

# DAWSON COUNTY VARIANCE APPLICATION

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

VR 116-12 Tax Map & Parcel # (TMP): L13-087  
 Current Zoning: CHB Commission District #: \_\_\_\_\_  
 Submittal Date: 5-13-16 Time: 8:30  am  pm Received by: CC (staff initials)  
 Fees Assessed: 300.00 Paid: CK# 1071  
 Planning Commission Meeting Date: 6-21-16

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Rhonda Goodwin  
 Address: 268 Elliott Rd  
Dawsonville, GA 30534  
 Phone:  Listed 706-216-4089 Email:  Business  Personal  
 Unlisted  
 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: 268 Elliott Rd  
 Land Lot(s): 316 + 317 District: 5 1/2 13th Section: 1st  
 Subdivision/Lot: \_\_\_\_\_ Building Permit #: \_\_\_\_\_ (if applicable)  
 Directions to the Property: Hwy 53 across GA 400 from Dawsonville.  
Turn left on first road, Elliott Rd, at Bank of  
Ozarks, 2nd boat storage facility on right.

**REQUESTED ACTION**

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

If other, please describe: \_\_\_\_\_

Type of Variance requested:

Front Yard  Side Yard  Rear Yard variance of 20' feet to allow the structure to:

be constructed;  remain a distance of 20' 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): \_\_\_\_\_

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:

- Describe why a strict and literal enforcement of the standards would result in a practical difficulty or unnecessary hardship: The property was re-zoned to commercial back in 1999 for the purpose of converting existing chicken houses (built in early 70's) into a boat storage facility. I was a single mom trying to make ends meet and keeping current on the mortgage for the 16 acres. Under the current standards, the use of the structure closest to the road would be eliminated along with one-third of my business. The alternative option would be to leave the structure as is, <sup>also</sup> causing practical difficulty & hardship for not only me but all adjacent property owners and neighbors.

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: My sole purpose of the variance request is to improve the quality of the neighborhood and community by repairing the building(s) to meet or exceed the surrounding standards of <sup>other</sup> properties in the area. Since the buildings are such ill-repair, the variance would allow a tremendous

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: Not granting the variance would be detrimental. The building most affected by the variance has been in place for over 40 years and its location on the property has yet to pose any detriment. When the property was re-zoned in 1999, there were a few neighbors that expressed concerns. Several of them are now customers and I believe all of them would be 100% in favor of making improvements.

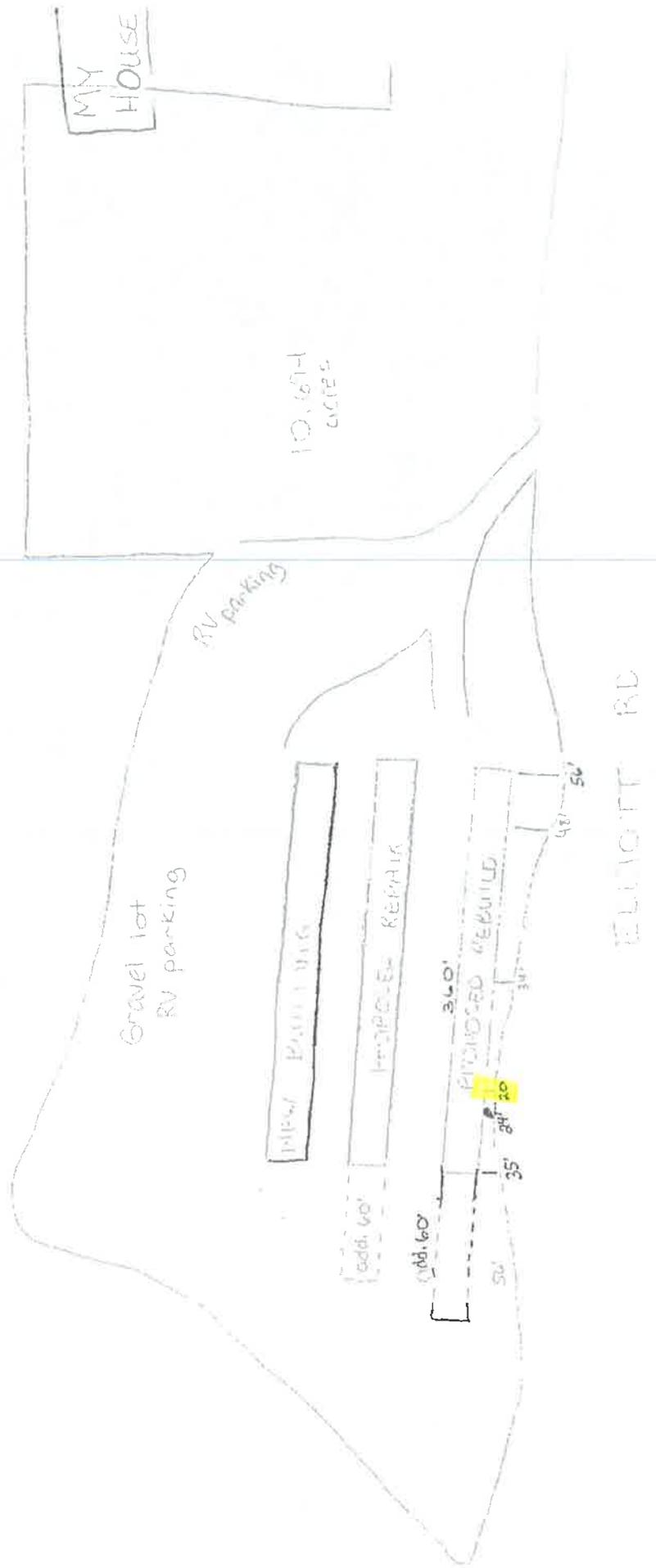
4. Describe why granting this variance would support the general objectives within this Resolution: The variance would simply allow a structure that does not meet code requirements be remodeled to one that does meet code requirements. The Resolution protects & controls building standards for "everyones" best interest - this variance would definitely support that objective.

**Submit clear explanation of all four questions above. You may add sheets if necessary.**

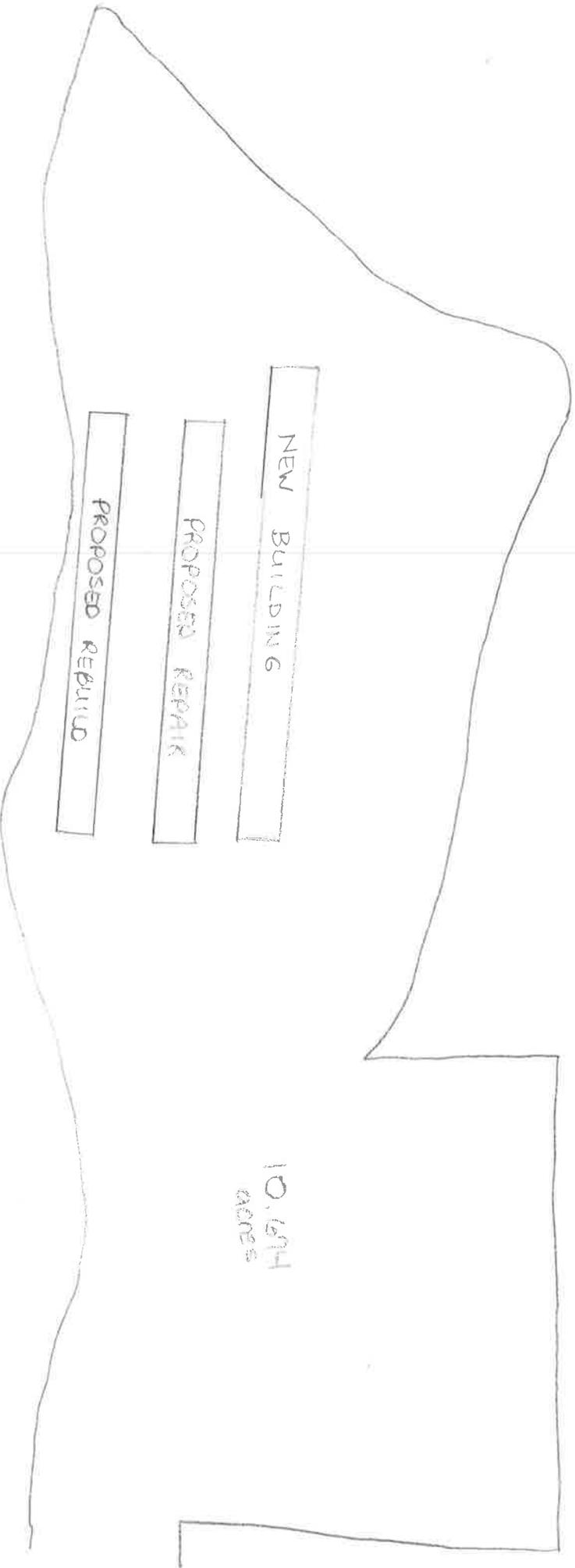
(Variances should not be granted if the need arises as a result of action by the applicant or previous owner.)

→ 2. increase in aesthetics and curb appeal as well as meet safer standards as set forth in county code requirements. The end result will be more positive exposure and interest in our wonderful community to a large and varied group of affluent people. The business is located on the same property as my residence of 27 years and I have a genuine desire to improve the neighborhood. My customers are both locals who live in subdivisions not allowing boats & RV's to be parked and visitors that prefer not to trailer their boats and RV's from their distant homes. All of these represent benefits to the county and other local businesses.

SITE PLAN



SITE PLAN



ELLIOTT RD

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. Stanley Denard, 150 Elliott Rd, Dawsonville
- TMP \_\_\_\_\_ 2. Clarence Denard, 611 Elliott Rd, Dawsonville
- TMP \_\_\_\_\_ 3. Orin Sampson, Elliott Rd, Dawsonville
- 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.

**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: Rhonda Daudu Date: 5/13/16

Signature of Witness: William McCall Date: 5-13-16

\*\*\*\*\*

**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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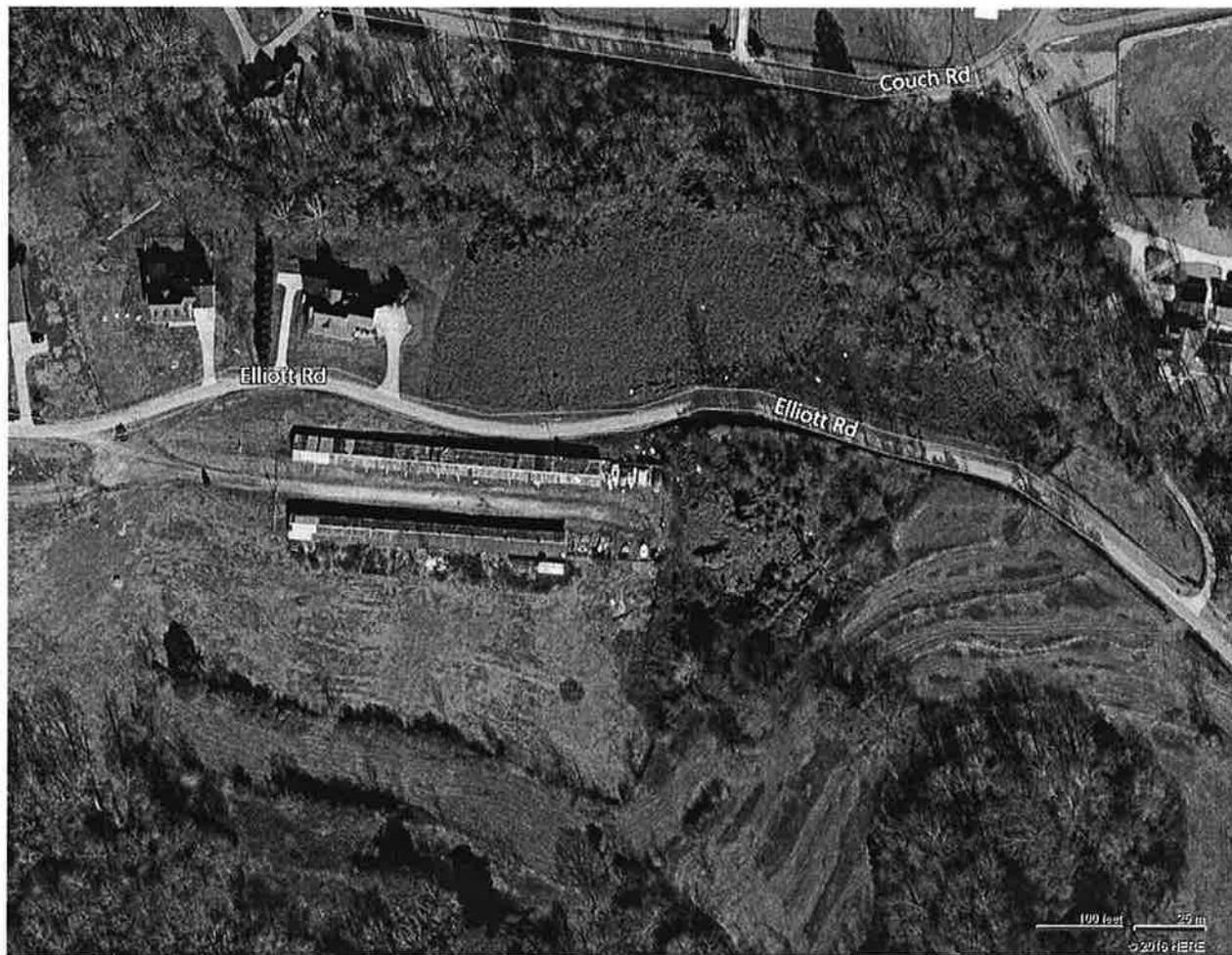
Notes

Type your notes here



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STATE OF GEORGIA, County of Dawson

This INDENTURE, Made this 28th day of April In the Year of Our Lord One Thousand Nine Hundred and Eighty nine between Clarence B. Denard and Jean Elliott Denard of the State of Georgia and County of Dawson of the first part, and Danny Pugh and Rhonda Pugh of the State of Georgia and County of Dawson of the second part,

WITNESSETH: That the said part \_\_\_\_\_ of the first part, for and in consideration of the sum of Ten (\$10.00) and other valuable consideration \_\_\_\_\_ Dollars, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha. va. granted, bargained, sold and conveyed, and by these presents do \_\_\_\_\_ grant, bargain, sell and convey unto the said part \_\_\_\_\_ of the second part, their heirs and assigns, all that tract or parcel of land lying and being in Land Lots 316 and 317 of the South half of the 13th District, 1st. Section of Dawson County, Georgia, located on the southerly side of Elliott Road, containing 10.674 acres according to a plat of survey prepared for Clarence B. Denard and Laura J. Denard by Youngman Associates, registered surveyors, dated May 31, 1988, recorded in Plat Book 24, page 121, Dawson County, Georgia Plat Records. Reference to said plat and the record thereof is hereby made for a more complete description of said property.

This being a part of the property conveyed in Deed Book 40, page 8, Dawson County, Georgia Deed Record

PAID \$ 74.50  
DATE 5-4-89  
CURTIS CHAPPELL CLERK  
SUPERIOR COURT

GEORGIA, DAWSON COUNTY  
CLERK'S OFFICE, SUPERIOR COURT  
FILED FOR RECORD  
of 1:45 P.M. 5-4-89  
Recorded in Book 117 Page 693  
this 4th day of May 1989  
CURTIS CHAPPELL CLERK

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said part \_\_\_\_\_ of the second part, their heirs and assigns, forever, in Fee Simple.

AND THE SAID part \_\_\_\_\_ of the first part, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said part \_\_\_\_\_ of the second part, their heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said part \_\_\_\_\_ of the first part ha. va. hereunto set their hand and seal \_\_\_\_\_, the day and year above written.

Signed, sealed and delivered in presence of:  
[Signature]  
[Signature]  
PUPP  
MY COMMISSION EXPIRES MAR 18, 1992

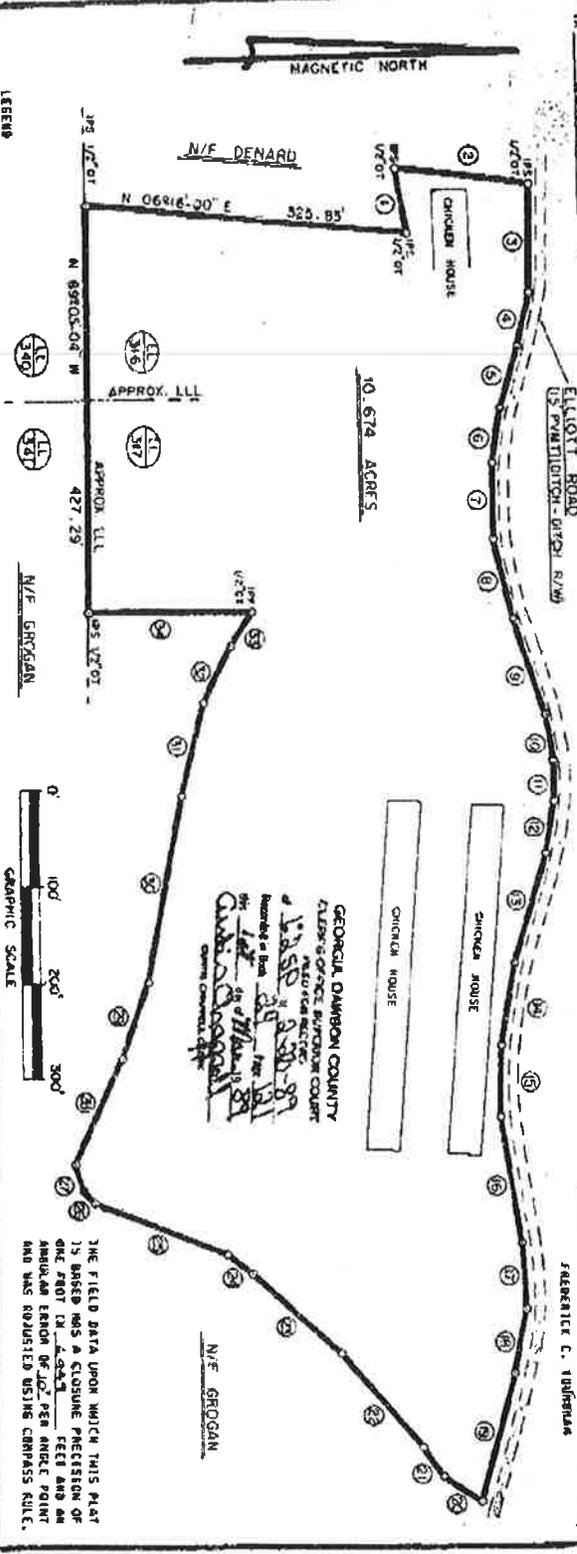
Clarence B. Denard (Seal)  
Clarence B. Denard  
Jean Elliott Denard (Seal)  
Jean Elliott Denard  
Katherine Hallock (Seal)

THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 45,120 FT.

THIS PROPERTY (APPROXIMATELY 15 ACRES) LOCATED WITHIN THE 100 YEAR FLOOD AREA PER OFFICIAL "FIA FLOOD HAZARD MAPS" IS 0.674 ACRES.

EQUIPMENT USED FOR MEASUREMENT TOPCON 515-2

IT IS OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.  
 Frederick C. Vidlermas



LEGEND

- 1. IRON PILE FOUND
- 2. IRON PIPE SET
- 3. LEAD TOP
- 4. OPEN TOP
- 5. RIGHT OF WAY
- 6. CENTER LINE
- 7. PROPERTY LINE
- 8. LAND LIFT LINE
- 9. PIER PILE
- 10. PIER SPUR
- 11. LAND TO BE ACQUIRED
- 12. N.T.S.
- 13. R.C.P.
- 14. G.C.P.
- 15. CONCRETE METAL PIPE
- 16. POWER LINE
- 17. WATER LINE
- 18. G.S. LINE
- 19. FENCE

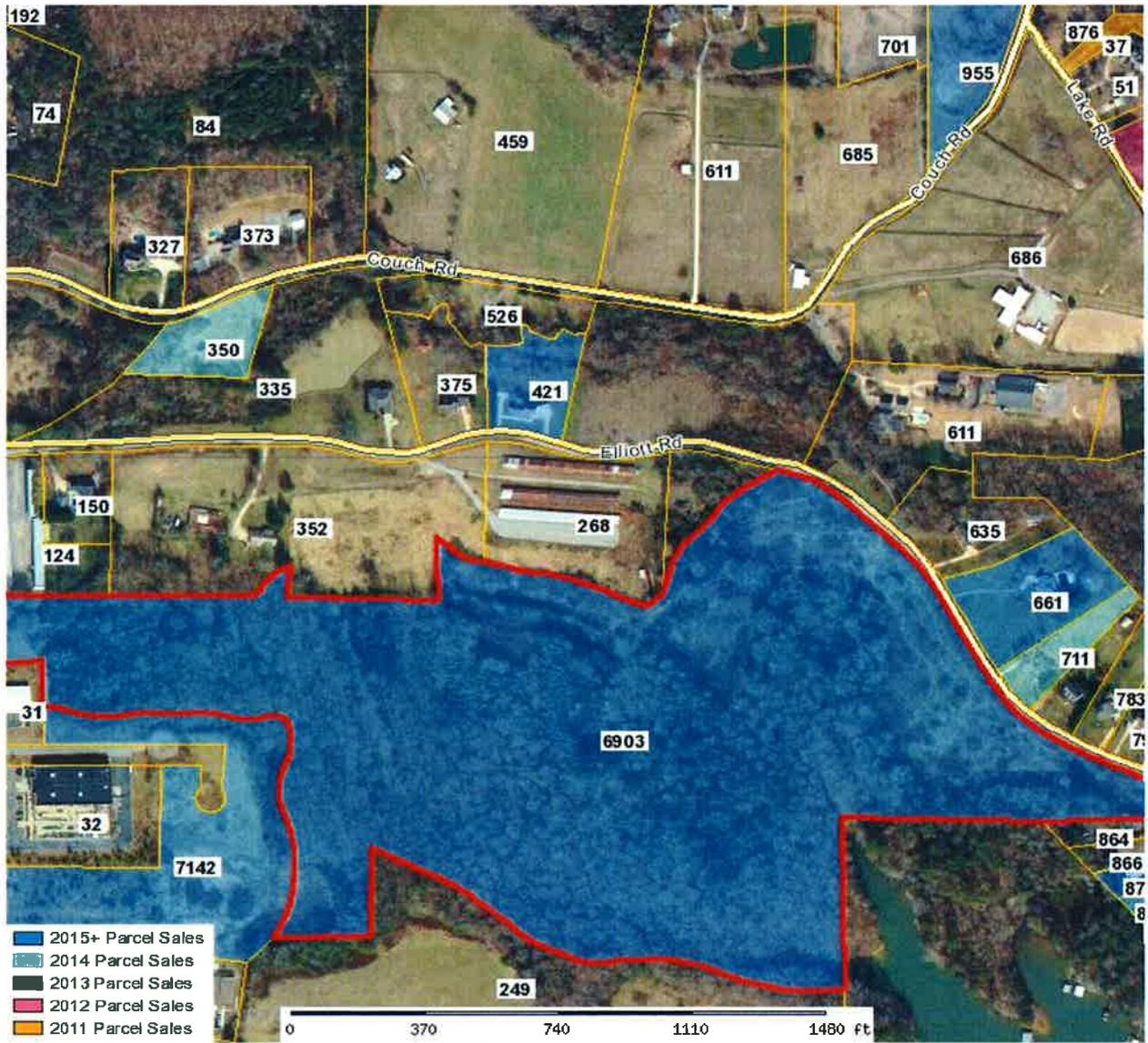
1	B	81	33	55	M	45.54	19	S	79	16	41	E	134.74	
2	N	07	26	40	E	139.32	20	S	33	44	05	M	44.90	
3	B	82	54	32	E	132.43	21	S	54	43	00	M	38.00	
4	S	8	77	48	S2	26.14	22	S	48	28	00	M	124.54	
5	S	5	73	12	S0	46.43	23	S	43	03	00	M	121.54	
6	S	8	80	18	S9	58.40	24	S	37	33	00	M	32.50	
7	N	6	89	12	S9	58.40	25	S	21	25	00	M	144.04	
8	N	7	32	49	E	81.92	26	S	48	05	00	M	36.80	
9	N	7	1	23	13	E	103.07	27	S	76	33	00	M	117.80
10	N	6	88	24	41	E	37.65	28	N	45	41	00	M	83.60
11	N	8	82	20	45	E	57.81	29	N	79	36	00	M	196.00
12	S	5	73	04	25	E	117.71	30	N	74	06	00	M	106.00
13	S	5	80	29	33	E	84.13	31	N	63	22	00	M	62.00
14	S	8	89	59	57	E	73.74	32	N	57	51	00	M	39.90
15	N	8	80	11	09	E	130.20	33	S	00	00	15	M	145.34
16	N	8	80	20	38	E	70.14	34	S	00	00	15	M	145.34

**GEORGIA SURVEYORS ASSOCIATES**  
 PROFESSIONAL LAND SURVEYORS/ENGINEERS  
 P.O. Box 504, Dawsonville, GA 30518  
 (404) 265-4555

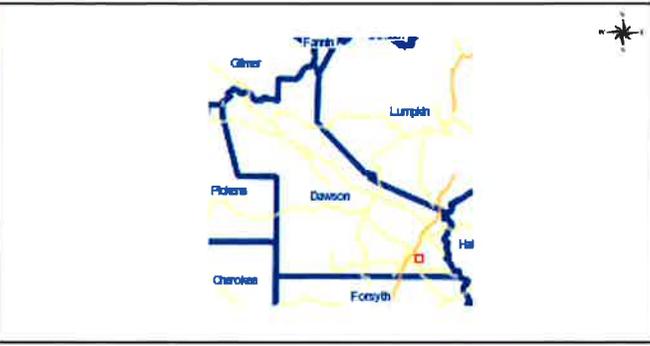
**CLARENCE B. DENARD AND LAURA J. DENARD**  
 LAND LOT: 316 & 317  
 DISTRICT: 5 1/2 13TH SECTION: 1ST  
 COUNTY: DAWSON STATE: GEORGIA  
 SCALE: 1"=100' DATE: 5/3/88

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS A CLOSURE PRECISION OF ONE FOOT IN 45,120 FEET AND AN ANGULAR ERROR OF 10" PER ANGLE POINT AND WAS REDUCED USING CONGRASS RULE.

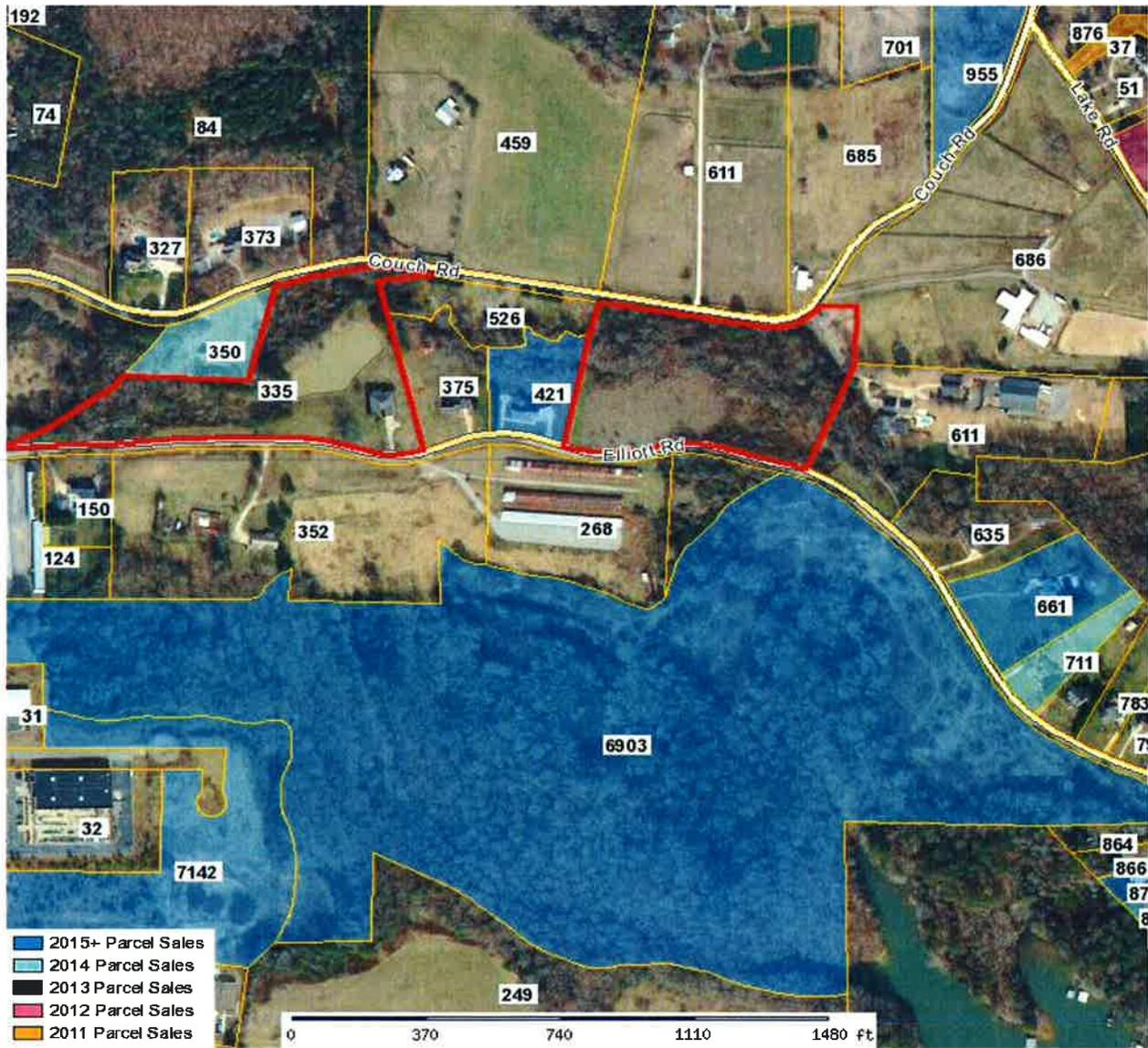




Dawson County Assessor			
Parcel: L13 081 Acres: 48.37			
Name:	CF SOUTHEAST REO LLC	Land Value	\$605,979.00
Site:	6903 HWY 53 E	Building Value	\$0.00
Sale:	\$3,900,000 on 03-2016 Reason=MV Qual=Q	Misc Value	\$2,500.00
Mail:	412 E PARKCENTER BLVD STE 300 BOISE, ID 83706	Total Value:	\$608,479.00



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: 05/23/16 : 12:53:14



Dawson County Assessor			
Parcel: L13 084 001 Acres: 13.41			
Name:	DENARD LAURA J	Land Value	\$160,130.00
Site:	335 ELLIOTT RD	Building Value	\$337,440.00
Sale:		Misc Value	\$8,528.00
Mail:	335 ELLIOTT ROAD	Total Value:	\$506,098.00
	DAWSONVILLE, GA 30534		



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Date printed: 05/23/16 : 12:53:30



Dawson County Assessor			
Parcel: L13 093 Acres: 1.55			
Name:	QUARLES NATHAN Y & VALERIE J	Land Value	\$36,202.00
Site:	421 ELLIOTT RD	Building Value	\$180,059.00
Sale:	\$233,000 on 04-2015 Reason=FM Qual=Q	Misc Value	\$6,209.00
Mail:	421 ELLIOT RD DAWSONVILLE, GA 30534	Total Value:	\$222,470.00



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Date printed: 05/23/16 : 12:53:44



Dawson County Assessor			
Parcel: L13 093 002 Acres: 1.9			
Name:	SAMPSON ORIN L & PATRICIA	Land Value	\$43,174.00
Site:	375 ELLIOTT RD	Building Value	\$188,295.00
Sale:	\$135,000 on 09-2010 Reason=BS Qual=Q	Misc Value	\$3,788.00
Mail:	375 ELLIOTT RD DAWSONVILLE, GA 30534	Total Value:	\$235,257.00



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Date printed: 05/23/16 : 12:54:05