

AGENDA
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, July 12, 2021
5:30 P.M.

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Announcements
5. Approval of the Agenda
6. Approval of the Minutes: Planning Commission Regular Meeting May 10, 2021

PUBLIC HEARING

7. **ZA C2100238**: City of Dawsonville has requested a zoning amendment for TMP 090 031 001 Located at 1192 Highway 136 West, Land Lot 171 4th District, consisting of 0.17 acres, from PUD (Planned Unit Development District) to INST (Institutional District). Public Hearing Dates: Planning Commission on July 12, 2021 and City Council on August 2, 2021. City Council for a decision on August 16, 2021.
8. **VAR C2100199**: Adams Homes AEC, LLC has requested the following variances for TMP 084 003 175 Located at 117 Pinion Drive. Request a reduction of the rear setback from 20' feet to 13' feet. Public Hearing Date: Planning Commission on July 12, 2021
9. **PLANNING DIRECTOR REPORT:**
10. **PLANNING COMMISSION REPORTS**

ADJOURNMENT

The next scheduled Planning Commission meeting is August 9, 2021.

If you wish to speak on the requests, please contact City Hall for a CAMPAIGN DISCLOSURE form. This form is only needed if you have made campaign contributions in the amount of \$250.00 or more within 2 years prior to this date. All speakers must sign up to speak at the public hearing itself.

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.

MINUTES
PLANNING COMMISSION REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, May 10, 2021

1. **CALL TO ORDER:** Chairperson Randy Davis called the meeting to order at 5:30 p.m.
2. **ROLL CALL:** Present were Planning Commission Members Anna Tobolski, Matt Fallstrom, City Attorney Kevin Tallant, Planning Director David Picklesimer, Zoning Administrative Assistant Stacy Harris.
3. **ANNOUNCEMENTS:** Chairperson Davis stated that he was a homeowner and the HOA president of Howser Mill Subdivision.
4. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by David Picklesimer.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by M. Fallstrom; second by A. Tobolski. Vote carried unanimously in favor.
6. **APPROVAL OF THE MINUTES:** Motion to approve the Regular Meeting on April 12, 2021 made by A. Tobolski; second by M. Fallstrom. Vote carried unanimously in favor.

PUBLIC HEARING

7. **ANX C2100192 and ZA-C2100192:** Charles Alan Barge has petitioned to annex into the city limits of Dawsonville the 44.82 acres combined tracts known as TMP 070 050, located at 612 Duck Thurmond Rd, 2.98 acres; TMP 070 004, located at 690 Duck Thurmond Rd, 2.95 acres; TMP 069 037 located at 694 Duck Thurmond Rd, 14.46 acres; TMP 069 089, located at 788 Duck Thurmond Rd; 2.96 acres; TMP 069 036, located 840 Duck Thurmond Rd, 14.38 acres; TMP 069 073, located at 914 Duck Thurmond Rd, 7.09 acres; with a request to rezone from County Zoning of RSRMM (Residential Sub-Rural Manufactured/Moved) to City Zoning of R1 (Restricted Single Family Residential). Public Hearing Dates: Planning Commission on May 10, 2021 and City Council on June 7, 2021. City Council for a decision on June 21, 2021.

Chairperson Davis read the annexation and zoning amendment request.

Motion to open the public hearing made by M. Fallstrom; second by A. Tobolski. Vote carried unanimously in favor.

The following person(s) spoke in favor of the request:

- a) Charles Barge, 4663 Windsor Drive – Mr. Barge talked about the proposed gated community “Aero Heights”. The development consists of approximately 45 acres and would be subdivided into 29 lots.

The development would have the following requirements:

- Minimum of 1 acre lot
- Minimum of 2,500 square feet heated floor space
- Consist of brick, stone, wood and /or hardie board façade
- In closed garage

The following person(s) spoke against the annexation and zoning:

- a) Ben Berry, 927 Duck Thurmond Road – Mr. Berry voiced concern about the traffic and the possibility of damage to the road from construction.
- b) Carolyn Floyd, 997 Duck Thurmond Road – Ms. Floyd voiced concern about the growth in the county and traffic.

MINUTES
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- c) Carol Cochenour, 249 Golden Ridge Court – Ms. Cochenour voiced concern about the water table, electricity, and taxes.

Corey Guthrie, 3384 Elliot Family Parkway – Mr. Guthrie (civil engineer for the applicant) spoke about the water concerns. He stated that the gated community would be on a private water system and would meet the State EPD standards.

Planning Commission Member A. Tobolski ask the applicant about the elevation of the home sites. Mr. Barge stated that the homes elevation will be higher than the Atlanta Motorsports Park (AMP).

Planning Commission Member M. Fallstrom ask the applicant about the tree buffer. Mr. Barge stated that the lots would not be clear cut. There will be a 40-foot buffer on the south and west side of the property and property that joins AMP would keep a nature vegetation buffer.

Motion to close the public hearing made by A. Tobolski; second by M. Fallstrom. Vote carried unanimously in favor.

M. Fallstrom motioned to approve **ANX C21100192 and ZA C2100192**; second by A. Tobolski. Voted carried unanimously in favor.

8. **VAR C2100188:** Song Swallow, LLC (applicant) has requested, from Appendix A Zoning Article VIII Sec 807 Tree Protection, variance request sought to waive the in eligibility for rezoning or development permits for a period of three years following the completion of the timber harvest. Chapter 109 Street Standards Article IV Access Sec 109-36. – Access to public roads – applicant is requesting to waive the required minimum standard. (2) Subdivisions with 51 to 124 contiguous lots must have a minimum two means of street access points, for TMP 082 017, Land Lot(s) 379 & 380 4th District and 092B 025 001, Land Lot 370 4th District. Public Hearing Date: Planning Commission on May 10, 2021.

Chairperson Davis read the variance amendment request.

Motion to open the public hearing made by M. Fallstrom; second be A. Tobolski. Vote carried unanimously in favor.

The following person(s) spoke in favor of the request:

- a) Wendy Kraby, attorney for the applicant Song Swallow – Ms. Kraby stated that the applicant is seeking the above variance request.
- b) Corey Guthrie, 3384 Elliott Family Parkway, - Mr. Guthrie spoke about the street access points and timber harvest.
- c) Adam Whitmire, 829 Walnut River Trail – Mr. Whitmire address the questions regarding the stream and stated that the stream was not wet and there is a 50-foot buffer in place.

The following person(s) spoke against the variance request:

- a) Linda Lockert, 233 River Mill Lane – Ms. Lockert voiced concern regarding the trees being removed and not being a buffer between her lot and the purposed development and the elevation.
- b) Maria Maxfield, 133 River Mill Lane – Ms. Maxfield voiced concern regarding stream on the property, traffic study and water system.

Motion to close the public hearing made by M. Fallstrom; second by A. Tobolski. Vote carried unanimously in favor.

MINUTES
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A. Tobolski motioned to approve Variance #1 Chapter 109 street standards Article IV access Sec 109-36 to eliminate the second access entrance and fifty-six (56) residential homes shall be sprinkled if the emergency access is not installed; second by M. Fallstrom. Vote carried unanimously in favor.

M. Fallstrom motioned to approve Variance #2 Appendix A zoning Article VIII Sec 807 Tree Protection variance to wave the three (3) year eligible period with A condition to install 326 trees per the Tree Protection & Replacement plan; second by A. Tobolski. Vote carried unanimously in favor.

PLANNING DIRECTOR REPORT: D. Picklesimer reported that an Administrative Variance for a two (2) foot reduction in the front setback of 30 feet to 28 feet was approved for 126 Betty Jo East, lot 25 in the Oakdale subdivision.

Chairperson R. Davis announced that the next Planning Commission Meeting is June 14, 2021 at 5:30 pm.

ADJOURNMENT:

At 6:46 p.m., a motion to adjourn the meeting was made by M. Fallstrom; second by A. Tobolski. Vote carried unanimously in favor.

Randy Davis, Commission Chairperson

Anna Tobolski, Planning Commissioner

Matt Fallstrom, Planning Commissioner

Vacant

Vacant

Attested: _____
Stacy Harris, Zoning Administrative Assistant



City of Dawsonville

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

Zoning Amendment
Application

Application#: Z A- C2100238

Applicant Name(s): CITY OF DAWSONVILLE

Address: 415 HWY 53 E City: DAWSONVILLE Zip: GA

Phone: 706-265-3256 Email:

Signature(s) [Signature] Date 6/16/21

Property Address: HWY 136 - GOLD CREEK PUMP STATION

Directions to Property from City Hall:

Tax Map # 090 031 001 Parcel# Current Zoning: PUD

Land Lot(s): 171 District: 4TH Section:

Subdivision Name: Lot #

Acres: .17 Current use of property: waste water lift station

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

The applicant request:

Rezoning to zoning category: INST Conditional Use permit for:

Proposed use of property if rezoned: waste water lift station

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

Amenity area proposed, if yes, what

If Commercial: total building area proposed: (Include Conceptual Plan)

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: Hwy 136 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]
Signature of Applicant

6/16/21
Date

Table with 2 columns: Office Use Only and Application Details. Rows include Date Completed Application Rec'd, Date of Planning Commission Meeting, Date of City Council Meeting, Approved by Planning Commission, Amount Paid, Dates Advertised, Rescheduled for next Meeting, Approved by City Council, Postponed.



City of Dawsonville

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

**Zoning Amendment
Authorization**

Property Owner Authorization

I / We CITY OF DAWSONVILLE hereby swear that I / we own the property located at (fill in address and/or tax map & parcel #) 090 031 001 LL 171 4TH DISTRICT HWY 136

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by the 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 6/16/21

Mailing Address _____

City _____ State _____ Zip _____

Telephone Number _____

SUBSCRIBED AND SWORN BEFORE ME ON THIS

16th DAY OF June 2021

[Signature]

Notary Public, State of Georgia

My Commission Expires: 01-04-2022



Stacy Harris
NOTARY PUBLIC
Dawson County, Georgia
My Commission Expires
January 4, 2022



City of Dawsonville

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
(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 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 \$ _____ 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: _____

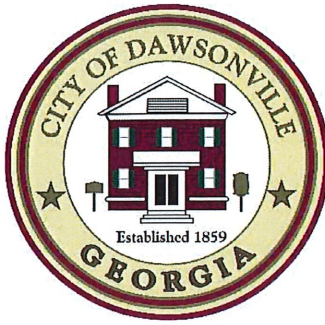
_____ *N/A*

Signature of Applicant / Representative of Applicant

Date

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

415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



(706) 265-3256
Fax (706) 265-4214
www.dawsonville-ga.gov

Date: 6/16/2021

To: City of Dawsonville Planning Commission

Reference: ZA C2100238 Planning and Zoning Department Summary

The Planning and Zoning Department has provided the following pertinent information to help you decide on this request:

1. Property is in proposed Post 4 Council Member Mark French and Planning Commission Member Anna Tobolski district.
2. The subject property adjoins City zoned PUD (Planned Unit Development District) on the north, east, west side and County MUV on the south side.
3. The parcel current use is Gold Creek wastewater lift station.
4. The parcel is currently zoned PUD (Planned Unit Development District).
5. The map amendment will align all City owned properties in the appropriate zoning category.

Kindest Regards,



David Picklesimer
Planning Director



DAWSON COUNTY

Planning and Development

Planning

June 16th, 2021

Zoning

To Whom It May Concern:

Code Enforcement

RE: New Address for Utility

GIS

Please make note that the new address for the utility asset located on tax map and parcel number 090-031-001 is:

1192 Highway 136 West, Dawsonville, Georgia 30534

Building Permits
and Inspections

Please make the appropriate changes needed for this location to avoid any delay in services. It is the responsibility of the owner, occupant or person in charge of any dwelling unit structure to post the assigned number. If you have any questions as to where the number needs to be posted, please feel free to call.

Business Licenses

Devon Cox

911 Mapping

**GIS Analyst
Dawson County
Planning and Development Dept.
25 Justice Way, Suite 2322
Dawsonville, GA. 30534
706-344-3608 x 42263
dcox@dawsoncounty.org**

Marshal

25 Justice Way
Suite 2322
Dawsonville, GA 30534
Phone 706-344-3500
Fax 706-531-2721

DAWSON COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX

PAID \$ -0-
DATE 9-16-04
Becky McCord
BECKY MCCORD, CLERK
SUPERIOR COURT

GEORGIA, DAWSON COUNTY
CLERK'S OFFICE, SUPERIOR COURT
FILED FOR RECORD

AT 3:00 P M 9-15-04
Recorded in Deed Book 621 Page 450-452
This 16 day of Sept. 2004
Becky McCord, Clerk

Return to Shirley Herren
Trinity Title Ins. Agency
437 E. Ponce De Leon Ave.
Decatur, GA 30030-1938

Womble Carlyle Sandridge & Rice, PLLC
2296 Henderson Mill Road, NE, Suite 404
Atlanta, GA 30345-2739

49890.04

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DAWSON

THIS INDENTURE made as of the 9th day of September, in the year two thousand and four, between

**SOUTHERN CATHOLIC INC.,
a Georgia corporation**

as party or parties of the first part, hereinafter called Grantor, and

CITY OF DAWSONVILLE

as party or parties of the second part, hereinafter called Grantee, (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATIONS 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 Grantee, the following described real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 171 of the 4th District, Dawson County, Georgia, and being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference for a complete legal description.

This conveyance is made subject to that certain Easement Agreement by and among Gold Creek Land Associates, LLC, a Georgia limited liability company, Gold Creek Resort Associates, LLC, a Georgia limited liability company, Ultima Real Estate Investments, LLC, a Georgia limited liability company, Gold Creek S.L., L.L.C., a Delaware limited liability company, Springlake LLC, a Georgia limited liability company and Southern Catholic Inc., a Georgia corporation, of even date herewith.

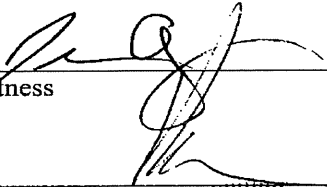
TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever IN FEE SIMPLE.

And the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims of all persons, claiming by, through, or under said Grantor.

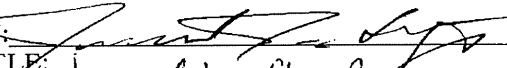
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

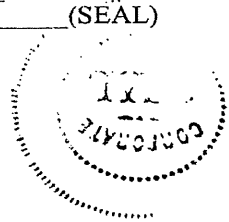
Signed, sealed and delivered
in the presence of:

Southern Catholic Inc.
a Georgia corporation



Witness

BY:  (SEAL)
TITLE: Jerry Ashcroft, Pres



Notary Public
My commission expires
[Notary Seal]

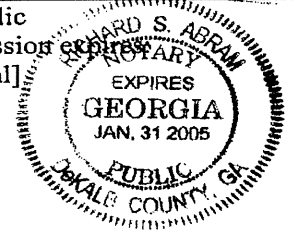


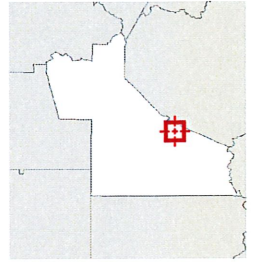
EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lot 171 of the 4th District, Dawson County, Georgia, and being shown as 0.17 acres per that certain Survey for The City of Dawsonville, Georgia prepared by American Energy Services, Inc., Sam H. Thompson, Georgia RLS #1951, dated 08/09/04, and being more particularly described as follows:

To find the Point of Beginning commence at the intersection of the centerline of Burt Creek with the northern right of way of Georgia State Highway 136; proceed thence from said intersection along the northern right of way of Georgia State Highway 136 north 80°35'04" west 173.85 feet to an iron pin set and the POINT OF BEGINNING; and from said POINT OF BEGINNING and continuing along said right of way north 80°50'03" west 34.58 feet to an iron pin set; thence leaving said right of way and proceed north 45°34'25" east 107.95 feet to an iron pin set; proceed thence north 09°10'56" east 41.02 feet to an iron pin set; proceed thence south 80°51'48" east 70.01 feet to an iron pin set; proceed thence south 09°10'45" west 70.0 feet to an iron pin set; proceed thence north 80°50'56" west 51.38 feet to an iron pin set; proceed thence south 48°52'55" west 75.30 feet to the POINT OF BEGINNING.



Overview



Legend

-  Parcels

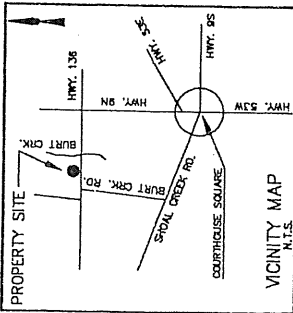
Parcel ID: ~~090 026 003~~
Alt ID: 12005
Owner: ~~ST MARY AND ST DEMIANA COPTIC ORTHODOX~~
Acres: ~~2.92~~
Assessed Value: ~~\$1092800~~

Date created: 5/20/2021
Last Data Uploaded: 5/20/2021 12:08:53 AM

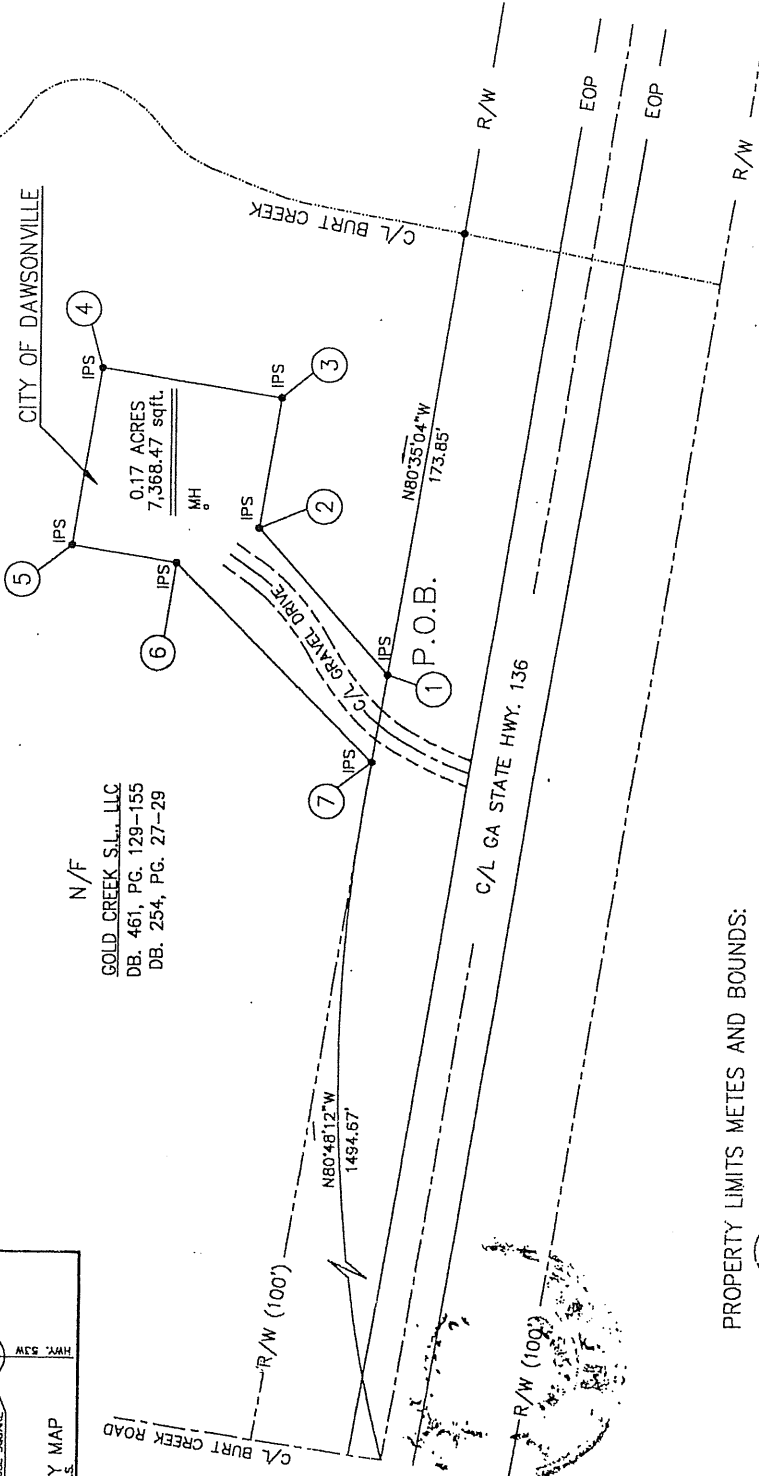
Developed by 

EXHIBIT "A"

4th DISTRICT
LAND LOT 171
DAWSON COUNTY, GEORGIA



N/F
GOLD CREEK S.L., LLC
DB. 461, PG. 129-155
DB. 294, PG. 27-29



THIS PROPERTY IS LOCATED WITHIN THE 100 YEAR FLOOD AREA PER OFFICIAL "FLOOD INSURANCE RATE MAPS," PANEL 130304 (125 OF 175).

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000± FEET AND AN ANGULAR ERROR OF 08" SECONDS PER ANGLE POINT AND WAS ADJUSTED USING N/A RULE.

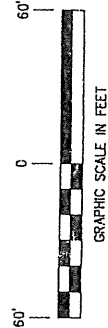
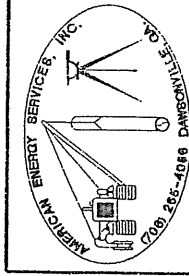
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000± FEET.

PROPERTY LIMITS METES AND BOUNDS:

- (1-2) N 48°52'55" E 75.30'
- (2-3) S 80°50'56" E 51.38'
- (3-4) N 09°10'43" E 70.00'
- (4-5) N 80°51'48" W 70.01'
- (5-6) S 09°10'56" W 41.02'
- (6-7) S 45°34'25" W 107.95'
- (7-1) S 60°50'03" E 34.58'

LEGEND

- I.P.S. = IRON PIN SET
- P.O.B. = POINT OF BEGINNING
- X-X- = FENCE LINE
- I.P.F. = IRON PIN FOUND
- R = PLOTTED DEED LINE
- D.C. = DEED CORNER



SAM H. THOMPSON
GA REG. LAND SURVEYOR No. 1961
TOPCON GTS 301 USED W/ HP
486X DATA COLLECTOR

DRAWN: WAM
SURVEYED: AESI

SCALE: 1" = 60'

DATE: 08/09/2004

CHECKED: AESI

AMERICAN ENERGY SERVICES, INC.
78 HOWARD AVE. E, SUITE 100, DAWSONVILLE, GEORGIA 30534
TELE: (706) 265-4086 FAX: (706) 265-4089

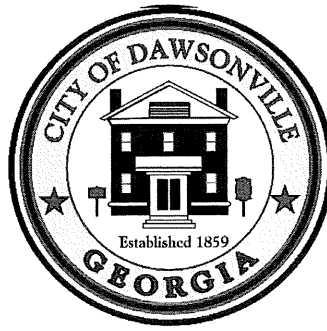
A PROPERTY SURVEY FOR

THE CITY OF DAWSONVILLE, GEORGIA

DAWSON COUNTY, GEORGIA

CC-LIFT

City Council:
John Walden
Caleb Phillips
William Illg
Mark French



Michael Eason
Mayor

Robert Bolz
City Manager

Beverly Banister
City Clerk

David Picklesimer
Planning Director

Stacy Harris
Planning Admin Assistant

Planning Commission:

Matt Fallstrom
Randy Davis
Anna Tobolski
Sandy Sawyer

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
Office (706)265-3256 Fax (706)265-4214
www.dawsonville.com

PUBLIC NOTICE

The following public hearings will be heard by the City of Dawsonville Planning Commission at 5:30 p.m. and/or the City Council beginning at 5:00 p.m. respectively on the dates indicated below. Public hearings are heard in the Council Chambers on the second floor at City Hall located at 415 Hwy 53 East, Dawsonville, Georgia 30534. The public is invited to participate.

ZA-C2100238: City of Dawsonville has requested a zoning amendment for TMP 090 031 001 Located at 1192 Highway 136 West, Land Lot 171 4th District, consisting of 0.17 acres, from PUD (Planned Unit Development District) to INST (Institutional District). Public Hearing Dates: Planning Commission on July 12, 2021 and City Council on August 2, 2021. City Council for a decision on August 16, 2021.

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If you wish to speak on the requests, please contact City Hall for a CAMPAIGN DISCLOSURE form. **This form is only needed if you have made campaign contributions in the amount of \$250.00 or more within 2 years prior to this date.**

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.

PUBLIC NOTICE ON ZONING

AN APPLICATION HAS BEEN FILED WITH THE CITY OF
DAWSONVILLE IN REGARDS TO THE ZONING
REGULATIONS AS THEY APPLY TO THIS PROPERTY.

THE APPLICATION IS FOR:

ZA-C2100238

HEARINGS WILL BE HELD BY:

PLANNING COMMISSION:

DATE: **07.12.2021**

TIME: **5:30 p.m.**

CITY COUNCIL:

DATE: **08.02.2021**

DATE: **08.16.2021**

TIME: **5:00 p.m.**

HEARING LOCATION:

DAWSONVILLE MUNICIPAL COMPLEX
415 HIGHWAY 53 E SUITE 100
DAWSONVILLE, GA 30534

FOR ADDITIONAL INFORMATION CALL
CITY HALL AT 706-285-3256

THIS SIGN NOT TO BE REMOVED WITHOUT THE CITY'S PERMISSION



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

Variance Application

VAR-C2100199

Fee: \$300.00

Application for: Appeal Special Exception Adjustment

Variance Requested: 7 FOOT REAR VARIANCE (Letter of Intent must fully describe this request)

Applicant Name: CRAIG NOLEN Company: ADAMS HOMES AEC, LLC

Address: 102 MARY ALICE PARK RD #302 City: CUMMING Zip: 30040

Phone: 470-297-5610 Cell Phone: 404-8863760 Fax #: 470-695-7911

Owner Name(s): ADAMS HOMES

Address: 3000 GULF BREEZE PKWY City: GULF BREEZE Zip: 32563

Phone: 850 934 0470 Cell Phone: N/A Fax #: N/A

Exact Location and Description of Subject Property:

Address: 117 PINION DR Lot # 175

Present/Proposed Zoning: R3 Parcel # 084 003-175

District: 4th Land Lot: 582 Tax Map # _____

Present and/or Proposed Use of Property: RESIDENTIAL

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 Planning Director.
- The Letter of Intent shall address the criteria specified in Section 907. (see pg. 2 & 3)
- The applicant is responsible to pay the certified mail postage to adjacent property owners.
- Variance fee of \$300.00

RECEIVED
 APR 26 2021
 BY: SH

Craig Nolen
 Signature of Applicant

4/12/2021
 Date



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

Property Owner
 Authorization

VAR# C2100199 TMP# 084-003 Applicant's Name: ADAMS Homes

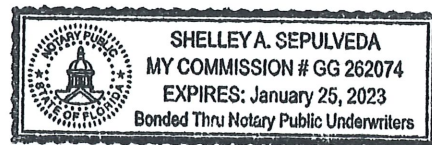
Property Owner Authorization

I/We ADAMS HOMES AEC, LLC hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #) 117 PINION DR DAWSONVILLE Lot 175 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 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 Owner ADAMS HOMES AEC, LLC
 Signature of Owner [Signature] MANAGER Date 4.12.21
 Mailing Address 3000 GULF BREEZE PKWY
 City GULF BREEZE State FL Zip 32563
 Telephone Number 850-934-0470

Sworn to and subscribed before me
 this 12 day of April 2021.
[Signature]
 Notary Public, State of Georgia FLORIDA
 My Commission Expires: 1.25.23



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 have the additional sheet/sheets notarized also.)





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

**Adjacent
 Property Owners**

VAR# C2100199 TMP# 084-003-175 Applicant's Name: ADAMS NOMES AEC, LLC

Adjacent Property Owners

It is the responsibility of the applicant to provide a list of adjacent property owners. This list must include the name and address of anyone who has property touching your property or who has property directly across the street from your property where the variance is being requested. Attach another page if needed. The postage for the certified letters to the adjacent property owners will be paid by the applicant.

TMP # 084-003-176 1. Name(s): ADAMS NOMES, AEC, LLC
 Address: 103 PINION DR
DAWSONVILLE, GA 30534

TMP # 084-003-172 2. Name(s): ADAMS NOMES AEC, LLC
 Address: 108 PINION DR
DAWSONVILLE, GA 30534

TMP # 084-003-173 3. Name(s): ADAMS NOMES AEC, LLC
 Address: 120 PINION DR
DAWSONVILLE, GA 30534

TMP # 084-003-174 4. Name(s): ADAMS NOMES AEC, LLC
 Address: 128 PINION DR
DAWSONVILLE, GA 30534

TMP # 084-003 5. Name(s): LGC Residential LLC
 Address: 4625 Church Rd Suite 100
Cumming, GA 30028

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 variance request is required.

VAR# C2100199 TMP# 084-003-175 Applicant's Name: Adam's Homes

Application Processing: Staff Only

- Completed Application Received Date: 4-26-2021
- Letter of Intent Received Date: 4-26-2021
- Supporting Documentation Received Date: 4-26-2021
- Verify Adjacent Property Owners in Tax Assessors Date: 4-27-2021
- Amount Paid \$ 413.80 \$300 Check # 82102 /Cash Date: 4-26-2021
- Establish VAR # (VAR-month-year-CSI receipt #)
- Create a File Folder and Label for the Application Date: 4/26/21
- Orange Public Notice Signs Posted on Property Date: _____
- Email Legal Advertisement to Newspaper Date: _____
- Legal Notice Posted: Website Date: _____
- Legal Notice Posted: City Hall/GRHOF windows Date: _____
- Mailed Adjacent Property Owners Notice Date: _____
- Recommendation Letter Received Date: _____
- Applicant Notified: Notice, Recommendation & Agenda Date: _____
- Applicant Notified: Final Action Date: _____

Planning Commission Meeting Agenda Signed Minutes in Folder

Planning Commission Meeting: 2021

Approved Approved with Stipulations Denied

Lot 175 Thunder Ridge Variance Request

We are requesting a 7-foot rear set back variance for lot 175 in Thunder Ridge Subdivision, 117 Pinion Dr Dawsonville. The building envelope of this cul-de-sac lot is very narrow, we can only put a 7-foot-deep rear deck on this house as the set back is now. If we are allowed to have the variance this will allow a 14-foot deck and will be much more appealing to our customer. They do not have any homes being built behind them so no one else will be affected by this adjustment.

So, in summary we asking the rear set back be adjusted from 20 feet to 13 feet.

City of Dawsonville Land Use and Zoning Ordinance: Article IX Variances.

Does This Proposal Qualify For A Variance?

The purpose of a variance is to provide relief when a strict application of the district requirements would impose unusual practical difficulties or unnecessary physical hardships on the applicant. Practical difficulties and unnecessary hardships may result from the size, shape, or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other conditions on the site or in the immediate vicinity. No variance shall be granted to allow the use of property for a purpose not authorized within the district in which the proposed use would be located. A variance should be granted only after evidence is presented and accepted that enforcement of all of the required standards on the property in question would render the property useless. This Article establishes conditions; criteria for granting variances; public hearings on proposed variances; variances to road requirements; variance procedures; compliance with conditions of approval; vested interest in approved variances; investigations and reports; revocation; limitations on re-applications; and use variance. **A variance may be granted, upon specific findings that all of the following conditions exist. The absence of any one of the conditions shall be grounds for denial of the application for variance.**

Please Answer The Following In Addition to Providing A Letter Of Intent

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,

Answer:

YES, THE BUILDING ENVELOPE IS VERY NARROW

_____ 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;

Answer:

YES, COULD NOT HAVE A DECK LARGE ENOUGH TO ENJOY

_____ 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;

Answer:

NO

_____ 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;

Answer:

NO THERE IS GREEN SPACE BEHIND THIS PROPERTY
SO NO ONE WILL BE AFFECTED

_____ and,

5. The special circumstances are not the result of the actions of the applicant;

Answer:

NO

_____ and,

6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure;

Answer:

YES

_____ 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.

Answer:

YES

The applicant, or designated agent, **MUST*** attend the public hearings for the variance request to be considered.

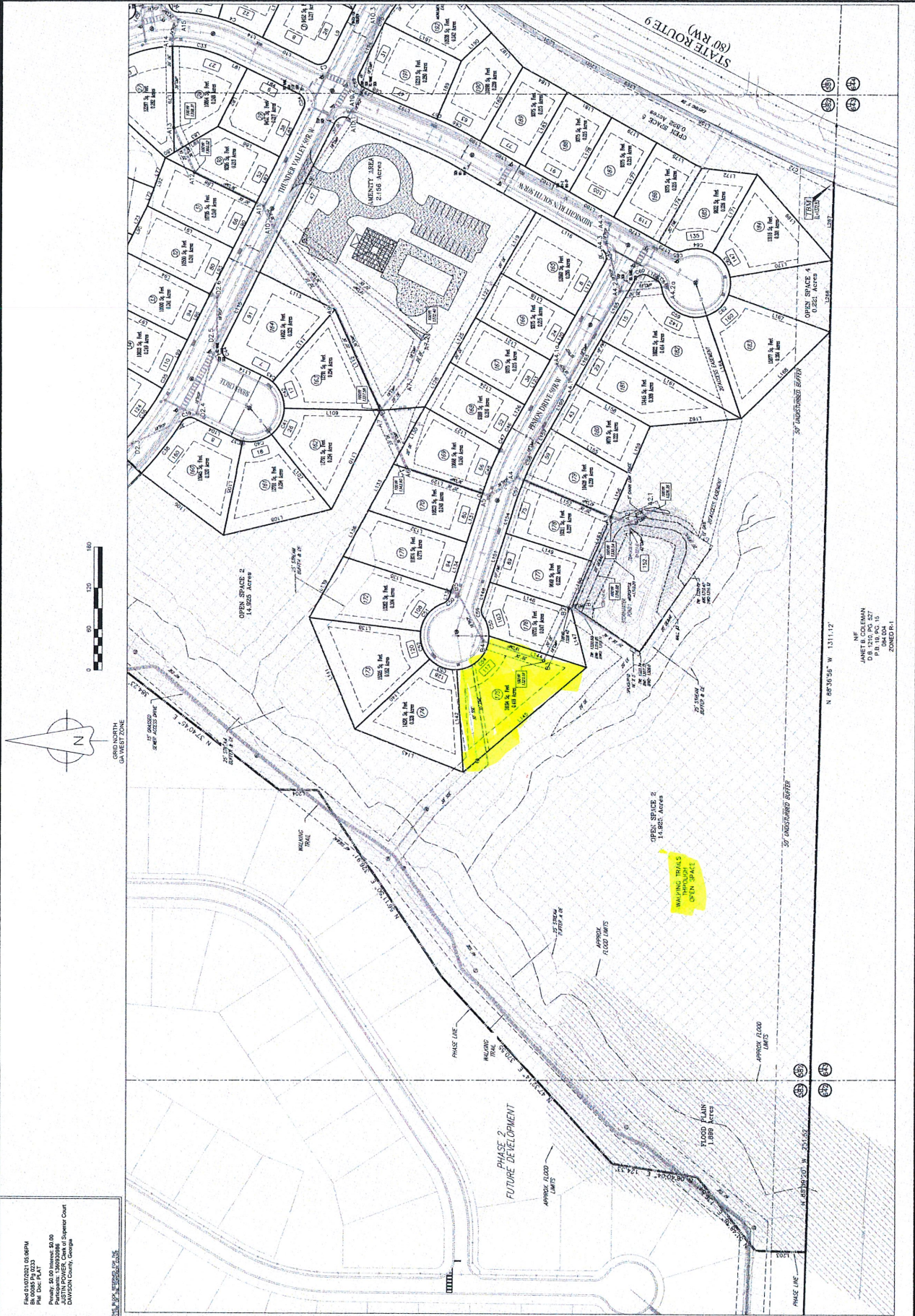
*NOTE: If the applicant of a petition before the Planning Commission fails to attend the public hearing, then the Planning Commission may deny the subject petition or may require re-advertisement of the subject petition at the expense of the applicant.

THUNDER RIDGE - PHASE 1

STATE OF GEORGIA
 COUNTY OF DAWSON
 LAND LOTS 574, 575, 581, 582 & 583
 SCALE 1" = 60'
 JOB NO. 1812
 PLAN DATE AUGUST 28, 2020
 FILED DATE DECEMBER 08, 2020

ROBBIE HENDERSON
 Surveyors & Planners
 3040 PINEHILL MILL ROAD
 CLAYTON, GA 30511
 P.O. # 206-654-2015
 U.S. 1ST FLOOR

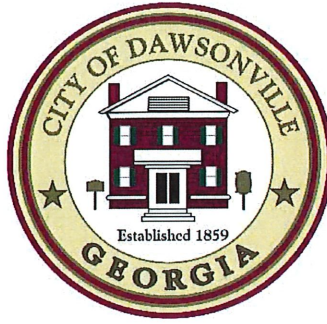
REVISIONS
 FINAL PLAT
 SH.4 of 8



File # 01070201 US SRPA
 Fee \$100
 Priority \$0.00 Interest \$0.00
 Plat Date: PLAT
 JUSTIN POWERS, Clerk of Superior Court
 DAWSON County, Georgia
 2020-12-08 10:58:00 AM

N. 88°35'54" W. 1311.12'
 N. 65°54'20" W. 231.32'
 JANET E. COLEMAN
 D.E. 1710 P.O. 227
 P.O. Box 105
 ZONED R-1

415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



(706) 265-3256
Fax (706) 265-4214
www.dawsonville-ga.gov

Date: 6/16/2021

To: City of Dawsonville Planning Commission

Reference: VAR C2100199 Planning and Zoning Department Summary

The Planning and Zoning Department has provided the following pertinent information to help you decide on this request:

1. Property is in Post 1 Planning Commission member Randy Davis district.
2. The subject property is in Thunder Ridge Phase 1 subdivision.
3. Rear lot line adjoins HOA open space #2 14.925 acres.
4. Adjoining south property line has an existing 50-foot undisturbed buffer.

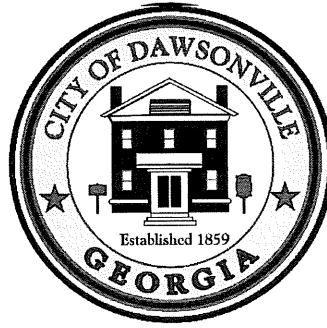
Kindest Regards,



David Picklesimer
Planning Director

City Council:

John Walden
Caleb Phillips
William Illg
Mark French



Michael Eason
Mayor

Robert Bolz
City Manager

Beverly Banister
City Clerk

David Picklesimer
Planning Director

Stacy Harris
Planning Admin Assistant

Planning Commission:

Matt Fallstrom
Randy Davis
Anna Tobolski
Sandy Sawyer

415 Highway 53 East, Suite 100
Dawsonville, GA 30534
Office (706)265-3256 Fax (706)265-4214
www.dawsonville.com

PUBLIC NOTICE

The following public hearings will be heard by the City of Dawsonville Planning Commission at 5:30 p.m. and/or the City Council beginning at 5:00 p.m. respectively on the dates indicated below. Public hearings are heard in the Council Chambers on the second floor at City Hall located at 415 Hwy 53 East, Dawsonville, Georgia 30534. The public is invited to participate.

ZA-C2100238: City of Dawsonville has requested a zoning amendment for TMP 090 031 001 Located at 1192 Highway 136 West, Land Lot 171 4th District, consisting of 0.17 acres, from PUD (Planned Unit Development District) to INST (Institutional District). Public Hearing Dates: Planning Commission on July 12, 2021 and City Council on August 2, 2021. City Council for a decision on August 16, 2021.

VAR-C2100199: Adams Homes AEC, LLC has requested the following variance for TMP 084 003 175 Located at 117 Pinion Drive. Request a reduction of the rear setback from 20' feet to 13' feet. Public Hearing Dates: Planning Commission on July 12, 2021.

If you wish to speak on the requests, please contact City Hall for a CAMPAIGN DISCLOSURE form. **This form is only needed if you have made campaign contributions in the amount of \$250.00 or more within 2 years prior to this date.**

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.

PUBLIC NOTICE ON ZONING

AN APPLICATION HAS BEEN FILED WITH THE CITY OF
DAWSONVILLE IN REGARDS TO THE ZONING
REGULATIONS AS THEY APPLY TO THIS PROPERTY.

THE APPLICATION IS FOR:

VAR-C2100199

HEARINGS WILL BE HELD BY:

PLANNING COMMISSION:

DATE: **07.12.2021**

TIME: **5:30 p.m**

HEARING LOCATION:
DAWSONVILLE MUNICIPAL COMPLEX
415 HIGHWAY 53 E SUITE 100
DAWSONVILLE, GA 30534

FOR ADDITIONAL INFORMATION CALL
CITY HALL AT 706-265-3258

NO WORK TO BE DONE WITHOUT AUTHORIZATION