

# APPEALS OF ZBA DECISION APPLICATION

RECEIVED

SEP 09 2015

Application # AV15003 FOR STAFF USE ONLY Received By: Forsyth County Department of Planning & Community Development DATE/TIMESTAMP

The Board of Commissioners shall receive either oral or written evidence from the petitioner, the applicant before the Zoning Board of Appeals and from property owners and parties of record at the time the Zoning Board of Appeals considered the matter. The Board of Commissioners shall confine the evidence to matters relating to the issues set forth in the minutes of the Zoning Board of Appeals and the petition for review.

### A. APPLICANT INFORMATION (REQUIRED FOR ALL APPLICANTS):

Applicant Status:  Owner  Authorized Agent

Name: BEN D. TRAIL

Address: 3898 WAR HILL PARK ROAD

Phone#: [REDACTED] E-mail Address: [REDACTED]

### B. ATTORNEY REPRESENTATION INFORMATION (IF APPLICABLE):

Preferred Contact:  Applicant  Attorney

Name: [REDACTED]

Address: [REDACTED]

Phone#: [REDACTED] E-mail Address: [REDACTED]

### C. PROPERTY INFORMATION (REQUIRED FOR ALL APPLICANTS):

Tax Map & Parcel #(s): (e.g. xxx-xxx, xxx-xxx) 312-100

Current Zoning: LR - LAKE RESIDENTIAL Commission District # 4

Subdivision Name: DR. EVANS S/D Lot # (s): (e.g. 1, 3, 5-7) [REDACTED]

Property Address: [REDACTED]

### D. REQUESTED ACTION (REQUIRED FOR ALL APPLICANTS):

1) What is the Zoning Board of Appeal's (ZBA) application # in which you want to appeal (e.g. VA08XXXX, AP08XXXX, AF08XXXX)?

9-1-15

VA150030

2) What was the date of the ZBA decision that is now the subject of this appeal?

9-1-15

**D. REQUESTED ACTION - CONTINUED (REQUIRED FOR ALL APPLICANTS):**

Complete the following question by providing as much information as possible. Attach additional sheets only if additional space is necessary. Failure to provide adequate information will result in the application not being accepted.

3) Clearly and concisely explain the reasons why the Board of Commissioners should review the ZBA decision. The description should include any error, procedural or substantive, allegedly committed by the ZBA.

1) THE VARIANCE REQUESTED IS NOT VALID DUE TO THE FACT THAT NO MINOR PLAT WAS APPROVED OR RECORDED BY FORSYTH COUNTY WHEN THE ORIGINAL LOT (TAX MAP 312-PARCEL 012) WAS SUBDIVIDED INTO TWO LOTS. THEREFORE, ANY HARDSHIP CLAIMED IN THIS VARIANCE WAS AND IS SELF-IMPOSED.

2) THERE SEEMS TO BE SOME QUESTIONS AS TO THE LOCATION OF PROPERTY CORNERS (BETWEEN TAX MAP 312-PARCEL 180, TAX MAP 312-PARCEL 014 AND TAX MAP 312-PARCEL 005. NOT ENOUGH TIME TO HAVE A SURVEY COMPLETED.

3) ORIGINAL SUBDIVISION SHOWS A 10 FOOT INGRESS - EGRESS EASEMENT FROM HIGHWAY (WATER HILL PARK ROAD) TO TAX MAP 312-PARCEL 014. PLEASE NOTE THE EXISTING DRIVEWAY IS LOCATED ON TAX MAP 312-PARCEL 005. IF A VARIANCE IS APPROVED, THERE IS NOT SUFFICIENT AREA TO GET A 10 FOOT DRIVEWAY TO TAX MAP 312-PARCEL 014 AND HOLD THE PROPERTY CORNERS ON TAX MAP 312-PARCEL 005.

**E. APPLICANT CERTIFICATION (REQUIRED FOR ALL APPLICANTS): PLEASE READ AND INITIAL THE FOLLOWING 6 STATEMENTS.**

*BDP* 1) I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on the Board of Commissioners agenda for a public hearing.

*BDP* 2) I understand that my request will be rejected if all the necessary information and/or requirements are not presented.

*BDP* 3) I understand that I have an obligation to present all necessary information required by the Unified Development Code to enable the Board of Commissioners to make an informed determination on my request. I will seek advice of Planning Staff or an attorney if I am not familiar with the zoning and land use requirements.

*BDP* 4) I understand that my request **may** be acted upon at the Board of Commissioners public hearing and that I am required to be present or to be represented by the authorized representative as indicated on this application, so that someone is available to present all facts and answer questions. I understand that failure to appear at a public hearing may result in the postponement or denial of my request. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Forsyth County.

*BDP* 5) I understand that the Board of Commissioners shall receive either oral or written evidence from the petitioner, the applicant before the Zoning Board of Appeals and from property owners and parties of record at the time the Zoning Board of Appeals considered the matter.

**STAFF USE ONLY: At the time the Zoning Board of Appeals considered the matter:**

The petitioner: \_\_\_\_\_

The applicant: \_\_\_\_\_

Property owners: \_\_\_\_\_

Parties of record: \_\_\_\_\_

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

**The Board of Commissioners shall receive either oral or written evidence from the petitioner, the applicant before the Zoning Board of Appeals and from property owners and parties of record at the time the Zoning Board of Appeals considered the matter.**

The undersigned has personally appeared before me, a Notary Public, and states upon oath and by initialling, that he/she has read, understands, and agrees to comply with each of the above six (6) applicant certifications.

Printed Name of Applicant: *BEN P. JIRAL* Date: \_\_\_\_\_

Signature of Applicant: *[Signature]* Date: *9-9-15*

Signature of Notary: *[Signature]* Date: *9-9-15*



**G. APPLICANT WITHDRAWAL (ONLY SIGN IF OFFICIALLY WITHDRAWING APPLICATION REQUEST):**

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

# Forsyth County Office of Tax Commissioner



MATTHEW C. LEDBETTER  
TAX COMMISSIONER  
DAVID D. HICKS  
CHIEF DEPUTY TAX COMMISSIONER

## 2015 TAX BILL

1092 TRIBBLE GAP ROAD  
CUMMING, GEORGIA 30040

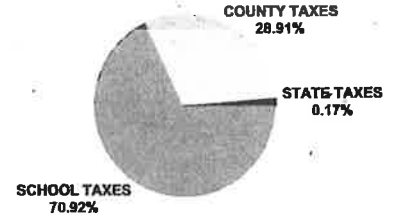
(770) 781-2110 - PROPERTY TAX  
(678) 455-1207 - FAX



TRAIL BEN D & TRAIL DAWN  
3898 WAR HILL PARK RD  
DAWSONVILLE GA 30534-7853

73,078

*PAID  
9-8-15  
# 1429  
TRAIL*



THIS PIE GRAPH SHOWS HOW THE AVERAGE TAX DOLLAR IS DISTRIBUTED AMONG THE VARIOUS GOVERNMENT AGENCIES. (PERCENTAGES MAY VARY DEPENDING ON EXEMPTIONS)

MAP ID	DISTRICT	EXEMPTION	ACREAGE	TAXBILL NUMBER		
312 157	001	*	0.9000	274312		
*See reverse side for codes/descriptions			LOCATION	PARK VIEW LN		
LEGAL DESCRIPTION			BUILDING	LAND	= FAIR MARKET VALUE x 40% = GROSS ASSESSMENT	
14-1 1272 LOTS 5-6			0.00	25,000.00	25,000.00	10,000.00
TAXING AUTHORITY	GROSS ASSESSMENT	- EXEMPTION	= NET ASSESSMENT	x RATE	= TAX	
SCHOOL GENERAL	10,000.00	0.00	10,000.00	17.3000	173.00	
SCHOOL BOND	10,000.00	0.00	10,000.00	2.4180	24.18	
AS LEVIED BY THE COUNTY BOARD OF EDUCATION				SCHOOL TAXES	197.18	
COUNTY GENERAL	10,000.00	0.00	10,000.00	7.5660	75.66	
SALES TAX CREDIT	10,000.00	0.00	10,000.00	-2.9240	-29.24	
COUNTY BOND	10,000.00	0.00	10,000.00	1.4190	14.19	
COUNTY FIRE	10,000.00	0.00	10,000.00	1.9750	19.75	
AS LEVIED BY THE COUNTY BOARD OF COMMISSIONERS				COUNTY TAXES	80.36	
STATE	10,000.00	0.00	10,000.00	0.0500	0.50	
AS LEVIED BY THE STATE OF GEORGIA				STATE TAXES	0.50	
BACK TAXES				0.00		
* SEE REVERSE FOR ADDITIONAL INFO				TOTAL DUE NOVEMBER 15, 2015	278.04	

This gradual reduction and elimination of the State property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.



