:		\$4335.07	\$0.00	\$0.00	\$4335.07	\$0.00

Paid Date: 11/30/2020

Charge Amount: \$4335.07

DAWSON LAND PARTNERS LLC



Scan this code with your mobile phone to view this bill

11/30/2020 11:56:33 PM

LETTER OF INTENT

The applicant requests a Rezoning for Parcel Number: 113 044 to Commercial Industrial Restricted- C-IR, in order to develop warehouse and office-warehouse on 9.15 acres approximately one-half mile north of SR 53 on Lumpkin Campground Rd. The property is currently zoned C-HB (Commercial Highway Business) which prior to 2020 allowed this type development. The County's amendment to the Commercial Ordinances, removed this use and transferred it to the newly established C-IR ordinance. It is bordered on the north and west by other Commercial Properties and to the east by RMF (Residential Multi-Family). The property is designated as Commercial-Business on the Future Land Use Plan and the proposed development is in complete conformance with this use. As stated, the County-initiated zoning ordinance revisions adversely affected the existing usability of this property by removing the land use that was planned and originally permitted for this property. According to the Steinberg Act, these property rights should be reinstated.

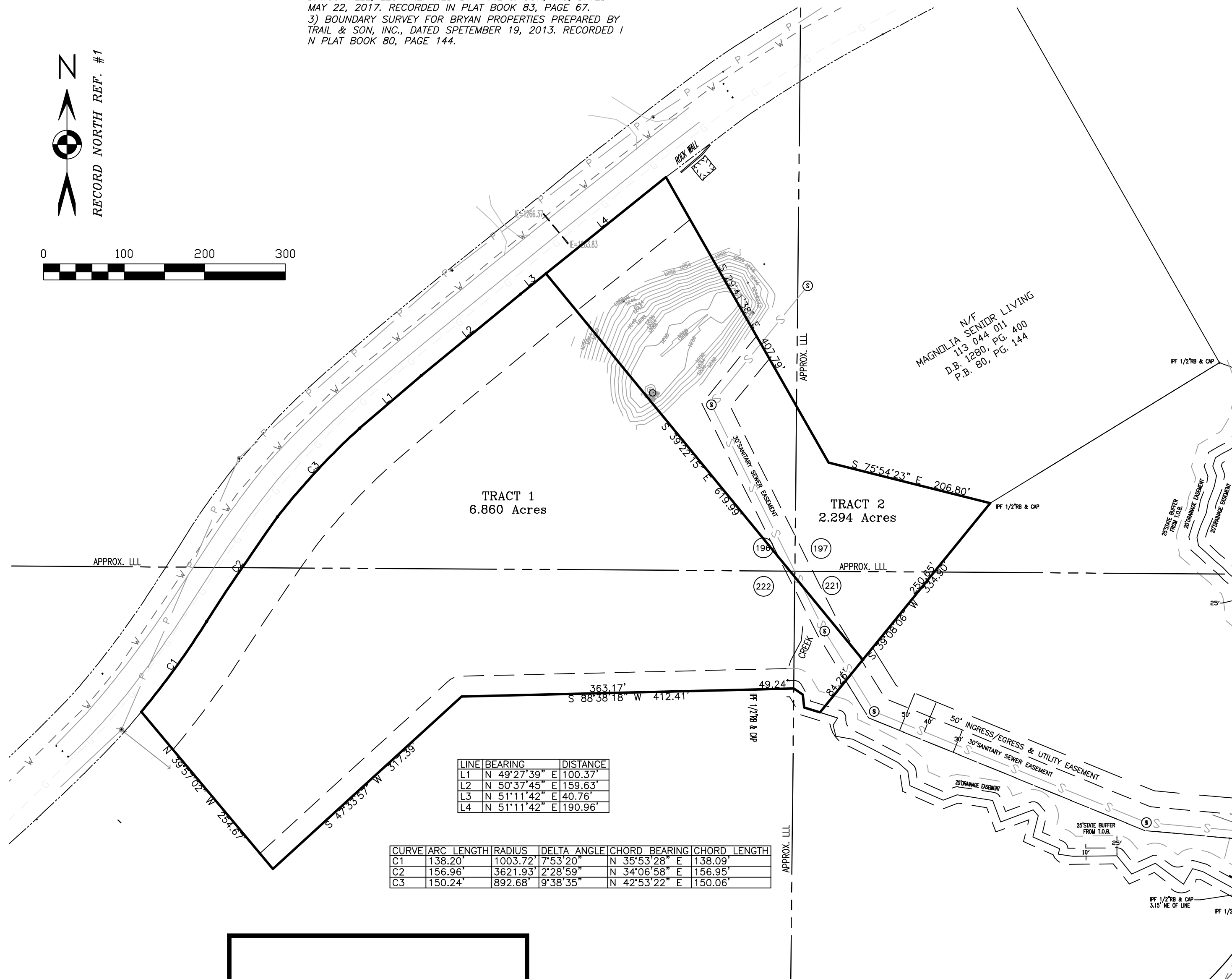
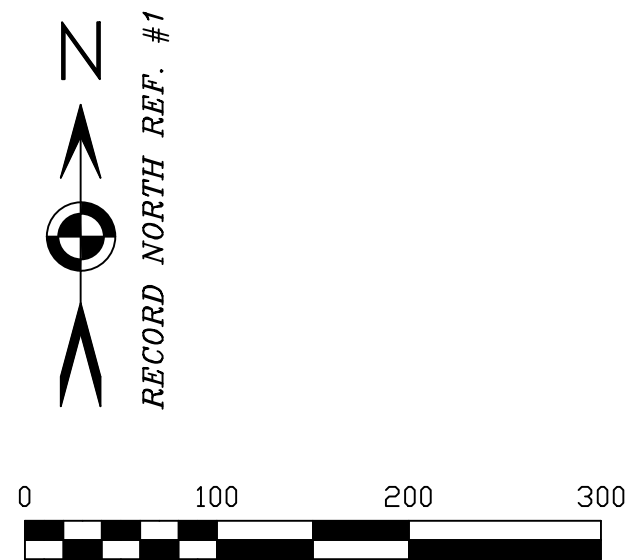
In addition to the Rezoning Request, the applicant also request relief from the front setback and the minimum parking requirements. The applicant is being required to dedicate (at no cost) 20 feet of additional right-of-way along the entire frontage of their property. In light of this requirement, the applicant request a variance in the front setback to a total of 40 feet from the existing right-of-way instead of the proposed right-of-way.

The proposed end-user for this development does not generate public traffic, only employees. For this reason, we request a variance from the minimum parking requirement to 1 space per 2,000 sq feet in lieu of the required 1 space per 500 sq feet.

The proposed development will add to the County's tax base, as well as, generate jobs and a significant increase to the sales tax revenue.

REFERENCES:

- 1) BOUNDARY SURVEY FOR GATOR PROPERTIES, LLC PREPARED BY LAND DEVELOPMENT PROFESSIONALS, DATED FEBRUARY 9, 2018. RECORDED IN PLAT BOOK 83, PAGE 204.
- 2) BOUNDARY SURVEY FOR MAGNOLIA SENIOR LIVING AT DAWSONVILLE, LLC PREPARED BY TRAIL & SON, INC, DATED MAY 22, 2017. RECORDED IN PLAT BOOK 83, PAGE 67.
- 3) BOUNDARY SURVEY FOR BRYAN PROPERTIES PREPARED BY TRAIL & SON, INC., DATED SEPTEMBER 19, 2013. RECORDED IN PLAT BOOK 80, PAGE 144.



LINE	BEARING	DISTANCE
L1	N 49°27'39" E	100.37'
L2	N 50°37'45" E	159.63'
L3	N 51°11'42" E	40.76'
L4	N 51°11'42" E	190.96'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	138.20'	1003.72'	7°53'20"	N 35°53'28" E	138.09'
C2	156.96'	3621.93'	2°28'59"	N 34°06'58" E	156.95'
C3	150.24'	892.68'	9°38'35"	N 42°53'22" E	150.06'

SURVEY NOTES:

THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE AND PURPOSE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON, SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR.

THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, R/W's, ETC., OF RECORD OR NOT OF RECORD, ABOVE OR BELOW GROUND. ALL MATTERS OF TITLE ARE EXCEPTED.

THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR TITLE OPINION.

ACCORDING TO FIRM MAP NO. 13085C 0225B, DATED 09/26/2008, THIS PROPERTY IS NOT LOCATED A FLOOD HAZARD AREA.

MAP PARCEL #113 044

ZONING: CHB

SETBACKS

FRONT: 45
SIDE:
REAR:

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 29,855 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

LEGEND

- 25'U/B → 25'UNDISTURBED BUFFER
- CB → CATCHBASIN
- HW → HEADWALL
- SSE → SANITARY SEWER EASEMENT
- DE → DRAINAGE EASEMENT
- → SEWER CLEANOUT
- BSL → BUILDING SETBACK LINE
- RCP → REINFORCED CONCRETE PIPE
- DB/pg → DEED BOOK & PAGE
- PB/pg → PLAT BOOK & PAGE
- N/F → NOW OR FORMERLY
- P/L → PROPERTY LINE
- DI → DRAIN INLET
- E → ELECTRIC TRANSFORMER
- OMP → CORRUGATED METAL PIPE
- ⊙ → SANITARY SEWER MANHOLE
- WV → WATER VALVE
- R/W → RIGHT OF WAY

NO SIDE OR REAR SETBACK MAY BE REQUIRED WHEN THE ADJACENT PROPERTY IS COMMERCIAL AND THERE IS NO FIRE HAZARD CREATED BY LACK OF SETBACK. REAR SETBACK WHEN ABUTTING A RESIDENTIAL DISTRICT IS 50 FEET. WHERE THE COMMERCIAL DISTRICT ABUTS A RESIDENTIAL DISTRICT, AN ADDITIONAL 10 FEET 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 TO REDUCE OR ELIMINATE NOISE FACTORS, VISUAL EFFECTS OR THE POSSIBILITY OF NOXIOUS ODORS THAT MAY NEGATIVELY IMPACT THE ADJACENT RESIDENTIAL AREA. DAWSON COUNTY LAND DEVELOPMENT ORDINANCES CHAPTER 121-ARTICLE IV-SEC. 121-102.

SUBMISSION PLAT FOR:

DAWSON LAND PARTNERS

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

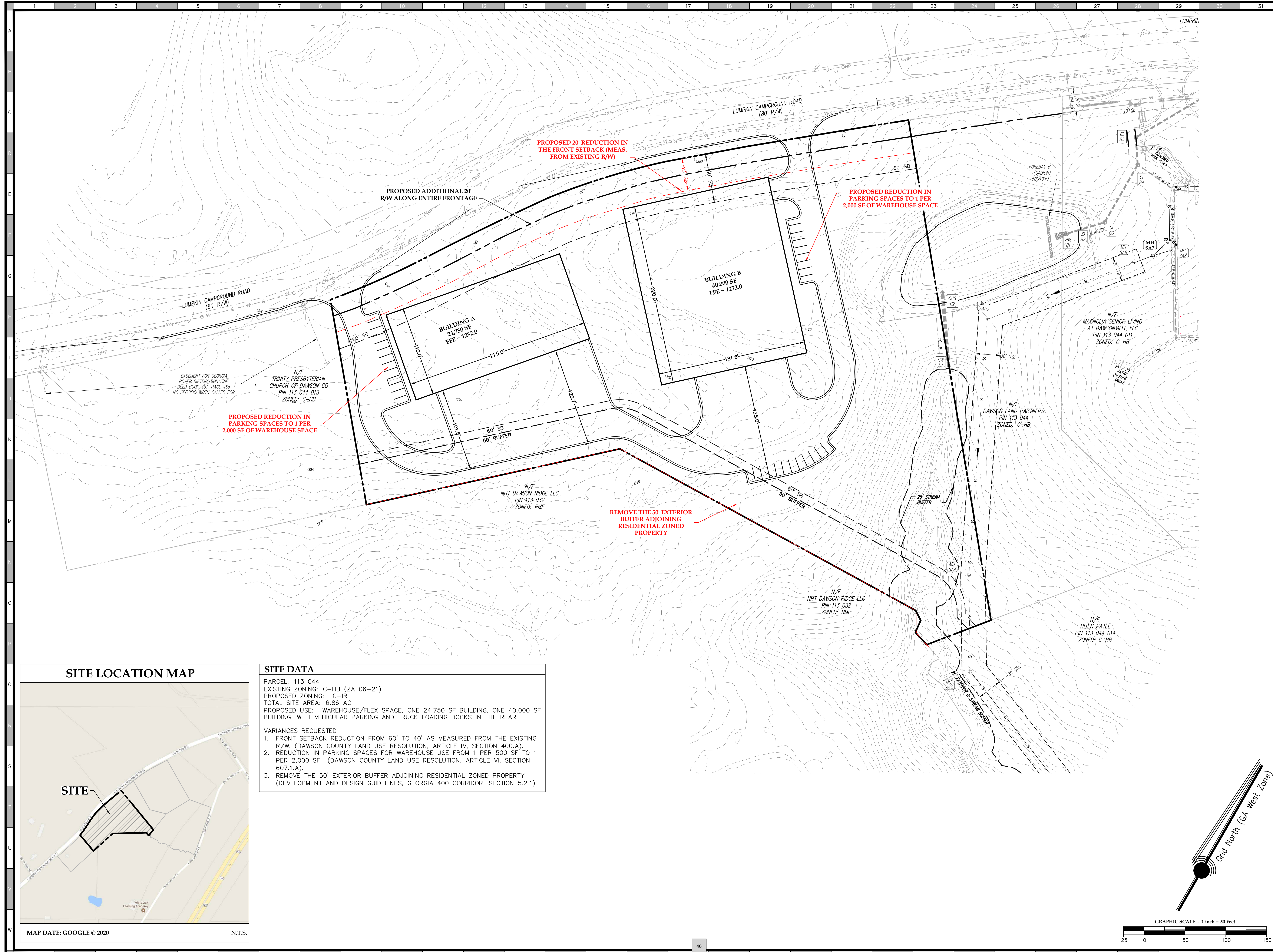
Surveyed by:

ROBBIE HENDERSON
— Surveying & Planning

3040 PILGRIM MILL ROAD
CUMMING, GA 30041
PH: 706-654-2015
COA LSF #001242

Thou shall not remove thy neighbor's landmark, which they of old time have set in thine inheritance, which thou shall inherit in the land that the Lord thy God giveth thee to possess it.

Deuteronomy 19:14

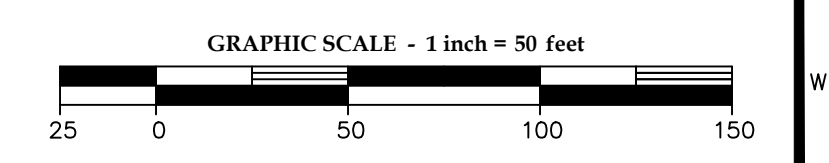


SITE DATA

PARCEL: 113 044
 EXISTING ZONING: C-HB (ZA 06-21)
 PROPOSED ZONING: C-IR
 TOTAL SITE AREA: 6.86 AC
 PROPOSED USE: WAREHOUSE/FLEX SPACE, ONE 24,750 SF BUILDING, ONE 40,000 SF BUILDING, WITH VEHICULAR PARKING AND TRUCK LOADING DOCKS IN THE REAR.

VARIANCES REQUESTED

- FRONT SETBACK REDUCTION FROM 60' TO 40' AS MEASURED FROM THE EXISTING R/W. (DAWSON COUNTY LAND USE RESOLUTION, ARTICLE IV, SECTION 400.A)
- REDUCTION IN PARKING SPACES FOR WAREHOUSE USE FROM 1 PER 500 SF TO 1 PER 2,000 SF (DAWSON COUNTY LAND USE RESOLUTION, ARTICLE VI, SECTION 607.1.A)
- REMOVE THE 50' EXTERIOR BUFFER ADJOINING RESIDENTIAL ZONED PROPERTY (DEVELOPMENT AND DESIGN GUIDELINES, GEORGIA 400 CORRIDOR, SECTION 5.2.1).



ENSITE
 CIVIL CONSULTING, LLC
 131 Prominence Court, Suite 230
 Dawsonville, GA 30534
 Mobile: 770-597-8813
 Contact: Corey Gutherie, PE, CFM
 Email: Corey.Gutherie@ensiteconsulting.com

OWNER/DEVELOPER:
MIKE HAMMERSMITH

 2005 MARIETTA RD.
 ATLANTA, GA 30318
 PHONE: (770) 338-0493

24-HOUR CONTACT:
MIKE HAMMERSMITH

PROJECT:
LUMPKIN CAMPGROUND WREHOUSES

 LOCATED IN:
 LAND LOTS 196 & 197
 13th DISTRICT, South SECTION
 DAWSON COUNTY, GEORGIA

SHEET TITLE:
CONCEPT PLAN



STAMP:
 FOR REVIEW ONLY

DRAWING DATE: 2021-06-10

SHEET REVISIONS

NO.	DESCRIPTION	DATE

SHEET:
1 of 1