

AGENDA
City of Dawsonville Planning Commission Regular Meeting
Monday, May 13, 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. Approve the minutes of the City of Dawsonville Planning Commission regular meeting held on April 15, 2019.

Old Business: None

New Business: Public Hearings

3. **ANX C9-00252 and ZA C9-00252**: James E. Bottoms has petitioned to annex into the city limits of Dawsonville the 80 acre tract known as TMP 068 055, located at 0 Cleve Wright Road, with a request to rezone from County Zoning of RA (Residential Exurban/Agriculture) to City Zoning of RA (Restricted Agriculture). Public Hearing Dates: Planning Commission on May 13, 2019 and City Council on May 20, 2019. City Council for a decision on June 3, 2019.
4. **ANX C9-00253 and ZA C9-00253**: Jamie McCracken has petitioned to annex into the city limits of Dawsonville the property known as TMP 090 095, located at 551 Gold Bullion Drive West, with a request to rezone from County Zoning of RPC (Residential Planned Community) to City Zoning of PUD (Planned Unit Development). Public Hearing Dates: Planning Commission on May 13, 2019 and City Council on May 20, 2019. City Council for a decision on June 3, 2019.
5. **ANX C9-00256 and ZA C9-00256**: Anthony Tarnacki has petitioned to annex into the city limits of Dawsonville the property known as TMP 090 083, located at 143 Gold Bullion Drive West, with a request to rezone from County Zoning of RPC (Residential Planned Community) to City Zoning of PUD (Planned Unit Development). Public Hearing Dates: Planning Commission on May 13, 2019 and City Council on May 20, 2019. City Council for a decision on June 3, 2019.
6. **ZA C9-00267**: Mostafa Elahy has requested an amendment to the zoning stipulations for TMP D02 001 and TMP 083 038 082 consisting of 9.14 acres total, located at 280 Maple Street South. Hearing Dates: Planning Commission – May 13, 2019 and City Council – May 20, 2019.
7. **VAR C9-00267**: Mostafa Elahy has requested a variance to the minimum lot width and front set back for TMP D02 001 and TMP 083 038 082 located at 280 Maple Street South. Hearing Date: Planning Commission – May 13, 2019.

8. **ZA C9-00268:** Larry Lowman has requested a zoning amendment for a 5 acre portion of TMP 068 022, located at Reece Road and Elliott Family Parkway, from R1 (Single Family Residential) to LI (Light Industrial). Hearing Date: Planning Commission – May 13, 2019 and City Council May 20, 2019.

Planning Director Report

Announcements:

The next meeting date for the Planning Commission is scheduled for June 10, 2019 @ 5:30pm.

Adjournment

Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.

City of Dawsonville
April 15, 2019
Planning Commission Regular Meeting

Planning Commission Chairman Troy Lindsey called the April 15, 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 Alex Myers.

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

Approval of the Agenda: Anna Tobolski motioned to remove items 3 and 4 from today's agenda and approve the agenda as amended; Ken Goines seconded the motion; no further discussion; all were in favor; the agenda was approved as amended.

Approval of the Minutes:

Anna Tobolski motioned to approve the March 11, 2019 Planning Commission Meeting minutes; Ken Goines seconded the motion. There was no further discussion and the minutes were unanimously approved.

Old Business: None

New Business: Public Hearings

ANX C9-00252 and ZA C9-00252: James E. Bottoms has petitioned to annex into the city limits of Dawsonville the 80 acre tract known as TMP 068 055, located at 0 Cleve Wright Road, with a request to rezone from County Zoning of RA (Residential Exurban/Agriculture) to City Zoning of RA (Restricted Agriculture). **REMOVED – WILL BE PLACED ON NEXT PC AGENDA**

ANX C9-00253 and ZA C9-00253: Jamie McCracken has petitioned to annex into the city limits of Dawsonville the property known as TMP 090 095, located at 551 Gold Bullion Drive West, with a request to rezone from County Zoning of RPC (Residential Planned Community) to City Zoning of PUD (Planned Unit Development). **REMOVED – WILL BE PLACED ON NEXT PC AGENDA**

Planning Director Robbie Irvin's report to the Commission on:

AVAR-C9-00250: Per Article IX Section 902.A.3, a five foot rear building set back variance was administratively granted to Mr. Milton Pardue for his property located at 103 Harrier Drive for the purpose of constructing a roof over his existing patio. One objection was received however no reason was given for the opposition. The objection was noted but no cause was found to deny the request based on the objection.

AVAR-C9-00254: Per Article IX Section 902.A.3, a seven foot rear building set back variance was administratively granted to Ms. Reba Morrison for her property located at 106 Kestrel Court for the purpose of constructing a roof over her existing patio. No objections were received.

Next Meeting Date: The next Planning Commission meeting is scheduled for Monday, May 13, 2019 at 5:30 p.m. at Dawsonville City Hall.

Adjournment: With no further business, John Walden motioned to adjourn; Anna Tobolski seconded; All were in favor. Meeting adjourned at 5:36 p.m.

Minutes approved this May 13, 2019.

Troy Lindsey, Chairman

John Walden, Commissioner

Anna Tobolski, Commissioner

Matt Fallstrom, Commissioner

Ken Goines, Commissioner

Attested _____
Nalita Y. Copeland, Zoning Administrator

DRAFT



April 29, 2019

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

Re: Staff Recommendation; ANX-C9-00252 and ZA-C9-00252

Mr. Lindsey and Commission,

Mr. James E. Bottoms has requested annexation into the City of Dawsonville and an amendment to the current zoning ordinance for TMP 068 055 consisting of 80 acres, located at the corner of Cleve Wright Rd. and Elliott Family Parkway.

Current conditions are as follows:

Said property is currently within the jurisdiction of Dawson County and zoned RA (Residential/Exurban Agricultural).

The zoning as annexed would convert to RA (Restricted Agricultural).

This annexation would eliminate a county island located within the City of Dawsonville.

This office recommends 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 # CG 50252

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

Fees Waived by CC e Dec 2018 Meeting

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

Applicant Name(s): James E Bottoms

Mailing Address 320 Lakeside Trace City Canton State GA Zip 30115

E-Mail jbottoms25@gmail.com

Applicant Telephone Number(s): 404 202 5143

Property Owner's Name(s): ~~James E Bottoms~~

Mailing Address Same City _____ State _____ Zip _____

E-Mail _____

Property Owner's Telephone Number(s): 404 202 5143

Address of Property to be Annexed: 0 Cleve Wright Rd VACANT LOT

Tax Map & Parcel # 068055 Property Size in Acres: 80 Survey Recorded in Plat Book # 27 Page # 291

Land Lot # 115-117158 District # 4 Section # 1 Legal Recorded in Deed Book # 171 Page # 612

Current Use of Property: Agriculture - Timson

County Zoning Classification: RA City Zoning Classification: SAM as Present

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



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**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.

- Intended Use of Land: _____ Residential _____ Commercial
 _____ Existing Structure(s) _____ Vacant
 Other (specify) Agriculture - Timber
- Number of persons currently residing on the property: NONE; VACANT
 Number of persons 18 years or older: 0; Number of persons registered to vote: 0
- The number of all residents occupying the property:
 _____ American Indian _____ Alaskan Native
 _____ Asian _____ Pacific Islander
 _____ Black, not of Hispanic Origin _____ Hispanic
 _____ White, not of Hispanic Origin _____ 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

- Number of existing housing units: 0
- List of Addresses for each housing unit in the annexed area at the time of the annexation:

- Disposition of existing structures (e.g. to stay the same, be demolished, moved or converted):

- Names of affected Subdivision: _____
- Name of affected Multi-Family Complex: _____
- Names of Group Quarters (dormitories, nursing homes, jails, etc.):

- Names of affected Duplexes: _____
- Names of Mobile Home Parks: _____



City of Dawsonville

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Phone: (706) 265-3256

**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 Jones E Bottom (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) Jones E Bottom _____
Property Owner Signature Property Owner Printed Name
- (2) _____
Property Owner Signature Property Owner Printed Name
- (1) _____
Applicant Signature Applicant Printed Name
- (2) _____
Applicant Signature Applicant Printed Name

Sworn to and subscribed before me
this 8 day of March 2019.
Christy McKinney
Notary Public, State of Georgia
My Commission Expires: May 17, 2019



Annexation Application Received Date Stamp: Rec'd 3/18/19 Completed Application with Signatures
 Rec'd " " Current Boundary Survey
 Rec'd " " Legal Description
 Rec'd " " ARC Population Estimate Information

Planning Commission Meeting Date (if rezone): 4/15/19 5/13/19
 Dates Advertised: 3/27/19 4/24/19
 1st City Council Reading Date: 4/22/19 5/20/19
 2nd City Council Reading Date: 5/6/19 6/3/19 Approved: YES NO
 Date Certified Mail to: 3/22/19 County Board of Commissioners & Chairman 3/22/19 County Manager 3/22/19 County Attorney 4/24/19
 Letter Received from Dawson County Date: _____



City of Dawsonville

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

Zoning Amendment
Application

Request # ZA- C9- 00252 Date: 3/18/19

Applicant Name(s): James E. Bottoms

Address: 320 Lakeside Trace City: Canton State: GA Zip: 30115

Phone: 404- 202 - 5143 Cell Phone:

E-Mail gbottoms@gmail.com

Property Address: 0 Cleve Wright + Elliott Family Pkwy

Tax Map # D68 055 Parcel # Current Zoning** RA (D. County)

Land Lot(s): 115, 116, 117 + 158 District: 4 Section: 1st

Subdivision Name: N/A Lot #

Acres: 80 Current Use of Property: Agriculture-Conversation-Timber

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

The applicant request:

Rezoning to zoning category: RA City Special Use permit for:

Proposed use of property if rezoned: No Change in use

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

Is an Amenity area proposed, if yes, what

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: Cleve Wright + Elliott Fam Pkwy 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 James E Bottoms

Date 3/18/19

Office Use Only:

Date Completed Application Rec'd 3/18/19 Amount Paid \$ Fees waived at 12/18 commg. Check # /Cash

Date of Planning Commission Meeting: 4/15/19 4/13/19 Dates Advertised: 3/27/19 4/24/19

Date of City Council Meeting: 4/22 + 5/16 5/20 6/13/19 Dates Advertised: " " " "

Postponed: YES NO Date: Rescheduled for next Meeting:

Approved by Planning Commission: YES NO Approved by City Council: YES NO



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**Zoning Amendment
 Authorization**

Property Owner Authorization

I / We James E Bottoms hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 0 Cleve Wright Road + 0 Elliott Family Pkwy / TMP 068 055 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.

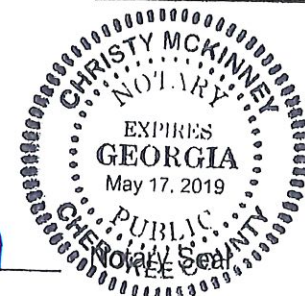
Printed Name of Applicant or Agent James E Bottoms
Signature of Applicant or Agent _____ **Date** _____
 Mailing Address 320 Lakeside Trace
 City Canton State GA Zip 30115
 Telephone Number 404-202-5143

Printed Name of Owner(s) James E Bottoms
Signature of Owner(s) James E Bottoms **Date** 3-8-19
 _____ **Date** _____

Sworn to and subscribed before me
 this 8 day of March 2019.

Christy McKinney
 Notary Public, State of Georgia

My Commission Expires: May 17, 2019



(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
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Phone: (706) 265-3256

Zoning Amendment
Adjacent Property
Owners

ZA# C9-00252 TMP# _____

It is the responsibility of the applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property. (Use additional sheets if necessary)

****Please note**** This information should be obtained at the Planning Office using the Tax Map Parcel Map listing any parcel(s) adjoining or adjacent to parcel where rezone is being requested.

TMP # 068021 1. Name(s): Elliott, Ernie
Address: PO Box 476
D'ville

TMP # 068023 2. Name(s): Elliott, Dan
Address: PO Box 548
D'ville

TMP # 069008 3. Name(s): Roland
Address: 1869 Elliott Farm Pkwy

TMP # 069009 4. Name(s): Gardner
Address: 1868 Elliott Farm Pkwy

TMP # 069011 001 5. Name(s): DCBOE
Address: 28 Main St
D'ville

TMP # 069 006009 6. Name(s): Rich
Address: 542 Cleve Wright Rd
D'ville

TMP # 068 056001 7. Name(s): Joiner
Address: 565 Tommy Aaron Dr.
Gameville 30506

TMP # 068059 8. Name(s): Stradley, Bryan
Address: 536 Cleve Wright Rd
D'ville

TMP # 06805e 9. Name(s): Stradley, James
Address: 524 Cleve Wright Rd
D'ville

Adjacent Property Owner notification of a zoning amendment request is required.



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 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Zoning Amendment
 Adjacent Property
 Owners**

ZA# 09-00252 _____ TMP# _____

It is the responsibility of the applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property. (Use additional sheets if necessary)

****Please note**** This information should be obtained at the Planning Office using the Tax Map Parcel Map listing any parcel(s) adjoining or adjacent to parcel where rezone is being requested.

TMP # 068053 1. Name(s): Caldwell
 Address: 389 Chewe Wright Rd
D'ville

TMP # 068039 2. Name(s): Morris
 Address: 333 Chewe Wright Rd
D'ville

⁰⁶⁸
 TMP # 058003 3. Name(s): Buice
 Address: 2572 Elliott Farm Pkwy
D'ville

TMP # _____ 4. Name(s): _____
 Address: _____

TMP # _____ 5. Name(s): _____
 Address: _____

TMP # _____ 6. Name(s): _____
 Address: _____

TMP # _____ 7. Name(s): _____
 Address: _____

TMP # _____ 8. Name(s): _____
 Address: _____

TMP # _____ 9. Name(s): _____
 Address: _____

Adjacent Property Owner notification of a zoning amendment request is required.



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**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:

None

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 \$ None 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: _____

James E Bottom

Signature of Applicant / Representative of Applicant

3-8-19

Date

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



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**Zoning Amendment
 Notice of R-A Adjacency**

Notice of Residential-Agricultural District (R-A) Adjacency

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

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

This notice and acknowledgement shall be public record.

Applicant Signature James E Bottom **Date** 3-8-19

Application Number: _____

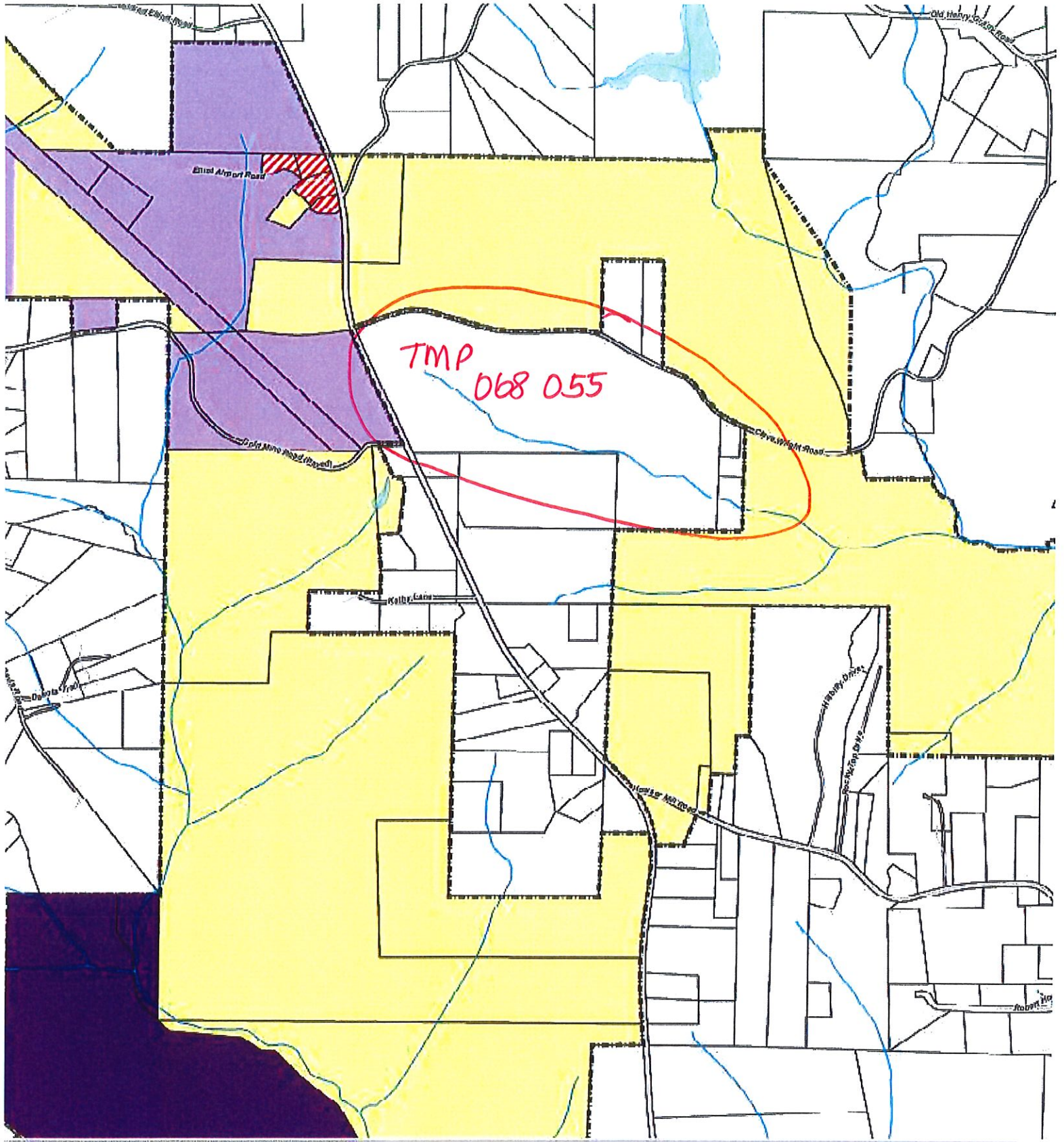
Sworn to and subscribed before me
 this 8 day of March 2019.

Christy McKinney
 Notary Public, State of Georgia

My Commission

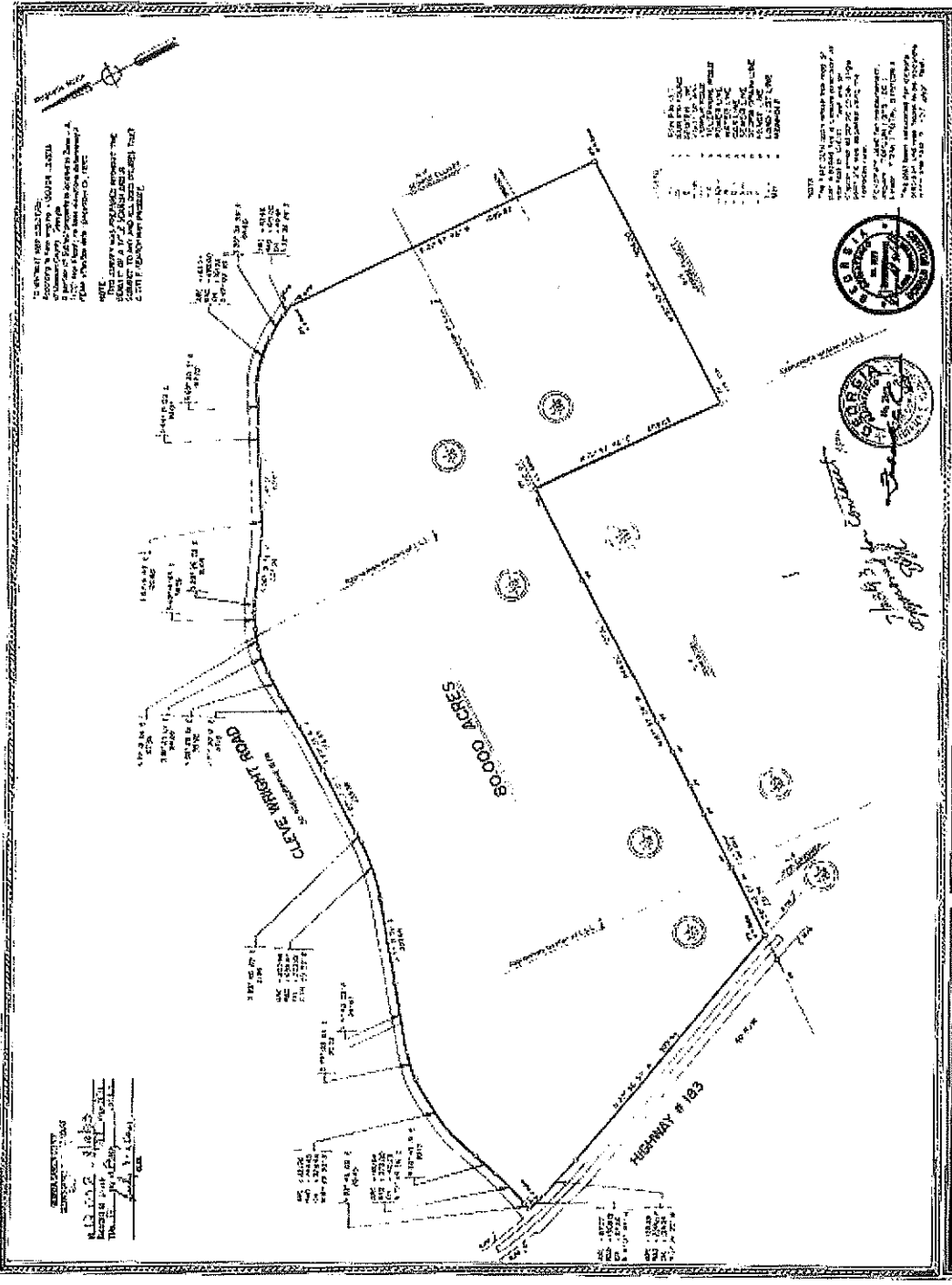
Expires: May 17, 2019





Bottoms
O Cleve Wright Rd

City Zoning Map



TO BE HAD FOR THE
 OF THE COUNTY OF
 IN THE STATE OF
 BY THE SURVEYOR
 OF THE COUNTY OF
 IN THE STATE OF
 FOR THE PURPOSES OF
 THE ACTS OF THE
 LEGISLATURE OF THE
 STATE OF MISSISSIPPI
 IN THIS RESPECTIVE
 MATTER.

WILLIAMS, WHITINGMAN & ASSOCIATES
 REGISTERED PROFESSIONAL SURVEYORS
 1000 N. GULF BLVD.
 SUITE 100
 MOBILE, ALABAMA 36688
 PHONE: (904) 681-1111
 FAX: (904) 681-1112

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE
 ACTS OF THE LEGISLATURE OF THE STATE OF
 MISSISSIPPI, AND THE SURVEYOR'S OATH.
 THE SURVEYOR'S OATH IS HEREBY SUBMITTED TO THE
 PUBLIC RECORDS OF THE COUNTY OF
 IN THE STATE OF MISSISSIPPI.
 THE SURVEYOR'S OATH IS HEREBY SUBMITTED TO THE
 PUBLIC RECORDS OF THE COUNTY OF
 IN THE STATE OF MISSISSIPPI.

NOTE: THIS SURVEY WAS MADE IN ACCORDANCE WITH THE
 ACTS OF THE LEGISLATURE OF THE STATE OF
 MISSISSIPPI, AND THE SURVEYOR'S OATH.
 THE SURVEYOR'S OATH IS HEREBY SUBMITTED TO THE
 PUBLIC RECORDS OF THE COUNTY OF
 IN THE STATE OF MISSISSIPPI.
 THE SURVEYOR'S OATH IS HEREBY SUBMITTED TO THE
 PUBLIC RECORDS OF THE COUNTY OF
 IN THE STATE OF MISSISSIPPI.



James E. Bottoms
 Surveyor

BOUNDARY SURVEY
 FROM
 TO
 BY
 DATE

FOR
JAMES E. BOTTOMS
 SURVEYOR

WILLIAMS, WHITINGMAN & ASSOCIATES
 REGISTERED PROFESSIONAL SURVEYORS
 1000 N. GULF BLVD.
 SUITE 100
 MOBILE, ALABAMA 36688
 PHONE: (904) 681-1111
 FAX: (904) 681-1112

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FORSYTH

PAID 180.00
Dated 8-18-93
Rocky McCord
DECKY RECORDS, INC.
SUPERIOR COURT

THIS INDENTURE, made this 30 day of July
in the year of our Lord One Thousand Nine Hundred and Ninety-
Three, between **GEORGE ELLIOTT** of the State of Georgia and County
of Dawson of the first part and **JAMES E. BOTTOMS**, of the State of
Georgia and County of Dawson of the second part.

WITNESSETH: That the said party of the first part, for
and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND
VALUABLE CONSIDERATION, in hand paid, at and before the sealing
and delivery of these presents, the receipt whereof is hereby
acknowledged, has granted, bargained, sold and conveyed and by
these presents does grant, bargain, sell and convey unto the said
party of the second part, his heirs and assigns, all that tract
and parcel of land described as follows:

All that tract or parcel of land lying and being in Land Lots
115, 116, 117 and 158 of the Fourth District and First Section of
Dawson County, Georgia, being 80.0 acres as shown on a survey for
James E. Bottoms dated July 22, 1993, as surveyed by Donald
Williams, R.L.S. No. 2177, which plat is recorded at Plat Book
87, page 291, in the Office of the Clerk of the Superior
Court of Dawson County, Georgia, which plat is incorporated
herein by reference for a more complete description of this
property.

TO HAVE AND TO HOLD the said bargained premises, together
with all and singular the rights, members and appurtenances
thereof, to the same being, belonging or in any wise
appertaining, to the only proper use, benefit and behoof of
Grantee the said party of the second part, his heirs and assigns
forever, IN FEE SIMPLE.

And the said party of the first part, for his heirs,
executors and administrators will warrant and forever defend the
right and title to the above described property unto the said
party of the second part, his heirs and assigns, against the
lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, That the said party of the first part
has hereunto set his hand and affixed his seal, the day and year
above written.

Signed, sealed and delivered
in the presence of:
[Signature]
Witness

[Signature] (SEAL)
GEORGE ELLIOTT

Notary Public
[Signature]
Signed this 30 day of July
1993
PUBLIC
DAWSON COUNTY, GEORGIA

GEORGIA, DAWSON COUNTY
CLERK'S OFFICE, SUPERIOR COURT
FILED FOR RECORD
12:05 P M 8-18-93
Recorded in Clerk Book 171 Page 1019-
this 18 day of Aug 1993
[Signature]
CLERK

Notary Public, Dawson County, Georgia
My Commission Expires 12-1-2000



April 29, 2019

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

Re: Staff Recommendation; ANX-C9-00253 and ZA-C9-00253

Mr. Lindsey and Commission,

Mr. Jamie McCracken has requested annexation into the City of Dawsonville and an amendment to the current zoning ordinance for TMP 090 095, located at 551 Gold Bullion Dr. West in the Gold Creek subdivision.

Current conditions are as follows:

Said property is currently within the jurisdiction of Dawson County and zoned RPC (Residential Planned Community).

The zoning as annexed would convert to PUD (Planned Unit Development) to be consistent with the current zonings in the Gold Creek subdivision.

This annexation would eliminate a county island located within the City of Dawsonville.

This office recommends approval.

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

Sincerely,

R.J. Irvin
Planning Director, City of Dawsonville



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 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 # C9 - 00253

Please Print Clearly

Applicant Name(s): Jamie Arlin McCracken Amanda McCracken

Applicant Mailing Address: 551 Gold Bullion Drive W

City: Dawsonville State: Georgia Zip: 30534

Applicant Telephone Number(s): 770-560-3752 706-525-8060

jmccracken@joepowell.com

Property Owner's Name(s): Jamie McCracken Amanda McCracken

Property Owner's Mailing Address: 551 Gold Bullion Drive W

City: Dawsonville State: Georgia Zip: 30534

Property Owner's Telephone Number(s): 770-560-3752 706-525-8060

Address of Property to be Annexed: 551 Gold Bullion Drive W VACANT LOT

Tax Map & Parcel # 090 095 Property Size in Acres: - 1 Survey Recorded in Plat Book # 31 Page # 301

Land Lot # 35 + 36 District # 4 Section # 1 Legal Recorded in Deed Book # 1232 Page # 364

Current Use of Property: Residence

County Zoning Classification: RPC City Zoning Classification: PUD / R2

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 ½ 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 the Clerk's Office, Superior Court at the Court House.



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) _____
2. Number of persons currently residing on the property: 6; VACANT
 Number of persons 18 years or older: 3; Number of persons registered to vote: 3
3. The number of all residents occupying the property:

<input type="checkbox"/> American Indian	<input type="checkbox"/> Alaskan Native
<input type="checkbox"/> Asian	<input type="checkbox"/> Pacific Islander
<input type="checkbox"/> Black, not of Hispanic Origin	<input type="checkbox"/> Hispanic
<input checked="" type="checkbox"/> White, not of Hispanic Origin	<input type="checkbox"/> 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: 1
- B. List of Addresses for each housing unit in the annexed area at the time of the annexation:
551 Gold Bullion Drive West
- C. Disposition of existing structures (e.g. to stay the same, be demolished, moved or converted):
Stay the same
- D. Names of affected Subdivision: Gold Creek
- E. Name of affected Multi-Family Complex: N/A
- F. Names of Group Quarters (dormitories, nursing homes, jails, etc.):
N/A
- G. Names of affected Duplexes: N/A
- H. Names of Mobile Home Parks: N/A



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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 Jamie McCracken (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.

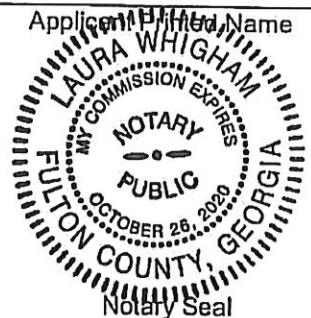
Upon signature of this document, I / We the undersigned certify that all the information provided is true and accurate to the best of our knowledge.

(1)	<u>Jamie McCracken</u> Property Owner Signature	<u>Jamie McCracken</u> Property Owner Printed Name
(2)	<u>Amanda McCracken</u> Property Owner Signature	<u>Amanda McCracken</u> Property Owner Printed Name
(1)	_____ Applicant Signature	_____ Applicant Printed Name
(2)	_____ Applicant Signature	_____ Applicant Printed Name

Sworn to and subscribed before me
 this 18th day of March 2019.

Laura Whigham
 Notary Public, State of Georgia

My Commission Expires: 10/26/2020



Annexation Application Received Date Stamp:	Rec'd <u>3/18/19</u>	Completed Application with Signatures
	Rec'd <u>u</u> <u>y</u>	Current Boundary Survey
	Rec'd <u>u</u> <u>y</u>	Legal Description
	Rec'd <u>u</u> <u>y</u>	ARC Population Estimate Information
Planning Commission Meeting Date (if rezone):	<u>4/15/19 5/13/19</u>	
Dates Advertised:	<u>3/27/19 4/24/19</u>	
1 st City Council Reading Date:	<u>4/22/19 5/20/19</u>	
2 nd City Council Reading Date:	<u>5/16/19 6/4/19</u>	
Date Certified Mail to:	<u>3/22/19</u> County Board of Commissioners & Chairman	<u>3/22/19</u> County Manager
	<u>2nd 4/24/19</u>	<u>4/24/19</u> County Attorney
<input type="checkbox"/> Letter Received from Dawson County	Date:	



City of Dawsonville

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

Zoning Amendment Application

Request # ZA- 09-00253 Condition/Stipulation Change

Original ZA # N/A

Applicant Name(s): Jamie McCracken

Address: 551 Gold Bullion Dr. W City: Dawsonville GA Zip: 30534

Phone: 770-560-3752 Cell Phone: _____

Signature(s) Jamie McCracken Date 3/18/2019

Property Address: 551 Gold Bullion Dr. W

Directions to Property from City Hall: _____

Tax Map # 090 095 Parcel # _____ Current Zoning**: RPC - County

Land Lot(s): _____ District: _____ Section: _____

Subdivision Name: Gold Creek Lot # _____

Acres: -1 Current Use of Property: Residence

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

The applicant request:

Rezoning to zoning category: PUD / R2 Special Use permit for: _____

Proposed use of property if rezoned is: Same - No change

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: _____ 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.

Jamie McCracken
Signature of Applicant

3/18/2019
Date

Office Use Only:

Date Completed Application Rec'd 3/18/19 Amount Paid \$ _____ Check # _____ /Cash

Date of Planning Commission Meeting: 4/15/19 5/13/19 Dates Advertised: 3/27/19 4/24/19

Date of City Council Meeting: 4/22 + 5/6 5/6 6/3 Dates Advertised: " " " "

Postponed: YES NO Date: _____ Rescheduled for next Meeting: _____

Approved by Planning Commission: YES NO Approved by City Council: YES NO



City of Dawsonville

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

Zoning Amendment
Authorization

Property Owner Authorization

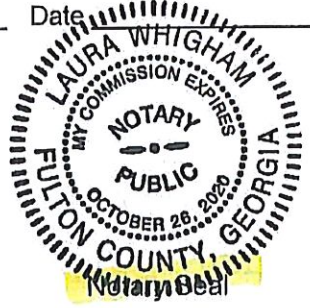
I / We Jamie McCracken hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 551 Gold Bullion Dr. W as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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 Jamie Arlin McCracken
Signature of Applicant or Agent Jamie McCracken Date 3/18/2019
Mailing Address 551 Gold Bullion Drive W
City Dawsonville State GA Zip 30534
Telephone Number _____

Printed Name of Owner(s) Jamie Arlin McCracken x Amanda McCracken
Signature of Owner(s) Jamie McCracken Date 3/18/2018
x Amanda McCracken Date _____

Sworn to and subscribed before me
this 18 day of March 20 19
Laura Whigham
Notary Public, State of Georgia
My Commission Expires: 10/26/2020



(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
 Adjacent Property
 Owners**

ZA# 19-00253

TMP# 090095

It is the responsibility of the applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property. (Use additional sheets if necessary)

****Please note**** This information should be obtained at the Planning Office using the Tax Map Parcel Map listing any parcel(s) adjoining or adjacent to parcel where rezone is being requested.

TMP # 090094 1. Name(s): McCue
 Address: 539 Gold Bullion Dr. W
D'ville

TMP # 090026 2. Name(s): B + K Turner
 Address: 1090 Oakhaven Dr.
Roswell 30075

TMP # 090096 3. Name(s): Hitch
 Address: 544 Gold Bullion Dr W
D'ville

TMP # 090096 4. Name(s): Ratasapp
 Address: 583 Gold Bullion Dr W
D'ville

TMP # 090097 5. Name(s): Evans
 Address: 617 Gold Bullion Dr W
D'ville

TMP # 090098 6. Name(s): Eason Hand Delivered
 Address: 598 Gold Bullion Dr W
D'ville

TMP # _____ 7. Name(s): _____
 Address: _____

TMP # _____ 8. Name(s): _____
 Address: _____

TMP # _____ 9. Name(s): _____
 Address: _____

Adjacent Property Owner notification of a zoning amendment request is required.



City of Dawsonville

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:

N/A

- 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 \$ N/A Date: N/A

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:

[Signature]
Signature of Applicant / Representative of Applicant

3/18/2019
Date

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



City of Dawsonville

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

**Zoning Amendment
Notice of R-A Adjacency**

Notice of Residential-Agricultural District (R-A) Adjacency

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

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

This notice and acknowledgement shall be public record.

Applicant Signature

[Handwritten Signature]

Date

3/18/2019

Application Number: _____

Sworn to and subscribed before me

this *18th* day of *March* 20*19*.

Laura Whigham

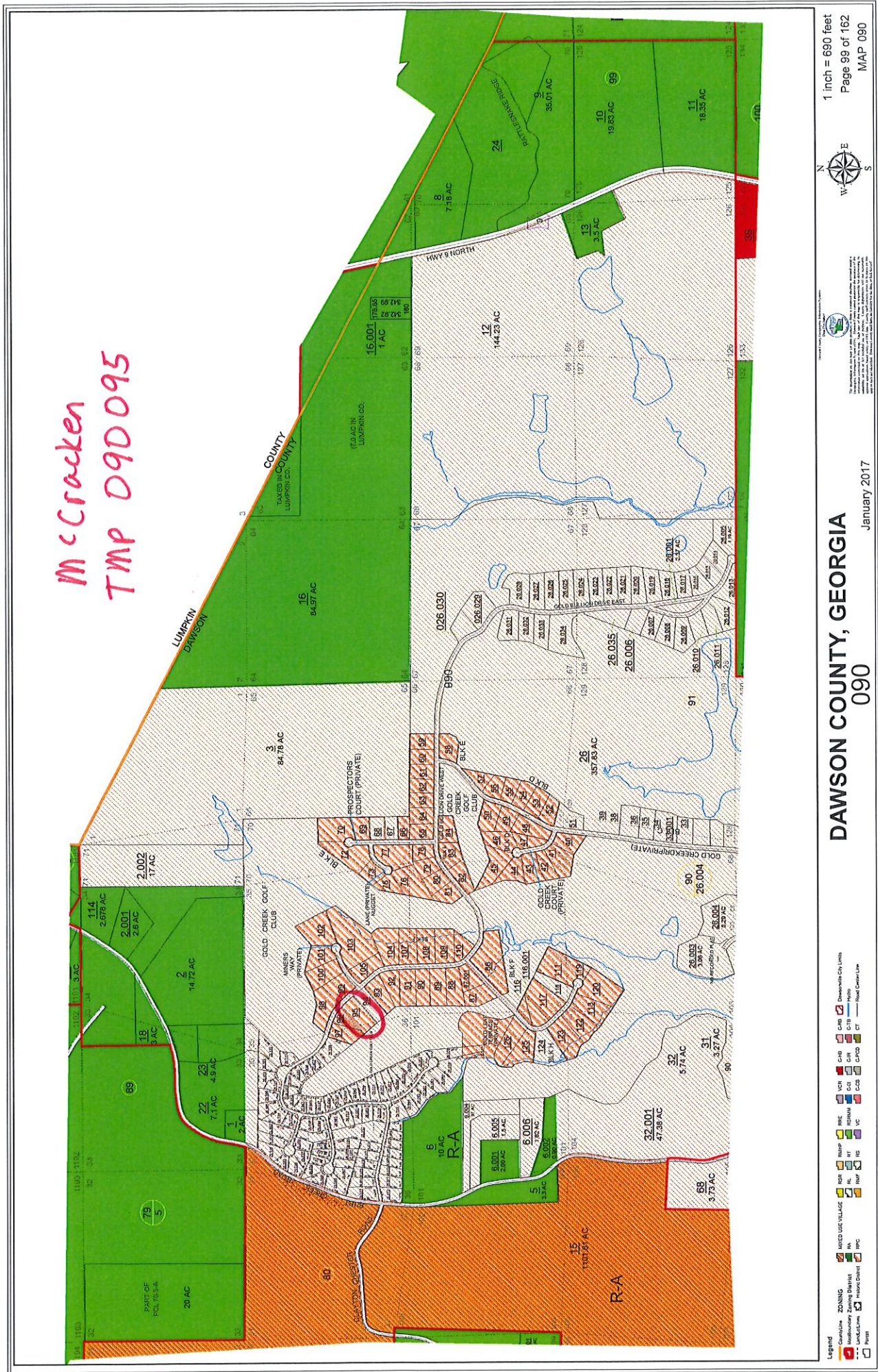
Notary Public, State of Georgia

My Commission Expires: *10/26/2020*



Notary Seal

M c Cracken
 TMP D9D095



1 inch = 690 feet
 Page 99 of 162
 MAP 090

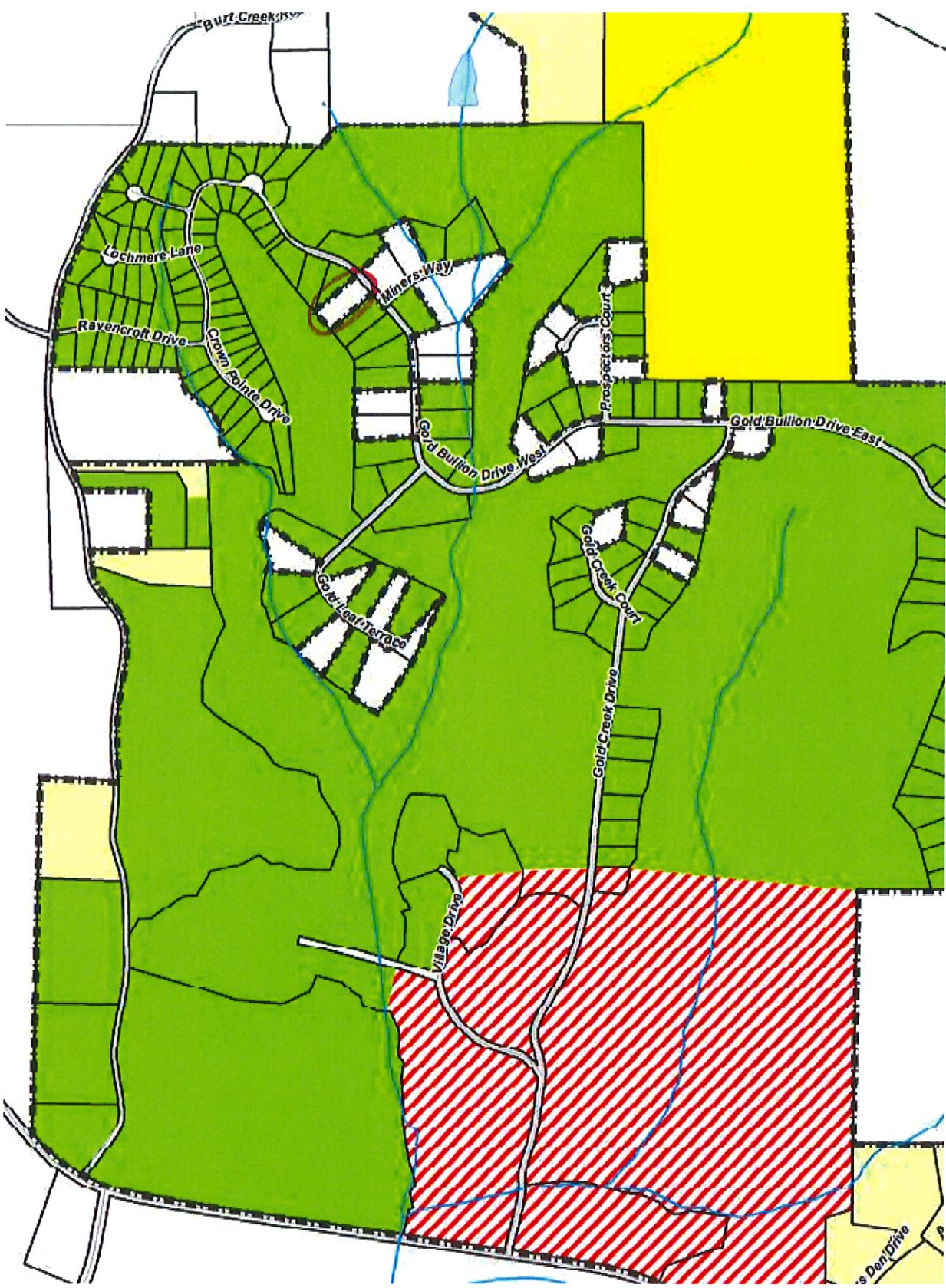


January 2017

DAWSON COUNTY, GEORGIA

090

- Legend**
- ZONING
 - LAND USE
 - ROAD CENTER LINE
 - Other symbols for various zoning and land use categories.



McCracken
TMP 090 095

EXHIBIT "A"
LEGAL DESCRIPTION

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN
LAND LOTS 35 AND 36 OF THE 4TH DISTRICT, 1ST SECTION OF
DAWSON COUNTY, GEORGIA, BEING LOT 11, BLOCK F, UNIT 3,
GOLD CREEK GOLF CLUB SUBDIVISION, AS PER PLAT RECORDED
IN PLAT BOOK 31, PAGE 301, DAWSON COUNTY, GEORGIA
RECORDS, SAID PLAT BEING INCORPORATED HEREIN BY
REFERENCE.**



April 29, 2019

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

Re: Staff Recommendation; ANX-C9-00256 and ZA-C9-00256

Mr. Lindsey and Commission,

Mr. Anthony Tarnacki has requested annexation into the City of Dawsonville and an amendment to the current zoning ordinance for TMP 090 083, located at 143 Gold Bullion Dr. West in the Gold Creek subdivision.

Current conditions are as follows:

Said property is currently within the jurisdiction of Dawson County and zoned RPC (Residential Planned Community).

The zoning as annexed would convert to PUD (Planned Unit Development) to be consistent with the current zonings in the Gold Creek subdivision.

This annexation would eliminate a county island located within the City of Dawsonville.

This office recommends 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 # 09-00256

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

cc waived all fees 12/17/18

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

Applicant Name(s): Anthony Tarnacki

Mailing Address 143 Gold Bullion Dr. W. City Dawsonville State GA Zip 30534

E-Mail amtarn6790@yahoo.com

Applicant Telephone Number(s): 404-661-1190

Property Owner's Name(s): Anthony Tarnacki

Mailing Address 143 Gold Bullion Dr. W. City Dawsonville State GA Zip 30534

E-Mail _____

Property Owner's Telephone Number(s): 404 661-1190

Address of Property to be Annexed: 143 Gold Bullion Dr. W VACANT LOT

Tax Map & Parcel # 090 083 Property Size in Acres: < 1 ac Survey Recorded in Plat Book # 31 Page # 247

Land Lot # 69 & 102 District # 4th Section # 1st Legal Recorded in Deed Book # 1278 Page # 245

Current Use of Property: Residence

County Zoning Classification: B3 RPC City Zoning Classification: PUD

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.

- Intended Use of Land: Residential Commercial
 Existing Structure(s) Vacant
 Other (specify) _____
- Number of persons currently residing on the property: 4; VACANT
 Number of persons 18 years or older: 2; Number of persons registered to vote: 2
- The number of all residents occupying the property:
 American Indian Alaskan Native
 Asian Pacific Islander
 Black, not of Hispanic Origin Hispanic
 White, not of Hispanic Origin 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

- Number of existing housing units: 1
- List of Addresses for each housing unit in the annexed area at the time of the annexation:
143 Gold Bullion Dr. W, Dawsonville, GA 30534
- Disposition of existing structures (e.g. to stay the same, be demolished, moved or converted):

- Names of affected Subdivision: Gold Creek
- Name of affected Multi-Family Complex: N/A
- Names of Group Quarters (dormitories, nursing homes, jails, etc.):
N/A
- Names of affected Duplexes: N/A
- Names of Mobile Home Parks: N/A



City of Dawsonville

P.O. Box 6
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Phone: (706) 265-3256

**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 143 Gold Bullion Dr. W, Dawsonville, GA 30534 (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>[Signature]</u> Property Owner Signature	<u>Anthony Tarnacki</u> Property Owner Printed Name
(2)	_____ Property Owner Signature	_____ Property Owner Printed Name
(1)	_____ Applicant Signature	_____ Applicant Printed Name
(2)	_____ Applicant Signature	_____ Applicant Printed Name

Sworn to and subscribed before me
this 20th day of March 20 .

[Signature]
Notary Public, State of Georgia



**Tracy G. Smith
NOTARY PUBLIC
Dawson County, Georgia
My Commission Expires
August 17, 2021**

My Commission Expires: _____

Annexation Application Received Date Stamp:	Rec'd <u>3/25/19</u>	Completed Application with Signatures
	Rec'd <u>u u</u>	Current Boundary Survey
	Rec'd <u>u u</u>	Legal Description
	Rec'd <u>u u</u>	ARC Population Estimate Information
Planning Commission Meeting Date (if rezone):	<u>5-13-19</u>	
Dates Advertised:	<u>4/24/19</u>	
1st City Council Reading Date:	<u>5/20/19</u>	
2nd City Council Reading Date:	<u>6/3/19</u>	Approved: YES NO
Date Certified Mail to:	<u>3/28/19</u> County Board of Commissioners & Chairman	<u>3/28/19</u> County Manager <u>3/28/19</u> County Attorney
<input type="checkbox"/>	Letter Received from Dawson County	Date: _____





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- C9-00256 Condition/Stipulation Change

Original ZA # _____

Applicant Name(s): Anthony Tarnacki

Address: 143 Gold Bullion Dr. W. City: Dawsonville Zip: 30534

Phone: 404-661-1199 Cell Phone: _____

Signature(s) [Signature] Date 3/25/19

Property Address: 143 Gold Bullion Dr. W.

Directions to Property from City Hall: Gold Creek Sub off 136. Left @ stop and house on left

Tax Map # _____ Parcel # 090 083 Current Zoning*: RPC

Land Lot(s): 69 & 102 District: 4 Section: 1st

Subdivision Name: Gold Creek Lot # 26

Acres: < 1 ac. Current Use of Property: Residence

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

The applicant request:

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

Proposed use of property if rezoned is: Residential Same

If Residential: # of lots proposed 1 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: Gold Bullion Dr. W. Type of Surface: paved

- ◆ 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]
 Signature of Applicant

3/25/19
 Date

Office Use Only:	
Date Completed: Application Rec'd. <u>4/3/19</u>	Amount Paid \$ _____ Check # _____ /Cash
Date of Planning Commission Meeting: <u>5/13/19</u>	Dates Advertised: <u>4/24/19</u>
Date of City Council Meeting: <u>5/20/19 6/3/19</u>	Dates Advertised: <u>5/14/19</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 Anthony Tarnacki hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 143 Gold Bullion Dr. W. 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 _____
 Signature of Applicant or Agent [Signature] Date 3/25/19
 Mailing Address 143 Gold Creek Dr. W.
 City Dawsonville State GA Zip 30534
 Telephone Number 404-661-1190

Printed Name of Owner(s) Anthony Tarnacki
 Signature of Owner(s) [Signature] Date 3/25/19
 Date _____

Sworn to and subscribed before me
 this 2ND day of April 2019.

Rachel R Jones
 Notary Public, State of Georgia

My Commission Expires: 03/25/22

Rachel R Jones
NOTARY PUBLIC
 Dawson County, GEORGIA
 My Comm. Expires 03/25/22
 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.)



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 P.O. Box 6
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 Dawsonville, GA 30534
 Phone: (706) 265-3256

**Zoning Amendment
 Adjacent Property Owners**

ZA# Tarnicki C9-00256 TMP# 090 083

It is the responsibility of the applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property. (Use additional sheets if necessary)

****Please note**** This information should be obtained at the Planning Office using the Tax Map Parcel Map listing any parcel(s) adjoining or adjacent to parcel where rezone is being requested.

TMP # 090 080 1. Name(s): Gerspacher
 Address: 188 Gold Bullion Dr.

TMP # 090 079 2. Name(s): Stewart
 Address: 156 Gold Bullion Dr.

TMP # 090 078 3. Name(s): Duncan
 Address: _____

TMP # 090 084 4. Name(s): 119 Gold Bullion Dr. W
 Address: JAMES

TMP # 090026 5. Name(s): B+K Turner
 Address: 1090 Oakhaven Dr.
Roswell GA 30075

TMP # 090 082 6. Name(s): R+M Capital
 Address: 2255 Cumberland Pkwy Ste 700-A
Atlanta 30339

TMP # _____ 7. Name(s): _____
 Address: _____

TMP # _____ 8. Name(s): _____
 Address: _____

Adjacent Property Owner notification of a zoning amendment request is required.

The applicant is responsible for mailing the Public Notice (prepared by the Planning Dept.) to each adjacent property owner via Certified Mail or pays the additional postage to the City to mail.



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:

None

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 \$ _____ 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: _____

[Signature]
Signature of Applicant / Representative of Applicant

3/25/19
Date

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



City of Dawsonville
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 Dawsonville, GA 30534
 Phone: (706) 265-3256

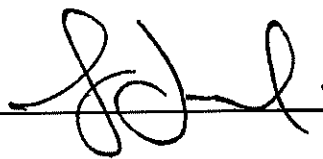
**Zoning Amendment
 Notice of R-A Adjacency**

Notice of Residential-Agricultural District (R-A) Adjacency

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

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

This notice and acknowledgement shall be public record.

Applicant Signature  Date 3/25/19

Application Number: _____

Sworn to and subscribed before me
 this 2ND day of April 2019.

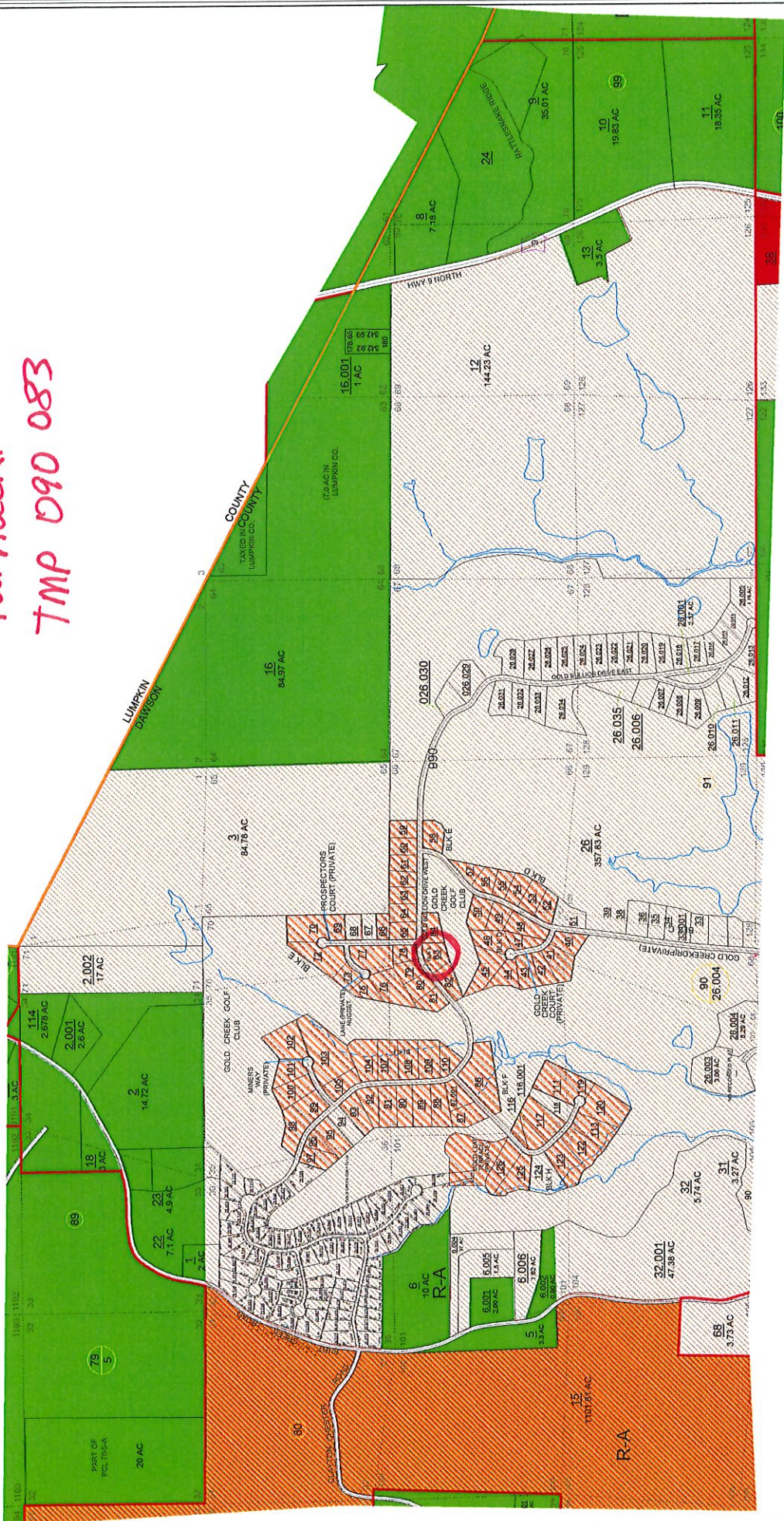

 Notary Public, State of Georgia

My Commission Expires: 03/25/22

Rachel R Janes
 NOTARY PUBLIC
 Dawson County, GEORGIA
 My Comm. Expires 03/25/22

Notary Seal

Tarnacki
TMP 090 083



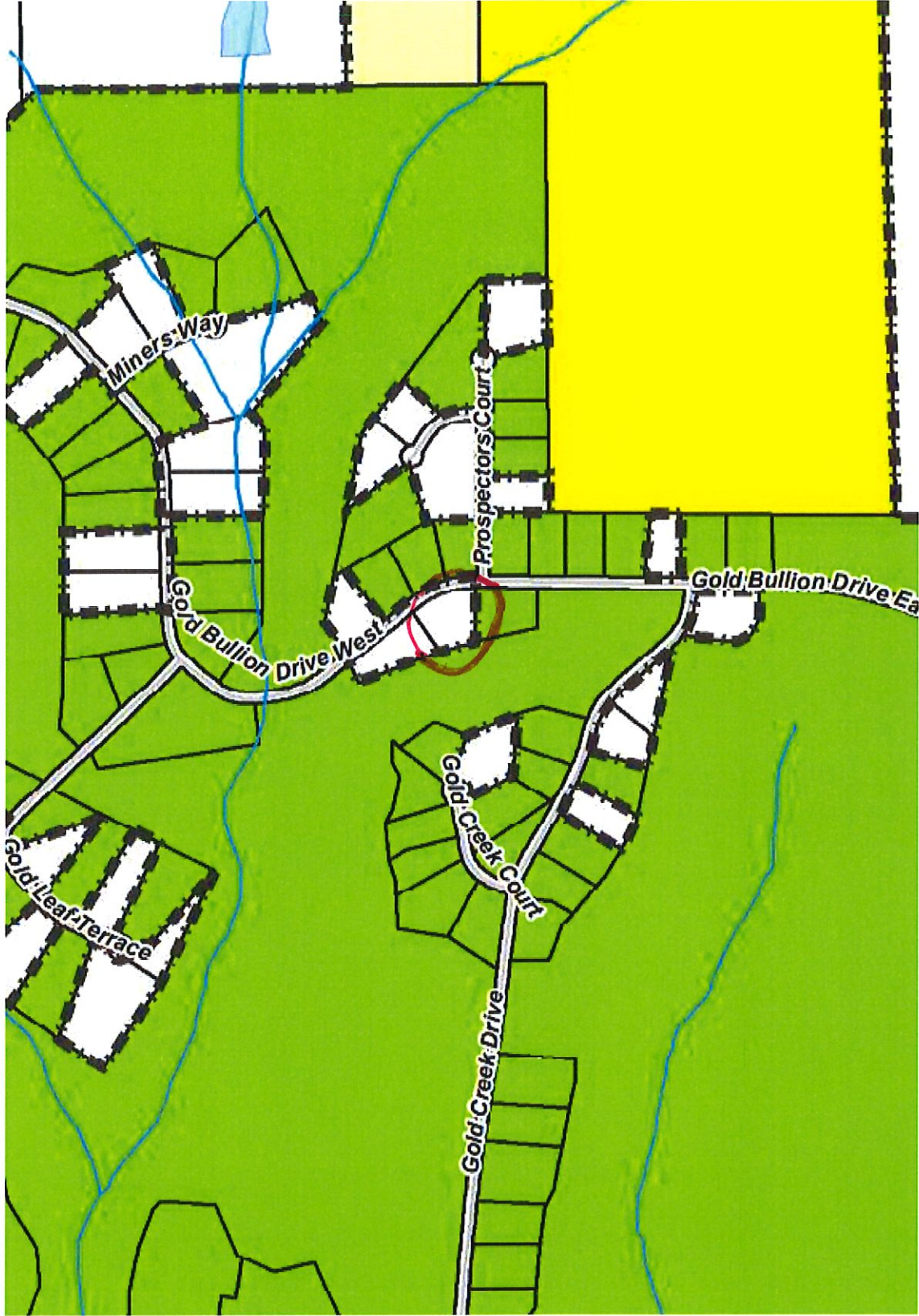
1 inch = 690 feet
Page 99 of 162
MAP 090



DAWSON COUNTY, GEORGIA
090

January 2017

- Legend**
- County Line
 - Municipality Zoning District
 - Land Use
 - Parcel
 - R-A
 - R-1
 - R-2
 - R-3
 - R-4
 - R-5
 - R-6
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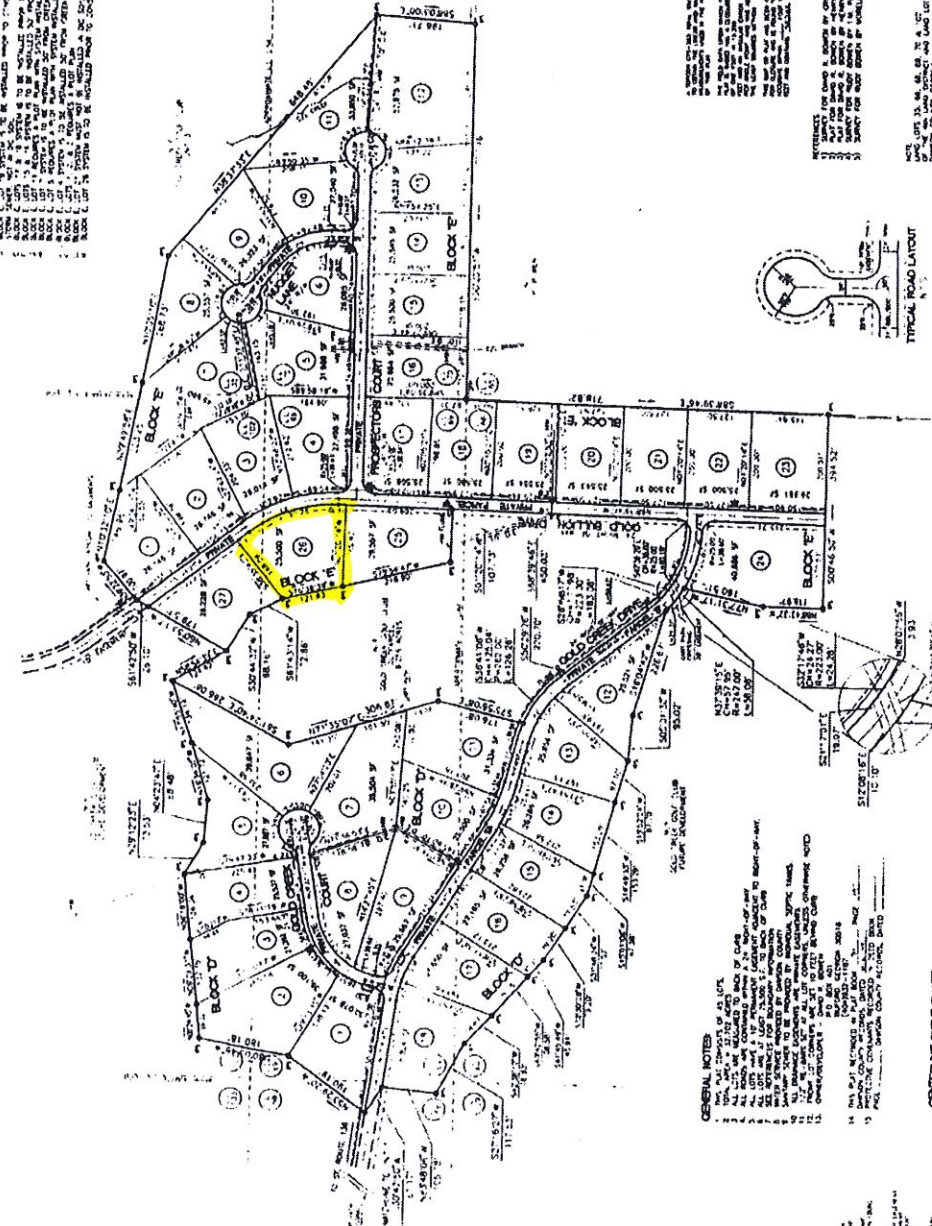
Tarnacki
TMP 090 083

City Zoning Map

SEALING REQUIREMENTS

1. All drawings shall be sealed by a Professional Engineer or Professional Surveyor.
2. The seal shall be placed on the drawing in the location indicated.
3. The seal shall be in the form of a circle with the name of the professional and the word "SEAL" written around it.
4. The seal shall be in black ink.
5. The seal shall be placed on the drawing before it is submitted for recording.
6. The seal shall be placed on the drawing before it is submitted for filing.
7. The seal shall be placed on the drawing before it is submitted for recording and filing.
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9. The seal shall be placed on the drawing before it is submitted for recording and filing.
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GRiffin LAND SURVEYING, INC.
 2111 17th St. N.E.
 Atlanta, Georgia 30329
 Phone: (404) 525-1111
 Fax: (404) 525-1112
 E-mail: info@griffinland.com



GENERAL NOTES

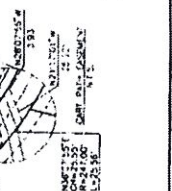
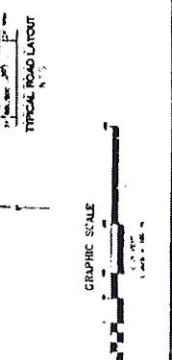
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
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CENTRELINE CHART

Block	Area (Acres)	Area (Sq. Ft.)
BLOCK 1	1.25	53,913
BLOCK 2	1.25	53,913
BLOCK 3	1.25	53,913
BLOCK 4	1.25	53,913
BLOCK 5	1.25	53,913
BLOCK 6	1.25	53,913
BLOCK 7	1.25	53,913
BLOCK 8	1.25	53,913
BLOCK 9	1.25	53,913
BLOCK 10	1.25	53,913

UNIT 2 COLD CREEK GOLF CLUB SUBDIVISION	GRiffin LAND SURVEYING, INC.
DATE: 10/17/95	PROJECT: UNIT 2
DRAWN BY: [Name]	CHECKED BY: [Name]
SCALE: AS SHOWN	DATE: 10/17/95

DATE: 10/17/95	PROJECT: UNIT 2
DRAWN BY: [Name]	CHECKED BY: [Name]
SCALE: AS SHOWN	DATE: 10/17/95



GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
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Return to:
O'Kelley & Sorohan, Attorneys at Law, LLC
340 Jesse Jewell Parkway SE, Suite 110
Gainesville, GA 30501
File No.: 08-085167-REG

Filed in Office: 01/23/2018 01:17PM
Deed Doc: WD
Bk 01278 Pg 0245
Georgia Transfer Tax Paid : \$22.50
Justin Power Clerk of Court
Dawson County
0422018000090

STATE OF GEORGIA
COUNTY OF DAWSON

LIMITED WARRANTY DEED

THIS INDENTURE, made on 18th day of January, 2018, between

Diane C. Lemley and Jim Lemley

(hereinafter referred to as "Grantor") and

Anthony Tarnacki

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits; WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

All that tract on parcel of land lying and being in Land Lots 69 and 102 of the 4th District, 1st Section, of Dawson County, Georgia, and being Lot 26, Block E Unit 2 and Gold Creek Golf Club Subdivision, as per plat recorded in Plat Book 31, Page 247, Dawson County, Georgia records, said plat being incorporated herein by reference.

TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee.

Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

Signed this 18 day of January 2018 in the presence of:

Late Lemley

Unofficial Witness

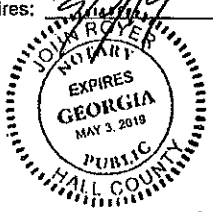
Diane C. Lemley

Diane C. Lemley

Jim Lemley

Jim Lemley

Notary Public
Commission expires: 5/3/19





April 29, 2019

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

Re: Staff Recommendation; ZA-C9-00267 and VAR-C9-00267

Mr. Lindsey and Commission,

Mr. Mostafa Elahy has requested an amendment to the current zoning stipulations for TMP D02 001 and TMP 083 038 082 consisting of 9.14 acres, located at 280 Maple Street South for the purpose of constructing a townhome development.

Current conditions are as follows:

Said site was originally zoned R-6 (Multifamily Residential) from R-3 in 2007 with the following stipulations:

- Dedicate five feet of property along Maple Street for additional ROW
- Provide restrictive covenants identifying project as "active adult" community
- Extend pavement along Maple Street from southern property line to Stegall street intersection a width of two feet
- Design/build a minimum of twenty percent of livable dwellings to meet standards as described in the Universal Design Standards Manual

Mr. Elahy wishes to have conditions 2 and 4 removed. These conditions would restrict the project to an "active adult" community requiring additional building standards to be met. Mr. Elahy does not wish to limit the project to "active adult".

Additionally, the applicant requests a variance from the minimum lot width of 20 feet from the required 28 feet and to reduce the front setback from 30 feet to 15 feet.

Due to the topography of the land and the presence of a number of springs the applicant will be restricted to construction mainly upon the north and eastern portion of the property. This restriction would prohibit a design based upon standard requirements. The proposed design along with the variance approval will allow for elements such as the access road to be installed to meet current safety and design standards where a strict adherence to the building setbacks and lot widths would not.

I have reviewed the guidelines for variance approval and this request, in my opinion, will meet all required conditions. This office therefore recommends approval of the request.

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

Sincerely,


R.J. Irvin

Planning Director, City of Dawsonville

Livic Properties, LLC
885 Woodstock Rd Suite 430-359
Roswell GA 30075
livicproperties@gmail.com

April 12, 2019

Mr. Robbie Irvin
Planning Director
City of Dawsonville

Dear Mr. Irvin,
Subject: **LETTER OF INTENT FOR ZONING AMENDMENT**

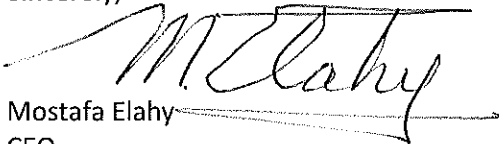
We are applying for zoning amendment for two parcels of land located at 280 Maple Street S. Dawsonville. These two parcels, D02 001 and 083 038 082, have been zoned to R6 for the use of active adult community for the ages of 55 and older. Our intention is to use them for building townhomes for all ages. Therefore, we are applying to remove the two stipulations attached to the zoning, which are specific to the previous use. We intend to provide good quality housing at affordable prices in a community of about 50 townhomes.

The units are proposed to be 22' in width and 100' in length. The 22' width is needed due to the large portion of the site that is undevelopable because of a creeks location on the site and the irregular shape of the property at the rear. The project is also proposing a street that has a 50' right of way and a road width of 24' from back of curb to back of curb. The street will also have a cul-de-sac at the end with a 40' radius to the back of curb and a 50' radius to the right of way. The project is proposing additional parking spaces, a playground, and landscaped area along the southern property line behind the southern units.

The project will also contain a detention/ water quality pond along the southern property line near the beginning of a spring. The development and disturbed area will be contained within the front portion of the site. The back portion of the site contains a creek. The creek starts on the property near the midpoint of the southern property line and runs in a northwesterly direction down the middle of the property to the rear corner.

The front half of the site is gently sloping and grassed with some trees. The rear half of the site is wooded and steep. The rear part of the site will be left undeveloped and natural. The rear portion of the property is surrounded by Maple Heights Subdivision to the south and Stegall Manor Subdivision to the north. The front half of the site has Stegall Manor Subdivision to the north and to the south is an undeveloped piece of property that is also zoned R6.

Sincerely,



Mostafa Elahy
CEO



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- C9-00267 Date: 4/10/19

Applicant Name(s): Mostafa Elahy

Address: 885 Woodstock Rd Suite 430-359 City: Roswell State: GA Zip 30075

Phone: _____ Cell Phone: 470-292-8096

E-Mail livicproperties@gmail.com

Property Address: Two Parcels at 280 Maple St. S Dawsonville GA 30534 as fully described in the legal description attached

Tax Map # _____ Parcel # D02 001 and 083 038 082 Current Zoning**: R6

Land Lot(s): 446 and 447 District: 4 Section: 1

Subdivision Name: _____ Lot # _____

Acres: 5.1 and 4.04 Current Use of Property: Active Adult Community

Has a past Request of Rezone of this property been made before? Yes If yes, provide ZA # 6-07-1556

The applicant request:

Rezoning to zoning category: Amendment Stipulation Special Use permit for: _____

Proposed use of property if rezoned : Townhomes

If Residential: # of lots proposed 50 Minimum lot size proposed 2,200 Sq Ft (Include Concept Plan)

Is an Amenity area proposed Yes, if yes, what Extra Parking, Walking Trail, Dog Run or Children Playground

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: Maple Street S. 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.

M Elahy

Signature of Applicant

4/10/19

Date

Office Use Only:			
Date Completed Application Rec'd	<u>4/16/19</u>	Amount Paid \$ <u>500.00</u>	Check # <u>CC 416</u> /Cash
Date of Planning Commission Meeting:	<u>5/13/19</u>	Dates Advertised:	<u>4/24/19</u>
Date of City Council Meeting:	<u>5/20/19</u>	Dates Advertised:	<u>4/24/19</u>
Postponed: YES NO	Date: _____	Rescheduled for next Meeting:	_____
Approved by Planning Commission:	YES NO	Approved by City Council:	YES NO

+ Cert.
Mail
Fees



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 CLIFTON N McCLUNE JR hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #) Parcel ID D02 001
280 Maple St. S Dawsonville GA 30534 as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

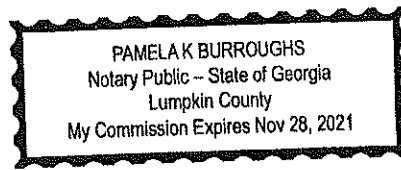
I hereby authorize the person(s) or entity(ies) named below to act as the applicant or agent in pursuit of the rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. 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 Mostafa Elahy
 Signature of Applicant or Agent [Signature] Date 4/10/19
 Mailing Address 885 Woodstock Rd Suite 430-359
 City Roswell State GA Zip 30075
 Telephone Number 470-292-8096

Printed Name of Owner(s) CLIFTON N McCLUNE JR
 Signature of Owner(s) [Signature] Date 4-12-19
 Date _____

Sworn to and subscribed before me
 this 12th day of April 2019.

[Signature]
 Notary Public, State of Georgia



My Commission Expires: 11-28-21 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
 Authorization**

Property Owner Authorization

I/We Steven and Elaine Wilson hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) Parcel ID 083 038 082 Dawsonville GA 30534 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.

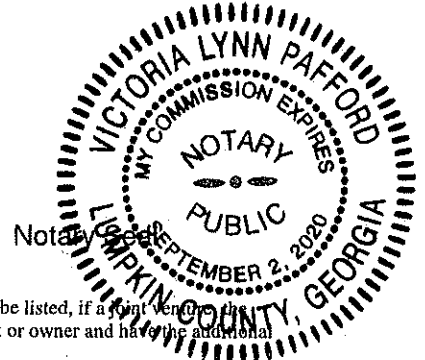
Printed Name of Applicant or Agent Mostafa Elahy
 Signature of Applicant or Agent [Signature] Date 4/10/19
 Mailing Address 885 Woodstock Rd Suite 430-359
 City Roswell State GA Zip 30075
 Telephone Number 470-292-8096

Printed Name of Owner(s) Steven & Elaine Wilson
 Signature of Owner(s) [Signature] Date 4-11-19
[Signature] Date 4-11-19

Sworn to and subscribed before me this 11th day of April 2019.

[Signature]
 Notary Public, State of Georgia

My Commission Expires: 9/2/2020



(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:

N/A

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: _____

M. Elahy

Signature of Applicant / Representative of Applicant

4/10/19

Date

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



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

**Zoning Amendment
 Notice of R-A Adjacency**

N/A

Notice of Residential-Agricultural District (R-A) Adjacency

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

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

This notice and acknowledgement shall be public record.

Applicant Signature _____ **Date** _____

Application Number: _____

N/A

Sworn to and subscribed before me
 this _____ day of _____ 20____.

 Notary Public, State of Georgia

My Commission

Expires: _____

Notary Seal

Livic Properties, LLC
885 Woodstock Rd Suite 430-359
Roswell GA 30075
livicproperties@gmail.com

April 12, 2019

Mr. Robbie Irvin
Planning Director
City of Dawsonville

Dear Mr. Irvin,
Subject: LETTER OF INTENT FOR VARIANCE

We are applying for variance on the community of townhomes we intend to build at 280 Maple Street S. Dawsonville. We are also applying for zoning amendment for the two Parcels D02 001 and 083 038 082 at this location. They are currently zoned as R6 for the use of active adult community. Our intention is to use them for townhomes for all ages. Therefore, we are applying to remove the two stipulations attached to the zoning, which are specific to previous use. We intend to provide good quality housing at affordable prices in a community of about 50 townhomes.

The eastern half of the total land of 9.1 Acre, which is adjacent to Maple Street, is flat to gently sloping and the western half is of unfavorable topography with swales and steep slopes. Therefore, we intend to use the limited area adjacent to Maple Street for our houses and keep the part with unfavorable topography for green area, walking trail and some landscaping. Please, see the attached conceptual plan.

To achieve the above goal, we have studied many similar communities in Dawsonville, Dawson County as well as Forsyth and north Fulton County to identify how we can best fit 50 two-story townhomes in the good part of our land. In this process, we have identified the need for two variances, which are common in other communities some of which are currently under development in Dawsonville and Dawson County.

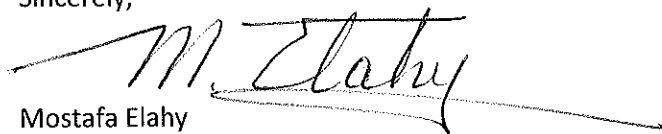
1. Minimum width of a lot 20 feet instead of 28 feet.
2. Front setback 15 feet instead of 30 feet.

Minimum width of most of the floor plans we have found suitable for our townhomes are 22 to 24 feet with a depth of 45 to 55. The two-story townhomes built in Dawsonville, Dawson County and the neighboring counties are commonly in the range of 20 to 24 feet with a depth of 50 to 60.

The front setback for three similar communities in Dawsonville and Dawson County seem to be 10 and 15 feet, and they have built their houses at 12 and 17 feet from their front lot boundaries allowing for the two extra 2 feet, which is a common practice. With lot length of 100 feet, a shorter front setback would leave a bigger backyard, which would bring more usable area for the homeowner and more greenery for the community because 80 percent of the front setback will be covered with driveway for a two-car garage.

We have reviewed the conditions of Section 2507 and we believe that for this development as explained those conditions exist.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Elahy', with a long horizontal flourish extending to the right.

Mostafa Elahy
CEO



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

Variance Application

Fee: \$300.00

VAR- C9-00267

Application for: Appeal Special Exception Adjustment

Type of Variance Requested: _____ (Letter of Intent must fully describe this request)

Applicant Name: Mostafa Elahy Company: Livic Properties, LLC

Address: 885 Woodstock Rd Suite 430-359 City: Roswell Zip: 30075

Phone: _____ Cell Phone: 470-292-8096 Fax #: _____

Owner Name(s): Clifton N JR McClure

Address: 772 Stowers Rd W City: Dawsonville Zip: 30534

Phone: _____ Cell Phone: 678-428-7475 Fax #: _____

Exact Location and Description of Subject Property:

Address: 280 Maple St. S Dawsonville GA 30534 Lot # _____

Present/Proposed Zoning: R6 Parcel # D02 001 and 083 038 082

District: _____ Land Lot: _____ Tax Map # _____

Present and/or Proposed Use of Property: Townhomes

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**

M Elahy
 Signature of Applicant

4/10/19
 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# _____ TMP# _____ Applicant's Name: _____

Property Owner Authorization

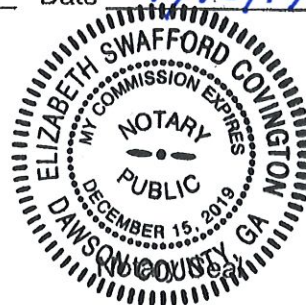
I / We Steven + Elaine Wilson hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) _____ as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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 Mostafa Elahy
 Signature of Applicant or Agent M. Elahy Date 4/10/19
 Mailing Address 885 Woodstock Rd Suite 430-359
 City Roswell State GA Zip 30075
 Telephone Number 470-292-8096

Printed Name of Owner(s) Steven + Elaine Wilson
 Signature of Owner(s) Steven Wilson Date _____
Elaine Wilson Date 4/12/19

Sworn to and subscribed before me
 this 12th day of April 2019.
Elizabeth Swafford Covington
 Notary Public, State of Georgia
 My Commission Expires: 12/15/2019



(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

**Property Owner
 Authorization**

VAR# _____ TMP# _____ Applicant's Name: _____

Property Owner Authorization

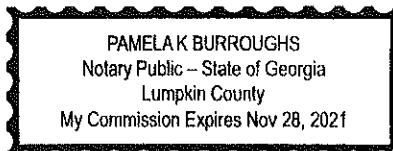
I/We CLIFTON N McCLUNE JR hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #) Parcel ID D02 001 as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

I hereby authorize the person(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 Mostafa Elahy
 Signature of Applicant or Agent M Elahy Date 4/10/19
 Mailing Address 885 Woodstock Rd Suite 430-359
 City Roswell State GA Zip 30075
 Telephone Number 470-292-8096

Printed Name of Owner(s) CLIFTON N McCLUNE JR
 Signature of Owner(s) Clifton N McClune Jr. Date 4-12-19
 Date _____

Sworn to and subscribed before me
 this 12th day of April 2019.
Pamela K Burroughs
 Notary Public, State of Georgia



My Commission Expires: 11-28-21

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 + VAR C9-00267

Adj. Property Owners - Notter sent to -
Via Certified Mail

Mostafa Elahy
Livic Properties LLC

885 Woodstock Road, Suite 430-359
Roswell GA 30075

D02 008

WIMPEY DEBRA L
269 STEGALL PLACE
DAWSONVILLE GA 30534

D02 007

POLLARD KEITH
31 DIDA LN
DAWSONVILLE GA 30534

D02 009

GUNTER KIMOTHY DWAYNE
3876 BALL GROUND RD
BALL GROUND GA 30107

D02 010 001

DAMIANI MELYNN
231 STEGALL PLACE
DAWSONVILLE GA 30534

D02 010

COCHRAN NATHANIEL
219 STEGALL PLACE
DAWSONVILLE GA 30534

D02 011

LAWSON KENNETH W & CINDY R HUDGINS
203 STAGALL PLACE
DAWSONVILLE GA 30534

D02 013 001

BROCATO FRANK N & SARAH N RICH
4380 FLIPPEN TRAIL
NORCROSS GA 30092

D02 013 002

SHERIFF DAVID
1264 OLD HENRY GRADY RD
DAWSONVILLE GA 30534

D02 013

PHILLIPS SHERRY L
129 STEGALL PLACE
DAWSONVILLE GA 30534

D02 015 / @ab

SLATON GEORGE
26 ACADAMEY
DAWSONVILLE GA 30534

D02 016

SLATON GEORGE
26 ACADEMY AVE
DAWSONVILLE GA 30534

D02 017 / 018 / 019

STEGALL PLACE LLC
5755 HENDRIX RD
CUMMING GA 30040

D02 019 001

258 MAPLE STREET LLC
5755 HENDRIX RD
CUMMING GA 30040

D02 025

MCPHERSON ANDREW W
281 MAPLE STREET S
DAWSONVILLE GA 30534

D02 025 029

PINEDA JR GERARDO J & ESTHER B
291 MAPLE STREET
DAWSONVILLE GA 30534

D02 025 030

WASHBURN ASHLEY
303 MAPLE ST
DAWSONVILLE GA 30534

D02 025 001

LONG HARLEY BRUCE & ELIZABETH DIANNE
1106 RED BUD CIRCLE
VILLA RICA GA 301805329

D02 002

LOOPER BILLY
P O BOX 730
DAWSONVILLE GA 30534

083 038 062

KING MELISSA
61 DRIFTWOOD TRAIL
DAWSONVILLE GA 30534

083 038 063

HAYS GWENDOLYN A
55 DRIFTWOOD TRAIL
DAWSONVILLE GA 30534

083 038 064

HUNT JAMES ROBERT II
49 DRIFTWOOD TRAIL
DAWSONVILLE GA 30534

083 038 023

CETTI MARK & DULCE
39 DRIFTWOOD TRAIL
DAWSONVILLE GA 30534

083 038 024

TINSLEY HUBERT D
76 TINSLEY CHURCH RD
DAWSONVILLE GA 30534

083 038 001

TINSLEY JOSEPH
76 TINSLEY CHAPEL RD
DAWSONVILLE GA 30534

083 038 035

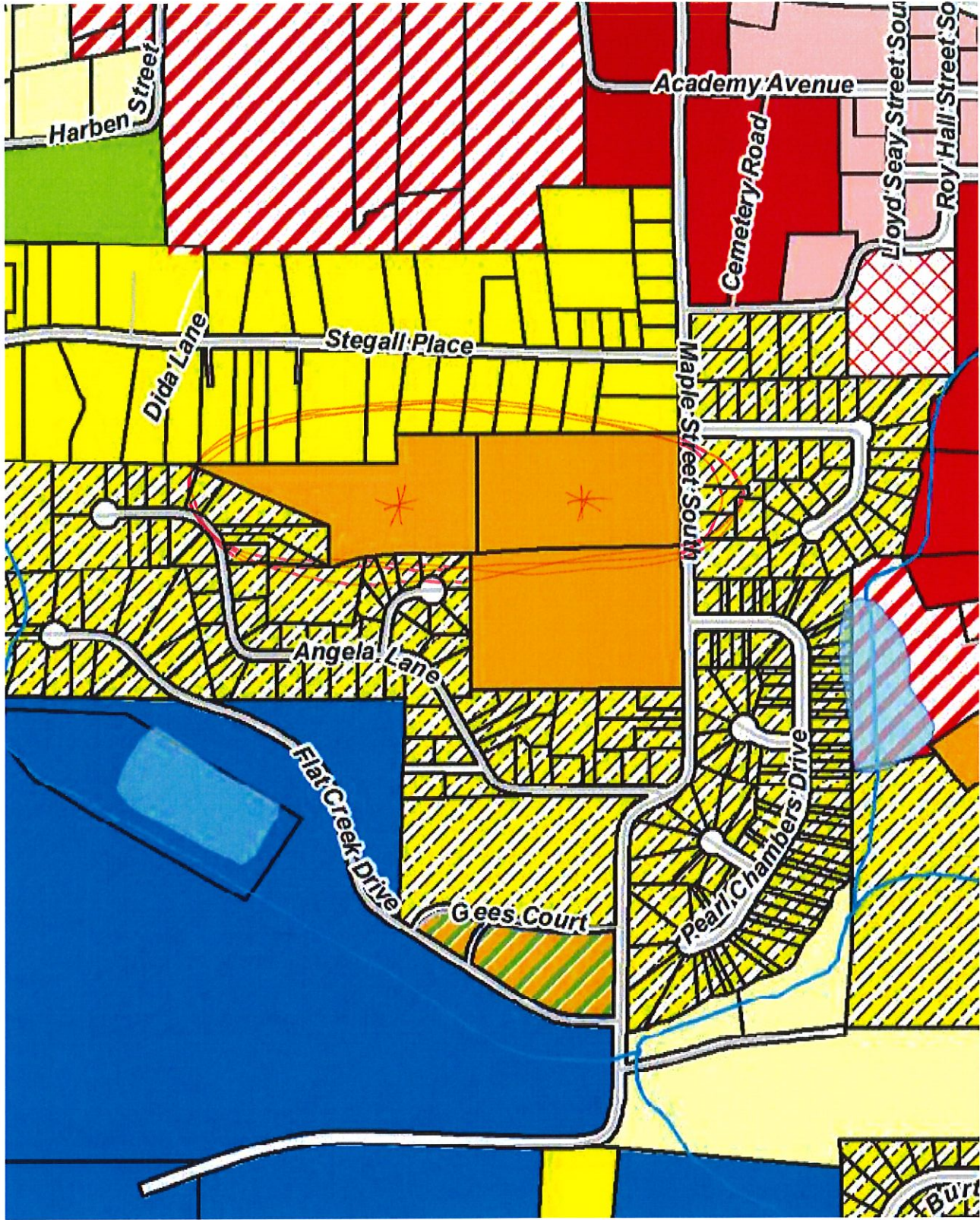
LOPEZ ROSAS LUIS OMAR & GOMEZ JANICE E
368 ANGELA LANE
DAWSONVILLE GA 30534

083 038 036

MARCANO ENRIQUE & DANIELLE
376 ANGELA LANE
DAWSONVILLE GA 30534

083 038 037 + 038

ADAMS HOMES AEC LLC
3000 GULF BREEZE PARKWAY
GULF BREEZE FL 32562



TMP D02 001
+ 083 038 082

City Zoning Map

Maple Street
P.L.

**MINUTES
CITY COUNCIL REGULAR MEETING
OCTOBER 1, 2007
7:00 P.M.**

CALL THE MEETING TO ORDER: Mayor Cox called the meeting to order at 7:00 p.m.

ROLL CALL: Those present included Mayor Joe Lane Cox, Council Members Linda Grant, Mike Sosebee, and Jonathan Cox; Mike Wilson was absent; staff present were Kim Cornellson, Steve Holder, Gary Barr, and Dana Miles, City Attorney.

INVOCATION AND PLEDGE: Invocation was led by Steve Holder; Mayor Cox led the pledge of allegiance.

APPROVAL OF MINUTES:

Council unanimously approved the minutes from the regular meeting held September 10, 2007; motion by Sosebee, second by Grant.

NEW BUSINESS:

Proclamation Recognizing October as National Downs Syndrome Awareness Month: The Shelf family came forward to receive the proclamation recognizing the month of October as National Down Syndrome Awareness Month. It was presented by Mayor Cox after it was read by Kim Cornellson.

Parade/Public Assembly Application: Kare for Kids Annual Mountain Moonshine Festival, October 26, 27, and 28, 2007. Kim Cornellson presented the application stating authorization had been received from the Sheriff's office, the Fire Marshal, and the Dept. of Transportation. Council unanimously approved the application; motion by Linda Grant, second by Jonathan Cox.

OLD BUSINESS:

Zoning Amendment: ZA-6-07-1556: Avery Homes Inc. has made application to amend the zoning on property consisting of 15.402 acres off of Maple Street. The applicant seeks to change the zoning on the following tracts of land: TMP D02-01 from R-3R to R-6; TMP D002-02 from R2 to R-6; TMP 083-38-082 from R-3 to R-6. Public hearing held: September 10, 2007. Tabled to review traffic study.

Dana Miles read the zoning amendment reminding council that the public hearing was held at the September 10, 2007 meeting and the item was tabled in order for the council to have time to review the traffic study. The zoning amendment is now available for discussion. Mr. Miles also stated that the Planning Director has proposed conditions on the subject property. Steve Holder read the recommended condition which are attached and incorporated in to these minutes. Council unanimously approved the zoning amendment with the attached conditions. Motion by Grant, second by Jonathan Cox.

PUBLIC HEARINGS:

To hear Annexation Petition: ANX-07-004: Gilbert B. Meredith has made application to annexion 0.587 acres of TMP 090-067, Lot 15, Block E, Unit 2, Gold Creek Subdivision, in to the City of Dawsonville. The subject property is currently zoned PCD in the County and would be PUD in the City. Annexations are subject to two public hearings. (Second hearing).

Steve Holder read the annexation and rezoning petition. Dana Miles opened the public hearing. There were approximately 28 people in attendance. Nobody spoke in favor or in opposition of the annexation and rezoning. Mr. Miles closed the public hearing and Mayor Cox called for a vote. Council unanimously approved Annexation Petition ANX-07-004. Sosebee made the motion; Grant seconded.

Enacting Code Ordinance: An ordinance adopting and enacting a code for the City of Dawsonville, Georgia; providing for the repeal of certain ordinances not included therein; providing a penalty for the

**MINUTES
CITY COUNCIL REGULAR MEETING
OCTOBER 1, 2007
7:00 P.M.**

violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective. (First hearing).

Dana Miles explained the purpose of the ordinance stating that this ordinance would be the legislation that would adopt new Municode book as the official code of Dawsonville. The code book is the codification of the city's ordinances which is required by Georgia law.

Dana Miles opened the public hearing. There were approximately 28 people in attendance. Nobody spoke in favor or in opposition of the enacting code ordinance. Dana Miles closed the public hearing. Mayor Cox called for a vote by the council. Council unanimously approved the first reading of the ordinance. Motion by Sosebee, seconded by Jonathan Cox.

Speed Zone Ordinance: An ordinance to repeal the current speed zone ordinance of the City of Dawsonville, Georgia; to enact a new speed zone ordinance for the City of Dawsonville Georgia; to establish speed zones and regulations regarding the same within the city limits of the City of Dawsonville, Georgia; to provide for definitions, to provide for enforcement; to establish permitted detection devices; and for other purposes. (First hearing).

Dana Miles explained the purpose of the ordinance stating that staff has been working with Sheriff Carlisle to update the existing speed zone ordinance. Dana Miles opened the public hearing. There were approximately 28 people in attendance. Nobody spoke in favor or in opposition of the speed zone ordinance. Dana Miles closed the public hearing. Mayor Cox called for a vote by the council. Council unanimously approved the first reading of the ordinance. Motion by Sosebee, seconded by Jonathan Cox.

MAYOR'S REPORT:

Mayor Cox announced that the state EPD department has just enforced a level 4 watering restriction. Essentially this means all outside watering is banned.

Mayor Cox invited city citizens and their families to a cookout he is hosting at Champions Café on Saturday, October 6, 2007 from 5:00 – 7:00 p.m. It will be an opportunity to get to know him, have some dinner, and to bring questions you would like him to answer. Staff and other council members will also be there to answer your questions.

Presentation of the Phil Landrum Public Service Award: Ms. Janice Riley, Executive Director of the Ninth District Opportunity: Presentation of the Phil Landrum Public Service Award. Ms. Riley explained that the Ninth District Opportunity's (NDO) slogan is "helping people to help themselves". Operating programs like the Head Start, weatherization on elderly and low-income homes, employment and training counselling, provide food 3 times a year to those in need to name a few. Ms. Riley stated that she has known Mayor Cox since 1981 when he was sole commissioner of Dawson County and that he has always been very supportive of NDO. He truly cares about people.

The NDO Board of Directors annually selects a candidate for the Phil M. Landrum Legacy Award; this is a person who serves their county, state and the citizens of Georgia in an exemplary manner. Mayor Cox was unanimously selected by the NDO Board as this year's recipient. NDO hopes to have Mayor Cox come back on the board of directors as the public representative of Dawson County.

Phil M. Landrum was the congressman from the 9th congressional district, thus the name Ninth District Opportunity, Inc.; he served as President Johnson's floor leader and was instrumental in getting legislation passed called the Economic Opportunity Act of 1964 which created community action agencies. The award says: "honoring exemplary service to the citizens of Georgia presented to Joe Lane Cox, by Ninth District Opportunity Incorporated." Ms. Riley concluded by stating she can think of no one who is more deserving than the Mayor to receive this award.


MINUTES
CITY COUNCIL REGULAR MEETING
OCTOBER 1, 2007
7:00 P.M.

Upon receiving the plaque Mayor Cox stated that he is truly honored to be presented such a prestigious award. Mayor Cox stated that he knew Phil Landrum personally and that he was a gentleman and one of the greatest congressmen he could remember.

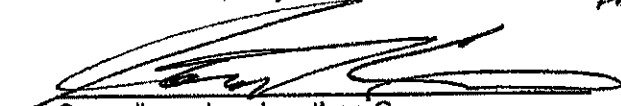
ADJOURNMENT: There being no further business, Mike Sosebee made a motion to adjourn, seconded by Linda Grant. Meeting adjourned at 7:25 p.m.



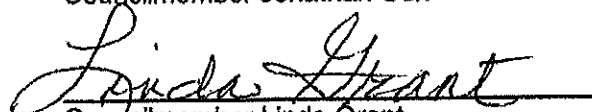
Joe Lane Cox, Mayor



MIKE WILSON, MAYOR
PRO-TEM



Councilmember Jonathan Cox



Councilmember Linda Grant



Councilmember Mike Sosebee

Councilmember Mike Wilson

Attested: 

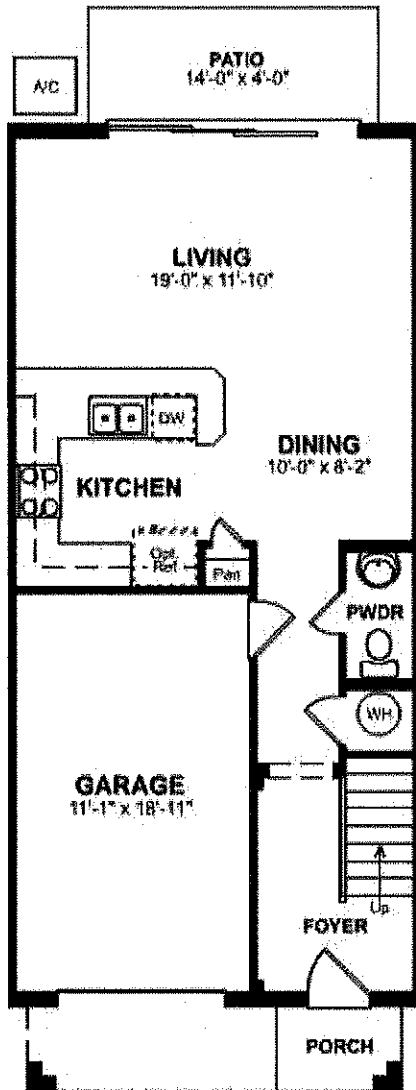
Kim Cornelison, City Clerk

Recommended Stipulations

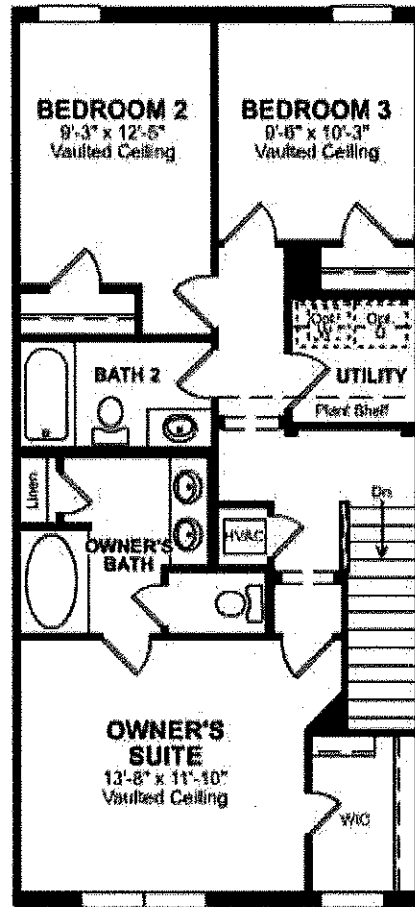
- 1 • Dedicate five feet of property along Maple Street for additional R/W
- 2 • Provide restrictive covenants identifying project as "active adult" community
- 3 • Extend pavement along Maple Street from southern property line to Stegall street intersection a width of two feet.
- 4 • Design/build a minimum of twenty percent of livable dwellings to meet standards as described in the Universal Design Standards Manual.
 - i. Dwelling units shall be provided with a step-free or accessible entrance on an accessible route that complies with ANSI A117.1-1998 section 4.8 and that has a maximum slope not to exceed 1/12. The step-free entrance may be located on the front, side, or rear of the dwelling unit, or may be located through the garage. Apartments must have an accessible route to the entry.
 - ii. The building entrance doors shall have a minimum net clear opening of 32 inches when the door is open 90 degrees as measured between the face of the door and the opposite stop.
 - iii. All interior doors on the accessible floor level of such dwelling units except those serving closets, or serving pantries less than 15 sq.ft. in area, within the unit intended for use passage must provide a minimum net clear opening of 32 inches when the door is open 90 degrees, as measured between the face of the door and the opposite stop. All interior sliding or pocket doors on the accessible floor level of such dwelling units must provide a minimum net clear opening of 32 inches as measured when in the fully open position.
 - iv. All interior doors on the accessible floor level of such dwelling units must be equipped with levered hardware.
 - v. Interior hallways on the accessible floor level of such dwelling units shall have a minimum width of 36 inches, be level and provide ramped or beveled changes at door thresholds.
 - vi. A minimum of one bathroom must be provided on the accessible floor level of such dwelling units, which bathroom shall, at a minimum, contain a toilet and sink, and be designed and constructed so those with assistive devices can enter and close the door behind them.
 - vii. Walls of the accessible bathroom on the accessible floor level of such dwelling units shall be provided with wood blocking installed flush within

wall framing to support grab bars as set forth herein. The wood blocking shall be located between 33 inches and 36 inches above the finish floor. Height shall be determined by measuring from the finish floor to the center of the wood blocking. The wood blocking shall be located in all walls adjacent to a toilet, shower stall or bathtub.

Antigua floor plan



First Floor



Second floor

1416 square feet



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

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

INVOICE #
19-00700

INVOICE DATE: 04/16/19
 DUE DATE: 04/18/19

ACCOUNT ID: LIVIC005 PIN: 840629 LIVIC PROPERTIES LLC MOSTAFA ELAHY 885 WOODSTOCK ROAD SUITE 430-359 ROSWELL, GA 30075

PERMIT INFORMATION
 PERMIT NO: C9-00267
 LOCATION: 280 MAPLE STREET SOUTH
 OWNER: MCCLURE, CLIFTON N JR

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		Permit No: C9-00267		
1.0000	P-0149	Zoning Request to R6 Permit No: C9-00267	500.00000	500.00
1.0000	P-0153	VARIANCE Permit No: C9-00267	300.00000	300.00
30.0000/EA	P-0155	CERTIFIED MAIL FEE Permit No: C9-00267	6.56000	196.80
			TOTAL DUE:	\$ 996.80
		Prn Payment: 04/16/19 VT		-996.80
			BALANCE:	\$ 0.00

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

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INVOICE #: 19-00700
 DESCRIPTION: Permit No: C9-00267
 ACCOUNT ID: LIVIC005 PIN: 840629
 DUE DATE: 04/18/19
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LIVIC PROPERTIES LLC
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April 29, 2019

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

Re: Staff Recommendation; ZA-C9-00268

Mr. Lindsey and Commission,

Mr. Larry Lowman has requested a zoning amendment for a 5-acre portion of TMP 068 022, located at the corner of Reece Rd and Elliott Family Parkway. Mr. Lowman is requesting a change in zoning from R1 (Single Family Residential) to LI (Light Industrial) in order to establish a utility trailer manufacturing business on the property.

Said property is currently zoned R1 and is adjacent to the Elliott Racing facility and Elliott Field Airport. The utility trailer manufacturing business will be low impact and storage of the completed trailers will be accomplished on the bulk of the property. Light Industrial development in this area is consistent with the projections in the City of Dawsonville Comprehensive Plan.

This office recommends 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

Zoning Amendment Application

Request # ZA- C9-00268 Condition/Stipulation Change
 Original ZA # _____

Applicant Name(s): Larry Lowman

Address: 3 PO Box 268 City: Dawsonville GA Zip: 30534

Phone: 706-265-9215 Cell Phone: _____

Signature(s) Larry Lowman Date 4/12/19

Property Address: 2284 Elliott Family Pkwy Dawsonville GA 30534

Directions to Property from City Hall: 53 N to 183 to Reece Rd. Intersection turn right

Tax Map # 068 Parcel # 022 Current Zoning**: _____

Land Lot(s): 88 District: 4 Section: 1

Subdivision Name: _____ Lot # _____

Acres: 5 Current Use of Property: _____

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

The applicant request:

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

Proposed use of property if rezoned is: Trailer + Container Bld out Business

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 Approx 2 Acres (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: Reece Rd + Elliott Family Pkwy 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.

Larry Lowman Signature of Applicant 4/12/19 Date

Office Use Only:	
Date Completed Application Rec'd <u>4/12/19</u>	Amount Paid \$ <u>782⁸⁰</u> Check # _____ /Cash
Date of Planning Commission Meeting: <u>5/13/19</u>	Dates Advertised: <u>4/24/19</u>
Date of City Council Meeting: <u>5/20/19</u>	Dates Advertised: <u>4/24/19</u>
Postponed: YES NO Date: _____	Rescheduled for next Meeting: _____
Approved by Planning Commission: YES NO	Approved by City Council: YES NO



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**Zoning Amendment
 Authorization**

Property Owner Authorization

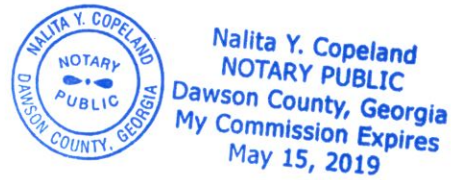
I / We Monica Starr Elliott hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 2284 ELLIOTT FAMILY PARKWAY DAWSONVILLE GA 30534 as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

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 rezoning granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The undersigned 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 Larry Lowman
 Signature of Applicant or Agent [Signature] Date _____
 Mailing Address PO Box 268
 City Dawsonville State GA Zip 30534
 Telephone Number 706-265-9215

Printed Name of Owner(s) Monica Starr Elliott
 Signature of Owner(s) [Signature] Date 04/12/2019
 Date _____

Sworn to and subscribed before me
 this 12 day of April 2019.
[Signature]
 Notary Public, State of 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 notarized also.)



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**Zoning Amendment
Adjacent Property Owners**

ZA# 09-00268

TMP# _____

It is the responsibility of the applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property. (Use additional sheets if necessary)

****Please note**** This information should be obtained at the Planning Office using the Tax Map Parcel Map listing any parcel(s) adjoining or adjacent to parcel where rezone is being requested.

TMP # 068 066 1. Name(s): Daniel Loy Elliott
Address: P.O. Box 548

Dawsonville GA 30534

TMP # 068 065 2. Name(s): Daniel Loy Elliott
Address: P.O. Box 548

Dawsonville GA 30534

TMP # 068 035 3. Name(s): E. Elliott Family ~~Part~~ Partnership LLC.
Address: P.O. Box 476

Dawsonville GA 30534

TMP # 068 020 4. Name(s): Danny L. Bulice, TRUSTEE, THE POWER T TR
Address: 2574 Elliott family Pkwy.

Dawsonville GA 30534

TMP # 068020003 5. Name(s): Jay E. & Jennifer E. Walls
Address: 140 Recca Rd.

Dawsonville GA 30534

TMP # 068 058 003 6. Name(s): Riley Bulice
Address: 2572 Elliott family Pkwy.

Dawsonville GA 30534

TMP # 068 066 016 7. Name(s): _____
Address: _____

TMP # _____ 8. Name(s): _____
Address: _____

Adjacent Property Owner notification of a zoning amendment request is required.

The applicant is responsible for mailing the Public Notice (prepared by the Planning Dept.) to each adjacent property owner via Certified Mail or pays the additional postage to the City to mail.



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**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:

_____ N/A _____

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: _____



Signature of Applicant / Representative of Applicant

Date

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



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**Zoning Amendment
 Notice of R-A Adjacency**

Notice of Residential-Agricultural District (R-A) Adjacency

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

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

This notice and acknowledgement shall be public record.

Applicant Signature *[Handwritten Signature]* **Date** 4/12/19

Application Number: ZA-C9-00268

Sworn to and subscribed before me
 this 12 day of April 2019.

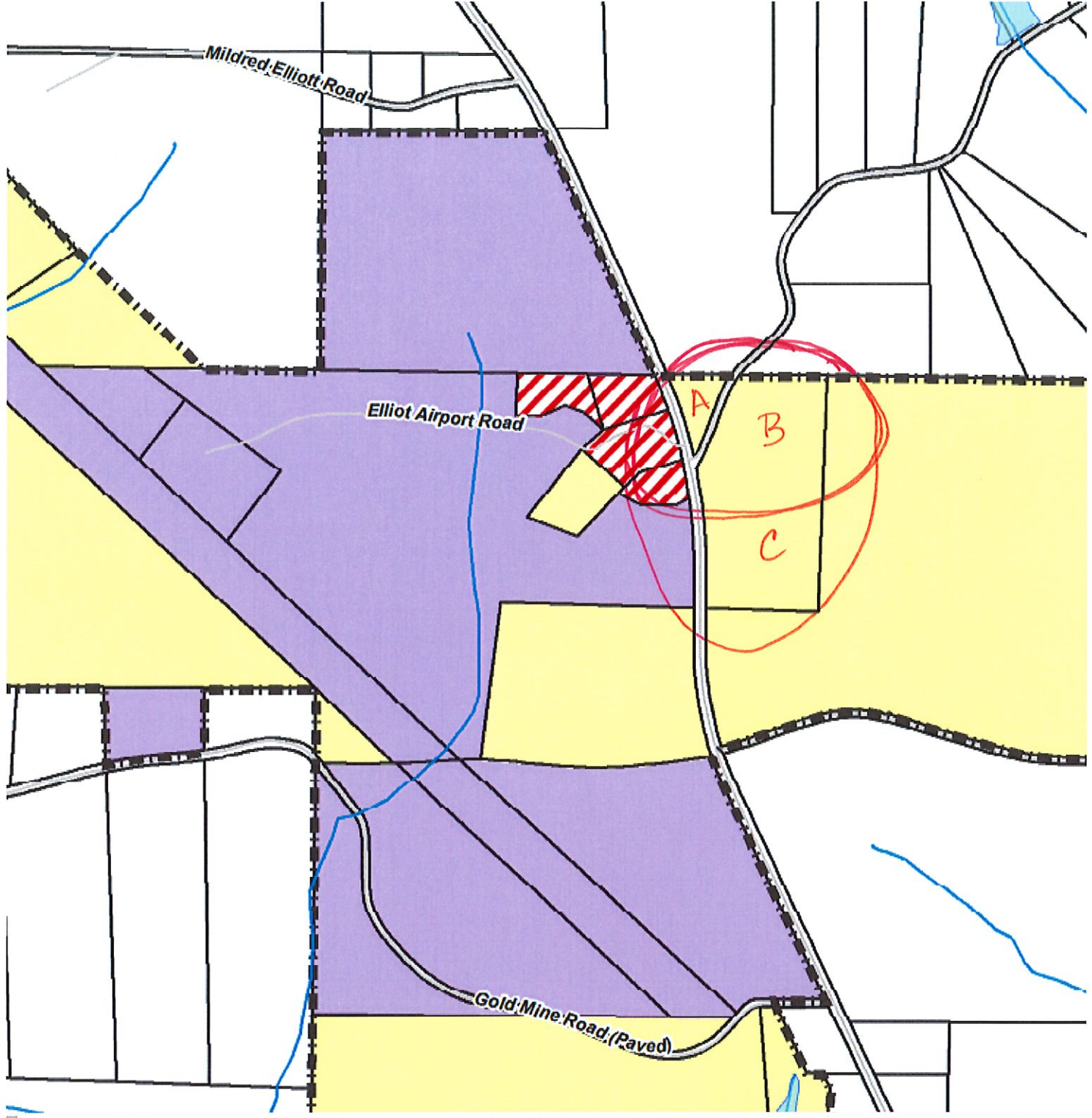
[Handwritten Signature]
 Notary Public, State of Georgia

My Commission Expires: May 15, 2019



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

Notary Seal



TMP 068 022

City Zoning Map

All that tract or parcel of land situated in Land Lot 88 of the 4th District, 1st Section, City of Dawsonville, Dawson County, Georgia, being set out as Tract A on a plat of survey for Larry Lowman, prepared by Douglas R. Sherill (GA 2995), dated February 27, 2019 and being more particularly described by the metes and bounds as follows:

Commencing at a 1/2" crimp top pipe found at the intersection of Land Lots 48, 49, 88, and 89;

THENCE N 88°00'02" W a distance of 335.79' to a 1/2" rebar found;

THENCE N 88°00'02" W a distance of 416.48' to a 1/2" rebar found;

THENCE N 88°00'02" W a distance of 34.82' to a 1/2" rebar found and being the POINT OF BEGINNING;

THENCE with a curve turning to the left with an arc length of 88.97', with a radius of 377.97', with a chord bearing of S 24°23'51" W, with a chord length of 88.77' to a point;

THENCE S 17°39'14" W a distance of 152.42' to a point;

THENCE with a curve turning to the right with an arc length of 89.07', with a radius of 227.50', with a chord bearing of S 28°52'13" W, with a chord length of 88.51' to a point;

THENCE with a reverse curve turning to the left with an arc length of 328.00', with a radius of 1947.16', with a chord bearing of N 18°01'59" W, with a chord length of 327.61' to a 1/2" rebar set;

THENCE S 88°00'02" E a distance of 227.18' to a 1/2" rebar found and being the POINT OF BEGINNING, containing 0.789 acres.

All that tract or parcel of land situated in Land Lot 88 of the 4th District, 1st Section, City of Dawsonville, Dawson County, Georgia, being set out as Tract B on a plat of survey for Larry Lowman, prepared by Douglas R. Sherill (GA 2995), dated February 27, 2019 and being more particularly described by the metes and bounds as follows:

Commencing at a 1/2" crimp top pipe found at the intersection of Land Lots 48, 49, 88, and 89;

THENCE N 88°00'02" W a distance of 335.79' to a 1/2" rebar found;

THENCE N 88°00'02" W a distance of 416.48' to a 1/2" rebar found;

THENCE with a curve turning to the left with an arc length of 67.10', with a radius of 347.97', with a chord bearing of S 28°24'37" W, with a chord length of 66.99' to a 1/2" rebar set and being the POINT OF BEGINNING;

THENCE S 88°00'02" E a distance of 381.67' to a 1/2" rebar set;

THENCE S 06°23'13" W a distance of 397.93' to a 1/2" rebar set;

THENCE S 83°14'54" W a distance of 430.71' to a 1/2" rebar set;

THENCE with a curve turning to the left with an arc length of 182.90', with a radius of 1947.16', with a chord bearing of N 09°26'33" W, with a chord length of 182.84' to a point;

THENCE with a compound curve turning to the left with an arc length of 122.93', with a radius of 257.50', with a chord bearing of N 31°19'50" E, with a chord length of 121.77' to a point;

THENCE N 17°39'14" E a distance of 152.42' to a point;

THENCE with a curve turning to the right with an arc length of 31.78', with a radius of 347.97', with a chord bearing of N 20°16'12" E, with a chord length of 31.77' to a 1/2" rebar set, and being the POINT OF BEGINNING, containing 4.211 acres.



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ATTN: Beverly Banister, City Clerk
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INVOICE #
I9-00701

INVOICE DATE: 04/16/19
 DUE DATE: 05/16/19

ACCOUNT ID: LARRY015 PIN: 696011 LARRY LOWMAN LARRY LOWMAN PO BOX 268 DAWSONVILLE, GA 30534

PERMIT INFORMATION
 PERMIT NO: C9-00268
 LOCATION: 2284 ELLIOTT FAMILY PARKWAY
 OWNER: NORTON STARR ELLIOTT

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		Permit No: C9-00268		
1.0000	P-0138	Zoning Request to LI Permit No: C9-00268	500.00000	500.00
5.0000/ACR	P-0137	Zoning Request to LI per acre Permit No: C9-00268	50.00000	250.00
5.0000/EA	P-0155	CERTIFIED MAIL FEE Permit No: C9-00268	6.56000	32.80
			TOTAL DUE:	\$ 782.80
		Prn Payment: 04/16/19 CK 2380		-782.80
			BALANCE:	\$ 0.00

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

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INVOICE #: I9-00701
 DESCRIPTION: Permit No: C9-00268
 ACCOUNT ID: LARRY015 PIN: 696011
 DUE DATE: 05/16/19
 TOTAL DUE: \$ 0.00

LARRY LOWMAN
 LARRY LOWMAN
 PO BOX 268
 DAWSONVILLE, GA 30534

