

AGENDA  
City of Dawsonville Planning Commission Regular Meeting  
Monday, October 8, 2018 @ 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 September 10, 2018.

Old Business: None

New Business: Public Hearings

3. **ANX C8-00209 and ZA C8-00209**: Michael Turner and Myles Montgomery have petitioned to annex into the city limits of Dawsonville the 32 acre tract known as a portion of TMP 093 004 001, located at 0 Perimeter Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) and RA (Restricted Agriculture) to City Zoning of R3 (Single Family Residential). Hearing Dates: Planning Commission – October 8, 2018 and City Council – October 22, 2018 and November 5, 2018.
4. **VAR C8-00209**: Myles Montgomery has petitioned for an R3 Density Variance for a portion of TMP 090 004 001 located at 0 Perimeter Road. Hearing Dates: Planning Commission – October 8, 2018.
5. **ANX C8-00210**: Michael Turner and Myles Montgomery have petitioned to annex into the city limits of Dawsonville the 11.407 acre tract known as TMP 093 006 located at 0 Allen Street. Hearing Dates: Planning Commission – October 8, 2018 and City Council – October 22, 2018 and November 5, 2018.
6. **ZA C8-00210**: Michael Turner and Myles Montgomery have requested a rezone of the 14.175 acres known as TMP 093 006 and TMP 093 007, located at 0 Allen Street from City Zoning of LI (Light Industrial) and County Zoning of RSR (Residential Sub Rural) to City Zoning of R3 (Single Family Residential) Hearing Dates: Planning Commission – October 8, 2018 and City Council – October 22, 2018 and November 5, 2018.
7. **VAR C8-00210**: Myles Montgomery has petitioned for an R3 Density Variance for TMP 093 006 and TMP 093 007 located at 0 Allen Street. Hearing Dates: Planning Commission – October 8, 2018.

Announcement: The next meeting date for the Planning Commission is scheduled for Monday, November 5, 2018 @ 5:30pm

Adjournment

**City of Dawsonville  
September 10, 2018  
Planning Commission Regular Meeting**

Commission Chair Beth Duncan called the September 10, 2018 City of Dawsonville Planning Commission regular meeting to order at 5:30 p.m.

**Present:** Planning Commission Members present: Beth Duncan, John Walden, Ken Breeden, Steve Sanvi, and Mike Hornsby. Staff present: Planning Director Robbie Irvin, Zoning Administrator Nalita Copeland, and City Attorney Dana Miles. Councilman Phillips was present as well.

**Invocation and Pledge:** Steve Sanvi gave the invocation and led the pledge.

**Approval of the Agenda:** Ken Breeden motioned to approve today's agenda; John Walden seconded the motion; all were in favor 4/0.

**Approval of the Minutes:** Mike Hornsby motioned to approve the August 6, 2018 Planning Commission Meeting minutes; Ken Breeden seconded the motion. The minutes were unanimously approved 4/0.

**Old Business: None**

**New Business: Public Hearing**

At 5:33 p.m. Steve Sanvi motioned to open the public hearing for ZA-C8-00199; John Walden seconded; all were in favor 4/0.

ZA C8-00199: Hardeman Communities Inc. has requested a PUD site plan change for TMP 083 026, located at 128 Creekstone Drive, consisting of 48.48 acres. Hearing Dates: Planning Commission – September 10, 2018 and City Council – September 24, 2018

Planning Director Robbie Irvin presented the request and recommended approval. He stated that this is Phase 2 of Creekstone Subdivision. The number of housing units will remain the same. There will just be less townhomes and more single family homes. The applicant Steve Eiberger spoke in favor of the request. No one spoke in opposition.

At 5:37 p.m. Ken Breeden motioned to close the public hearing for ZA-C8-00199; Mike Hornsby seconded; all were in favor 4/0.

Ken Breeden made a motion to approve ZA-C8-00199; John Walden seconded; all were in favor 4/0.

**Next Meeting Date:** The next Planning Commission meeting is scheduled for Monday, October 8, 2018 at 5:30 p.m. at Dawsonville City Hall.

Mr. Miles informed the Commission that Council would be considering canceling or changing their October 8<sup>th</sup> meeting date due to the school system's Fall Break Holidays. He asked the Commission if they would be interested in changing their October 8<sup>th</sup> meeting date. They all indicated that they would like to keep the October 8<sup>th</sup> meeting scheduled as is.

**Adjournment:** With no further business, Steve Sanvi motioned to adjourn; John Walden seconded; Motion carried unanimously 4/0. Meeting adjourned at 5:39 p.m.

Minutes approved this October 8, 2018

\_\_\_\_\_  
Beth Duncan, Chairman

\_\_\_\_\_  
John Walden, Co-chairman

\_\_\_\_\_  
Ken Breeden, Commissioner

\_\_\_\_\_  
Steve Sanvi, Commissioner

\_\_\_\_\_  
Mike Hornsby, Commissioner

Attested \_\_\_\_\_  
Nalita Y. Copeland, Zoning Administrator



October 4, 2018

To: Ms. Beth Duncan, Chair  
& City of Dawsonville Planning Commission

Re: Staff Recommendation; 32 Acre Turner Property Tract

Ms. Duncan and Commission,

Michael Turner and Myles Montgomery have petitioned to annex into the city limits of Dawsonville the 32-acre tract known as a portion of TMP 090 004 001, located at 0 Perimeter Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) and RA (Restricted Agriculture) to City Zoning of R3 (Single Family Residential). They have additionally requested a variance from the required R-3 density of 3 units per acre density to 3.125 units per acre.

The current conditions are as follows:

Property fronts Perimeter Rd just north of the Dawson County High School and lies immediately across from Allen St. Applicant lying within the jurisdiction of Dawson County.

The city of Dawsonville has both water and sewer in the area however due to the current service delivery agreement with EWSA the City of Dawsonville can only provide sewer service. Water service would be provided by EWSA.

The applicant wishes to develop a 100-lot residential subdivision.

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

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

Sincerely,



R.J. Irvin

Planning Director, City of Dawsonville

REQUEST FOR  
ANNEXATING AND REZONING ACTION  
FROM CITY OF DAWSONVILLE ZONING BOARD

FOR

**MR. MICHAEL TURNER  
32-ACRE SUBDIVISION ON PERIMETER ROAD**

NATURE OF REQUEST

To annex and rezone a vacant 32-Acre Tract into the City of Dawsonville

PURPOSE OF REQUEST

To allow for development of a 100 Lot Residential Subdivision

NARRATIVE

The scope of this project is to annex and rezone a 32-Acre tract into the City of Dawsonville for a proposed 100 Lot Residential Subdivision w/ an amenity area.

This property is a 32.00 acre tract of land, Land Lots 372, 373, 427 and 428, 13<sup>th</sup> District, 1<sup>st</sup> Section. The property is currently zoned R-A. We are requesting a rezoning of R-3 with conditions. Variance conditions would be to allow for a higher density than what is required for R-3 zoning (3.125 Lots / Acre). Minimum lot size shall be 75'x110'. It has frontage on Perimeter Road, but we are also proposing a proposed street that will serve the large tract of property located to the north and east of the subject tract which is currently owned by the applicant.

Located to the north and east of subject property is vacant property zoned R-A. Dawson County High School is located to the south. Located to the west is Perimeter Road. Proposed access into the residential subdivision will be from a proposed entrance located along Perimeter Road and a proposed entrance from the proposed access road as shown on the conceptual site plan provided.

Both potable water and sanitary sewer will serve this tract. Storm water detention will be provided by an onsite pond facility.

We feel that the requested annexation and rezoning to allow for a 100 Lot residential subdivision would be an appropriate type of use for this area. It is unlikely to pose any problems for any of the neighbors. We do not believe that allowing the proposed use of this property would in any way devalue or pose hardships on any of the surrounding properties.

NO.	DATE	REVISIONS
1	05/18/18	ISSUED FOR PERMITS
2	05/18/18	REVISED PER COMMENTS

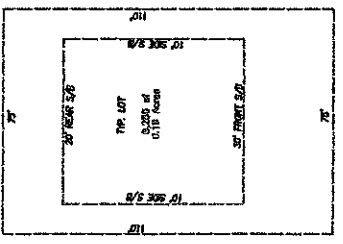
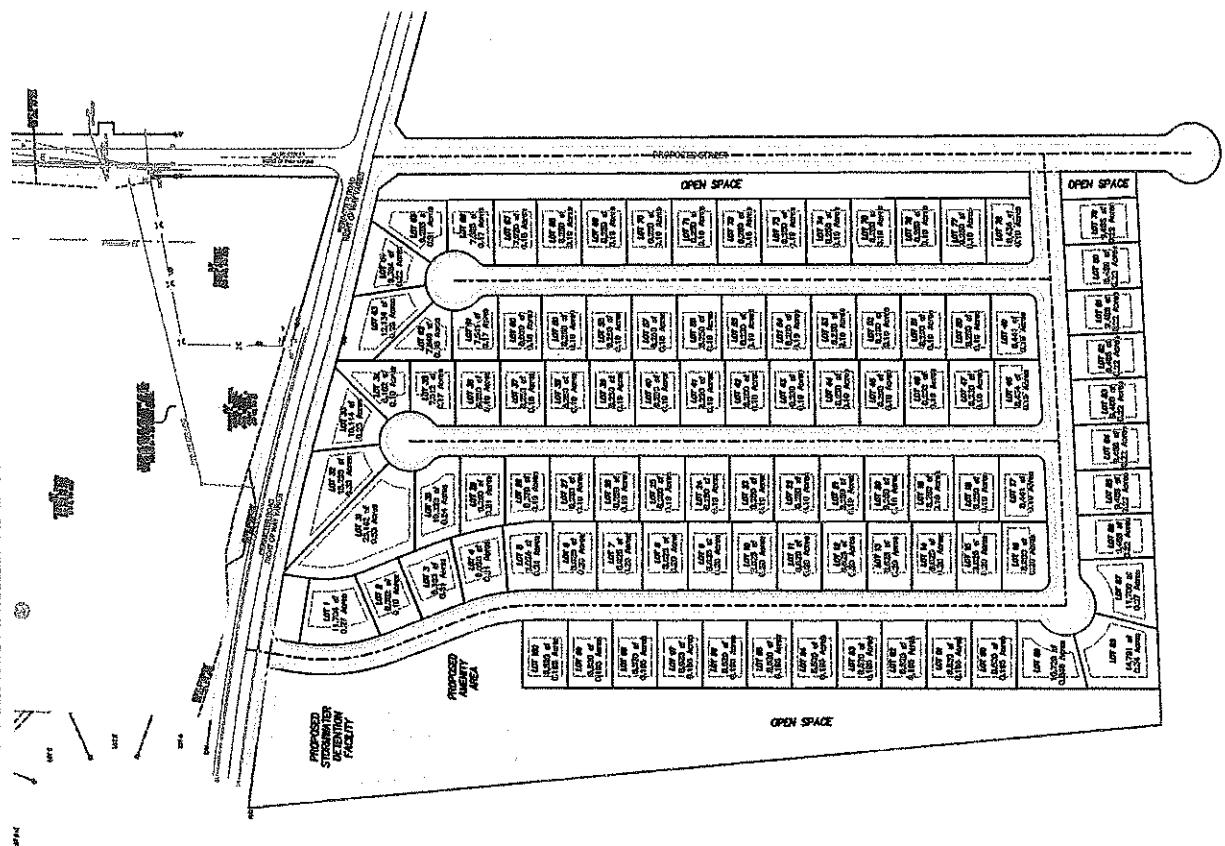


STATE OF GEORGIA  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 11500  
 STATE OF GEORGIA

**Civilscapes, Inc.**  
 CIVIL DESIGN & LANDSCAPE ARCHITECTURE  
 P.O. BOX 1115 CHAMBERLAIN, GEORGIA 30128  
 OFFICE: 678-912-8838 CELL: 770-318-6374

PRELIMINARY SUBDIVISION PLAN  
 FOR  
 MICHAEL TURNER - 32 AC. TRACT  
 LAND LOTS 58 & 59 - 4TH DISTRICT  
 1ST SECTION  
 CITY OF DAWSONVILLE • DAWSON COUNTY, GA

0120  
 SCALE 1" = 100'  
 DATE 5/18/18  
 PROJECT NO. 18-002



- GENERAL NOTES**
1. PROPOSED ZONING IS +/- CONCORDANCE
  2. VARIANCE REQUEST FOR 3.125 UNITS / ACRES
  3. TOTAL AREA +/- 20.60 ACRES
  4. MIN LOT SIZE: 7,500 SF
  5. SETBACKS:  
 FRONT: 30'  
 SIDE: 10'  
 REAR: 10'
  6. REAR-OF-LOT: 50'
  7. FRONT: 25' BACK OF CURB TO BACK OF CURB



**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 #** 08-00209

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

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

Applicant Name(s): Michael Turner Myles Montgomery

Mailing Address 7125 Shady Grove Rd City Cumming State GA Zip 30041

E-Mail Civilscapesdesign@yahoo.com

Applicant Telephone Number(s): C) 770-315-8274 O) 678-513-9836  
Myles Montgomery

Property Owner's Name(s): Michael Turner

Mailing Address 1825 Barrett Lakes Blvd City Kennesaw State GA Zip 30144

E-Mail mtturner@trusthss.com

Property Owner's Telephone Number(s): 770-261-7145

Address of Property to be Annexed: Intersection of Allen St & Perimeter RAY VACANT LOT

Tax Map & Parcel Porter JB 093 004 001 Property Size in Acres: 32 Survey Recorded in Plat Book # \_\_\_\_\_ Page # \_\_\_\_\_

Land Lot # 372, 373, 427, 428 District # 13<sup>th</sup> Section # 1<sup>st</sup> Legal Recorded in Deed Book # \_\_\_\_\_ Page # \_\_\_\_\_

Current Use of Property: Vacant

County Zoning Classification: R-A City Zoning Classification: R3

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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 415 Highway 53 East, Suite 100  
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 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: \_\_\_\_\_;  VACANT  
 Number of persons 18 years or older: \_\_\_\_\_; Number of persons registered to vote: \_\_\_\_\_
3. 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	<input checked="" 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: 0
- B. List of Addresses for each housing unit in the annexed area at the time of the annexation:  
N/A
- C. Disposition of existing structures (e.g. to stay the same, be demolished, moved or converted):  
N/A
- D. Names of affected Subdivision: N/A
- 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 093-004.001 (Address/Tax Map Parcel), respectfully request that the Mayor and City Council of the City of Dawsonville, Georgia annex this property into the City and extend the City boundaries to include the same.

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

(1) [Signature] Excelsior  
Property Owner Signature

Kenneth K Turner Estate  
Property Owner Printed Name

(2) \_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Property Owner Printed Name

(1) [Signature]  
Applicant Signature

Myles Montgomery  
Applicant Printed Name

(2) \_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Applicant Printed Name

Sworn to and subscribed before me  
this 10 day of September 2018.

Nelita Y. Copeland  
Notary Public, State of Georgia



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

My Commission Expires: May 15, 2019

Notary Seal

Annexation Application Received Date Stamp:	Rec'd <u>9/14/18</u>	Completed Application with Signatures
	Rec'd <u>9/14/18</u>	Current Boundary Survey
	Rec'd <u>9/14/18</u>	Legal Description
	Rec'd <u>9/14/18</u>	ARC Population Estimate Information

Planning Commission Meeting Date (if rezone): Oct 8, 2018 @ 5:30 pm  
Dates Advertised: Sept 10<sup>th</sup> + Sept 26  
1<sup>st</sup> City Council Reading Date: Oct 22 @ 7:00 pm  
2<sup>nd</sup> City Council Reading Date: Nov 5 @ 7:00 pm      Approved: YES    NO  
Date Certified Mail to: 9/18/18 County Board of Commissioners & Chairman    9/18/18 County Manager    9/18/18 County Attorney

Letter Received from Dawson County      Date: \_\_\_\_\_



**City of Dawsonville**  
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**Zoning Amendment  
 Application**

Request # ZA- C8 - 0209 Date: 9/13/18

Applicant Name(s): Michael Turner / Myles Montgomery

Address: 7185 Shady Grove Rd Cumming State: GA Zip: 30041

Phone: 678-513-6836 Cell Phone: 770-315-8274

E-Mail: Civilscapesdesign@yahoo.com

Property Address: Intersection of Albu St & Perimeter Rd

Tax Map # 093 Parcel # 004 Current Zoning\*\*: R-A

Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Lot # \_\_\_\_\_

Acres: 32 Current Use of Property: Vacant

Has a past Request of Rezone of this property been made before? \_\_\_ If yes, provide ZA # \_\_\_\_\_

**The applicant request:**

Rezoning to zoning category: R-3 w/Cond  Special Use permit for: \_\_\_\_\_

Proposed use of property if rezoned: Residential Sub.

If Residential: # of lots proposed 100 Minimum lot size proposed 75'x110' (Include Concept Plan)

Is an Amenity area proposed Yes, if yes, what Not determined @ this time

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: Perimeter Rd 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.

Myles Montgomery  
 Signature of Applicant

9/10/18  
 Date

<b>Office Use Only:</b>			
Date Completed Application Rec'd	<u>9/13/18</u>	Amount Paid \$	Check # /Cash
Date of Planning Commission Meeting	<u>10/18/18</u>	Dates Advertised:	<u>9/19/18</u>
Date of City Council Meeting	<u>10/22/18</u>	Dates Advertised:	<u>9/26/18</u>
Postponed: YES NO	Date: _____	Rescheduled for next Meeting:	_____
Approved by Planning Commission:	YES NO	Approved by City Council:	YES NO

+ Cent Mail Fee 90 654



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 Dawsonville, GA 30534  
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**Zoning Amendment  
 Authorization**

Property Owner Authorization

I / We Michael Turner hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 093 009 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 Myles Montgomery  
 Signature of Applicant or Agent Myles Montgomery Date 9-10-18  
 Mailing Address 7185 Shady Grove Rd  
 City Cumming State GA Zip 30041  
 Telephone Number 678-513-8836

Printed Name of Owner(s) B & K Turner Family LLP  
 Signature of Owner(s) Milly Turner General Partner Date 9-10-18  
 Date \_\_\_\_\_

Sworn to and subscribed before me  
 this 10 day of September 2018.

Nalita Y. Copeland  
 Notary Public, State of Georgia



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

My Commission Expires: May 15, 2019 Notary Seal

(The complete names of all owners must be listed, if the owner is a partnership, the names of all partners must be listed, if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)



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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:

\_\_\_\_\_

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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[Handwritten Signature]*  
Signature of Applicant / Representative of Applicant

    9/10/18      
Date

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



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**Variance Application**

**Fee: \$300.00**

VAR- C8-00209

Application for:  Appeal  Special Exception  Adjustment

Type of Variance Requested: Density R-3 w/ Cond. (Letter of Intent must fully describe this request)

Applicant Name: Myles Montgomery Company: Civilscapes, Inc.  
 Address: 7105 Shady Grove Rd City: Cumming, GA Zip: 30041  
 Phone: 678-513-8836 Cell Phone: 770-315-8214 Fax #: 678-513-8836

Owner Name(s): Michael Turner  
 Address: 1825 Barrett Lakes Blvd City: Kennesaw, GA Zip: 30144  
 Phone: 770-261-7145 Cell Phone: \_\_\_\_\_ Fax #: \_\_\_\_\_

**Exact Location and Description of Subject Property:**

Address: Intersection of Allen St & Perimeter Rd Lot # \_\_\_\_\_  
 Present/Proposed Zoning: R-A Parcel # 093  
 District: \_\_\_\_\_ Land Lot: \_\_\_\_\_ Tax Map # 004  
 Present and/or Proposed Use of Property: Vacant to Residential Sub.

**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

Myles Montgomery  
 Signature of Applicant

9/10/13  
 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**

*Myles Montgomery*  
VAR# \_\_\_\_\_ TMP# 093-004 Applicant's Name: 08-00209

**Property Owner Authorization**

I / We Michael Turner hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 093 004 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 Myles Montgomery  
Signature of Applicant or Agent Myles Montgomery Date 9-10-18  
Mailing Address 7185 Shady Grove Rd  
City Cumming State GA Zip 30041  
Telephone Number 678-513-8836

Printed Name of Owner(s) Kenneth K. Turner Estate  
Signature of Owner(s) [Signature] Date 9-10-18  
Date \_\_\_\_\_

Sworn to and subscribed before me  
this 10 day of September 2018.

Melita Y. Copeland  
Notary Public, State of Georgia

My Commission Expires: May 15, 2019



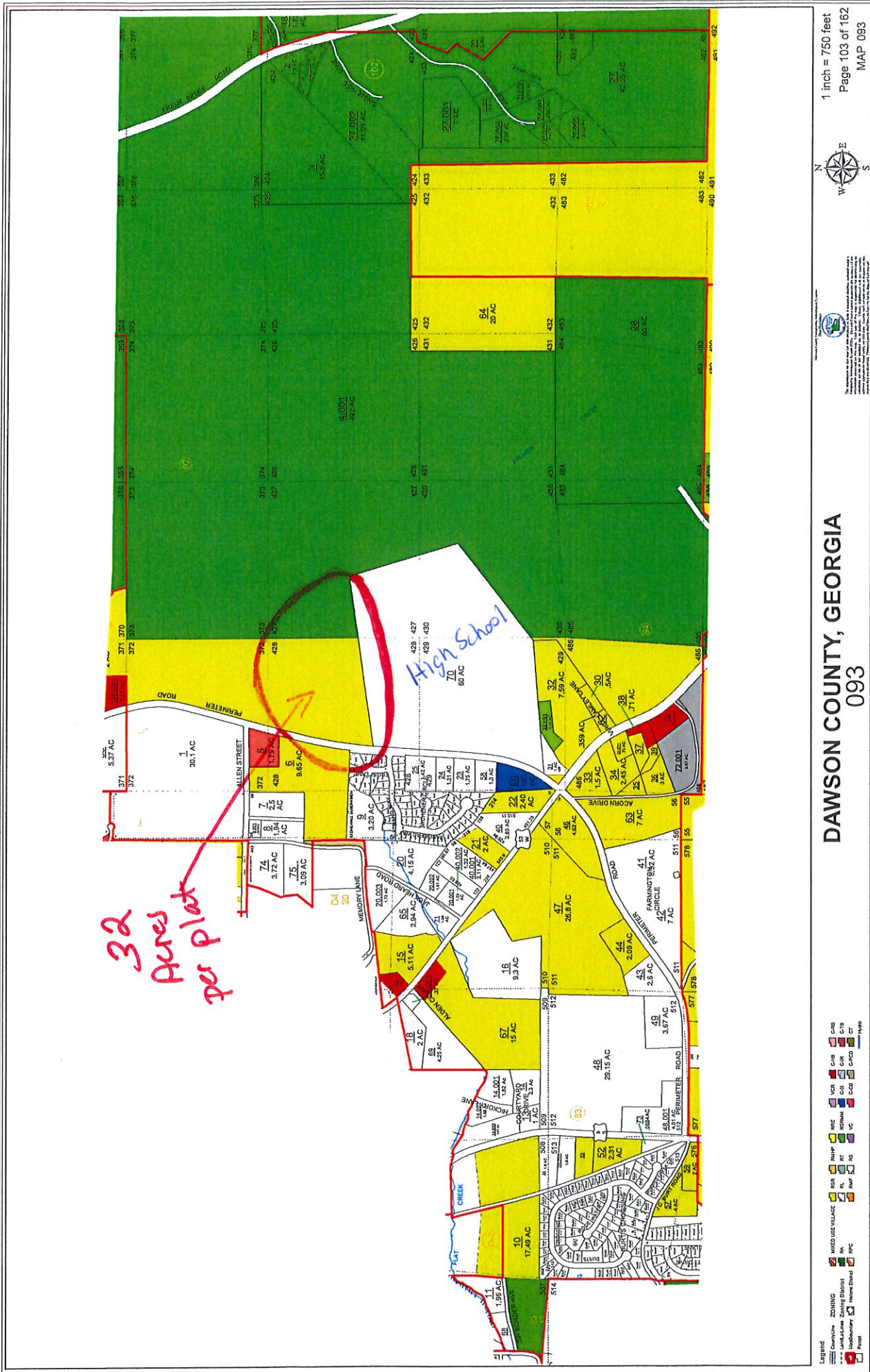
**Melita Y. Copeland**  
**NOTARY PUBLIC**  
Dawson County, Georgia  
My Commission Expires  
**May 15, 2019**  
Notary Seal

(The complete names of all owners must be listed, if the owner is a partnership, the names of all partners must be listed, if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)

County Zoning Map

32 Acres per Plat

High School



1 inch = 750 feet  
Page 103 of 162  
MAP 093



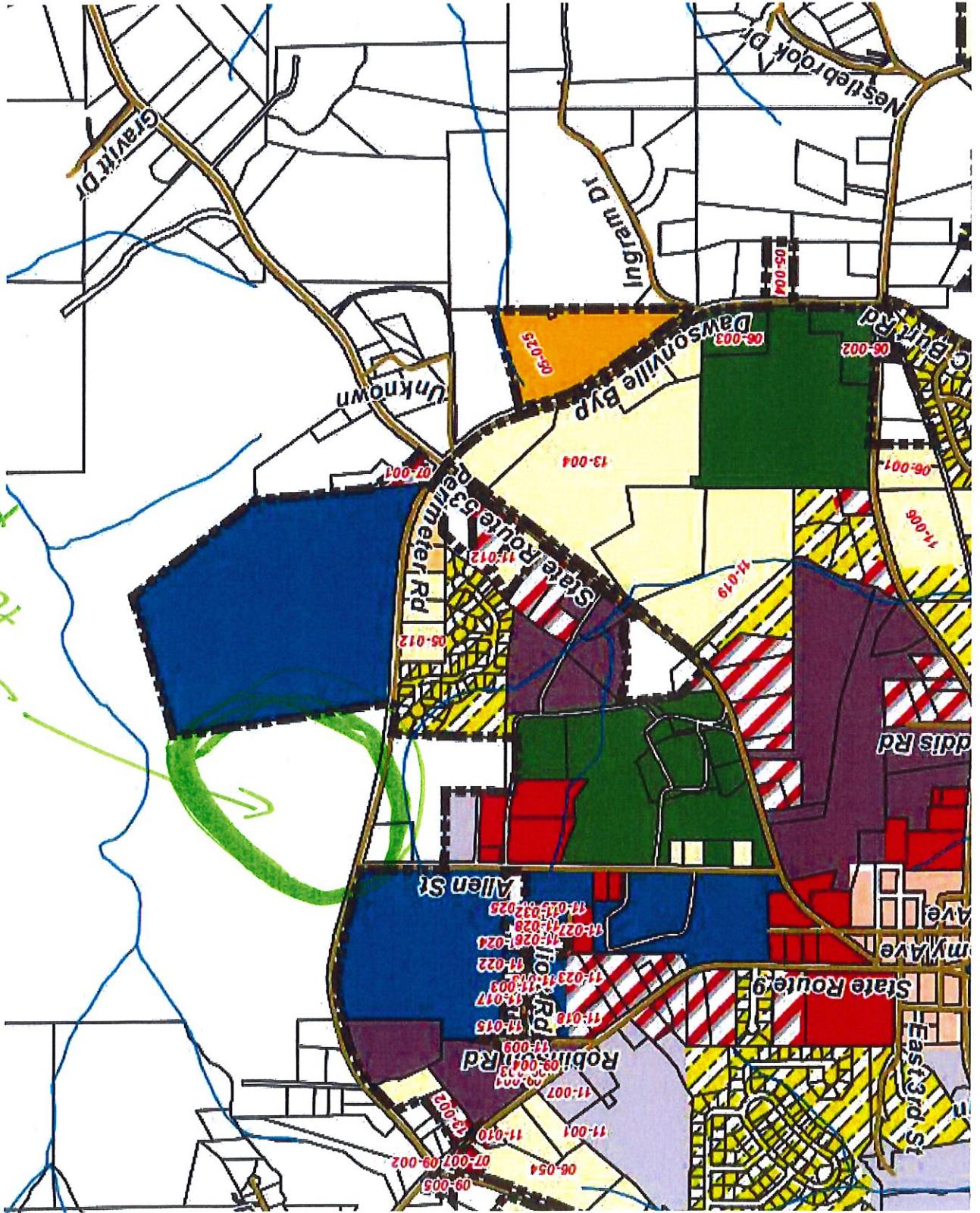
DAWSON COUNTY, GEORGIA  
093

- LEGEND
- County Line
  - Zoning District
  - Landowner Zoning District
  - Water
  - Plat
  - W
  - P
  - R-1
  - R-2
  - R-3
  - R-4
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  - R-100



City Zoning Map

32 Acres to Amey Plaza





LEGAL DESCRIPTION FOR:  
Michael Turner 32-Acre Tract

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 372, 373, 427 and 428 of the 13<sup>th</sup> District, 1<sup>st</sup> Section of Daswon County, Georgia, 32.0 acres, and being more particularly described as follows:

Beginning at a steel fence post found at the most south point along Perimeter Road which is the TRUE POINT OF BEGINNING; thence running north 04 degrees 44 minutes 29 seconds east for a distance of 180.04 feet to a point; thence running along a curve to the right an arc distance of 543.30 feet, said arc having a radius of 3887.63 feet being subtended by a chord bearing and distance north 09 degrees 55 minutes 15 seconds east 542.86 feet; thence running south 14 degrees 32 minutes 58 seconds west for a distance of 344.46 feet to a point; thence running south 72 degrees 50 minutes 57 seconds east for a distance of 9.10 feet to a point; thence running north 14 degrees 37 minutes 41 seconds west for a distance of 26.67 feet to a point; thence running north 77 degrees 50 minutes 21 seconds west for a distance of 9.37 feet to a point; thence running north 14 degrees 44 minutes 37 seconds east for a distance of 34.80 feet to a point; thence running south 89 degrees 48 minutes 30 seconds east for a distance of 1331.52 feet to a point; thence running south 02 degrees 28 minutes 58 seconds east for a distance of 947.91 feet to a point; thence running south 84 degrees 24 minutes 36 seconds west for a distance of 1589.38 feet to a point being the TERMINUS POINT of this description.



October 4, 2018

To: Ms. Beth Duncan, Chair  
& City of Dawsonville Planning Commission

Re: Staff Recommendation; Perimeter Rd and Allen St Turner Property Tract

Ms. Duncan and Commission,

Michael Turner and Myles Montgomery have petitioned to annex into the city limits of Dawsonville the 11.407 acre tract known as TMP 093 006 located at 0 Allen Street. The applicant has additionally requested a rezone of the 14.175 acres known as TMP 093 006 and TMP 093 007, located at 0 Allen Street from City Zoning of LI (Light Industrial) and County Zoning of RSR (Residential Sub Rural) to City Zoning of R3 (Single Family Residential). Lastly, the applicant is requesting a variance from the required R-3 density of 3 units per acre density to 3.74 units per acre.

The current conditions are as follows:

Property fronts both Perimeter Rd just north of the Dawson County High School and Allen St. A portion of the property (2.76 acres) currently lies within the jurisdiction of the city.

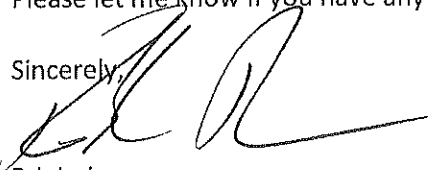
The city of Dawsonville has both water and sewer service available.

Applicant wishes to develop a 53-lot residential subdivision.

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

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

Sincerely,



R.J. Irvin  
Planning Director, City of Dawsonville

REQUEST FOR  
ANNEXATING AND REZONING ACTION  
FROM CITY OF DAWSONVILLE ZONING BOARD

FOR

**MR. MICHAEL TURNER  
14.175-ACRE SUBDIVISION**

NATURE OF REQUEST

To annex and rezone a vacant 11.407-Acre Tract into the City of Dawsonville and rezone a 2.768-Acre already located within City of Dawsonville

PURPOSE OF REQUEST

To allow for development of a 53 Lot Residential Subdivision

NARRATIVE

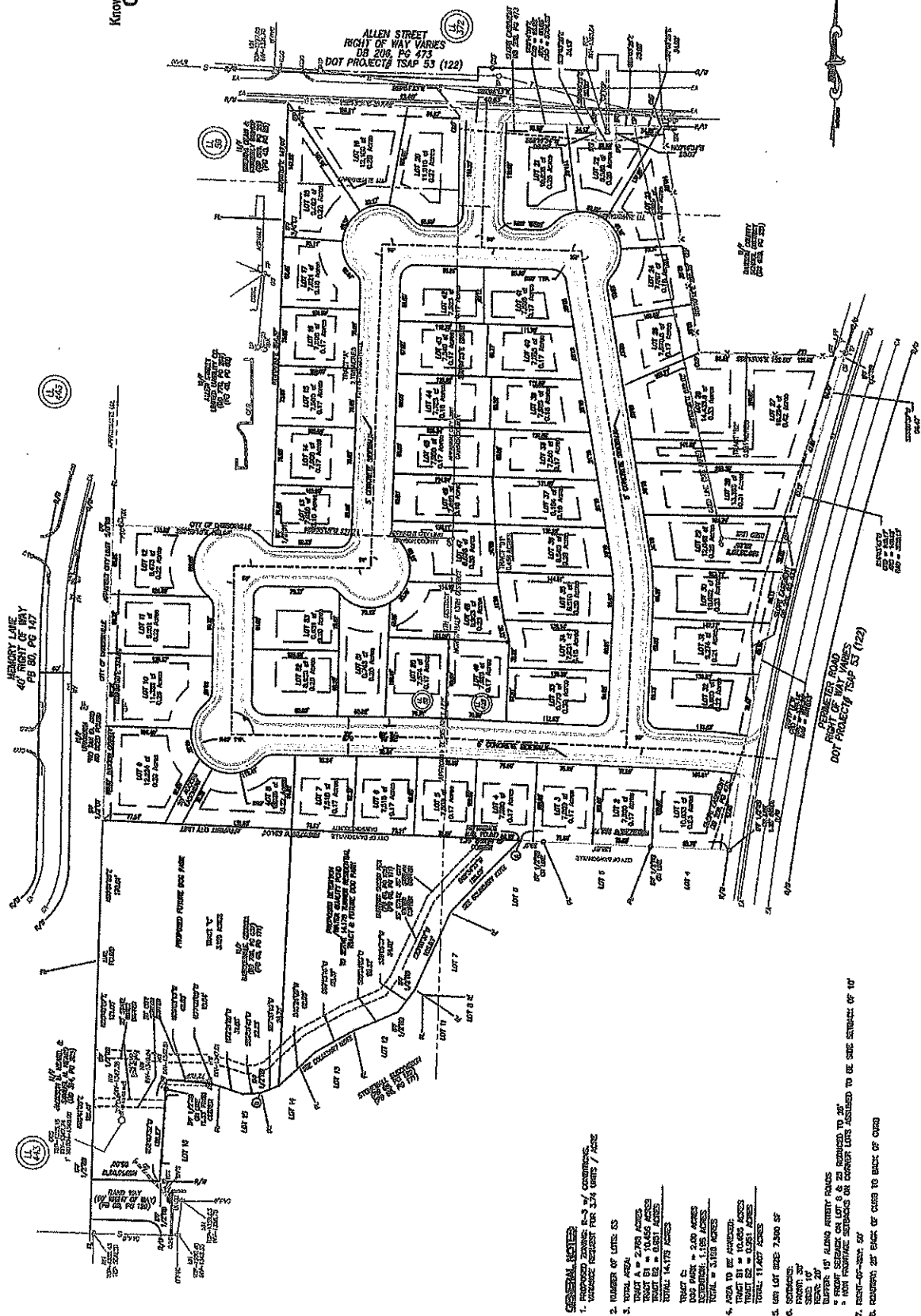
The scope of this project is to annex and rezone a 11.407-Acre tract into the City of Dawsonville combined with the rezoning of a 2.768-Acre tract that is already located within the City of Dawsonville to allow for a proposed 14.175-Acre 53 Lot Residential Subdivision.

This property is a total of 14.175 acre tract of land, located in Land Lots 58 and 59, 4<sup>th</sup> District and Land Lots 428 and 372, north half 13<sup>th</sup> District. The 11.407-Acre property is currently zoned R-1. The 2.768-Acre property is currently zoned L-I. We are requesting a rezoning of subject tracts to R-3 with conditions. Variance conditions would be to allow for a higher density than what is allowed under R-3 zoning (3.74 Lots / Acre). Minimum lot size shall be 75'x110'. Proposed residential subdivision has frontage on Allen Street and Perimeter Road.

To the north of the property is Allen Street. Perimeter Road is located to the east. Stonewall Subdivision is located to the south. To the west is Memory Lane. Access into the property will be from Allen Street and Perimeter Road as shown on the conceptual site plan provided.

Both potable water and sanitary sewer will serve this tract. Storm water detention will be provided by that of a shared offsite shared pond facility.

We feel that the requested annexation and rezoning to allow for a 53 Lot residential subdivision would be an appropriate type of use for this area. It is unlikely to pose any problems for any of the neighbors. We do not believe that allowing the proposed use of this property would in any way devalue or pose hardships on any of the surrounding properties.



THESE LOTS 58 AND 59 ARE SHOWN AS ONE PARCEL FOR DAWSON COUNTY. THE DEED RECORDS SHOW THESE LOTS AS LOTS 58 & 59. SHOWS RECORD.

- GENERAL NOTES:
1. PROPOSED ZONING: R-3 w/ CONDITIONS. UNDEVELOPED LOTS FOR 3.54 ACRES / ACRE
  2. NUMBER OF LOTS: 30
  3. TOTAL AREA:  
 TRACT A = 2,778 ACRES  
 TRACT B1 = 10,485 ACRES  
 TRACT B2 = 8,981 ACRES  
 TRACT B3 = 16,775 ACRES
  4. AREA TO BE ADJUDICATED:  
 TRACT A = 2,778 ACRES  
 TRACT B1 = 10,485 ACRES  
 TRACT B2 = 8,981 ACRES  
 TRACT B3 = 16,775 ACRES  
 TOTAL = 37,029 ACRES
  5. 40' LOT SIZE: 7,500 SF
  6. SONDHAGEN: FRONT: 30', REAR: 10'
  7. BUFFER: 15' ALONG AVENUE RIGHTS
  8. FRONT SETBACK ON LOT 8 & 23 REDUCED TO 20'
  9. FRONT SETBACKS ON CORNER LOTS ASSIGNED TO THE SIDE SETBACK OF 10'
  10. REAR-LOT-SETBACK: 20'
  11. REAR-LOT-SETBACK: 20' EACH OF CORNERS TO BACK OF CORNERS

114

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116

117

118



**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 #** ANX-CR-00210

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

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

Applicant Name(s): Michael Turner Myles Montgomery

Mailing Address 7185 Shady Grove Rd City Cumming State GA Zip 30041

E-Mail Civilscapesdesign@yahoo.com

Applicant Telephone Number(s): 0) 678-513-8836 C) 770-315-8274  
Myles Montgomery

Property Owner's Name(s): Michael Turner

Mailing Address 1825 Barnett Lakes Blvd City Kennesaw State GA Zip 30144

E-Mail mtturner@trusthss.com

Property Owner's Telephone Number(s): 770-261-7145

Address of Property to be Annexed: Allen St @ Perimeter Rd Frontage  VACANT LOT

Tax Map & Parcel # 093 ~~007~~ Property Size in Acres: 14.75 Survey Recorded in Plat Book # \_\_\_\_\_ Page # \_\_\_\_\_

Land Lot # 428 + 372 <sup>007</sup> District # 13<sup>th</sup> Section # 11.407 Legal Recorded in Deed Book # \_\_\_\_\_ Page # \_\_\_\_\_

Current Use of Property: Vacant Lot

County Zoning Classification: R-1 City Zoning Classification: R-3

**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.**

1. Intended Use of Land:   X   Residential            Commercial  
           Existing Structure(s)            Vacant  
           Other (specify) \_\_\_\_\_
2. Number of persons currently residing on the property: \_\_\_\_\_;   X   VACANT  
 Number of persons 18 years or older: \_\_\_\_\_; Number of persons registered to vote: \_\_\_\_\_
3. 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   X   VACANT

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

**ARC Population Estimate Information**

- A. Number of existing housing units:   0
- B. List of Addresses for each housing unit in the annexed area at the time of the annexation:  
  N/A
- C. Disposition of existing structures (e.g. to stay the same, be demolished, moved or converted):  
  N/A
- D. Names of affected Subdivision:   N/A
- 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 Michael Turner (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)  Executor Kenneth K. Turner Estate  
 Property Owner Signature Property Owner Printed Name

(2) \_\_\_\_\_  
 Property Owner Signature Property Owner Printed Name

(1)  Myles Montgomery  
 Applicant Signature Applicant Printed Name

(2) \_\_\_\_\_  
 Applicant Signature Applicant Printed Name

Sworn to and subscribed before me  
 this 10 day of September 2018.

Notary Public, State of Georgia



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

My Commission Expires: May 15, 2019

Notary Seal

Annexation Application Received Date Stamp:	Rec'd <u>9/14/18</u>	Completed Application with Signatures
	Rec'd <u>9/14/18</u>	Current Boundary Survey
	Rec'd <u>9/14/18</u>	Legal Description
	Rec'd <u>9/14/18</u>	ARC Population Estimate Information
Planning Commission Meeting Date (if rezone):	<u>Oct 8 2018</u>	
Dates Advertised:	<u>9/19/18</u>	<u>9/26/18</u>
1 <sup>st</sup> City Council Reading Date:	<u>Oct 22, 2018</u>	
2 <sup>nd</sup> City Council Reading Date:	<u>Nov 5, 2018</u>	Approved: YES NO
Date Certified Mail to:	<u>9/18/18</u> County Board of Commissioners & Chairman	<u>9/18/18</u> County Manager <u>9/18/18</u> County Attorney
<input type="checkbox"/>	Letter Received from Dawson County	Date: _____



**City of Dawsonville**  
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**Zoning Amendment  
 Application**

Request # ZA- 08-00210 Date: 9/12/18 Rec.  
 Applicant Name(s): Michael Turner / Myles Montgomery  
 Address: 7195 Shady Grove Rd City: Cumming State: GA Zip: 30041  
 Phone: 678-513-9836 Cell Phone: 770-315-8274  
 E-Mail civilscapesdesign@yahoo.com  
 Property Address: Allen St / Perimeter Rd  
 Tax Map # 093 Parcel # 006 & 007 Current Zoning\*\*: R-1  
 Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_  
 Subdivision Name: \_\_\_\_\_ Lot # \_\_\_\_\_  
 Acres: 14.175 Current Use of Property: Vacant  
 Has a past Request of Rezone of this property been made before? \_\_\_ If yes, provide ZA # \_\_\_\_\_

**The applicant request:**

Rezoning to zoning category: R3 w/cond  Special Use permit for: \_\_\_\_\_

Proposed use of property if rezoned: Residential Sub.

If Residential: # of lots proposed 53 Minimum lot size proposed 75' x 110' (Include Concept Plan)

Is an Amenity area proposed Yes, if yes, what Potential Dog Park

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: Allen St. & Perimeter Rd 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.

Myles Montgomery  
 Signature of Applicant

9/10/18  
 Date

**Office Use Only:**  
 Date Completed Application Rec'd 9/12/18 Amount Paid \$ 1100<sup>00</sup> Check # \_\_\_\_\_ /Cash  
 Date of Planning Commission Meeting: 10/18/18 Dates Advertised: 9/19/18  
 Date of City Council Meeting: 10/22/18 Dates Advertised: 9/26/18  
 Postponed: YES NO Date: \_\_\_\_\_ Rescheduled for next Meeting: \_\_\_\_\_  
 Approved by Planning Commission: YES NO Approved by City Council: YES NO

+ Cert. Mail Fee 9 @ 65¢



**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 Michael Turner hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 093 006 & 093 007 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 Myles Montgomery  
 Signature of Applicant or Agent Myles Montgomery Date 9-10-18  
 Mailing Address 7185 Shady Grove Rd  
 City Cumming State GA Zip 30041  
 Telephone Number 678-513-0936

Printed Name of Owner(s) Kenneth K. Turner Estate  
 Signature of Owner(s) Milly Turner Executor Date 9-10-18  
 Date \_\_\_\_\_

Sworn to and subscribed before me  
 this 10 day of Sept 2018.

Nalita Y. Copeland  
 Notary Public, State of Georgia



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

My Commission Expires: May 15, 2019 Notary Seal

(The complete names of all owners must be listed, if the owner is a partnership, the names of all partners must be listed, if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)



**City of Dawsonville**  
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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:

\_\_\_\_\_

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 \$ 0.00 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: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Myke Mathis*  
 Signature of Applicant / Representative of Applicant

9/10/18  
 Date

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



**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- 08-00210

Application for:  Appeal  Special Exception  Adjustment

Type of Variance Requested: Density R-3 w/ Cond (Letter of Intent must fully describe this request)

Applicant Name: Myles Montgomery Company: Civil Services, Inc.  
Address: 7195 Shady Grove Rd City: Cumming, GA Zip: 30041  
Phone: 678-513-8836 Cell Phone: 770-315-8274 Fax #: 678-513-8836

Owner Name(s): Michael Turner  
Address: 1825 Barrett Lakes Blvd City: Kennesaw, GA Zip: 30144  
Phone: 770-261-7145 Cell Phone: \_\_\_\_\_ Fax #: \_\_\_\_\_

**Exact Location and Description of Subject Property:**

Address: Allen St E Perimeter Rd frontage Lot # \_\_\_\_\_  
Present/Proposed Zoning: R-1 to R-3 Parcel # 006 9007  
District: \_\_\_\_\_ Land Lot: \_\_\_\_\_ Tax Map # 093  
Present and/or Proposed Use of Property: R Vacant to Residential Sub.

**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

Myles Montgomery  
Signature of Applicant

9/10/19  
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# 08-00210 TMP# 093 006 Applicant's Name: Michael Turner  
+ 007

**Property Owner Authorization**

I / We Michael Turner hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 093 006 & 093 007 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 Myles Montgomery  
 Signature of Applicant or Agent Myles Montgomery Date 9/10/19  
 Mailing Address 7025 Shady Grove Rd  
 City Cumming State GA Zip 30041  
 Telephone Number 678-513-8836

Printed Name of Owner(s) Bolt Turner Family LLP  
 Signature of Owner(s) [Signature] Date 9-10-18  
 Date \_\_\_\_\_

Sworn to and subscribed before me  
 this 10 day of September 20 18  
Nalita Y. Copeland  
 Notary Public, State of Georgia



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

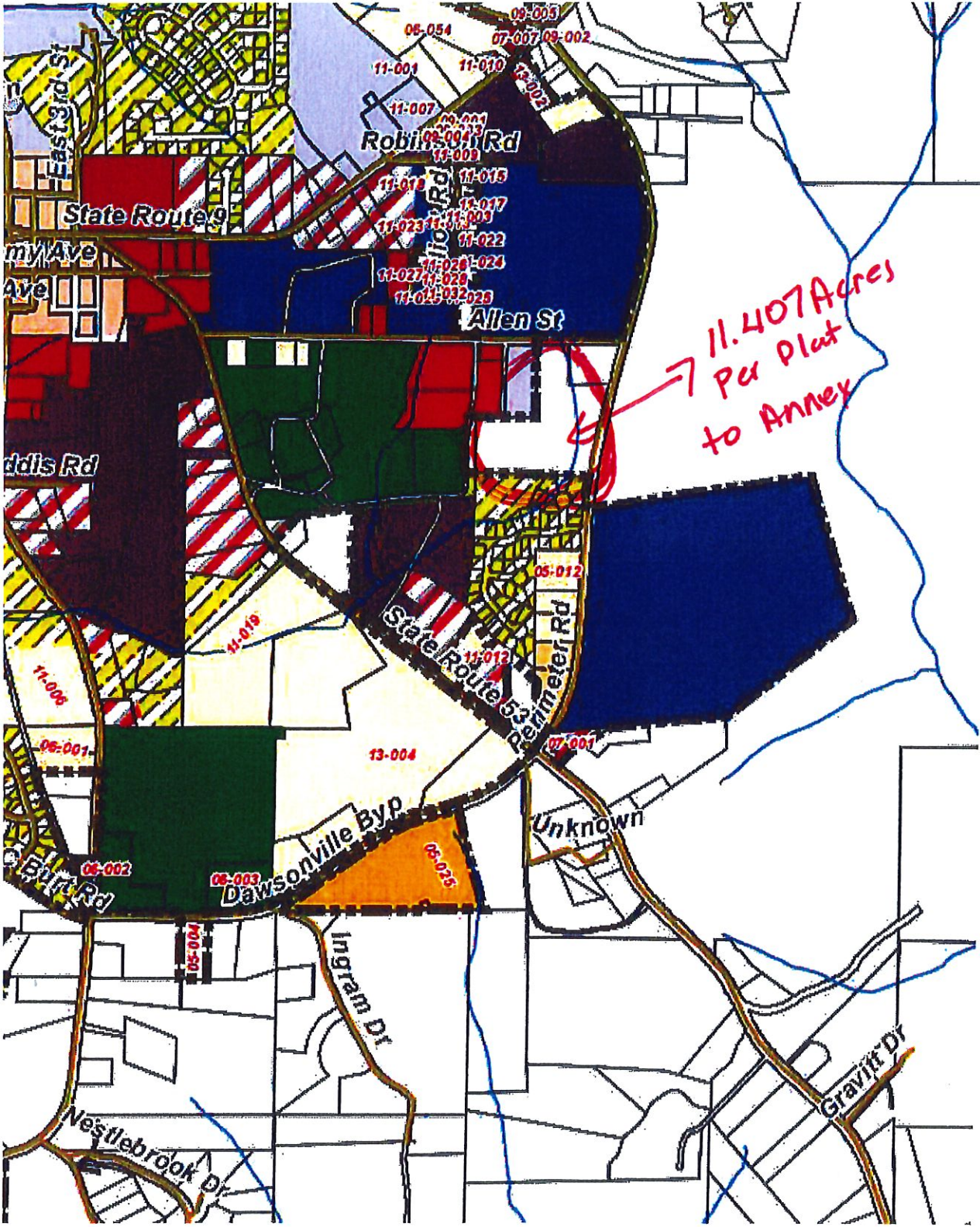
My Commission Expires: May 15, 2019

Notary Seal

(The complete names of all owners must be listed, if the owner is a partnership, the names of all partners must be listed, if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)







11.407 Acres  
Per Plat  
to Annex



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 58, & 59 4<sup>TH</sup> DISTRICT, LAND LOTS 428, & 372, NORTH HALF 13<sup>TH</sup> DISTRICT, DAWSON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT AN IRON PIN FOUND (3/4" CRIMP TOP PIPE) ON THE SOUTH RIGHT OF WAY OF ALLEN STREET (RIGHT OF VARIES) LOCATED SOUTH 83°16'46" EAST, 217.04 FEET FROM THE CENTERLINE INTERSECTION OF ALLEN STREET WITH MEMORY LANE; THENCE ALONG THE SOUTH RIGHT OF WAY OF ALLEN STREET THE FOLLOWING COURSES AND DISTANCES SOUTH 88°13'21" EAST, 217.48 FEET TO A POINT; THENCE SOUTH 00°04'23" EAST, 12.95 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 88°46'13" EAST, 40.93 FEET TO A POINT; THENCE 95.95 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CHORD OF SOUTH 89°14'50" EAST 95.95 FEET AND A RADIUS OF 5764.58 FEET TO A POINT; THENCE SOUTH 89°43'26" EAST, 34.13 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 00°16'34" WEST, 20.00 FEET TO A POINT; THENCE SOUTH 89°43'26" EAST, 25.00 FEET TO A POINT; THENCE NORTH 00°16'34" EAST, 20.00 FEET TO A POINT; THENCE SOUTH 89°43'26" EAST, 23.08 FEET TO A POINT; THENCE SOUTH 89°43'26" EAST, 34.56 FEET TO A CONCRETE MONUMENT FOUND; THENCE LEAVING THE SOUTH RIGHT OF WAY OF ALLEN STREET, AND ALONG THE PROPERTY NOW OR FORMERLY OF DAWSON COUNTY THE FOLLOWING COURSES AND DISTANCES SOUTH 10°10'12" EAST, 291.35 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 89°13'06" EAST, 182.50 FEET TO AN IRON PIN FOUND (1/2" REBAR) ON THE WEST RIGHT OF WAY OF PERIMETER ROAD (RIGHT OF WAY VARIES); THENCE ALONG THE WEST RIGHT OF WAY OF PERIMETER ROAD THE FOLLOWING COURSES AND DISTANCES SOUTH 15°56'37" WEST, 94.47 FEET TO A POINT; THENCE 149.18 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CHORD OF SOUTH 14°43'43" WEST 149.17 FEET AND A RADIUS OF 3518.13 FEET TO A POINT; THENCE 396.35 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CHORD OF SOUTH 10°17'12" WEST 396.14 FEET AND A RADIUS OF 3518.13 FEET TO A POINT; THENCE LEAVING THE WEST RIGHT OF WAY OF PERIMETER ROAD, AND ALONG LOTS 4, 5, & 6 OF STONEWALL SUBDIVISION NORTH 88°07'55" WEST, 262.72 FEET TO A POINT; THENCE ALONG THE PROPERTY NOW OR FORMERLY OF DAWSONVILLE, GEORGIA NORTH 88°07'55" WEST, 524.04 FEET TO AN IRON PIN FOUND (1/2" OPEN TOP PIPE); THENCE LEAVING THE PROPERTY NOW OR FORMERLY OF DAWSONVILLE, GEORGIA NORTH 00°59'50" EAST, 373.60 FEET TO AN IRON PIN FOUND (5/8" REBAR); THENCE ALONG THE PROPERTY NOW OR FORMERLY OF ALLEN STREET LIMITED LIABILITY COMPANY THE FOLLOWING COURSES AND DISTANCES SOUTH 88°35'18" EAST, 199.96 FEET TO AN IRON PIN FOUND (1/2" OPEN TOP PIPE); THENCE NORTH 01°00'53" EAST, 394.37 FEET TO AN IRON PIN FOUND (3/4" CRIMP TOP PIPE); THENCE ALONG THE PROPERTY NOW OR FORMERLY OF BRENDA DEAN & KIMBERLY BISHOP NORTH 01°00'53" EAST, 147.98 FEET TO THE POINT OF BEGINNING.**

SAID TRACT CONTAINS 14.175 ACRES.