DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 16-03 | VR16-14 Tax Map & Parcel # (TMP): 106-055-001

Submittal Date: 6/9/16 Time: 9:38 am/pm Received by: RB (staff initials)

Fees Assessed: $350.00 Paid: $350.00 Commission District: _____

Planning Commission Meeting Date: JULY 19, 2016

Board of Commissioners Meeting Date: AUGUST 18, 2016

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: KAPAKA PROPERTIES, LLC

Address: 33 PARKSIDE CIRCLE, DAWSONVILLE, GA 30534

Phone: [ ] Listed [✓] Unlisted Email: [ ] Business [✓] Personal .com

Status: [O] Owner [O] Authorized Agent [O] 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: 6-7-16 Applicant Signature: Billy Raff II.

PROPERTY OWNER/PROPERTY INFORMATION

Name: REO FUNDING SOLUTIONS II, LLC

Street Address of Property being rezoned: N/A

Rezoning from: C-PCD to: RMF Total acreage being rezoned: 4.869

Directions to Property: FROM GA 400 & DAWSON FOREST RD. - HEAD WEST ON DAWSON FOREST ROAD FOR 1.1 MILES. RILEY PLACE DR. IS ON the right - THE entrance to our proposed development is the next Right - OUR entrance has brick signs that state "Riley Place" AS well.

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

Current Use of Property: PROPERTY IS VACANT

Any prior rezoning requests for property? YES if yes, please provide rezoning case #: ZA 99-37

*****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? NO (yes/no)

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North C-PCD South VCR East VCR West C-PCD

Future Land Use Map Designation: PLANNED RESIDENTIAL COMMUNITY

Access to the development will be provided from:

Road Name: DAWSON FOREST ROAD Type of Surface: PAVED

REQUESTED ACTION & DETAILS OF PROPOSED USE

[✓] Rezoning to: RMF [ ] Special Use Permit for: _____

Proposed Use:
TOWNHOUSES

Existing Utilities: [✓] Water [✓] Sewer [✓] Gas [✓] Electric

Proposed Utilities: [ ] Water [ ] Sewer [ ] Gas [ ] Electric

RESIDENTIAL

No. of Lots: 35 Minimum Lot Size: 0.04 ACRES (acres) No. of Units: 35

Minimum Heated Floor Area: 1350 sq. ft. Density/Acre: 8 UNITS / ACRE

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

Is an Amenity Area proposed: NO; if yes, what? _____

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

PROPERTY OWNER AUTHORIZATION

I/we, REO FUNDING SOLUTIONS II, LLC, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

106 055 001

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

I hereby authorize the person named below to act as the applicant or agent in pursuit of the 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: Billy G Hughes

Signature of applicant or agent: Billy G Hughes III. Date: 05/31/2016

****

Printed Name of Owner(s): REO FUNDING SOLUTIONS, II, LLC

Signature of Owner(s): Judd Gilats ~~Vice President~~ Date: 03 JUN 2016

Mailing address: 1170 Peachtree St NE, Suite 1150

City, State, Zip: Atlanta, Ga 30309

Telephone Number: Listed / Unlisted 404-477-6800

Sworn and subscribed before me this 3RD day of JUNE, 2016.

Bonnie Lynn Wold

Notary Public

My Commission Expires: 1.31.2020

BONNIE LYNN WOLD
Notary Public
State of Minnesota
My Commission Expires
January 31, 2020

{Notary 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.)

ZA _____ **TMP#:** _____

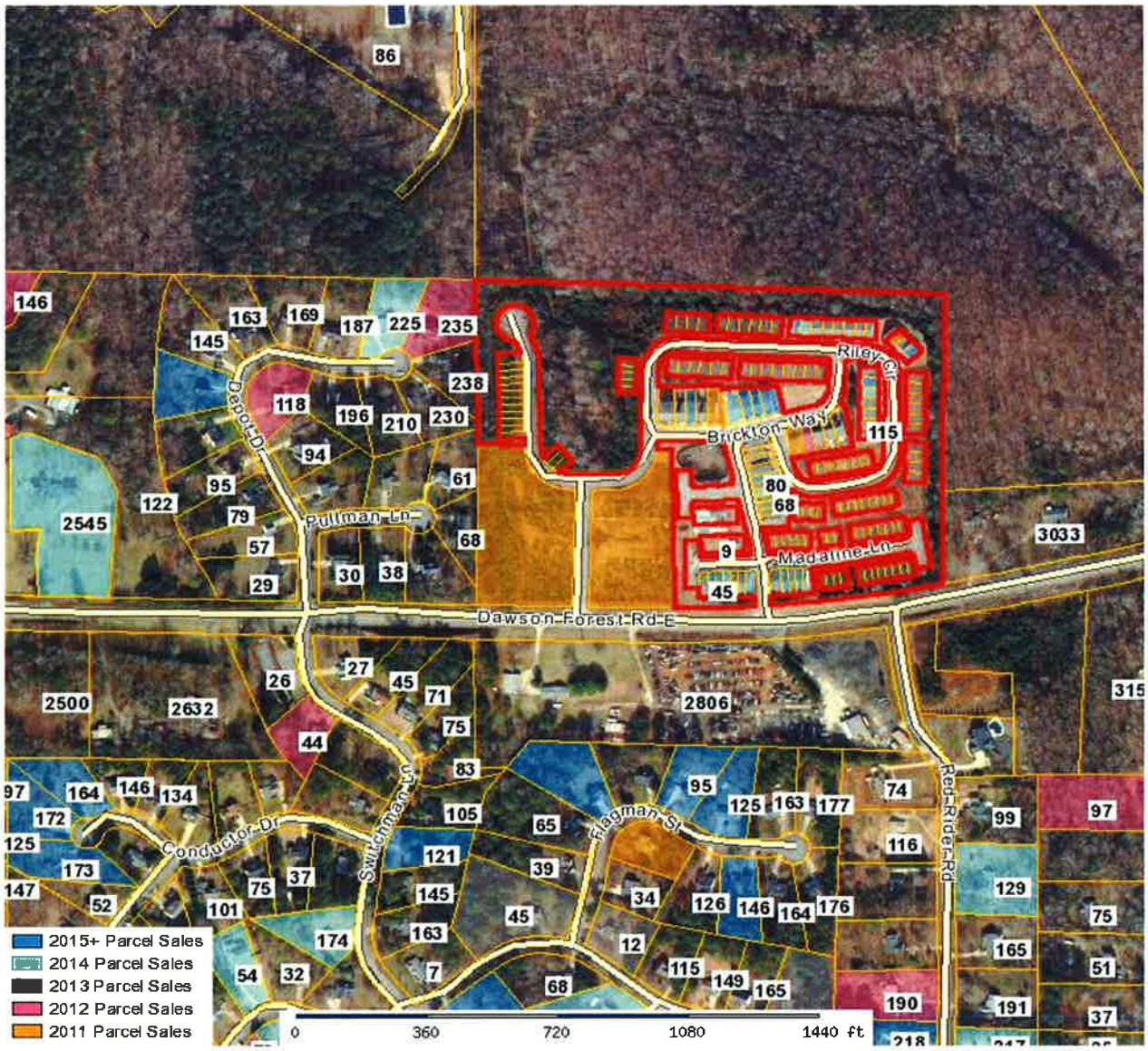
List of Adjacent Property Owners

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.**

	Name	Address
TMP 106 055 002	1. ALA RILEY PLACE, LLC	860 Johnson Ferry Rd., Ste 140-123, Atlanta, GA 30342
TMP 106 350	2. ROBIN L. TURNER	P.O. BOX 1116, DAWSONVILLE, GA 30534
TMP 106 351	3. Richard D. & Eugenia A. THURMOND	68 Pullman LANE, DAWSONVILLE, GA 30534
TMP 106 352	4. THOMAS & Vicki G. Smith	61 Pullman Lane, DAWSONVILLE, GA 30534
TMP 106 055	5. BILLY & MILDRED CRANE	2806 Dawson Forest Rd. E., Dawsonville, GA 30534
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.



Dawson County Assessor			
Parcel: 106 055 002 Acres: 4.84			
Name:	ALA RILEY PLACE LLC	Land Value	$69,400.00
Site:	0	Building Value	$0.00
Sale:	$1,230,000 on 03-2002 Reason=LM Qual=Q	Misc Value	$0.00
Mail:	860 JOHNSON FERRY RD STE 140-123 ATLANTA, GA 30342	Total Value:	$69,400.00

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---

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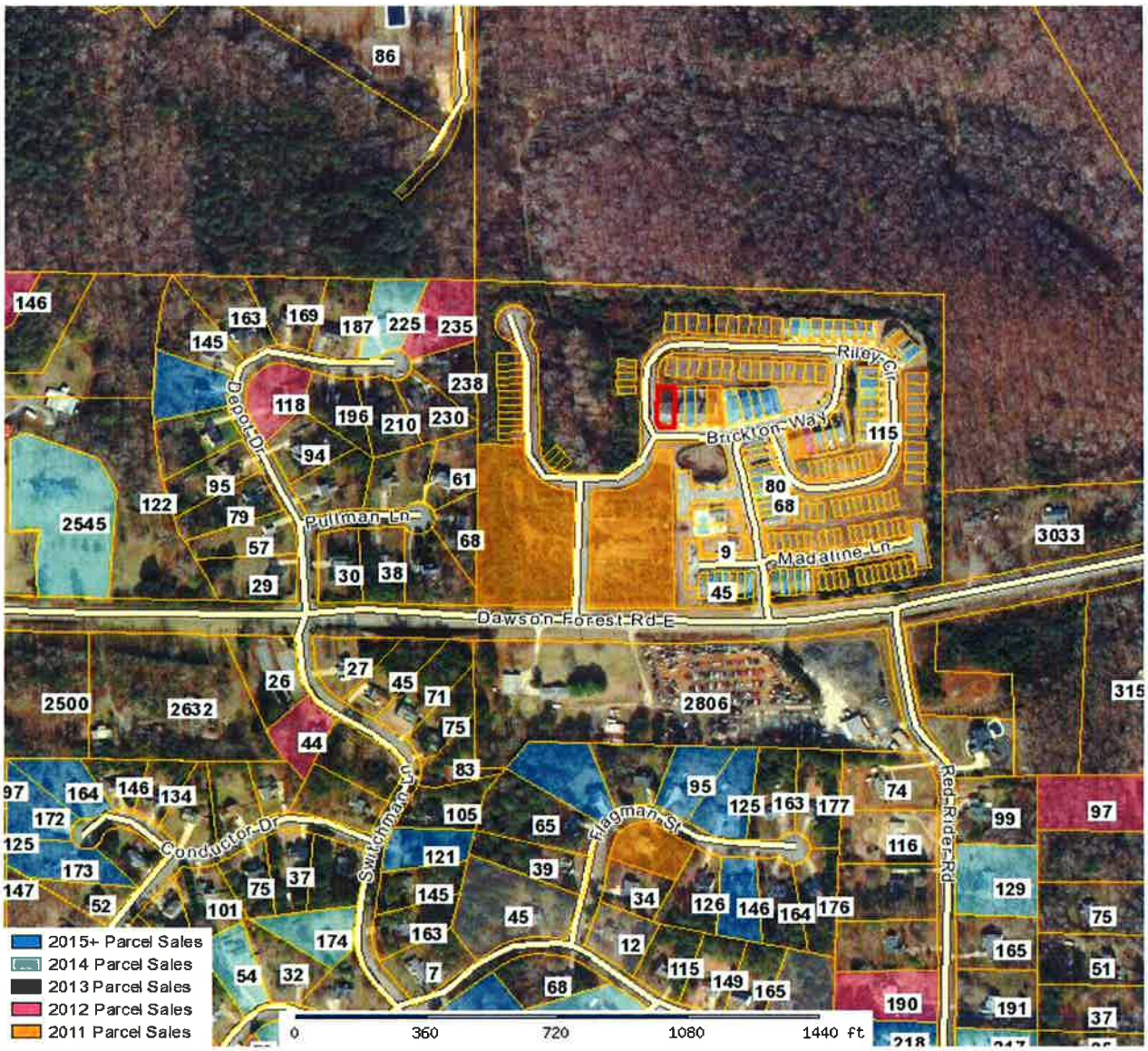

Dawson County Assessor			
Parcel: 106 055 138 Acres: 0			
Name:	BARBARA W ELLETT FAMILY TRUST	Land Value	$20,000.00
Site:	26 BRICKTON WAY W	Building Value	$118,766.00
Sale:	$164,900 on 10-2006 Reason=FM Qual=Q	Misc Value	$3,186.00
Mail:	26 BRICKTON WAY WEST DAWSONVILLE, GA 30534	Total Value:	$141,952.00

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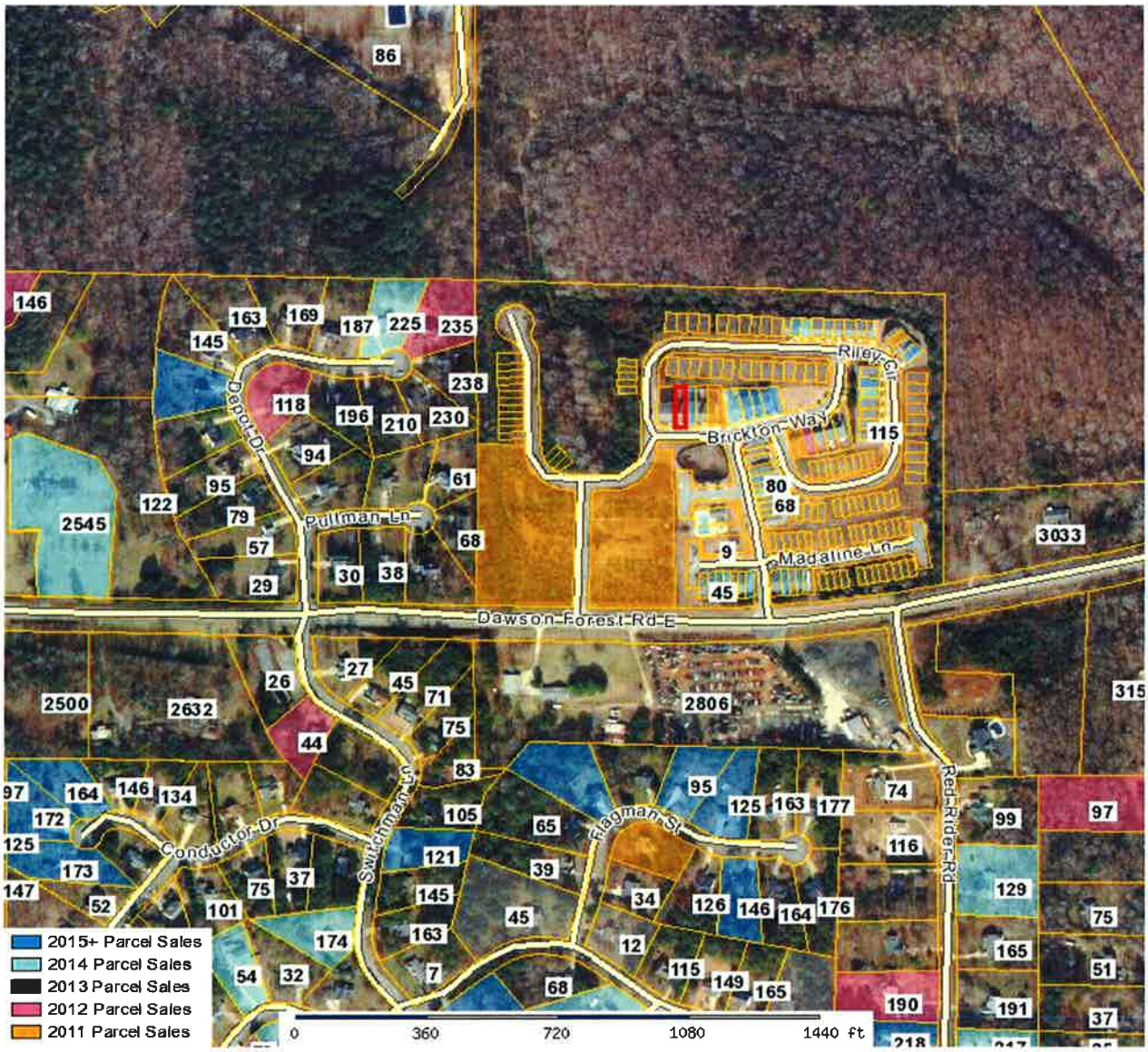

Dawson County Assessor			
Parcel: 106 055 137 Acres: 0			
Name:	POTTINGER JILL GRAHAM	Land Value	$20,000.00
Site:	22 BRICKTON WAY W	Building Value	$100,607.00
Sale:	$125,000 on 06-2009 Reason=FM Qual=Q	Misc Value	$3,186.00
Mail:	4 WATERFORD PL ROME, GA 30165	Total Value:	$123,793.00

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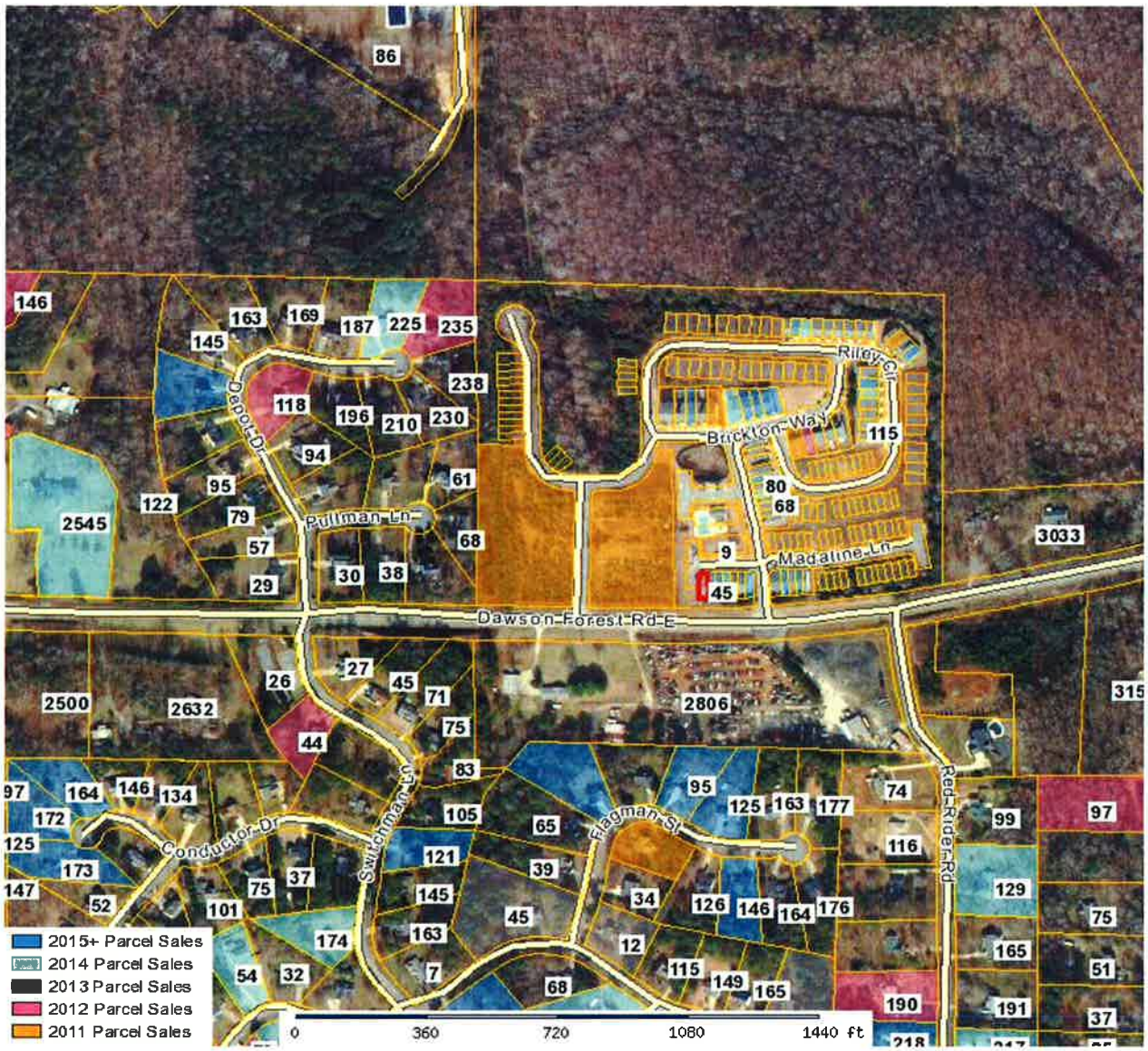

Dawson County Assessor			
Parcel: 106 055 157 Acres: 0			
Name:	LANEY ROGER L III & MARJORIE O	Land Value	$20,000.00
Site:	49 HIDDEN HICKORY CT	Building Value	$103,383.00
Sale:	$93,027 on 07-2013 Reason=BS Qual=Q	Misc Value	$3,186.00
Mail:	38 APPLING DR DAWSONVILLE, GA 30534	Total Value:	$126,569.00

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Date printed: 06/23/16 : 11:47:55

Dawson County Assessor			
Parcel: 106 055 Acres: 13.86			
Name:	CRANE BILLY & MILDRED	Land Value	$224,965.00
Site:	2806 DAWSON FOREST RD E	Building Value	$102,521.00
Sale:		Misc Value	$48,370.00
Mail:	2806 DAWSON FOREST RD E DAWSONVILLE, GA 30534	Total Value:	$375,856.00

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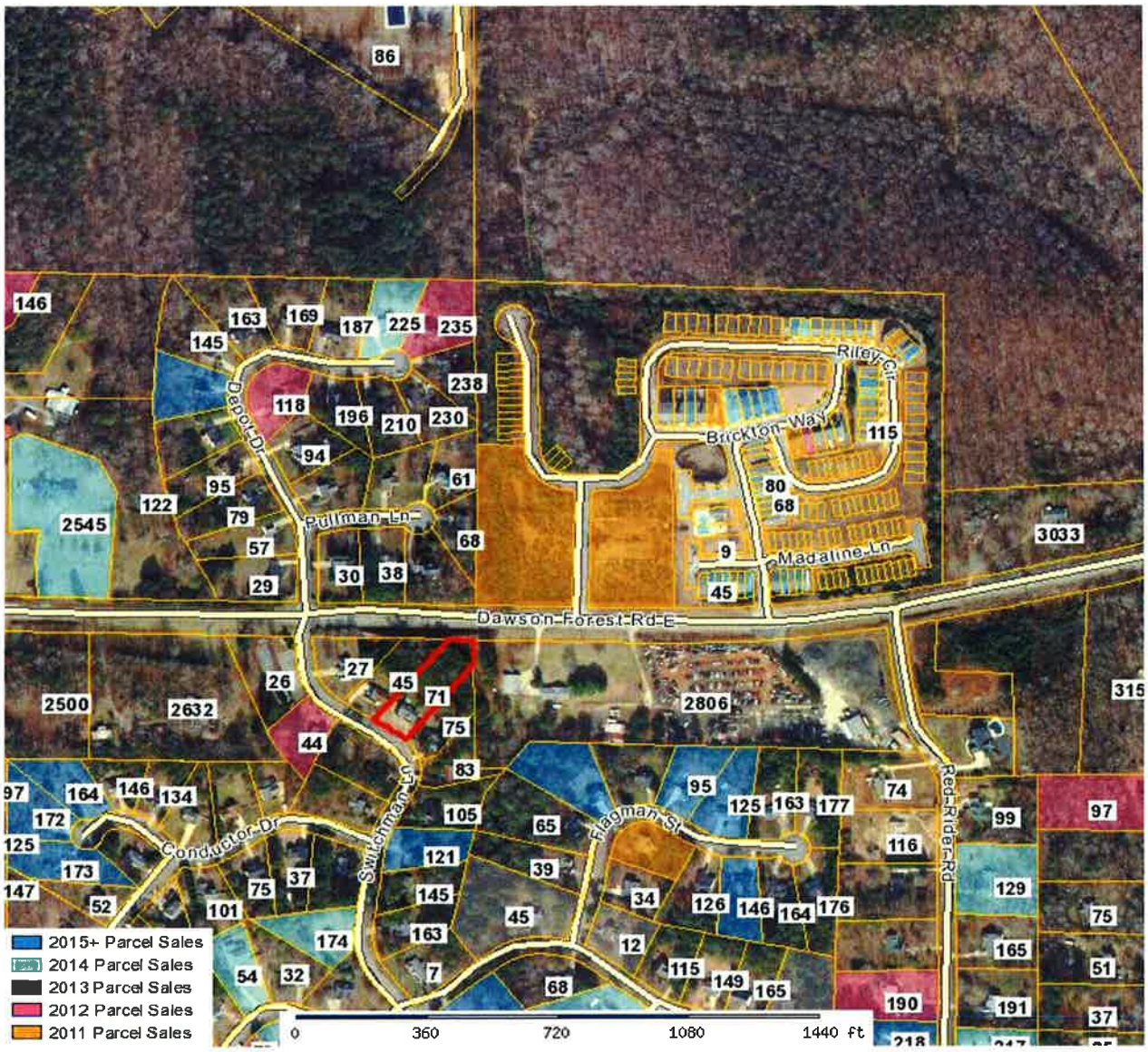

Dawson County Assessor			
Parcel: 106 248 Acres: 0.77			
Name:	PPINS BASCOM G AKA BASCOM G TIPPINS	Land Value	$36,000.00
Site:	71 SWITCHMAN LN	Building Value	$117,216.00
Sale:	$155,000 on 12-2007 Reason=FM Qual=Q	Misc Value	$3,844.00
Mail:	71 SWITCHMAN LANE DAWSONVILLE, GA 30534	Total Value:	$157,060.00

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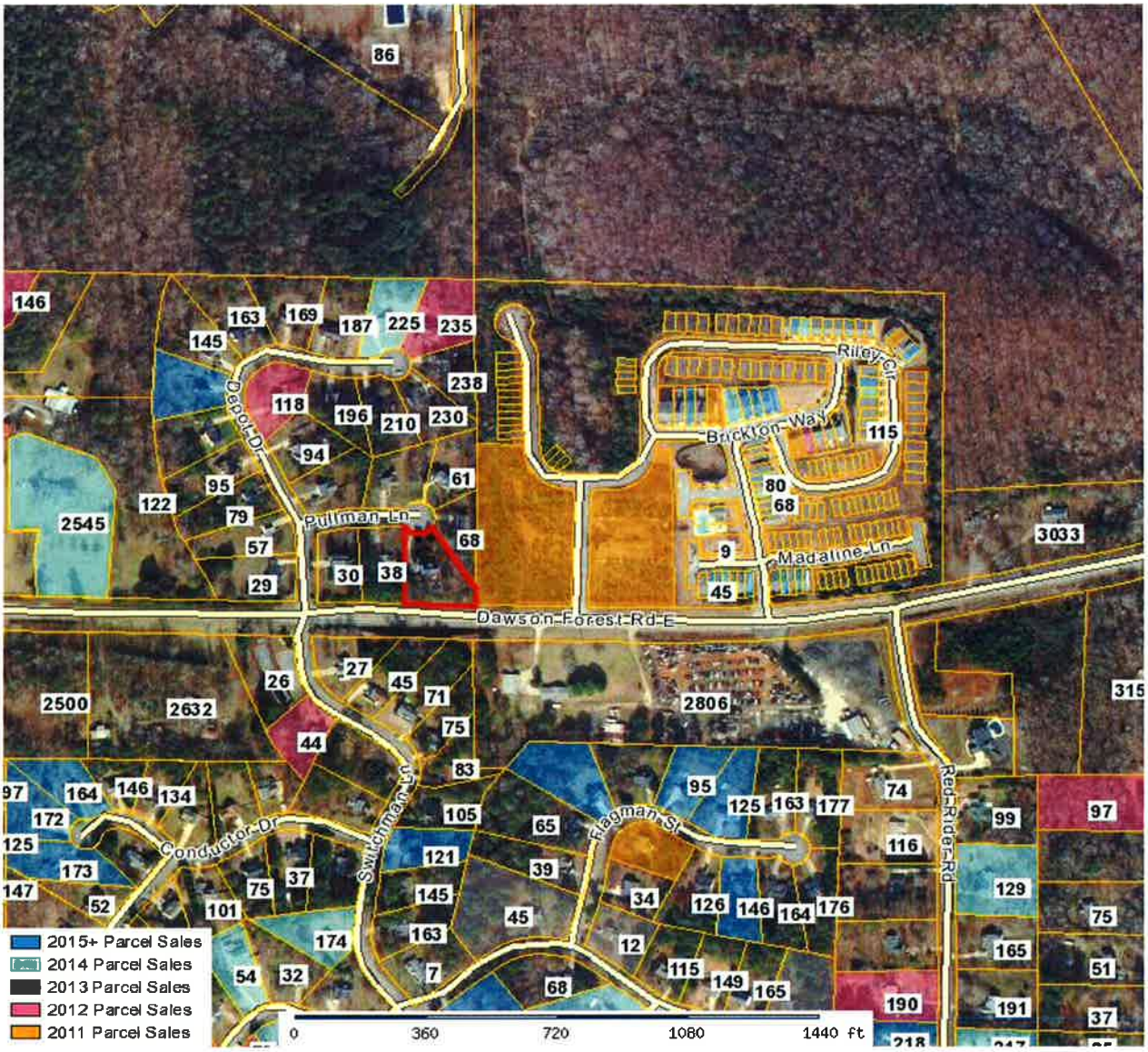
Date printed: 06/23/16 : 11:48:40



Dawson County Assessor			
Parcel: 106 350 Acres: 0.67			
Name:	TURNER ROBIN L	Land Value	$36,000.00
Site:	58 PULLMAN LN	Building Value	$103,358.00
Sale:	$129,000 on 07-2000 Reason=FM Qual=Q	Misc Value	$4,348.00
Mail:	P O BOX 1116 DAWSONVILLE, GA 30534	Total Value:	$143,706.00

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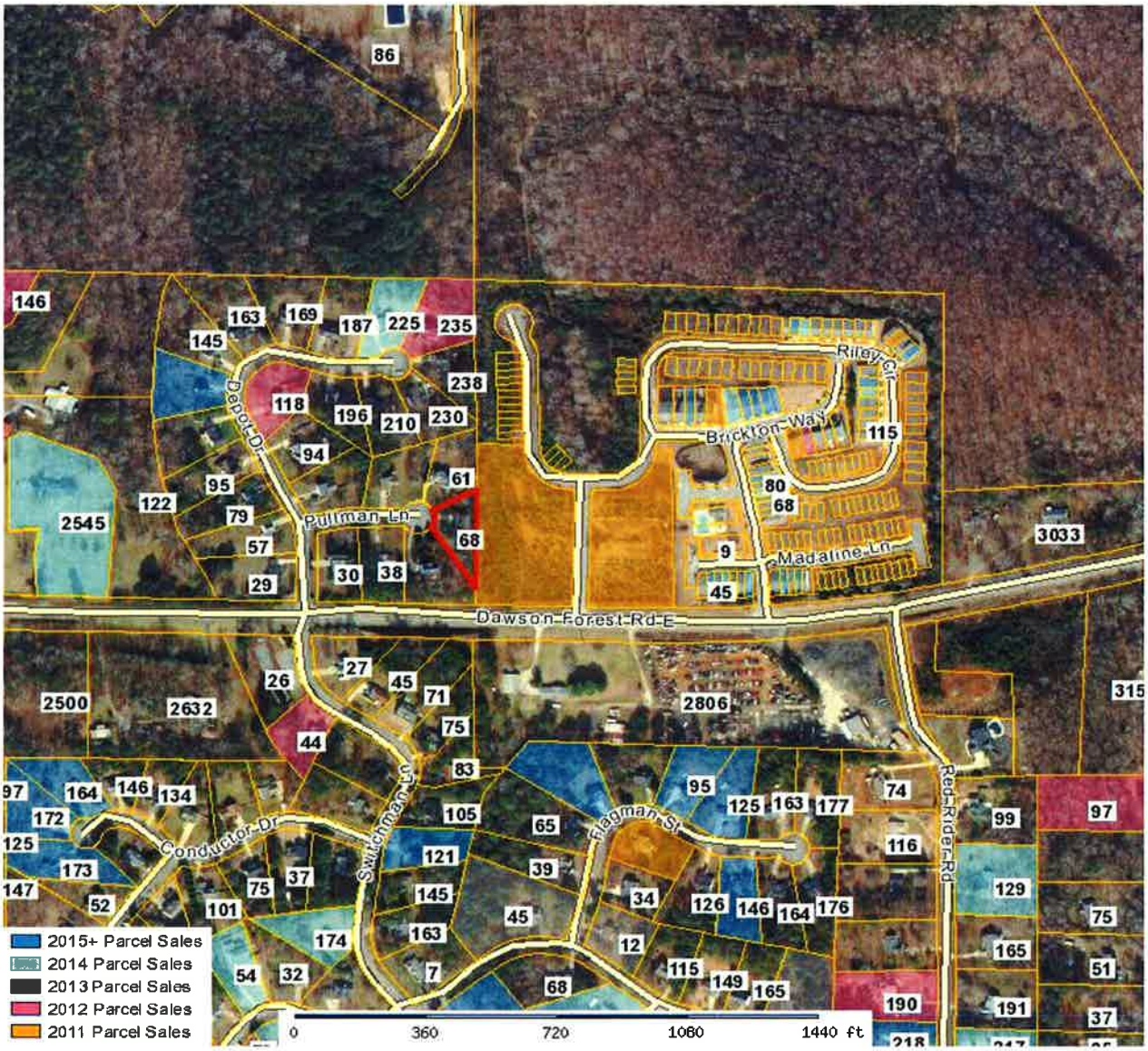

Dawson County Assessor			
Parcel: 106 351 Acres: 0.59			
Name:	THURMOND RICHARD D & EUGENIA A	Land Value	$36,000.00
Site:	68 PULLMAN LN	Building Value	$106,158.00
Sale:	$105,900 on 05-1998 Reason=FM Qual=Q	Misc Value	$4,012.00
Mail:	68 PULLMAN LANE DAWSONVILLE, GA 30534	Total Value:	$146,170.00

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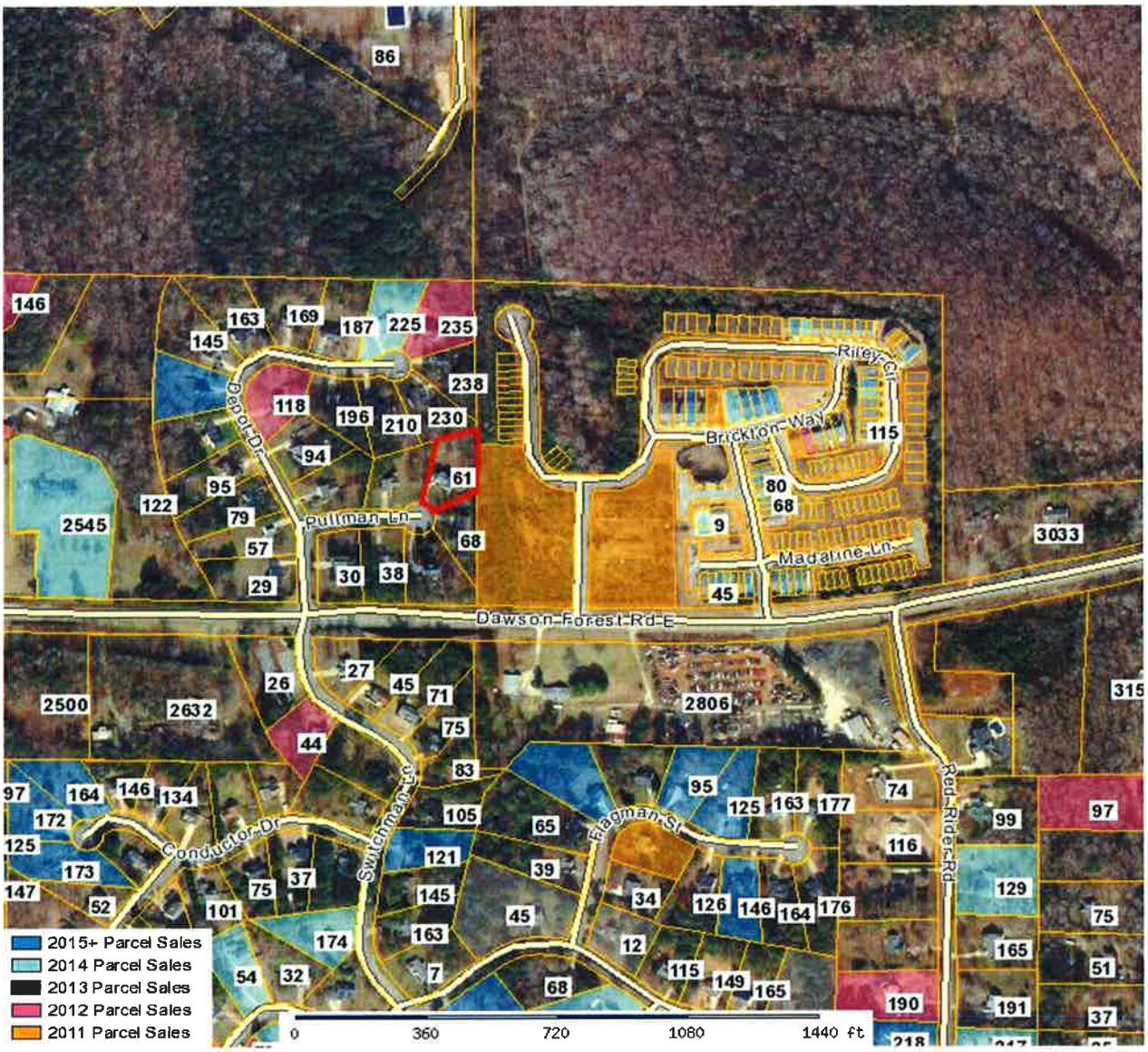
Date printed: 06/23/16 : 11:49:07



Dawson County Assessor			
Parcel: 106 352 Acres: 0.62			
Name:	SMITH THOMAS & VICKI G	Land Value	$36,000.00
Site:	61 PULLMAN LN	Building Value	$107,562.00
Sale:	$105,900 on 11-1997 Reason=FM Qual=Q	Misc Value	$3,508.00
Mail:	61 PULLMAN LANE DAWSONVILLE, GA 30534	Total Value:	$147,070.00

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Date printed: 06/23/16 : 11:49:22

LETTER OF INTENT

7 June 2016

Kapaka Properties, LLC intends to rezone and develop 35 Townhouse lots on 4.869 acres located 1.1 miles west of GA 400 on Dawson Forest Road in Dawson County. The property was formerly rezoned and developed under the C-PCD zoning and this portion of the development was commercial. Our intent is to rezone said property to RMF (Residential Multi-Family) as we do not see a short nor long term commercial use for the property.

We believe the rezoning would enhance the surrounding properties because the property currently sits vacant and untended. Our intended use is consistent with a neighboring development.

AFTER RECORDING RETURN TO
GEORGE C. CALLOWAY, ESQ.
SPECIALIZED TITLE SERVICES, INC.
6133 PEACHTREE DUNWOODY ROAD NE
ATLANTA, GEORGIA 30328
(770) 394-7000 STS FILE NO. 1003A.0169
110

Filed in Office: 04/11/2011 10:45AM
Deed Doc: WD
Bk 00983 Pg0020-0022
Georgia Transfer Tax Paid : $64.10
Justin Power Clerk of Court
Dawson County
0422011000293

LIMITED WARRANTY DEED

THIS INDENTURE, made effective as of this 22nd day of March, 2011, by and between **CRM CENTRAL PROPERTIES, LLC**, a Georgia limited liability company ("Grantor"), and **REO FUNDING SOLUTIONS II, LLC**, a Georgia limited liability company ("Grantee").

W I T N E S S E T H:

That for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee all of that certain tract or parcel of land lying and being in Dawson County, Georgia, being more particularly described in Exhibit A attached hereto and by this reference made a part hereof (hereinafter referred to as the "Property").

This conveyance is made subject to (i) the lien of real estate taxes, taxes imposed by special assessment and water, sewer, vault, public space and other public charges which are not yet due and payable, (ii) all applicable laws (including zoning, building ordinances and land use regulations), (iii) all easements, restrictions, covenants, agreements, conditions, or other matters of record, (iv) all matters that may be revealed by a current and accurate survey or inspection of the property, (v) rights of any tenants in possession of all or any part of the property, and (vi) any other matters actually known by Grantee.

TO HAVE AND TO HOLD said Property, together 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 Grantee forever IN FEE SIMPLE.

AND THE SAID Grantor shall warrant and forever defend the right and title to said Property unto the Grantee against the lawful claims of all persons claiming by, through or under Grantor but not otherwise.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed and sealed this Limited Warranty Deed the day and year first above written.

GRANTOR:

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public

My Commission Expires:

[NOTARIAL SEAL] M EKERS
Notary Public
Cobb County
State of Georgia
My Commission Expires Feb 1, 2015

CRM CENTRAL PROPERTIES, LLC, a Georgia limited liability company

By: **CRM PROPERTIES MANAGER, LLC**, a Georgia limited liability company
Its: Sole Member

By:
Name: John W. Long
Title: Vice President

Exhibit A to Limited Warranty Deed
(Legal Description)

4.782 acres at Dawson Forest Road

All that tract or parcel of land lying and being in Land Lot 368 of the South Half of the 13th District, 1st Section of Dawson County, Georgia and being 26.141 acres as shown on a survey for Tri-Vista Development Group, LLC recorded in Plat Book 44, Page 181 of the Dawson County records and is incorporated herein by reference for a more complete description of said property.

LESS AND EXCEPT:

All that tract or parcel of Land Lot 368 of the South Half of the 13th District, 1st Section of Dawson County, Georgia being a 20.170 acre tract as shown on that certain boundaries survey for R. Millard Bowen by John G. Stubblefield, R.L.S. No. 2599 dated March 2, 2002 and being more particularly described as follows:

Starting at a one-half inch rebar found at the common corner of Land Lots 350, 349, 367 and 368 said district and county; running thence along the Land Lot Line diving Land Lots 349 and 368 South 87 degrees 53 minutes 49 seconds East a distance of 1292.97 feet to a 19 inch hickory tree found at the common corner of Land lots 349, 348, 368 and 369 said district and county; running thence along the Land Lot Line between Land Lots 368 and 369 South 00 degrees 11 minutes 34 seconds West a distance of 810.11 feet to a three quarter inch crimp top pipe found on the northerly right of way of Georgia Highway 318 also known as Dawson Forest Road; running thence along the northerly right of way of Georgia Highway 318 also known as Dawson Forest Road the following courses and distances: South 78 degrees 40 minutes 32 seconds West a distance of 84.73 feet to a point, running thence along an arc a distance of 639.24 feet to a point said arc being subtended by a cord bearing South 85 degrees 00 minutes 46 seconds West and have a cord distance of 637.93 feet to a point, North 88 degrees 39 minutes 00 seconds West a distance of 7.10 feet to an iron pin set; thence leaving the right of way of Georgia Highway 318 and running North 01 degrees 22 minutes 16 seconds West a distance of 482.86 feet doing iron pin set; running thence North 88 degrees 39 minutes 00 seconds West a distance of 541.88 feet to an iron pin set on the Land Lot Line dividing Laod Lots 367 and 368; running thence along the said Land Lot Line between Land Lots 367 and 368 North 01 degrees 22 minutes 16 seconds West a distance of 434.12 feet to the point of beginning.

Printed: 6/7/2016 14:33:10
Register: 11 Clerk: CP

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
13213 **Year-Bill No** 2015 - 10939	106 055 001 / 001 LL 368 LD 13-S **FMV:** $66,516.00	656.74	0.00 **Fees** 0.00	0.00	656.74	656.74 **Paid Date** **11/5/2015 13:14:38**	0.00 **Current Due** **0.00**
Transactions:	13213 - 13217 **Totals**	656.74	0.00	0.00	656.74	656.74	0.00

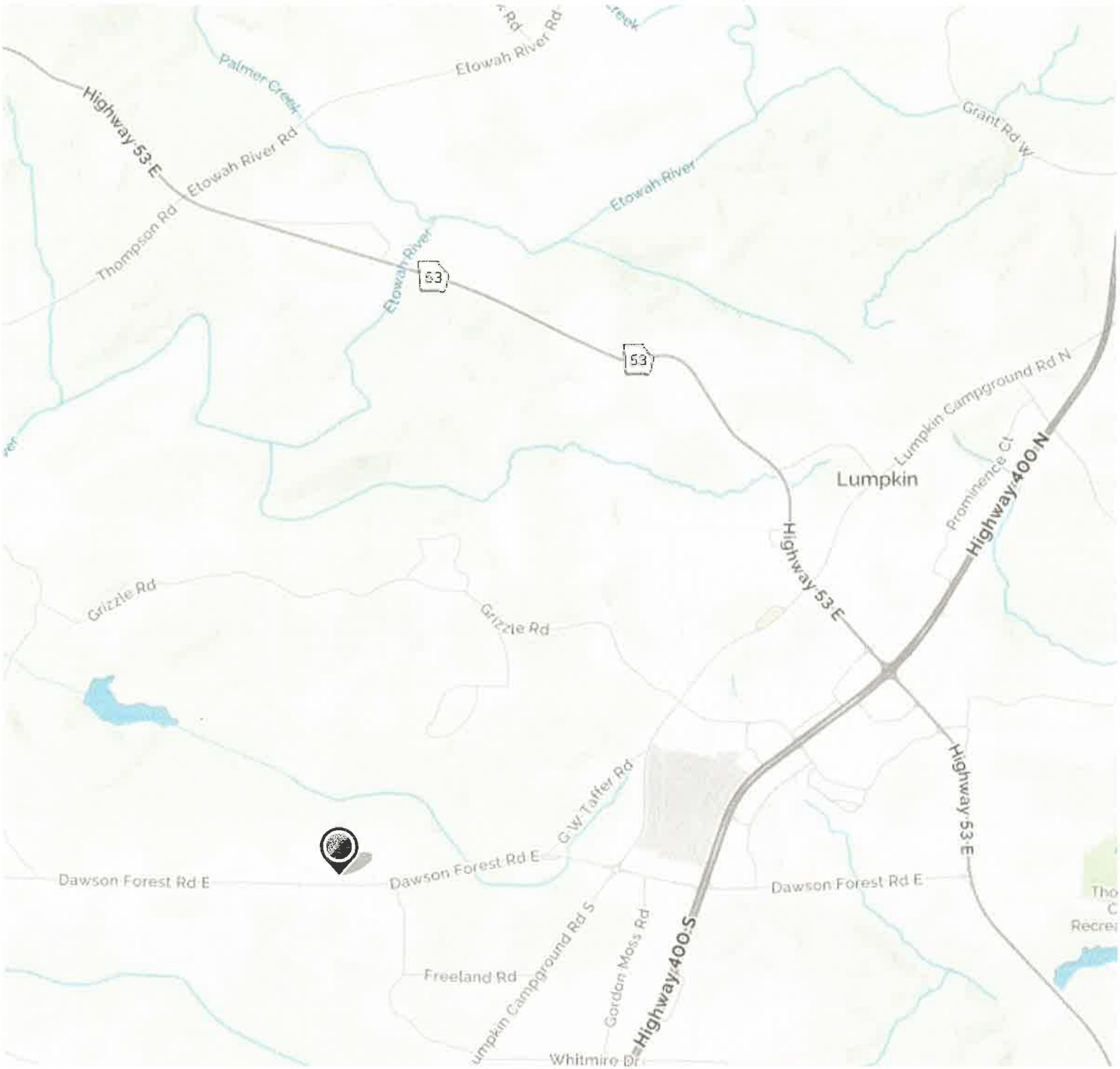
REO FUNDING SOLUTIONS II LLC
C/O RYAN LLC
P O BOX 56607
ATLANTA, GA 30343

Paid By :
TURNSTONE HOLDING LLC
REO FUNDING SOLUTIONS II LLC

Check No
Charge Acct

Cash Amt:	0.00
Check Amt:	0.00
Charge Amt:	0.00
Change Amt:	0.00
Refund Amt:	0.00
Overpay Amt:	0.00

mapquest


Palmer Creek
Etowah River Rd
Highway 53 E
Etowah River Rd
Thompson Rd
Etowah River
Etowah River
Grant Rd W
53
53
Lumpkin Campground Rd N
Lumpkin
Prominence Ct
Highway 400 N
Highway 53 E
Grizzle Rd
Grizzle Rd
G W Taffer Rd
Dawson Forest Rd E
Dawson Forest Rd E
Dawson Forest Rd E
Highway 53 E
Freeland Rd
Lumpkin Campground Rd S
Gordon Moss Rd
Highway 400 S
Whitmire Dr

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 Billy [illegible] III. Date 6-7-16

Witness Denise T. Legano Date 6-7-16

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 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.

DAWSON COUNTY VARIANCE APPLICATION

This portion to be completed by Zoning Administrator

VR 16-14 Tax Map & Parcel # (TMP): 106-055-001

Current Zoning: _____ Commission District #: _____

Submittal Date: _____ Time: _____ am/pm Received by: _____ (staff initials)

Fees Assessed: _____ Paid: _____

Planning Commission Meeting Date: _____

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: KAPAKA PROPERTIES, LLC (BILLY G. Hughes III)

Address: 33 PARKSIDE CIRCLE

DAWSONVILLE, GA 30534

Phone: [ ] Listed [✓] Unlisted _____ Email: [ ] Business [✓] Personal juddhughes@yahoo.com

Status: [O] Owner [✓] Authorized Agent [O] 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: 6-7-16 Applicant Signature: Billy Hughes III.

PROPERTY INFORMATION

Street Address of Property: _____

Land Lot(s): 368 District: 13 Section: 1

Subdivision/Lot: _____ Building Permit #: _____ (if applicable)

Directions to the Property: From GA 400 & DAWSON Forest Rd - HEAD WEST on DAWSON Forest Rd. for 1.1 miles. Riley PLACE DR. is on the right - THE ENTRANCE to our proposed development is the next Right - OUR ENTRANCE has brick signs that state "Riley PLACE" as well.

REQUESTED ACTION

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

If other, please describe: SEE ATTACHED

Type of Variance requested:

[O] Front Yard [O] Side Yard [O] Rear Yard variance of _____ feet to allow the structure to:

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

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

instead of the required distance of _____ required by the regulations.

[O] Lot Size Request for a reduction in the minimum lot size from _____ to _____

[O] Sign Variance for: _____

[O] Home Occupation Variance to operate: _____ business

[O] 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: _____

SEE ATTACHED

2. Describe the exceptional and extraordinary conditions applicable to this property which do not apply to other properties in the same district: _____

SEE ATTACHED

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: _____

SEE ATTACHED

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

SEE ATTACHED

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.)

Variance Requests:

1. RMF-D. 4. **Townhouse Lot Setback.** We are proposing a 6' variance (from 50' to 44') to accommodate Lot #21

    1. Without this variance, Lots 20 and 21 would need to be attached to Lot #19. That would be difficult because there is a curve in the road and the townhomes would not have a consistent look with the rest of the development.
    2. The curve of the existing road makes the conditions to develop Lots 20 and 21 in a uniform manner impossible.
    3. This variance would not be detrimental to public health because the development footprint would be consistent with current zoning regulations.
    4. The overall development footprint would not be affected.

2. RMF-C. 8. b. **Buffer.** We are proposing a 0' buffer on the Northern and Eastern portion of the property to accommodate the driveways and extra parking space for Lots 17, 18, 19, 20 and 21.

    1. Without this variance, Lots 17, 18, 19, 20 and 21 would not be possible because the required 10' buffer would not allow for these 5 driveways to be installed.
    2. The fact that the road was installed as part of a larger development makes this area a perfect layout for these 5 lots. It makes sense to continue the consistency of the overall development look and feel. This property was originally zoned and designed for commercial development and we are attempting to change that into a residential "feel". This variance would help to do that because these lots would then front on an existing street.
    3. This would not be detrimental because the street is already installed and these 5 lots would make the development have a more consistent look.
    4. The development is a townhouse development and the addition of these 5 lots would make this have a residential look and feel as opposed to the current commercial zoning.

3. RMF-D. 6. **Maximum Units per Building.** We are proposing a variance from 6 units per building to 8 units per building. 8 units per building would be consistent with the approved units per building of the original Riley Place Development.

1. Without this variance, we would lose 4 lots because the current building requirements state that there will be 20 feet separating each building in a townhouse development.
2. The extraordinary condition applicable to this property is that the adjacent townhouse development was able to build 8 units per building.
3. The adjoining property has 8 units per building and we do not feel that it has created any detrimental problems for other properties.
4. The adjoining property was allowed to build 8 units per building.

4. RMF-D. 8. **Maximum Density.** We are proposing a variance from 6 units per acre to up to 8 units per acre. The adjoining Riley Place Development was approved for 10 units per acre.

    1. The total number of lots would have to be decreased and this would make this a difficult development.
    2. The adjoining property was actually granted 10 units per acre and we are only asking to vary to 8 units per acre.
    3. The adjoining property was granted 10 units per acre and we do not feel that this has created problems for other properties in the area.
    4. The adjoining property was granted 10 units per acre, which is more than we asking with this variance.

5. RMF-D. 4. **Setbacks.** We are proposing a rear setback variance to 10 feet instead of the required 20 feet.

    1. Without this variance, Lots 17, 18, 19, 20 and 21 would not be possible.
    2. We feel that because this property was originally part of the larger development, there are some exceptional conditions. This is one of those conditions because the existing road lends our site to developing these 5 lots to make this development have a more consistent residential feel and look.
    3. This would not be detrimental because we feel it would simply be an extension of the current development.
    4. These lots would be an extension of the current development.

6. This property was originally rezoned in Request ZA99-37. We would ask that the new rezoning stipulations make the existing stipulations null and void.

LOCATION MAP

SURVEYOR'S NOTES:

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP DAWSON COUNTY, GA COMMUNITY PANEL NO. 130.504 0202 B, EFFECTIVE DATE SEPTEMBER 28, 2008 THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA
2. BOUNDARY, IMPROVEMENTS AND DETENTION INFORMATION SHOWN HEREON WAS PROVIDED BY ONE DEVELOPMENT PLANNING & ENGINEERING, INC. NO FIELD SURVEYING PERFORMED BY PATTON LAND SURVEYING AT THIS TIME
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 212,066 FEET
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS RIGHTS-OF-WAY AND EASEMENTS OF RECORD
5. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK

AREA: 4.869 ACRES

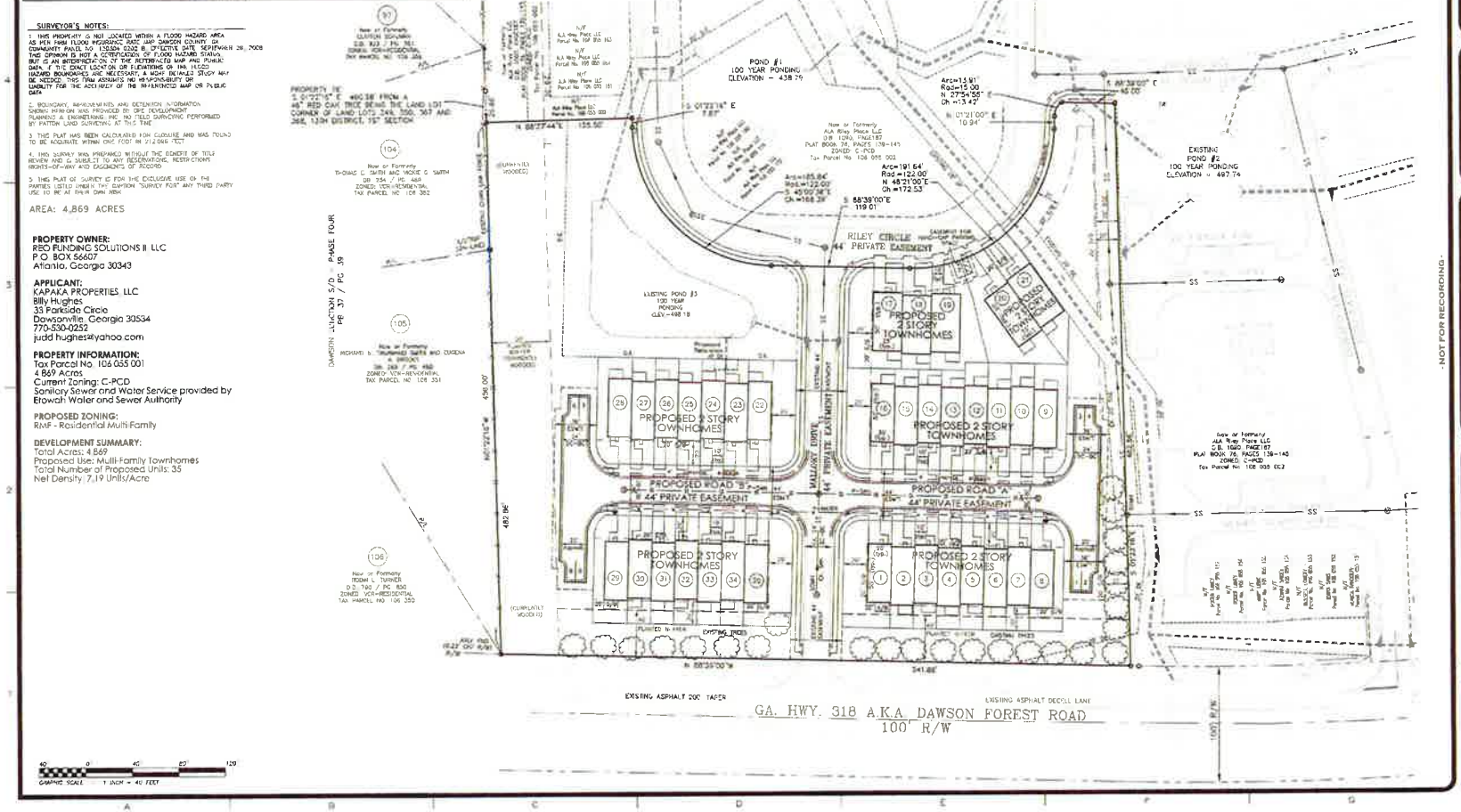
PROPERTY OWNER:
REO FUNDING SOLUTIONS II, LLC
P.O. BOX 56607
Atlanta, Georgia 30343

APPLICANT:
KAPAKA PROPERTIES, LLC
Billy Hughes
33 Parkside Circle
Dawsonville, Georgia 30534
770-530-0252
judd.hughes@yahoo.com

PROPERTY INFORMATION:
Tax Parcel No. 106 055 001
4.869 Acres
Current Zoning: C-PCD
Sanitary Sewer and Water Service provided by Etowah Water and Sewer Authority

PROPOSED ZONING:
RMF - Residential Multi-Family

DEVELOPMENT SUMMARY:
Total Acres: 4.869
Proposed Use: Multi-Family Townhomes
Total Number of Proposed Units: 35
Net Density: 7.19 Units/Acre



- NOT FOR RECORDING -

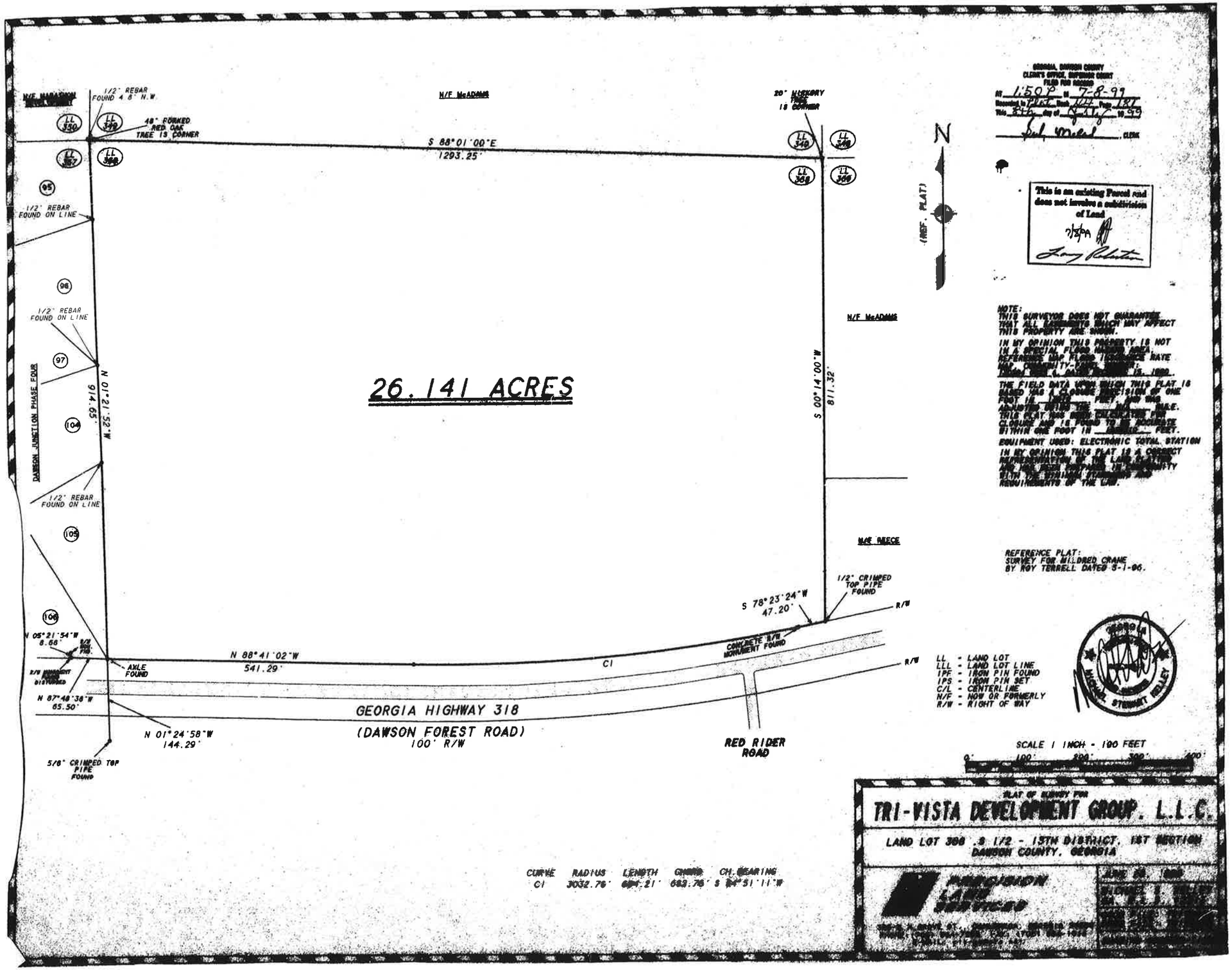
REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 258
GAINESVILLE, GA 30503
PHONE (770) 532-6492
FAX (770) 532-1995
www.pattonsurveying.com

PATTON LAND SURVEYING, LLC

CONCEPTUAL REZONING PLAN FOR
KAPAKA PROPERTIES, LLC
LOCATED IN
LAND LOT 368
13TH LAND DISTRICT
1ST SECTION
DAWSON COUNTY, GEORGIA

REVISIONS

SHEET NUMBER
1 of 1
SCALE: 1" = 40'
SURVEY DATE: N/A
PLAN DATE: 05/25/2016
JN 16-109



CASTLEBERRY CO., COVINGTON, GA. 30236