DAWSON COUNTY VARIANCE APPLICATION

This portion to be completed by Zoning Administrator

VR 16-01 Tax Map & Parcel # (TMP): 114 029

Current Zoning: CIR Commission District #: _____

Submittal Date: 1/8/16 Time: 10:27 am/pm Received by: NM (staff initials)

Fees Assessed: $300.00 Paid: Ck # 1080

Planning Commission Meeting Date: 2-16-16

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Anderson, Tate & Carr, P.C. Contact: Marian Adeimy, Esq.

Address: One Sugarloaf Centre, Suite 4000, 1960 Satellite Boulevard

Duluth, GA 30097

Phone: Listed / Unlisted (770) 822-0900 Email: Business / Personal Madeimy@atclawfirm.com

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: SW Corner of Ga 400 & Dawson Industrial Dr

Tax Parcel: 114 029

Land Lot(s): 313 District: S. 1/2 13th Section: 1st

Subdivision/Lot: N/A Building Permit #: N/A (if applicable)

Directions to the Property: From 400 Northbound turn left on Dawson Industrial Dr. Property is at SW corner Ga 400 & Dawson Industrial Dr.

REQUESTED ACTION

A Variance is requested from the requirements of Article # IV Section # ~~400~~ 121-99.1 of the Land Use Resolution/Sign Ordinance/Subdivision Regulations/Other (circle one).

If other, please describe: I am requesting a variance of the C-IR zoning district & the Georgia 400 Corridor overlay. Specifically the 100' min. front s/b abutting Ga 400 & the 40' s/b abutting Dawson Industrial Dr.

Type of Variance requested:

[✓] Front Yard [ ] Side Yard [ ] Rear Yard variance of 100' to 75' on Ga 400 / 40' to 15' on Dawson Ind feet to allow the structure to:

[✓] be constructed; [ ] remain a distance of 15 feet feet from the: _____

[ ] property line, [✓] road right of way, or [ ] other (explain below):

_____

instead of the required distance of 40 feet 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: _____

_____

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: This remnant site is restricted by it's triangular shape yielding an abnormal amount of unusable property and restricting the actual buildable envelope of the site. The structure proposed for this site will not fit within the confines of the converging setbacks. The variance would allow the proposed structure to fit this site. A strict and literal enforcement of the ordinance prohibits this site from being able to support the proposed structure.

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: This remnant site is restricted by it's triangular shape yielding an abnormal amount of unusable property. Typically, road setbacks are utilized to retain land for future right-of-way expansion. Dawson Industrial Dr. is a local rd and the r/w is excessive and should never require additional right-of-way. Dawson Ind Dr. has more than sufficient right-of-way for any future road improvements.

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: The variance will have no impact on the public health, safety and welfare. The setback reductions are internal to the property and do not effect the surroundings. Setback reductions proposed are adjacent to the r/w so the distance between structures are of no concern. R/W widths on these roads are excessive anyway, so the distance to the road is adequate

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

The granting of this variance will enable the parking requirements to be met while simultaneously increasing the buildable area of this restricted site, allowing the proposed structure to be constructed.

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.)

VR# 16-01 TMP# 114 029

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 114 027	1.	Grant Randall, 672 Old Henry Grady Rd, Dawsonville, GA 30534
TMP 114 005	2.	Melbourne Tire Store Assoc, LLC, 440 Seaside Lane, Juno Beach, FL 33408
TMP 114 042	3.	Dawsonville DMR1, LLC, 1132 W Peachtree St, Atlanta, GA 30309
TMP 114 037	4.	Kermit & Linda Tanner, P.O. Box 234 Dawsonville, GA 30534
TMP 114 040 002	5.	Georgia 400 Assoc, LLC, 555 North Point Center E, 4th Floor, Alpharetta, GA 30022, Att Charles Goodloe
TMP 114 041 004	6.	O & A Investors, LLC 1075 Hunters Brook Court, Atlanta, GA 30319
TMP 114 041	7.	JMF Properties, c/o Janice Fortune, 20402 Bourdeaux Dr. Reno, NV 89511
TMP 114 006 001	8.	HD Development of Maryland, Inc, Home Depot P.O. Box 105842 Atlanta, GA 30348
TMP	9.	
TMP	10.	
TMP	11.	
TMP	12.	
TMP	13.	
TMP	14.	
TMP	15.	

Use additional sheets if necessary.

Printed: 1/8/2016 10:09:56
Register: 5 Clerk: ALH

Official Tax Receipt
Linda Townley
DAWSON COUNTY Tax Commissioner

25 Justice Way Suite 1222
Dawsonville, GA 30534

Phone: (706) 344-3520
Fax: (706) 531-2753

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
13306 **Year-Bill No** 2015 - 2153	114 029 / 001 LL 313 LD 13-S TRACT 7 DAWSON CO INDUS PK **FMV:** $684,480.00	6,758.28	101.71 **Fees** 0.00	3,412.93	3,447.06	3,447.06 **Paid Date** **1/8/2016 09:41:06**	0.00 **Current Due** **0.00**
Transactions:	13306 - 13306 **Totals**	6,758.28	101.71	3,412.93	3,447.06	3,447.06	0.00

Paid By :
BILLY OR KAYE HUGHES JR

CAMPBELL SANDRA & BILLY G HUGHES
C/O JUDD HUGHES
33 PARKSIDE CIR
DAWSONVILLE, GA 30534

		Cash Amt:	0.00
		Check Amt:	3,447.06
		Charge Amt:	0.00
		Change Amt:	0.00
Check No	6123	Refund Amt:	0.00
Charge Acct		Overpay Amt:	0.00

PROPERTY OWNER AUTHORIZATION

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

Parcel 114 029

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: Royal Capital, by attorney Marian Ademiy

Signature of applicant or agent: [signature] Date: 1/7/16

Printed Name of Owner(s): Karen G Hughes

Signature of Owner(s): [signature] Date 1/07/16

Sworn and subscribed before me
this 7th day of January, 2016.

[signature]
Notary Public

My Commission Expires

PAMELA R. MORROW NOTARY PUBLIC HALL COUNTY, GEORGIA My Comm. Exp. June 8, 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.)

PROPERTY OWNER AUTHORIZATION

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

Parcel 114 029

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: Royal Capital, by Attorney Marian Ademy

Signature of applicant or agent: _____ Date: 1/7/16

Printed Name of Owner(s): Sandra Campbell

Signature of Owner(s): Sandra Campbell Date 1-7-16

Sworn and subscribed before me
this 7th day of January, 2016.

Pamela R. Morrow
Notary Public

My Commission Expires: PAMELA R. MORROW NOTARY My Comm. Exp. June 8, 2019 HALL COUNTY, GEORGIA PUBLIC

(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.)

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: 1/7/16

Signature of Witness: _____ Date: 1-7-16

PAMELA R. MORROW NOTARY PUBLIC HALL COUNTY, GEORGIA My Comm. Exp. June 8, 2019

****

WITHDRAWAL

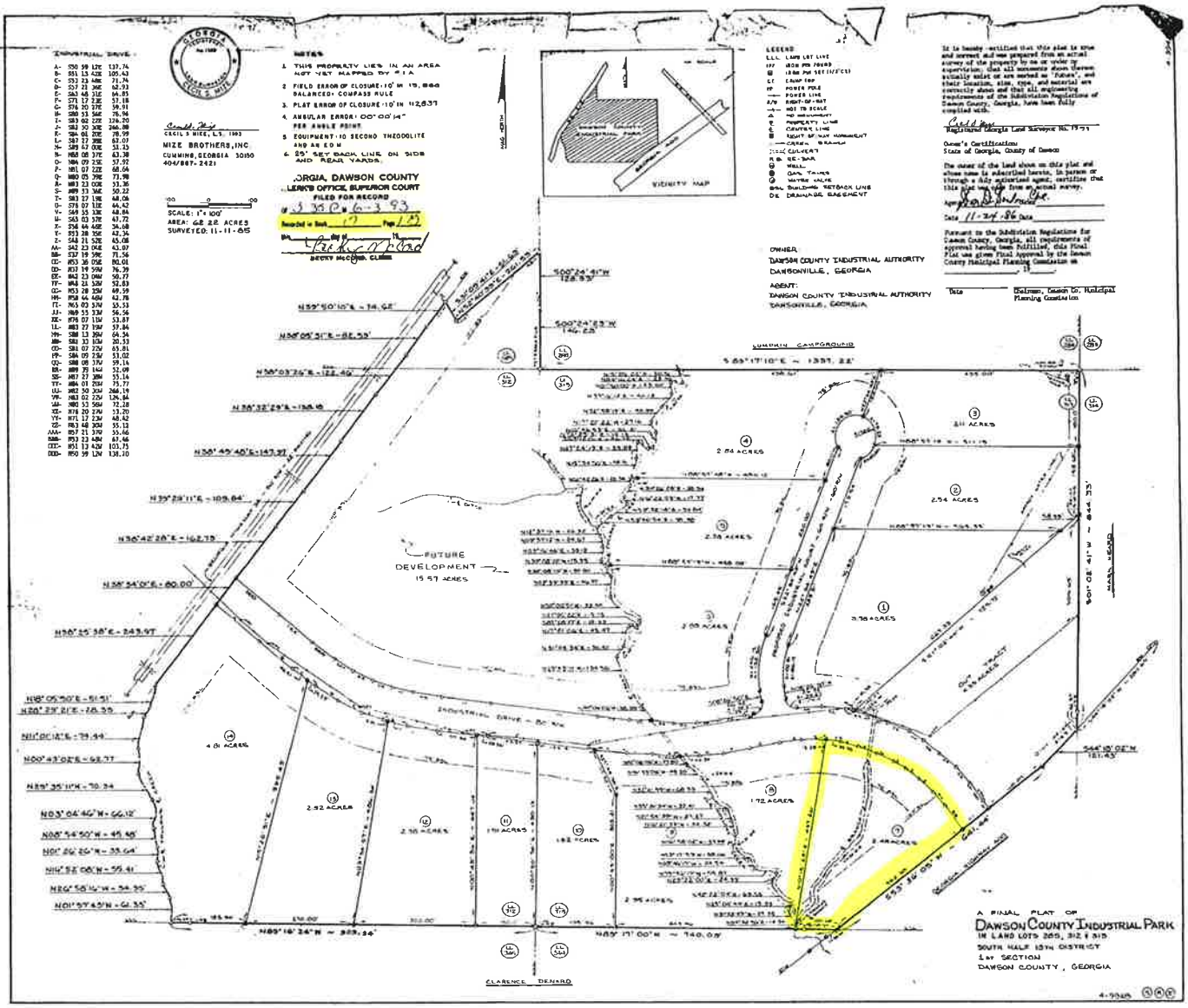
Notice: This section only to be completed if application is being withdrawn.

I hereby withdraw application #: _____

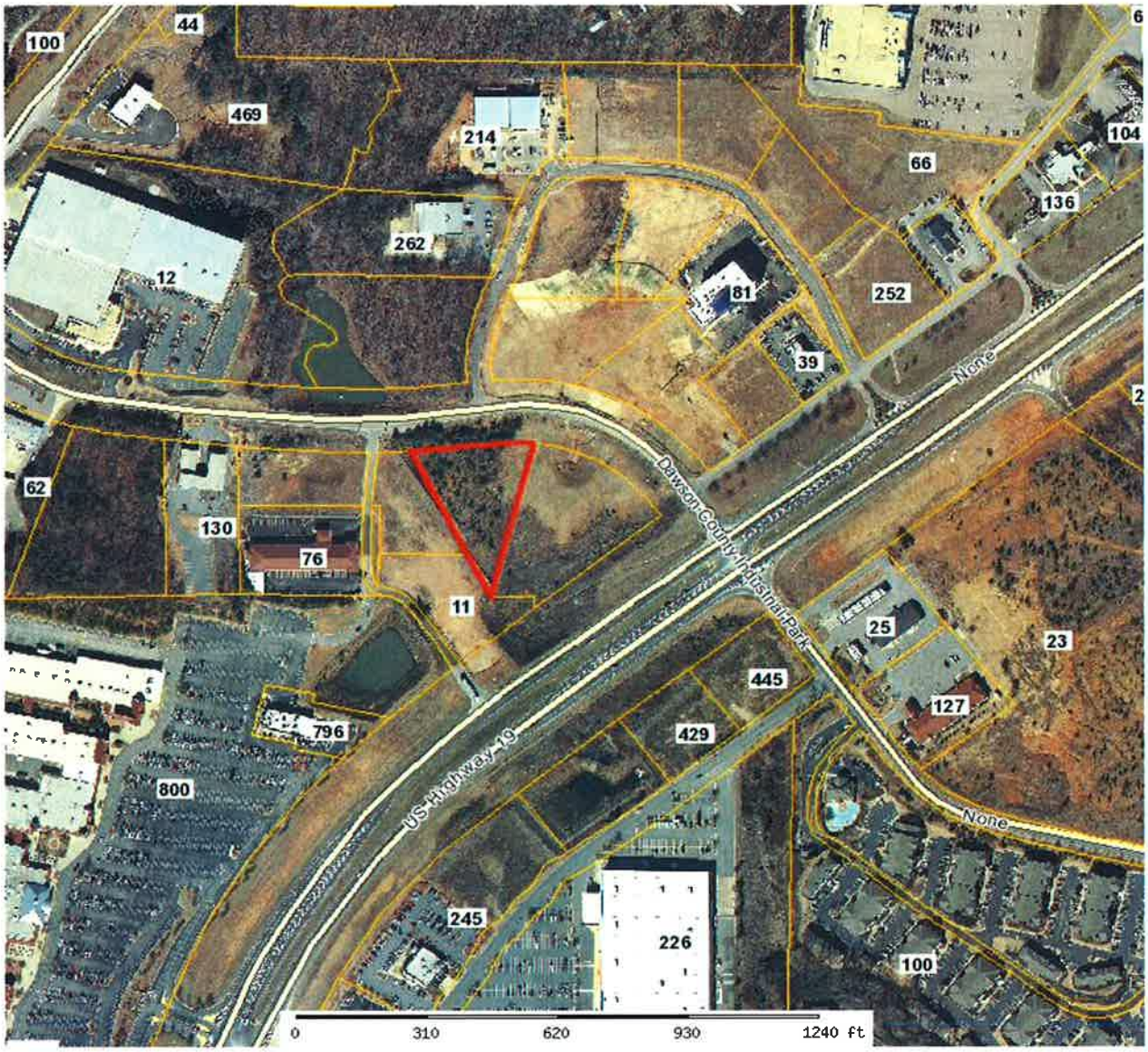
Signature: _____ Date: _____

Withdrawal of Application:

Withdrawals of any application may be accommodated within the Planning & Development office if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following that written request and publication the Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Commission. Further the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fee may be made unless directed by the Board of Commissioners.



ORIGINAL PLAT MISSING - THIS IS REPLACEMENT



Dawson County Assessor			
Parcel: 114 027 Acres: 1.72			
Name:	GRANT RANDALL	Land Value	$356,040.00
Site:	0	Building Value	$0.00
Sale:	$20,000 on 08-1987 Reason=FM Qual=Q	Misc Value	$0.00
Mail:	672 OLD HENRY GRADY ROAD DAWSONVILLE, GA 30534	Total Value:	$356,040.00

The Dawson County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER DAWSON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—

Date printed: 01/15/16 : 15:55:43

Dawson County Assessor			
Parcel: 114 005 Acres: 1.23			
Name:	0 MELBOURNE TIRE STORE ASSOCIATES	Land Value	$113,160.00
Site:	11 DOUGHNUT DR	Building Value	$314,693.00
Sale:	$1,360,000 on 06-2014 Reason=CS Qual=Q	Misc Value	$24,700.00
Mail:	440 SEASIDE LANE JUNO BEACH, FL 33408	Total Value:	$452,553.00

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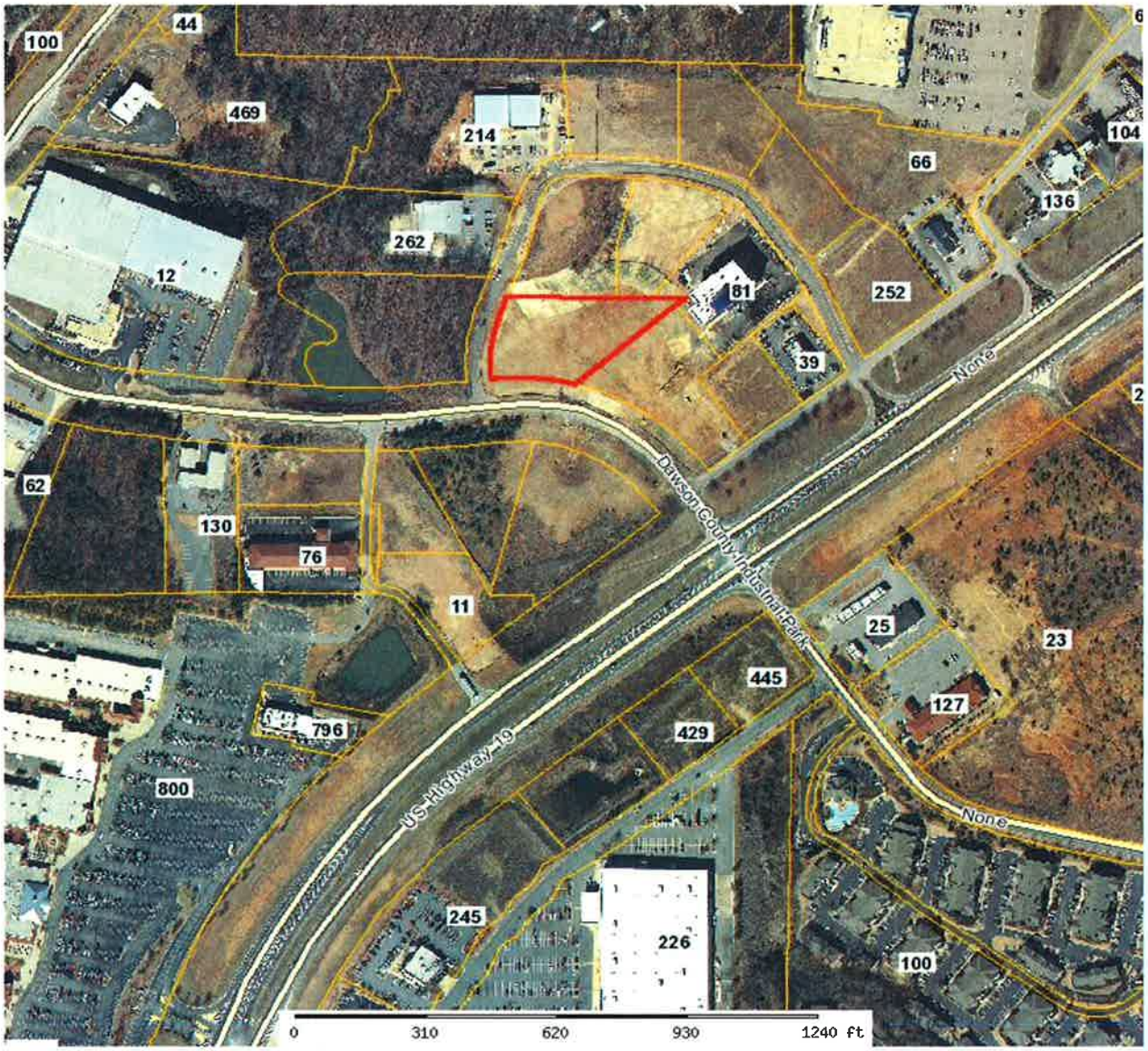
Date printed: 01/15/16 : 15:56:01



Dawson County Assessor			
Parcel: 114 037 Acres: 1.53			
Name:	TANNER KERMIT & LINDA	Land Value	$316,710.00
Site:	0	Building Value	$0.00
Sale:		Misc Value	$0.00
Mail:	P O BOX 234 DAWSONVILLE, GA 30534	Total Value:	$316,710.00

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Date printed: 01/15/16 : 15:56:19

Dawson County Assessor			
Parcel: 114 040 002 Acres: 2.24			
Name:	GEORGIA 400 ASSOCIATES	Land Value	$824,320.00
Site:	0	Building Value	$0.00
Sale:		Misc Value	$0.00
Mail:	555 NORTH POINT CENTER E 4th FLOOR ATTN: CHARLES GOODLOE ALPHARETTA, GA 30022	Total Value:	$824,320.00

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Date printed: 01/15/16 : 15:56:37

Dawson County Assessor			
Parcel: 114 041 004 Acres: 0.91			
Name:	O&A INVESTORS LLC	Land Value	$685,667.00
Site:	445 POWER CENTER DR	Building Value	$486,552.00
Sale:	$780,000 on 06-2010 Reason=LM Qual=Q	Misc Value	$23,171.00
Mail:	1075 HUNTERS BROOK CT ATLANTA, GA 30319	Total Value:	$1,195,390.00

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Date printed: 01/15/16 : 15:56:59

Dawson County Assessor			
Parcel: 114 041 Acres: 0.92			
Name:	JMF PROPERTIES LLC	Land Value	$660,192.00
Site:	429 POWER CENTER DR	Building Value	$352,037.00
Sale:	$1,490,000 on 03-2014 Reason=CS Qual=Q	Misc Value	$34,990.00
Mail:	C/O JANICE FORTUNE 20402 BORDEAUX DR RENO, NV 89511	Total Value:	$1,047,219.00

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Date printed: 01/15/16 : 15:57:15

Dawson County Assessor			
Parcel: 114 006 001 Acres: 17.01			
Name:	HD DEVELOPMENT OF MARYLAND INC	Land Value	$2,942,050.00
Site:	226 POWER CENTER DR	Building Value	$2,670,799.00
Sale:	$1,556,250 on 01-2001 Reason=PT Qual=Q	Misc Value	$355,107.00
Mail:	C/O HOME DEPOT USA INC	Total Value:	$5,967,956.00
	PROPERTY TAX DEPT # 174		
	P O BOX 105842		
	ATLANTA, GA 303485842		

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Date printed: 01/15/16 : 15:57:33

LINE	BEARING	DISTANCE
L1	N 05°17'13"E	14.65'
L2	S 83°27'15"E	35.78'
L3	S 76°07'17"E	44.42'
L4	S 69°55'39"E	48.84'
L5	S 65°04'03"E	47.72'
L6	S 58°44'52"E	34.68'
L7	S 53°28'41"E	42.34'
L8	S 48°21'58"E	45.08'
L9	S 42°23'10"E	43.07'
L10	S 37°20'08"E	71.57'

INDUSTRIAL PARK DRIVE

80' R/W ASPHALT SURFACE

1/2" CTP FOUND

1/2" REBAR FOUND

(TIE) S 32°31'30" W 86.28'

STONE SIGN PEDESTAL

40' SETBACK FROM DAWSON COUNTY INDUSTRIAL PARK DRIVE

20' STORM DRAIN DRAINAGE EASEMENT

280' X 80' BUILDING 22,400 SF

100' SETBACK FROM GA 400

15' EASEMENT FOR ETOWAH-WATER AND SEWER

20' STORM DRAIN DRAINAGE EASEMENT

S 53°38'25" W 392.59'

75.0

N 10°15'16" E 437.29'

NO REQUIRED REAR SETBACK

LOT 8
N/F
RANDALL GRANT
DB 102, PG 258
PB 17, PG 175

RETAINING WALL

20' DRAINAGE EASEMENT

TOP OF BANK

1/2" REBAR SET W/ CAP

1/2" REBAR FOUND

N 89°14'31"W 100.69'

1/2" ROD SET W/CAP

APPROXIMATE LLL

GA HWY. 400

Grid North (GA West Zone)

GRAPHIC SCALE - 1 inch = 50 feet

150 100 50 0 25

JIM KING CONSULTING & DEVELOPMENT ADVISERS
131 PROMINENCE COURT, SUITE 230
DAWSONVILLE, GA 30534
t. 678-316-3572 f. 678-546-1676

PROJECT:
HUGHES
2.48 AC TRACT

LOCATED IN:
LAND LOT 313, SOUTH HALF 13TH DISTRICT
DAWSON COUNTY, GEORGIA
PARCEL 114-029

SHEET TITLE:
SITE PLAN

DWG DATE: 2016-01-07

NO.	DESCRIPTION	DATE
1	SUBMIT TO DAWSON COUNTY	01/08/16

SHEET:
1-VAR