

AGENDA
City of Dawsonville Planning Commission Regular Meeting
Monday, March 11, 2019 @ 5:30 pm

Call the Meeting to Order
Roll Call
Invocation and Pledge

Approval of the Agenda

1. Approval of today's agenda.

Approval of the Minutes:

2. a.) Approve the minutes of the City of Dawsonville Planning Commission regular meeting held on February 11, 2019.
b.) Approve the minutes of the City of Dawsonville Planning Commission Special Called Meeting held on February 25, 2019

Old Business:

3. **ZA-C9-00004**: Ensite Civil Consulting LLC has requested a zoning amendment for TMP 082 021 consisting of 38.58 acres located at 592 Hwy 53 West, from R-3 (Single Family) to RPC (Residential Planned Community) Hearing Dates: Planning Commission – February 11, 2019: **Tabled by PC until March 11, 2019: City Council March 18, 2019.**
4. **VAR-C9-00004**: Jim King with Ensite Civil Consulting LLC has requested a Variance on density for TMP 082 0021 located at 592 Hwy 53 West. Hearing Dates: Planning Commission – February 11, 2019: **Tabled by PC until March 11, 2019.**

New Business: Public Hearings

5. **ANX C9-00247 and ZA C9-00247**: Dan S. and Vanita L. Anderson have petitioned to annex into the city limits of Dawsonville a portion of the 12.19 acre tract known as TMP 092B 001, located at 378 Shoal Creek Road, with a request to rezone from County Zoning of RA (Residential Exurban/Agriculture) to City Zoning of R1 (Single Family Residential). Public Hearing Dates: Planning Commission on March 11, 2019 and City Council on March 18, 2019. City Council for a decision on April 8, 2019.
6. **VAR-C9-00248**: Dustin Uselton has requested a Variance on the non-conforming lot size for TMP D04 008 located at 371 Hwy 9 South. Hearing Dates: Planning Commission – March 11, 2019.

Planning Director Report-Administrative Variance

Announcements

The next meeting date for the Planning Commission is scheduled for April 15, 2019 @ 5:30pm.

Adjournment

**City of Dawsonville
February 11, 2019
Planning Commission Regular Meeting**

Planning Commission Chairman Troy Lindsey called the February 11, 2019 City of Dawsonville Planning Commission regular meeting to order at 5:30 p.m.

Present: Planning Commission Members present: Troy Lindsey, Ken Goines, Anna Tobolski, Matt Fallstrom and John Walden. Staff present: Planning Director Robbie Irvin, Zoning Administrator Nalita Copeland, and City Attorney Kevin Tallant. Councilman Jason Powers was present as well.

Invocation and Pledge: Ken Goines gave the invocation and led the pledge.

Approval of the Agenda: Anna Tobolski motioned to approve the agenda; Ken Goines seconded the motion; no further discussion; all were in favor.

Approval of the Minutes: Ken Goines motioned to approve the January 14, 2019 Planning Commission Meeting minutes; Anna Tobolski seconded the motion. There was no further discussion and the minutes were unanimously approved.

Old Business: None

New Business: Public Hearings

ZA- C9-00004: Ensite Civil Consulting LLC has requested a zoning amendment for TMP 082 021 consisting of 38.58 acres located at 592 Hwy 53 West, from R-3 (Single Family) to RPC (Residential Planned Community) Hearing Dates: Planning Commission – February 11, 2019 and City Council – February 18, 2019

VAR-C9-00004: Jim King with Ensite Civil Consulting LLC has requested a Variance on density for TMP 082 0021 located at 592 Hwy 53 West. Hearing Dates: Planning Commission – February 11, 2019.

Matt Fallstrom motioned to open the public hearing for ZA- C9-00004 and VAR-C9-00004; Anna Tobolski seconded; no further discussion; all were in favor 4/0. Public Hearing opened at 5:36 PM.

Planning Director Robbie Irvin presented the request to the Commission. The applicant has petitioned to amend the current R-3 zoning of the property to RPC, which is Residential Planned Community. An RPC is site plan specific with specific standards and stipulations. There are green space and amenity requirements as well. The Planning Department is recommending approval of the applicant's requests based on the following:

- While a traditional R-6 zoning would allow for even more units per acre (228 units), the applicant has opted for RPC in order to have more quality controls and a better product. The applicant proposes a total of 172 units consisting of 31 quads and 48 townhomes, which is 4½ unit per acre, ½ unit more per acre than what is allowed for RPC. The current R-3 zoning would allow for 114 units with no restrictions.
- The applicant's target market of 55 plus will have a lower impact on schools and roads.
- The request is consistent with the Comprehensive Plan.

Applicant, Jim King with Ensite Engineering, representing Pacific Crest LLC, addressed the Planning Commission. He stated that his client, Pacific Crest LLC would like the development to be 55 plus "oriented" (not restricted). The marketing would be targeted to the age 55 and up buyer. All outdoor maintenance would be done by the HOA. Amenities would include a clubhouse with meeting rooms and game rooms, a bocce ball court and a pickle ball court. Commissioners asked about price point, square footage, % of greenspace, future development, emergency access gate and a possible main entrance gate. Mr. King responded that the homes would be priced in the low \$200's, he thinks about 2000 square feet (he will check that), there is 30-40% greenspace which would not be subject to any future development, the rear gate would be restricted as an emergency entrance only, and they would be agreeable to having a gated front entrance as a condition.

Several area residents including Randy Davis, Bill Sorenson, Linda Lockert, Jill Graham, Celia Ramey, Gary Dutton, Maria Maxfield spoke in opposition to the request. Their concerns included density, traffic, Howser Mill road access, property values, the intersection at Howser Mill Road and Hwy 53 West, loss of trees, provision of a neighborhood HOA, and a need for more information in general.

At this time, John Walden motioned to allow the applicant additional time to address some of the concerns; Anna Tobolski seconded the motion; all were in favor.

Mr. King assured the residents that the Howser Mill access would be for emergencies only and only emergency services would have the gate access code. Emergency Services requires a secondary access in case of an emergency. He stated that he would be fine with the Commission making it a condition of his zoning request. He also stated that he would also encourage the Commission to place a condition for a 50 foot setback around the entire property.

Ken Goines motioned to close the public hearing; Anna Tobolski seconded the motion. All were in favor. The public hearing for ZA-C9-00004 and VAR-C9-00004 was closed at 6:20 pm.

Following some discussion, Matt Fallstrom motioned to table ZA-C9-00004 until March 11 to allow the applicant to submit additional information; Anna Tobolski seconded the motion; John Walden voted in favor; Ken Goines was opposed; Motion carried 3/1. Planning Director Robbie Irvin recapped the additional information the Planning Commission discussed and the applicant should provide for the Planning Commission to consider on March 11, 2019:

- Landscape plan that includes % of useable greenspace
- Emergency access details
- Square footage details
- Layout of the townhomes and quad units
- HOA info
- Hold a public input meeting for concerned residents

Mat Fallstrom motioned to table VAR-C9-00004 until March 11, 2019; Anna Tobolski seconded; all were in favor; motion carried 4/0.

Ken Goines motioned to adjourn the meeting; Anna Tobolski seconded; all were in favor; 4/0.

Next Meeting Date: The next Planning Commission meeting is scheduled for Monday, March 11, 2019 at 5:30 p.m. at Dawsonville City Hall.

Adjournment: With no further business, Ken Goines motioned to adjourn; Anna Tobolski seconded; All were in favor. Meeting adjourned at 6:43 p.m.

Minutes approved this March 11, 2019.

Troy Lindsey, Chairman

John Walden, Commissioner

Anna Tobolski, Commissioner

Matt Fallstrom, Commissioner

Ken Goines, Commissioner

Attested _____
Nalita Y. Copeland, Zoning Administrator

**City of Dawsonville
February 25, 2019
Planning Commission Special Called Meeting**

Call to Order: Planning Commissioner Troy Lindsey called the February 25, 2019 City of Dawsonville Planning Commission Special Called Meeting to order at 5:00 p.m.

Present: Planning Commission Members present: Troy Lindsey, Ken Goines, Anna Tobolski, Matt Fallstrom and John Walden. Staff present: City Manager Bob Bolz, Zoning Administrator Nalita Copeland, and City Attorneys Kevin Tallant and Dana Miles. City officials Mayor Mike Eason and Councilman Stephen Tolson were present as well. (Dana Miles left to attend the 5:30 HPC meeting)

Invocation and Pledge: Troy Lindsey gave the invocation and led the pledge.

Training: City Attorney Kevin Tallant provided training for the newly appointed Planning Commissioners. Topics covered from the City of Dawsonville Land Use Ordinance were Planning Commission powers, duties, proper procedures for meetings, executive sessions, conflicts of interest, zoning amendments, conditional use permits, variances, etc.

Potential Executive Session: None

Adjournment: With no further business, Anna Tobolski motioned to adjourn; John Walden seconded; All were in favor. Meeting adjourned at 6:38 p.m.

Minutes approved this March 11, 2019.

Troy Lindsey, Chairman

John Walden, Commissioner

Anna Tobolski, Commissioner

Matt Fallstrom, Commissioner

Ken Goines, Commissioner

Attested _____
Nalita Y. Copeland, Zoning Administrator



February 1, 2019

To: Mr. Troy Lindsey, Chair
& City of Dawsonville Planning Commission

Re: Staff Recommendation; Villas at Howser Mill Rezoning and Variance

Mr. Lindsey and Commission,

Ensite Civil Consulting LLC has requested a zoning amendment for TMP 082 021 consisting of 38.58 acres located at 592 Hwy 53 West, from R-3 (Single Family) to RPC (Residential Planned Community) in order to construct a 172-home subdivision marketed for seniors. In addition, the applicant is requesting a variance on the allowable density of the project from 4 units per acre to 4.5 units per acre.

The current conditions are as follows:

Parcel # 082 021 was rezoned in 2004 from R-2 to R-3 with no stipulations.

The applicant is proposing the construction of quad-homes and townhomes which can be accomplished in an R-6 (Multi-family) zoning or with an RPC zoning. The applicant wishes to amend the zoning of the property to RPC. A Residential Planned Community (RPC) is a site-specific zoning which has specific standards and stipulations built in such as requirements for greenspace and amenities. The project will consist of 31 quads which will share driveways and 48 townhomes and will include an amenities area consisting of a clubhouse, bocci court, pickleball court and outdoor patio and walking trails.

In addition to the zoning amendment the applicant is seeking a variance to increase the density of the development from 4 units per acre to 4.5 units per acre. A traditional R-6 (multifamily) zoning would allow up to 6 units per acre however the RPC is capped at 4 units per acre.

The Planning and Zoning staff would recommend **approval** for both the zoning amendment and variance for the following reasons:

- While the applicant can request the R-6 zoning they have opted to seek the RPC at the request of the city in order to provide for more quality controls on the development which are afforded through the use of an RPC zoning. An R-6 zoning would allow for a

maximum of 228 units. In essence the applicant is sacrificing the total number of units that the property can yield in order to give the city a better product.

- The applicant can by right construct a 114-lot subdivision under the current zoning with no stipulations or conditions.
- While strict adherence to the RPC zoning would allow for a total yield of 152 units the requested addition of 20 units bringing the total to 172 units is a reasonable consensus to allow for the viability of the project as described in the applicant's letter of intent.
- The marketing of this project to the 55+ community will result in lower impacts to schools and roads while increasing the property tax base.
- Residential development in this area is consistent with the projections in the City of Dawsonville Comprehensive Plan.

Please let me know if you have any questions regarding this matter.

Sincerely,



R.J. Irvin
Planning Director, City of Dawsonville

LETTER OF INTENT

The applicant requests a Rezoning from R-3 to Residential Planned Community (RPC) for Parcel Number 082 021 in order to expand on the previously approved development to include a 172-Home Senior LifeStyle Neighborhood on 38.55 acres. It is bordered by various Commercial, Residential & Agricultural properties. This property is designated as Planned Residential Community on the Future Land Use Plan which is precisely what we are proposing.

The proposed Master Planned Development is in unison with what has already been approved. The original approved R-3 Zoning allowed for 116 traditional homes. The proposed development of attached Quads and Duplexes will target 55+ Seniors which will have far less impact on schools and roads than traditional family homes.

The neighborhood will provide a much needed solution for Dawson Seniors desiring a much simpler lifestyle that is designed specifically with age 55+ Seniors in mind. Landscaping and outdoor spaces will be maintained by a common landscape maintenance association giving owners the choice of a maintenance-free life style. Homes will be designed to appeal to seniors with discriminating taste and style. The home design will center around the empty nester who desires less square footage to maintain; but wants luxurious finishes and interior upgrades. Typically, the Master is on the main floor; but additional rooms are included for visiting family. Amenities will include Bocce, Pickle Ball, Shuffle Board, and a clubhouse. An area for a swimming pool will be set-aside to allow for future market demands. Walking trails will be added for access and exercise.

The impact on schools and utilities will be far less than the currently approved development because the new neighborhood will be predominantly targeted to empty nesters and retired or semi-retired seniors.

The proposed development and new residents will add much needed vitality to the community. By compacting development into a smaller footprint, more greenspace can be preserved to enhance the overall community. By clustering smaller lots in one area, we are able to preserve large areas of open space that are actually capable of sustaining wildlife microsystems rather than small patches of woods fenced in by the homeowner. Therefore, the proposed neighborhood will have a far smaller ecological footprint than the currently approved plan.

The proposed Master Plan and associated Zoning reflect the intent of the City's Future Land Use Plan and will create a much needed resource for Dawson County's maturing population.

APPLICANT:
DAWSON LAND
PARTNERS, LLC
28 PROWING CIRCLE
DANBURYVILLE, GA 30528
PHONE: (770) 397-8813

34-HOUR CONTACT:
COREY GUTHRIE
(770) 397-8813

PROJECT:
VILLAS AT
HOWSER MILL

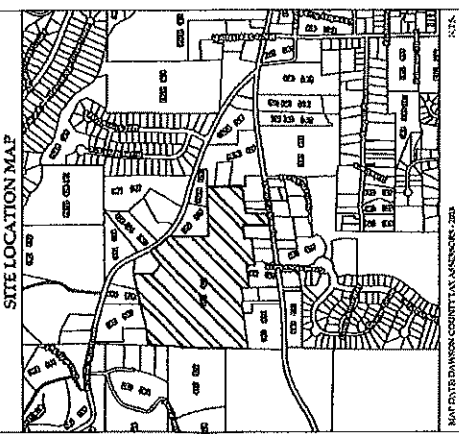
LOCATION IN:
LAND LOTS 779, 881, 827, 438
465 DISTRICT 14 SECTION
CITY OF DANBURYVILLE
GEORGIA
PARCEL 002 001

SHEET TITLE:
REZONING
EXHIBIT

STATE:
GEORGIA

DRAWING DATE: 2/24/18
SHEET REVISIONS

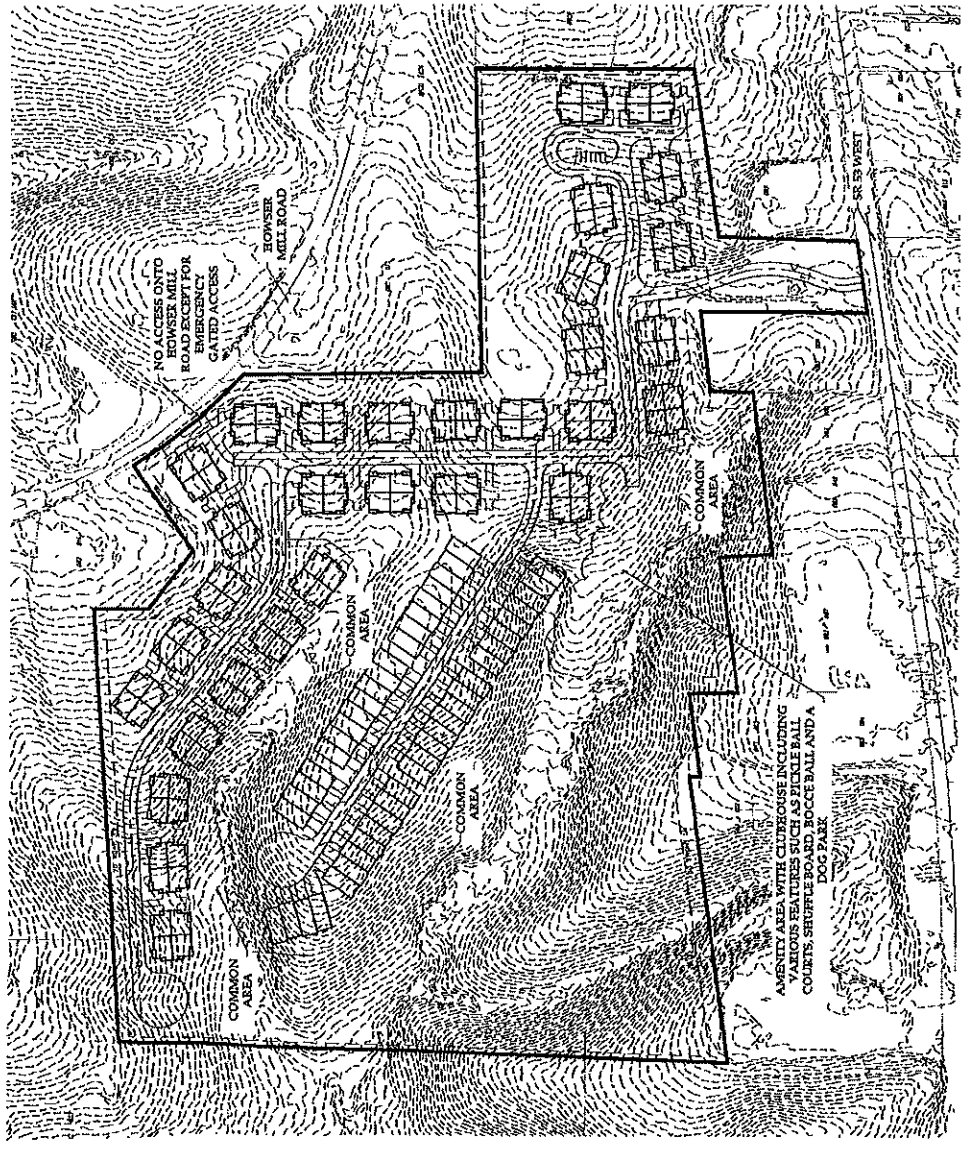
1 OF 1



STEERING PLAN
Frashing: 20' RE
Rear: 20' RE
Site Area: 58.55 AC
Total Units: 172 (31 CHAOS, 45 TOWNHOMES)
Density: 4.5 Units/Acre
Setbacks: 5'
Side: 10'
Rear: 20'

NOTES:
1. All landscaping and common areas will be maintained by the
2. All residential units will be for single townhome.
3. This development will target 55+ owners.

Grid North (GA West Zone)



NO ACCESS ONTO
HOWSER MILL
ROAD EXCEPT FOR
EMERGENCY
GATED ACCESS

HOWSER
MILL ROAD

COMMON
AREA

COMMON
AREA

AMENITY AREA WITH CLUBHOUSE INCLUDING
VARIOUS FEATURES SUCH AS PICKLE BALL
COURTS, SHUFFLE BOARD, BOCCIE BALL AND A
DOG PARK

COMMON
AREA



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Zoning Amendment
 Application**

Request # ZA- 09-00004 Date: 1/11/19
 Applicant Name(s): Ensite Civil Consulting, LLC
 Address: 131 Prominence Court City: Dawsonville State: GA Zip 30534
Suite 230
 Phone: _____ Cell Phone: 678-316-3572
 E-Mail jim@kingconsulting.info
 =====
 Property Address: 592 Highway 53W
 Tax Map # 082 021 Parcel # 082 021 Current Zoning** : R-3
 Land Lot(s): 379,380,437, & 438 District: 4th Section: 1st
 Subdivision Name: _____ Lot # _____
 Acres: 38.58 Current Use of Property: Vacant
 Has a past Request of Rezone of this property been made before? yes if yes, provide ZA # _____

The applicant request:

Rezoning to zoning category: RPC Special Use permit for: _____
 Proposed use of property if rezoned : Residential Neighborhood targeting age 55+
 If Residential: # of lots proposed 172 Minimum lot size proposed N/A (Include Concept Plan)
 Is an Amenity area proposed yes, if yes, what Small clubhouse, bocci court, pickleball court, outdoor patio, walking trails
 If Commercial: Total Building area proposed _____ (Include Concept Plan)
 Existing Utilities: (readily available at road frontage) Water Sewer Electric _____ Natural Gas
 Proposed Utilities: (developer intends to provide) _____ Water _____ Sewer _____ Electric _____ Natural Gas
 Road Access/Proposed Access: (Access to the development/area will be provided from)
 Road name: State Route 53 Type of Surface: Asphalt

◆ Failure to complete all sections will result in rejection of application and unnecessary delays.
 ◆ I understand that failure to appear at a public hearing may result in the postponement or denial of this application.

 Signature of Applicant 1/11/2019
Date

Office Use Only:
 Date Completed Application Rec'd _____ Amount Paid \$ 2450¹³ Check # 828 /Cash
 Date of Planning Commission Meeting: 2/11/19 Dates Advertised: 1/23/19
 Date of City Council Meeting: 2/18/19 Dates Advertised: 1/23/19
 Postponed: YES NO Date: 3/11/19 Rescheduled for next Meeting: _____
 Approved by Planning Commission: YES NO Approved by City Council: YES NO

350.00
450 x 38.58 1929.00



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Zoning Amendment
 Authorization**

Property Owner Authorization

I / We PACIFIC CREST MANAGEMENT LLC hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 592 HWY 53 W Parcel #082 021 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(s) or entity(ies) 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 undersigned 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 City Council.

Printed Name of Applicant or Agent Jim King, Ensite Civil Consulting, LLC
Signature of Applicant or Agent [Signature] Date 11/05/2018
 Mailing Address 131 Prominence Court, Suite 230
 City Dawsonville State Georgia Zip 30534
 Telephone Number (678) 316-3572

Printed Name of Owner(s) Chang Ho Park (Sunny)
Signature of Owner(s) [Signature] Date 11/06/2018
 Date _____

Sworn to and subscribed before me
 this 6 day of November 2018.
[Signature]
 Notary Public, State of Georgia

YOGINI PATEL
 NOTARY PUBLIC
 Gwinnett County
 State of Georgia
 My Comm. Expires March 16, 2021

My Commission Expires: 3-16-2021 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.)

LETTER OF INTENT

The applicant requests a Variance from Section 1802.03 of the newly adopted Residential Planned Community (RPC) for Parcel Number 082 021 in order to expand on the Rezoning Application for a 172-Home Senior LifeStyle Neighborhood on 38.55 acres.

The proposed Master Planned Development is in unison with what has already been approved. The original approved R-3 Zoning allowed for 116 traditional homes. The proposed development of attached Quads and Duplexes will target 55+ Seniors which will have far less impact on schools and roads than traditional family homes. We were initially going to apply for the R-6 Zoning for this property; however after learning that the RPC Zoning was being created, we opted to wait for its debut. Unfortunately, the Ordinance was approved with a density limitation of 4 units/acre and the Concept that we have been working on for several months requires a density of 4.5 units/acre. For this reason, we are requesting a variance from this requirement to allow another 0.5 units per acre.

The type of development proposed is more expensive than typical development. The streets will be private, there will be a gated entrance, and landscaping will be more extensive. Dividing this cost over less than 172 Lots will create a Hardship. Dividing the cost of maintaining these benefits over the future life of this neighborhood by anything less than the requested 172 homeowners, will create a burden upon the future residents therein.

The neighborhood will provide a much needed solution for Dawson Seniors desiring a much simpler lifestyle that is designed specifically with age 55+ Seniors in mind. Landscaping and outdoor spaces will be maintained by a common landscape maintenance association giving owners the choice of a maintenance-free life style.

The impact on schools and utilities will be far less than the currently approved development because the new neighborhood will be predominantly targeted to empty nesters and retired or semi-retired seniors.

The proposed Master Plan and associated Density reflect the intent of the City's Future Land Use Plan and will create a much needed resource for Dawson County's maturing population.

City of Dawsonville Land Use and Zoning Ordinance: Article XXV Planning Commission.

Section 2503. Powers And Duties. The Planning Commission shall have the following functions, powers and duties: **(9) Determine variances pursuant to Section 2507.**

Section 2507. Variances/Appeals.

The Planning Commission is hereby empowered to authorize upon application in specific cases such variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will in an individual case, result in unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done. The existence of a non-conforming use of neighboring land, buildings or structures in the same zoning district or of permitted or non-conforming uses in other districts shall not constitute a reason for the requested variance.

2507.1

A variance may be granted in an individual case of unnecessary hardship, after appropriate application, upon specific findings that all of the following conditions exist. The absence of any one (1) of the conditions shall be grounds for denial of the application for variance.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other land or structures in the same district; and,
2. A literal interpretation of the provisions of these zoning regulations would create an unnecessary hardship and would deprive the applicant of rights commonly enjoyed by other property owners within the district in which the property is located; and,
3. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located; and,
4. Relief, if granted, will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or general welfare in such a manner as will interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value; and,
5. The special circumstances are not the result of the actions of the applicant; and,
6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure; and,
7. The variance is a request to permit a use of land, building or structures which is permitted by right in the district involved.

2507.2.

In exercising its powers, the Planning Commission may, in conformity with the provisions of these regulations, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the Building Official or City Administrator related to zoning, development and land use, and to that end, shall have all of the powers of the Building Official and may issue or direct the issuance of a permit. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Official or City Administrator related to zoning, development and land use.

2507.3.

In exercising the powers to grant appeals and approve variances, the Planning Commission may attach any conditions to its approval which it finds necessary to accomplish the reasonable application of the requirements of these regulations.

2507.4.

All decisions of the Planning Commission on variances and appeals shall be final unless within ten (10) days of the decision, an appeal is filed by any aggrieved party to the Governing Body.



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Property Owner
 Authorization**

VAR# C9-00004 TMP# 082 021 Applicant's Name: Jim King / Ensite Civil Cons.

Property Owner Authorization

I / We PACIFIC CREST MANAGEMENT LLC hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 592 HWY 53 W Tax Parcel # 082 021

_____ 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(s) or entity(ies) 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 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 undersigned 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.

Printed Name of Applicant or Agent Ensite Civil Consulting, LLC
 Signature of Applicant or Agent _____ Date _____
 Mailing Address 131 Prominence Court, Suite 230
 City Dawsonville State Georgia Zip 30534
 Telephone Number (678) 316-3572

Printed Name of Owner(s) Chang Ho Park (Sunny)
 Signature of Owner(s) [Signature] Date 11/06/2018
 _____ Date _____

Sworn to and subscribed before me
 this 6 day of November 20 18.

[Signature]
 Notary Public, State of Georgia

My Commission Expires: 3-16-2021

YOGINI PATEL
 NOTARY PUBLIC
 Gwinnett County
 State of Georgia
 My Comm. Expires March 16, 2021

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.)



City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534

ATTN: Beverly Banister, City Clerk
 (706)265-3256

INVOICE #
19-00259

INVOICE DATE: 01/18/19
 DUE DATE: 02/17/19

ACCOUNT ID: ENSIT005 PIN: 100845 ENSITE CIVIL CONSULTING LLC JIM KING JIM KING 131 PROMINENCE COURT STE 230 DAWSONVILLE, GA 30534
--

PERMIT INFORMATION
 PERMIT NO: C9-00004
 LOCATION: 592 HWY 53 WEST
 OWNER: PACIFIC CREST MANAGEMENT LLC

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		Permit No: C9-00004		
1.0000/QTY	P-0170	ZONING REQUEST TO RPC Permit No: C9-00004	350.00000	350.00
38.5800/ACR	P-0171	ZONING REQUEST TO RPC PER ACRE Permit No: C9-00004	50.00000	1,929.00
27.0000/EA	P-0155	CERTIFIED MAIL FEE Permit No: C9-00004	6.56000	177.12
1.0000	P-0153	VARIANCE Permit No: C9-00004	300.00000	300.00
			TOTAL DUE:	\$ 2,756.12
		Prn Payment: 01/18/19 CK 828		-2,756.12
			BALANCE:	\$ 0.00

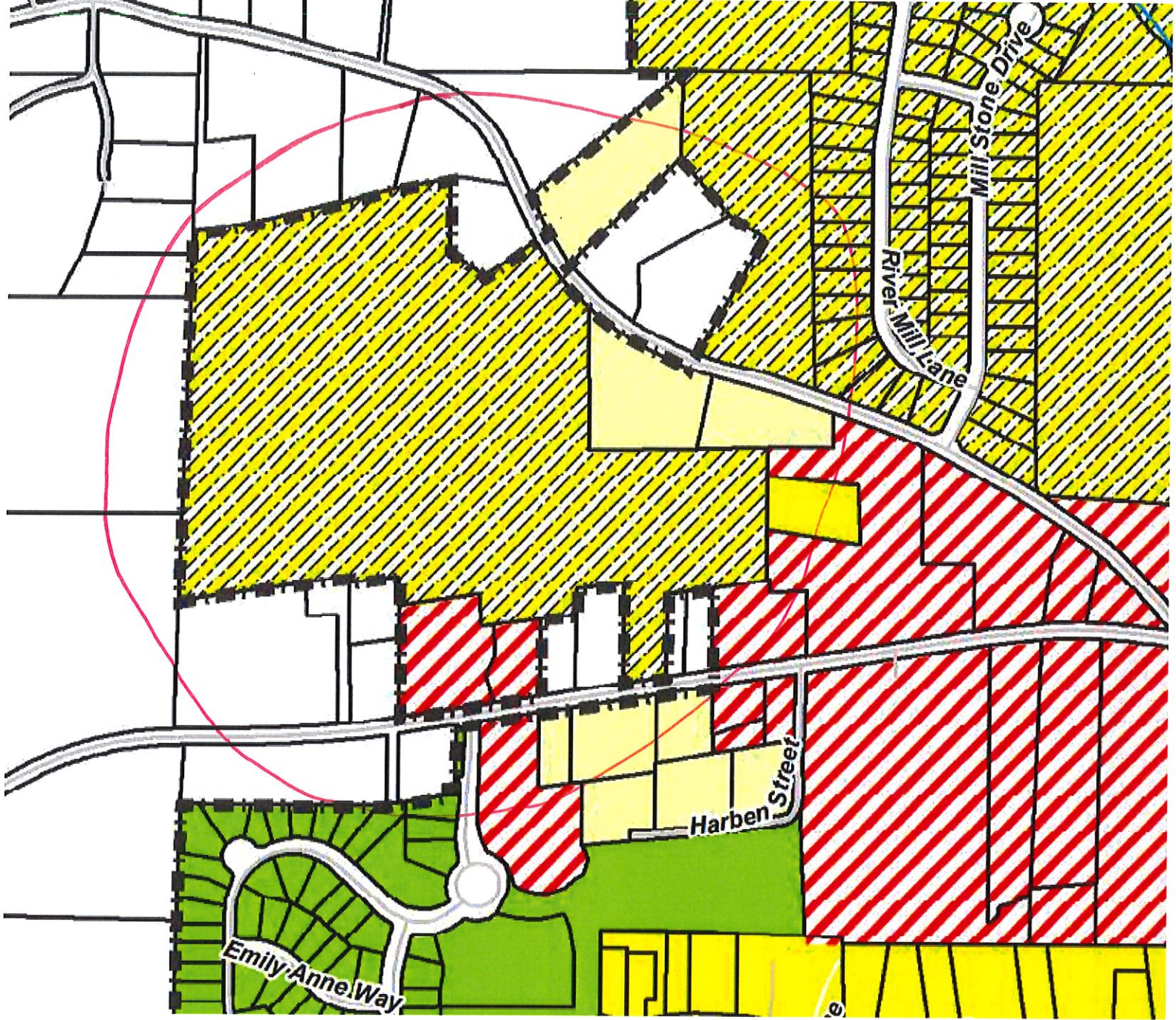
 PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534

INVOICE #: 19-00259
 DESCRIPTION: Permit No: C9-00004
 ACCOUNT ID: ENSIT005 PIN: 100845
 DUE DATE: 02/17/19
 TOTAL DUE: \$ 0.00

ENSITE CIVIL CONSULTING LLC
 JIM KING
 JIM KING
 131 PROMINENCE COURT STE 230
 DAWSONVILLE, GA 30534







February 26, 2019

To: City of Dawsonville Planning Commission
Planning Commission Chairperson Troy Lindsey

Re: Staff Recommendation; ANX-C9-00247, ZA-C9-00247; Anderson, Dan

Mr. Chairman and Commissioners,

A request has been received for an annexation and zoning amendment for a portion of parcel located at 378 Shoal Creek Rd consisting of 12.19 acres, TMP number being 092B-001. ANX-C9-00247 is part of the city 120-day moratorium on annexation/zoning fees for island lots. The subject property meets all the criteria for the 120-day moratorium. ZA-C9-00247 is a request to rezone said parcel after annexation to city zoning R-1 which is comparable to the current county zoning of R-A. A portion of said property is currently located within the city.

No opposition to this request has been received by this office.

An approval of this request will result in the incorporation of a county island property into the city which will allow for more uniform service delivery and better consolidation of the city map.

This request will have no adverse effects on adjoining properties.

The Planning and Zoning staff would recommend **approval**.

Please let me know if you have any questions regarding this matter.

Sincerely,

R.J. Irvin
Planning Director, City of Dawsonville



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Annexation Petition
 into the
 City of Dawsonville, GA**

Annexation # CA-00247

FEE \$250.00 (NONREFUNDABLE) Date Paid _____ Cash /Ck # _____

Fees Waived by CC

Please Print Clearly ZONING AMENDMENT APPLICATION AND FEES RECEIVED? YES NO

Applicant Name(s): DAN S. ANDERSON VANITA L. ANDERSON

Mailing Address ⁵⁶⁰OAK FOREST DR City DAWSONVILLE State GA Zip 30534

E-Mail Vanita lee at Windstream, net

Applicant Telephone Number(s): 706-265-9016

Property Owner's Name(s): DAN S. ANDERSON VANITA L. ANDERSON

Mailing Address 560 OAK FOREST DR City DAWSONVILLE State GA Zip 30534

E-Mail Vanita lee @ Windstream, net

Property Owner's Telephone Number(s): 706-265-9016

Address of Property to be Annexed: 378 Short Creek Rd. VACANT LOT

Portion of - Tax Map & Parcel # 092B-001 *Portion of -* Property Size in Acres: 2.19 Survey Recorded in Plat Book # 40 Page # 25

Land Lot # 371 & 372 District # 4-1 Section # 1 Legal Recorded in Deed Book # 255 Page # 243

Current Use of Property: CONSERVATION

County Zoning Classification: RA City Zoning Classification: R1

Land Use & Zoning Ordinance, Article VII. General Provisions Sec. 708. Annexation:

Any land area subsequently added to the incorporated area of Dawsonville shall automatically be classified R-1 (single-family residential district) until or unless otherwise classified by amendment to the official zoning map.

Petition **MUST** include a completed application with signatures and **ALL** attachments.

An 8 1/2 x 11 copy of the current **RECORDED BOUNDARY SURVEY** of said property showing the contiguity of said property to the existing corporate limits of the City of Dawsonville, GA.

A copy of the current metes and bounds **LEGAL DESCRIPTION** that matches the boundary survey of the property being annexed.

Survey **must** be signed and sealed by a Registered Land Surveyor.

Survey **must** be signed, stamped recorded by Dawson County Clerk's Office, Superior Court



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Annexation Petition
 into the
 City of Dawsonville, GA**

Please answer the following questions to meet and comply with the United States Department of Justice, Civil Rights Division, Voting Section, Section 5 of the Voting Rights Act.

1. Intended Use of Land: _____ Residential _____ Commercial
 _____ Existing Structure(s) _____ Vacant
 _____ Other (specify) Conservation

2. Number of persons currently residing on the property: 0; VACANT
 Number of persons 18 years or older: 0; Number of persons registered to vote: 2

3. The number of all residents occupying the property:

<u>0</u> American Indian	<u>0</u> Alaskan Native
<u>0</u> Asian	<u>0</u> Pacific Islander
<u>0</u> Black, not of Hispanic Origin	<u>0</u> Hispanic
<u>0</u> White, not of Hispanic Origin	<u>0</u> VACANT

Please answer the following questions to meet and comply with the U. S. Department of Commerce, which requires this information to provide Population Estimates.

ARC Population Estimate Information

- A. Number of existing housing units: 0

- B. List of Addresses for each housing unit in the annexed area at the time of the annexation:
0

- C. Disposition of existing structures (e.g. to stay the same, be demolished, moved or converted):
no change 0

- D. Names of affected Subdivision: 0

- E. Name of affected Multi-Family Complex: 0

- F. Names of Group Quarters (dormitories, nursing homes, jails, etc.):
0

- G. Names of affected Duplexes: 0

- H. Names of Mobile Home Parks: 0



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**Annexation Petition
 into the
 City of Dawsonville, GA**

Property Owner(s) Authorization

I / We the undersigned, being the owner(s) of real property of the territory described herein as 378 Shoal Creek Rd GA 092B-001 (Address/Tax Map Parcel), respectfully request that the Mayor and City Council of the City of Dawsonville, Georgia annex this property into the City and extend the City boundaries to include the same.

Upon signature of this document, I / We the undersigned certify that all the information provided is true and accurate to the best of our knowledge.

(1)	<u>Dan S. Anderson</u> Property Owner Signature	<u>DAN S. ANDERSON</u> Property Owner Printed Name
(2)	<u>Varita L. Anderson</u> Property Owner Signature	<u>Varita L. Anderson</u> Property Owner Printed Name
(1)	<u>Dan S. Anderson</u> Applicant Signature	<u>DAN S. ANDERSON</u> Applicant Printed Name
(2)	<u>Varita L. Anderson</u> Applicant Signature	<u>Varita L. Anderson</u> Applicant Printed Name

Sworn to and subscribed before me
 this 6th day of February 2019.

[Signature]
 Notary Public, State of Georgia

My Commission Expires: Oct. 10, 2020

OKSANA SHIRLEY
 NOTARY PUBLIC
 Forsyth County
 State of Georgia
 My Comm. Expires Oct. 10, 2020
 Notary Seal

Annexation Application Received Date Stamp: Rec'd 2/11/19 Completed Application with Signatures
 Rec'd 2/15/19 Current Boundary Survey
 Rec'd 2/15/19 Legal Description
 Rec'd 2/11/19 ARC Population Estimate Information

Planning Commission Meeting Date (if rezone): 3/11/19
 Dates Advertised: 2/20/19
 1st City Council Reading Date: 3/18/19
 2nd City Council Reading Date: 4/18/19 Approved: YES NO
 Date Certified Mail to: 2/19 County Board of Commissioners & Chairman 2/19 County Manager 2/19 County Attorney
 Letter Received from Dawson County Date: _____



City of Dawsonville
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 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

Zoning Amendment Application

Request # ZA- C9- 00247 Condition/Stipulation Change

Original ZA # N/A

Applicant Name(s): Dan S + Vanita L Anderson

Address: 560 Oak Forest Drive City: Dawsonville GA Zip: 30534

Phone: 706-265-9016 Cell Phone: _____

* Signature(s) Dan S. Anderson Date _____

Property Address: 378 Shoal Creek Rd

Directions to Property from City Hall: _____

Tax Map # D92B 001 Parcel # _____ Current Zoning*: RA- County

Land Lot(s): 371 + 372 District: 4 Section: _____

Subdivision Name: _____ Lot # _____

Acres: 12.19 Current Use of Property: Vacant

Has a past Request of Rezone of this property been made before? No If yes, provide ZA # _____

The applicant request:

Rezoning to zoning category: R1 Special Use permit for: _____

Proposed use of property if rezoned is: Same

If Residential: # of lots proposed _____ Minimum lot size proposed _____ (Include Conceptual Plan)

Is an Amenity area proposed _____ if yes, what _____

If Commercial: Total Building area proposed _____ (Include Conceptual Plan)

Existing Utilities: (utilities readily available at the road frontage) _____ Water _____ Sewer _____ Electric _____ Natural Gas

Proposed Utilities: (utilities developer intends to provide) _____ Water _____ Sewer _____ Electric _____ Natural Gas

Road Access/Proposed Access: (Access to the development/area will be provided from)

Road name: Shoal Creek Rd + Burt G. Rd Type of Surface: _____

- ◆ Failure to complete all sections will result in rejection of application and unnecessary delays.
- ◆ I understand that failure to appear at a public hearing may result in the postponement or denial of this application.

* Dan S. Anderson
 Signature of Applicant

2/15/19
 Date

Office Use Only:	
Date Completed Application Rec'd <u>2-15-19</u>	Amount Paid \$ <u>per CC</u> <u>Fees waived</u> Check # _____ /Cash
Date of Planning Commission Meeting: <u>3-11-19</u>	Dates Advertised: <u>2/20/19</u> <u>2/27/19</u>
Date of City Council Meeting: <u>3-18-19</u>	Dates Advertised: <u>2/20/19</u> <u>2/27/19</u>
Postponed: YES NO Date: _____	Rescheduled for next Meeting: _____
Approved by Planning Commission: YES NO	Approved by City Council: YES NO



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Zoning Amendment
 Authorization**

Property Owner Authorization

I / We Dan S Anderson hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 092B 001
378 Shoal Creek Rd 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(s) or entity(ies) 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 undersigned 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 City Council.

Printed Name of Applicant or Agent Dan S Anderson

*Signature of Applicant or Agent Dan S. Anderson Date 2/15/19

Mailing Address 560 Oak Forest Dr.

City Dawsonville State GA Zip 30534

Telephone Number _____

Printed Name of Owner(s) Dan S Anderson

*Signature of Owner(s) Dan S. Anderson Date 2/15/19

Date _____

Sworn to and subscribed before me

this 15 day of February 2019.

Nalita Y. Copeland
 Notary Public, State of Georgia



Nalita Y. Copeland
NOTARY PUBLIC
 Dawson County, Georgia
 My Commission Expires
 May 15, 2019

My Commission Expires: May 15, 2019

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.)



City of Dawsonville
P.O. Box 6
415 Highway 53 East, Suite 100
Dawsonville, GA 30534
Phone: (706) 265-3256

**Zoning Amendment
Campaign Disclosure**

Disclosure of Campaign Contributions
(Applicant(s) and Representative(s) of Rezoning)

Pursuant to OCGA, Section 36-67 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made with 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 years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

Amount \$ 0 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 2 years immediately preceding the filing application for rezoning: _____

* Jan L. Anderson
Signature of Applicant / Representative of Applicant

2/15/19
Date

Failure to complete this form is a statement that no disclosure is required.

Tract 1 - TMP 092B 001

Part of the 12.19 Acre tract is already in the City (Original City boundary)-outlined

This annexation is for the portion highlighted.

TOTAL AREA: 55.98 Ac.

GEORGIA DAWSON COUNTY CLERK'S OFFICE, SUPERIOR COURT FILED FOR RECORD AT 4:25P on 11/18/97

Notes:

THIS PLAN REPRESENTS A PORTION OF TRACT 1A 9 ACRE TRACT SHOWN IN PLAT BOOK 8, PAGE 17, DAWSON COUNTY RECORDS.

REFER TO:

- PLAT BOOK 8, PAGE 106, DAWSON COUNTY RECORDS
PLAT BOOK 8, PAGE 106, DAWSON COUNTY RECORDS
TRACT 1A, PAGE 147, DAWSON COUNTY RECORDS
TRACT 1A, PAGE 148, DAWSON COUNTY RECORDS
TRACT 1A, PAGE 149, DAWSON COUNTY RECORDS
TRACT 1A, PAGE 150, DAWSON COUNTY RECORDS
TRACT 1A, PAGE 151, DAWSON COUNTY RECORDS
TRACT 1A, PAGE 152, DAWSON COUNTY RECORDS

NOTE THAT BY TYPON CTS-35 POSITION CLASS RE 1/15.000 ANGLE ERROR 17.57% CRANIAL ADJUSTMENT PLAT CLOSES EXCESS 1/50.000

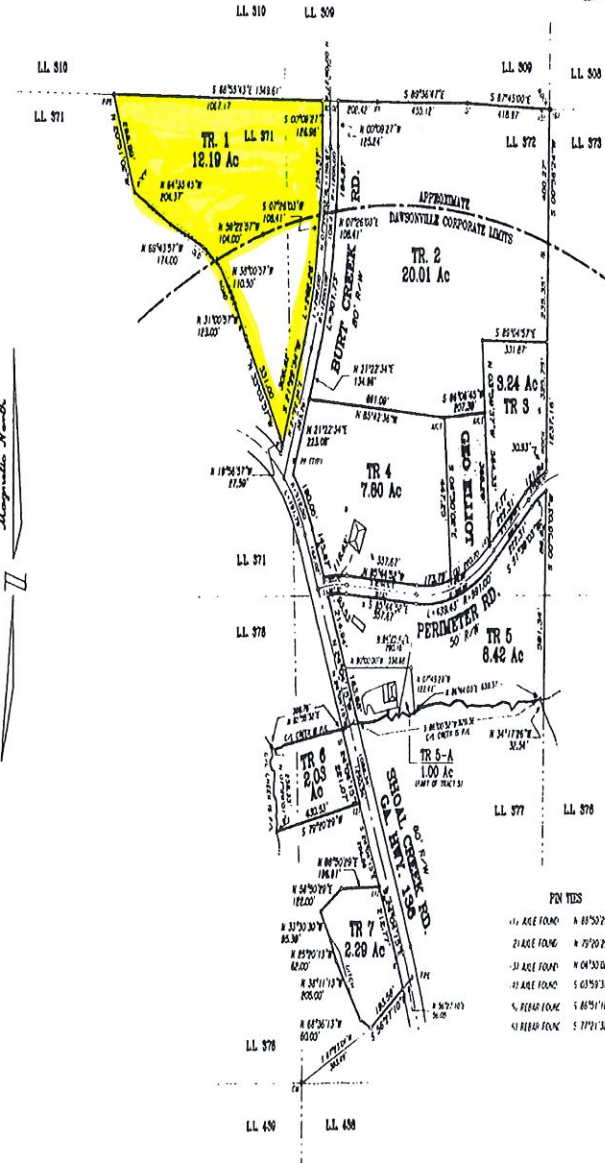
ACCORDING TO B.L.D. FLOOD MAPS THIS PROPERTY IS PART OF A SPECIAL FLOOD HAZARD ZONE

BOUNDARY MARKS SHALL BE PLACED AT THE CORNERS AND AT THE POINTS OF CHANGE OF DIRECTION. ALL BEING AS SHOWN IN THIS PLAN. THESE MARKS SHALL BE PLACED AT THE CORNERS AND AT THE POINTS OF CHANGE OF DIRECTION.

LEGEND:

- LA BOUNDARY MARK
CL BOUNDARY MARK
ALL BOUNDARY MARKS SHALL BE PLACED AT THE CORNERS AND AT THE POINTS OF CHANGE OF DIRECTION. ALL BEING AS SHOWN IN THIS PLAN. THESE MARKS SHALL BE PLACED AT THE CORNERS AND AT THE POINTS OF CHANGE OF DIRECTION.

October 27, 1997



- VESTING
TRACT 1 DAN S. ANDERSON
TRACT 2 BETTY L. LOVE
TRACT 3 DAN S. ANDERSON
TRACT 4 DONALD E. ANDERSON
TRACT 5 ROBERT PHILLIP ANDERSON TRUSTEE FOR ROBERT L. ANDERSON
TRACT 6 ALL HEIRS
TRACT 7 ALL HEIRS

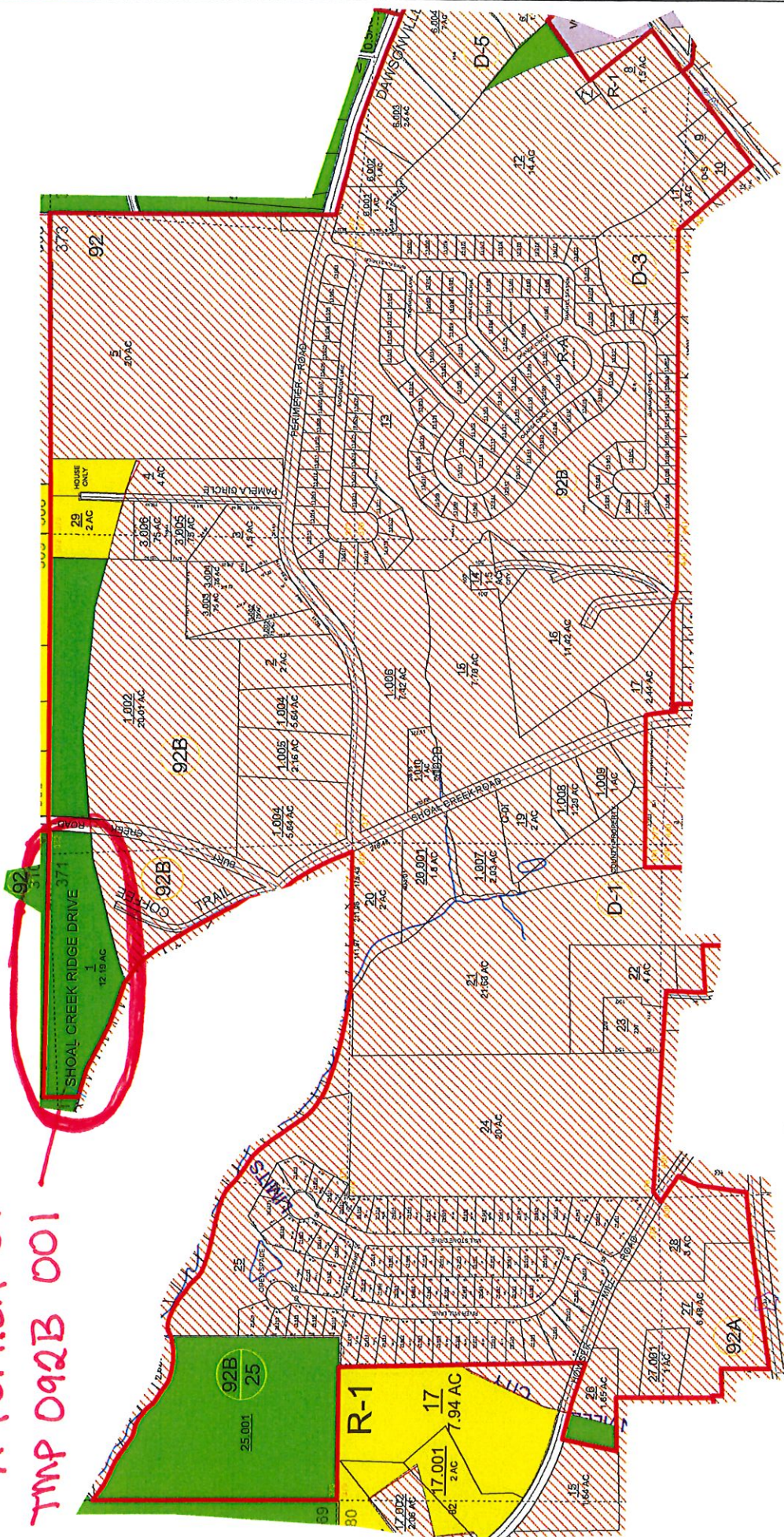
BUSTER CLARK (Signature and Stamp)

J. A. PAGE & ASSOCIATES 3410 CHERRY ROAD CUMMINGS, GEORGIA 30131 PHONE: (770) 888-0381

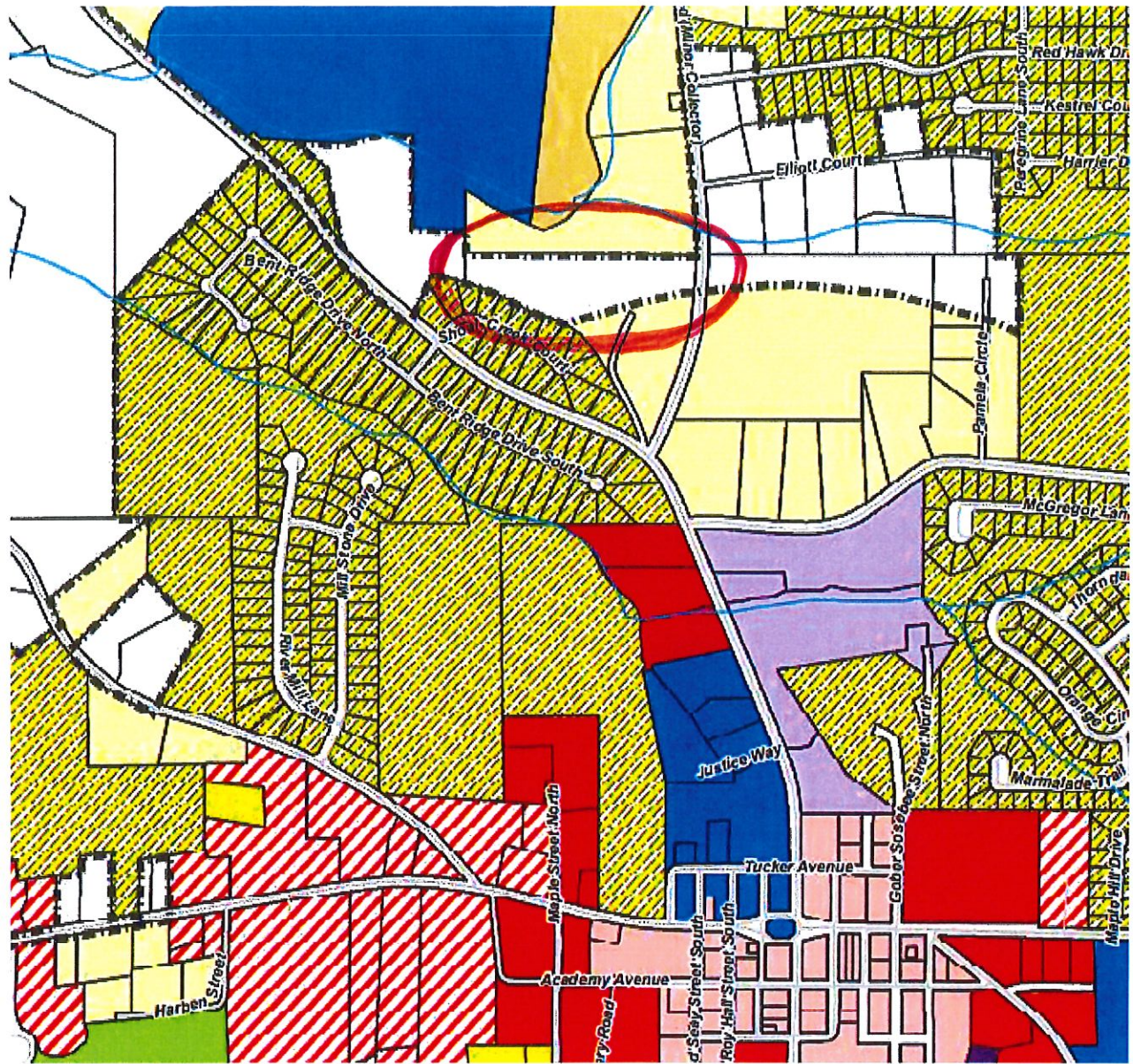
SURVEY FOR HEIRS OF THE LINDA ANDERSON ESTATE LAND LOTS 371, 372, 377 & 378, 4TH DIST., 1ST SEC. CITY OF DAWSONVILLE, DAWSON CO., GEORGIA

Table with columns for NAME, DATE, and other survey details.

A Portion of
TMP 092B 001



County Zoning Map - RA



A Portion of -
TMP 092 B 001

City Zoning Map



February 26, 2019

To: City of Dawsonville Planning Commission
Planning Commission Chairperson Troy Lindsey

Re: Staff Recommendation; VAR-C9-00248; Uselton, Dustin

Mr. Chairman and Commissioners,

A request has been received to vary from the minimum lot size requirements for 371 Hwy 9 South, TMP number being D04 008. VAR-C9-00248 is a request to vary from the C-HB zoning minimum lot size requirement of 1 acre in order to incorporate additional land to the current lot, current lot size being 0.461 acres, to a new lot size of 0.89 acres. The applicant is attempting to bring the already grossly nonconforming lot into a state which is as close to the required 1 acre minimum as possible however the applicant has only been able to secure enough additional property to bring the total acreage to 0.89 acres. The lot is currently out of conformance through no fault of the applicant.

No opposition to this variance request has been received by this office.

An approval of this variance will result in an overall lot size which is closer to the minimum requirement than the lot is currently. Section 707 of the Zoning Ordinance prohibits the reduction of lot size below the minimum however nothing in the ordinance would prevent an increase in lot size to bring the lot closer to the minimum requirements.

This request will have no adverse effects on adjoining properties.

The Planning and Zoning staff would recommend **approval**.

Please let me know if you have any questions regarding this matter.

Sincerely,

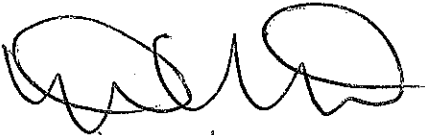
R.J. Irvin
Planning Director, City of Dawsonville

City of Dawsonville
Letter of Intent

To whom it may concern:

Let me start with I purchased the home at 371 Hwy 9 South in November of 2014. I completely gutted the home, rebuilding it from the studs to what I consider the home I will live in to the good Lord calls me home! I must say I absolutely love living in Dawsonville! Not sure what I'm supposed to say in this letter so I will be brief. The only thing that has bothered me about my home is there is absolutely nowhere to park. My wife and I along with our 3 daughters have nowhere to park so we end up parking on the 1.5 acre lot that Mr. Gilland owned. He was gracious enough to allow us to do so. Fast forward to Mike Gaddis purchasing the land from Mr. Gilland. We never were able to solidify such an agreement but after many talks Mike Gaddis agreed to sell me the lot to allow me to add .43 acres to my existing .461 lot for a total lot size of .89. I'm asking you to allow me a variance since this will be less than the minimum 1 acre lot size for highway business. This will however be much closer to my being compliant than I currently am. Your help in this matter is greatly appreciated!

Sincerely,
Dustin Uselton



2/8/19



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

Variance Application

VAR- C9-00248

Fee: \$300.00

Application for: Appeal Special Exception Adjustment

Type of Variance Requested: Minimum Lot Size (Letter of Intent must fully describe this request)

Applicant Name: Dustin Useitan Company: _____
 Address: 371 Hwy 9 south City: Dawsonville Zip: 30534
 Phone: 770 655 5279 Cell Phone: _____ Fax #: _____

Owner Name(s): Dustin Useitan
 Address: 371 Hwy 9 south City: _____ Zip: _____
 Phone: 770 655 5279 Cell Phone: _____ Fax #: _____

Exact Location and Description of Subject Property:

Address: 371 Hwy 9 south Lot # _____
 Present/Proposed Zoning: HB Parcel # 004 008
 District: _____ Land Lot: _____ Tax Map # _____
 Present and/or Proposed Use of Property: Residential / Personal Residence

Required Items:

- A completed signed application.**
- A detailed Letter of Intent of your request along with any supporting maps, survey's and/or documents requested by the Building Official.**
 - The Letter of Intent shall address the criteria specified in Section 2507. (see pg. 2)
- The applicant is responsible to pay the certified mail postage to adjacent property owners.**
- Variance fee of \$300.00**

[Signature]
 Signature of Applicant

2/8/19
 Date

City of Dawsonville Land Use and Zoning Ordinance: Article XXV Planning Commission.

Section 2503. Powers And Duties. The Planning Commission shall have the following functions, powers and duties: **(9)** Determine variances pursuant to Section 2507.

Section 2507. Variances/Appeals.

The Planning Commission is hereby empowered to authorize upon application in specific cases such variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will in an individual case, result in unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done. The existence of a non-conforming use of neighboring land, buildings or structures in the same zoning district or of permitted or non-conforming uses in other districts shall not constitute a reason for the requested variance.

2507.1

A variance may be granted in an individual case of unnecessary hardship, after appropriate application, upon specific findings that all of the following conditions exist. The absence of any one (1) of the conditions shall be grounds for denial of the application for variance.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other land or structures in the same district; and,
2. A literal interpretation of the provisions of these zoning regulations would create an unnecessary hardship and would deprive the applicant of rights commonly enjoyed by other property owners within the district in which the property is located; and,
3. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located; and,
4. Relief, if granted, will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or general welfare in such a manner as will interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value; and,
5. The special circumstances are not the result of the actions of the applicant; and,
6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure; and,
7. The variance is a request to permit a use of land, building or structures which is permitted by right in the district involved.

2507.2.

In exercising its powers, the Planning Commission may, in conformity with the provisions of these regulations, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the Building Official or City Administrator related to zoning, development and land use, and to that end, shall have all of the powers of the Building Official and may issue or direct the issuance of a permit. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Official or City Administrator related to zoning, development and land use.

2507.3.

In exercising the powers to grant appeals and approve variances, the Planning Commission may attach any conditions to its approval which it finds necessary to accomplish the reasonable application of the requirements of these regulations.

2507.4.

All decisions of the Planning Commission on variances and appeals shall be final unless within ten (10) days of the decision, an appeal is filed by any aggrieved party to the Governing Body.



City of Dawsonville
 P.O. Box 6
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Property Owner
 Authorization**

VAR# C9-00248 TMP# DD1607 Applicant's Name: Dustin Uselton

Property Owner Authorization

I / We Dustin Uselton hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) DB 1262 pg 115 PB 3 Pg 39
Parcel 0004 008 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(s) or entity(ies) 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 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 undersigned 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.

Printed Name of Applicant or Agent Dustin Uselton
 Signature of Applicant or Agent [Signature] Date 2/8/19
 Mailing Address 371 Hwy 9 South
 City Dawsonville State GA Zip 30534
 Telephone Number 770 655 5279

Printed Name of Owner(s) Dustin Uselton
 Signature of Owner(s) [Signature] Date _____
 Date _____

Sworn to and subscribed before me
 this 8 day of February 2019.
Nalita Y. Copeland
 Notary Public, State of Georgia
 My Commission Expires: May 15, 2019



Nalita Y. Copeland
 NOTARY PUBLIC
 Dawson County, Georgia
 My Commission Expires
 May 15, 2019

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 nolarized also.)

PREPARED BY
DES
DAVIS
 ENGINEERING & SURVEYING
 133 PROMINENCE COURT
 SUITE 210
 DAWSONVILLE, GA 30534
 PHONE: (706) 265-1234
 DAVISENGINEERS.COM

CERTIFICATE OF AUTHORIZATION NUMBER: LSF 001097

SURVEY FOR:
 DUSTIN USELTON
 LAND LOT 445
 4th DISTRICT, 1st SECTION
 IN THE CITY OF DAWSONVILLE,
 DAWSON COUNTY, GEORGIA

DRAWN BY: JMW
 FIELD CREW: CC, JS
 PLAT DATE: 2/6/2019
 FIELD DATE: 2/1/2019

SHEET NO.
 1 of 1
 PROJECT NO.
 19-021.1

-SURVEY NOTES-

FIELD MEASUREMENTS WERE TAKEN WITH A TRIMBLE S6 ROBOTIC INSTRUMENT.
 FIELD DATA FOUND TO HAVE A CLOSURE PRECISION OF 1 PART IN 100,000, AND AN ANGULAR ERROR OF 3 SECONDS PER ANGLE.
 FIELD DATA ADJUSTED USING THE LEAST SQUARES METHOD.
 THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO HAVE A PRECISION OF 1 FOOT IN 547,395 FEET.
 THIS PLAT DOES NOT CONSTITUTE AND SHALL NOT BE CONSTRUED AS A TITLE SEARCH OR REPORT, AND THIS PLAT MAY BE SUBJECT TO ANY EASEMENTS, RIGHT OF WAY OR RESTRICTIONS ONE MAY FIND.
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED ON THIS PLAT.
 THIS DOES NOT EXTEND TO ANY UNNAMED THIRD PARTY WITHOUT AN EXPRESSED RESTATMENT BY THE SURVEYOR.
 TYPE OF SURVEY: PARCEL RECONFIGURATION
 SOURCE OF TITLE DESCRIPTION: PARCEL D04 007 FOR PROPERTY SHOWN HEREON; DB 1282, PG 115; DB 1133, PG 583
 PROPERTY OWNERS AS OF SURVEY DATE: JAMES MICHAEL GAODIS; DUSTIN USELTON
 PARCEL NUMBERS: D04-007 & D04-008
 NOTE: THE INTENT OF THIS SURVEY IS TO COMBINE A PORTION OF PARCEL D04-007 WITH PARCEL D04-008
 ZONED: HB
 SETBACKS: FRONT 40'
 REAR 20'

APPROVED
 CITY OF DAWSONVILLE
 FEB 8 2019
FOR RECORDING



File: 02/08/2019 04:13PM
 BK 00084 Pg 0097
 Plat: Doc: PLAT
 Penalty: \$0.00 Interest: \$0.00
 Participants: 6319847916
 JUSTIN POWER, Clerk of Superior Court
 DAWSON County, Georgia

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

-LEGEND-

- CALCULATED POSITION
- IRON PIN FOUND/SET (OFF/IPS)
- MONUMENT
- CRIPPLED TOP PIPE
- USED BOUNDARIES
- OPEN TOP PIPE
- PLAT BOOK
- P/L PROPERTY LINE
- REAR ROAD
- TELEPHONE RECESSED (TP)
- FIRE HYDRANT (FH)
- WATER METER (WM)
- WATER VALVE (WV)
- POWER BOX (PBX)
- POWER POLE (PP)
- ALIGNER
- LAND LOT LINE (LL)
- FENCE
- OVERHEAD POWER
- (ALL IPS ARE 1/2" RB "CAPPED" UNLESS OTHERWISE LABELED)

Georgia State Route No. 9
 SHOWN AS 60' W/2" ASPHALT, PG 39

LINE	BEARING	LENGTH	LENGTH (GADIS)
C1	N 31°14'01" W	65.83'	1970.00'
C2	N 27°17'49" W	39.57'	350.00'
C3	N 17°57'08" W	1165.34'	350.00'

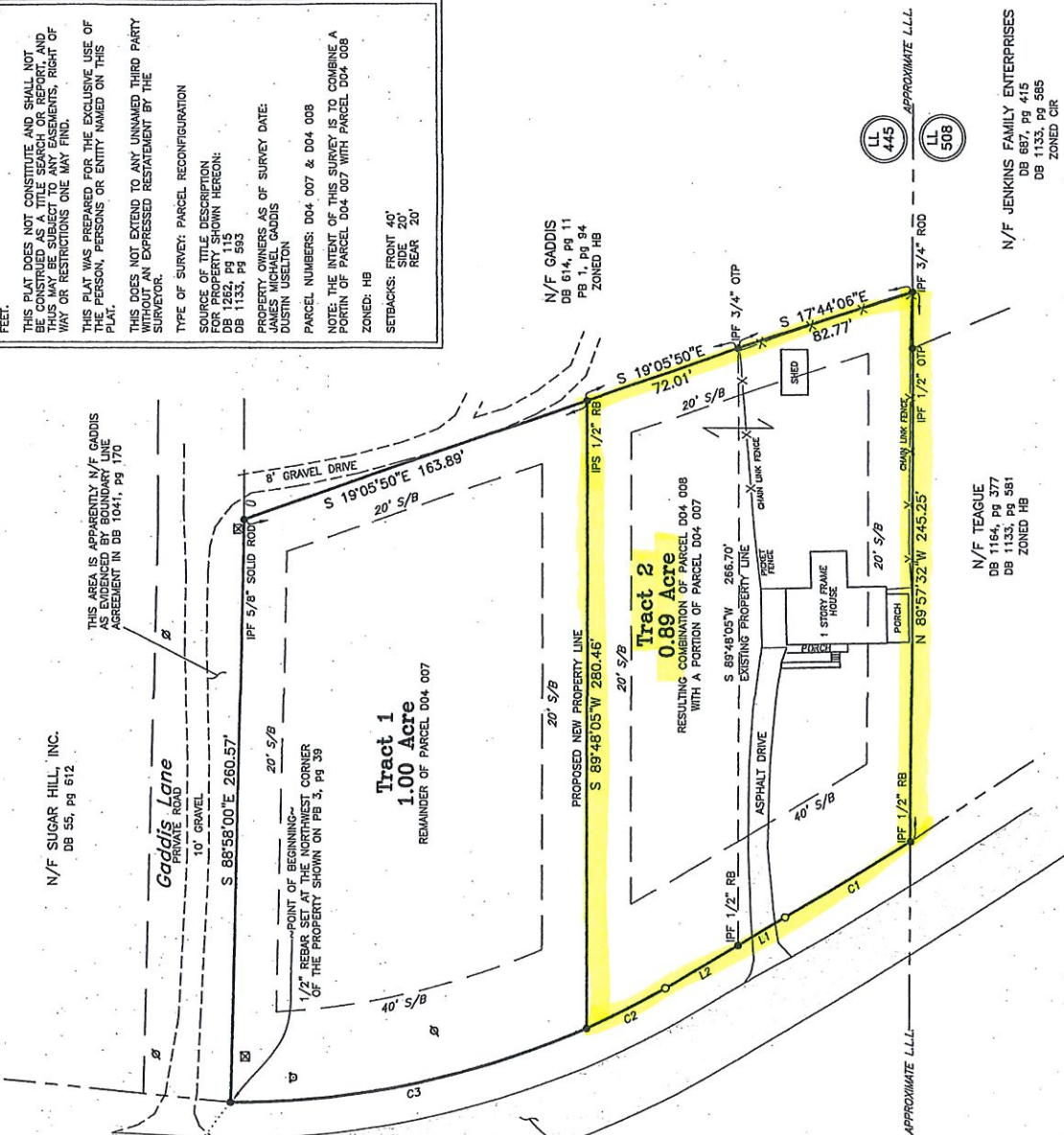
LINE	BEARING	DISTANCE
L1	N 307°16'35" W	24.84'
L2	N 307°16'35" W	36.09'

SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (G) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING. SIGNATURES, STAMPS, OR STATEMENTS HEREON, SUCH AS APPROVALS OR AFFIRMATIONS SHOULD BE BOBBED BY ANY PUBLIC EMPLOYEE OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR HAS REVIEWED THE PLAT FOR CONFORMANCE WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

JASON D. WATKINS, RLS # 3241

 JASON D. WATKINS, RLS # 3241



N/F SUGAR HILL, INC.
 DB 55, PG 512

N/F TEAGUE
 DB 1154, PG 377
 DB 1133, PG 581
 ZONED HB

N/F JENKINS FAMILY ENTERPRISES
 DB 887, PG 415
 DB 1133, PG 585
 ZONED CIR

LL 445
 LL 508

2 026

Gaddis Lane

D02 027 001

D04 007

D04 006

Shepherds Lane

1.50 Acres

1 Acre

Dan Roper Lane

D04 008

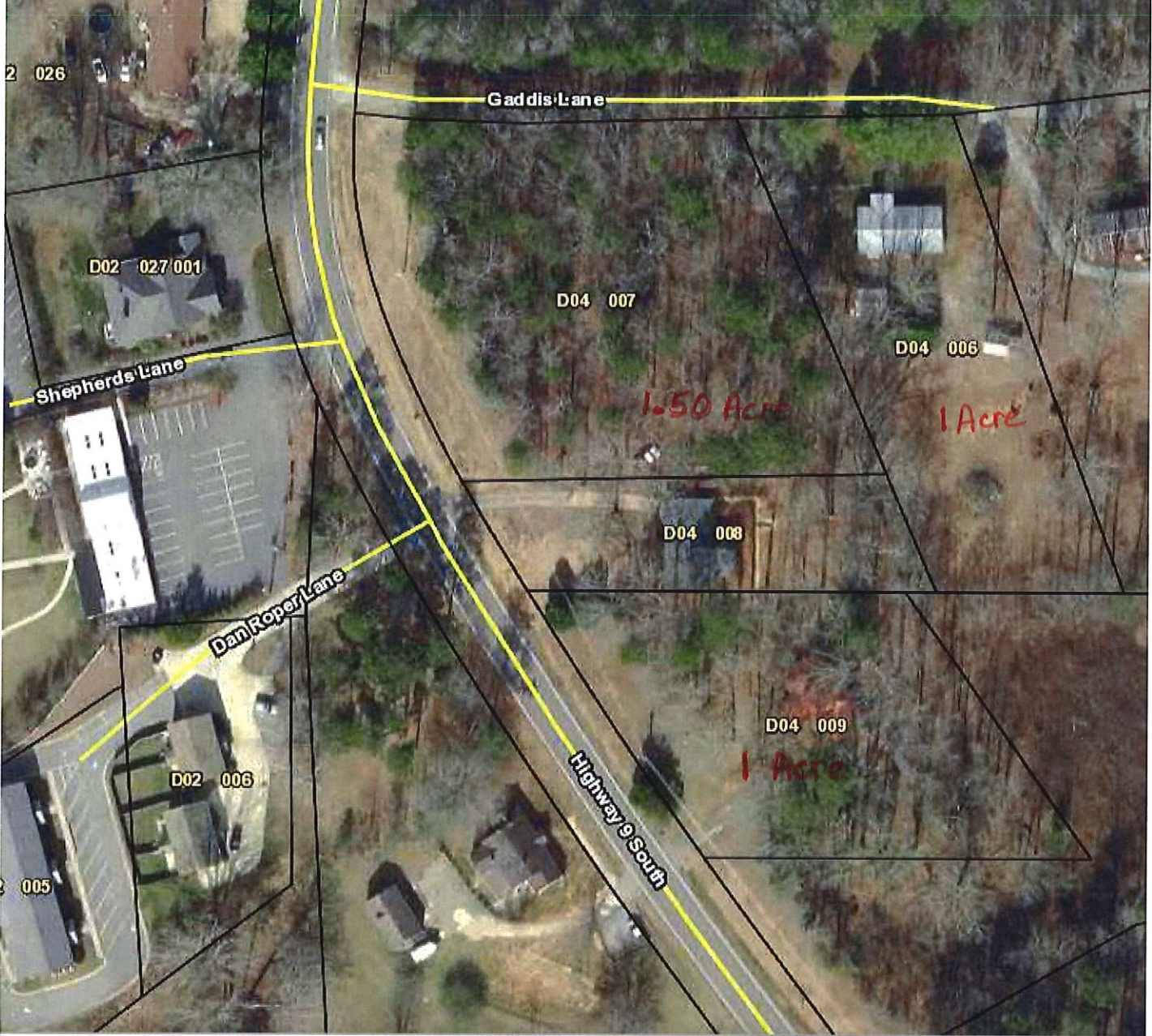
D02 006

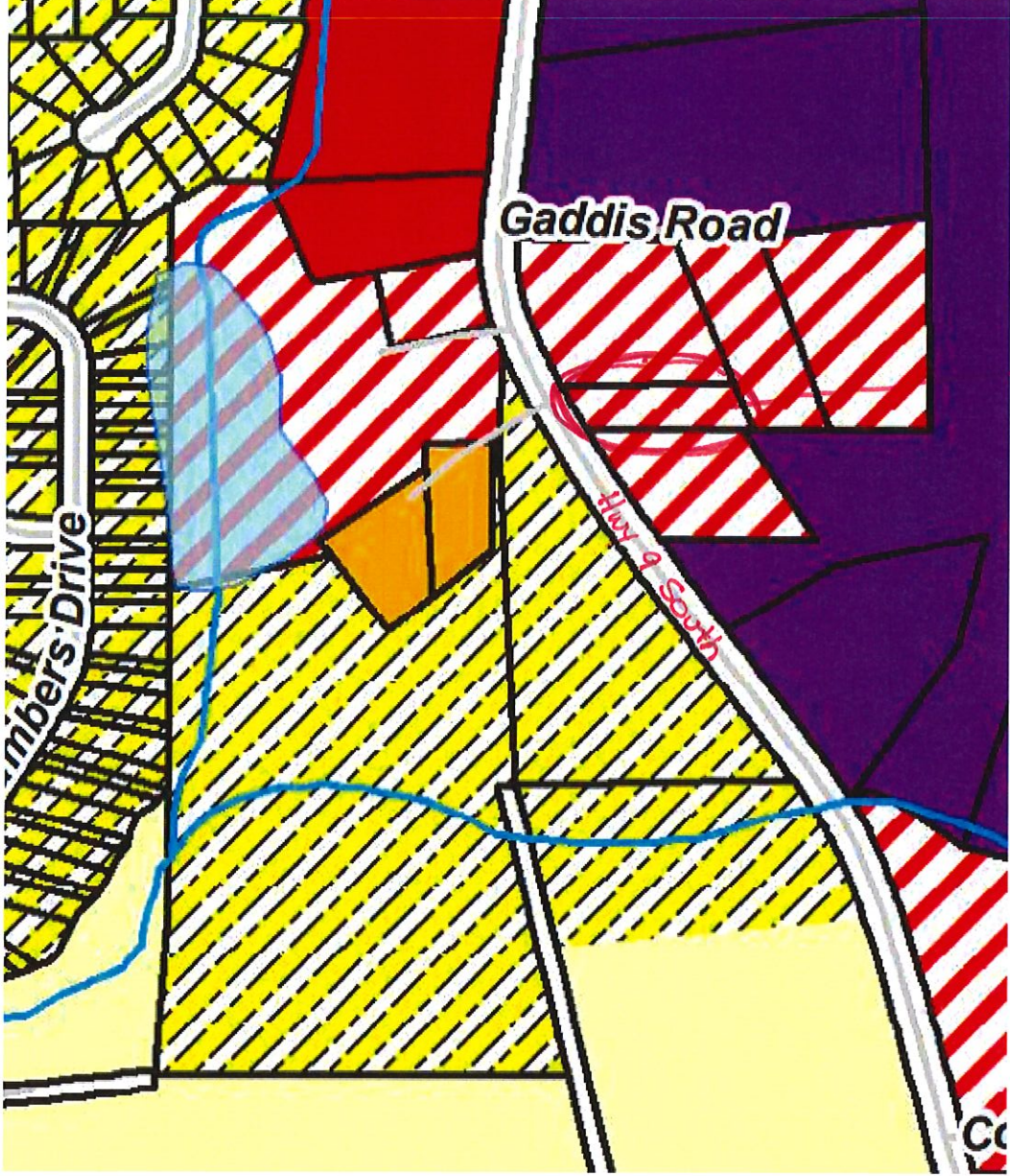
D04 009

1 Acre

005

Highway 9 South





— TMP
D04 008



City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534

ATTN: Beverly Banister, City Clerk
 (706)265-3256

INVOICE #
19-00438

INVOICE DATE: 02/14/19
 DUE DATE: 03/16/19

ACCOUNT ID: P-000382 PIN: 598823
 USELTON DUSIN
 371 HIGHWAY 9 SOUTH
 Dawsonville, GA 30534

PERMIT INFORMATION
 PERMIT NO: C9-00248
 LOCATION: 371 HIGHWAY 9 SOUTH
 OWNER: USELTON DUSIN

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		Permit No: C9-00248		
1.0000	P-0153	VARIANCE	300.00000	300.00
		Permit No: C9-00248		
6.0000/EA	P-0155	CERTIFIED MAIL FEE	6.56000	39.36
		Permit No: C9-00248		
			TOTAL DUE:	\$ 339.36
				<hr/>
		Prn Payment: 02/14/19 CK 1005		-300.00
			BALANCE:	\$ 39.36
				<hr/>

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Dawsonville
 415 Highway 53 East, Suite 100
 Dawsonville, GA 30534

INVOICE #: 19-00438
 DESCRIPTION: Permit No: C9-00248
 ACCOUNT ID: P-000382 PIN: 598823
 DUE DATE: 03/16/19
 TOTAL DUE: \$ 39.36

USELTON DUSIN
 371 HIGHWAY 9 SOUTH
 Dawsonville, GA 30534





DAWSONVILLE PLANNING COMMISSION AND CITY COUNCIL
 PLANNING DIRECTOR ACTION SUMMARY FOR
 ADMINISTRATIVE VARIANCE # AVAR-C9-00013

SUBJECT: Easement encroachment of Single Family Residence

LOCATION: 275 Angela Lane

REPORTED TO PLANNING COMMISSION ON: 03 / 11 / 2019

REPORTED TO CITY COUNCIL ON: 03 / 18 / 2019

HISTORY/ FACTS/ ISSUES:

Adams homes received a permit to construct a single family residence at 275 Angela Lane TMP# 083 038 052 on June 13, 2018. During the course of construction it was determined that a portion of the garage (approx 8 square feet, 3 linear feet) was encroaching upon a utility easement containing water/sewer and storm sewer lines. A stop work order was issued on Oct. 31st, 2018. Applicant applied for an administrative variance on Jan, 7 2019. After all appropriate associated documentation was submitted, the property posted and neighboring property owners notified the administrative variance 10 day comment period was initiated on Feb. 20, 2019.

ACTION TAKEN : APPROVE DENY

REASON:

Article IX Section 902.A.2 allows for an administrative variance to be given on a side yard encroachment of up to 5 feet. Said encroachment is 3 linear feet. No utilities are directly impacted by this encroachment. An easement of 27 feet will still exist at the point of encroachment. No opposition was received regarding the variance request.

STIPULATIONS:

No further encroachment shall be allowed.

PLANNING DIRECTOR:  DATE: 2-28-19