



## **HALL COUNTY BOARD OF COMMISSIONERS WORK SESSION AGENDA**

**Hall County Government Center 2<sup>nd</sup> Floor  
2875 Browns Bridge Road  
Gainesville, GA 30504**

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Monday, March 06, 2023 - 03:00 PM**

### **Call to Order**

### **Appointments for Consideration**

- 1 Gainesville-Hall Development Authority Appointment to serve a term from April 1, 2023 to March 31, 2027. Commission Districts 1, 2, 3, and 4.
- 2 Chicopee Woods Area Park Commission Appointment to serve a term from March 27, 2023 to March 26, 2026. Commission District 2.

### **Community Services and Parks**

- 3 Approve the award of IFB #042-43 Glamping at River Forks Park for Parks & Leisure Services to Timberline Glamping Company, LLC of Cumming, GA. The estimated annual revenue for Hall County is \$58,650.00 in the first year.

### **Court Administration**

- 4 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of \$176,202.74, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$24,027.65 is required.
- 5 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding Program for the Drug Court for staffing, technical and professional services, supplies, and training in the amount of \$711,531.86, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$85,383.82 is required.
- 6 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding for the HELP Program to fund HELP staff, provide surveillance, counseling, drug testing, transportation and emergency housing in the amount of \$413,544.90, and if awarded, appoint the Grants Manager as Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$56,392.49 is required.

- 7 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding Program for Family Treatment Court for staffing, technical and professional services, supplies, and training in the amount of \$270,592.81, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$36,899.02 is required.

### **Fire Rescue**

- 8 Approve the award of RFP #41-009 Construction Manager at Risk and Guaranteed Maximum Price for Construction of Fire Station 17 for Fire Rescue to Sunbelt Builders, Inc. of Covington, GA. The estimated cost not to exceed is \$6,349,094.00.

### **Human Resources**

- 9 Approve the Employment Agreement for the Director of Community Development and Infrastructure.
- 10 Approve the Employment Agreement for the Director of Public Works & Utilities.

### **Planning and Development**

- 11 **3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.** NOTE: Tabled at the February 9, 2023 Voting Meeting until the March 9, 2023 Voting Meeting.
- 12 **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.** NOTE: Tabled at the February 9, 2023 Voting Meeting until the March 9, 2023 Voting Meeting.
- 13 **4654 Shirley Road | Variance** | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision** | Commission District 3 | **Rochester|DCCM, applicant.**
- 14 **4654 Shirley Road | Use Subject to County Commission Approval** | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision** | Commission District 3 | **Rochester|DCCM, applicant.**



- 15     **1600 Athens Highway, Building C | Rezone** | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outdoor storage** | Commission District 3 | **Gerardo Vargas, applicant.**
- 16     **1600 Athens Highway, Building C | Use Subject to County Commission Approval** | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outside storage** | Commission District 3 | **Gerardo Vargas, applicant.**
- 17     **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone** | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | **Proposed use: mixed use office-institutional park** | Commission District 2 | **Northeast Georgia Health Systems, Inc, applicant.**

#### **Public Works and Utilities**

- 18     Approve the sole source purchase of two (2) self-contained compactors for Resource Recovery to FleetGenius of NC, Inc., of Lenoir, NC, in the amount of \$54,843.00.
- 19     Approve the Extension of a \$501,017.00 Guaranty Performance/Maintenance Agreement for The Retreat at Chicopee Subdivision. Commission District 2.

#### **County Administrator**

**Public Comments (PUBLIC HEARING ITEMS (i.e. ZONINGS, ORDINANCE CHANGES, ETC.) WILL ONLY BE RECEIVED AT THE REGULAR SCHEDULED VOTING MEETINGS IN WHICH THE ITEM IS TO BE HEARD) 2 minutes per speaker/20 minutes**

#### **Commission Time**

#### **Adjourn**

*Hall County Government welcomes people with disabilities and their trained service animals. For questions about accessibility or to request reasonable accommodations please contact Maria Tuck, Compliance Specialist at 770-531-6712 48 hours prior to the event or as soon as possible.*



## AGENDA ITEM

### Appointments for Consideration

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 90/2023

**SUBJECT:** Gainesville-Hall Development Authority Appointment to serve a term from April 1, 2023 to March 31, 2027. Commission Districts 1, 2, 3, and 4.

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#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** BoC

**Recommendation:** N/A

#### Purpose of Request:

Gainesville-Hall Development Authority Appointment to serve a term from April 1, 2023 to March 31, 2027. Commission Districts 1, 2, 3, and 4.

#### History:

#### Facts and Issues:

Philip Wilheit, Jr. is the current appointment.

#### Options:

The Gainesville Hall Chamber of Commerce has nominated William Bagwell of Homestead Investments OR Phil Sutton of Kubota Manufacturing of America.

<b>Funding Requested</b>	\$ 0.00
<b>Are funds within current budget?</b>	No
<b>Source of Funds</b>	
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	No
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	

#### Approvals:

Approve	Attorney	Administration	Clerk
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<b>Approve</b>	<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
JR	WLI	CR	JR

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**Attachments:**

Nomination Letter from Gainesville-Hall Development Authority



**GREATER HALL**  
CHAMBER OF COMMERCE

230 E.E. Butler Parkway  
Post Office Box 374  
Gainesville, Georgia 30503

February 10, 2023

Chairman Richard Higgins  
Hall County Commission  
P. O. Drawer 1435  
Gainesville, GA 30503

**RECEIVED**  
FEB 16 2023  
BY: *[Signature]*

Dear Chairman Higgins:

The Greater Hall Chamber of Commerce nominates the following two (2) persons to be considered for the one (1) appointment to the Gainesville & Hall County Development Authority. The person selected will replace Philip Wilheit, Jr., whose term expires 3/31/2023. This request is in accordance with the By-Laws of the Authority that we submit these persons for selection.

William Bagwell, Homestead Investments  
Phil Sutton, Kubota Manufacturing of America

Both of these nominees are familiar with the economic development efforts of Gainesville and Hall County and would be quality members of the Authority. Please make the selection at your earliest convenience and notify us.

Sincerely,

*[Signature]*  
Kathryn L. Dunlap  
President & CEO  
Greater Hall Chamber of Commerce

Attachment: Current roster of members  
Gainesville & Hall County Development Authority

cc: William Bagwell, Chairman  
Gainesville & Hall County Development Authority  
Tread Syfan, Attorney  
Gainesville & Hall County Development Authority  
Billy Powell, Hall County Commissioner  
Zach Propes, Hall County Administrator  
Jennifer Rivers, Hall County Board of Commission Clerk

770.532.6206  
Fax 770.535.8419

[www.greaterhallchamber.com](http://www.greaterhallchamber.com)

"FROM ISLANDS TO HIGHLANDS..."

**WE'VE GOT IT ALL!"**



## AGENDA ITEM

### Appointments for Consideration

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 92/2023

**SUBJECT:** Chicopee Woods Area Park Commission Appointment to serve a term from March 27, 2023 to March 26, 2026. Commission District 2.

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#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** BoC

**Recommendation:** n/a

#### Purpose of Request:

Chicopee Woods Area Park Commission Appointment to serve a term from March 27, 2023 to March 26, 2026. Commission District 2.

#### History:

Emily Bagwell is the current appointment.

#### Facts and Issues:

Emily Bagwell is willing and eligible to serve another term.

#### Options:

**Funding Requested** \$ 0.00

**Are funds within current budget?** No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No

**Has it been reviewed by the County Attorney?** Yes

**Is there a deadline for this item?**

#### Approvals:

Approve	Attorney	Administration	Clerk
JR	WLI	CR	JR

**Attachments:**



## AGENDA ITEM

### Community Services and Parks

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 105/2023

**SUBJECT:** Approve the award of IFB #042-43 Glamping at River Forks Park for Parks & Leisure Services to Timberline Glamping Company, LLC of Cumming, GA. The estimated annual revenue for Hall County is \$58,650.00 in the first year.

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#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** BH

**Recommendation:**  
Approve Timberline Glamping Company

#### Purpose of Request:

To approve the award of bid #042-43 for Glamping at River Forks Park for Parks & Leisure Services to Timberline Glamping Company of Cumming, GA. The estimated annual revenue generated for Hall County is \$58,650.00 in the first year.

#### History:

This is a new program that Parks and Leisure is exploring. Timberline Glamping Company is a women owned, Georgia based company.

#### Facts and Issues:

Glamping is a new program that the Parks and Leisure Department is exploring. The estimated revenue for Hall County is approximately \$58,650.00 for River Forks Campground when it is totally functional. Parks and Leisure staff has chosen 6 (six) camp sites and one (1) RV camp site for this bid. If successful, this program could expand to other parks. Timberline also operates Shady Grove Campground in Forsyth County, Georgia.

#### Options:

**Funding Requested**

\$ 0.00

**Are funds within current budget?**

No

**Source of Funds**

Parks Fund

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

Yes

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

**Approvals:**

<b>Buyer</b>	<b>Submit</b>	<b>Approve</b>	<b>Purchasing</b>
DH	BH	BH	AP
<b>Budget</b>	<b>Finance</b>	<b>Attorney</b>	<b>Administration</b>
EW	WG	WLI	CR
<b>Clerk</b>			
JR			

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**Attachments:**

#042-43 Full Proposal from Timberline Glamping Company  
#042-43 Full Proposal from Timberline Glamping Company  
#042-43 Glamping Mandatory Pre-bid Sign In Sheet  
#042-43 Glamping Mandatory Cost Sheet  
\$042-43 Glamping Mandatory Bid Response Form  
#042-43 Glamping Bidder's List  
#042-43 Glamping Bid Tab





**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 105/2023**

**Funds Requested:** \$ 0.00

**Request Budgeted:** No

**Proposed Source of Funding:**

**Budget Transfer Requested:**

Parks Fund

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2023	014 - PARKS	114 - PARKS FUND	3820 - RENTAL INCOME	\$-58,650.00

**Budget Transfer Items:**

**Additional Information/Comments:**

Rental income is an estimate of the commission and rental income the County will receive.

**Contact for Questions:** BH

**Phone:** 678-997-5823



February 7<sup>th</sup>, 2023

Debra Howington  
Hall County Government Center  
2875 Browns Bridge Road  
Gainesville, GA 30504

Re: IFB #042-43 for "Glamping – River Forks Park"

Dear Debra Howington:

Timberline Glamping Company is pleased to submit the enclosed Bid Proposal in response to Hall County Government's Invitation for Bid for Glamping at River Forks Park and Campground.

Timberline has been a leader in the Glamping industry since February 2018 and has consistently provided successful Glamping services to county campgrounds, state parks and private campgrounds across multiple states. Timberline has beyond excellent operational experience, operating within designated areas of existing campgrounds and providing quality guest experiences.

Timberline proposes to provide, operate and maintain furnished Glamping accommodations within the designated areas of River Forks Park and Campground as stated in further detail in the enclosed Bid Proposal.

Please feel free to contact us to discuss further or if you should have any questions or concerns.

Sincerely,

Rebeka A. Self  
Co-Founder/Co-CEO  
Timberline Glamping Company  
745 Atlanta Hwy., Suite 206  
Cumming, Georgia 30040  
(678) 801 6334  
rebeka@tlglamping.com

**Timberline Glamping Company's  
Bid Proposal for Glamping at  
River Forks Park and Campground**

**Responding to Hall County Government's  
IFB #042-43**

**February 7<sup>th</sup>, 2023**

## **Background**

Timberline Glamping Company, LLC (“Timberline”) was founded by husband and wife team, Nathan and Rebeka Self, in February 2018, in Forsyth County, Georgia. The Selfs started the business with the dream of getting more families, friends and loved ones out enjoying nature in new and different ways. Timberline has seen incredible success and growth over the past several years. In addition, it has grown a large, authentic following locally, nationally and on social media.

The Timberline family has also grown over the years, adding team members who are just as passionate about providing unique, one of a kind Glamping getaways for guests. Timberline’s mission is to ensure that guests can experience traditional camping outside, with comfort, luxury and style inside. Timberline successfully operates Glamping locations in many states through their local Franchise operators. They are currently mainly operating in the Southeast and are very familiar with how to operate a Glamping location in the southern climate.

Timberline is proud to be on the founding members board of the American Glamping Association. Members from the Timberline team have been speakers for the last several years at the Global Glamping Summit and US Glamping shows. Timberline is excited about the growing Glamping community and is honored to help lead and speak into the future of the industry.

Timberline is in their sixth year of operation and the Selfs still retain 100% ownership and the company has zero debt. Financially, they have set Timberline up in a place to grow and expand across the board.

Timberline has a proven track record of successful partnerships with county, state and federal parks, offering high quality Glamping experiences as well as pouring resources back into the parks and communities they operate in. The central office in Georgia trains all locations on best practices for successful daily operations, guest experience, Tent Hospitality Team management, and gives them the tools and support needed to operate successfully.

### **General Requirements and Qualifications**

#### **Experience**

##### **Lake Lanier, Georgia (2018)**

Lake Lanier is Timberline's flagship location. Timberline has successfully partnered with Shady Grove Campground and Forsyth County Parks & Rec since 2018. Timberline has a long-term Special Use Agreement with Forsyth County and the Army Corps of Engineers for thirteen designated traditional campsites in Shady Grove Campground, which have been converted into Glampsites. Timberline operates Canvas Bell Tents, Canvas Safari Tents, Geodesic Domes, and Retro RV's at this location.

##### **Clarks Hill Lake, Georgia (2021)**

In the beginning of 2021, Timberline expanded to their second location inside Wildwood Park in Columbia County, near Augusta, Georgia on stunning Clarks Hill Lake. Timberline has a successful partnership with Columbia County Parks & Rec and the Army Corps of Engineers for six traditional campsites which have been converted into Glampsites within Area 3 of Wildwood Park. This location has a mix of accommodations, including Canvas Bell Tents and Canvas Safari Tents.

##### **Hillsborough River, Florida (2022)**

Timberline's first Florida location opened in March of 2022. Located just outside of Tampa, Florida, Timberline operates six sites within Hillsborough River State Park, on the beautiful Hillsborough River. Timberline is a proud Concessionaire with the Florida State Park system. The Tampa location has six accommodations including a mix of Canvas Bell Tents and Canvas Safari Tents.

#### Amicalola Falls, Georgia (2022)

In May of 2022, Timberline opened their fourth location inside Amicalola Falls State Park. Located in Dawsonville, Georgia, this State Park is home of the Appalachian Trail Approach. Amicalola Falls is one of Georgia's oldest and most popular State Parks. Timberline holds a contract with The Coral Group, North Georgia Mountain Authority and Georgia State Parks to offer Glamping services and operate four traditional campsites which Timberline has converted into Glampsites. The Amicalola Falls location has four Canvas Safari Tent accommodations.

#### Unicoi State Park, Georgia (2022)

In June 2022, Timberline's fifth location opened inside Unicoi State Park near Helen, Georgia. Timberline holds a contract with The Coral Group, North Georgia Mountain Authority and Georgia State Parks to offer Glamping services and operate four traditional campsites which Timberline has converted into Glampsites. The Unicoi State Park location has four Canvas Safari Tent accommodations.

#### Kingston Downs (2023)

Timberline's sixth location opened in January 2023 at Kingston Downs in Rome, Georgia. Kingston Downs is a 5,000 acre private property on the Etowah River with a wedding

venue, guided hunting excursions and now also offers six Canvas Safari Tents as well as three Tiny Home Cabins.

#### Lake Blackshear at Georgia Veterans Memorial State Park (2023)

Timberline's seventh location opened in January 2023 inside Georgia Veterans Memorial State Park on beautiful Lake Blackshear near Cordele, Georgia. Timberline holds a contract with The Coral Group, North Georgia Mountain Authority and Georgia State Parks to offer Glamping services and operate six traditional campsites which Timberline has converted into Glampsites. The Lake Blackshear location has six Canvas Safari Tent accommodations.

#### **Bid #024-43 for Glamping at River Forks Park and Campground**

Timberline Glamping desires permission from Hall County Parks & Leisure to dedicate seven long term Glamping sites at River Forks Park & Campground, tent sites 11-16 and RV site 19B. This will be allowed in accordance with the "Responsibilities and Obligations" sections below.

#### Hotel/Motel Tax:

Depending on the county and state that Timberline is operating in, we defer to the local and state governments on direction of charging and paying a hotel/motel tax to the proper authorities.

#### Timberline Glamping Company's Obligations and Responsibilities:

- i. Will be responsible for advertising, booking, cleaning, security and upkeep of all of its Glamping equipment.
- ii. Will instruct guests to check in upon arrival to the campground and obtain appropriate passes and information.
- iii. Will provide Mobile Dump Tank Services and Kayak Rental services to

Glamping and Camping guests within the park.

- iv. Agrees to abide by all State and Federal laws, all County ordinances, and all Park rules and regulations.

Expected Hall County Parks & Leisure Responsibilities:

- i. Will permit Timberline Glamping Personnel into the campground as needed.
- ii. Will block and secure seven sites designated above in the Hall County River Forks Park and Campground as being for Glamping in the reservation system from January 1, 2023 to December 31, 2023.
- iii. Provide a suitable space agreeable to both parties for a Timberline Glamping storage trailer/shed on campground property.

Compensation:

a. Timberline Glamping will pay Hall County Parks and Leisure a \$20 per day campsite use fee for RV site 19B and a \$15 per day campsite use fee for each Tent Site #11 - #16. Hall County Parks & Leisure will adjust the Site Fee during any month in which: (a) the Park is closed, or (b) other Force Majeure Event prevents Timberline Glamping from conducting its operations; in which event the Site Fee for the effected sites will be reduced by a fraction, the numerator of which is the number of days such events prevent Timberline Glamping from conducting its operations in the Park and the denominator of which is the number of days in the month. All per day campsite use fees (Site Fees) will be due and payable to Hall County, Georgia by the 15<sup>th</sup> day of the month after they are incurred.

b. Timberline Glamping will pay Hall County a commission fee equal to 10% of the Gross Total Nightly Rates each month. All commission fees will be due and payable to Hall County, Georgia by the 15<sup>th</sup> day of the month after they are incurred.



Gross Total Nightly Rates do not include:

1. Sales tax collections,
2. Gratuities,
3. Pass through fees, which include:
  - a. Park admission fees collected by Timberline Glamping on behalf of Hall County Parks & Leisure.
4. Funds that were collected but have been refunded to the customer.
5. Cleaning fees charged to the customer that are passed through in their entirety to a third party cleaning service.

Insurance:

Timberline Glamping shall obtain and warrant to Hall County, Georgia that it has at least \$2 million dollars in commercial general liability coverage, automobile liability coverage, and workers' compensation coverage. Timberline Glamping will also provide a certificate of insurancenameing Hall County Government/ Hall County Parks & Leisure as additional insureds on its commercial general liability policy.

Equipment:

Timberline Glamping will provide all necessary equipment for its guests Glamping experience. Additional equipment (clean linens, cleaning supplies, etc.) will bestored on site at Timberline Glamping's storage trailer/shed and accessed when needed.

Property/Site Renovations and Upgrades:

Any property/site renovations and upgrades will require prior approval from Hall County Parks & Leisure before completion. This is to ensure that the integrity and compliance standards that Hall County Government and Hall County Parks & Leisure are held to, are maintained.

Unless otherwise agreed upon by both parties, prior to the initiation of any work, Timberline Glamping will solely be responsible for any costs, materials, and labor associated with any renovations and upgrades it initiates and completes.

Timberline Glamping will incur and pay the costs associated with having the electrical and water service established at RV site 19B, and in establishing the needed electrical service at the tent sites 11-16 and for Timberline Glamping's supply shed. These services will be provided by an approved contractor, and upon completion and once a receipt for services is tendered, the direct cost of establishing these services may be subtracted from Timberline Glamping's monthly payment.

**Additional Amenities/Services:**

Timberline Fees/Rates to the public for add-ons/ additional amenities/services are as follows:

Deluxe Safari Tent \$99-219  
Standard Safari Tent \$99-219  
Deluxe Bell Tent \$99-219  
Tandem Kayak \$75/stay  
Paddle Boat \$95/stay  
Pop-Up Dinner Gazebo \$65/stay  
Gourmet S'mores Kits \$18/stay  
Little Glamper Activity Bags \$8/stay  
Propane Fire Pit \$45/stay  
Cornhole \$15/stay  
Giant Jenga \$10/stay  
Floral Garland \$25/stay  
Charcuterie Boards \$80-\$125

**Supporting Documentation**

Exhibit A – Mandatory Bid Response

Exhibit B – IFB Bid Submittal Terms & Conditions (Read Only)

Exhibit C – Mandatory Cost Proposal Sheet

Exhibit F – S.A.V.E. Affidavits

Exhibit G – Cone of Silence Affidavit

Exhibit H – W-9 Form (attachment)

Exhibit I – Mandatory E-Verify Affidavit

Exhibit J – Contractor Affidavit to Adhere to Municipal Code of Ethics

Exhibit K – Sample Contract (Read Only)

### **References**

1. Florida Department of Environmental Protection  
Division of Recreation and Parks  
Bureau of Operational Services  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399

Jim Singleton  
Compliance Specialist  
Jim.Singleton@FloridaDEP.Gov  
Office: (850) 245-2813

- Concessionaire Agreement – 3 year term, beginning March 2023
- Offering Glamping services within Hillsborough River State Park

2. Columbia County Parks & Recreation Department  
630 Ronald Regan Dr.  
Evans, Georgia 30809

Wes Horton  
Park Operations Manager  
Phone: (706) 863-7523  
Fax: (706) 868-3340  
Email: dhorton@columbiacountyga.gov

- Facility Use Agreement – Long Term Glamping Sites – 1 year agreement, renewable each year. Beginning March 2021.
- Offering Glamping services within Wildwood Park.

3. Forsyth County Parks & Recreation Department  
PO Box 2417  
Cumming, GA 30028

Matt Pate, CPRP  
Natural Resources Division Manager  
MEPate@forsythco.com  
(770) 205-4677


- Special Use Agreement – We operated for four years with a one-year contract which was renewable each year. In 2022 we were granted a five-year term with an option to renew in 2027.
- Offering Glamping Services, Mobile Dump Tank Services, Concessions Cart Services and Kayak and SUP rental services in Shady Grove Campground.

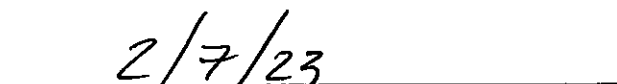
4. North Georgia Mountain Authority  
799 West Avenue, Suite 104  
Cartersville, GA 30120

James Hamilton  
Operations Director  
(404) 630-5443  
James.Hamilton@dnr.ga.gov

- 2 year lease agreement, began in May 2022
- Offering Glamping services in Unicoi State Park and Amicalola State Park

Thank you for the opportunity to respond to this Invitation for Bid. This Bid Proposal was prepared by:

  
Rebeka A. Self  
Co-Founder/Co-CEO  
Timberline Glamping Company, LLC

  
Date

## EXHIBIT A

### MANDATORY BID RESPONSE FORM

Bidders must complete and return this form with their bid.

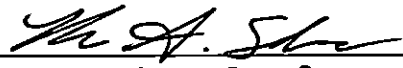
By submitting a proposal, the respondent certifies that they have fully read and understand the proposal's Scope of Work and fully understands the requirements needed to complete the project. The services offered and the cost factor must be valid for at least ninety (90) days from date of signature.

Date of Bid Submittal: 2/1/23 IFB Bid No: # 042-43

Bid Name: Glamping - River Forks Park

Affirmation: Bidder affirms the following by affixing a wet signature in blue ink below:

**"I agree to abide by all terms and conditions of this IFB and certify that I am authorized to sign this bid".**

Bidder Signature:  Date: 2/1/23

Print Name: Rebeka A. Self

Title: Co-CEO

Print Name: Timberline Glamping Company

Phone Number: (678) 801-6334 Email Address: Rebeka@tlglamping.com

Physical Address: 745 Atlanta Hwy, Ste # 206

Physical Address 2: Cumming, GA 30040

Acknowledge receipt of all issued addenda (if any) by listing their numbers and date of issuance below:

Bids not signed may be declared as "Non-Responsive" and will not be evaluated.

If you desire to submit a "No Bid" then please indicate by checking one or both of the reasons listed below and explain.

\_\_\_\_\_ Bidder does not offer this service

\_\_\_\_\_ Unable to meet specifications

## **EXHIBIT B**

### **IFB Bid Submittal Terms and Conditions**

- 1. Modifications:** Bidder will not alter this Invitation for Bid (IFB) except by written and published addenda by the County's Financial Services Department, Purchasing Division. Requests for interpretation must be in writing and received at least (10) ten calendar prior to the time set for opening of the proposals.
- 2. Signing of Proposal:** Failure to sign your proposal in "original form" may be considered "non-responsive" and not considered for award.
- 3. Bid Acceptance Time:** The County requires bids to be valid for ninety (90) days from receipt. Bids requiring acceptance by the County in less than one-hundred twenty (120) days calendar days will be rejected.
- 4. Bid Identification:** All bids submitted as a result of this Request for Qualifications and Cost Proposals must be returned in two separate sealed envelope (physical or digital) labeled with the appropriate bid number and title.
- 5. Withdrawal of Bids:** Bids may be withdrawn by written request if the request is received prior to the time and date set for the opening of bids. Negligence on the part of the bidder in preparing bids confers no right of withdrawal or modification of bid after bid has been opened. No bid may be withdrawn for a period of ninety (90) days after opening.
- 6. Bonds:** If bonds are required, then they must be issued before work may begin. Include a letter of your company's Performance and Payment Bond ability equal to 100% each (total of 200%) of the bid/contract award amount.
- 7. Site Inspections:** The County will assume no responsibility for representations or understandings concerning conditions made by its officers or employees unless included in this request for proposal. Individual site inspections of future projects will be a mandatory requirement to submit cost for Task Orders/Request for Proposals.
- 8. Award of Contract:** Award will be made to responsible bidder(s) whose bid, conforming to the request for proposals, will be most advantageous to the County; price and other factors considered. The County reserves the right to reject any and/or all bids submitted and to waive any technicalities or minor irregularities in bids received. A written award shall be deemed to result in a binding Contract without further action by either party. Contract(s), if awarded, will be on a lump sum basis or individual item basis, whichever is found to be in the best interest of Hall County.
- 9. Non-Discrimination:**
  - 9.1. Non-Discrimination:** The vendor assures to provide services in a manner that does not discriminate on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained service animal.

1980

DATE OF PREPARATION OF REPORT: 12/15/2001

1. The first step in the process of identifying a problem is to determine the nature of the problem. This involves gathering information about the problem and its context. The second step is to identify the causes of the problem. This involves analyzing the information gathered in the first step to determine the factors that are contributing to the problem. The third step is to develop a plan to address the problem. This involves identifying the actions that need to be taken to solve the problem and determining the resources that will be needed to implement the plan. The fourth step is to implement the plan. This involves carrying out the actions identified in the plan and monitoring the progress of the implementation. The fifth step is to evaluate the results of the implementation. This involves comparing the actual results with the expected results to determine the effectiveness of the plan. The sixth step is to make adjustments to the plan as needed. This involves identifying the areas where the plan is not working and making changes to the plan to improve its effectiveness. The seventh step is to document the results of the process. This involves recording the information gathered during the process and the actions taken to address the problem. The eighth step is to share the results of the process with others. This involves communicating the findings of the process to the relevant stakeholders and providing them with the information they need to make informed decisions. The ninth step is to review the process. This involves reflecting on the process and identifying the strengths and weaknesses of the process. The tenth step is to use the results of the review to improve the process. This involves making changes to the process to make it more effective and efficient.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

[illegible][illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

1. The first part of the document is a letter from the author to the reader, explaining the purpose of the study and the methods used. The letter is dated 1968 and is signed by the author.

[illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

100-443887-1000

**9.2. Americans with Disabilities Act (ADA):** The vendor agrees to comply with Hall County's ADA notice and procedures. They are available upon request and are accessible on Hall County's website. Anyone who requires accommodation to access Hall County's services or programs because they have a qualified disability may contact Hall County's ADA Coordinator at [mtuck@hallcounty.org](mailto:mtuck@hallcounty.org), 48 hours prior to the scheduled event or as soon as possible.

**10. Exceptions to Specifications:** Any award resulting from this request for proposals shall bind the proposer to all terms, conditions, and specifications set forth in this request for proposals. Proposers whose proposals do not conform should so note on separate page if necessary and/or on the bid schedule. While the County reserves the right to make an award to a nonconforming proposer, when in the best interest of the County, such awards will not be readily made, and proposers are urged to conform to the greatest extent possible. No exceptions will be considered to have been taken by proposer unless it is properly set out as provided above. No exception will be deemed to have been taken by the County unless incorporated in an award resulting from this request for proposals and so stated.

**11. Proposal Results:** Interested parties may request, in writing, a bid tabulation after award of RFQ/P has been approved by Board of Commissioners.

**12. Payment:** Payments will be made upon all items completed each month or completion of all work and acceptance by County on invoices submitted and approved by the appropriate County representative. All invoices must have a Purchase Order (PO) number.

**12.1.** Payment terms and provisions herein or otherwise found within the contract documents supersede all provisions of the Georgia Prompt Pay Act (HB 837; 13 OCGA Chapter 11 et seq.).

**13. Retainage:** List if required

**14. Discounts:** Prompt payment discounts may be accepted if the discount is for payment in at least fifteen (15) days and five percent (5%) or greater. Such discounts, when offered, will be taken provided payment is made within the time specified. Time, in connection with discounts for prompt payments, will be computed from the date of acceptance of work for which payment is claimed, or the date the correct invoice is received by the county, whichever is later.

**15. Inquiries Regarding Payment:** Email Accounts Payable for all inquiries regarding payment of invoices at [accountspayable@hallcounty.org](mailto:accountspayable@hallcounty.org).

**16. Execution of Contract:** Subsequent to the award, the successful proposer will be presented with a contract. Contract is to be executed within ten (10) calendar days of "Notice of Award". The date of presentation shall be deemed to be the postmark date. The successful proposer's proposal and this request for proposals shall be incorporated into the contract, except to the extent that this request for proposals conflicts with the contract, in which case the provisions of the contract shall take precedent.

**17. Certificate of Insurance:** The professional agrees to procure all of the insurance specified below:

**17.1. Workers' Compensation Insurance** for all employees who are engaged in the work under the contract.

**17.2. Public Liability and Motor Vehicle Liability Insurance:** The professional shall take out and maintain during the life of this contract, such public liability and motor vehicle liability insurance as shall protect him while performing work covered by this contract from claims for



damages which may arise from operations by himself or by any other person directly or indirectly employed by him and the amounts of such insurance shall be as follows:

**17.2.1. Public Liability Insurance** in an amount not less than \$1,000,000.00 on account of one occurrence.

**17.2.2. Motor Vehicle Liability Insurance** on all motor vehicles owned, leased or otherwise used by the professional in an amount not less than \$500,000.00 (combined single limit) for bodily injury including death and property damage combined.

**17.3 Professional Liability Insurance:** The professional shall procure and maintain during coverage in the amount not less than \$1,000,000.00.

**17.4.** The insurance company must be licensed to do business in the state of Georgia.

**17.5.** The professional shall furnish to Hall County, a certificate of insurance covering the work as required above as evidence that the insurance required will be maintained in force for the entire duration of the work performed under this agreement.

**17.6.** The cancellation of any policy of insurance required by this agreement shall meet the requirements of notice under the laws of the State of Georgia as presently set forth in OCGA § 33-24-44.

**17.7.** Each policy of insurance required under this agreement shall x1 provide for notice requirements under the laws of the State of Georgia as set forth in OCGA § 33-24-44 and by endorsement shall provide that the County will receive a copy of said notice of cancellation.

**17.8.** A certificate of insurance with a cancellation provision which provides for less notice than that required by OCGA § 33-24-44, or which provides that failure to give the written notice will not impose any responsibility upon the insurer, will be considered as an endorsement of the referred to in the certificate and shall constitute a basis for insurance rejection of the insurance by the county.

**17.9.** In addition to its agreement to obtain and maintain the insurance as set forth herein above, the Contractor agrees to indemnify and hold harmless the County, its officers, agents and employees from any and all claims against the county, its officers, agents, and employees, which arise out of any act or omission of the professional or any consultant employed by the professional or any of their officers, agents or employees, and any and all claims which result from any condition created or maintained by the professional or any consultant employed by the professional or any of their officers, employees or agents, which condition which a result of work performed under the contract

**18. Cancellation of Insurance:** If the insurance is canceled, the contractor shall deliver to the Owner new policies of insurance. Should the Contractor neglect to obtain and maintain in force such insurance and deliver such policy or policies, then it shall be lawful for the Owner to obtain and maintain such insurance.

**19. Inclusion:** All items and/or services standard, expected, necessary, and/or routine to such a project as this and not actually stated in this request for proposals will be the responsibility of the successful proposer to provide at no other cost to the county unless so stated on the successful proposer's proposal as additional cost items and accepted by the county at the time of the award and/or contract.

**20. Regulatory Agencies:** Successful proposer will be responsible for all required permits or license required by regulatory agency of the city, county, state, or federal governments. Further, successful proposer will be responsible for meeting all requirements of any regulation (s) or guideline (s) of any of the said governments or any independent agency recognized by said governments as publisher of any such regulation (s) or guideline (s).

**21. Independent Contractors:** The proposer represents to Hall County that he is fully experienced and properly qualified to perform the functions provided herein and that he/she is properly equipped, organized, and financed to perform such functions. The proposer shall finance his/her own operations hereunder, shall operate as an independent contractor and not as an agent of hall county and nothing contained in this request for proposals or a contract resulting from same shall be construed to constitute the proposer or any of his/her employees, servants, agents, or subcontractors as a partner, employee, servant, or agent of the county nor shall either party have any authority to bind the other in any respect; it being intended that each shall remain an independent contractor.

**22. Assignment of Contractual Rights:** It is agreed that the successful proposer will not assign, transfer, convey, or otherwise dispose of a contract that results from this request for proposals or his/her right, title, or interest in or to the same, or any part thereof, without written consent of the County.

**23. Starting Time:** Work will commence within ten (10) calendar days after being issued a "Notice to Proceed" on the project and commence in a routine, orderly manner until completion and acceptance by the county.

**24. Change Orders:** Any and all change order requests by the successful bidder must be approved through the Hall County Purchasing Policy. Any work performed outside the contract agreement for which compensation over and above the agreement occurs; there must be an accompanying approved change order. If work is done before change order approval, the change may be rejected or denied for compensation.

**25. Indemnity:** Successful proposer agrees, if entering into a contract as a result of this request for proposals, to defend, indemnify, and hold harmless Hall County from any and all courses of action or claims of damages arising out of or related to proposer's performance or actions or those of his/her employees or agents, under said contract.

**26. Termination:** Pursuant to O.C.G.A. 36-60-13, if applicable, any contract resulting from this Request for Qualifications with Cost Proposals, if not sooner terminated pursuant to the provisions of termination contained herein, is terminable by the Hall County, Georgia on December 31 of each calendar year during the term of said contract, except that said contract shall be renewed automatically on such date, and without any lapse, unless positive action is taken to terminate said contract by The County.

**27. Appropriation of Funds:** Initial contract and any continuation contract (s) will terminate immediately and absolutely at any such time as there are no appropriated and otherwise unobligated funds available to satisfy the County's obligations under said contract (s).

**28. Cancellation for Cause:** Should either party fail to comply with the terms and conditions of this contract, the aggrieved party must give, in writing, to the other party any complaint for non-compliance to the terms and conditions of this contract. The other party shall have fifteen (15) calendar days to correct the matter. If corrected to the satisfaction of both parties within the fifteen (15) calendar days and stated in writing, then the contract will continue uninterrupted. Failure to

The first part of the report deals with the general situation of the country and the position of the various groups. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The second part of the report deals with the economic situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The third part of the report deals with the social situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The fourth part of the report deals with the political situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The fifth part of the report deals with the cultural situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The sixth part of the report deals with the religious situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The seventh part of the report deals with the educational situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The eighth part of the report deals with the health situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

The ninth part of the report deals with the environment situation of the country. It is a very interesting and informative study of the country and its people. The author has done a great deal of research and has written a very well informed and interesting book. It is a very good read and I highly recommend it to all who are interested in the country and its people.

correct the matter will result in termination of this contract at the end of thirty (30) calendar days following the date of the initial letter of complaint.

**30. Governance:** In the case of conflict or ambiguity between the Terms and Conditions and Exhibit K: Sample Contract Template for Services, the later shall govern.

**EXHIBIT C**  
**MANDATORY COST**  
**PROPOSAL WORKSHEET**

IFB#042-43

Company Name: Timberline Glamping Company, LLC  
Bidder's Name: Rebeka A. Self  
Bidder's Signature: *Rebeka A. Self*  
Date: 2/1/23

**Instructions:** Consider all technology equipment and installation as one (1) turnkey project. You must provide back-up information to support your proposal.

Tent Site Use Fee per day: \$ 15.<sup>00</sup>

RV Site Use Fee per day: \$ 20.<sup>00</sup>

Commission %: % 10



# Hall County Government

## FINANCIAL SERVICES

### Exhibit F

### INSTRUCTIONS FOR

### MANDATORY S.A.V.E Program Affidavit

*Systematic Alien Verification for Entitlements (SAVE) Program*  
*Office of U.S. Citizenship and Immigration Service (USCIS).*

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#### Background

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

Pursuant to the "Georgia Security and Immigration Compliance Act," Hall County cannot contract for the physical performance of services unless the contractor registers and participates in the federal work authorization program to verify information of all new employees. Neither may any contractor or sub-contractor enter a contract with the County in connection with the physical performance of services unless the contractor or sub-contractor registers and participates in the federal work authorization program to verify information of all new employees. O.C.G.A. § 13-10-91. **Each contractor is urged to fill out the affidavit below stating they comply with this Georgia Compliance Act before Hall County can legally accept the bids from each contractor/vendor.**

To register for the E-Verify Program visit [www.uscis.gov](http://www.uscis.gov). Your bid will not be accepted without this E-Verify Number.

#### Procedure

Affirmative language will be set forth in contracts for the performance of services regarding the above requirement. The County will require an affidavit from a contractor showing its compliance with the requirements of O.C.G.A. § 13-10-91 at the time a contract for the performance of physical services is executed. The contract shall include language referencing this obligation and providing that failure to supply an affidavit evidencing such compliance (or to continue to meet the statutory obligation during the life of the contract) shall constitute a material breach of the contract. Upon notice of such breach, the contractor shall be entitled to cure the breach within ten (10) days and provide evidence of such cure. Should the breach not be cured, the County should be entitled to all available remedies, including termination of the contract and damages.

Prime Contractors must obtain a signed and notarized S.A.V.E. document for each sub-contractor utilized on this project.

*See affidavit on following page*





# Hall County Government

FINANCIAL SERVICES

## Exhibit F INSTRUCTIONS FOR MANDATORY S.A.V.E Program PRIME CONTRACTOR Affidavit under O.C.G.A. § 13-10-91(b)(1)

Systematic Alien Verification for Entitlements (SAVE) Program  
Office of U.S. Citizenship and Immigration Service (USCIS).

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is contracting with Hall County, Georgia, has registered and is participating in a federal work authorization program\* (an electronic verification of work authorization program operated by the U.S. Department of Homeland Security or any equivalent federal work authorization program operated by the U.S. Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform And Control Act of 1986 (IRCA), in accordance with the deadlines established in the referenced statute.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification (E-Verify) number and date of authorization are as follows:

\*The applicable federal work authorization program as of the effective date of the statute is the E-Verify Program of the Systematic Alien Verification for Entitlements (SAVE) Program Office of U.S. Citizenship and Immigration Service (USCIS). To register for the E-Verify Program visit [www.uscis.gov](http://www.uscis.gov). your bid will not be accepted without this E-Verify Number.

Timberline Glamping Company  
Name of Contractor

2060787  
Contractor's/Vendor's E-Verify #

745 Atlanta Hwy., Ste. 206  
Street Address

Cumming, GA 30040  
City / State

[Signature]  
Signature of Authorized Officer or Agent

1/17/23  
Date of Authorization

Rebeka A. Self, Co-CEO  
Printed Name/Title of Authorized Officer

River Forks Glamping  
Name of Project

Subscribed and sworn before me on this the

1 day of February, 2023

[Signature]  
Notary Public

My Commission Expires: 08/04/2025



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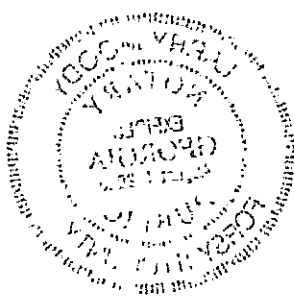
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# Hall County Government

FINANCIAL SERVICES

## Exhibit F INSTRUCTIONS FOR MANDATORY S.A.V.E Program SUB-CONTRACTOR Affidavit under O.C.G.A. § 13-10-91(b)(1)

Systematic Alien Verification for Entitlements (SAVE) Program  
Office of U.S. Citizenship and Immigration Service (USCIS).

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

By executing this affidavit, the undersigned sub-contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract for \_\_\_\_\_ on behalf of Hall County, Georgia, has registered and is participating in a federal work authorization program (an electronic verification of work authorization program operated by the U.S. Department of Homeland Security or any equivalent federal work authorization program operated by the U.S. Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform And Control Act of 1986 (IRCA), in accordance with the deadlines established in the referenced statute.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification (E-Verify) number and date of authorization are as follows:

*\*The applicable federal work authorization program as of the effective date of the statute is the E-Verify Program of the Systematic Alien Verification for Entitlements (SAVE) Program Office of U.S. Citizenship and Immigration Service (USCIS). To register for the E-Verify Program visit [www.uscis.gov](http://www.uscis.gov). your bid will not be accepted without this E-Verify Number.*

Timberline Glamping Company  
Name of Contractor

745 Atlanta Hwy., Ste 206  
Street Address

[Signature]  
Signature of Authorized Officer or Agent

Rebeka A. Self, Co-CEO  
Printed Name/Title of Authorized Officer

2060787  
Contractor's/Vendor's E-Verify #

Cumming, GA 30040  
City / State

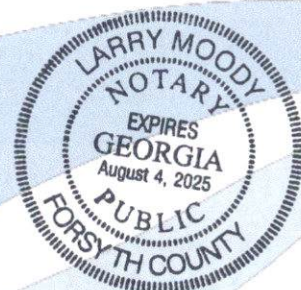
1/17/23  
Date of Authorization

River Forks Glamping  
Name of Project

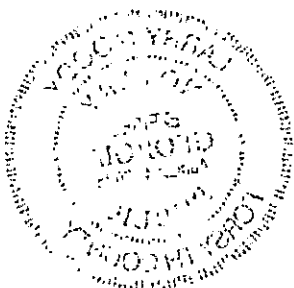
Subscribed and sworn before me on this the  
1 day of February, 2023

[Signature]  
Notary Public

My Commission Expires: 08/04/2025



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# Hall County Government

FINANCIAL SERVICES

## EXHIBIT G Mandatory Cone-of-Silence Affidavit

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

In order to ensure fair consideration for all bidder's responding to the County's Request for Qualifications and Cost Proposals, the County requires that all potential bidders to the Solicitation, that all firms, companies, agents, or other refrain from discussions privately or publicly during the Solicitation process. This includes all staff, employees, subcontractors, as well as paid or unpaid personnel acting on the firm's behalf shall not contact nor participate in any type of contact with County employees, department heads or elected officials, up to and including the County Administrator and Board of Commissioners.

Therefore, the County issues this "Cone of Silence" that shall be in effect from the date the solicitation is publicly advertised, until the time an award decision has been approved by the Board of Commissioners and fully executed by all parties. Contact should only be between the bidding firms and the Issuing Officer/Buyer listed in the Solicitation documents.

Any such contact may be considered as collusion and may result in the bidder being disqualified from participation and consideration for award. All contact must be coordinated through the Issuing Officer, for the procurement of these products and/or services.

Please reference the Solicitation number on all correspondence to the County. Any oral communications shall be considered unofficial and non-binding.

Only written responses to written communication shall be considered official and binding upon the County. The County reserves the right, at its sole discretion, to determine appropriate and adequate responses to the written comments, questions, and requests for clarification.

### Bidder Attestment:

*I understand and shall fully comply with the above requirements.*

Signed: Rebeka A. Self

Typed Name: Rebeka A. Self

Job Title: Co-CEO

Company: Timberline Glamping Company, LLC

Date: 2/1/23

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above <b>Timberline Glamping Company, LLC</b>	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► <b>S</b> <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. <b>745 Atlanta Hwy., Ste. 206</b>	Requester's name and address (optional)
6 City, state, and ZIP code <b>Cumming, GA 30040</b>	
7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	
<div></div>	<div></div>
<div></div>	<div></div>
<div></div>	<div></div>
or	
Employer identification number	
<div></div>	<div></div>
<div></div>	<div></div>
<div></div>	<div></div>
<div></div>	<div></div>

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
Here

Signature of  
U.S. person ►

Date ►

**2/1/23**

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future.

2. The second part of the paper discusses the role of the individual in the history of the United States. It is argued that the actions of individuals have played a major role in the development of the country and that the study of their lives is essential for a full understanding of the history of the United States.

3. The third part of the paper discusses the role of the government in the history of the United States. It is argued that the actions of the government have played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

4. The fourth part of the paper discusses the role of the economy in the history of the United States. It is argued that the development of the economy has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

5. The fifth part of the paper discusses the role of the culture in the history of the United States. It is argued that the development of the culture has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

6. The sixth part of the paper discusses the role of the military in the history of the United States. It is argued that the actions of the military have played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

7. The seventh part of the paper discusses the role of the foreign policy in the history of the United States. It is argued that the actions of the foreign policy have played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

8. The eighth part of the paper discusses the role of the social movements in the history of the United States. It is argued that the actions of the social movements have played a major role in the development of the country and that the study of their history is essential for a full understanding of the history of the United States.

9. The ninth part of the paper discusses the role of the scientific and technological progress in the history of the United States. It is argued that the development of science and technology has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

10. The tenth part of the paper discusses the role of the arts in the history of the United States. It is argued that the development of the arts has played a major role in the development of the country and that the study of their history is essential for a full understanding of the history of the United States.

11. The eleventh part of the paper discusses the role of the environment in the history of the United States. It is argued that the development of the environment has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.





# Hall County Government

## FINANCIAL SERVICES

### EXHIBIT I MANDATORY E-VERIFY AFFIDAVIT

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A. § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

- The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
- The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
- The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
- The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
- The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
- The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and
- Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

2060787

Federal Work Authorization User Identification Number

Timberline Glamping Company, LLC

Name of Contractor

1/17/23

Date of Authorization

River Forks Park

Name of Project

Hall County, Georgia

Name of Public Employer

**I hereby declare under penalty of perjury that the foregoing is true and correct.**

Executed on 1<sup>st</sup>, Feb., 2023 in Cumming (city), GA (state).

[Signature]

Signature of Authorized Officer or Agent

Rebeka A. Self, Co-CEO

Printed Name and Title of Authorized Officer or Agent

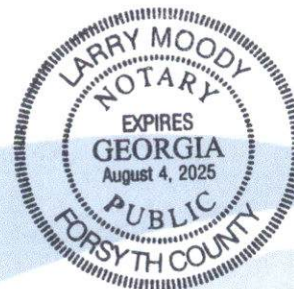
SUBSCRIBED AND SWORN BEFORE ME

ON THIS THE 1 DAY OF February, 2023.

[Signature]  
NOTARY PUBLIC

My Commission Expires: 08/04/2025

[Locus Sigilli]

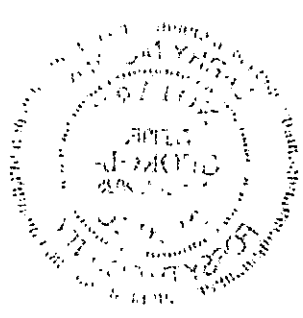


Revised 11/15/2022 AGP

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## **EXHIBIT J**

### **MANDATORY ETHICS AFFIDAVIT**

For Compliance with  
Official Code 3.10.070 of Hall County

Contractors, consultants, and vendors of any service or commodity to Hall County, Georgia must read and affirm to adhere to the following ethics requirements.

#### **3.10.070. - Ethics.**

- A. It is the policy of Hall County to seek the best overall value when procuring goods and services. Toward this end, the county finds and declares that its objectives will best be achieved through an open, competitive process with a broad range of responsible vendors wishing to furnish products and services to the county. Hall County will establish and conduct a procurement program that maximizes service benefit to the community and awards contracts to vendors who offer the best quality and value.
- B. Hall County declares that county employees and officials, along with those wishing to do business with the county, have the shared responsibility for avoiding biased, anticompetitive, or unethical practices.
- C. Hall County employees, officials, and their family members are prohibited from seeking, requesting, or receiving any material payment, gift, job offer, security, promise of future benefit, or any other tangible or intangible thing of value when such receipt has the potential to influence a procurement decision or to gain undue advantage in a procurement competition.
- D. Prospective vendors must compete for county business within the parameters of the solicitation process and are prohibited from seeking to obtain inside information, attempting to skew the writing of specifications, or influencing a procurement decision through any means outside the process established for the particular solicitation. This principle applies to any contractor, subcontractor, representative, employee, or agent that may be associated with a procurement transaction.
- E. Bidders and proposers shall disclose on competitive bid responses any individual(s), firm(s), and/or county official(s) who do business with the county if there is an appearance of a conflict of interest.
- F. Ethical business practices are important, both, during a solicitation, and after the decision to grant an award. The county seeks to establish relationships with business partners whose ongoing ethical standards of business conduct are congruent with those outlined here. The purchasing manager, subject to the approval of the director of financial services, is charged with establishing methods for ongoing monitoring for non-compliance with these principles. The prohibition against the offering of or the acceptance of kickbacks, gratuities, payments or any other instrument of value extends beyond and outside any specific procurement or solicitation.
- G. A vendor's contract compliance history with Hall County and other contractual parties is a valid element in the decision to award a solicitation.
- H. Hall County stipulates that the furtherance of its strategic goals for job creation, stability and growth in the tax base, business retention, and other fiscal and economic development objectives may be considered during the procurement process. The purchasing manager, subject to the approval of the director of financial services, is authorized to establish procurement initiatives consistent with the



county's strategic economic development objectives. These procurement practices shall be applied consistently and equitably and shall have a direct relationship to the county's goals.

I. Hall County employees, officials, and their family members are generally prohibited from participation in any procurement decision or any gain of undue advantage in a procurement competition as a result of contemporaneous employment with a potential or actual business partner.

J. It is unethical for any county employee to purchase commodities or services from a county contract for personal use.

K. With the exception of solicitations for the sale of real property, individuals, firms and businesses seeking an award of a Hall County contract may not initiate or continue any verbal or written communications regarding a solicitation with any county officer, elected official, employee or other county representative other than the purchasing associate named in the solicitation, or the county's financial advisor, between the date of the issuance of the solicitation and the date of the final contract award by the board of commissioners. The purchasing manager will review violations. If determined that such communication has compromised the competitive process, the offer submitted by the individual, firm or business may be disqualified from consideration for award. Solicitations for the sale of real property may allow for verbal or written communications with the appropriate Hall County representative.

L. All county commissioners, officials, and employees shall adhere to the standards outlined in the Hall County Code of Ethics.

M. **(AMENDED)** The purchasing division of the financial services department shall determine and implement methods of educating all prospective contractors, bidders, proposers, and vendors on the requirements and provisions of Code Section 3.10.070, including, but not limited to, requiring each prospective contractor, bidder, proposer, and vendor that expresses an intent to do business with the County to sign an affidavit attesting that they have read this Chapter and have more specifically also read Code Section 3.10.070." (Res. of 11-14-19(1), § 1(Exh. A))

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on 1<sup>st</sup>, Feb., 2023 in Cumming (city),  
Georgia (state) 30040 (Zip Code)

[Signature]  
Signature of Authorized Officer or Agent

Rebeka Self, CO-CEO  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

On This the 1 Day of February, 2023.

[Signature]  
NOTARY PUBLIC

My Commission Expires: 08/04/2025



12. The first part of the problem is to show that the function  $f(x)$  is continuous at  $x = a$ . To do this, we need to show that  $\lim_{x \rightarrow a} f(x) = f(a)$ .

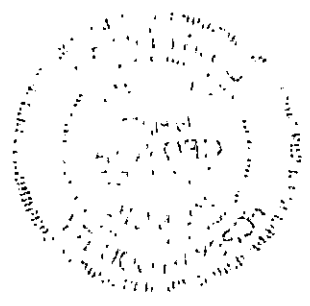
13. The second part of the problem is to show that the function  $f(x)$  is differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f(a+h) - f(a)}{h}$  exists.

14. The third part of the problem is to show that the function  $f(x)$  is twice differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f'(a+h) - f'(a)}{h}$  exists.

15. The fourth part of the problem is to show that the function  $f(x)$  is three times differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f''(a+h) - f''(a)}{h}$  exists. This is the most difficult part of the problem, and it requires a lot of algebraic manipulation. However, it is possible to show that the limit exists, and therefore that the function  $f(x)$  is three times differentiable at  $x = a$ .

16. The fifth part of the problem is to show that the function  $f(x)$  is four times differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f'''(a+h) - f'''(a)}{h}$  exists. This is also a difficult part of the problem, but it can be done.

17. The sixth part of the problem is to show that the function  $f(x)$  is five times differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f^{(4)}(a+h) - f^{(4)}(a)}{h}$  exists. This is the final part of the problem, and it is the most difficult. However, it is possible to show that the limit exists, and therefore that the function  $f(x)$  is five times differentiable at  $x = a$ .





Hall County Government  
FINANCIAL SERVICES

**EXHIBIT K**  
**CONTRACT #042-43**

For the provision of

**Glamping – River Forks Campground**

located at 2875 Browns Bridge Road, 2<sup>nd</sup>. Floor  
, Gainesville, Georgia

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

**ARTICLE #101 - INTRODUCTION**

This Contract is for Glamping – River Forks Campground, (hereinafter “Services”) as entered into on \_\_\_\_\_ and with an Effective Date of \_\_\_\_\_, is by and between; **Hall County, Georgia** (hereinafter “County”) located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and \_\_\_\_\_ (hereinafter “Contractor”). Contractor is an entity that is legally registered and qualified, and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a “Party” and collectively as the “Parties”.

**Whereas**, the parties do mutually desire to enter into this Contract to document the purchase of equipment and installation of equipment or other valuable consideration by the Contractor to the County in exchange for payment as compensation.

“This Contract is the result of the competitively bid IFB# 042-43, the Contractor’s response to the competitive bid, the Scope of Work, Exhibits, Attachments, and references are all incorporated herein by reference. Therefore, in consideration of the terms-and-conditions and mutual promises contained herein, the receipt and sufficiency of which are hereby acknowledged by both parties, the parties hereto agree as follows:

**ARTICLE #102 – CONTRACT**

- A. Contractor agrees to provide the Services to the County as detailed herein and in **Scope of Work**, and for the location and services as described in the IFB #042-43 and the bidder’s response.
- B. County hereby agrees to the compensation as provided in the attached bidder’s response entitled **Exhibit C – Mandatory Cost Proposal Worksheet**, which are herein incorporated thereof by

Revised 12/19/2022

reference, for the cost of \_\_\_\_\_, billed only when the work is completed and in one (1) invoice.

**ARTICLE #103 - NOTICES:**

To the extent that either party to this required to provide notice(s) to the other party in compliance herewith, then the party shall Contract is direct notice(s) to the following persons:

**COUNTY PROJECT MANAGER**

Enter Name  
Enter Title  
Hall County Landfill  
Enter Street Address  
Gainesville, GA 30507  
Enter Email address  
Enter Phone

**COUNTY ISSUING OFFICER**

Enter Name  
Enter Title  
Hall County Finance Department  
2875 Browns Bridge Rd  
Gainesville, GA 30504  
Enter Email address  
Enter Phone

**CONTRACTOR'S CONTACT INFO**

Enter Name  
Enter Title  
Enter Legal Company Name  
Enter Street Address  
Enter City, State, Zip  
Enter Email Address  
Enter Phone

**REMIT-TO ADDRESS**

Company's FEIN # \_\_\_\_\_  
PO BOX/DRAWER \_\_\_\_\_  
Enter Legal Company Name  
Enter Street Address  
Enter City, State, Zip  
Enter Email Address  
Enter Phone

**ARTICLE #104 – NON-EXCLUSIVE RIGHTS:**

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract, during the term of the Contract should the need arise or the contractor fail to perform.

**ARTICLE #105 – CONTRACT TERM:**

- A. **Initial Contract Term.** This Contract is effective on the date of signature shown in *ARTICLE #101* by all parties unless a future date is so noted on this contract. The term will last until job is complete from the date of execution, unless terminated by the parties pursuant to *ARTICLE #107 – REMEDIES AND CONTRACT PERFORMANCE*, thereof.
- B. **Contract Renewal. N/A** The County shall have the option, in its sole discretion, to renew the Contract for up to **Four (4), One (1) Year Renewal Options**. The price, terms, and conditions in effect at the time of each renewal(s) shall remain the same unless the Contract is amended by mutual

agreement. Renewal(s) will depend upon the best interests of the County, available funding, and Contractor's performance. The County may execute its renewal options through the issuance of a Contract Renewal Document, with the evidence thereof in writing and signature by both Parties. The County does not accept nor acknowledge automatic renewals and shall have no obligations, payment or otherwise, associated therewith.

- C. **Contract Extension.** N/A The County and the Contractor may enter into a Contract Extension term past the renewal period to continue the services if this Contract terminates, or is likely to terminate, prior to the making of a new award for the identified Services. The County may with the written consent of Contractor, extend this Contract for such period as may be necessary to afford the County a continuous supply of the identified Services for up to one (1) calendar year or portions thereof.

**ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:**

This Contract can only be modified, amended, or added to in writing and fully executed by both parties hereto. This Contract document constitutes the sole and entire Contract and understanding between the parties as to the subject matter hereof, and no verbal promises have been made by either party in relation hereto.

**ARTICLE # 107 – REMEDIES AND CONTRACT PERFORMANCE:**

In the event that either party to this Contract breaches this Contract, including by failure to meet the timetables set forth herein, the non-breaching party shall provide written notice to the breaching party which describes the breach of this Contract. The party whose breach is alleged shall have thirty (30) days from the date of receipt of the written notice to cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the parties hereto have not resolved the issue described in the notice letter by thirty (30) days after receipt of the notice letter, the party authoring the letter shall be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or seeking relief as to any bonds issued hereon. Additional provisions are;

- A. **Delay or Impossibility of Performance.** Any failure or delay must be beyond the control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a Force Majeure Event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the

1970 年 10 月 1 日，中国科学院、中央人民政府驻澳门特派员公署、澳门政府、  
 澳门各界代表在澳门举行庆祝中华人民共和国成立二十周年纪念大会。会上，  
 中国科学院、中央人民政府驻澳门特派员公署、澳门政府、澳门各界代表  
 分别致词，高度评价了中华人民共和国成立二十年来取得的巨大成就，并  
 表示将继续支持澳门的繁荣与稳定。

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中国科学院、中央人民政府驻澳门特派员公署、澳门政府、澳门各界代表

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 分别致词，高度评价了中华人民共和国成立二十年来取得的巨大成就，并  
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 表示将继续支持澳门的繁荣与稳定。



Contractor shall not be excused from compliance with the terms and obligations of the Contract. Epidemics and pandemics are not considered Force Majeure events by the County.

Neither party shall be held liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, war, acts of war, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of Force Majeure.

**Definition:** The term 'force majeure' as defined in Black's Law Dictionary, is 'an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the parties could not have anticipated or controlled.'

- B. Obligations beyond Contract Term.** The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract.
- C. Transition Cooperation with the County and Cooperation with other Contractors.** Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, in the event that the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with such other Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor.

#### **ARTICLE # 108 - TERMINATION:**

Either party may terminate this Contract by providing thirty (30) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination pursuant to section 4 above, Contractor shall provide the County with all deliverables up to the date of termination (30 days after the notice is provided), and the County shall pay the Contractor for all work properly performed in compliance with the terms of the Contract up to the date of termination.

- A. **Termination for Convenience.** Following thirty (30) days written notice, either party may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.
- B. **Termination for Cause.** The occurrence of any one or more of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:
1. The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Contractor.
  2. The County determines that satisfactory performance of the Contract is substantially endangered or that a default is likely to occur.
  3. The Contractor fails to make substantial and timely progress toward performance of the Contract.
  4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
  5. The Contractor has failed to comply with applicable federal, state and local laws, rules, County ordinances, regulations and orders when performing within the scope of the Contract.
  6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with ARTICLE #108.C. below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.
- C. **Notice of Default.** If either party causes one or more of the default events set out in ARTICLE #108, then either party shall issue a written Notice-of-Default to the party that causes one or more of the default events, requesting that the breach or noncompliance be remedied within the period of time specified in the party's Notice-of-Default to the Contractor. If the breach or noncompliance is not remedied within the period of time specified in the written notice, the non-breaching party may:





1. Immediately terminate the Contract for default without additional written notice;
2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference between the Contract and the substitute Contract to the defaulting Contractor; and/or,
3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

**C. Termination Due to Non-Availability of Funds.**

This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.

**D. Termination due to Failure of Contractor to Act.**

The County may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

1. In the event that the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.
2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees or sub-Contractors have caused, or reasonably could cause, life, health or safety to be jeopardized.
3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal activity, incorrect or incomplete.
4. Failure of the Contractor to obtain, provide, maintain, and deliver the Performance and Payment Bonds (if required) as and when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 - PERFORMANCE AND PAYMENT BOND REQUIREMENT.

- E. Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by either party, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received

and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.

F. The Contractor's Termination Duties. Upon receipt of notice of termination, the Contractor shall:

1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.
2. Immediately cease using and return to the County, any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.
3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.
4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the notification of termination and the substitution of any replacement Contractor; and
5. Immediately return to the County any payments made by the County for goods and services that were not delivered by the Contractor.

**ARTICLE # 109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY:**

The parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

**ARTICLE #110 - ASSIGNMENT AND DELEGATION BY CONTRACTOR:**

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior express written consent of the County.

**ARTICLE #111 – USE OF THIRD-PARTIES (Sub-Contractors):**

This Contract is for the benefit of the parties hereto only and is not intended to benefit any third-party or give rise to any duty or causes of action for any third party. All restrictions, obligations and responsibilities of the Contractor under the Contract shall also apply to third parties such as sub-Contractors, if allowed in writing by the

County. Any Contract with a subcontractor must also preserve the rights of the County.

#### **ARTICLE #112 – SUPERSEDES FORMER CONTRACTS**

Unless otherwise specified in the Contract, this Contract supersedes all prior Contracts or Agreements between the County and the Contractor for the Services provided in connection with the Contract.

#### **ARTICLE #113 - SEVERABILITY:**

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

#### **ARTICLE # 114 - RECORDS:**

- A. **Public Records Request.** The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County, shall be made open to public inspection, unless otherwise provided by law.
- B. **Record Retention and Access.** The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

#### **ARTICLE # 115 - ADDITIONAL TERMS:**

- A. The County shall not be bound by any terms and conditions included in any Contractor's literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.
- B. The County shall not be bound to any Terms and Conditions of the Contractor that are only accessible by hyper-link. All Terms and Conditions must be in print and approved by the County.

**ARTICLE # 116 - WAIVER:**

The failure of any party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

**ARTICLE # 117 - CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS:**

- A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment (chemical, material, etc., if applicable) considered by the County to be hazardous (or toxic) to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes as quickly as possible. In the event of such replacement, Contractor shall notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.
- B. The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision on this matter shall be final, and Contractor will remove this employee immediately and replace with a person of at least equivalent training, experience and requisite qualifications as quickly as possible, subject to the County's prior approval.
- C. Contractor agrees to obtain prior written approval from the County for the use of sub-Contractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

## **ARTICLE # 118– INSURANCE REQUIREMENT:**

- A. Insurance Requirements.** The Contractor must maintain and warrant to Hall County insurance policies at the Contractor's own expense and must furnish the County with a Certificate of Insurance (COI) providing evidence of proof of coverage at least in the amounts indicated in this subsection. The insurance certificate must list Hall County, Georgia, Hall County Landfill, as the certificate holder and as an additional insured under the commercial general, automobile and umbrella liability policies as follows: "Hall County Government, its Board of Commissioners, its officers, employees and agents, 2875 Browns Bridge Rd, Gainesville, GA 30504".

The policy must protect the Contractor and the County (as a Certificate Holder and Additional Insured) from any claims for bodily injury, property damage, or personal injury covered by the indemnification obligations set forth herein throughout the duration of the Contract.

The Contractor must maintain the following insurance coverage during the term of the Contract, in at least the minimum amounts set forth below, to cover all loss and liability for damages on account of bodily injury, including death therefrom, and injury to or destruction of property caused by or arising from any and all services carried on and any and all work performed by the Contractor pursuant to this Contract:

1. Workers Compensation Insurance (Occurrence) in the amounts of the statutory limits established by the General Assembly of the State of Georgia (A self-insurer must submit a certificate from the Georgia Board of Workers Compensation stating that the Contractor qualifies to pay its own workers compensation claims.). In addition, the Contractor must require all sub-Contractors occupying the premises or performing work under the Contract to obtain an insurance certificate showing proof of Workers Compensation Coverage with the following minimum coverage:
  - a. Bodily injury by accident - per employee \$ 100,000
  - b. Bodily injury by disease - per employee \$ 100,000
  - c. Bodily injury by disease – policy limit \$ 500,000
2. Commercial General Liability Policy with at least the following minimum coverage:
  - a. Each Occurrence Limit \$1,000,000
  - b. Personal & Advertising Injury Limit \$1,000,000
  - c. General Aggregate Limit \$3,000,000
  - d. Products/Completed Ops. Aggregate Limit \$2,000,000

Automobile Liability with at least the minimum coverage: \$1,000,000  
Combined Single Limit to cover Any Vehicle, leased or rented by the Contractor

3. Umbrella Liability, Excess Liability per Occurrence \$2,000,000  
Aggregate \$2,000,000

It shall be the responsibility of the Contractor to require all of its sub-Contractors to maintain Commercial General Liability insurance with business automobile liability coverage with companies and limits as stated above, and to provide a certificate evidencing that such insurance is in effect upon request. Endorsement must be provided with the insurance certificate.

- B. **Insurance Certificates and General Requirements.** No Contract performance shall occur unless and until the County receives required insurance certificates.

The insurance certificate must reference the Contract number assigned by the County and document that the liability coverage purchased by the Contractor includes contractual liability coverage to insure the indemnity agreement as stated herein.

- C. The Contractor understands and agrees that the foregoing policies will not be canceled, or not renewed or allowed to lapse for any reason until at least thirty (30) days prior written notice has been given to the County, or until such time as other valid and effective insurance coverage acceptable in every respect to the County and providing protection equal to protection called for in the policies referenced in this section shall have been received, accepted, and acknowledged by the County. Certificates of insurance showing such coverage to be in force shall be filed with the County prior to commencement of any work under the Contract. The foregoing policies shall be obtained from insurance companies licensed to do business in Georgia and, unless waived or modified in writing by the County, shall be an insurer with a minimum A.M. Best Rating of "A-". All such coverage shall remain in full force and effect during the term and any renewal or extension thereof. The insurance certificate must be submitted with this Contract.
- D. **Waiver of Subrogation.** There is no waiver of subrogation rights by either Party with respect to insurance.

**ARTICLE # 119 – NO WAIVER:**

- A. **Authority to Enter into Contract.** The Contractor represents and warrants that it has full authority to enter into and perform its obligations under the Contract and that the Contract constitutes a legal, valid, and binding obligation upon the Contractor in accordance with its terms. The representatives of the parties hereto also represent and warrant that they are authorized to sign this Contract on behalf of each party hereto."

$\mathcal{H}^1(\mathbb{R}^n) \subset \mathcal{H}^2(\mathbb{R}^n)$  and  $\mathcal{H}^2(\mathbb{R}^n) \subset \mathcal{H}^1(\mathbb{R}^n)$  if and only if  $n=1$ .

$\mathcal{H}^1(\mathbb{R}^n) \subset \mathcal{H}^2(\mathbb{R}^n)$  if and only if  $n=1$ .

Let  $f \in \mathcal{H}^1(\mathbb{R}^n)$  and  $g \in \mathcal{H}^2(\mathbb{R}^n)$ . Then  $fg \in \mathcal{H}^1(\mathbb{R}^n)$  if and only if  $n=1$ .

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Let  $f \in \mathcal{H}^1(\mathbb{R}^n)$  and  $g \in \mathcal{H}^2(\mathbb{R}^n)$ . Then  $fg \in \mathcal{H}^1(\mathbb{R}^n)$  if and only if  $n=1$ .



- B. **Solicitation.** The Contractor warrants that no person or selling agency (except bona fide employees or selling agents maintained for the purpose of securing business) has been employed or retained to solicit and secure the Contract upon an agreement or understanding for commission, percentage, brokerage or contingency.
- C. **Vehicles and Equipment.** With the exception of specified County Owned Equipment and Vehicles listed in Exhibit X, Contractor warrants that CDL drives will not use any other County owned vehicles or equipment in the performance of this Contract without express written consent. Contractor shall be responsible for providing all transportation necessary to deliver Services under the Contract.

**ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS & OWNERSHIP:**

Contractor agrees it will not use the name or any intellectual property, including but not limited to, County trademarks or logos in any manner, including commercial advertising or as a business reference, without the expressed prior written consent of the County.

**ARTICLE # 121 - COMPENSATION:**

- A. The County will pay the Contractor for the Services provided pursuant to this Contract and in accordance with the prices quoted and conditions set forth in the Bidder's response on Exhibit C – Mandatory Cost Proposal Worksheet, which is attached hereto and incorporated into this Contract as if fully set forth herein. Payments will be made monthly in arrears to the Contractor after acceptance of the Contractor's delivered Services by the County, and after receipt of undisputed invoice to the County.
- B. Prices quoted shall be firm and fixed throughout the term of this Contract, unless otherwise Amended or Modified by mutual agreement.
- C. Cost may be prorated for Services added or removed under this Contract to align cost with the remaining term of Contract.
- D. It is understood that this bid or proposal is made without collusion or fraud. Contractor understands and acknowledges that collusive bidding is a violation of state and federal law and may result in the cancellation of the Contract.

**ARTICLE # 122 - COUNTY PAYMENT TO CONTRACTOR:**

- A. The County will issue a Notice to Proceed to the Contractor, and Purchase Order(s) (herein after 'PO'). The terms of this Contract shall be incorporated by

reference into any and all PO(s) issued prior to the expiration or termination of this Contract. The County will issue the PO by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 - NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement Notice-to-Proceed date. Any work, including but not limited to travel, preliminary meetings, planning, etc., performed outside of the terms and conditions of and before the issuance of the PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from within the County. The County will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Services shall remain in effect from the Notice to Proceed to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices or components thereof outside of the Scope of Work and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an amendment (see *ARTICLE #106 - CONTRACT AMENDMENTS & MODIFICATION*), a time extension letter, or as otherwise authorized by the County.

**B. Invoice/Payment.**

1. Contractor shall invoice the County via email each month solely to [accountspayable@hallcounty.org](mailto:accountspayable@hallcounty.org) and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in *ARTICLE #102*.
2. Each invoice shall include the Contractor's current "Remit to" address; a description of the Services provided; the invoice amount; the Contract number; and the associated PO number issued. Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services.
3. The County does not pay for services not yet received but only in arrears.
4. The Contractor shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

**C. Unsatisfactory Performance; Delay of Payment.**

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory, the County's Project Manager

identified in *ARTICLE #103* shall issue a written notice to Contractor. Contractor agrees that upon receipt of the written notice, it shall make every effort to correct the deficiency (ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiencies, the County reserves the right to delay payment pursuant to this *ARTICLE #122* or terminate the Contract (*ARTICLE #108 – TERMINATION PROVISIONS*).

2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.

D. **Set-Off Against Sums Owed by the Contractor.** In the event that the Contractor owes the County any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.

E. **Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.

F. The Contractor must not "Factor or Assign Payments" to another or a financial institution. The County will only pay the party to whom it is contracted with. The County will not in any circumstances pay a third-party.

#### **ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS**

The Contractor must furnish to the County a Performance Bond equal to one-hundred percent (100%) of the Contract's total initial term dollar amount, and additionally a Payment Bond equal to one-hundred percent (100%) of the total initial term dollar amount. After receipt of the bonds, the County will issue a Notice-to-Proceed. Only surety companies licensed to do business in the State of Georgia are acceptable. The Contractor is required to provide new bonds at the issuance of each Renewal Option Term(s) or Extension(s) that follow.

**The County must receive all bonding instruments prior to the commencement of any work.**

#### **ARTICLE #124 – RETAINAGE ( if applicable on this contract)**

the 1990s, the number of people in the world who are undernourished has declined from 1.1 billion to 800 million. The number of people who are malnourished has declined from 1.5 billion to 1 billion. The number of people who are obese has increased from 100 million to 300 million. The number of people who are overweight has increased from 100 million to 300 million. The number of people who are obese and overweight has increased from 100 million to 300 million. The number of people who are obese and overweight has increased from 100 million to 300 million.

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DATE: 11/11/2015

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*Journal of Management Education* 30(6)br/>© The Author(s)  
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<http://jme.sagepub.com>

"Retainage (if required) will be withheld by Hall County in compliance with Georgia law. Hall County may hold up to ten-percent (10%) retainage throughout the entire project and will release said retainage at the point of final completion and final acceptance by the County."

#### **ARTICLE #125 – VENUE AND GOVERNING LAW**

The parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. To the extent that either party may bring a legal suit to enforce the terms of this Contract, including suit in equity, the parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

#### **ARTICLE # 126 - NOTICE OF INTENT TO LITIGATE**

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty days (30) written notice to the County of the claim and the intent to initiate a civil action.

#### **ARTICLE # 127- GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT:**

- A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws, including but not limited to 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011, regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.
- B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit, notarized by an Official Notary Public, and obtaining the same affidavits from any sub-contractor providing services pursuant to this Contract.

#### **ARTICLE # 128 – ORDER OF PRECEDENCE:**

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's Response, the order of precedence shall be as follows:

- A. First, any amendments to the Contract, including all Exhibits thereto.

- B. Second, the Contract itself, including all Exhibits thereto.
- C. Third, Attachments appended to the Contract.

#### **ARTICLE # 129- CONTRACT EXHIBITS AND ATTACHMENTS:**

The Parties mutually acknowledge that any following Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the RFQ/P documents and the bidder's response, are-herein-incorporated into this contract by reference.

#### **EXHIBIT C - Mandatory Cost Proposal**

#### **ARTICLE # 130 - ENTIRE CONTRACT:**

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

#### **ARTICLE # 131- VALIDITY**

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be constructed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. The parties hereby declare that this is the intent of the parties to this agreement is to provide for separate and divisible parts.

#### **ARTICLE #132 – SALES TAX EXEMPTION STATUS**

The County is exempt from Federal Excise Taxes and from Georgia State and Local Sales and Use Taxes on the Services. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

#### **ARTICLE #133 – HOLD HARMLESS AGREEMENT**

The successful respondent hereby agrees to indemnify, hold free and harmless, Hall County Government, County Commissioners, its agents, servants, employees, officers, directors and elected officials, or any other person(s) against any loss or expense. This includes attorney fees, because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this agreement.

#### **ARTICLE # 134 – CONTRACT TERMS AND CONDITIONS**

1. All purchases must comply with The Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the Terms and Conditions herein, and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set forth herein shall supersede and govern over all Contractor's Terms and Conditions or Service Level Agreements.
4. Hall County, Georgia, herein referred to as 'The County', retains the right to 'red-line' sections of the Supplier's Terms and Conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order (PO) and delivery of Goods or Services serves as the Supplier's full and complete acceptance of The County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, Contractor, Contractor, designer, distributor, dealer or manufacturer or otherwise purveyor or source of supply or performance of service shall mean one-and-the-same, herein denoted as 'Supplier' for goods and 'Contractor' for services.
7. Furthermore, the terms; goods, materials, commodities, components, drawings, drafts, renderings, plans, physical or digital, software, SaaS, Engineering, Architectural, capital asset equipment, vehicles, heavy earth-moving or other equipment, purchased or leased, or other such deliverables are herein denoted as 'Goods' and shall mean one-and-the-same.
8. 'Services' shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning or otherwise where services are offered for consideration.
9. The County's payment terms are Net 30 days. The County may consider Prompt Pay Terms if offered at least five percent (5%) of the total cost and not less than fifteen (15) days terms. A supplier simply offering a discount does not constitute the County's acceptance of such, and the County is not be bound to the offer.
10. The Supplier shall transfer and deliver all goods or services described on the attached PO for the consideration set forth herein.
11. The Supplier shall only deliver goods and services as described on the PO and within the Scope of Work and the Supplier's Bid Response.
12. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written Purchase Order or a Change Order of such.
13. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
14. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or Specifications set forth in the Purchase Order, Contract or Agreement, unless mutually agreed in writing by both parties.
15. The County does not accept automatic renewals with the exception of monthly subscription services.
16. The County only pays for services rendered in arrears. The County does not pay for services not yet rendered.
17. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items (such as window coverings and blinds, or carpet, tile etc.), fabrication, decoration, or otherwise custom designed specifically for the County.

18. The County will accept backorders only if goods are out of stock and with prior written notice. Supplier's shall ship all quantities that it has in stock and hold orders for backorders.
19. The County participates in Cooperative Purchasing Agreements, State of Georgia Statewide Contracts, and other state, local, Intergovernmental Agreements, Memorandums-of-Understanding and other such Agreements.
20. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities
21. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to address exist on the PO.
22. Risk of loss of the goods shall pass to The County upon inspection and acceptance only.
23. Receipt of goods or services does not constitute acceptance.
24. Title to the goods shall remain with the Supplier until acceptance by The County.
25. The Supplier warrants that the goods are merchantable and that the Supplier has a legal right to deliver the goods and services and as described herein.
26. The County shall have the right to inspect all goods or services at the time and place of delivery.
27. Vendor agrees not to assign in full or part of the Contract to another party without the County's express written consent. Any attempted assignment or delegation shall void and make ineffectual for all purposes unless made in conformity with this paragraph.
28. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
29. This issuance of the PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.
30. All goods and services supplied pursuant to this PO shall, unless otherwise noted, must conform exactly to all of the descriptions, specifications, Exhibits and attachments contained in the Bid Solicitation upon which a PO is based and all the terms, conditions, and specifications of the Bid Solicitation are incorporated herein by reference and made a part hereof.
31. Any-and-all media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid in full by The County is considered County property and shall be delivered to The County upon request.
32. Invoices submitted to The County will reflect the language of the PO with the PO Number printed on each invoice submitted.
33. In the event that a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
34. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein.
35. The Supplier certifies that it and its subcontractors are not been debarred, suspended, or declared ineligible by any agency of the County, or State of Georgia or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
36. The Supplier certifies that the Supplier is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
37. Goods are Free-On-Board (F.O.B.) destination and freight, shipping and delivery shall be pre-paid and added to the invoice as a separate line item.
38. The County does not pay late fees nor interest charges.



39. The Supplier shall charge the County the exact amount of freight, delivery, handling and insurance charges.
40. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier
41. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

**[Signature Page Follows]**

**IN WITNESS WHEREOF**, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

**COMPANY'S FULL LEGAL NAME**

**HALL COUNTY, GEORGIA**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Richard Higgins, Chairman  
Hall County Board of Commissioners

Print Name: \_\_\_\_\_

Attestment: \_\_\_\_\_  
County Clerk

Sworn to and subscribed before me this

Sworn to and subscribed before me this

\_\_\_\_\_ Day of \_\_\_\_\_, 2023

\_\_\_\_\_ Day of \_\_\_\_\_, 2023

Notary Public: \_\_\_\_\_

Notary Public: \_\_\_\_\_

Notary commission expires: \_\_\_\_\_

Notary commission expires: \_\_\_\_\_

[Locus Sigilli]

[Locus Sigilli]

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Van Stephens, County Attorney,  
William Linkous, Deputy County  
Attorney, Justin Lawhon, Deputy  
County Attorney, or designee



February 7<sup>th</sup>, 2023

Debra Howington  
Hall County Government Center  
2875 Browns Bridge Road  
Gainesville, GA 30504

Re: IFB #042-43 for "Glamping – River Forks Park"

Dear Debra Howington:

Timberline Glamping Company is pleased to submit the enclosed Bid Proposal in response to Hall County Government's Invitation for Bid for Glamping at River Forks Park and Campground.

Timberline has been a leader in the Glamping industry since February 2018 and has consistently provided successful Glamping services to county campgrounds, state parks and private campgrounds across multiple states. Timberline has beyond excellent operational experience, operating within designated areas of existing campgrounds and providing quality guest experiences.

Timberline proposes to provide, operate and maintain furnished Glamping accommodations within the designated areas of River Forks Park and Campground as stated in further detail in the enclosed Bid Proposal.

Please feel free to contact us to discuss further or if you should have any questions or concerns.

Sincerely,

Rebeka A. Self  
Co-Founder/Co-CEO  
Timberline Glamping Company  
745 Atlanta Hwy., Suite 206  
Cumming, Georgia 30040  
(678) 801 6334  
rebeka@tlglamping.com

**Timberline Glamping Company's  
Bid Proposal for Glamping at  
River Forks Park and Campground**

**Responding to Hall County Government's  
IFB #042-43**

**February 7<sup>th</sup>, 2023**

## **Background**

Timberline Glamping Company, LLC (“Timberline”) was founded by husband and wife team, Nathan and Rebeka Self, in February 2018, in Forsyth County, Georgia. The Selfs started the business with the dream of getting more families, friends and loved ones out enjoying nature in new and different ways. Timberline has seen incredible success and growth over the past several years. In addition, it has grown a large, authentic following locally, nationally and on social media.

The Timberline family has also grown over the years, adding team members who are just as passionate about providing unique, one of a kind Glamping getaways for guests. Timberline’s mission is to ensure that guests can experience traditional camping outside, with comfort, luxury and style inside. Timberline successfully operates Glamping locations in many states through their local Franchise operators. They are currently mainly operating in the Southeast and are very familiar with how to operate a Glamping location in the southern climate.

Timberline is proud to be on the founding members board of the American Glamping Association. Members from the Timberline team have been speakers for the last several years at the Global Glamping Summit and US Glamping shows. Timberline is excited about the growing Glamping community and is honored to help lead and speak into the future of the industry.

Timberline is in their sixth year of operation and the Selfs still retain 100% ownership and the company has zero debt. Financially, they have set Timberline up in a place to grow and expand across the board.

Timberline has a proven track record of successful partnerships with county, state and federal parks, offering high quality Glamping experiences as well as pouring resources back into the parks and communities they operate in. The central office in Georgia trains all locations on best practices for successful daily operations, guest experience, Tent Hospitality Team management, and gives them the tools and support needed to operate successfully.

### **General Requirements and Qualifications**

#### **Experience**

##### **Lake Lanier, Georgia (2018)**

Lake Lanier is Timberline's flagship location. Timberline has successfully partnered with Shady Grove Campground and Forsyth County Parks & Rec since 2018. Timberline has a long-term Special Use Agreement with Forsyth County and the Army Corps of Engineers for thirteen designated traditional campsites in Shady Grove Campground, which have been converted into Glampsites. Timberline operates Canvas Bell Tents, Canvas Safari Tents, Geodesic Domes, and Retro RV's at this location.

##### **Clarks Hill Lake, Georgia (2021)**

In the beginning of 2021, Timberline expanded to their second location inside Wildwood Park in Columbia County, near Augusta, Georgia on stunning Clarks Hill Lake. Timberline has a successful partnership with Columbia County Parks & Rec and the Army Corps of Engineers for six traditional campsites which have been converted into Glampsites within Area 3 of Wildwood Park. This location has a mix of accommodations, including Canvas Bell Tents and Canvas Safari Tents.

##### **Hillsborough River, Florida (2022)**

Timberline's first Florida location opened in March of 2022. Located just outside of Tampa, Florida, Timberline operates six sites within Hillsborough River State Park, on the beautiful Hillsborough River. Timberline is a proud Concessionaire with the Florida State Park system. The Tampa location has six accommodations including a mix of Canvas Bell Tents and Canvas Safari Tents.

#### Amicalola Falls, Georgia (2022)

In May of 2022, Timberline opened their fourth location inside Amicalola Falls State Park. Located in Dawsonville, Georgia, this State Park is home of the Appalachian Trail Approach. Amicalola Falls is one of Georgia's oldest and most popular State Parks. Timberline holds a contract with The Coral Group, North Georgia Mountain Authority and Georgia State Parks to offer Glamping services and operate four traditional campsites which Timberline has converted into Glampsites. The Amicalola Falls location has four Canvas Safari Tent accommodations.

#### Unicoi State Park, Georgia (2022)

In June 2022, Timberline's fifth location opened inside Unicoi State Park near Helen, Georgia. Timberline holds a contract with The Coral Group, North Georgia Mountain Authority and Georgia State Parks to offer Glamping services and operate four traditional campsites which Timberline has converted into Glampsites. The Unicoi State Park location has four Canvas Safari Tent accommodations.

#### Kingston Downs (2023)

Timberline's sixth location opened in January 2023 at Kingston Downs in Rome, Georgia. Kingston Downs is a 5,000 acre private property on the Etowah River with a wedding

venue, guided hunting excursions and now also offers six Canvas Safari Tents as well as three Tiny Home Cabins.

#### Lake Blackshear at Georgia Veterans Memorial State Park (2023)

Timberline's seventh location opened in January 2023 inside Georgia Veterans Memorial State Park on beautiful Lake Blackshear near Cordele, Georgia. Timberline holds a contract with The Coral Group, North Georgia Mountain Authority and Georgia State Parks to offer Glamping services and operate six traditional campsites which Timberline has converted into Glampsites. The Lake Blackshear location has six Canvas Safari Tent accommodations.

#### **Bid #024-43 for Glamping at River Forks Park and Campground**

Timberline Glamping desires permission from Hall County Parks & Leisure to dedicate seven long term Glamping sites at River Forks Park & Campground, tent sites 11-16 and RV site 19B. This will be allowed in accordance with the "Responsibilities and Obligations" sections below.

#### Hotel/Motel Tax:

Depending on the county and state that Timberline is operating in, we defer to the local and state governments on direction of charging and paying a hotel/motel tax to the proper authorities.

#### Timberline Glamping Company's Obligations and Responsibilities:

- i. Will be responsible for advertising, booking, cleaning, security and upkeep of all of its Glamping equipment.
- ii. Will instruct guests to check in upon arrival to the campground and obtain appropriate passes and information.
- iii. Will provide Mobile Dump Tank Services and Kayak Rental services to



Glamping and Camping guests within the park.

- iv. Agrees to abide by all State and Federal laws, all County ordinances, and all Park rules and regulations.

Expected Hall County Parks & Leisure Responsibilities:

- i. Will permit Timberline Glamping Personnel into the campground as needed.
- ii. Will block and secure seven sites designated above in the Hall County River Forks Park and Campground as being for Glamping in the reservation system from January 1, 2023 to December 31, 2023.
- iii. Provide a suitable space agreeable to both parties for a Timberline Glamping storage trailer/shed on campground property.

Compensation:

a. Timberline Glamping will pay Hall County Parks and Leisure a \$20 per day campsite use fee for RV site 19B and a \$15 per day campsite use fee for each Tent Site #11 - #16. Hall County Parks & Leisure will adjust the Site Fee during any month in which: (a) the Park is closed, or (b) other Force Majeure Event prevents Timberline Glamping from conducting its operations; in which event the Site Fee for the effected sites will be reduced by a fraction, the numerator of which is the number of days such events prevent Timberline Glamping from conducting its operations in the Park and the denominator of which is the number of days in the month. All per day campsite use fees (Site Fees) will be due and payable to Hall County, Georgia by the 15<sup>th</sup> day of the month after they are incurred.

b. Timberline Glamping will pay Hall County a commission fee equal to 10% of the Gross Total Nightly Rates each month. All commission fees will be due and payable to Hall County, Georgia by the 15<sup>th</sup> day of the month after they are incurred.

Gross Total Nightly Rates do not include:

1. Sales tax collections,
2. Gratuities,
3. Pass through fees, which include:
  - a. Park admission fees collected by Timberline Glamping on behalf of Hall County Parks & Leisure.
4. Funds that were collected but have been refunded to the customer.
5. Cleaning fees charged to the customer that are passed through in their entirety to a third party cleaning service.

Insurance:

Timberline Glamping shall obtain and warrant to Hall County, Georgia that it has at least \$2 million dollars in commercial general liability coverage, automobile liability coverage, and workers' compensation coverage. Timberline Glamping will also provide a certificate of insurancenameing Hall County Government/ Hall County Parks & Leisure as additional insureds on its commercial general liability policy.

Equipment:

Timberline Glamping will provide all necessary equipment for its guests Glamping experience. Additional equipment (clean linens, cleaning supplies, etc.) will be stored on site at Timberline Glamping's storage trailer/shed and accessed when needed.

Property/Site Renovations and Upgrades:

Any property/site renovations and upgrades will require prior approval from Hall County Parks & Leisure before completion. This is to ensure that the integrity and compliance standards that Hall County Government and Hall County Parks & Leisure are held to, are maintained.

Unless otherwise agreed upon by both parties, prior to the initiation of any work, Timberline Glamping will solely be responsible for any costs, materials, and labor associated with any renovations and upgrades it initiates and completes.

Timberline Glamping will incur and pay the costs associated with having the electrical and water service established at RV site 19B, and in establishing the needed electrical service at the tent sites 11-16 and for Timberline Glamping's supply shed. These services will be provided by an approved contractor, and upon completion and once a receipt for services is tendered, the direct cost of establishing these services may be subtracted from Timberline Glamping's monthly payment.

**Additional Amenities/Services:**

Timberline Fees/Rates to the public for add-ons/ additional amenities/services are as follows:

Deluxe Safari Tent \$99-219  
Standard Safari Tent \$99-219  
Deluxe Bell Tent \$99-219  
Tandem Kayak \$75/stay  
Paddle Boat \$95/stay  
Pop-Up Dinner Gazebo \$65/stay  
Gourmet S'mores Kits \$18/stay  
Little Glamper Activity Bags \$8/stay  
Propane Fire Pit \$45/stay  
Cornhole \$15/stay  
Giant Jenga \$10/stay  
Floral Garland \$25/stay  
Charcuterie Boards \$80-\$125

**Supporting Documentation**

Exhibit A – Mandatory Bid Response

Exhibit B – IFB Bid Submittal Terms & Conditions (Read Only)

Exhibit C – Mandatory Cost Proposal Sheet

Exhibit F – S.A.V.E. Affidavits

Exhibit G – Cone of Silence Affidavit

Exhibit H – W-9 Form (attachment)

Exhibit I – Mandatory E-Verify Affidavit

Exhibit J – Contractor Affidavit to Adhere to Municipal Code of Ethics

Exhibit K – Sample Contract (Read Only)

### **References**

1. Florida Department of Environmental Protection  
Division of Recreation and Parks  
Bureau of Operational Services  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399

Jim Singleton  
Compliance Specialist  
Jim.Singleton@FloridaDEP.Gov  
Office: (850) 245-2813

- Concessionaire Agreement – 3 year term, beginning March 2023
- Offering Glamping services within Hillsborough River State Park

2. Columbia County Parks & Recreation Department  
630 Ronald Regan Dr.  
Evans, Georgia 30809

Wes Horton  
Park Operations Manager  
Phone: (706) 863-7523  
Fax: (706) 868-3340  
Email: dhorton@columbiacountyga.gov

- Facility Use Agreement – Long Term Glamping Sites – 1 year agreement, renewable each year. Beginning March 2021.
- Offering Glamping services within Wildwood Park.

3. Forsyth County Parks & Recreation Department  
PO Box 2417  
Cumming, GA 30028

Matt Pate, CPRP  
Natural Resources Division Manager  
MEPate@forsythco.com  
(770) 205-4677


- Special Use Agreement – We operated for four years with a one-year contract which was renewable each year. In 2022 we were granted a five-year term with an option to renew in 2027.
- Offering Glamping Services, Mobile Dump Tank Services, Concessions Cart Services and Kayak and SUP rental services in Shady Grove Campground.

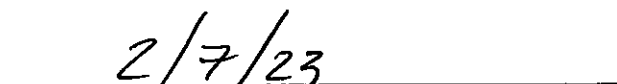
4. North Georgia Mountain Authority  
799 West Avenue, Suite 104  
Cartersville, GA 30120

James Hamilton  
Operations Director  
(404) 630-5443  
James.Hamilton@dnr.ga.gov

- 2 year lease agreement, began in May 2022
- Offering Glamping services in Unicoi State Park and Amicalola State Park

Thank you for the opportunity to respond to this Invitation for Bid. This Bid Proposal was prepared by:

  
Rebeka A. Self  
Co-Founder/Co-CEO  
Timberline Glamping Company, LLC

  
Date

## EXHIBIT A

### MANDATORY BID RESPONSE FORM

Bidders must complete and return this form with their bid.

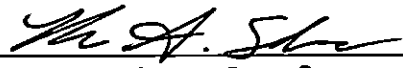
By submitting a proposal, the respondent certifies that they have fully read and understand the proposal's Scope of Work and fully understands the requirements needed to complete the project. The services offered and the cost factor must be valid for at least ninety (90) days from date of signature.

Date of Bid Submittal: 2/1/23 IFB Bid No: # 042-43

Bid Name: Glamping - River Forks Park

Affirmation: Bidder affirms the following by affixing a wet signature in blue ink below:

**"I agree to abide by all terms and conditions of this IFB and certify that I am authorized to sign this bid".**

Bidder Signature:  Date: 2/1/23

Print Name: Rebeka A. Self

Title: Co-CEO

Print Name: Timberline Glamping Company

Phone Number: (678) 801-6334 Email Address: Rebeka@tlglamping.com

Physical Address: 745 Atlanta Hwy, Ste # 206

Physical Address 2: Cumming, GA 30040

Acknowledge receipt of all issued addenda (if any) by listing their numbers and date of issuance below:

Bids not signed may be declared as "Non-Responsive" and will not be evaluated.

If you desire to submit a "No Bid" then please indicate by checking one or both of the reasons listed below and explain.

\_\_\_\_\_ Bidder does not offer this service

\_\_\_\_\_ Unable to meet specifications

## **EXHIBIT B**

### **IFB Bid Submittal Terms and Conditions**

- 1. Modifications:** Bidder will not alter this Invitation for Bid (IFB) except by written and published addenda by the County's Financial Services Department, Purchasing Division. Requests for interpretation must be in writing and received at least (10) ten calendar prior to the time set for opening of the proposals.
- 2. Signing of Proposal:** Failure to sign your proposal in "original form" may be considered "non-responsive" and not considered for award.
- 3. Bid Acceptance Time:** The County requires bids to be valid for ninety (90) days from receipt. Bids requiring acceptance by the County in less than one-hundred twenty (120) days calendar days will be rejected.
- 4. Bid Identification:** All bids submitted as a result of this Request for Qualifications and Cost Proposals must be returned in two separate sealed envelope (physical or digital) labeled with the appropriate bid number and title.
- 5. Withdrawal of Bids:** Bids may be withdrawn by written request if the request is received prior to the time and date set for the opening of bids. Negligence on the part of the bidder in preparing bids confers no right of withdrawal or modification of bid after bid has been opened. No bid may be withdrawn for a period of ninety (90) days after opening.
- 6. Bonds:** If bonds are required, then they must be issued before work may begin. Include a letter of your company's Performance and Payment Bond ability equal to 100% each (total of 200%) of the bid/contract award amount.
- 7. Site Inspections:** The County will assume no responsibility for representations or understandings concerning conditions made by its officers or employees unless included in this request for proposal. Individual site inspections of future projects will be a mandatory requirement to submit cost for Task Orders/Request for Proposals.
- 8. Award of Contract:** Award will be made to responsible bidder(s) whose bid, conforming to the request for proposals, will be most advantageous to the County; price and other factors considered. The County reserves the right to reject any and/or all bids submitted and to waive any technicalities or minor irregularities in bids received. A written award shall be deemed to result in a binding Contract without further action by either party. Contract(s), if awarded, will be on a lump sum basis or individual item basis, whichever is found to be in the best interest of Hall County.
- 9. Non-Discrimination:**
  - 9.1. Non-Discrimination:** The vendor assures to provide services in a manner that does not discriminate on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained service animal.

DATE OF PREPARATION OF REPORT: 12/15/2001

1. The first step in the process of identifying a problem is to determine the scope of the problem. This involves identifying the specific area of concern and the individuals or groups affected by the problem. Once the scope is established, the next step is to gather information about the problem. This can be done through interviews, surveys, or other methods of data collection. The information gathered should be analyzed to identify the underlying causes of the problem and to determine the best course of action to address the problem. Finally, the results of the analysis should be communicated to the relevant stakeholders and used to develop a plan of action to address the problem.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. The Commission has received information from the Government of the Republic of the Philippines that the Government has been providing financial assistance to the Communist Party of the Philippines (CPP) and its armed wing, the New People's Army (NPA), for the purpose of carrying out its activities in the Philippines. The Commission has also received information from the Government of the Republic of the Philippines that the Government has been providing financial assistance to the Communist Party of the Philippines (CPP) and its armed wing, the New People's Army (NPA), for the purpose of carrying out its activities in the Philippines.

1. The first step in the process of identifying a problem is to define the problem clearly. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan to address the problem. This involves identifying the actions that need to be taken to address the problem and determining the resources that will be needed to implement the plan. Finally, the last step in the process is to implement the plan and monitor the results. This involves putting the plan into action and tracking the progress of the plan to ensure that the problem is being addressed effectively.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible]

1. The Board of Directors of the Corporation shall have the authority to declare dividends on the common stock of the Corporation, subject to the approval of the stockholders of the Corporation.

1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. If there is a significant difference, a problem is identified.

10-10-1964



**9.2. Americans with Disabilities Act (ADA):** The vendor agrees to comply with Hall County's ADA notice and procedures. They are available upon request and are accessible on Hall County's website. Anyone who requires accommodation to access Hall County's services or programs because they have a qualified disability may contact Hall County's ADA Coordinator at [mtuck@hallcounty.org](mailto:mtuck@hallcounty.org), 48 hours prior to the scheduled event or as soon as possible.

**10. Exceptions to Specifications:** Any award resulting from this request for proposals shall bind the proposer to all terms, conditions, and specifications set forth in this request for proposals. Proposers whose proposals do not conform should so note on separate page if necessary and/or on the bid schedule. While the County reserves the right to make an award to a nonconforming proposer, when in the best interest of the County, such awards will not be readily made, and proposers are urged to conform to the greatest extent possible. No exceptions will be considered to have been taken by proposer unless it is properly set out as provided above. No exception will be deemed to have been taken by the County unless incorporated in an award resulting from this request for proposals and so stated.

**11. Proposal Results:** Interested parties may request, in writing, a bid tabulation after award of RFQ/P has been approved by Board of Commissioners.

**12. Payment:** Payments will be made upon all items completed each month or completion of all work and acceptance by County on invoices submitted and approved by the appropriate County representative. All invoices must have a Purchase Order (PO) number.

**12.1.** Payment terms and provisions herein or otherwise found within the contract documents supersede all provisions of the Georgia Prompt Pay Act (HB 837; 13 OCGA Chapter 11 et seq.).

**13. Retainage:** List if required

**14. Discounts:** Prompt payment discounts may be accepted if the discount is for payment in at least fifteen (15) days and five percent (5%) or greater. Such discounts, when offered, will be taken provided payment is made within the time specified. Time, in connection with discounts for prompt payments, will be computed from the date of acceptance of work for which payment is claimed, or the date the correct invoice is received by the county, whichever is later.

**15. Inquiries Regarding Payment:** Email Accounts Payable for all inquiries regarding payment of invoices at [accountspayable@hallcounty.org](mailto:accountspayable@hallcounty.org).

**16. Execution of Contract:** Subsequent to the award, the successful proposer will be presented with a contract. Contract is to be executed within ten (10) calendar days of "Notice of Award". The date of presentation shall be deemed to be the postmark date. The successful proposer's proposal and this request for proposals shall be incorporated into the contract, except to the extent that this request for proposals conflicts with the contract, in which case the provisions of the contract shall take precedent.

**17. Certificate of Insurance:** The professional agrees to procure all of the insurance specified below:

**17.1. Workers' Compensation Insurance** for all employees who are engaged in the work under the contract.

**17.2. Public Liability and Motor Vehicle Liability Insurance:** The professional shall take out and maintain during the life of this contract, such public liability and motor vehicle liability insurance as shall protect him while performing work covered by this contract from claims for

damages which may arise from operations by himself or by any other person directly or indirectly employed by him and the amounts of such insurance shall be as follows:

**17.2.1. Public Liability Insurance** in an amount not less than \$1,000,000.00 on account of one occurrence.

**17.2.2. Motor Vehicle Liability Insurance** on all motor vehicles owned, leased or otherwise used by the professional in an amount not less than \$500,000.00 (combined single limit) for bodily injury including death and property damage combined.

**17.3 Professional Liability Insurance:** The professional shall procure and maintain during coverage in the amount not less than \$1,000,000.00.

**17.4.** The insurance company must be licensed to do business in the state of Georgia.

**17.5.** The professional shall furnish to Hall County, a certificate of insurance covering the work as required above as evidence that the insurance required will be maintained in force for the entire duration of the work performed under this agreement.

**17.6.** The cancellation of any policy of insurance required by this agreement shall meet the requirements of notice under the laws of the State of Georgia as presently set forth in OCGA § 33-24-44.

**17.7.** Each policy of insurance required under this agreement shall x1 provide for notice requirements under the laws of the State of Georgia as set forth in OCGA § 33-24-44 and by endorsement shall provide that the County will receive a copy of said notice of cancellation.

**17.8.** A certificate of insurance with a cancellation provision which provides for less notice than that required by OCGA § 33-24-44, or which provides that failure to give the written notice will not impose any responsibility upon the insurer, will be considered as an endorsement of the referred to in the certificate and shall constitute a basis for insurance rejection of the insurance by the county.

**17.9.** In addition to its agreement to obtain and maintain the insurance as set forth herein above, the Contractor agrees to indemnify and hold harmless the County, its officers, agents and employees from any and all claims against the county, its officers, agents, and employees, which arise out of any act or omission of the professional or any consultant employed by the professional or any of their officers, agents or employees, and any and all claims which result from any condition created or maintained by the professional or any consultant employed by the professional or any of their officers, employees or agents, which condition which a result of work performed under the contract

**18. Cancellation of Insurance:** If the insurance is canceled, the contractor shall deliver to the Owner new policies of insurance. Should the Contractor neglect to obtain and maintain in force such insurance and deliver such policy or policies, then it shall be lawful for the Owner to obtain and maintain such insurance.

**19. Inclusion:** All items and/or services standard, expected, necessary, and/or routine to such a project as this and not actually stated in this request for proposals will be the responsibility of the successful proposer to provide at no other cost to the county unless so stated on the successful proposer's proposal as additional cost items and accepted by the county at the time of the award and/or contract.

**20. Regulatory Agencies:** Successful proposer will be responsible for all required permits or license required by regulatory agency of the city, county, state, or federal governments. Further, successful proposer will be responsible for meeting all requirements of any regulation (s) or guideline (s) of any of the said governments or any independent agency recognized by said governments as publisher of any such regulation (s) or guideline (s).

**21. Independent Contractors:** The proposer represents to Hall County that he is fully experienced and properly qualified to perform the functions provided herein and that he/she is properly equipped, organized, and financed to perform such functions. The proposer shall finance his/her own operations hereunder, shall operate as an independent contractor and not as an agent of hall county and nothing contained in this request for proposals or a contract resulting from same shall be construed to constitute the proposer or any of his/her employees, servants, agents, or subcontractors as a partner, employee, servant, or agent of the county nor shall either party have any authority to bind the other in any respect; it being intended that each shall remain an independent contractor.

**22. Assignment of Contractual Rights:** It is agreed that the successful proposer will not assign, transfer, convey, or otherwise dispose of a contract that results from this request for proposals or his/her right, title, or interest in or to the same, or any part thereof, without written consent of the County.

**23. Starting Time:** Work will commence within ten (10) calendar days after being issued a "Notice to Proceed" on the project and commence in a routine, orderly manner until completion and acceptance by the county.

**24. Change Orders:** Any and all change order requests by the successful bidder must be approved through the Hall County Purchasing Policy. Any work performed outside the contract agreement for which compensation over and above the agreement occurs; there must be an accompanying approved change order. If work is done before change order approval, the change may be rejected or denied for compensation.

**25. Indemnity:** Successful proposer agrees, if entering into a contract as a result of this request for proposals, to defend, indemnify, and hold harmless Hall County from any and all courses of action or claims of damages arising out of or related to proposer's performance or actions or those of his/her employees or agents, under said contract.

**26. Termination:** Pursuant to O.C.G.A. 36-60-13, if applicable, any contract resulting from this Request for Qualifications with Cost Proposals, if not sooner terminated pursuant to the provisions of termination contained herein, is terminable by the Hall County, Georgia on December 31 of each calendar year during the term of said contract, except that said contract shall be renewed automatically on such date, and without any lapse, unless positive action is taken to terminate said contract by The County.

**27. Appropriation of Funds:** Initial contract and any continuation contract (s) will terminate immediately and absolutely at any such time as there are no appropriated and otherwise unobligated funds available to satisfy the County's obligations under said contract (s).

**28. Cancellation for Cause:** Should either party fail to comply with the terms and conditions of this contract, the aggrieved party must give, in writing, to the other party any complaint for non-compliance to the terms and conditions of this contract. The other party shall have fifteen (15) calendar days to correct the matter. If corrected to the satisfaction of both parties within the fifteen (15) calendar days and stated in writing, then the contract will continue uninterrupted. Failure to

[illegible][illegible][illegible][illegible]

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion. The number of people aged 65 and over is expected to increase from 200 million to 400 million. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion.

[illegible]

1. The first step in the process is to identify the problem. This involves gathering information about the situation and understanding the needs of the stakeholders involved.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

[illegible]

correct the matter will result in termination of this contract at the end of thirty (30) calendar days following the date of the initial letter of complaint.

**30. Governance:** In the case of conflict or ambiguity between the Terms and Conditions and Exhibit K: Sample Contract Template for Services, the later shall govern.

**EXHIBIT C  
MANDATORY COST  
PROPOSAL WORKSHEET**

IFB#042-43

Company Name: Timberline Glamping Company, LLC  
Bidder's Name: Rebeka A. Self  
Bidder's Signature: *Rebeka A. Self*  
Date: 2/1/23

**Instructions:** Consider all technology equipment and installation as one (1) turnkey project. You must provide back-up information to support your proposal.

Tent Site Use Fee per day: \$ 15.<sup>00</sup>

RV Site Use Fee per day: \$ 20.<sup>00</sup>

Commission %: % 10





# Hall County Government

## FINANCIAL SERVICES

### Exhibit F

### INSTRUCTIONS FOR

### MANDATORY S.A.V.E Program Affidavit

*Systematic Alien Verification for Entitlements (SAVE) Program*  
*Office of U.S. Citizenship and Immigration Service (USCIS).*

---

#### Background

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503  
t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

Pursuant to the "Georgia Security and Immigration Compliance Act," Hall County cannot contract for the physical performance of services unless the contractor registers and participates in the federal work authorization program to verify information of all new employees. Neither may any contractor or sub-contractor enter a contract with the County in connection with the physical performance of services unless the contractor or sub-contractor registers and participates in the federal work authorization program to verify information of all new employees. O.C.G.A. § 13-10-91. **Each contractor is urged to fill out the affidavit below stating they comply with this Georgia Compliance Act before Hall County can legally accept the bids from each contractor/vendor.**

To register for the E-Verify Program visit [www.uscis.gov](http://www.uscis.gov). Your bid will not be accepted without this E-Verify Number.

#### Procedure

Affirmative language will be set forth in contracts for the performance of services regarding the above requirement. The County will require an affidavit from a contractor showing its compliance with the requirements of O.C.G.A. § 13-10-91 at the time a contract for the performance of physical services is executed. The contract shall include language referencing this obligation and providing that failure to supply an affidavit evidencing such compliance (or to continue to meet the statutory obligation during the life of the contract) shall constitute a material breach of the contract. Upon notice of such breach, the contractor shall be entitled to cure the breach within ten (10) days and provide evidence of such cure. Should the breach not be cured, the County should be entitled to all available remedies, including termination of the contract and damages.

Prime Contractors must obtain a signed and notarized S.A.V.E. document for each sub-contractor utilized on this project.

*See affidavit on following page*





# Hall County Government

FINANCIAL SERVICES

## Exhibit F INSTRUCTIONS FOR MANDATORY S.A.V.E Program PRIME CONTRACTOR Affidavit under O.C.G.A. § 13-10-91(b)(1)

Systematic Alien Verification for Entitlements (SAVE) Program  
Office of U.S. Citizenship and Immigration Service (USCIS).

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is contracting with Hall County, Georgia, has registered and is participating in a federal work authorization program\* (an electronic verification of work authorization program operated by the U.S. Department of Homeland Security or any equivalent federal work authorization program operated by the U.S. Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform And Control Act of 1986 (IRCA), in accordance with the deadlines established in the referenced statute.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification (E-Verify) number and date of authorization are as follows:

\*The applicable federal work authorization program as of the effective date of the statute is the E-Verify Program of the Systematic Alien Verification for Entitlements (SAVE) Program Office of U.S. Citizenship and Immigration Service (USCIS). To register for the E-Verify Program visit [www.uscis.gov](http://www.uscis.gov). your bid will not be accepted without this E-Verify Number.

Timberline Glamping Company  
Name of Contractor

2060787  
Contractor's/Vendor's E-Verify #

745 Atlanta Hwy., Ste. 206  
Street Address

Cumming, GA 30040  
City / State

[Signature]  
Signature of Authorized Officer or Agent

1/17/23  
Date of Authorization

Rebeka A. Self, Co-CEO  
Printed Name/Title of Authorized Officer

River Forks Glamping  
Name of Project

Subscribed and sworn before me on this the

1 day of February, 2023

[Signature]  
Notary Public

My Commission Expires: 08/04/2025





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# Hall County Government

FINANCIAL SERVICES

## Exhibit F INSTRUCTIONS FOR MANDATORY S.A.V.E Program SUB-CONTRACTOR Affidavit under O.C.G.A. § 13-10-91(b)(1)

Systematic Alien Verification for Entitlements (SAVE) Program  
Office of U.S. Citizenship and Immigration Service (USCIS).

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

By executing this affidavit, the undersigned sub-contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract for \_\_\_\_\_ on behalf of Hall County, Georgia, has registered and is participating in a federal work authorization program (an electronic verification of work authorization program operated by the U.S. Department of Homeland Security or any equivalent federal work authorization program operated by the U.S. Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform And Control Act of 1986 (IRCA), in accordance with the deadlines established in the referenced statute.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification (E-Verify) number and date of authorization are as follows:

*\*The applicable federal work authorization program as of the effective date of the statute is the E-Verify Program of the Systematic Alien Verification for Entitlements (SAVE) Program Office of U.S. Citizenship and Immigration Service (USCIS). To register for the E-Verify Program visit [www.uscis.gov](http://www.uscis.gov). your bid will not be accepted without this E-Verify Number.*

Timberline Glamping Company  
Name of Contractor

745 Atlanta Hwy., Ste 206  
Street Address

[Signature]  
Signature of Authorized Officer or Agent

Rebeka A. Self, Co-CEO  
Printed Name/Title of Authorized Officer

2060787  
Contractor's/Vendor's E-Verify #

Cumming, GA 30040  
City / State

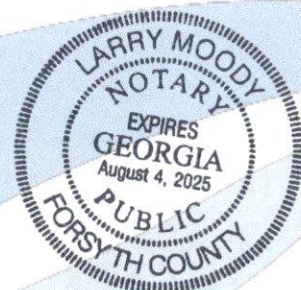
1/17/23  
Date of Authorization

River Forks Glamping  
Name of Project

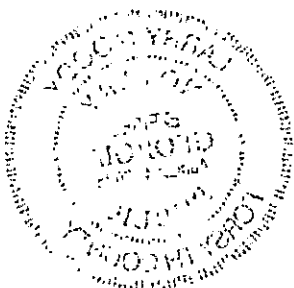
Subscribed and sworn before me on this the  
1 day of February, 2023

[Signature]  
Notary Public

My Commission Expires: 08/04/2025



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# Hall County Government

FINANCIAL SERVICES

## EXHIBIT G Mandatory Cone-of-Silence Affidavit

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

In order to ensure fair consideration for all bidder's responding to the County's Request for Qualifications and Cost Proposals, the County requires that all potential bidders to the Solicitation, that all firms, companies, agents, or other refrain from discussions privately or publicly during the Solicitation process. This includes all staff, employees, subcontractors, as well as paid or unpaid personnel acting on the firm's behalf shall not contact nor participate in any type of contact with County employees, department heads or elected officials, up to and including the County Administrator and Board of Commissioners.

Therefore, the County issues this "Cone of Silence" that shall be in effect from the date the solicitation is publicly advertised, until the time an award decision has been approved by the Board of Commissioners and fully executed by all parties. Contact should only be between the bidding firms and the Issuing Officer/Buyer listed in the Solicitation documents.

Any such contact may be considered as collusion and may result in the bidder being disqualified from participation and consideration for award. All contact must be coordinated through the Issuing Officer, for the procurement of these products and/or services.

Please reference the Solicitation number on all correspondence to the County. Any oral communications shall be considered unofficial and non-binding.

Only written responses to written communication shall be considered official and binding upon the County. The County reserves the right, at its sole discretion, to determine appropriate and adequate responses to the written comments, questions, and requests for clarification.

### Bidder Attestment:

*I understand and shall fully comply with the above requirements.*

Signed: Rebeka A. Self

Typed Name: Rebeka A. Self

Job Title: Co-CEO

Company: Timberline Glamping Company, LLC

Date: 2/1/23

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above <b>Timberline Glamping Company, LLC</b>	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► <b>S</b> <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. <b>745 Atlanta Hwy., Ste. 206</b>	Requester's name and address (optional)
6 City, state, and ZIP code <b>Cumming, GA 30040</b>	
7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	
<div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>
or	
Employer identification number	
<div><div>82</div><div></div><div></div></div>	<div><div>4700476</div><div></div><div></div></div>

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
Here

Signature of  
U.S. person ►

Date ►

**2/1/23**

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What Is backup withholding, later.

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future.

2. The second part of the paper discusses the role of the individual in the history of the United States. It is argued that the actions of individuals have played a major role in the development of the country and that the study of their lives is essential for a full understanding of the history of the United States.

3. The third part of the paper discusses the role of the government in the history of the United States. It is argued that the actions of the government have played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

4. The fourth part of the paper discusses the role of the economy in the history of the United States. It is argued that the development of the economy has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

5. The fifth part of the paper discusses the role of the culture in the history of the United States. It is argued that the development of the culture has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

6. The sixth part of the paper discusses the role of the military in the history of the United States. It is argued that the actions of the military have played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

7. The seventh part of the paper discusses the role of the foreign relations in the history of the United States. It is argued that the actions of the United States in its foreign relations have played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

8. The eighth part of the paper discusses the role of the social movements in the history of the United States. It is argued that the actions of the social movements have played a major role in the development of the country and that the study of their history is essential for a full understanding of the history of the United States.

9. The ninth part of the paper discusses the role of the scientific and technological progress in the history of the United States. It is argued that the development of science and technology has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.

10. The tenth part of the paper discusses the role of the arts in the history of the United States. It is argued that the development of the arts has played a major role in the development of the country and that the study of their history is essential for a full understanding of the history of the United States.

11. The eleventh part of the paper discusses the role of the environment in the history of the United States. It is argued that the development of the environment has played a major role in the development of the country and that the study of its history is essential for a full understanding of the history of the United States.





# Hall County Government

## FINANCIAL SERVICES

### EXHIBIT I MANDATORY E-VERIFY AFFIDAVIT

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A. § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

- The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
- The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
- The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
- The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
- The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
- The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and
- Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

2060787

Federal Work Authorization User Identification Number

Timberline Glamping Company, LLC

Name of Contractor

1/17/23

Date of Authorization

River Forks Park

Name of Project

Hall County, Georgia

Name of Public Employer

**I hereby declare under penalty of perjury that the foregoing is true and correct.**

Executed on 1<sup>st</sup>, Feb., 2023 in Cumming (city), GA (state).

[Signature]

Signature of Authorized Officer or Agent

Rebeka A. Self, Co-CEO

Printed Name and Title of Authorized Officer or Agent

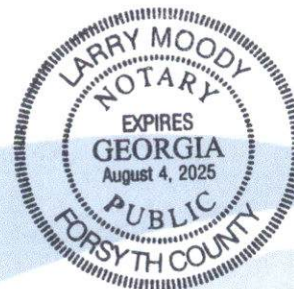
SUBSCRIBED AND SWORN BEFORE ME

ON THIS THE 1 DAY OF February, 2023.

[Signature]  
NOTARY PUBLIC

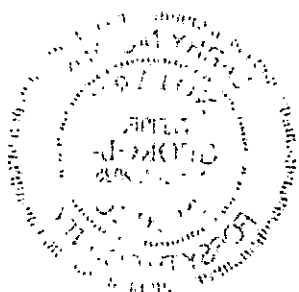
My Commission Expires: 08/04/2025

[Locus Sigilli]



Revised 11/15/2022 AGP

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

[illegible]



## **EXHIBIT J**

### **MANDATORY ETHICS AFFIDAVIT**

For Compliance with  
Official Code 3.10.070 of Hall County

Contractors, consultants, and vendors of any service or commodity to Hall County, Georgia must read and affirm to adhere to the following ethics requirements.

#### **3.10.070. - Ethics.**

- A. It is the policy of Hall County to seek the best overall value when procuring goods and services. Toward this end, the county finds and declares that its objectives will best be achieved through an open, competitive process with a broad range of responsible vendors wishing to furnish products and services to the county. Hall County will establish and conduct a procurement program that maximizes service benefit to the community and awards contracts to vendors who offer the best quality and value.
- B. Hall County declares that county employees and officials, along with those wishing to do business with the county, have the shared responsibility for avoiding biased, anticompetitive, or unethical practices.
- C. Hall County employees, officials, and their family members are prohibited from seeking, requesting, or receiving any material payment, gift, job offer, security, promise of future benefit, or any other tangible or intangible thing of value when such receipt has the potential to influence a procurement decision or to gain undue advantage in a procurement competition.
- D. Prospective vendors must compete for county business within the parameters of the solicitation process and are prohibited from seeking to obtain inside information, attempting to skew the writing of specifications, or influencing a procurement decision through any means outside the process established for the particular solicitation. This principle applies to any contractor, subcontractor, representative, employee, or agent that may be associated with a procurement transaction.
- E. Bidders and proposers shall disclose on competitive bid responses any individual(s), firm(s), and/or county official(s) who do business with the county if there is an appearance of a conflict of interest.
- F. Ethical business practices are important, both, during a solicitation, and after the decision to grant an award. The county seeks to establish relationships with business partners whose ongoing ethical standards of business conduct are congruent with those outlined here. The purchasing manager, subject to the approval of the director of financial services, is charged with establishing methods for ongoing monitoring for non-compliance with these principles. The prohibition against the offering of or the acceptance of kickbacks, gratuities, payments or any other instrument of value extends beyond and outside any specific procurement or solicitation.
- G. A vendor's contract compliance history with Hall County and other contractual parties is a valid element in the decision to award a solicitation.
- H. Hall County stipulates that the furtherance of its strategic goals for job creation, stability and growth in the tax base, business retention, and other fiscal and economic development objectives may be considered during the procurement process. The purchasing manager, subject to the approval of the director of financial services, is authorized to establish procurement initiatives consistent with the

county's strategic economic development objectives. These procurement practices shall be applied consistently and equitably and shall have a direct relationship to the county's goals.

I. Hall County employees, officials, and their family members are generally prohibited from participation in any procurement decision or any gain of undue advantage in a procurement competition as a result of contemporaneous employment with a potential or actual business partner.

J. It is unethical for any county employee to purchase commodities or services from a county contract for personal use.

K. With the exception of solicitations for the sale of real property, individuals, firms and businesses seeking an award of a Hall County contract may not initiate or continue any verbal or written communications regarding a solicitation with any county officer, elected official, employee or other county representative other than the purchasing associate named in the solicitation, or the county's financial advisor, between the date of the issuance of the solicitation and the date of the final contract award by the board of commissioners. The purchasing manager will review violations. If determined that such communication has compromised the competitive process, the offer submitted by the individual, firm or business may be disqualified from consideration for award. Solicitations for the sale of real property may allow for verbal or written communications with the appropriate Hall County representative.

L. All county commissioners, officials, and employees shall adhere to the standards outlined in the Hall County Code of Ethics.

M. **(AMENDED)** The purchasing division of the financial services department shall determine and implement methods of educating all prospective contractors, bidders, proposers, and vendors on the requirements and provisions of Code Section 3.10.070, including, but not limited to, requiring each prospective contractor, bidder, proposer, and vendor that expresses an intent to do business with the County to sign an affidavit attesting that they have read this Chapter and have more specifically also read Code Section 3.10.070." (Res. of 11-14-19(1), § 1(Exh. A))

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on 1<sup>st</sup>, Feb., 2023 in Cumming (city),  
Georgia (state) 30040 (Zip Code)

[Signature]  
Signature of Authorized Officer or Agent

Rebeka Self, CO-CEO  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

On This the 1 Day of February, 2023.

[Signature]  
NOTARY PUBLIC

My Commission Expires: 08/04/2025



12. The first part of the problem is to show that the function  $f(x)$  is continuous at  $x = a$ . To do this, we need to show that  $\lim_{x \rightarrow a} f(x) = f(a)$ .

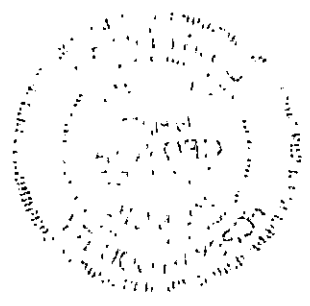
13. The second part of the problem is to show that the function  $f(x)$  is differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f(a+h) - f(a)}{h}$  exists.

14. The third part of the problem is to show that the function  $f(x)$  is twice differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f(a+h) - 2f(a) + f(a-h)}{h^2}$  exists.

15. The fourth part of the problem is to show that the function  $f(x)$  is three times differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f(a+h) - 3f(a) + 3f(a-h) - f(a-2h)}{h^3}$  exists. This is a more complex limit, but it can be evaluated using L'Hôpital's rule or by expanding the function in a Taylor series around  $x = a$ .

16. The fifth part of the problem is to show that the function  $f(x)$  is four times differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f(a+h) - 4f(a) + 6f(a-h) - 4f(a-2h) + f(a-3h)}{h^4}$  exists.

17. The sixth part of the problem is to show that the function  $f(x)$  is five times differentiable at  $x = a$ . To do this, we need to show that  $\lim_{h \rightarrow 0} \frac{f(a+h) - 5f(a) + 10f(a-h) - 10f(a-2h) + 5f(a-3h) - f(a-4h)}{h^5}$  exists. This is the most complex limit, but it can be evaluated using L'Hôpital's rule or by expanding the function in a Taylor series around  $x = a$ .





Hall County Government  
FINANCIAL SERVICES

**EXHIBIT K**  
**CONTRACT #042-43**

For the provision of

**Glamping – River Forks Campground**

located at 2875 Browns Bridge Road, 2<sup>nd</sup>. Floor  
, Gainesville, Georgia

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

**ARTICLE #101 - INTRODUCTION**

This Contract is for Glamping – River Forks Campground, (hereinafter “Services”) as entered into on \_\_\_\_\_ and with an Effective Date of \_\_\_\_\_, is by and between; **Hall County, Georgia** (hereinafter “County”) located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and \_\_\_\_\_ (hereinafter “Contractor”). Contractor is an entity that is legally registered and qualified, and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a “Party” and collectively as the “Parties”.

**Whereas**, the parties do mutually desire to enter into this Contract to document the purchase of equipment and installation of equipment or other valuable consideration by the Contractor to the County in exchange for payment as compensation.

“This Contract is the result of the competitively bid IFB# 042-43, the Contractor’s response to the competitive bid, the Scope of Work, Exhibits, Attachments, and references are all incorporated herein by reference. Therefore, in consideration of the terms-and-conditions and mutual promises contained herein, the receipt and sufficiency of which are hereby acknowledged by both parties, the parties hereto agree as follows:

**ARTICLE #102 – CONTRACT**

- A. Contractor agrees to provide the Services to the County as detailed herein and in **Scope of Work**, and for the location and services as described in the IFB #042-43 and the bidder’s response.
- B. County hereby agrees to the compensation as provided in the attached bidder’s response entitled **Exhibit C – Mandatory Cost Proposal Worksheet**, which are herein incorporated thereof by

Revised 12/19/2022

reference, for the cost of \_\_\_\_\_, billed only when the work is completed and in one (1) invoice.

**ARTICLE #103 - NOTICES:**

To the extent that either party to this required to provide notice(s) to the other party in compliance herewith, then the party shall Contract is direct notice(s) to the following persons:

**COUNTY PROJECT MANAGER**

Enter Name  
Enter Title  
Hall County Landfill  
Enter Street Address  
Gainesville, GA 30507  
Enter Email address  
Enter Phone

**COUNTY ISSUING OFFICER**

Enter Name  
Enter Title  
Hall County Finance Department  
2875 Browns Bridge Rd  
Gainesville, GA 30504  
Enter Email address  
Enter Phone

**CONTRACTOR'S CONTACT INFO**

Enter Name  
Enter Title  
Enter Legal Company Name  
Enter Street Address  
Enter City, State, Zip  
Enter Email Address  
Enter Phone

**REMIT-TO ADDRESS**

Company's FEIN # \_\_\_\_\_  
PO BOX/DRAWER \_\_\_\_\_  
Enter Legal Company Name  
Enter Street Address  
Enter City, State, Zip  
Enter Email Address  
Enter Phone

**ARTICLE #104 – NON-EXCLUSIVE RIGHTS:**

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract, during the term of the Contract should the need arise or the contractor fail to perform.

**ARTICLE #105 – CONTRACT TERM:**

- A. **Initial Contract Term.** This Contract is effective on the date of signature shown in *ARTICLE #101* by all parties unless a future date is so noted on this contract. The term will last until job is complete from the date of execution, unless terminated by the parties pursuant to *ARTICLE #107 – REMEDIES AND CONTRACT PERFORMANCE*, thereof.
- B. **Contract Renewal. N/A** The County shall have the option, in its sole discretion, to renew the Contract for up to **Four (4), One (1) Year Renewal Options**. The price, terms, and conditions in effect at the time of each renewal(s) shall remain the same unless the Contract is amended by mutual



agreement. Renewal(s) will depend upon the best interests of the County, available funding, and Contractor's performance. The County may execute its renewal options through the issuance of a Contract Renewal Document, with the evidence thereof in writing and signature by both Parties. The County does not accept nor acknowledge automatic renewals and shall have no obligations, payment or otherwise, associated therewith.

- C. **Contract Extension.** N/A The County and the Contractor may enter into a Contract Extension term past the renewal period to continue the services if this Contract terminates, or is likely to terminate, prior to the making of a new award for the identified Services. The County may with the written consent of Contractor, extend this Contract for such period as may be necessary to afford the County a continuous supply of the identified Services for up to one (1) calendar year or portions thereof.

**ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:**

This Contract can only be modified, amended, or added to in writing and fully executed by both parties hereto. This Contract document constitutes the sole and entire Contract and understanding between the parties as to the subject matter hereof, and no verbal promises have been made by either party in relation hereto.

**ARTICLE # 107 – REMEDIES AND CONTRACT PERFORMANCE:**

In the event that either party to this Contract breaches this Contract, including by failure to meet the timetables set forth herein, the non-breaching party shall provide written notice to the breaching party which describes the breach of this Contract. The party whose breach is alleged shall have thirty (30) days from the date of receipt of the written notice to cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the parties hereto have not resolved the issue described in the notice letter by thirty (30) days after receipt of the notice letter, the party authoring the letter shall be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or seeking relief as to any bonds issued hereon. Additional provisions are;

- A. **Delay or Impossibility of Performance.** Any failure or delay must be beyond the control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a Force Majeure Event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the

1970 年 10 月 1 日，中国科学院、中央人民政府驻新疆维吾尔自治区  
 特派员、新疆维吾尔自治区成立二十周年纪念大会，在乌鲁木齐市  
 人民会堂举行。会上，中国科学院、中央人民政府驻新疆维吾尔自治区  
 特派员、新疆维吾尔自治区成立二十周年纪念大会，在乌鲁木齐市

中国科学院、中央人民政府驻新疆维吾尔自治区特派员、新疆维吾尔自治区  
 成立二十周年纪念大会，在乌鲁木齐市人民会堂举行。会上，中国科学院、  
 中央人民政府驻新疆维吾尔自治区特派员、新疆维吾尔自治区成立二十周  
 年纪念大会，在乌鲁木齐市人民会堂举行。会上，中国科学院、中央人民  
 政府驻新疆维吾尔自治区特派员、新疆维吾尔自治区成立二十周年纪念

中国科学院、中央人民政府驻新疆维吾尔自治区特派员、新疆维吾尔自治区

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 年纪念大会，在乌鲁木齐市人民会堂举行。会上，中国科学院、中央人民

中国科学院、中央人民政府驻新疆维吾尔自治区特派员、新疆维吾尔自治区

中国科学院、中央人民政府驻新疆维吾尔自治区特派员、新疆维吾尔自治区  
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 年纪念大会，在乌鲁木齐市人民会堂举行。会上，中国科学院、中央人民

中国科学院、中央人民政府驻新疆维吾尔自治区特派员、新疆维吾尔自治区  
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Contractor shall not be excused from compliance with the terms and obligations of the Contract. Epidemics and pandemics are not considered Force Majeure events by the County.

Neither party shall be held liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, war, acts of war, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of Force Majeure.

**Definition:** The term 'force majeure' as defined in Black's Law Dictionary, is 'an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the parties could not have anticipated or controlled.'

- B. Obligations beyond Contract Term.** The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract.
- C. Transition Cooperation with the County and Cooperation with other Contractors.** Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, in the event that the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with such other Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor.

#### **ARTICLE # 108 - TERMINATION:**

Either party may terminate this Contract by providing thirty (30) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination pursuant to section 4 above, Contractor shall provide the County with all deliverables up to the date of termination (30 days after the notice is provided), and the County shall pay the Contractor for all work properly performed in compliance with the terms of the Contract up to the date of termination.



- A. **Termination for Convenience.** Following thirty (30) days written notice, either party may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.
- B. **Termination for Cause.** The occurrence of any one or more of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:
1. The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Contractor.
  2. The County determines that satisfactory performance of the Contract is substantially endangered or that a default is likely to occur.
  3. The Contractor fails to make substantial and timely progress toward performance of the Contract.
  4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
  5. The Contractor has failed to comply with applicable federal, state and local laws, rules, County ordinances, regulations and orders when performing within the scope of the Contract.
  6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with ARTICLE #108.C. below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.
- C. **Notice of Default.** If either party causes one or more of the default events set out in ARTICLE #108, then either party shall issue a written Notice-of-Default to the party that causes one or more of the default events, requesting that the breach or noncompliance be remedied within the period of time specified in the party's Notice-of-Default to the Contractor. If the breach or noncompliance is not remedied within the period of time specified in the written notice, the non-breaching party may:

[illegible][illegible][illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible]

$\mu = \frac{1}{2}(\mu_1 + \mu_2) = \frac{1}{2}(0.78 + 0.69) = 0.735$

$\sigma^2 = \frac{1}{2}\left[\frac{(n_1 - 1)s_1^2}{n_1} + \frac{(n_2 - 1)s_2^2}{n_2}\right] = \frac{1}{2}\left[\frac{(10 - 1)(0.0001)}{10} + \frac{(10 - 1)(0.0001)}{10}\right]$

$= \frac{1}{2}[0.00009 + 0.00009] = 0.00009$

$\sigma = \sqrt{0.00009} = 0.0003$

$t_{\alpha/2, n-2} = t_{0.05, 20} = 1.729$

$\text{CI} = (\bar{x}_1 - \bar{x}_2) \pm t_{\alpha/2, n-2} \cdot \sigma \sqrt{\frac{1}{n_1} + \frac{1}{n_2}}$

$= (0.78 - 0.69) \pm 1.729 \cdot 0.0003 \sqrt{\frac{1}{10} + \frac{1}{10}}$

$= 0.09 \pm 1.729 \cdot 0.0003 \sqrt{0.2}$

$= 0.09 \pm 1.729 \cdot 0.0003 \cdot 0.4472$

$= 0.09 \pm 0.00023$

$\therefore \text{CI} = (0.0877, 0.0923)$

the 1990s, the number of people in the world who are undernourished has declined from 760 million to 600 million. The number of people who are malnourished has declined from 1.1 billion to 800 million. The number of people who are obese has increased from 100 million to 300 million. The number of people who are overweight has increased from 100 million to 300 million. The number of people who are overweight and obese has increased from 100 million to 300 million. The number of people who are overweight and obese has increased from 100 million to 300 million.

[illegible]

1. Immediately terminate the Contract for default without additional written notice;
2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference between the Contract and the substitute Contract to the defaulting Contractor; and/or,
3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

**C. Termination Due to Non-Availability of Funds.**

This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.

**D. Termination due to Failure of Contractor to Act.**

The County may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

1. In the event that the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.
2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees or sub-Contractors have caused, or reasonably could cause, life, health or safety to be jeopardized.
3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal activity, incorrect or incomplete.
4. Failure of the Contractor to obtain, provide, maintain, and deliver the Performance and Payment Bonds (if required) as and when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 - PERFORMANCE AND PAYMENT BOND REQUIREMENT.

- E. Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by either party, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received

and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.

F. The Contractor's Termination Duties. Upon receipt of notice of termination, the Contractor shall:

1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.
2. Immediately cease using and return to the County, any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.
3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.
4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the notification of termination and the substitution of any replacement Contractor; and
5. Immediately return to the County any payments made by the County for goods and services that were not delivered by the Contractor.

**ARTICLE # 109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY:**

The parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

**ARTICLE #110 - ASSIGNMENT AND DELEGATION BY CONTRACTOR:**

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior express written consent of the County.

**ARTICLE #111 – USE OF THIRD-PARTIES (Sub-Contractors):**

This Contract is for the benefit of the parties hereto only and is not intended to benefit any third-party or give rise to any duty or causes of action for any third party. All restrictions, obligations and responsibilities of the Contractor under the Contract shall also apply to third parties such as sub-Contractors, if allowed in writing by the

County. Any Contract with a subcontractor must also preserve the rights of the County.

#### **ARTICLE #112 – SUPERSEDES FORMER CONTRACTS**

Unless otherwise specified in the Contract, this Contract supersedes all prior Contracts or Agreements between the County and the Contractor for the Services provided in connection with the Contract.

#### **ARTICLE #113 - SEVERABILITY:**

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

#### **ARTICLE # 114 - RECORDS:**

- A. **Public Records Request.** The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County, shall be made open to public inspection, unless otherwise provided by law.
- B. **Record Retention and Access.** The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

#### **ARTICLE # 115 - ADDITIONAL TERMS:**

- A. The County shall not be bound by any terms and conditions included in any Contractor's literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.
- B. The County shall not be bound to any Terms and Conditions of the Contractor that are only accessible by hyper-link. All Terms and Conditions must be in print and approved by the County.

**ARTICLE # 116 - WAIVER:**

The failure of any party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

**ARTICLE # 117 - CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS:**

- A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment (chemical, material, etc., if applicable) considered by the County to be hazardous (or toxic) to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes as quickly as possible. In the event of such replacement, Contractor shall notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.
- B. The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision on this matter shall be final, and Contractor will remove this employee immediately and replace with a person of at least equivalent training, experience and requisite qualifications as quickly as possible, subject to the County's prior approval.
- C. Contractor agrees to obtain prior written approval from the County for the use of sub-Contractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

## **ARTICLE # 118– INSURANCE REQUIREMENT:**

- A. Insurance Requirements.** The Contractor must maintain and warrant to Hall County insurance policies at the Contractor's own expense and must furnish the County with a Certificate of Insurance (COI) providing evidence of proof of coverage at least in the amounts indicated in this subsection. The insurance certificate must list Hall County, Georgia, Hall County Landfill, as the certificate holder and as an additional insured under the commercial general, automobile and umbrella liability policies as follows: "Hall County Government, its Board of Commissioners, its officers, employees and agents, 2875 Browns Bridge Rd, Gainesville, GA 30504".

The policy must protect the Contractor and the County (as a Certificate Holder and Additional Insured) from any claims for bodily injury, property damage, or personal injury covered by the indemnification obligations set forth herein throughout the duration of the Contract.

The Contractor must maintain the following insurance coverage during the term of the Contract, in at least the minimum amounts set forth below, to cover all loss and liability for damages on account of bodily injury, including death therefrom, and injury to or destruction of property caused by or arising from any and all services carried on and any and all work performed by the Contractor pursuant to this Contract:

1. Workers Compensation Insurance (Occurrence) in the amounts of the statutory limits established by the General Assembly of the State of Georgia (A self-insurer must submit a certificate from the Georgia Board of Workers Compensation stating that the Contractor qualifies to pay its own workers compensation claims.). In addition, the Contractor must require all sub-Contractors occupying the premises or performing work under the Contract to obtain an insurance certificate showing proof of Workers Compensation Coverage with the following minimum coverage:
  - a. Bodily injury by accident - per employee \$ 100,000
  - b. Bodily injury by disease - per employee \$ 100,000
  - c. Bodily injury by disease – policy limit \$ 500,000
2. Commercial General Liability Policy with at least the following minimum coverage:
  - a. Each Occurrence Limit \$1,000,000
  - b. Personal & Advertising Injury Limit \$1,000,000
  - c. General Aggregate Limit \$3,000,000
  - d. Products/Completed Ops. Aggregate Limit \$2,000,000

Automobile Liability with at least the minimum coverage: \$1,000,000  
Combined Single Limit to cover Any Vehicle, leased or rented by the Contractor

3. Umbrella Liability, Excess Liability per Occurrence \$2,000,000  
Aggregate \$2,000,000

It shall be the responsibility of the Contractor to require all of its sub-Contractors to maintain Commercial General Liability insurance with business automobile liability coverage with companies and limits as stated above, and to provide a certificate evidencing that such insurance is in effect upon request. Endorsement must be provided with the insurance certificate.

- B. **Insurance Certificates and General Requirements.** No Contract performance shall occur unless and until the County receives required insurance certificates.

The insurance certificate must reference the Contract number assigned by the County and document that the liability coverage purchased by the Contractor includes contractual liability coverage to insure the indemnity agreement as stated herein.

- C. The Contractor understands and agrees that the foregoing policies will not be canceled, or not renewed or allowed to lapse for any reason until at least thirty (30) days prior written notice has been given to the County, or until such time as other valid and effective insurance coverage acceptable in every respect to the County and providing protection equal to protection called for in the policies referenced in this section shall have been received, accepted, and acknowledged by the County. Certificates of insurance showing such coverage to be in force shall be filed with the County prior to commencement of any work under the Contract. The foregoing policies shall be obtained from insurance companies licensed to do business in Georgia and, unless waived or modified in writing by the County, shall be an insurer with a minimum A.M. Best Rating of "A-". All such coverage shall remain in full force and effect during the term and any renewal or extension thereof. The insurance certificate must be submitted with this Contract.
- D. **Waiver of Subrogation.** There is no waiver of subrogation rights by either Party with respect to insurance.

**ARTICLE # 119 – NO WAIVER:**

- A. **Authority to Enter into Contract.** The Contractor represents and warrants that it has full authority to enter into and perform its obligations under the Contract and that the Contract constitutes a legal, valid, and binding obligation upon the Contractor in accordance with its terms. The representatives of the parties hereto also represent and warrant that they are authorized to sign this Contract on behalf of each party hereto."



$\mathcal{H}^1(\mathbb{R}^n) \subset \mathcal{H}^2(\mathbb{R}^n)$  and  $\mathcal{H}^2(\mathbb{R}^n) \subset \mathcal{H}^1(\mathbb{R}^n)$  if and only if  $n=1$ .

$\mathcal{H}^1(\mathbb{R}^n) \subset \mathcal{H}^2(\mathbb{R}^n)$  if and only if  $n=1$ .

Let  $f \in \mathcal{H}^1(\mathbb{R}^n)$  and  $g \in \mathcal{H}^2(\mathbb{R}^n)$ . Then  $fg \in \mathcal{H}^1(\mathbb{R}^n)$  if and only if  $n=1$ .

Let  $f \in \mathcal{H}^1(\mathbb{R}^n)$  and  $g \in \mathcal{H}^2(\mathbb{R}^n)$ . Then  $fg \in \mathcal{H}^2(\mathbb{R}^n)$  if and only if  $n=1$ .

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$$\mathcal{H}^1(\mathbb{R}^n) \subset \mathcal{H}^2(\mathbb{R}^n) \iff n=1$$

Let  $f \in \mathcal{H}^1(\mathbb{R}^n)$  and  $g \in \mathcal{H}^2(\mathbb{R}^n)$ . Then  $fg \in \mathcal{H}^1(\mathbb{R}^n)$  if and only if  $n=1$ .

- B. **Solicitation.** The Contractor warrants that no person or selling agency (except bona fide employees or selling agents maintained for the purpose of securing business) has been employed or retained to solicit and secure the Contract upon an agreement or understanding for commission, percentage, brokerage or contingency.
- C. **Vehicles and Equipment.** With the exception of specified County Owned Equipment and Vehicles listed in Exhibit X, Contractor warrants that CDL drives will not use any other County owned vehicles or equipment in the performance of this Contract without express written consent. Contractor shall be responsible for providing all transportation necessary to deliver Services under the Contract.

**ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS & OWNERSHIP:**

Contractor agrees it will not use the name or any intellectual property, including but not limited to, County trademarks or logos in any manner, including commercial advertising or as a business reference, without the expressed prior written consent of the County.

**ARTICLE # 121 - COMPENSATION:**

- A. The County will pay the Contractor for the Services provided pursuant to this Contract and in accordance with the prices quoted and conditions set forth in the Bidder's response on Exhibit C – Mandatory Cost Proposal Worksheet, which is attached hereto and incorporated into this Contract as if fully set forth herein. Payments will be made monthly in arrears to the Contractor after acceptance of the Contractor's delivered Services by the County, and after receipt of undisputed invoice to the County.
- B. Prices quoted shall be firm and fixed throughout the term of this Contract, unless otherwise Amended or Modified by mutual agreement.
- C. Cost may be prorated for Services added or removed under this Contract to align cost with the remaining term of Contract.
- D. It is understood that this bid or proposal is made without collusion or fraud. Contractor understands and acknowledges that collusive bidding is a violation of state and federal law and may result in the cancellation of the Contract.

**ARTICLE # 122 - COUNTY PAYMENT TO CONTRACTOR:**

- A. The County will issue a Notice to Proceed to the Contractor, and Purchase Order(s) (herein after 'PO'). The terms of this Contract shall be incorporated by

reference into any and all PO(s) issued prior to the expiration or termination of this Contract. The County will issue the PO by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 - NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement Notice-to-Proceed date. Any work, including but not limited to travel, preliminary meetings, planning, etc., performed outside of the terms and conditions of and before the issuance of the PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from within the County. The County will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Services shall remain in effect from the Notice to Proceed to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices or components thereof outside of the Scope of Work and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an amendment (see *ARTICLE #106 - CONTRACT AMENDMENTS & MODIFICATION*), a time extension letter, or as otherwise authorized by the County.

**B. Invoice/Payment.**

1. Contractor shall invoice the County via email each month solely to [accountspayable@hallcounty.org](mailto:accountspayable@hallcounty.org) and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in *ARTICLE #102*.
2. Each invoice shall include the Contractor's current "Remit to" address; a description of the Services provided; the invoice amount; the Contract number; and the associated PO number issued. Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services.
3. The County does not pay for services not yet received but only in arrears.
4. The Contractor shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

**C. Unsatisfactory Performance; Delay of Payment.**

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory, the County's Project Manager

identified in *ARTICLE #103* shall issue a written notice to Contractor. Contractor agrees that upon receipt of the written notice, it shall make every effort to correct the deficiency (ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiencies, the County reserves the right to delay payment pursuant to this *ARTICLE #122* or terminate the Contract (*ARTICLE #108 – TERMINATION PROVISIONS*).

2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.

D. **Set-Off Against Sums Owed by the Contractor.** In the event that the Contractor owes the County any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.

E. **Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.

F. The Contractor must not "Factor or Assign Payments" to another or a financial institution. The County will only pay the party to whom it is contracted with. The County will not in any circumstances pay a third-party.

#### **ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS**

The Contractor must furnish to the County a Performance Bond equal to one-hundred percent (100%) of the Contract's total initial term dollar amount, and additionally a Payment Bond equal to one-hundred percent (100%) of the total initial term dollar amount. After receipt of the bonds, the County will issue a Notice-to-Proceed. Only surety companies licensed to do business in the State of Georgia are acceptable. The Contractor is required to provide new bonds at the issuance of each Renewal Option Term(s) or Extension(s) that follow.

**The County must receive all bonding instruments prior to the commencement of any work.**

#### **ARTICLE #124 – RETAINAGE ( if applicable on this contract)**

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"Retainage (if required) will be withheld by Hall County in compliance with Georgia law. Hall County may hold up to ten-percent (10%) retainage throughout the entire project and will release said retainage at the point of final completion and final acceptance by the County."

#### **ARTICLE #125 – VENUE AND GOVERNING LAW**

The parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. To the extent that either party may bring a legal suit to enforce the terms of this Contract, including suit in equity, the parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

#### **ARTICLE # 126 - NOTICE OF INTENT TO LITIGATE**

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty days (30) written notice to the County of the claim and the intent to initiate a civil action.

#### **ARTICLE # 127- GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT:**

- A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws, including but not limited to 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011, regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.
- B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit, notarized by an Official Notary Public, and obtaining the same affidavits from any sub-contractor providing services pursuant to this Contract.

#### **ARTICLE # 128 – ORDER OF PRECEDENCE:**

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's Response, the order of precedence shall be as follows:

- A. First, any amendments to the Contract, including all Exhibits thereto.

- B. Second, the Contract itself, including all Exhibits thereto.
- C. Third, Attachments appended to the Contract.

**ARTICLE # 129– CONTRACT EXHIBITS AND ATTACHMENTS:**

The Parties mutually acknowledge that any following Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the RFQ/P documents and the bidder's response, are-herein-incorporated into this contract by reference.

**EXHIBIT C - Mandatory Cost Proposal**

**ARTICLE # 130 - ENTIRE CONTRACT:**

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

**ARTICLE # 131– VALIDITY**

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be constructed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. The parties hereby declare that this is the intent of the parties to this agreement is to provide for separate and divisible parts.

**ARTICLE #132 – SALES TAX EXEMPTION STATUS**

The County is exempt from Federal Excise Taxes and from Georgia State and Local Sales and Use Taxes on the Services. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

**ARTICLE #133 – HOLD HARMLESS AGREEMENT**

The successful respondent hereby agrees to indemnify, hold free and harmless, Hall County Government, County Commissioners, its agents, servants, employees, officers, directors and elected officials, or any other person(s) against any loss or expense. This includes attorney fees, because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this agreement.

#### **ARTICLE # 134 – CONTRACT TERMS AND CONDITIONS**

1. All purchases must comply with The Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the Terms and Conditions herein, and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set forth herein shall supersede and govern over all Contractor's Terms and Conditions or Service Level Agreements.
4. Hall County, Georgia, herein referred to as 'The County', retains the right to 'red-line' sections of the Supplier's Terms and Conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order (PO) and delivery of Goods or Services serves as the Supplier's full and complete acceptance of The County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, Contractor, Contractor, designer, distributor, dealer or manufacturer or otherwise purveyor or source of supply or performance of service shall mean one-and-the-same, herein denoted as 'Supplier' for goods and 'Contractor' for services.
7. Furthermore, the terms; goods, materials, commodities, components, drawings, drafts, renderings, plans, physical or digital, software, SaaS, Engineering, Architectural, capital asset equipment, vehicles, heavy earth-moving or other equipment, purchased or leased, or other such deliverables are herein denoted as 'Goods' and shall mean one-and-the-same.
8. 'Services' shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning or otherwise where services are offered for consideration.
9. The County's payment terms are Net 30 days. The County may consider Prompt Pay Terms if offered at least five percent (5%) of the total cost and not less than fifteen (15) days terms. A supplier simply offering a discount does not constitute the County's acceptance of such, and the County is not be bound to the offer.
10. The Supplier shall transfer and deliver all goods or services described on the attached PO for the consideration set forth herein.
11. The Supplier shall only deliver goods and services as described on the PO and within the Scope of Work and the Supplier's Bid Response.
12. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written Purchase Order or a Change Order of such.
13. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
14. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or Specifications set forth in the Purchase Order, Contract or Agreement, unless mutually agreed in writing by both parties.
15. The County does not accept automatic renewals with the exception of monthly subscription services.
16. The County only pays for services rendered in arrears. The County does not pay for services not yet rendered.
17. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items (such as window coverings and blinds, or carpet, tile etc.), fabrication, decoration, or otherwise custom designed specifically for the County.



18. The County will accept backorders only if goods are out of stock and with prior written notice. Supplier's shall ship all quantities that it has in stock and hold orders for backorders.
19. The County participates in Cooperative Purchasing Agreements, State of Georgia Statewide Contracts, and other state, local, Intergovernmental Agreements, Memorandums-of-Understanding and other such Agreements.
20. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities
21. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to address exist on the PO.
22. Risk of loss of the goods shall pass to The County upon inspection and acceptance only.
23. Receipt of goods or services does not constitute acceptance.
24. Title to the goods shall remain with the Supplier until acceptance by The County.
25. The Supplier warrants that the goods are merchantable and that the Supplier has a legal right to deliver the goods and services and as described herein.
26. The County shall have the right to inspect all goods or services at the time and place of delivery.
27. Vendor agrees not to assign in full or part of the Contract to another party without the County's express written consent. Any attempted assignment or delegation shall void and make ineffectual for all purposes unless made in conformity with this paragraph.
28. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
29. This issuance of the PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.
30. All goods and services supplied pursuant to this PO shall, unless otherwise noted, must conform exactly to all of the descriptions, specifications, Exhibits and attachments contained in the Bid Solicitation upon which a PO is based and all the terms, conditions, and specifications of the Bid Solicitation are incorporated herein by reference and made a part hereof.
31. Any-and-all media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid in full by The County is considered County property and shall be delivered to The County upon request.
32. Invoices submitted to The County will reflect the language of the PO with the PO Number printed on each invoice submitted.
33. In the event that a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
34. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein.
35. The Supplier certifies that it and its subcontractors are not been debarred, suspended, or declared ineligible by any agency of the County, or State of Georgia or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
36. The Supplier certifies that the Supplier is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
37. Goods are Free-On-Board (F.O.B.) destination and freight, shipping and delivery shall be pre-paid and added to the invoice as a separate line item.
38. The County does not pay late fees nor interest charges.

39. The Supplier shall charge the County the exact amount of freight, delivery, handling and insurance charges.
40. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier
41. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

**[Signature Page Follows]**

**IN WITNESS WHEREOF**, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

**COMPANY'S FULL LEGAL NAME**

**HALL COUNTY, GEORGIA**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Richard Higgins, Chairman  
Hall County Board of Commissioners

Print Name: \_\_\_\_\_

Attestment: \_\_\_\_\_  
County Clerk

Sworn to and subscribed before me this

Sworn to and subscribed before me this

\_\_\_\_\_ Day of \_\_\_\_\_, 2023

\_\_\_\_\_ Day of \_\_\_\_\_, 2023

Notary Public: \_\_\_\_\_

Notary Public: \_\_\_\_\_

Notary commission expires: \_\_\_\_\_

Notary commission expires: \_\_\_\_\_

[Locus Sigilli]

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**APPROVED AS TO FORM:**

\_\_\_\_\_  
Van Stephens, County Attorney,  
William Linkous, Deputy County  
Attorney, Justin Lawhon, Deputy  
County Attorney, or designee



# Hall County Board of Commissioners

## Purchasing Department

Mandatory Pre-Bid Conference, Tuesday, February 7, 2023 @ 11 a.m.

IFB #042-43 Glamping - River Forks Campground

**NOTE: If you are representing a business consortium or alternate business group, you must also provide that business interest's name; Ex: 'ABC Corp. for XYZ Group'**

**Only those vendors listed below will be eligible for bid submission acceptance. All others will be rejected.**

PLEASE PRINT				
Company Name	Contact Name	Address	Email Address	Phone
Timberline Glamping Co	Rebeka A. Self	745 Atlanta Hwy. Ste. 206 Cumming, GA 30040	Rebeka@tlglamping.com	678-801-6334

**EXHIBIT C  
MANDATORY COST  
PROPOSAL WORKSHEET**

IFB#042-43

**Company Name:**  
**Bidder's Name:**  
**Bidder's Signature:**  
**Date:**

Timberline Glamping Company, LLC  
Rebeka A. Self  
*Rebeka A. Self*  
2/1/23

**Instructions:** Consider all technology equipment and installation as one (1) turnkey project. You must provide back-up information to support your proposal.

Tent Site Use Fee per day: \$ 15.<sup>00</sup>

RV Site Use Fee per day: \$ 20.<sup>00</sup>

Commission %: % 10

## EXHIBIT A

### MANDATORY BID RESPONSE FORM

Bidders must complete and return this form with their bid.

By submitting a proposal, the respondent certifies that they have fully read and understand the proposal's Scope of Work and fully understands the requirements needed to complete the project. The services offered and the cost factor must be valid for at least ninety (90) days from date of signature.

Date of Bid Submittal: 2/1/23 IFB Bid No: # 042-43

Bid Name: Glamping - River Forks Park

Affirmation: Bidder affirms the following by affixing a wet signature in blue ink below:

"I agree to abide by all terms and conditions of this IFB and certify that I am authorized to sign this bid".

Bidder Signature: [Signature] Date: 2/1/23

Print Name: Rebeka A. Self

Title: Co-CEO

Print Name: Timberline Glamping Company

Phone Number: (678) 801-6334 Email Address: Rebeka@tlglamping.com

Physical Address: 745 Atlanta Hwy., Ste # 206

Physical Address 2: Cumming, GA 30040

Acknowledge receipt of all issued addenda (if any) by listing their numbers and date of issuance below:

Bids not signed may be declared as "Non-Responsive" and will not be evaluated.

If you desire to submit a "No Bid" then please indicate by checking one or both of the reasons listed below and explain.

\_\_\_\_\_ Bidder does not offer this service

\_\_\_\_\_ Unable to meet specifications

**IFB #042-43 - Glamping - River Forks  
Campground**

COMPANY NAME	MAILING ADDRESS 1	MAILING ADDRESS 2	CITY	STATE	ZIP
BLISS PRODUCTS & SERVICES, INC	6831 S SWEETWATER RD		LITHIA SPRINGS	GA	30122
CHATTAHOOCHEE GROUP, INC	220 CARTER ST		CLERMONT	GA	30527
CLEARY CONSTRUCTION, INC	2006 EDMONTON RD		TOMPKINSVILLE	KY	42167
COLLIERS ENGINEERING & DESIGN	1305 MALL OF GEORGIA BLVD	STE 120	BUFORD	GA	30519
COMMERCIAL CONCEPTS & FURNISHINGS	3622 NOLAND CT		INDEPENDENCE	MO	64055
CONSTRUCT CONNECT	3825 EDWARDS RD		CINCINNATI	OH	45209
CONSTRUCTIBID SOURCE	416 COTTONWOOD LN		HOLLY SPRINGS	NC	27540
DCT CONTRACTORS, INC	3696 DORSEY CIRCLE		GAINESVILLE	GA	30504
DEBALSKI HEATING & COOLING	4240 OLD DANIELSVILLE RD		ATHENS	GA	30601
DODGE CONSTRUCTION NETWORK	2860 S STATE HWY 161	STE 160 #501	GRAND PRARIE	TX	75052
GORDON PRO TREE SERVICE	1320 CANDLER RD		GAINESVILLE	GA	30507
HUSSEY GAY BELL	3100 BRECKINRIDGE BLVD	BLDG 300	DULUTH	GA	30096
NORTH GEORGIA CONCRETE	85 CHESTATEE INDUSTRIAL PARK DR		DAHLONEGA	GA	30533
NORTH GEORGIA GLAMPING	686 BUREAN CHURCH ROAD		ELLIJAY	GA	30540
NORTH GEORGIA LIVING	980 BIRMINGHAM ROAD	SUITE 501-365	MILTON	GA	30004
OHMSHIV CONSTRUCTION, LLC	805 PROGRESS COURT	STE A	LAWRENCEVILLE	GA	30043
PRIME VENDOR	4622 CEDAR AVE		WILMINGTON	NC	28403
PWXPRESS	1900 COFFEEPORT RD		JACKSONVILLE	FL	32208
ROAN MOUNTAIN GLAMPING PROPERTY MGMT.	275 OLD RAILROAD GRADE RD.		ROAN MTN	TN	37687
SHOAL CREEK CAMPGROUND	6300 SHADBURN FERRY ROAD		BUFORD	GA	30518
SOURCE MANAGEMENT	509 OLIVE WAY	STE 400	SEATTLE	WA	98101
TIMBERLINE GLAMPING COMPANY					
TRI SCAPES	4709 WADE VALLEY		CUMMING	GA	30040
VISTA RECREATION	11811 N TATUM BLVD		PHOENIX	AZ	85028
				<b>BIDS SENT</b>	<b>24</b>
				<b>HALL CO BIDS SENT</b>	<b>3</b>
				<b>NO BIDS RCVD</b>	

IFB #042-43

Glamping - River Forks Campground

Timberline Glamping Company, LLC Cumming, GA
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Item #	Description
--------	-------------

1	Tent Site use fee per day	\$15.00
2	RV Site use fee per day	\$20.00
3	Commission %	10%

Bids sent out: 24 (Hall Co.) 3

No bids: 5

Hussey, Gay Bell

Bliss Products

North GA Concrete Inc

Construct Connect

DeBalski





## AGENDA ITEM

### Court Administration

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 98/2023

**SUBJECT:** Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of \$176,202.74, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$24,027.65 is required.

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### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

### Executive Summary:

**Presenter:** JE

**Recommendation:**

Approve the application of the Criminal Justice Coordinating Council for FY2024 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of \$176,202.74, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$24,027.65 is required. If awarded, one full-time lab technician will be added to position control.

**Purpose of Request:**

**History:**

Approve the application of the Criminal Justice Coordinating Council for FY2024 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of \$176,202.74, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$24,027.65 is required. If awarded, one full-time lab technician will be added to position control.

Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County absorbed some personnel associated with DUI Court under the General Fund budget in 2007 making the program a permanent fixture. Program participants are charged a monthly fee of \$40 to help offset some operational costs. The program has experienced a 74% increase in enrollments since 2020 which warranted additional services, consumables, and staff time than in previous years. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs.

#### Facts and Issues:

DUI Court is one of six accountability court programs in Hall County. Along with Substance Abuse Services and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we serve nearly 600 participants annually. Between regular office hours, in-house counseling groups, drug testing services for the courts and our customers, etc., we operate 7 days a week. We make all of this work together to provide efficient and effective programs for the participants we serve.

#### Options:

#### Funding Requested

\$ 24,027.65

#### Are funds within current budget?

No

#### Source of Funds

General / Grant Fund

#### Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

#### Has it been reviewed by the County Attorney?

Yes

#### Is there a deadline for this item?

2023-03-09

#### Approvals:

Submit	Approve	Grants	Budget
KM	JS	JW	EW
Finance	Attorney	Administration	Clerk
WG	WLI	CR	JR

#### Attachments:

Financial Supplement

FY24\_Accountability\_Court\_Solicitation\_Packet\_FINA.pdf

Supply Budget

Grant Narrative

FY24 Grant Application - DUI



## HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

### AGENDA ITEM 98/2023

**Funds Requested:** \$ 24,027.65

**Request Budgeted:** No

**Proposed Source of Funding:**

**Budget Transfer Requested:**

General / Grant Fund

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2024	001 - GENERAL	163 - TREATMENT SERVICES	4104 - SALARIES	\$24,027.65
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	4104 - SALARIES	\$61,871.68
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	4419 - TECHNICAL & PROFESSIONAL	\$27,600.00
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	4229 - OPERATING SUPPLIES	\$36,296.00
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	4331 - TRAVEL & TRAINING	\$1,488.00
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	4110 - F.I.C.A.	\$7,530.38
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	4121 - HEALTH INSURANCE	\$35,597.78
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	4131 - RETIREMENT	\$5,818.90
2024	017 - GRANTS	761 - HALL COUNTY DUI COURT	3536 - CRIM JUSTICE COORD CNCL	\$-176,202.74

**Budget Transfer Items:**

**Additional Information/Comments:**

Staff salary will be used as in-kind match. If awarded, one full-time lab technician will be added to position control.

**Contact for Questions:** JE

**Phone:**

6106

**BRIAN P. KEMP**  
GOVERNOR



**JAY NEAL**  
DIRECTOR

At the direction of the Funding Committee under the Council of Accountability Court Judges (CACJ) the Criminal Justice Coordinating Council (CJCC) is pleased to announce that it is seeking applications for competitive funding for qualified new and existing Accountability Courts in the State of Georgia.

**State of Georgia**  
**Accountability Court Funding Program**  
**FY'24 Solicitation Packet**

**Eligibility**

Applicants are limited to local entities for new and existing Adult Felony Drug Court, Adult Mental Health Court, Veterans Treatment Court, DUI Court, Family Treatment Court, Juvenile Drug Court, or Juvenile Mental Health Court.

**Any applications received of the same court type within a single jurisdiction (circuit or county) will be reviewed together and considered one application.**

**Deadline**

Applications are due by 5:00 p.m. on Friday, March 3, 2023

**Available Funding**

The amount available for distribution will be determined by the legislature during the 2023 session.  
There is a 12% cash match requirement.

**Award Period**

July 1, 2023, through June 30, 2024

**Release Date: February 1, 2023**

**THIS GRANT IS NOT INTENDED TO FUND YOUR PROGRAM 100%.**

## **SECTION I: OVERVIEW AND INSTRUCTIONS**

### **Criminal Justice Coordinating Council**

The Criminal Justice Coordinating Council (CJCC) is designated by the Governor of Georgia as the State Administering Agency for criminal justice and victims' assistance programs. Created by the General Assembly (O.C.G.A. § 35-6A-2), the Council is comprised of twenty-four members representing various components of the criminal justice system.

### **Overview of the State of Georgia's Accountability Court Funding Program**

The Council of Accountability Court of Judge (CACJ) was created in 2015 by the Georgia Legislature and by Governor Nathan Deal to provide courts with the critical funding necessary to support the growth of Accountability Courts in Georgia to reduce the prison population.

### **How to Apply**

Interested applicants should review the FY'24 Solicitation Packet in its entirety, and submit the completed application, including the requested information and all required attachments, using the link provided to the court by CJCC on or before 5 p.m., March 3, 2023. **The application is the only acceptable format for submitting the narratives and budget for this funding year. It is recommended that applicants allow adequate time to complete the application. Applications must be submitted using the required format; scanned or handwritten copies of the application will not be accepted.** The CACJ and CJCC will release a pre-recorded FY'24 instructional grant webinar on or about Wednesday, February 1, 2023; interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host a FY'24 grant virtual question and answer webinar on Wednesday, February 8, 2023 at 12:00 pm. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.

### **Match Requirement (12 percent CASH match)**

Applicants must identify the source of the 12 percent non-state portion of the total project costs and how they will use match funds. Match is restricted to the same uses of funds as allowed for the state funds. Applicants may satisfy this match requirement with cash only (no in-kind services).

*Match Waiver:* The CACJ may waive the match requirement upon a determination of fiscal hardship. **To be considered for a waiver of match, a letter of request signed by the Authorized Representative or Program Judge must be submitted with the grant application defining the fiscal hardship.** Fiscal hardship is defined in terms related to reductions in overall budgets, furloughing or reductions in force of staff or other similar documented actions by the local governing authority which have resulted in severe budget reductions. A match waiver request must be submitted as a separate attachment to the application and titled as the "*Match Waiver.*"

NOTE: You do NOT need to match every item you are requesting but must supply a 12% match in the overall budget request. The match must be from one of the allowable categories.

**The formula for calculating the match is:**

*Requested Grant Amount multiplied by 12 then divided by 88 = Required Match*

**Example:**

12 percent match requirement: for a state award amount of \$100,000, match would be calculated as follows:

State Award x 12/88 = Match

Ex. \$100,000 x 12/88 = \$13,363.36

## **SECTION II: SOLICITATION PROCESS**

Please read and understand the Certification for Accountability Court Funding attachment before completing the application. All accountability courts shall attend training and submit a proposed budget/narrative for all funds requested through this grant.

### **Existing Courts**

Complete all sections of the application, unless noted otherwise.

### **Implementation Courts**

Complete sections of the application to the best of your ability. The committee understands that you may not have all the answers yet but expects that you have thought through all of the issues related to each section of the application.

### **Application Review**

Applications will be reviewed and assessed by the CACJ Funding Committee members and its designated representatives who will consider the following:

1. Past compliance with all financial and programmatic reporting requirements.
2. Overall quality and completeness of the application.
3. Demonstration of clear, measurable, and appropriate project goals.
4. Demonstration of need including geographic location, local demographics, local statistics, other financial resources, etc.
5. The use of evidenced-based treatment.

6. Responsiveness to peer review, certification, and treatment fidelity findings.
  7. The use of other funding sources, including participant fees.
  8. Adequate correlation between the cost of the project and the objective(s) to be achieved; and
  9. Sharing resources among each accountability court within the circuit is strongly encouraged.
- All applications within each circuit will be reviewed together.

**Only complete applications received by the deadline will be reviewed.** When an application is received by the CJCC, there is no commitment on the part of the CACJ Funding Committee to fund an application or to fund it at the amount requested. All areas of the budget are subject to review and approval. Decisions related to these budget areas are based on both eligibility and reasonableness. The CACJ Funding Committee has full discretion to determine the reasonableness of budget items based on both objective and subjective decision-making tools. See "Restrictions on Use of Funds" subsection below to determine whether budget items requested are allowable prior to submitting your budget. Applications for funding will undergo several reviews. At any point during these reviews, a decision not to fund a project or any part thereof may be made. These decisions are within the complete discretion of the CACJ Funding Committee.

#### **Funding Decisions**

All funding decisions related to CJCC applications received in response to this solicitation are made by the CACJ Funding Committee and are based on the availability of funding. The Council will inform the applicants of funding decisions through grant awards. Applicants should not make assumptions regarding funding decisions until they have received official written notification of awards or denials signed by the CJCC Council Director.

Once an award is made, the CACJ in conjunction with CJCC, maintains discretion to determine that a grantee is not compliant with applicable policies, and upon such a determination may terminate further funding and require reimbursement of grant funds to the CACJ.

#### **Restrictions on Use of Funds**

For this grant period, grant funds will not be allowed to be used for: out of state training, any part of a salary or pay supplements for state or county paid employees, office space, utilities, furniture (existing courts only), incentives, monthly cell phone charges, case management software (including maintenance and upgrades), vehicles, weapons, office supplies (existing courts only), construction projects and grant administrative overhead.

#### **Supplantation**

Funds must be used to supplement existing funds for program activities and cannot replace or supplant funds that have been appropriated for the same purpose.

Generally, supplanting occurs when a local government or program reduces local or other available funds for an activity specifically because state funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, any State grant funds may not replace any local, or other available funds that have been appropriated or allocated for the same purpose. In those instances when a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-state resources occurred for reasons other than the receipt or expected receipt of state funds.

### **SECTION III: POST-AWARD REQUIREMENTS**

#### **Grant Acceptance**

**Grantees wishing to accept FY'24 funding must submit signed Acceptance Letters and Special Conditions to the CJCC Office, so it is *received* no later than 5 p.m., June 30, 2023.** The CACJ Funding Committee will assume your court rejects its FY'24 award if these acceptance documents are not received by this submission deadline.

#### **Special Conditions**

At the time of the grant award, the CACJ Funding Committee will assign special conditions, as deemed appropriate for the program. The special conditions will outline the grantee's responsibilities, as well as state regulations that must be followed, as a condition of accepting the grant award for the approved program. The special conditions will be included in the award packet and must be reviewed, signed, and returned to CJCC by 5 p.m., June 30, 2023 (see above). **One fourth of all awarded funding must be requested in that quarter's SER each reporting period. This means that the expenditure must be paid by your local funding agency and CJCC reimbursement has been requested within that reporting period. Any unused funds each quarter end will be retained by the CJCC to be managed by the CACJ. This is a reimbursement grant.** If awarded funds, your court will be required to submit check stubs and copies of invoices to CJCC for reimbursement on a quarterly basis. **Training is made available to each court that accepts grant funding. Please see [www.cacj.georgia.gov](http://www.cacj.georgia.gov) for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

#### **Reporting Requirements**

Recipients of this FY'24 grant award will be required to complete and submit SER and a CACJ electronic data submission report, due no later than 15 days after each quarter end. Failure to submit reports in a timely fashion could result in a 10% penalty that will be based on the initial grant award. Subgrantees are given a 10-day grace before any action is taken (applies to SER only). **The electronic data submission reports will be generated using the state approved case management systems during FY'24. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2023.**



*SER (Sub-grant Expenditure Requests):* Reimbursement requests for expenses incurred during the grant period on either a monthly or quarterly basis. To request reimbursement, the recipient must submit a financial report within fifteen days of the month's end date, to their designated grant specialist.

## Supplies (4229) Breakdown

ThermoFisher Reagent Pricing List

Customer #C1002043

Effective 07/01/2022

### Hall Co. HELP Program

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual Kits</u>	<u>Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Cocaine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Creatinine	30,000	3.3	9,027	\$903	0.1	1	\$903
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Fentanyl C1F	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	0	\$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0	\$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0	\$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Neg Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Control	~	~	~	\$176	~	0	\$0
<b><u>Total Request:</u></b>							<b>\$23,133</b>

### Calculations

Program	2024 Census - Pro Projected Annual Cost per scre Annual Total			
Hall Co. Drug Court Alpha	150	23,400	\$1.40	\$32,760.00
Hall Co. Drug Court Bravo/Charlie	100	15,600	\$1.40	\$21,840.00
Hall Co. DUI Court	75	11,700	\$1.40	\$16,380.00
Hall Co. FTC	75	11,700	\$1.40	\$16,380.00
Hall Co. HELP/VTC	90	14,040	\$1.40	\$19,656.00
				\$107,016.00

Analyte	# Annual Tests	# Annual Kits	Yield	Kit Price	Price/Test	# of Units	Total
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Cocaine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Creatinine	30,000	3.3	9,027	\$903	0.1	2	\$1,805
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2	\$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	1	\$946
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Opiate	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	1	\$796
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	1	\$324
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Control	~	~	~	\$176	~	2	\$352
Total Request:							\$21,746

Analyte

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual K Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0 \$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Cocaine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Creatinine	30,000	3.3	9,027	\$903	0.1	1 \$903
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0 \$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	0 \$0
ETG	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0 \$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	0 \$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	0 \$0
PH Validity	12,000	1.5	7,960	\$796	0.1	0 \$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0 \$0
THC	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0 \$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1 \$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0 \$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0 \$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	0 \$0
Fentanyl II Neg Cal	~	~	~	\$132	~	0 \$0
Fentanyl II Control	~	~	~	\$176	~	0 \$0
<b>Total Request:</b>						<b>\$23,133</b>

**Analyte**

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual K Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0 \$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Cocaine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Creatinine	30,000	3.3	9,027	\$903	0.1	3 \$2,708
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0 \$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Fentanyl II 500 mL			7,705	\$4,623	0.6	2 \$9,246
General Oxidant	12,000	1.3	9,456	\$946	0.1	0 \$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0 \$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0 \$0
THC	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0 \$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	2 \$2,575
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Control	~	~	~	\$176	~	2 \$352
<b>Total Request:</b>						<b>\$56,308</b>

*The Superior, State, and Juvenile Court Judges brought together Drug Court, DUI Court, Mental Health Court, Family Treatment Court, and Substance Abuse Services in 2007 under one agency umbrella called Treatment Services. We've since added the Drug Screening Lab, Felony Probation Drug Court, Veterans Treatment Court, Parental Accountability Court, Dawson County Treatment Court, Dawson County HELP Program, and Dawson County Family Treatment Court. This has allowed for the sharing of resources across programs and has greatly increased our ability to provide services in each area. This has positively impacted all of the accountability court programs in that it has allowed some sharing of office resources, drug screening supplies and services, and office personnel. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations and referrals revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget due to the savings our court programs provide the County and State through jail-cost avoidance. Additional assistance comes to our programs from Friends of Recovery, a nonprofit organization formed in 2006 to support the circuit's accountability court programs. Through fundraisers and the solicitation of community funds, Friends of Recovery provides entry-fee scholarships for those participants needing residential drug and alcohol treatment, along with other services. Friends of Recovery also provides supplies for court graduation ceremonies and receptions, as well as an annual Christmas party for participants and their families where guests are treated to dinner, gifts for the children, musical entertainment, door prizes, and photos with Santa. In addition, funding will be continued by non-profit fundraising, participant fees, state and local appropriations, and revenue from the drug testing lab.*

*In the Hall County office, we have 36 full-time and 3 part-time employees and serve approximately 566 participants annually. Our Dawson County office operates with 6 full-time employees and serve approximately 120 participants annually. Between regular office hours, in-house counseling groups for Drug Court, Family Treatment Court, and the HELP Program, drug testing services for the courts and our customers, etc., we operate 7 days a week. Our drug testing lab analyzed approximately 34,100 drug screens in 2022. In 2022, we provided over 6,000 hours of treatment and experienced a 43% increase in total program enrollments compared to 2021. We conduct on-going, onsite training for new and seasoned staff alike. We make all of this work together to provide efficient and effective programs for the participants we serve. As mentioned above, all of our accountability court programs are under one agency umbrella. While all of Treatment Services shares administrative (Director, Assistant Director, Receptionist) and drug testing lab staff, each program has staff specifically assigned to handle the daily operations of the program.*

*Each of our programs has been awarded grant funding through the Council of Accountability Court Judges (CACJ) since their creation in 2015. Funding is awarded on an annual basis beginning July 1 through June 30. There is a 12% match required for each grant which is fulfilled through county-funded personnel positions assigned to each court program.*

**Deadline for grant submissions to CACJ: March 3, 2023**

**FY2024 CACJ/CJCC Grant Applications (July 1, 2023 - June 30, 2024)**

**Treatment Services  
Hall Co. DUI Court (250-2162)**

**Personnel (51100)**

<u>Employee Name</u>	<u>Title</u>	<u>Salary Request</u>	<u>Fringe Benefits Request</u>		<u>Fringe Calculations</u>			
					<u>FICA</u>	<u>Health/STD/Life Insurance</u>	<u>WC</u>	<u>Retirement</u>
Nathan Strong	Case Manager	\$ 16,298.88	\$ 16,296.85	\$ 32,595.73	\$ 4,044.04	\$ 9,933.04	\$ 146.69	\$ 2,173.08
Vacant	Lab Technician	\$ 45,572.80	\$ 32,650.21	\$ 78,223.01	\$ 3,486.34	\$ 25,107.89	\$ 410.16	\$ 3,645.82
		\$ 61,871.68	\$ 48,947.06					
<b>Total Request</b>		<b>\$ 110,818.74</b>						

**\*\*New Position Request**

Salary Calculation  
CM: \$26.12/hour x 12 hours per week (24 hrs/pay period)

The Case Manager position is currently occupied by Nathan Strong. He has been in this role since September 2013. He maintains the caseload of nearly 70 participants for the DUI Court program and is responsible for the tracking of participant progress, data collection, data dissemination, and accurate and timely maintenance of all spreadsheets. This position prepares, updates, and maintains participant files, as well as maintains databases and tracking systems for the program. The position provides support for the Coordinator in the day-to-day operations of the DUI Court Program and attends all staffing and court sessions. We have 28 hours/week of his salary budgeted in our operating budget and are requesting the additional 12 hours per week and full fringe benefits to keep the position full-time. DUI Court experienced a 13% increase in active census compared to 2021 and this position is critical to program operations. We are also requesting funding for a full-time Lab Technician position in this grant which will support all of the accountability court programs in our circuit. This position will collect, prepare, and analyze urine, sweat, and saliva drug screen for all participants assigned to the accountability court programs. Our lab collected and analyzed 34,100 screens in 2022 and is open 7 days per week. This position is vital to the overall operations of all accountability court programs in our circuit as we continue to experience census growth touting a 46% increase in overall program enrollments from 2021.

\*The Coordinator's (Katie Bruner) salary is used for the grant match.

**Technical/Professional Services (521000)**

CPT	\$ 19,200.00	\$40/hour x 20 hours/month x 2 officers x 12 months
New Hope/Treatment Provider	\$ 8,400.00	\$1,400/year x 6 clients
<b>Total Request</b>	<b>\$ 27,600.00</b>	

We wish to continue our surveillance presence by sending two Community Policing officers out at least one time per week. Our budget request would allow for surveillance visits for all seven of Hall County's accountability court programs.

Additionally, we have indigent participants who cannot afford the \$25/week treatment fee for New Hope Counseling. We wish to still provide treatment for these participants without it costing New Hope. Including individual treatment sessions, the rate would be \$1,400/year for 6 participants for at total of \$8,400.

**Supplies (531100)**

ThermoFisher Reagents	\$ 21,746.00	*See Hall Supplies tab for breakdown
Abbott Labs (Confirmation Testing)	\$ 14,550.00	
<b>Total Request</b>	<b>\$ 36,296.00</b>	

<u>Abbott Labs</u>	<u>Cost Per Unit</u>	<u># of Units</u>	<u>Total</u>
Confirmation Test	\$ 14.00	150	\$ 2,100.00
Comprehensive Panel	\$ 50.00	150	\$ 7,500.00
Speciality Test	\$ 33.00	150	\$ 4,950.00
<b>Total</b>			<b>\$ 14,550.00</b>

We wish to purchase drug testing reagents to run on the Lab's analyzer to increase our drug testing capabilities. With grant funds, we can contribute to the agency resources and afford more screens for our participants through the purchase of these reagents. We would like to continue doing the following testing in-house: 6-AM (Heroin), Cocaine, ETG, Methadone, Opiates, THC, Tramadol, K2/Spice, Oxycodone, Buprenorphine, and Fentanyl. We are dividing the requests for reagents amongst our various grant applications to better share resources. DUI Court experienced a 13% increase in program census from 2021 which helps support our funding request.

DUI Court sends off close to 300 confirmation and specialty testing requests to Abbott Labs. Grant funding will allow us to be better equipped to respond to illicit drug use which is currently being undetected in our lab and serve more participants as census continues to grow.

**Travel (523500)**

CACJ Conference Expenses	\$ 1,488.00	240 miles x \$.65/mile x 8 people and \$30/parking x 8 people
<b>Total Request</b>	<b>\$ 1,488.00</b>	

**Total Grant Request \$ 176,202.74**

**Match Requirement \$ 24,027.65 Katie Bruner's salary to be used as Match**

**Project Descriptions**

Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County absorbed some personnel associated with DUI Court under the General Fund budget in 2007 making the program a permanent fixture. Program participants are charged a monthly fee of \$40 to help offset some operational costs. The program has experienced a 74% increase in enrollments since 2020 which warranted additional services, consumables, and staff time than in previous years. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs.

DUI Court is one of six accountability court programs in Hall County. Along with Substance Abuse Services and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we serve nearly 600 participants annually. Between regular office hours, in-house counseling groups, drug testing services for the courts and our customers, etc., we operate 7 days a week. We make all of this work together to provide efficient and effective programs for the participants we serve.

**FY2023 Grant Award Total \$83,710\***      **\*Does not include Match**  
**Current Funding July 1, 2022 - June 30, 2023**

CACJ/CJCC Estimated Cost Per Participant	\$	1,278
Program Census (Projected for FY24)		75
Total:	\$	95,850

**FY2023 Grant Request \$103,711.02**



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## AGENDA ITEM

### Court Administration

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 97/2023

**SUBJECT:** Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding Program for the Drug Court for staffing, technical and professional services, supplies, and training in the amount of \$711,531.86, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$85,383.82 is required.

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### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

### Executive Summary:

**Presenter:** JE

**Recommendation:**  
Approve.

**Purpose of Request:**

**History:**

Approve the application of the Criminal Justice Coordinating Council for FY2024 Accountability Court Funding Program for the Drug Court for staffing, technical and professional services, supplies, and training in the amount of \$711,531.86, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$85,383.82 is required.

Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County funds the Coordinator, Lead Counselor, Counselor, and Case Manager positions under the General Fund budget making the program a permanent fixture. Program participants are charged a monthly fee of \$150 to help offset some operational costs. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs. Drug Court is the largest program in our county serving nearly 200 participants across four tracks designed to address specific criminogenic and treatment needs and is under the direction of two judges. This program provides nearly 3,000 hours of direct treatment annually which does not include individual or case management services which could easily add an additional 1,000 hours.

#### Facts and Issues:

Drug Court is one of six accountability court programs in Hall County. Along with Substance Abuse Services (evaluations and referrals program) and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we have 39 employees and serve approximately 450 participants. Between regular office hours, in-house counseling groups for Drug Court, Veterans Court, and the HELP Program, drug testing services for the courts and our customers, etc., we operate 7 days a week. Our drug testing lab conducts about 34,100 drug screens annually. We conduct on-going, onsite training for new and seasoned staff alike. We make all of this work together to provide efficient and effective programs for the participants we serve.

#### Options:

#### Funding Requested

\$ 85,383.82

#### Are funds within current budget?

No

#### Source of Funds

General / Grant Fund

#### Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

#### Has it been reviewed by the County Attorney?

Yes

#### Is there a deadline for this item?

2023-03-09

#### Approvals:

Submit	Approve	Grants	Budget
KM	JS	JW	EW
Finance	Attorney	Administration	Clerk
WG	WLI	CR	JR

#### Attachments:

Financial Supplement  
Grant Narrative  
Supplies  
Solicitation  
FY24 Grant Application - Drug



## HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

### AGENDA ITEM 97/2023

**Funds Requested:** \$ 85,383.82

**Request Budgeted:** No

**Proposed Source of Funding:**

**Budget Transfer Requested:**

General / Grant Fund

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2024	001 - GENERAL	163 - TREATMENT SERVICES	4104 - SALARIES	\$85,383.82
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	4104 - SALARIES	\$435,046.55
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	4419 - TECHNICAL & PROFESSIONAL	\$47,880.00
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	4229 - OPERATING SUPPLIES	\$77,108.00
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	4331 - TRAVEL & TRAINING	\$2,976.00
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	4110 - F.I.C.A.	\$33,424.00
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	4121 - HEALTH INSURANCE	\$90,961.33
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	4131 - RETIREMENT	\$24,135.98
2024	017 - GRANTS	763 - HALL COUNTY DRUG COURT	3536 - CRIM JUSTICE COORD CNCL	\$-711,531.86

**Budget Transfer Items:**

**Additional Information/Comments:**

Staff salary and benefits will be used as in-kind match.

**Contact for Questions:** JE

**Phone:**

6106

*The Superior, State, and Juvenile Court Judges brought together Drug Court, DUI Court, Mental Health Court, Family Treatment Court, and Substance Abuse Services in 2007 under one agency umbrella called Treatment Services. We've since added the Drug Screening Lab, Felony Probation Drug Court, Veterans Treatment Court, Parental Accountability Court, Dawson County Treatment Court, Dawson County HELP Program, and Dawson County Family Treatment Court. This has allowed for the sharing of resources across programs and has greatly increased our ability to provide services in each area. This has positively impacted all of the accountability court programs in that it has allowed some sharing of office resources, drug screening supplies and services, and office personnel. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations and referrals revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget due to the savings our court programs provide the County and State through jail-cost avoidance. Additional assistance comes to our programs from Friends of Recovery, a nonprofit organization formed in 2006 to support the circuit's accountability court programs. Through fundraisers and the solicitation of community funds, Friends of Recovery provides entry-fee scholarships for those participants needing residential drug and alcohol treatment, along with other services. Friends of Recovery also provides supplies for court graduation ceremonies and receptions, as well as an annual Christmas party for participants and their families where guests are treated to dinner, gifts for the children, musical entertainment, door prizes, and photos with Santa. In addition, funding will be continued by non-profit fundraising, participant fees, state and local appropriations, and revenue from the drug testing lab.*

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**Deadline for grant submissions to CACJ: March 3, 2023**

## Supplies (4229) Breakdown

ThermoFisher Reagent Pricing List

Customer #C1002043

Effective 07/01/2022

### Hall Co. HELP Program

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual Kits</u>	<u>Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Cocaine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Creatinine	30,000	3.3	9,027	\$903	0.1	1	\$903
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Fentanyl C/J	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	0	\$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0	\$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0	\$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Neg Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Control	~	~	~	\$176	~	0	\$0
<b><u>Total Request:</u></b>							<b>\$23,133</b>

### Calculations

Program	2024 Census - Pro Projected Annual Cost per scre Annual Total			
Hall Co. Drug Court Alpha	150	23,400	\$1.40	\$32,760.00
Hall Co. Drug Court Bravo/Charlie	100	15,600	\$1.40	\$21,840.00
Hall Co. DUI Court	75	11,700	\$1.40	\$16,380.00
Hall Co. FTC	75	11,700	\$1.40	\$16,380.00
Hall Co. HELP/VTC	90	14,040	\$1.40	\$19,656.00
				\$107,016.00

Analyte	# Annual Tests	# Annual Kits	Yield	Kit Price	Price/Test	# of Units	Total
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Cocaine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Creatinine	30,000	3.3	9,027	\$903	0.1	2	\$1,805
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2	\$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	1	\$946
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Opiate	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	1	\$796
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	1	\$324
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Control	~	~	~	\$176	~	2	\$352
Total Request:							\$21,746

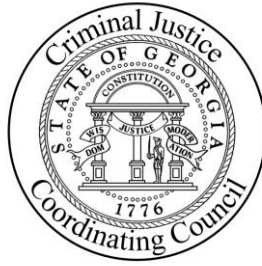


<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual K Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
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Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
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THC	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
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Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1 \$1,288
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Fentanyl II Cutoff Cal	~	~	~	\$132	~	0 \$0
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<b>Total Request:</b>						<b>\$23,133</b>

**Analyte**

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ETOH	12,000	1.2	9,027	\$2,618	0.29	0 \$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Cocaine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Creatinine	30,000	3.3	9,027	\$903	0.1	3 \$2,708
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0 \$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Fentanyl II 500 mL			7,705	\$4,623	0.6	2 \$9,246
General Oxidant	12,000	1.3	9,456	\$946	0.1	0 \$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0 \$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0 \$0
THC	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0 \$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	2 \$2,575
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Control	~	~	~	\$176	~	2 \$352
<b>Total Request:</b>						<b>\$56,308</b>

**BRIAN P. KEMP**  
GOVERNOR



**JAY NEAL**  
DIRECTOR

At the direction of the Funding Committee under the Council of Accountability Court Judges (CACJ) the Criminal Justice Coordinating Council (CJCC) is pleased to announce that it is seeking applications for competitive funding for qualified new and existing Accountability Courts in the State of Georgia.

**State of Georgia**  
**Accountability Court Funding Program**  
**FY'24 Solicitation Packet**

**Eligibility**

Applicants are limited to local entities for new and existing Adult Felony Drug Court, Adult Mental Health Court, Veterans Treatment Court, DUI Court, Family Treatment Court, Juvenile Drug Court, or Juvenile Mental Health Court.

**Any applications received of the same court type within a single jurisdiction (circuit or county) will be reviewed together and considered one application.**

**Deadline**

Applications are due by 5:00 p.m. on Friday, March 3, 2023

**Available Funding**

The amount available for distribution will be determined by the legislature during the 2023 session.  
There is a 12% cash match requirement.

**Award Period**

July 1, 2023, through June 30, 2024

Release Date: February 1, 2023

**THIS GRANT IS NOT INTENDED TO FUND YOUR PROGRAM 100%.**

## **SECTION I: OVERVIEW AND INSTRUCTIONS**

### **Criminal Justice Coordinating Council**

The Criminal Justice Coordinating Council (CJCC) is designated by the Governor of Georgia as the State Administering Agency for criminal justice and victims' assistance programs. Created by the General Assembly (O.C.G.A. § 35-6A-2), the Council is comprised of twenty-four members representing various components of the criminal justice system.

### **Overview of the State of Georgia's Accountability Court Funding Program**

The Council of Accountability Court of Judge (CACJ) was created in 2015 by the Georgia Legislature and by Governor Nathan Deal to provide courts with the critical funding necessary to support the growth of Accountability Courts in Georgia to reduce the prison population.

### **How to Apply**

Interested applicants should review the FY'24 Solicitation Packet in its entirety, and submit the completed application, including the requested information and all required attachments, using the link provided to the court by CJCC on or before 5 p.m., March 3, 2023. **The application is the only acceptable format for submitting the narratives and budget for this funding year. It is recommended that applicants allow adequate time to complete the application. Applications must be submitted using the required format; scanned or handwritten copies of the application will not be accepted.** The CACJ and CJCC will release a pre-recorded FY'24 instructional grant webinar on or about Wednesday, February 1, 2023; interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host a FY'24 grant virtual question and answer webinar on Wednesday, February 8, 2023 at 12:00 pm. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.

### **Match Requirement (12 percent CASH match)**

Applicants must identify the source of the 12 percent non-state portion of the total project costs and how they will use match funds. Match is restricted to the same uses of funds as allowed for the state funds. Applicants may satisfy this match requirement with cash only (no in-kind services).

*Match Waiver:* The CACJ may waive the match requirement upon a determination of fiscal hardship. **To be considered for a waiver of match, a letter of request signed by the Authorized Representative or Program Judge must be submitted with the grant application defining the fiscal hardship.** Fiscal hardship is defined in terms related to reductions in overall budgets, furloughing or reductions in force of staff or other similar documented actions by the local governing authority which have resulted in severe budget reductions. A match waiver request must be submitted as a separate attachment to the application and titled as the "*Match Waiver.*"

NOTE: You do NOT need to match every item you are requesting but must supply a 12% match in the overall budget request. The match must be from one of the allowable categories.

**The formula for calculating the match is:**

*Requested Grant Amount multiplied by 12 then divided by 88 = Required Match*

**Example:**

12 percent match requirement: for a state award amount of \$100,000, match would be calculated as follows:

State Award x 12/88 = Match

Ex. \$100,000 x 12/88 = \$13,363.36

## **SECTION II: SOLICITATION PROCESS**

Please read and understand the Certification for Accountability Court Funding attachment before completing the application. All accountability courts shall attend training and submit a proposed budget/narrative for all funds requested through this grant.

### **Existing Courts**

Complete all sections of the application, unless noted otherwise.

### **Implementation Courts**

Complete sections of the application to the best of your ability. The committee understands that you may not have all the answers yet but expects that you have thought through all of the issues related to each section of the application.

### **Application Review**

Applications will be reviewed and assessed by the CACJ Funding Committee members and its designated representatives who will consider the following:

1. Past compliance with all financial and programmatic reporting requirements.
2. Overall quality and completeness of the application.
3. Demonstration of clear, measurable, and appropriate project goals.
4. Demonstration of need including geographic location, local demographics, local statistics, other financial resources, etc.
5. The use of evidenced-based treatment.

6. Responsiveness to peer review, certification, and treatment fidelity findings.
  7. The use of other funding sources, including participant fees.
  8. Adequate correlation between the cost of the project and the objective(s) to be achieved; and
  9. Sharing resources among each accountability court within the circuit is strongly encouraged.
- All applications within each circuit will be reviewed together.

**Only complete applications received by the deadline will be reviewed.** When an application is received by the CJCC, there is no commitment on the part of the CACJ Funding Committee to fund an application or to fund it at the amount requested. All areas of the budget are subject to review and approval. Decisions related to these budget areas are based on both eligibility and reasonableness. The CACJ Funding Committee has full discretion to determine the reasonableness of budget items based on both objective and subjective decision-making tools. See "Restrictions on Use of Funds" subsection below to determine whether budget items requested are allowable prior to submitting your budget. Applications for funding will undergo several reviews. At any point during these reviews, a decision not to fund a project or any part thereof may be made. These decisions are within the complete discretion of the CACJ Funding Committee.

#### **Funding Decisions**

All funding decisions related to CJCC applications received in response to this solicitation are made by the CACJ Funding Committee and are based on the availability of funding. The Council will inform the applicants of funding decisions through grant awards. Applicants should not make assumptions regarding funding decisions until they have received official written notification of awards or denials signed by the CJCC Council Director.

Once an award is made, the CACJ in conjunction with CJCC, maintains discretion to determine that a grantee is not compliant with applicable policies, and upon such a determination may terminate further funding and require reimbursement of grant funds to the CACJ.

#### **Restrictions on Use of Funds**

For this grant period, grant funds will not be allowed to be used for: out of state training, any part of a salary or pay supplements for state or county paid employees, office space, utilities, furniture (existing courts only), incentives, monthly cell phone charges, case management software (including maintenance and upgrades), vehicles, weapons, office supplies (existing courts only), construction projects and grant administrative overhead.

#### **Supplantation**

Funds must be used to supplement existing funds for program activities and cannot replace or supplant funds that have been appropriated for the same purpose.

Generally, supplanting occurs when a local government or program reduces local or other available funds for an activity specifically because state funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, any State grant funds may not replace any local, or other available funds that have been appropriated or allocated for the same purpose. In those instances when a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-state resources occurred for reasons other than the receipt or expected receipt of state funds.

### **SECTION III: POST-AWARD REQUIREMENTS**

#### **Grant Acceptance**

**Grantees wishing to accept FY'24 funding must submit signed Acceptance Letters and Special Conditions to the CJCC Office, so it is *received* no later than 5 p.m., June 30, 2023.** The CACJ Funding Committee will assume your court rejects its FY'24 award if these acceptance documents are not received by this submission deadline.

#### **Special Conditions**

At the time of the grant award, the CACJ Funding Committee will assign special conditions, as deemed appropriate for the program. The special conditions will outline the grantee's responsibilities, as well as state regulations that must be followed, as a condition of accepting the grant award for the approved program. The special conditions will be included in the award packet and must be reviewed, signed, and returned to CJCC by 5 p.m., June 30, 2023 (see above). **One fourth of all awarded funding must be requested in that quarter's SER each reporting period. This means that the expenditure must be paid by your local funding agency and CJCC reimbursement has been requested within that reporting period. Any unused funds each quarter end will be retained by the CJCC to be managed by the CACJ. This is a reimbursement grant.** If awarded funds, your court will be required to submit check stubs and copies of invoices to CJCC for reimbursement on a quarterly basis. **Training is made available to each court that accepts grant funding. Please see [www.cacj.georgia.gov](http://www.cacj.georgia.gov) for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

#### **Reporting Requirements**

Recipients of this FY'24 grant award will be required to complete and submit SER and a CACJ electronic data submission report, due no later than 15 days after each quarter end. Failure to submit reports in a timely fashion could result in a 10% penalty that will be based on the initial grant award. Subgrantees are given a 10-day grace before any action is taken (applies to SER only). **The electronic data submission reports will be generated using the state approved case management systems during FY'24. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2023.**

*SER (Sub-grant Expenditure Requests):* Reimbursement requests for expenses incurred during the grant period on either a monthly or quarterly basis. To request reimbursement, the recipient must submit a financial report within fifteen days of the month's end date, to their designated grant specialist.



**FY2024 CACJ/CICC Grant Applications (July 1, 2023 - June 30, 2024)**  
**Treatment Services**  
**Hall Co. Drug Court (250-2161)**

**Personnel (511100)**

<u>Employee Name</u>	<u>Title</u>	<u>Salary Request</u>	<u>Fringe Benefits Request</u>			<u>FICA</u>	<u>Health/STD/Life Insurance</u>		<u>WC</u>	<u>Retirement</u>		<u>Current Salary</u>	<u>Difference Needed</u>					
Darrell Burns	Lab Technician	\$ 48,089.60	\$	8,415.85	\$	56,505.45	\$	3,689.66	\$	446.16	\$	432.81	\$	3,847.22	\$	48,089.60	\$	-
Ansley Gammons	Counselor	\$ 57,200.00	\$	7,436.26	\$	64,636.26	\$	4,379.44	\$	254.02	\$	514.80	\$	2,288.00	\$	57,200.00	\$	-
Deborah Esposito	Counselor	\$ 58,593.60	\$	18,042.24	\$	76,635.84	\$	4,330.04	\$	10,841.22	\$	527.34	\$	2,343.64	\$	58,593.60	\$	-
Niccole Noble	Counselor	\$ 58,593.60	\$	17,180.86	\$	75,774.46	\$	4,336.54	\$	9,973.34	\$	527.34	\$	2,343.64	\$	58,593.60	\$	-
Vacant	Clinical Evaluator	\$ 54,439.75	\$	33,916.73	\$	88,356.48	\$	4,164.64	\$	24,906.95	\$	489.96	\$	4,355.18	\$	54,439.75	\$	-
Shannon Earls	Counselor	\$ 57,200.00	\$	16,738.02	\$	73,938.02	\$	4,281.16	\$	9,654.06	\$	514.80	\$	2,288.00	\$	57,200.00	\$	-
Jordan Griffin	Case Manager	\$ 44,125.00	\$	18,096.37	\$	62,221.37	\$	3,893.76	\$	9,660.30	\$	397.13	\$	4,145.18	\$	51,812.80	\$	7,687.80
Heather Ashley	Lab/Program Coordinat	\$ 56,805.00	\$	28,694.99	\$	85,499.99	\$	4,348.76	\$	21,309.86	\$	511.25	\$	2,525.12	\$	63,128.00	\$	6,323.00
		\$ 435,046.55	\$	148,521.31			\$	33,424.00	\$	87,045.91	\$	3,915.42	\$	24,135.98			\$	14,010.80
<b>Total Request</b>	<b>\$</b>	<b>583,567.86</b>																

The Drug Court grant supports two full-time Lab Technician positions, four full-time Counselor positions, one full-time Case Manager position, and a full-time Clinical Evaluator position. Our program facilitates 28 in-house treatment groups weekly (2,184 hours of treatment annually) along with weekly case management and individual counseling sessions for all program participants. These positions are vital to the continued operation of Drug Court. The Case Manager is responsible for administrative management of approximately 100 participants while each counselor carries a case load of approximately 30 participants. The Clinical Evaluator conducts assessments for all participants referred to our Superior Court programs including Drug Court, HELP Program, and Veterans Treatment Court. We have seen an increased number of assessments being conducted, lower rates of denial, and faster enrollment periods since implementing this position in 2018. The two full-time Lab Technician positions are shared across all programs falling under the Treatment Services umbrella and are imperative to continued operation of the Drug Testing Lab. In comparison to 2021, Drug Court experienced a 21% increase in total participants served and increased overall treatment services by 2%. We are also planning for a 32% increase in program census in 2023-2024 as we are absorbing our REACT program into Drug Court. These positions are vital to the operation of our program as we do not contract with any private providers.

\*The Coordinator's (Brittany Currans) salary is used for the grant match.

**Technical/Professional Services (521000)**

CPT	\$ 38,400.00	\$40/hour x 20 hours/month x 4 officers x 12 months
Jail Services	\$ 9,480.00	
<b>Total Request</b>	<b>\$ 47,880.00</b>	

We wish to increase our surveillance presence by sending two Community Policing officers out an additional night a week. Our current budget allows for the officers (who work in pairs and average four-hour shifts at \$40/hour) to make visits one to two days a week for all seven of Hall County's accountability court programs.

We are requesting funds to assist with payment of initial administrative fees associated with Work Release for eligible participants. We began this campaign through supplemental grant funding in FY22 and have found this to be extremely beneficial in assisting clients with release from custody at a faster rate providing an overall cost-savings to our community. By removing this cost barrier, participants are able to save funds for residential treatment placement at a faster rate leading to faster release dates from incarceration. Additionally, we are putting plans in place for participants to repay some of these funds to a designated account which will be utilized to fully sustain this particular project without the need for future grant funding and make this opportunity available for other participants. We anticipate being sustainable within two years and will not have a need to request grant funding for this particular project at that time. \$316/participant x 30 participants = \$9,480

**Supplies (531100)**

Thermofisher Reagents	\$ 56,308.00	*See Hall Supplies tab for breakdown
Abbott Labs (Confirmation Testing)	\$ 20,800.00	
<b>Total Request</b>	<b>\$ 77,108.00</b>	

<u>Abbott Labs</u>	<u>Cost Per Unit</u>	<u># of Units</u>	<u>Total</u>
Confirmation Test	\$ 14.00	300	\$ 4,200.00
Comprehensive Panel	\$ 50.00	200	\$ 10,000.00
Specialty Test	\$ 33.00	200	\$ 6,600.00
<b>Total</b>			<b>\$ 20,800.00</b>

We wish to purchase drug testing reagents to run on the Lab's analyzer to increase our drug testing capabilities. With grant funds, we can contribute to the agency resources and afford more screens for our participants through the purchase of these reagents. We would like to continue doing the following testing in-house: 6-AM (Heroin), Cocaine, ETG, Methadone, Opiates, THC, Tramadol, K2/Spice, Oxycodone, Buprenorphine, and Fentanyl. We are dividing the requests for reagents amongst our various grant applications to better share resources. Drug Court experienced an 24% increase in overall drug testing services compared to 2021 and are preparing for a 32% increase in program census in the upcoming year which help support our funding request.

Currently, we have a contract with Abbott Labs to provide confirmation and specialty testing for our programs. Drug Court sends over 400 screens for confirmation/specialty testing annually. By increasing our request, we will be better equipped to respond to illicit drug use which is currently being undetected in our lab and serve more participants as census continues to grow. Drug Court experienced an 24% increase in overall drug testing services compared to 2021 and are preparing for a 32% increase in program enrollments in 2023-2024 which helps support our funding request.

**Travel (52350)**

CACJ Conference Expenses Team A	\$ 1,488.00	240 miles x \$.65/mile x 8 people and \$30/parking x 8 people
CACJ Conference Expenses Team B	\$ 1,488.00	240 miles x \$.65/mile x 8 people and \$30/parking x 8 people
<b>Total Request</b>	<b>\$ 2,976.00</b>	

**Total Grant Request \$ 711,531.86**

**Match Requirement \$ 85,383.82** Brittany Currans' salary and benefits to be used as Match

**Project Descriptions**

Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County funds the Coordindaor, Lead Counselor, Counselor, and Case Manager positions under the General Fund budget making the program a permanent fixture. Program participants are charged a monthly fee of \$150 to help offset some operational costs. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs. Drug Court is the largest program in our county serving nearly 200 participants across four tracks designed to address specific criminogenic and treamtent needs and is under the direction of two judges. This program provides nearly 3,000 hours of direct treatment annually which does not include individual or case management services which could easily add an additional 1,000 hours.

Drug Court is one of six accountability court programs in Hall County. Along with Substance Abuse Services (evaluations and referrals program) and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we have 39 employees and serve approximately 450 participants. Between regular office hours, in-house counseling groups for Drug Court, Veterans Court, and the HELP Program, drug testing services for the courts and our customers, etc., we operate 7 days a week. Our drug testing lab conducts about 34,100 drug screens annually. We conduct on-going, onsite training for new and seasoned staff alike. We make all of this work together to provide efficient and effective programs for the participants we serve.

**FY2023 Grant Award Total \$632,265\***      **\*Does not include Match**  
**Current Funding July 1, 2022 - June 30, 2023**

CACJ/CJCC Estimated Cost Per Participant	\$	3,430
Program Census (Projected for FY24)		250
Total:	\$	857,500

**FY2023 Grant Request \$655,569.93**



## AGENDA ITEM

### Court Administration

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 96/2023

**SUBJECT:** Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding for the HELP Program to fund HELP staff, provide surveillance, counseling, drug testing, transportation and emergency housing in the amount of \$413,544.90, and if awarded, appoint the Grants Manager as Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$56,392.49 is required.

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### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

### Executive Summary:

**Presenter:** JE

**Recommendation:**  
Approve.

**Purpose of Request:**

**History:**

The Georgia Accountability Court Funding Committee was created in 2012 by the Georgia Legislature and by Governor Nathan Deal to provide courts with critical funding necessary to support the growth of accountability courts in Georgia to reduce prison populations, which, in turn, saves taxpayer dollars. The Hall County HELP Program grant began in 2004.

Approve the application of the Criminal Justice Coordinating Council for FY2024 Accountability Court Funding for the HELP Program to fund HELP staff, provide surveillance, counseling, drug testing, transportation and emergency housing in the amount of \$413,544.90, and if awarded, appoint the Grants Manager as Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$56,392.49 is required.

Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County absorbed some personnel associated with the HELP Program under the General Fund budget in 2007 making the program a permanent fixture. In 2022, the program experienced a 79% increase in enrollments compared to 2021. As our census grows, our need to retain staff and increase overall services is imperative. Program participants are charged a monthly fee of \$40 to help offset some operational costs. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs.

#### Facts and Issues:

The HELP Program is one of (6) six accountability court programs in Hall County. Along with Substance Abuse Services and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we serve over 500 participants annually. Between regular office hours, in-house counseling groups, drug testing services for the courts and our customers, etc., we operate 7 days a week. We make all of this work together to provide efficient and effective programs for the participants we serve. Our agency strives to stretch resources across all programs to best utilize each dollar awarded.

#### Options:

#### Funding Requested

\$ 56,392.49

#### Are funds within current budget?

No

#### Source of Funds

General / Grant Fund

#### Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

#### Has it been reviewed by the County Attorney?

Yes

#### Is there a deadline for this item?

2023-03-09

#### Approvals:

Submit	Approve	Grants	Budget
KM	JS	JW	EW
Finance	Attorney	Administration	Clerk
WG	WLI	CR	JR

#### Attachments:

Financial Supplement  
Grant Narrative  
Supplies  
Solicitation  
FY24 Grant Application - HELP



## HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

### AGENDA ITEM 96/2023

**Funds Requested:** \$ 56,392.49

**Request Budgeted:** No

**Proposed Source of Funding:**

**Budget Transfer Requested:**

General / Grant Fund

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2024	001 - GENERAL	163 - TREATMENT SERVICES	4104 - SALARIES	\$56,392.49
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	4104 - SALARIES	\$237,500.72
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	4419 - TECHNICAL & PROFESSIONAL	\$15,360.00
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	4229 - OPERATING SUPPLIES	\$46,833.00
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	4331 - TRAVEL & TRAINING	\$17,996.00
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	4110 - F.I.C.A.	\$18,506.55
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	4121 - HEALTH INSURANCE	\$64,798.81
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	4131 - RETIREMENT	\$12,549.83
2024	017 - GRANTS	759 - HALL COUNTY HELP PROGRAM	3536 - CRIM JUSTICE COORD CNCL	\$-413,544.90

**Budget Transfer Items:**

**Additional Information/Comments:**

Staff salary and benefits will be used as in-kind match.

**Contact for Questions:** JE

**Phone:**

6106

*The Superior, State, and Juvenile Court Judges brought together Drug Court, DUI Court, Mental Health Court, Family Treatment Court, and Substance Abuse Services in 2007 under one agency umbrella called Treatment Services. We've since added the Drug Screening Lab, Felony Probation Drug Court, Veterans Treatment Court, Parental Accountability Court, Dawson County Treatment Court, Dawson County HELP Program, and Dawson County Family Treatment Court. This has allowed for the sharing of resources across programs and has greatly increased our ability to provide services in each area. This has positively impacted all of the accountability court programs in that it has allowed some sharing of office resources, drug screening supplies and services, and office personnel. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations and referrals revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget due to the savings our court programs provide the County and State through jail-cost avoidance. Additional assistance comes to our programs from Friends of Recovery, a nonprofit organization formed in 2006 to support the circuit's accountability court programs. Through fundraisers and the solicitation of community funds, Friends of Recovery provides entry-fee scholarships for those participants needing residential drug and alcohol treatment, along with other services. Friends of Recovery also provides supplies for court graduation ceremonies and receptions, as well as an annual Christmas party for participants and their families where guests are treated to dinner, gifts for the children, musical entertainment, door prizes, and photos with Santa. In addition, funding will be continued by non-profit fundraising, participant fees, state and local appropriations, and revenue from the drug testing lab.*

*In the Hall County office, we have 36 full-time and 3 part-time employees and serve approximately 566 participants annually. Our Dawson County office operates with 6 full-time employees and serve approximately 120 participants annually. Between regular office hours, in-house counseling groups for Drug Court, Family Treatment Court, and the HELP Program, drug testing services for the courts and our customers, etc., we operate 7 days a week. Our drug testing lab analyzed approximately 34,100 drug screens in 2022. In 2022, we provided over 6,000 hours of treatment and experienced a 43% increase in total program enrollments compared to 2021. We conduct on-going, onsite training for new and seasoned staff alike. We make all of this work together to provide efficient and effective programs for the participants we serve. As mentioned above, all of our accountability court programs are under one agency umbrella. While all of Treatment Services shares administrative (Director, Assistant Director, Receptionist) and drug testing lab staff, each program has staff specifically assigned to handle the daily operations of the program.*

*Each of our programs has been awarded grant funding through the Council of Accountability Court Judges (CACJ) since their creation in 2015. Funding is awarded on an annual basis beginning July 1 through June 30. There is a 12% match required for each grant which is fulfilled through county-funded personnel positions assigned to each court program.*

**Deadline for grant submissions to CACJ: March 3, 2023**

## Supplies (4229) Breakdown

ThermoFisher Reagent Pricing List

Customer #C1002043

Effective 07/01/2022

### Hall Co. HELP Program

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual Kits</u>	<u>Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Cocaine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Creatinine	30,000	3.3	9,027	\$903	0.1	1	\$903
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Fentanyl C/J	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	0	\$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0	\$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0	\$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Neg Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Control	~	~	~	\$176	~	0	\$0
<b><u>Total Request:</u></b>							<b>\$23,133</b>

### Calculations

Program	2024 Census - Pro Projected Annual Cost per scre Annual Total			
Hall Co. Drug Court Alpha	150	23,400	\$1.40	\$32,760.00
Hall Co. Drug Court Bravo/Charlie	100	15,600	\$1.40	\$21,840.00
Hall Co. DUI Court	75	11,700	\$1.40	\$16,380.00
Hall Co. FTC	75	11,700	\$1.40	\$16,380.00
Hall Co. HELP/VTC	90	14,040	\$1.40	\$19,656.00
				\$107,016.00



Analyte	# Annual Tests	# Annual Kits	Yield	Kit Price	Price/Test	# of Units	Total
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Cocaine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Creatinine	30,000	3.3	9,027	\$903	0.1	2	\$1,805
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2	\$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	1	\$946
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Opiate	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	1	\$796
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	1	\$324
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Control	~	~	~	\$176	~	2	\$352
Total Request:							\$21,746

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual K Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0 \$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Cocaine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Creatinine	30,000	3.3	9,027	\$903	0.1	1 \$903
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0 \$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	0 \$0
ETG	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0 \$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	0 \$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	0 \$0
PH Validity	12,000	1.5	7,960	\$796	0.1	0 \$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0 \$0
THC	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0 \$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1 \$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0 \$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0 \$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	0 \$0
Fentanyl II Neg Cal	~	~	~	\$132	~	0 \$0
Fentanyl II Control	~	~	~	\$176	~	0 \$0
<b>Total Request:</b>						<b>\$23,133</b>

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual K Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0 \$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Cocaine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Creatinine	30,000	3.3	9,027	\$903	0.1	3 \$2,708
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0 \$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Fentanyl II 500 mL			7,705	\$4,623	0.6	2 \$9,246
General Oxidant	12,000	1.3	9,456	\$946	0.1	0 \$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0 \$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0 \$0
THC	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0 \$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	2 \$2,575
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Control	~	~	~	\$176	~	2 \$352
<b>Total Request:</b>						<b>\$56,308</b>

**BRIAN P. KEMP**  
GOVERNOR



**JAY NEAL**  
DIRECTOR

At the direction of the Funding Committee under the Council of Accountability Court Judges (CACJ) the Criminal Justice Coordinating Council (CJCC) is pleased to announce that it is seeking applications for competitive funding for qualified new and existing Accountability Courts in the State of Georgia.

**State of Georgia**  
**Accountability Court Funding Program**  
**FY'24 Solicitation Packet**

**Eligibility**

Applicants are limited to local entities for new and existing Adult Felony Drug Court, Adult Mental Health Court, Veterans Treatment Court, DUI Court, Family Treatment Court, Juvenile Drug Court, or Juvenile Mental Health Court.

**Any applications received of the same court type within a single jurisdiction (circuit or county) will be reviewed together and considered one application.**

**Deadline**

Applications are due by 5:00 p.m. on Friday, March 3, 2023

**Available Funding**

The amount available for distribution will be determined by the legislature during the 2023 session.  
There is a 12% cash match requirement.

**Award Period**

July 1, 2023, through June 30, 2024

Release Date: February 1, 2023

**THIS GRANT IS NOT INTENDED TO FUND YOUR PROGRAM 100%.**

## **SECTION I: OVERVIEW AND INSTRUCTIONS**

### **Criminal Justice Coordinating Council**

The Criminal Justice Coordinating Council (CJCC) is designated by the Governor of Georgia as the State Administering Agency for criminal justice and victims' assistance programs. Created by the General Assembly (O.C.G.A. § 35-6A-2), the Council is comprised of twenty-four members representing various components of the criminal justice system.

### **Overview of the State of Georgia's Accountability Court Funding Program**

The Council of Accountability Court of Judge (CACJ) was created in 2015 by the Georgia Legislature and by Governor Nathan Deal to provide courts with the critical funding necessary to support the growth of Accountability Courts in Georgia to reduce the prison population.

### **How to Apply**

Interested applicants should review the FY'24 Solicitation Packet in its entirety, and submit the completed application, including the requested information and all required attachments, using the link provided to the court by CJCC on or before 5 p.m., March 3, 2023. **The application is the only acceptable format for submitting the narratives and budget for this funding year. It is recommended that applicants allow adequate time to complete the application. Applications must be submitted using the required format; scanned or handwritten copies of the application will not be accepted.** The CACJ and CJCC will release a pre-recorded FY'24 instructional grant webinar on or about Wednesday, February 1, 2023; interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host a FY'24 grant virtual question and answer webinar on Wednesday, February 8, 2023 at 12:00 pm. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.

### **Match Requirement (12 percent CASH match)**

Applicants must identify the source of the 12 percent non-state portion of the total project costs and how they will use match funds. Match is restricted to the same uses of funds as allowed for the state funds. Applicants may satisfy this match requirement with cash only (no in-kind services).

*Match Waiver:* The CACJ may waive the match requirement upon a determination of fiscal hardship. **To be considered for a waiver of match, a letter of request signed by the Authorized Representative or Program Judge must be submitted with the grant application defining the fiscal hardship.** Fiscal hardship is defined in terms related to reductions in overall budgets, furloughing or reductions in force of staff or other similar documented actions by the local governing authority which have resulted in severe budget reductions. A match waiver request must be submitted as a separate attachment to the application and titled as the "*Match Waiver.*"

NOTE: You do NOT need to match every item you are requesting but must supply a 12% match in the overall budget request. The match must be from one of the allowable categories.

**The formula for calculating the match is:**

*Requested Grant Amount multiplied by 12 then divided by 88 = Required Match*

**Example:**

12 percent match requirement: for a state award amount of \$100,000, match would be calculated as follows:

State Award x 12/88 = Match

Ex. \$100,000 x 12/88 = \$13,363.36

## **SECTION II: SOLICITATION PROCESS**

Please read and understand the Certification for Accountability Court Funding attachment before completing the application. All accountability courts shall attend training and submit a proposed budget/narrative for all funds requested through this grant.

### **Existing Courts**

Complete all sections of the application, unless noted otherwise.

### **Implementation Courts**

Complete sections of the application to the best of your ability. The committee understands that you may not have all the answers yet but expects that you have thought through all of the issues related to each section of the application.

### **Application Review**

Applications will be reviewed and assessed by the CACJ Funding Committee members and its designated representatives who will consider the following:

1. Past compliance with all financial and programmatic reporting requirements.
2. Overall quality and completeness of the application.
3. Demonstration of clear, measurable, and appropriate project goals.
4. Demonstration of need including geographic location, local demographics, local statistics, other financial resources, etc.
5. The use of evidenced-based treatment.

6. Responsiveness to peer review, certification, and treatment fidelity findings.
  7. The use of other funding sources, including participant fees.
  8. Adequate correlation between the cost of the project and the objective(s) to be achieved; and
  9. Sharing resources among each accountability court within the circuit is strongly encouraged.
- All applications within each circuit will be reviewed together.

**Only complete applications received by the deadline will be reviewed.** When an application is received by the CJCC, there is no commitment on the part of the CACJ Funding Committee to fund an application or to fund it at the amount requested. All areas of the budget are subject to review and approval. Decisions related to these budget areas are based on both eligibility and reasonableness. The CACJ Funding Committee has full discretion to determine the reasonableness of budget items based on both objective and subjective decision-making tools. See "Restrictions on Use of Funds" subsection below to determine whether budget items requested are allowable prior to submitting your budget. Applications for funding will undergo several reviews. At any point during these reviews, a decision not to fund a project or any part thereof may be made. These decisions are within the complete discretion of the CACJ Funding Committee.

#### **Funding Decisions**

All funding decisions related to CJCC applications received in response to this solicitation are made by the CACJ Funding Committee and are based on the availability of funding. The Council will inform the applicants of funding decisions through grant awards. Applicants should not make assumptions regarding funding decisions until they have received official written notification of awards or denials signed by the CJCC Council Director.

Once an award is made, the CACJ in conjunction with CJCC, maintains discretion to determine that a grantee is not compliant with applicable policies, and upon such a determination may terminate further funding and require reimbursement of grant funds to the CACJ.

#### **Restrictions on Use of Funds**

For this grant period, grant funds will not be allowed to be used for: out of state training, any part of a salary or pay supplements for state or county paid employees, office space, utilities, furniture (existing courts only), incentives, monthly cell phone charges, case management software (including maintenance and upgrades), vehicles, weapons, office supplies (existing courts only), construction projects and grant administrative overhead.

#### **Supplantation**

Funds must be used to supplement existing funds for program activities and cannot replace or supplant funds that have been appropriated for the same purpose.

Generally, supplanting occurs when a local government or program reduces local or other available funds for an activity specifically because state funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, any State grant funds may not replace any local, or other available funds that have been appropriated or allocated for the same purpose. In those instances when a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-state resources occurred for reasons other than the receipt or expected receipt of state funds.

### **SECTION III: POST-AWARD REQUIREMENTS**

#### **Grant Acceptance**

**Grantees wishing to accept FY'24 funding must submit signed Acceptance Letters and Special Conditions to the CJCC Office, so it is *received* no later than 5 p.m., June 30, 2023.** The CACJ Funding Committee will assume your court rejects its FY'24 award if these acceptance documents are not received by this submission deadline.

#### **Special Conditions**

At the time of the grant award, the CACJ Funding Committee will assign special conditions, as deemed appropriate for the program. The special conditions will outline the grantee's responsibilities, as well as state regulations that must be followed, as a condition of accepting the grant award for the approved program. The special conditions will be included in the award packet and must be reviewed, signed, and returned to CJCC by 5 p.m., June 30, 2023 (see above). **One fourth of all awarded funding must be requested in that quarter's SER each reporting period. This means that the expenditure must be paid by your local funding agency and CJCC reimbursement has been requested within that reporting period. Any unused funds each quarter end will be retained by the CJCC to be managed by the CACJ. This is a reimbursement grant.** If awarded funds, your court will be required to submit check stubs and copies of invoices to CJCC for reimbursement on a quarterly basis. **Training is made available to each court that accepts grant funding. Please see [www.cacj.georgia.gov](http://www.cacj.georgia.gov) for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

#### **Reporting Requirements**

Recipients of this FY'24 grant award will be required to complete and submit SER and a CACJ electronic data submission report, due no later than 15 days after each quarter end. Failure to submit reports in a timely fashion could result in a 10% penalty that will be based on the initial grant award. Subgrantees are given a 10-day grace before any action is taken (applies to SER only). **The electronic data submission reports will be generated using the state approved case management systems during FY'24. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2023.**



*SER (Sub-grant Expenditure Requests):* Reimbursement requests for expenses incurred during the grant period on either a monthly or quarterly basis. To request reimbursement, the recipient must submit a financial report within fifteen days of the month's end date, to their designated grant specialist.

**FY2024 CACJ/CJCC Grant Applications (July 1, 2023 - June 30, 2024)**

**Treatment Services**

**Hall Co. HELP Program (250-2163)**

**Personnel (51100)**

<u>Employee Name</u>	<u>Title</u>	<u>Salary Request</u>	<u>Fringe Benefits Request</u>		<u>Fringe Calculations</u>					<u>Current Salary</u>	<u>Difference Needed</u>
					<u>FICA</u>	<u>Health/STD/Life Insurance</u>	<u>WC</u>	<u>Retirement</u>			
Barbara Moore	Counselor	\$ 56,805.00	\$ 18,860.75	\$ 75,665.75	\$ 4,466.28	\$ 10,285.08	\$ 511.25	\$ 3,598.14	\$	59,966.40	\$ 3,161.40
Shannon O'Carroll	Counselor	\$ 49,982.40	\$ 17,057.60	\$ 67,040.00	\$ 3,823.56	\$ 10,285.08	\$ 449.84	\$ 2,499.12	\$	49,982.40	\$ -
Haley Brown	Case Manager	\$ 44,125.00	\$ 27,633.95	\$ 71,758.95	\$ 3,592.68	\$ 21,520.98	\$ 397.13	\$ 2,123.16	\$	53,081.60	\$ 8,956.60
Ronesha Gillespie	Lab Technician	\$ 45,572.80	\$ 16,460.22	\$ 62,033.02	\$ 3,486.34	\$ 10,285.08	\$ 410.16	\$ 2,278.64	\$	45,572.80	\$ -
Gerald Walls	Lab Technician	\$ 41,015.52	\$ 15,842.68	\$ 56,858.20	\$ 3,137.69	\$ 10,285.08	\$ 369.14	\$ 2,050.77	\$	41,015.52	\$ -
		\$ 237,500.72	\$ 95,855.18	\$ 333,355.90	\$ 18,506.55	\$ 62,661.30	\$ 2,137.51	\$ 12,549.83		\$	12,118.00

**Total Request \$ 333,355.90**

Counselor - These positions are responsible for conducting group and individual therapeutic sessions for a case load of 30 participants minimum. They work directly with program participants to deliver approximately 28 hours of group treatment per week in addition to meeting with clients for individual therapy sessions, treatment planning, and ancillary care resourcing. Counselors attend weekly staffing and court sessions and are extremely integral team members as the program could not provide treatment without them. Case Manager - This position focuses primarily on the administrative tasks, record-keeping, and basic case management needed to support the HELP Program as a whole. Lab Technicians - These positions are critical to our lab operations as we collect urine specimens seven days a week and conduct testing for our ten accountability court programs, Probation, DFCS, Human Resources, DCS, etc. Due to the number of hours we collect specimens and the fact that we tested over 34,100 specimens in 2022, it is imperative to keep both full-time positions. The program experienced a 79% increase in enrollments from 2021 which, we believe, supports our request for these full-time positions in order to maintain program operations.

\*The Community Support Individual's (Damares Comacho) salary is used for match.

**Technical/Professional Services (521000)**

CPT	\$ 15,360.00	\$40/hour x 16 hours/month x 2 officers x 12 months
<b>Total Request</b>	<b>\$ 15,360.00</b>	

We wish to increase our surveillance presence by sending two Community Policing officers for a total of six visits per month. Our current budget allows for the officers (who work in pairs and average four-hour shifts at \$40/hour) to make visits one day a week for all seven of Hall County's accountability court programs. Officers visit participants from all programs during each shift to better utilize funds and available time.

**Supplies (531100)**

Thermofisher Reagents	\$ 23,133.00	*See Hall Supplies tab for breakdown
Abbott Labs (Confirmation Testing)	\$ 20,100.00	
Medication Assistance	\$ 3,600.00	
<b>Total Request</b>	<b>\$ 46,833.00</b>	

<u>Abbott Labs</u>	<u>Cost Per Unit</u>	<u># of Units</u>	<u>Total</u>
Confirmation Test	\$ 14.00	250	\$ 3,500.00
Comprehensive Panel	\$ 50.00	200	\$ 10,000.00
Specialty Test	\$ 33.00	200	\$ 6,600.00
		<b>Total</b>	<b>\$ 20,100.00</b>

We wish to purchase drug testing reagents to run on the Lab's analyzer to increase our drug testing capabilities. With grant funds, we can contribute to the agency resources and afford more screens for our participants through the purchase of these reagents. We would like to continue doing the following testing in-house: 6-AM (Heroin), Cocaine, ETG, Methadone, Opiates, THC, Tramadol, K2/Spice, Oxycodone, Buprenorphine, and Fentanyl. We are dividing the requests for reagents amongst our various grant applications to better share resources. Our program experienced a 5.2% increase in overall drug testing compared to 2020 which supports our funding request for additional drug testing reagents.

The HELP Program sends off appx. 600 confirmation and specialty testing requests to eLab (LifeHope Labs) annually. Our request allows us to respond to illicit drug use which is currently being undetected in our lab and serve more participants as census continues to grow. The program experienced a 4% increase in overall drug screening services in 2022 compared to the prior year.

The HELP Program targets individuals qualifying for severe and persistent mental illnesses which require specific medications for symptom management. Oftentimes at program entry, participants are unable to pay for these necessary medications which may lead to noncompliance and relapse and recidivism occurrences. We are requesting grant funding to provide medication cost assistance for appropriate participants. We will charge this fee back to participants with the understanding that it be paid back to the program prior to completion in order to generate a stream of revenue which will allow us to sustain this assistance program in the near future. We estimate a monthly cost of \$60 per participant x 12 months = \$720 x 5 participants = \$3,600.

**Travel (523500)**

CACJ Conference Expenses Team A	\$ 1,488.00	240 miles x \$.65/mile x 8 people and \$30/parking x 8 people
CACJ Conference Expenses Team B	\$ 1,488.00	240 miles x \$.65/mile x 8 people and \$30/parking x 8 people
HEAT Training	\$ 15,020.00	
<b>Total Request</b>	<b>\$ 17,996.00</b>	

<u>HEAT Training Expenses</u>		
Airfare (2 facilitators)	\$	1,200
Hotel (3 nights x 2 trainers)	\$	1,000
Per diem rates (4 days x 2 train)	\$	400
Ground Transportation	\$	300
Participant Workbooks (\$30bc	\$	3,000
Certification (\$760/person x 1.	\$	9,120

We are requesting funding for travel reimbursement to the annual CACJ conference scheduled for September 9-13, 2023 in Athens. We are requesting funding for our MHC team members (Team A) and our Veterans Track team members (Team B). Additionally, we are requesting funding to facilitate Habilitation Empowerment Accountability Training (HEAT) for our agency which will directly benefit all of the accountability court programs in our circuit. The Hall Co. HELP Program participated in the pilot RED assessment during 2022 and found areas of disparity which need to be addressed. By providing HEAT training, our staff will be appropriately equipped to provide programming targeting African-American males which is a population which we have historically failed in our programming. Grant funding would allow us to pay travel costs for facilitators to come to our area and train 12 staff members. The training will last 4 days and this overall cost includes airfare, ground transportation, lodging, per diem rates, participant workbooks, and certification cost.

<b>Total Grant Request</b>	<b>\$ 413,544.90</b>	
<b>Match Requirement</b>	<b>\$ 56,392.49</b>	<b>Damaries Camacho (CSI) salary to be used as Match</b>

**Project Descriptions**

*Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County absorbed some personnel associated with the HELP Program under the General Fund budget in 2007 making the program a permanent fixture. In 2022, the program experienced a 79% increase in enrollments compared to 2021. As our census grows, our need to retain staff and increase overall services is imperative. Program participants are charged a monthly fee of \$40 to help offset some operational costs. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs.*

*The HELP Program is one of six accountability court programs in Hall County. Along with Substance Abuse Services and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we serve over 500 participants annually. Between regular office hours, in-house counseling groups, drug testing services for the courts and our customers, etc., we operate 7 days a week. We make all of this work together to provide efficient and effective programs for the participants we serve. Our agency strives to stretch resources across all programs to best utilize each dollar awarded.*

**FY2023 Grant Award Total \$365,821\***      **\*Does not include Match**  
**Current Funding July 1, 2022 - June 30, 2023**

CACJ/CJCC Estimated Cost Per Participant	\$	3,672
Program Census (Projected for FY24)		90
Total:	\$	330,480

**FY2023 Grant Request \$366,206.99**



## AGENDA ITEM

### Court Administration

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 99/2023

**SUBJECT:** Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding Program for Family Treatment Court for staffing, technical and professional services, supplies, and training in the amount of \$270,592.81, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$36,899.02 is required.

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### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

### Executive Summary:

**Presenter:** JE

**Recommendation:**  
Approve.

### Purpose of Request:

Approve the application of the Criminal Justice Coordinating Council for FY2024 Accountability Court Funding Program for Family Treatment Court for staffing, technical and professional services, supplies, and training in the amount of \$270,592.81, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$36,899.02 is required.

### History:

Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County absorbed some personnel associated with Family Treatment Court under the General Fund budget in 2007 making the program a permanent fixture. Program participants are charged a monthly fee of \$30 to help offset some operational costs. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs.

### Facts and Issues:

### Options:

Family Treatment Court is one of six accountability court programs in Hall County. Along with Substance Abuse Services and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we serve approximately 450 participants. Between regular office hours, in-house counseling groups, drug testing services for the courts and our customers, etc., we operate 7 days a week. We make all of this work together to provide efficient and effective programs for the participants we serve. FTC continues to experience census program growth and stability and serves an average of 80 participants each year. Our additional funding request for a full-time counselor offsets the cost requested in previous years for contract counseling services and will ensure quality, timely, and consistent treatment for all program participants.

<b>Funding Requested</b>	\$ 36,899.02
<b>Are funds within current budget?</b>	No
<b>Source of Funds</b>	General / Grant Fund
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	No
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	2023-03-09

**Approvals:**

Submit	Approve	Grants	Budget
KM	JS	JW	EW
Finance	Attorney	Administration	Clerk
WG	WLI	CR	JR

**Attachments:**

Financial Supplement  
Grant Narrative  
Solicitation  
Supplies  
FY24 Grant Application - FTC



## HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

### AGENDA ITEM 99/2023

**Funds Requested:** \$ 36,899.02

**Request Budgeted:** No

**Proposed Source of Funding:**

**Budget Transfer Requested:**

General / Grant Fund

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2024	001 - GENERAL	163 - TREATMENT SERVICES	4104 - SALARIES	\$36,899.02
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	4104 - SALARIES	\$145,450.00
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	4419 - TECHNICAL & PROFESSIONAL	\$34,800.00
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	4229 - OPERATING SUPPLIES	\$38,373.00
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	4331 - TRAVEL & TRAINING	\$1,800.00
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	4110 - F.I.C.A.	\$11,937.90
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	4121 - HEALTH INSURANCE	\$29,524.77
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	4131 - RETIREMENT	\$8,707.14
2024	017 - GRANTS	762 - HALL CO FAMILY TREAT COURT	3536 - CRIM JUSTICE COORD CNCL	\$-270,592.81

**Budget Transfer Items:**

**Additional Information/Comments:**

Staff salary will be used for the in-kind match.

**Contact for Questions:** JE

**Phone:**

6106

*The Superior, State, and Juvenile Court Judges brought together Drug Court, DUI Court, Mental Health Court, Family Treatment Court, and Substance Abuse Services in 2007 under one agency umbrella called Treatment Services. We've since added the Drug Screening Lab, Felony Probation Drug Court, Veterans Treatment Court, Parental Accountability Court, Dawson County Treatment Court, Dawson County HELP Program, and Dawson County Family Treatment Court. This has allowed for the sharing of resources across programs and has greatly increased our ability to provide services in each area. This has positively impacted all of the accountability court programs in that it has allowed some sharing of office resources, drug screening supplies and services, and office personnel. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations and referrals revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget due to the savings our court programs provide the County and State through jail-cost avoidance. Additional assistance comes to our programs from Friends of Recovery, a nonprofit organization formed in 2006 to support the circuit's accountability court programs. Through fundraisers and the solicitation of community funds, Friends of Recovery provides entry-fee scholarships for those participants needing residential drug and alcohol treatment, along with other services. Friends of Recovery also provides supplies for court graduation ceremonies and receptions, as well as an annual Christmas party for participants and their families where guests are treated to dinner, gifts for the children, musical entertainment, door prizes, and photos with Santa. In addition, funding will be continued by non-profit fundraising, participant fees, state and local appropriations, and revenue from the drug testing lab.*

*In the Hall County office, we have 36 full-time and 3 part-time employees and serve approximately 566 participants annually. Our Dawson County office operates with 6 full-time employees and serve approximately 120 participants annually. Between regular office hours, in-house counseling groups for Drug Court, Family Treatment Court, and the HELP Program, drug testing services for the courts and our customers, etc., we operate 7 days a week. Our drug testing lab analyzed approximately 34,100 drug screens in 2022. In 2022, we provided over 6,000 hours of treatment and experienced a 43% increase in total program enrollments compared to 2021. We conduct on-going, onsite training for new and seasoned staff alike. We make all of this work together to provide efficient and effective programs for the participants we serve. As mentioned above, all of our accountability court programs are under one agency umbrella. While all of Treatment Services shares administrative (Director, Assistant Director, Receptionist) and drug testing lab staff, each program has staff specifically assigned to handle the daily operations of the program.*

*Each of our programs has been awarded grant funding through the Council of Accountability Court Judges (CACJ) since their creation in 2015. Funding is awarded on an annual basis beginning July 1 through June 30. There is a 12% match required for each grant which is fulfilled through county-funded personnel positions assigned to each court program.*

**Deadline for grant submissions to CACJ: March 3, 2023**

**BRIAN P. KEMP**  
GOVERNOR



**JAY NEAL**  
DIRECTOR

At the direction of the Funding Committee under the Council of Accountability Court Judges (CACJ) the Criminal Justice Coordinating Council (CJCC) is pleased to announce that it is seeking applications for competitive funding for qualified new and existing Accountability Courts in the State of Georgia.

**State of Georgia**  
**Accountability Court Funding Program**  
**FY'24 Solicitation Packet**

**Eligibility**

Applicants are limited to local entities for new and existing Adult Felony Drug Court, Adult Mental Health Court, Veterans Treatment Court, DUI Court, Family Treatment Court, Juvenile Drug Court, or Juvenile Mental Health Court.

**Any applications received of the same court type within a single jurisdiction (circuit or county) will be reviewed together and considered one application.**

**Deadline**

Applications are due by 5:00 p.m. on Friday, March 3, 2023

**Available Funding**

The amount available for distribution will be determined by the legislature during the 2023 session.  
There is a 12% cash match requirement.

**Award Period**

July 1, 2023, through June 30, 2024

**Release Date: February 1, 2023**

**THIS GRANT IS NOT INTENDED TO FUND YOUR PROGRAM 100%.**



## **SECTION I: OVERVIEW AND INSTRUCTIONS**

### **Criminal Justice Coordinating Council**

The Criminal Justice Coordinating Council (CJCC) is designated by the Governor of Georgia as the State Administering Agency for criminal justice and victims' assistance programs. Created by the General Assembly (O.C.G.A. § 35-6A-2), the Council is comprised of twenty-four members representing various components of the criminal justice system.

### **Overview of the State of Georgia's Accountability Court Funding Program**

The Council of Accountability Court of Judge (CACJ) was created in 2015 by the Georgia Legislature and by Governor Nathan Deal to provide courts with the critical funding necessary to support the growth of Accountability Courts in Georgia to reduce the prison population.

### **How to Apply**

Interested applicants should review the FY'24 Solicitation Packet in its entirety, and submit the completed application, including the requested information and all required attachments, using the link provided to the court by CJCC on or before 5 p.m., March 3, 2023. **The application is the only acceptable format for submitting the narratives and budget for this funding year. It is recommended that applicants allow adequate time to complete the application. Applications must be submitted using the required format; scanned or handwritten copies of the application will not be accepted.** The CACJ and CJCC will release a pre-recorded FY'24 instructional grant webinar on or about Wednesday, February 1, 2023; interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host a FY'24 grant virtual question and answer webinar on Wednesday, February 8, 2023 at 12:00 pm. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.

### **Match Requirement (12 percent CASH match)**

Applicants must identify the source of the 12 percent non-state portion of the total project costs and how they will use match funds. Match is restricted to the same uses of funds as allowed for the state funds. Applicants may satisfy this match requirement with cash only (no in-kind services).

*Match Waiver:* The CACJ may waive the match requirement upon a determination of fiscal hardship. **To be considered for a waiver of match, a letter of request signed by the Authorized Representative or Program Judge must be submitted with the grant application defining the fiscal hardship.** Fiscal hardship is defined in terms related to reductions in overall budgets, furloughing or reductions in force of staff or other similar documented actions by the local governing authority which have resulted in severe budget reductions. A match waiver request must be submitted as a separate attachment to the application and titled as the "*Match Waiver.*"

NOTE: You do NOT need to match every item you are requesting but must supply a 12% match in the overall budget request. The match must be from one of the allowable categories.

**The formula for calculating the match is:**

*Requested Grant Amount multiplied by 12 then divided by 88 = Required Match*

**Example:**

12 percent match requirement: for a state award amount of \$100,000, match would be calculated as follows:

State Award x 12/88 = Match

Ex. \$100,000 x 12/88 = \$13,363.36

## **SECTION II: SOLICITATION PROCESS**

Please read and understand the Certification for Accountability Court Funding attachment before completing the application. All accountability courts shall attend training and submit a proposed budget/narrative for all funds requested through this grant.

### **Existing Courts**

Complete all sections of the application, unless noted otherwise.

### **Implementation Courts**

Complete sections of the application to the best of your ability. The committee understands that you may not have all the answers yet but expects that you have thought through all of the issues related to each section of the application.

### **Application Review**

Applications will be reviewed and assessed by the CACJ Funding Committee members and its designated representatives who will consider the following:

1. Past compliance with all financial and programmatic reporting requirements.
2. Overall quality and completeness of the application.
3. Demonstration of clear, measurable, and appropriate project goals.
4. Demonstration of need including geographic location, local demographics, local statistics, other financial resources, etc.
5. The use of evidenced-based treatment.

6. Responsiveness to peer review, certification, and treatment fidelity findings.
  7. The use of other funding sources, including participant fees.
  8. Adequate correlation between the cost of the project and the objective(s) to be achieved; and
  9. Sharing resources among each accountability court within the circuit is strongly encouraged.
- All applications within each circuit will be reviewed together.

**Only complete applications received by the deadline will be reviewed.** When an application is received by the CJCC, there is no commitment on the part of the CACJ Funding Committee to fund an application or to fund it at the amount requested. All areas of the budget are subject to review and approval. Decisions related to these budget areas are based on both eligibility and reasonableness. The CACJ Funding Committee has full discretion to determine the reasonableness of budget items based on both objective and subjective decision-making tools. See "Restrictions on Use of Funds" subsection below to determine whether budget items requested are allowable prior to submitting your budget. Applications for funding will undergo several reviews. At any point during these reviews, a decision not to fund a project or any part thereof may be made. These decisions are within the complete discretion of the CACJ Funding Committee.

#### **Funding Decisions**

All funding decisions related to CJCC applications received in response to this solicitation are made by the CACJ Funding Committee and are based on the availability of funding. The Council will inform the applicants of funding decisions through grant awards. Applicants should not make assumptions regarding funding decisions until they have received official written notification of awards or denials signed by the CJCC Council Director.

Once an award is made, the CACJ in conjunction with CJCC, maintains discretion to determine that a grantee is not compliant with applicable policies, and upon such a determination may terminate further funding and require reimbursement of grant funds to the CACJ.

#### **Restrictions on Use of Funds**

For this grant period, grant funds will not be allowed to be used for: out of state training, any part of a salary or pay supplements for state or county paid employees, office space, utilities, furniture (existing courts only), incentives, monthly cell phone charges, case management software (including maintenance and upgrades), vehicles, weapons, office supplies (existing courts only), construction projects and grant administrative overhead.

#### **Supplantation**

Funds must be used to supplement existing funds for program activities and cannot replace or supplant funds that have been appropriated for the same purpose.

Generally, supplanting occurs when a local government or program reduces local or other available funds for an activity specifically because state funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, any State grant funds may not replace any local, or other available funds that have been appropriated or allocated for the same purpose. In those instances when a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-state resources occurred for reasons other than the receipt or expected receipt of state funds.

### **SECTION III: POST-AWARD REQUIREMENTS**

#### **Grant Acceptance**

**Grantees wishing to accept FY'24 funding must submit signed Acceptance Letters and Special Conditions to the CJCC Office, so it is *received* no later than 5 p.m., June 30, 2023.** The CACJ Funding Committee will assume your court rejects its FY'24 award if these acceptance documents are not received by this submission deadline.

#### **Special Conditions**

At the time of the grant award, the CACJ Funding Committee will assign special conditions, as deemed appropriate for the program. The special conditions will outline the grantee's responsibilities, as well as state regulations that must be followed, as a condition of accepting the grant award for the approved program. The special conditions will be included in the award packet and must be reviewed, signed, and returned to CJCC by 5 p.m., June 30, 2023 (see above). **One fourth of all awarded funding must be requested in that quarter's SER each reporting period. This means that the expenditure must be paid by your local funding agency and CJCC reimbursement has been requested within that reporting period. Any unused funds each quarter end will be retained by the CJCC to be managed by the CACJ. This is a reimbursement grant.** If awarded funds, your court will be required to submit check stubs and copies of invoices to CJCC for reimbursement on a quarterly basis. **Training is made available to each court that accepts grant funding. Please see [www.cacj.georgia.gov](http://www.cacj.georgia.gov) for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

#### **Reporting Requirements**

Recipients of this FY'24 grant award will be required to complete and submit SER and a CACJ electronic data submission report, due no later than 15 days after each quarter end. Failure to submit reports in a timely fashion could result in a 10% penalty that will be based on the initial grant award. Subgrantees are given a 10-day grace before any action is taken (applies to SER only). **The electronic data submission reports will be generated using the state approved case management systems during FY'24. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2023.**

*SER (Sub-grant Expenditure Requests):* Reimbursement requests for expenses incurred during the grant period on either a monthly or quarterly basis. To request reimbursement, the recipient must submit a financial report within fifteen days of the month's end date, to their designated grant specialist.

## Supplies (4229) Breakdown

ThermoFisher Reagent Pricing List

Customer #C1002043

Effective 07/01/2022

### Hall Co. HELP Program

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual Kits</u>	<u>Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Cocaine	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Creatinine	30,000	3.3	9,027	\$903	0.1	1	\$903
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Fentanyl C/J	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	0	\$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0	\$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0	\$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Neg Cal	~	~	~	\$132	~	0	\$0
Fentanyl II Control	~	~	~	\$176	~	0	\$0
<b><u>Total Request:</u></b>							<b>\$23,133</b>

### Calculations

Program	2024 Census - Pro Projected Annual Cost per scre Annual Total			
Hall Co. Drug Court Alpha	150	23,400	\$1.40	\$32,760.00
Hall Co. Drug Court Bravo/Charlie	100	15,600	\$1.40	\$21,840.00
Hall Co. DUI Court	75	11,700	\$1.40	\$16,380.00
Hall Co. FTC	75	11,700	\$1.40	\$16,380.00
Hall Co. HELP/VTC	90	14,040	\$1.40	\$19,656.00
				\$107,016.00

Analyte	# Annual Tests	# Annual Kits	Yield	Kit Price	Price/Test	# of Units	Total
ETOH	12,000	1.2	9,027	\$2,618	0.29	0	\$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Cocaine	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Creatinine	30,000	3.3	9,027	\$903	0.1	2	\$1,805
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0	\$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2	\$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	0	\$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0	\$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	1	\$946
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Opiate	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1	\$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	1	\$796
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0	\$0
THC	30,000	3.3	9,027	\$2,618	0.29	0	\$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1	\$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	1	\$324
Kratom (Mitragnyne)	2,400	2.1	1,118	\$1,288	1.15	1	\$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0	\$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2	\$264
Fentanyl II Control	~	~	~	\$176	~	2	\$352
Total Request:							\$21,746

<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual K Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0 \$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Cocaine	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Creatinine	30,000	3.3	9,027	\$903	0.1	1 \$903
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0 \$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	0 \$0
ETG	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Fentanyl II 500 mL			7,705	\$4,623	0.6	0 \$0
General Oxidant	12,000	1.3	9,456	\$946	0.1	0 \$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	0 \$0
PH Validity	12,000	1.5	7,960	\$796	0.1	0 \$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0 \$0
THC	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0 \$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	1 \$1,288
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	0 \$0
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	0 \$0
Fentanyl II Cutoff Cal	~	~	~	\$132	~	0 \$0
Fentanyl II Neg Cal	~	~	~	\$132	~	0 \$0
Fentanyl II Control	~	~	~	\$176	~	0 \$0
<b>Total Request:</b>						<b>\$23,133</b>



<u>Analyte</u>	<u># Annual Tests</u>	<u># Annual K Yield</u>	<u>Kit Price</u>	<u>Price/Test</u>	<u># of Units</u>	<u>Total</u>
ETOH	12,000	1.2	9,027	\$2,618	0.29	0 \$0
Amphetamine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Barbiturate	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Benzodiazepine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Cocaine	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Creatinine	30,000	3.3	9,027	\$903	0.1	3 \$2,708
Ecstasy	12,000	1.3	9,027	\$2,618	0.29	0 \$0
EDDP (Methadone Metabolite)	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
ETG	30,000	3.3	9,027	\$2,618	0.29	2 \$5,236
Fentanyl CJF	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Fentanyl II 500 mL			7,705	\$4,623	0.6	2 \$9,246
General Oxidant	12,000	1.3	9,456	\$946	0.1	0 \$0
Hydrocodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Opiate	30,000	3.3	9,027	\$2,618	0.29	0 \$0
Oxycodone	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
PH Validity	12,000	1.5	7,960	\$796	0.1	0 \$0
Propoxyphene (PPX)	12,000	1.3	9,027	\$2,618	0.29	0 \$0
Specific Gravity	12,000	1.3	9,027	\$908	0.1	0 \$0
THC	30,000	3.3	9,027	\$2,618	0.29	1 \$2,618
Heroin/6-AM	12,000	1.3	9,027	\$2,618	0.29	1 \$2,618
Buprenorphine	12,000	10.7	1,118	\$324	0.29	0 \$0
Kratom (Mitragynine)	2,400	2.1	1,118	\$1,288	1.15	2 \$2,575
Synthetic Cannabinoids (UR-144/XLR-11)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Synthetic Cannabinoids (AB-PINACA)	2,400	2.1	1,118	\$1,062	0.95	2 \$2,124
Fentanyl II Cutoff Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Neg Cal	~	~	~	\$132	~	2 \$264
Fentanyl II Control	~	~	~	\$176	~	2 \$352
<b>Total Request:</b>						<b>\$56,308</b>

**FY2024 CACJ/CJCC Grant Applications (July 1, 20203 - June 30, 2024)**

**Treatment Services**

**Hall Co. Family Treatment Court (250-2165)**

**Personnel (511100)**

<u>Employee Name</u>	<u>Title</u>	<u>Salary Request</u>	<u>Fringe Benefits Request</u>		<u>Fringe Calculations</u>				<u>Current Salary</u>	<u>Difference Needed</u>
					<u>FICA</u>	<u>Health/STD/Life Insurance</u>	<u>WC</u>	<u>Retirement</u>		
Jodi Bell	Counselor	\$ 57,200.00	\$ 17,282.98	\$ 74,482.98	\$ 4,219.80	\$ 10,260.38	\$ 514.80	\$ 2,288.00	\$ 57,200.00	\$ -
Jessica Simmons	Case Manager	\$ 44,125.00	\$ 9,407.43	\$ 53,532.43	\$ 4,161.30	\$ 502.58	\$ 397.13	\$ 4,346.42	\$ 54,329.60	\$ 10,204.60
Brittany Williamson	Case Manager	\$ 44,125.00	\$ 23,479.41	\$ 67,604.41	\$ 3,556.80	\$ 17,452.76	\$ 397.13	\$ 2,072.72	\$ 51,812.80	\$ 7,687.80
		\$ 145,450.00	\$ 50,169.81		\$ 11,937.90	\$ 28,215.72	\$ 1,309.05	\$ 8,707.14		\$ 17,892.40
<b>Total Request</b>		<b>\$ 195,619.81</b>								

The Clinical Case Manager positions are currently occupied by Brittany Williamson and Jessica Simmons. They maintain a collective caseload of nearly 70 participants for the Family Treatment Court program and are responsible for the tracking of participant progress, data collection, data dissemination, and accurate and timely maintenance of all spreadsheets. These positions prepare, update, and maintain participant files, as well as maintain databases and tracking systems for the program. These positions also provide direct services to participants and assist with case management plans, weekly case management sessions, and access to services in the community. The full-time counselor position is currently occupied by Jodi Bell. She provides individual and group counseling for all program participants and delivers approx. 18 hours of group treatment per week not including individual treatment hours. The counselor is responsible for completing individualized treatment plans with all participants, inputting data into the case management system, and attending all staffing and court sessions. FTC experienced a 22% increase in program census from 2021 which helps support the continued need for these existing full-time positions.

\*The Coordinator's (Marisa Sullens) salary is used for the grant match.

**Technical/Professional Services (521000)**

CPT	\$ 19,200.00	\$40/hour x 20 hours/month x 2 officers x 12 months
Treatment Provider	\$ 15,600.00	\$150/group x 2 week x 52 weeks
<b>Total Request</b>	<b>\$ 34,800.00</b>	

We wish to increase our surveillance presence by sending two Community Policing officers out an additional night a week. Our current budget allows for the officers (who work in pairs and average four-hour shifts at \$40/hour) to make visits one to two days a week for all seven of Hall County's accountability court programs.

We wish to continue our partnership with our local RCO to provide additional peer-support groups for program participants. These will compliment treatment offered in-house and enhance the menu of services available to program participants. These groups will be open to all program participants and shared across the circuit.

**Supplies (531100)**

ThermoFisher Reagents	\$ 23,123.00	*See Hall Supplies tab for breakdown
Abbott Labs - Confirmation Testing	\$ 15,250.00	

**Total Request \$ 38,373.00**

<u>Abbott Labs</u>	<u>Cost Per Unit</u>	<u># of Units</u>	<u>Total</u>
Confirmation Test	\$ 14.00	200	\$ 2,800.00
Comprehensive Panel	\$ 50.00	150	\$ 7,500.00
Specialty Test	\$ 33.00	150	\$ 4,950.00
<b>Total</b>			<b>\$ 15,250.00</b>

We wish to purchase reagents to run on the Lab's analyzer to increase our drug testing capabilities. With grant funds, we can contribute to the agency resources and afford more screens for our participants through the purchase of these reagents. We would like to continue doing the following testing in-house: 6-AM (Heroin), Cocaine, ETG, Methadone, Opiates, THC, Tramadol, K2/Spice, Oxycodone, Buprenorphine, and Fentanyl. We are dividing the requests for reagents amongst our various grant applications to better share resources. FTC has experienced a 16% increase in overall drug testing services from 2020 which helps support our funding request for reagents.

Family Treatment Court sends off close to 350 confirmation and specialty testing requests to Abbott Labs annually. Our request allows us to be better equipped to respond to illicit drug use which is currently being undetected in our lab and serve more participants as census continues to grow. FTC experienced a 16% increase in overall drug testing services from 2020 which helps support our funding request.

**Travel (52350)**

CACJ Conference Expenses	\$ 1,800.00	240 miles x \$.65/mile x 10 people and \$30/parking x 10 people
<b>Total Request</b>	<b>\$ 1,800.00</b>	

**Total Grant Request \$ 270,592.81**

**Match Requirement \$ 36,899.02** Marisa Sullen's salary to be used as Match

**Project Descriptions**

Treatment Services is the agency umbrella encompassing all programs in our circuit. This allows for sharing of resources across programs and greatly increases our ability to provide services. Hall County absorbed some personnel associated with Family Treatment Court under the General Fund budget in 2007 making the program a permanent fixture. Program participants are charged a monthly fee of \$30 to help offset some operational costs. The Treatment Services budget is made up of County General Fund, DATE Funds, participant fees, drug testing lab revenue, evaluations revenue, and grant awards. When federal funding ends, we are hopeful that County Commissioners will absorb the grant-funded positions and benefits under the General Fund budget. Additional assistance comes from Friends of Recovery, a nonprofit organization formed in 2006 to support Hall County's accountability court programs.

Family Treatment Court is one of six accountability court programs in Hall County. Along with Substance Abuse Services and the Drug Testing Lab, the programs are organized under one agency umbrella called Treatment Services. This allows for the sharing of resources such as office space, drug testing services, community policing efforts, and personnel. We do not have individual program budgets. Rather, the Treatment Services budget is made up of participant fees, fees from our evaluations and referrals program, revenue from the lab, DATE funds, grants, and the County's General Fund. In the Hall County office, we serve approximately 450 participants. Between regular office hours, in-house counseling groups, drug testing services for the courts and our customers, etc., we operate 7 days a week. We make all of this work together to provide efficient and effective programs for the participants we serve. FTC continues to experience census program growth and stability and serves an average of 80 participants each year. Our additional funding request for a full-time counselor offsets the cost requested in previous years for contract counseling services and will ensure quality, timely, and consistent treatment for all program participants.

FY2023 Grant Award Total \$240,225\*  
Current Funding July 1, 2022 - June 30, 2023

\*Does not include Match

CACJ/CJCC Estimated Cost Per Participant	\$	4,566
Program Census (Projected for FY24)		75
Total:	\$	342,450

FY2023 Grant Request \$275,373.51



## AGENDA ITEM

### Fire Rescue

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 91/2023

**SUBJECT:** Approve the award of RFP #41-009 Construction Manager at Risk and Guaranteed Maximum Price for Construction of Fire Station 17 for Fire Rescue to Sunbelt Builders, Inc. of Covington, GA. The estimated cost not to exceed is \$6,349,094.00.

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#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** CA

**Recommendation:**  
Approve

#### Purpose of Request:

Approve the award of RFP #41-009 Construction Manager at Risk and Guaranteed Maximum Price for Construction of Fire Station 17 for Fire Rescue to Sunbelt Builders, Inc. of Covington, GA. The estimated cost not to exceed is \$6,349,094.00.

#### History:

Sunbelt Builders successfully completed Fire Station #1 located at 3126 Gillsville Hwy, Gainesville, GA 30507, and is a contractor in good standing with the County.

#### Facts and Issues:

#### Options:

This project was competitively bid by official notice on June, 22, 2020 as RFP #41-009 for Fire Station #1 and Fire Station #17.

This project includes the site grading, building construction, vehicular drives, septic system, utility connections, and associated appurtenances for two new fire stations. Fire Station 1 and 17 will use the same plan and have three (3) bays with an approximate building footprint of 9,307 square feet. The construction type for will be a combination of steel frame and masonry load bearing construction, brick veneer, metal roof and drywall interior in the living quarters. Fire Station 1 was relocated to 3126 Gillsville Hwy Gainesville, GA. Fire Station 17 will be located at 5711 & 5719 Holiday Road, Buford, GA. Firms will be tasked to perform services during the pre-construction phase and construction phase shall include working with the owner and architect in project planning, estimating, value engineering, and management of construction until occupancy is achieved, and implementing the one (1) year warranty and one (1) year warranty inspection. Construction may include, but not be limited to, civil, structural, mechanical, electrical, plumbing, and furniture and fixture procurement.

**Funding Requested**

\$ 6,349,094.00

**Are funds within current budget?**

Yes

**Source of Funds**

SPLOST VII / VIII / Impact Fees / Capital Projects

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

Yes

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

2023-02-27

**Approvals:**

<b>Buyer</b>	<b>submit</b>	<b>approve</b>	<b>Purchasing</b>
AP	RS	RS	AP
<b>Budget</b>	<b>Finance</b>	<b>Attorney</b>	<b>Administration</b>
EW	WG	WLI	CR
<b>Clerk</b>			
JR			

**Attachments:**

Financial Supplement

Contractor's Quote

Civil Allowances



**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 91/2023**

**Funds Requested:** \$ 6,349,094.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

SPLOST VII / VIII / Impact Fees / Capital Projects No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2023	027 - SPLOST VII	944 - SP-VII NEW STATION #17	5002 - BUILDING/CONSTRUCTION	\$2,176,584.00
2024	027 - SPLOST VII	944 - SP-VII NEW STATION #17	5002 - BUILDING/CONSTRUCTION	\$640,321.00
2024	028 - SPLOST VIII	TBD	6002 - BUILDINGS	\$2,447,803.00
2025	026 - IMPACT FEE	262 - IMPACT FEE - FIRE FUND	6002 - BUILDINGS	\$550,000.00
2025	005 - CAPITAL PROJECTS	527 - FIRE DIST CAPITAL PROJECT	6002 - BUILDINGS	\$534,386.00

**Budget Transfer Items:**

**Additional Information/Comments:**

**Contact for Questions:** CA

**Phone:** 470-623-7129



10641 HIGHWAY 36  
COVINGTON, GEORGIA  
30014  
t 770.786.3031  
f 770.786.3046

## Hall County Fire Station #17 & Storage Building Renovations GMP Schedule of Values January 17, 2023

Item	Description	Cost
	Owner Allowances	\$ 73,675.00
	Pre-Construction Services	\$ 6,500.00
1	General Requirements - Fire Station #17	\$ 159,270.00
	General Requirements - Storage Building	\$ 53,520.00
	Cost of Work General Conditions	\$ 142,689.00
2	Existing Conditions	\$ 283,466.00
3	Concrete	\$ 222,236.00
4	Masonry	\$ 268,200.00
5	Metals	\$ 50,800.00
6	Woods & Plastics	\$ 342,578.00
7	Thermal & Moisture	\$ 443,308.00
8	Openings	\$ 509,703.00
9	Finishes	\$ 314,950.00
10	Specialties	\$ 78,150.00
11	Equipment	\$ -
12	Furnishings	\$ 252,835.00
13	Special Construction	\$ 172,870.00
14	Conveying Systems	\$ -
21	Fire Suppression	\$ -
22	Plumbing	\$ 184,373.00
23	HVAC	\$ 712,269.00
26	Electrical	\$ 369,424.00
27	Communications	\$ -
28	Electronic Safety & Security	\$ 98,354.00
31	Earthwork	\$ 163,913.00
32	Exterior Improvements	\$ 640,572.00
33	Utilities	\$ 298,620.00
	Contractor's Fee	\$ 253,902.00
<b>Project Total</b>		<b>\$ 6,096,177.00</b>



10641 HIGHWAY 36  
COVINGTON, GEORGIA  
30014  
t 770.786.3031  
f 770.786.3046

## Hall County Fire Station #17 & Storage Building Renovations

### GMP SOV Breakdown

January 17, 2023

Item	Description	Unit	Quantity	Price
01-1100	<b>Owner Allowances</b>	EA	1	<b>73,675.00</b>
	<b>Pre-Construction Services</b>	EA	1	<b>6,500.00</b>
<b>01</b>	<b>General Requirements - Fire Station #17</b>			
01-3025	Project Executive	EA	1	5,920.00
01-3050	Project Manager	EA	1	8,800.00
01-3055	Assistant Project Manager	EA	1	22,000.00
01-3100	Project Superintendent	EA	1	80,000.00
01-3105	Truck & Expenses	EA	1	7,600.00
01-3110	Gas, Oil & Maintenance	EA	1	3,600.00
01-3115	Phone	EA	1	800.00
01-3200	Safety Director	EA	1	2,400.00
01-3300	Project Accountant	EA	1	8,000.00
01-5113	Temporary Electricity	EA	1	3,200.00
01-5136	Temporary Water	EA	1	400.00
01-5213	Field Offices & Sheds	EA	1	10,000.00
	Temporary Water & Sewer Service	EA	1	3,600.00
	Office Supplies	EA	1	500.00
	Water Cooler	EA	1	950.00
01-7800	Closeout Submittals	EA	1	1,500.00
	<b>Total General Requirements</b>			<b>159,270.00</b>
<b>01</b>	<b>General Requirements - Storage Building</b>			
01-3025	Project Executive	EA	1	2,220.00
01-3050	Project Manager	EA	1	3,300.00
01-3055	Assistant Project Manager	EA	1	7,500.00
01-3100	Project Superintendent	EA	1	27,000.00
01-3105	Truck & Expenses	EA	1	2,850.00
01-3110	Gas, Oil & Maintenance	EA	1	1,350.00
01-3115	Phone	EA	1	300.00
01-3200	Safety Director	EA	1	900.00
01-3300	Project Accountant	EA	1	3,000.00
01-5113	Temporary Electricity	EA	1	1,200.00
01-5136	Temporary Water	EA	1	150.00
01-5213	Field Offices & Sheds	EA	1	3,750.00
	<b>Total General Requirements</b>			<b>53,520.00</b>



Item	Description	Unit	Quantity	Price
<b>01</b>	<b>Cost of Work General Conditions</b>			
01-2700	Payment & Performance Bonds	EA	1	50,625.00
01-2800	Builders Risk Insurance	EA	1	22,500.00
01-3500	Project Photos	EA	1	1,000.00
01-3600	Expendable Tools	EA	1	2,750.00
01-3700	Rental Equipment	EA	1	2,250.00
01-4300	Permit Requirements & Fees			<i>By Owner</i>
	Sign Permit Fee	EA	1	2,500.00
01-4500	Testing & Inspection Services			<i>By Owner</i>
01-5219	Sanitary Facilities	EA	1	4,125.00
01-5626	Temporary Fencing	EA	1	10,000.00
01-5813	Temporary Project Signage	EA	1	1,950.00
01-7123	Temporary Labor	EA	1	13,750.00
01-7419	Construction Waste & Disposal	EA	1	7,700.00
01-7423	Final Cleaning	EA	1	9,139.00
	Final Cleaning - Storage Building	EA	1	8,700.00
	Site Pressure Washing	EA	1	1,500.00
01-7829	Final Site Survey (As-builts)	EA	1	4,200.00
	Total Cost of Work General Conditions			<b>142,689.00</b>
<b>02</b>	<b>Existing Conditions</b>			
02-2114	Boundary & Survey Markers	EA	1	18,500.00
02-4113	Selective Site Demo - Sub	EA	1	264,966.00
	Total Existing Conditions			<b>283,466.00</b>
<b>03</b>	<b>Concrete</b>			
03-1000	Concrete Forming	EA	1	47,085.00
	Concrete Forming - Storage Building	EA	1	1,500.00
03-3000	Cast-in-Place Concrete	EA	1	70,200.00
	Cast-in-Place Concrete - Storage Building	EA	1	1,170.00
03-1500	Concrete Accessories - Material	EA	1	6,878.00
03-2000	Concrete Reinforcing - Material	EA	1	63,708.00
	Concrete Reinforcing - Material - Storage Building	EA	1	2,500.00
03-2200	Fabric & Grid Reinforcing	EA	1	7,400.00
03-3700	Concrete Pump	EA	1	5,400.00
03-1123	Aggregate Base Course	EA	1	14,895.00
	Washer Pad	EA	1	750.00
	Compressor Pad	EA	1	750.00
	Total Concrete			<b>222,236.00</b>
<b>04</b>	<b>Unit Masonry</b>			
04-2100	Brick Masonry	EA	1	265,000.00
04-2200	Concrete Unit Masonry			<i>Included Above</i>
04-2200	Concrete Unit Masonry - Rebar			<i>Included in Div. 03</i>
04-2100	Brick Masonry - Storage Building	EA	1	3,200.00
	Total Unit Masonry			<b>268,200.00</b>

Item	Description	Unit	Quantity	Price
<b>05</b>	<b>Metals</b>			
05-1000	Structural Metal Framing	EA	1	23,900.00
	Pipe Bollards & Lintel Angles			<i>Included Above</i>
	Structural Metal Framing - Storage Building	EA	1	26,900.00
	Total Metals			<b>50,800.00</b>
<b>06</b>	<b>Woods &amp; Plastics</b>			
06-1000	Rough Carpentry & Blocking	EA	1	85,900.00
06-1100	Wood Framing & Blocking - Material	EA	1	45,322.00
06-1700	Shop Fabricated Trusses	EA	1	124,762.00
06-4100	Architectural Wood Casework	EA	1	79,677.00
06-6510	Column Covers	EA	1	6,917.00
	Total Woods & Plastics			<b>342,578.00</b>
<b>07</b>	<b>Thermal &amp; Moisture Protection</b>			
07-1100	Dampproofing	EA	1	5,125.00
07-2113	Rigid Board Insulation			<i>Included w/ Mason</i>
07-2116	Blanket Batt Insulation			<i>Included w/ Drywall</i>
	PE Insulation - Material - Storage Building	EA	1	23,950.00
07-2129	Sprayed Insulation	EA	1	132,400.00
07-2700	Air Barriers	EA	1	9,500.00
07-6100	Standing Seam Metal Roof	EA	1	144,620.00
07-2400	Exterior Insulation & Finish System	EA	1	35,350.00
	Add for Stucco in Lieu of EIFS	EA	1	16,650.00
	Add Insulation Board at Stucco	EA	1	20,000.00
	Aluminum Slats	EA	1	12,863.00
07-7123	Manufactured Gutters & Downspouts			<i>Included in Roofing</i>
07-8400	Firestopping	EA	1	1,850.00
07-9200	Joint Sealants	EA	1	36,500.00
	Joint Sealants - Storage Building	EA	1	4,500.00
	Total Thermal & Moisture Protection			<b>443,308.00</b>
<b>08</b>	<b>Openings</b>			
08-1000	Doors & Hardware Install	EA	1	7,000.00
	Doors & Hardware Install - Storage Building	EA	1	480.00
	Hollow Metal Frame Install	EA	1	3,450.00
	Hollow Metal Frame Install - Storage Building	EA	1	225.00
08-1100	Hollow Metal Doors & Frames	EA	1	81,954.00
	Hollow Metal Doors & Frames - Storage Building	EA	1	5,145.00
08-1100	Hollow Metal Window Frames			<i>Included Above</i>
08-1400	Wood Doors			<i>Included Above</i>
08-7000	Hardware upgrades for Access Control	EA	1	10,500.00
08-3323	Overhead Coiling Doors - Storage Building	EA	1	70,195.00
08-3613	Sectional Doors	EA	1	290,304.00
08-4300	Storefronts	EA	1	28,950.00
08-9100	Louvers	EA	1	11,500.00
	Total Openings			<b>509,703.00</b>

Item	Description	Unit	Quantity	Price
<b>09</b>	<b>Finishes</b>			
09-0505	Interior Demolition - Storage Building	EA	1	52,335.00
09-0561	Moisture Vapor Emission Testing	EA	1	1,950.00
09-2216	Drywall / Metal Framing	EA	1	95,500.00
	Drywall / Metal Framing - Storage Building	EA	1	3,750.00
09-3113	Thin-set Tiling	EA	1	23,850.00
09-2216	Acoustical Tile Ceilings	EA	1	21,000.00
09-6119	Concrete Floor Sealing - Storage Building	EA	1	15,300.00
09-6136	Concrete Floor Polishing	EA	1	11,500.00
09-6513	Resilient Base	EA	1	2,095.00
09-6723	Resinous Flooring	EA	1	37,300.00
09-9100	Painting	EA	1	40,395.00
09-9100	Painting - Storage Building	EA	1	9,975.00
	Total Finishes			<b>314,950.00</b>
<b>10</b>	<b>Specialties</b>			
10-1419	Dimensional Letter & Panel Signage	EA	1	12,392.00
10-2113	Toilet Compartments	EA	1	12,501.00
10-2813	Toilet Accessories			<i>Included Above</i>
10-4413	Fire Protection Cabinets & Extinguishers			<i>Included Above</i>
10-5723	Wire Closet & Utility Shelving	EA	1	1,750.00
10-7313	Metal Awnings - Storage Building	EA	1	10,179.00
10-7316	Metal Canopies	EA	1	36,607.00
10-7500	Flag Poles	EA	1	4,721.00
	Total Specialties			<b>78,150.00</b>
<b>11</b>	<b>Equipment</b>			
11-0000	Equipment - Residential Appliances & Ice Machine			<i>By Owner</i>
	Total Equipment			-
<b>12</b>	<b>Furnishings</b>			
12-4000	Furnishings - Allowance	EA	1	200,000.00
	Furnishings - Monument Sign			<i>By Owner</i>
12-2113	Horizontal Louver Blinds	EA	1	1,750.00
12-3100	Manufactured Metal Casework	EA	1	51,085.00
	Total Furnishing			<b>252,835.00</b>
<b>13</b>	<b>Special Construction</b>			
13-3419	Pre-Engineered Metal Building - Storage Bldg.	EA	1	88,560.00
	PEMB Demo - Storage Building	EA	1	36,360.00
	PEMB Install - Storage Building	EA	1	47,950.00
	Interior Liner Panels - Storage Building			<i>Included Above</i>
	Total Special Construction			<b>172,870.00</b>
<b>14</b>	<b>Conveying Systems</b>			
14-2000	Elevator			N/A
	Total Conveying Systems			-
<b>21</b>	<b>Fire Suppression</b>			
21-1313	Wet-Pipe Sprinkler System			N/A
	Total Fire Suppression			-

Item	Description	Unit	Quantity	Price
<b>22</b>	<b>Plumbing</b>			
22-0000	Plumbing	EA	1	176,873.00
	Plumbing - Storage Building	EA	1	7,500.00
22-6300	Gas Piping			<i>Included Above</i>
	Total Plumbing			<b>184,373.00</b>
<b>23</b>	<b>HVAC</b>			
23-0000	HVAC	EA	1	595,000.00
	HVAC - 5 Year Warranty	EA	1	34,472.00
23-5523	Gas-Fired Radiant Heaters			<i>Included Above</i>
23-5533	Gas Fired Unit Heaters			<i>Included Above</i>
23-3516	Engine Exhaust System			<i>Included Above</i>
23-3516	CDDC Controls			<i>Included Above</i>
23-3516	High Velocity Fans			<i>Included Above</i>
23-3813	Commercial Kitchen Hoods			<i>Included Above</i>
23-0000	HVAC - Storage Building	EA	1	82,797.00
	Total HVAC			<b>712,269.00</b>
<b>26</b>	<b>Electrical</b>			
26-0000	Electrical	EA	1	330,330.00
26-3200	Packaged Generator Assembly			<i>Included Above</i>
26-4113	Site Lighting Poles & Bases			<i>Included Above</i>
26-0000	Electrical - Storage Building	EA	1	39,094.00
	Total Electrical			<b>369,424.00</b>
<b>27</b>	<b>Communications</b>			
27-2000	Voice & Data Communications			<i>Included with Access Control</i>
	Total Communications			
<b>28</b>	<b>Electronic Safety &amp; Security</b>			
28-1000	Access Controls	EA	1	65,104.00
28-4620	Fire Alarm System	EA	1	33,250.00
	Total Electronic Safety & Security			<b>98,354.00</b>
<b>31</b>	<b>Earthwork</b>			
31-2213	Rough Grading	EA	1	135,045.00
	Construction Entrance	EA	1	5,625.00
	Concrete Wash-out	EA	1	695.00
31-2500	Erosion & Sedimentation Controls	EA	1	16,070.00
31-2514	Temporary Grassing	EA	1	6,000.00
31-3116	Termite Control	EA	1	478.00
	Total Earthwork			<b>163,913.00</b>

Item	Description	Unit	Quantity	Price
<b>32</b>	<b>Exterior Improvements</b>			
32-1216	Light Duty Asphalt Paving	EA	1	121,849.00
32-1313	Concrete Paving - Sub	EA	1	201,786.00
32-1123	Aggregate Base Course	EA	1	41,790.00
32-1373	Concrete Paving Joint Sealants	EA	1	5,362.00
32-1375	Dumpster Pad			<i>Included Above</i>
32-1613	Curbs & Gutters	EA	1	52,218.00
	Curbs & Gutters - Holiday Road	EA	1	4,788.00
32-1623	Sidewalks	EA	1	15,600.00
	Sidewalks - Holiday Road	EA	1	4,200.00
32-1623	Mechanical Pads	EA	1	9,450.00
32-1723	Paving Markings & HC Signs	EA	1	1,785.00
	Tactile Warning Surfaces	EA	1	700.00
	Tactile Warning Surfaces - Holiday Road	EA	1	1,400.00
32-3113	Chain Link Fences & Gates	EA	1	52,557.00
32-3160	Dumpster Enclosure Gate	EA	1	9,785.00
32-3223	Manufactured Modular Walls	EA	1	12,500.00
32-9000	Landscaping & Irrigation	EA	1	104,802.00
	Total Exterior Improvements			<b>640,572.00</b>
<b>33</b>	<b>Utilities</b>			
33-1000	Fire & Domestic Water Line	EA	1	52,100.00
33-3413	Septic Tanks & Fields	EA	1	29,770.00
33-4100	Storm Water Utilities	EA	1	172,190.00
	Round 3 Comments / Addendum #2	EA	1	40,760.00
	Holiday Road	EA	1	3,800.00
	Total Utilities			<b>298,620.00</b>
	Contractor's Fee	EA	1	<b>253,902.00</b>
	Project Total			<b>6,096,177.00</b>

## SECTION 004113 – FORM OF PROPOSAL-ALLOWANCES/UNIT PRICES

**A.ALLOWANCES:** To provide as a part of the Base Bid an allowance for sum total of all work related to the below outlined.

Unsuitable materials shall be defined as:

1. Substances not capable of being compacted to the density specified,
2. Rock material larger than ½ cubic foot in volume,
3. Debris and organic material. Such materials shall be determined by the Owner's Geotechnical Testing Agency;
4. Materials which are not suitable for use on this project;
5. Unsuitability for sale of materials to third parties is not included in this definition.

Soil material which is too wet to permit the specified compaction but is still suitable to be used in structural capacity (once dried) based on the recommendations of the soils testing agency, shall be spread and permitted to dry in an area to be designated by the Architect. Contractor shall assist drying by discing, harrowing or pulverizing until the soil moisture content is reduced to the specified value. Only excavation of soil which is wet due to a concealed condition, including, but not limited to, underground springs, high water table and leaking pipes, shall be addressed as a potential additive change order. Suitable materials which are wet due to precipitation as determined by the Owner's Testing Agency shall be dried as specified and reused at no additional cost.

Allowances in Base Bid:

1. Fill and compact with suitable soils  
acquired on-site to replace unsuitable  
soils removal ..... 200 cubic yards @ \$ 15.00 /cy
2. Fill and compact with suitable soils  
acquired off-site to replace  
unsuitable soils removed ..... 200 cubic yards @ \$ 30.00 /cy
3. Fill and compact with No. 57 size  
crushed stone to replace  
unsuitable soils removed ..... 200 cubic yards @ \$ 40.00 /cy
4. Excavate materials determined to be  
unsuitable by the Owner's Testing  
Agency and redistribute on the site ..... 200 cubic yards @ \$ 15.00 /cy
5. Trench rock excavation, distribution  
and approved burial ..... 100 cubic yards @ \$ 95.00 /cy
6. Trench rock excavation and removal  
from site..... 100 cubic yards @ \$ 125.00/cy
7. Fill and compact with suitable soils  
acquired on-site to replace trench  
rock removal..... 100 cubic yards @ \$ 15.00 /cy
8. Fill and compact with suitable soils  
acquired off-site to replace  
trench rock removed..... 100 cubic yards @ \$ 30.00 /cy

9. Mass rock removal, excavation, distribution  
and approved burial ..... 100 cubic yards @ \$70.00 /cy
10. Mass rock removal, excavation and  
removal from site ..... 100 cubic yards @ \$ 90.00 /cy
11. Fill and compact with suitable soils  
acquired on-site to replace Mass  
rock removal ..... 100 cubic yards @ \$ 15.00 /cy
12. Fill and compact with suitable soils  
acquired off-site to replace  
mass rock removed..... 100 cubic yards @ \$ 30.00 /cy
13. Contractor shall furnish, install and maintain  
Erosion and Sediment Control Silt Fence (Sd1) 500 l.f. @ \$ 5.50 /lf
14. Contractor shall furnish, install and maintain  
Erosion and Sediment Control Matting  
Blanket (Mb) ..... 50 sq.yards @ \$ 3.50 /sy
15. Contractor shall furnish, install and maintain  
Stone Rip Rap ..... 50 Tons @ \$75.00 /ton



## AGENDA ITEM

### Human Resources

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 119/2023

**SUBJECT:** Approve the Employment Agreement for the Director of Community Development and Infrastructure.

---

#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** DLJ

**Recommendation:**

Department recommends approval of the Employment Agreement for the Director of Community Development and Infrastructure.

**Purpose of Request:**

The purpose of this agenda item is to request approval of the Employment Agreement for the Director of Community Development and Infrastructure.

**History:**

**Facts and Issues:**

The Director of Community Development and Infrastructure is a new position that will have direct oversight and leadership responsibility for the Planning & Development and Public Works and Utilities.

**Options:**

**Funding Requested**

\$ 272,567.00

**Are funds within current budget?**

No

**Source of Funds**

Development Services / Landfill

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

Yes

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

**Approvals:**

Submit	Approve	Budget	Finance
LJ	LJ	EW	WG



Attorney	Administration	Clerk
WLI	CR	JR

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**Attachments:**

Financial Supplement  
Employment Agreement  
Cost Worksheet



**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 119/2023**

**Funds Requested:** \$ 272,567.00

**Proposed Source of Funding:**

Development Services / Landfill

**Funding Source Items:**

**Request Budgeted:** No

**Budget Transfer Requested:**

No

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4104 - SALARIES	\$64,038.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4433 - CAR USE ALLOWANCE	\$3,323.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4110 - F.I.C.A.	\$5,153.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4131 - RETIREMENT	\$9,431.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4121 - HEALTH INSURANCE	\$11,650.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4123 - OTHER CNTY-PD INSURANCE	\$542.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4122 - LIFE INSURANCE	\$213.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4104 - SALARIES	\$120,962.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4433 - CAR USE ALLOWANCE	\$6,277.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4110 - F.I.C.A.	\$9,734.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4131 - RETIREMENT	\$17,813.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4121 - HEALTH INSURANCE	\$22,005.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4123 - OTHER CNTY-PD INSURANCE	\$1,025.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4122 - LIFE INSURANCE	\$401.00

**Budget Transfer Items:**

**Additional Information/Comments:**

The total FY 2023 impact is \$94,350. This increase will be funded through vacancies.

**Contact for Questions:** DLJ

**Phone:**

770-531-6712

# EMPLOYMENT AGREEMENT

## Director of Community Development and Infrastructure

**THIS AGREEMENT** made and entered into this 9<sup>th</sup> day of March 2023, by and between **HALL COUNTY, STATE OF GEORGIA**, hereinafter called “the County”, as party of the first part, and **Srikanth Yamala**, herein called "Employee", as party of the second part, both of whom agree as follows:

### WITNESSETH

**WHEREAS**, the County desires to employ the services of said **Srikanth Yamala** as the **Director of Community Development and Infrastructure** of Hall County; and

**WHEREAS**, it is the desire of the governing board, hereafter called “Commission” to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

**WHEREAS**, it is the desire of Hall County to secure and retain the services of said Employee and provide inducement for him to remain in such employment, and to make possible full work productivity by assuring said Employee’s morale and peace of mind with respect to future security, and to provide a just means of terminating the Employee’s services at such a time as desired by the County Administrator, or his or her designee; and

**WHEREAS**, the Employee desires to accept employment as **Director of Community Development and Infrastructure** for Hall County;

**NOW THEREFORE**; in consideration of the mutual covenants herein contained, the parties agree as follows:

### **SECTION 1.        Duties**

The County hereby agrees to employ **Srikanth Yamala** as **Director of Community Development and Infrastructure**, to perform legally permissible functions and duties specified and assigned by the County Administrator or his or her designee.

# **EMPLOYMENT AGREEMENT**

## **Director of Community Development and Infrastructure**

### **SECTION 2. Term**

- A. Nothing in this agreement shall prevent, limit, or otherwise interfere with the right of the County Administrator to terminate the services of this Employee at any time, subject only to the provisions set forth in SECTION 3 of this agreement. The Employee understands that he serves at the pleasure of the County Administrator.
- B. Nothing in the agreement shall prevent, limit, or otherwise interfere with the right of the Employee to resign at any time from his or her position with the County, subject to the provisions set forth in SECTION 3, Paragraphs B and C of this agreement.

### **SECTION 3. Termination and Severance Pay**

- A. In the event the Employee is terminated pursuant to Paragraph B hereof and the Employee is willing and able to perform the duties of the position under this agreement, upon execution of a Separation Agreement and General Release, the Employer agrees to pay the Employee a lump sum cash payment equal to three (3) months aggregate annual salary, exclusive of other forms of compensation, less standard withholdings, in addition to the continuation of medical, dental, and vision insurance benefits during the three (3) month period immediately following the date of termination. However, in the event the Employee is terminated because the Employee has been convicted of a misdemeanor or a felony, or if the County determines that the Employee has engaged in unprofessional and improper practice, other than negligence, and breach of public trust, including but not limited to illegal acts involving personal gain, or moral turpitude, the County shall be entitled to terminate the Employee immediately without any severance pay, or medical, dental, and vision insurance continuation aside from COBRA.
- B. In the event the Employer at any point during the term of this agreement reduces the salary or other financial benefits of the Employee in a greater percentage than reductions to all other employees of Employer, or if Employer refuses, following a written request to comply with any provision benefiting Employee herein; or the Employee resigns following a suggestion, whether formal or informal, by the County Administrator that he resign, then, in that event, Employee may, at his option, be deemed to be terminated at the date of such reduction or refusal to comply within the meaning and context of the herein severance pay provision.

# **EMPLOYMENT AGREEMENT**

## **Director of Community Development and Infrastructure**

C. In the event the Employee voluntarily resigns his position with the County as **Director of Community Development and Infrastructure** then the Employee shall give the County **thirty (30)** days written notice in advance, unless the parties otherwise agree. The provision for severance pay and continuation of employment benefits detailed in SECTION 3, Paragraph A shall not apply to a voluntary resignation.

### **SECTION 4.     Termination Due to Disability**

If the Employee is unable to perform his duties because of sickness, accident, injury, or mental incapacity, and no reasonable accommodations are available, the County shall have the option to terminate employment, subject to the severance pay requirements of SECTION 3, Paragraph A. However, the Employee shall be compensated for any accrued benefits, in accordance with current policies.

### **SECTION 5.     Salary**

The County agrees to pay the Employee for his services rendered, pursuant hereto, an annual base salary of **\$185,000.00** payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The base annual salary and benefits may be reviewed annually by the County Administrator and consideration for increases may be determined based upon the performance of the employee or consideration of providing a Cost of Living Adjustment (COLA).

### **SECTION 6.     Performance Evaluation**

The County Administrator, or his or her designee, shall review and evaluate the performance of Employee at least annually on the anniversary day of this agreement. Said review and evaluation shall be in accordance with criteria developed by the County Administrator, or his or her designee, and Employee. Performance criteria may be added to or deleted from, as the County Administrator, or his or her designee may from time to time determine. Further, the County Administrator, or his or her designee, shall provide the Employee with a written summary statement of the findings of the evaluation.

# **EMPLOYMENT AGREEMENT**

## **Director of Community Development and Infrastructure**

### **SECTION 7.     Hours of Work**

It is generally recognized that the position of **Director of Community Development and Infrastructure** involves the devotion of a great deal of time beyond typically recognized business hours.

### **SECTION 8.     Outside Activities**

The Employee shall devote his full time to the position described in this agreement. With the approval of the County Administrator, or his or her designee, the Employee may engage in teaching, consulting, or other non-employer related activities as long as he does not interfere with the execution of the duties of this position, or present a conflict of interest. Such consent must be obtained by advance approval, in writing, detailing the specifics of such activity.

### **SECTION 9.     Political Activity**

If the Employee announces as a candidate for any elective office during the duration of this contract, he will resign from Hall County employment immediately upon declaring candidacy as defined by state law. During the term of this contract, the Employee may not:

- A. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of one's self if intending to seek elected office, or other individual or in opposition to any candidate for office within Hall County; including municipal and/or county government office. This restriction includes but is not limited to displaying or distributing information, materials, or paraphernalia in support of any political candidate, party or organization.
- B. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any political candidate for election within Hall County, including municipal and/or county government office.
- C. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

# **EMPLOYMENT AGREEMENT**

## **Director of Community Development and Infrastructure**

### **SECTION 10. Vehicle and Phone**

Employee shall be provided an automobile allowance in the amount of \$800.00 per month, payable bi-weekly. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use their personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of \$50 per month.

### **SECTION 11. Insurance Benefits**

The County agrees to put in force and make premium payments for Medical, Dental, Vision, Short-Term Disability and Life Insurance policies on behalf of the Employee and if so elected, eligible dependents, at a level of coverage available to other County employees. The Employee may choose not to cover his dependents.

### **SECTION 12. Retirement Benefits**

Provided that contributions are being made by the County, if the Employee elects, Hall County agrees to contribute 8% of annual compensation as defined by the retirement plan in addition to Employer matching contributions made on contributions by the Employee as received by other County employees, into a defined contribution plan, except that the County may reduce or suspend this contribution at any time and for any duration as required due to a lack of financial resources. Retirement contributions shall not be made on any severance pay provided by the Employer, paid in accordance with Section 3.

### **SECTION 13. Paid Time Off (PTO) or Vacation and Sick Leave**

As applicable, the County will provide for Paid Time Off (PTO) or vacation and sick leave in the same manner as the accruals currently received by other County Employees. An additional three (3) weeks of vacation shall be provided upon execution of this agreement and placed in the employee's vacation additional accrual location in ADP. In the event that the County changes or adopts a new program for all employees, such changes shall also apply to the **Director of Community Development and Infrastructure**. Accrued PTO or vacation leave, whichever is applicable, shall be paid to Employee upon termination of employment.



# **EMPLOYMENT AGREEMENT**

## **Director of Community Development and Infrastructure**

### **SECTION 14. Dues, Subscriptions and Professional Development**

- A. The County agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's duties, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.
- B. The County agrees to pay the travel and subsistence expenses of the Employee for expenses related to maintenance of professional certifications, professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions for the department, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

### **SECTION 15. Indemnification**

The County shall defend, save harmless, and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as **Director of Community Development and Infrastructure**. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee. Any defense and/or indemnification of the Employee by the County shall be subject to all of the terms and conditions found in the County's Defense and Indemnification ordinance/policy.

### **SECTION 16. General Provisions**

- A. The text herein shall constitute the entire agreement between the parties. Any amendment hereto shall be in writing and be executed by both parties.
- B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid, or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

# **EMPLOYMENT AGREEMENT**

## **Director of Community Development and Infrastructure**

- D. This agreement will become effective on the 1<sup>st</sup> day of March 2023, and shall continue thereafter unless or until the agreement is terminated by either party as set forth herein.
- E. This agreement shall be executed in duplicate, each of which shall be deemed to be complete of itself and may be introduced into evidence or used for any purpose without the production of the other copy.

**IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND  
SEALS THIS 9<sup>th</sup> DAY OF MARCH, 2023.**

**HALL COUNTY, GEORGIA**

\_\_\_\_\_  
County Administrator

**ATTEST:**

\_\_\_\_\_  
County Commission Clerk

(Seal)

\_\_\_\_\_  
Employee

**APPROVAL AS TO FORM**

\_\_\_\_\_  
County Attorney



# HALL COUNTY

GEORGIA *We have it **all** in Hall*

## REQUEST TYPE: FULL-TIME POSITION

Department #

Development Services / Landfill

Department Name

Community Development and Infrastructure Director

Position Title

Priority #

### ADDITIONAL PERSONNEL COST CALCULATION

#### New Position

\$185,000.00	Salary	4104
\$9,600.00	Car Allowance	4433
14,887.00	Taxes	4110
27,244.00	Retirement	4131
32,940.00	Health	4121
1,567.00	Dental & Vision	4123
480.00	Life	4122
134.00	AD&D	4122
715.00	Short Term Disability	4121
<b>\$272,567.00</b>	<b>Total Additional Personnel Costs</b>	

### JUSTIFICATION (please provide a short explanation of your request on the lines below):

Please note taxes, retirement, and benefits are all estimates based on the maximum potential cost.

### PERSONNEL EQUIPMENT REQUEST (list all equipment required and estimated cost)

**\*\*Do not add these estimated costs to your department's operating budget. It is calculated separately by OMB.**

EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST
	\$ -
	\$ -
	\$ -



## AGENDA ITEM

### Human Resources

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 120/2023

**SUBJECT:** Approve the Employment Agreement for the Director of Public Works & Utilities.

---

#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** DLJ

**Recommendation:**

Department recommends approval of the Employment Agreement for the Director of Public Works & Utilities.

**Purpose of Request:**

Approve the Employment Agreement for the Director of Public Works & Utilities.

**History:**

**Facts and Issues:**

**Options:**

**Funding Requested**

\$ 256,027.00

**Are funds within current budget?**

Yes

**Source of Funds**

Development Services / Landfill / Sewer

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

Yes

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

**Approvals:**

Submit	Approve	Budget	Finance
LJ	LJ	EW	WG
Attorney	Administration	Clerk	
WLI	CR	JR	

**Attachments:**

Financial Supplement  
Employment Agreement  
Cost Worksheet



**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 120/2023**

**Funds Requested:** \$ 256,027.00

**Proposed Source of Funding:**

Development Services / Landfill / Sewer

**Funding Source Items:**

**Request Budgeted:** Yes

**Budget Transfer Requested:**

No

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4104 - SALARIES	\$59,772.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4433 - CAR USE ALLOWANCE	\$2,908.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4110 - F.I.C.A.	\$4,795.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4131 - RETIREMENT	\$8,775.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4121 - HEALTH INSURANCE	\$11,634.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4123 - OTHER CNTY-PD INSURANCE	\$542.00
2023	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4122 - LIFE INSURANCE	\$198.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4104 - SALARIES	\$112,904.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4433 - CAR USE ALLOWANCE	\$5,492.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4110 - F.I.C.A.	\$9,058.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4131 - RETIREMENT	\$16,575.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4121 - HEALTH INSURANCE	\$21,974.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4123 - OTHER CNTY-PD INSURANCE	\$1,025.00
2024	006 - DEVELOPMENT SERVICES	1136 - ENGINEERING - SVS DIST	4122 - LIFE INSURANCE	\$375.00

**Budget Transfer Items:**

**Additional Information/Comments:**

The total net increase to this position is \$8,634. This increase will be funded through vacancies.

**Contact for Questions:** DLJ

**Phone:**

770-531-6712

**EMPLOYMENT AGREEMENT**  
**Director of Public Works and Utilities**

**THIS AGREEMENT** made and entered into this 9<sup>th</sup> day of March 2023, by and between **HALL COUNTY, STATE OF GEORGIA**, hereinafter called “the County”, as party of the first part, and **Bill Nash**, herein called "Employee", as party of the second part, both of whom agree as follows:

**WITNESSETH**

**WHEREAS**, the County desires to employ the services of said **Bill Nash** as the **Director of Public Works and Utilities** of Hall County; and

**WHEREAS**, it is the desire of the governing board, hereafter called “Commission” to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

**WHEREAS**, it is the desire of Hall County to secure and retain the services of said Employee and provide inducement for him to remain in such employment, and to make possible full work productivity by assuring said Employee’s morale and peace of mind with respect to future security, and to provide a just means of terminating the Employee’s services at such a time as desired by the County Administrator, or his or her designee; and

**WHEREAS**, the Employee desires to accept employment as **Director of Public Works and Utilities** for Hall County;

**NOW THEREFORE**; in consideration of the mutual covenants herein contained, the parties agree as follows:

**SECTION 1.        Duties**

The County hereby agrees to employ **Bill Nash** as **Director of Public Works and Utilities**, to perform legally permissible functions and duties specified and assigned by the County Administrator or his or her designee.



**EMPLOYMENT AGREEMENT**  
**Director of Public Works and Utilities**

**SECTION 2.           Term**

- A. Nothing in this agreement shall prevent, limit, or otherwise interfere with the right of the County Administrator to terminate the services of this Employee at any time, subject only to the provisions set forth in SECTION 3 of this agreement. The Employee understands that he serves at the pleasure of the County Administrator.
- B. Nothing in the agreement shall prevent, limit, or otherwise interfere with the right of the Employee to resign at any time from his or her position with the County, subject to the provisions set forth in SECTION 3, Paragraphs B and C of this agreement.

**SECTION 3.           Termination and Severance Pay**

- A. In the event the Employee is terminated pursuant to Paragraph B hereof and the Employee is willing and able to perform the duties of the position under this agreement, upon execution of a Separation Agreement and General Release, the Employer agrees to pay the Employee a lump sum cash payment equal to three (3) months aggregate annual salary, exclusive of other forms of compensation, less standard withholdings, in addition to the continuation of medical, dental, and vision insurance benefits during the three (3) month period immediately following the date of termination. However, in the event the Employee is terminated because the Employee has been convicted of a misdemeanor or a felony, or if the County determines that the Employee has engaged in unprofessional and improper practice, other than negligence, and breach of public trust, including but not limited to illegal acts involving personal gain, or moral turpitude, the County shall be entitled to terminate the Employee immediately without any severance pay, or medical, dental, and vision insurance continuation aside from COBRA.
- B. In the event the Employer at any point during the term of this agreement reduces the salary or other financial benefits of the Employee in a greater percentage than reductions to all other employees of Employer, or if Employer refuses, following a written request to comply with any provision benefiting Employee herein; or the Employee resigns following a suggestion, whether formal or informal, by the County Administrator that he resign, then, in that event, Employee may, at his option, be deemed to be terminated at the date of such reduction or refusal to comply within the meaning and context of the herein severance pay provision.

**EMPLOYMENT AGREEMENT**  
**Director of Public Works and Utilities**

C. In the event the Employee voluntarily resigns his position with the County as **Director of Public Works and Utilities** then the Employee shall give the County **thirty (30)** days written notice in advance, unless the parties otherwise agree. The provision for severance pay and continuation of employment benefits detailed in SECTION 3, Paragraph A shall not apply to a voluntary resignation.

**SECTION 4.     Termination Due to Disability**

If the Employee is unable to perform his duties because of sickness, accident, injury, or mental incapacity, and no reasonable accommodations are available, the County shall have the option to terminate employment, subject to the severance pay requirements of SECTION 3, Paragraph A. However, the Employee shall be compensated for any accrued benefits, in accordance with current policies.

**SECTION 5.     Salary**

The County agrees to pay the Employee for his services rendered, pursuant hereto, an annual base salary of **\$172,676.00** payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The base annual salary and benefits may be reviewed annually by the County Administrator and consideration for increases may be determined based upon the performance of the employee or consideration of providing a Cost of Living Adjustment (COLA).

**SECTION 6.     Performance Evaluation**

The County Administrator, or his or her designee, shall review and evaluate the performance of Employee at least annually on the anniversary day of this agreement. Said review and evaluation shall be in accordance with criteria developed by the County Administrator, or his or her designee, and Employee. Performance criteria may be added to or deleted from, as the County Administrator, or his or her designee may from time to time determine. Further, the County Administrator, or his or her designee, shall provide the Employee with a written summary statement of the findings of the evaluation.

**EMPLOYMENT AGREEMENT**  
**Director of Public Works and Utilities**

**SECTION 7.     Hours of Work**

It is generally recognized that the position of **Director of Public Works and Utilities** involves the devotion of a great deal of time beyond typically recognized business hours.

**SECTION 8.     Outside Activities**

The Employee shall devote his full time to the position described in this agreement. With the approval of the County Administrator, or his or her designee, the Employee may engage in teaching, consulting, or other non-employer related activities as long as he does not interfere with the execution of the duties of this position, or present a conflict of interest. Such consent must be obtained by advance approval, in writing, detailing the specifics of such activity.

**SECTION 9.     Political Activity**

If the Employee announces as a candidate for any elective office during the duration of this contract, he will resign from Hall County employment immediately upon declaring candidacy as defined by state law. During the term of this contract, the Employee may not:

- A. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of one's self if intending to seek elected office, or other individual or in opposition to any candidate for office within Hall County; including municipal and/or county government office. This restriction includes but is not limited to displaying or distributing information, materials, or paraphernalia in support of any political candidate, party or organization.
- B. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any political candidate for election within Hall County, including municipal and/or county government office.
- C. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

**EMPLOYMENT AGREEMENT**  
**Director of Public Works and Utilities**

**SECTION 10.     Vehicle and Phone**

Employee shall be provided an automobile allowance in the amount of \$700.00 per month, payable bi-weekly. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use their personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of \$50 per month.

**SECTION 11.     Insurance Benefits**

The County agrees to put in force and make premium payments for Medical, Dental, Vision, Short-Term Disability and Life Insurance policies on behalf of the Employee and if so elected, eligible dependents, at a level of coverage available to other County employees. The Employee may choose not to cover his dependents.

**SECTION 12.     Retirement Benefits**

Provided that contributions are being made by the County, if the Employee elects, Hall County agrees to contribute 8% of annual compensation as defined by the retirement plan in addition to Employer matching contributions made on contributions by the Employee as received by other County employees, into a defined contribution plan, except that the County may reduce or suspend this contribution at any time and for any duration as required due to a lack of financial resources. Retirement contributions shall not be made on any severance pay provided by the Employer, paid in accordance with Section 3.

**SECTION 13.     Paid Time Off (PTO) or Vacation and Sick Leave**

As applicable, the County will provide for Paid Time Off (PTO) or vacation and sick leave in the same manner as the accruals currently received by other County Employees. An additional three (3) weeks of vacation shall be provided upon execution of this agreement and placed in the employee's vacation additional accrual location in ADP. In the event that the County changes or adopts a new program for all employees, such changes shall also apply to the **Director of Public Works and Utilities**. Accrued PTO or vacation leave, whichever is applicable, shall be paid to Employee upon termination of employment.

**EMPLOYMENT AGREEMENT**  
**Director of Public Works and Utilities**

**SECTION 14. Dues, Subscriptions and Professional Development**

- A. The County agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's duties, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.
- B. The County agrees to pay the travel and subsistence expenses of the Employee for expenses related to maintenance of professional certifications, professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions for the department, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

**SECTION 15. Indemnification**

The County shall defend, save harmless, and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as **Director of Public Works and Utilities**. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee. Any defense and/or indemnification of the Employee by the County shall be subject to all of the terms and conditions found in the County's Defense and Indemnification ordinance/policy.

**SECTION 16. General Provisions**

- A. The text herein shall constitute the entire agreement between the parties. Any amendment hereto shall be in writing and be executed by both parties.
- B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid, or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

## **EMPLOYMENT AGREEMENT**

### **Director of Public Works and Utilities**

- D. This agreement will become effective on the 1<sup>st</sup> day of March 2023, and shall continue thereafter unless or until the agreement is terminated by either party as set forth herein.
- E. This agreement shall be executed in duplicate, each of which shall be deemed to be complete of itself and may be introduced into evidence or used for any purpose without the production of the other copy.

**IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS 9<sup>th</sup> DAY OF MARCH, 2023.**

**HALL COUNTY, GEORGIA**

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County Administrator

**ATTEST:**

---

County Commission Clerk

(Seal)

---

Employee

**APPROVAL AS TO FORM**

---

County Attorney



**HALL COUNTY**  
G E O R G I A *We have it **all** in Hall*

**REQUEST TYPE: FULL-TIME POSITION**

**Department #**

Development Services /  
Landfill / Sewer

**Department Name**

Public Works Director

**Position Title**

**Priority #**

**ADDITIONAL PERSONNEL COST CALCULATION**

***New Position***

\$172,676.00	Salary	4104
\$8,400.00	Car Allowance	4433
13,853.00	Taxes	4110
25,350.64	Retirement	4131
32,940.00	Health	4121
1,567.00	Dental & Vision	4123
448.00	Life	4122
125.00	AD&D	4122
668.00	Short Term Disability	4121
<b>\$256,027.64</b>	<b>Total Additional Personnel Costs</b>	

**JUSTIFICATION (please provide a short explanation of your request on the lines below):**

Please note taxes, retirement, and benefits are all estimates based on the maximum potential cost.

**PERSONNEL EQUIPMENT REQUEST (list all equipment required and estimated cost)**

**\*\*Do not add these estimated costs to your department's operating budget. It is calculated separately by OMB.**

EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST
	\$ -
	\$ -
	\$ -



## AGENDA ITEM

### Planning and Development

**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 80/2023

**SUBJECT:** **3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.** NOTE: Tabled at the February 9, 2023 Voting Meeting until the March 9, 2023 Voting Meeting.

### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

### Executive Summary:

**Presenter:** RD

**Recommendation:**  
Approval.

#### Purpose of Request:

**3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.**

#### History:

#### Facts and Issues:

#### Options:

**Funding Requested**

\$ 0.00

**Are funds within current budget?**

No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

**Has it been reviewed by the County Attorney?**

Yes



**Is there a deadline for this item?**

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
JR	RD	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	CR	JR	

---

**Attachments:**

Revised Board Memo  
Board Memo  
Recommendation Report  
Application  
Narrative  
Updated Site Plan - as of 2/28/2023  
Updated Site Plan  
Original Site Plan  
Maps  
Legal Description  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire Comments  
Notice Sign Photos  
Updated Notice Signs



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** February 23, 2023

**Subject:** **3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) | Proposed use: 29 single-family detached homes | SrisadanOne LLC, applicant.

---

The request before you is the application of SrisadanOne, LLC to allow 29 single-family detached homes on 35.71± acre tract. ***It should be noted that a simultaneous conditional use request accompanies this request but has separate reports and memos. Although you may wish to hear both associated items (rezoning and conditional use) at the same time, please deliberate and vote separately on each.*** This item is located within Commission District 2.

**This item was tabled at the February 9<sup>th</sup> voting meeting to the March 9<sup>th</sup> voting meeting, per the applicant's request. There have been no changes to the site plan or narrative since the item was tabled.**

At their January 3, 2023 meeting, the Hall County Planning Commission voted to recommend approval of the rezoning request **(4-0, Bell absent)**.

There were no written comments submitted in advance of the Planning Commission meeting and **seven (7) individuals spoke in opposition** during the public hearing.

Since the Planning Commission took action, the applicant submitted a new site plan received 1-3-2023.

**Please note that denial of the rezoning request is an automatic denial of the associated conditional use request but this will need to be stated by the chairman after the rezoning vote, should the rezoning be denied.**



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** January 10, 2023

**Subject:** **3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) | Proposed use: 29 single-family detached homes | SrisadanOne LLC, applicant.

---

The request before you is the application of SrisadanOne, LLC to allow 29 single-family detached homes on 35.71± acre tract. ***It should be noted that a simultaneous conditional use request accompanies this request but has separate reports and memos. Although you may wish to hear both associated items (rezoning and conditional use) at the same time, please deliberate and vote separately on each.*** This item is located within Commission District 2.

At their January 3, 2023 meeting, the Hall County Planning Commission voted to recommend approval of the rezoning request **(4-0, Bell absent)**.

There were no written comments submitted in advance of the Planning Commission meeting and **seven (7) individuals spoke in opposition** during the public hearing.

Since the Planning Commission took action, the applicant submitted a new site plan received 1-3-2023.

***Please note that denial of the rezoning request is an automatic denial of the associated conditional use request but this will need to be stated by the chairman after the rezoning vote, should the rezoning be denied.***

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... SrisadanOne LLC

**Request** ..... Use Subject to County Commission Approval

**Proposed Use** ..... 29 lot single-family detached development

**Size** ..... 35.71± acres

**Zoning** ..... Current: Agricultural Residential III (AR-III, [17.110](#))  
and Residential I (R-I, [17.60](#)) | Proposed:  
Residential I (R-I, [17.60](#))

**Location** ..... **3435 Springdale Forrest Boulevard** | Tax Parcel  
10062 000001A

**Commission District** ..... Two

**Planning Commission Date** ..... January 3, 2023

**Staff Recommendation** ..... **Approval, as the proposed use is consistent with  
the [Comprehensive Plan](#) and the Residential  
future land use classification.**

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 3-1 (Bell absent& Varner opposed)**

**Planning Commission Conditions:**

1. *The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:*
  - a. *Increase the number of lots;*
  - b. *Decrease required greenspace, amenity areas, or buffers;*
  - c. *Change the design or materials of the dwellings;*
  - d. *Decrease the minimum building setbacks;*
  - e. *Reduce required landscaping*
2. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall*

- be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.*
- 3. All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
  - 4. All conditions of zoning shall be made part of any plats created for the property.*
  - 5. Standard Hall County plat review process shall be followed.*
  - 6. Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
  - 7. Development is subject to Hall County Stormwater Management regulations.*
  - 8. The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.*
  - 9. No variances in Hall County Development standards are granted.*
  - 10. Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wrested vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.*
  - 11. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:  
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

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**This application has an associated rezoning request on this agenda. The items can be heard simultaneously but require separate motions since they are two distinct applications and agenda items. Should the rezoning request be denied, the conditional use is automatically denied. The following report is written under the assumption that the rezoning request is approved.**

**Public Forum:**

**Lee Luplow, 3323 Springdal Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic and safety.

**Bobby Cruise, 3516 Springsdale Forrest Boulevard, Gainesville,** spoke in opposition. Concerns were traffic, safety, and acreage of homes.

**Kimberly Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, property, topography, and blind spots.

**Kenneth Evans, 3550 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were developing, traffic, and safety.

**Victoria Leming, 3369 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were ordinances, narrow road, safety, and traffic.

**Robert Campbell, 3419 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were safety, sharp and narrow roads, congestion,

**Tracy Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, safety, differing home styles, and buffers.

### **Summary Analysis**

The applicant is requesting use approval for the County Commission for the purpose of developing a 29 lot single family detached subdivision. Within the Residential I (R-I, [17.60](#)) zoning district, subdivisions are uses permitted subject approval of the County Commission ([17.60.040](#)). There is a concurrent request to rezone the property to Residential I (R-I, [17.60](#)) zoning district for the purpose of developing a 29-lot subdivision.

Per [17.20.1210](#), subdivision means the division of a tract or parcel of land into seven or more lots, building sites, or other divisions for the purposes of sale, legacy, a new street, or a change in existing streets, and includes resubdivision. Where appropriate to the context, subdivision also relates to the process of subdividing or to the land or area subdivided. The term shall also include the opening of a new street or road. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots meet the standards of the county subdivision regulations is not included within this definition.

### **The following dimensional standards have been proposed for the development:**

<b>Residential Standards</b>	
Minimum Lot Area	35,000 square feet
Minimum Lot Frontage	50 feet
Minimum Lot Width	75 feet
Front setback	55 feet from centerline or 30 feet from property line, whichever is greater
Side Setback	10 feet
Side Setback	10 feet
Rear Setback	10 feet
Maximum Building Height (stories)	3
<b>Accessory Building</b>	
Minimum Side Yard	10 feet
Minimum Rear Yard	10 feet
Maximum Building Height	50 feet
Proposed Gross Density	1.25 units per acre
Maximum Floor Area Ratio	0.20
Maximum Impervious Coverage	80
Parking Ratio	2 per dwelling

**No variance were submitted as part of this request or identified by staff in a review of the application.**

**Based on the future land-use plan, staff finds the requested use request consistent with the residential future land use classification in [Comprehensive Plan](#). Residential areas are characterized by moderate-density residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lot. Future development will continue to be detached, single-family homes at moderate densities.**

### Zoning Analysis

The proposed use of a 29-lot subdivision is consistent with the residential future land use classification, which are characterized by moderate-density residential development at density of less than 2 units per acre. **The development is subject to the Hall County stream buffer requirements. The current proposal shows the buffers are located within many if the individual lots, and some of the areas designated as “on-site sewage management area” on the conceptual include a portion of the 75FT impervious stream buffer. On-site systems cannot be located within the stream buffers so these lots may require reconfiguration to meet Environmental Health useable soil area requirements.**

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed use of a 29-lot subdivision is proposed adjacent to other Residential I (R-I, [17.60](#)) to the south and east, and Agricultural Residential III (AR-III, [17.110](#)) to the west and north. The proposed use is suitable in view of the use and development of adjacent and nearby properties; however, the proposed lot configuration may require revisions to accommodate on-site sewage systems and meet the stream buffer requirements.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The use proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The environmental features on the site necessitate buffers that will protect the streams which bisect the property.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to be undeveloped and wooded. The property has reasonable economic values as currently zoned; allowable uses within the Agricultural Residential III (AR-III, [17.110](#)) and Residential I (R-I, [17.60](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The proposed development should not result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. The density of the development is below the maximum density recommendation of 2 units per acre for the residential future land use classification found in the [Comprehensive Plan](#).**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use of a 29-lot subdivision is consistent with the residential future land use classification, which are characterized by moderate-density residential development at density of less than 2 units per acre.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**

8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is currently undeveloped and appears to have been this way for a number of years.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed development is adjacent to other Residential I (R-I, [17.60](#)) zoned parcels**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundary is illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The requested use approval is not out of scale with the needs of the county as a whole. While development has trended to smaller lot development recently, the proposed development is consistent with the surrounding development pattern.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support a moderate-density single-family residential uses based on the Future Land Use Map.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **This request could not be handled by a variance request instead; a subdivision is a use subject to County Commission approval within the R-I district ([17.60.040.I](#)).**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning of the property.**

#### **Development Support and Constraints – Departmental / Agency Comments**

##### **Hall County Environmental Health**

An email dated December 13, 2022 from Emily McGahee states “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.”

##### **Hall County Fire Marshal**

An email dated December 15, 2022 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following preliminary comments:



- 1) IFC Section 507, all buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.

#### **Hall County Public Works and Utilities**

In a memo dated December 14, 2022, from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wooded vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

##### **Traffic:**

Roadways to meet Hall County Standards

##### **Utilities**

Hall County Sewer District, no gravity sewer available.

Proposed septic systems will require Health Department approval.

#### **City of Gainesville Water Resources**

In an email dated November 15, 2022, Nick Swafford, Permitting Services Manager, confirmed availability of water service for the property via a 6-inch water main on Springdale Forrest Boulevard.

#### **Georgia Department of Transportation**

No comments from GDOT for this item.

#### **➤ Excerpts from the minutes of the January 3, 2023 meeting**

##### **Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Joshua Scoggins, 202 Tribble Gap Road, Cumming**, presented the request. The applicant addressed that the request was for 27 single-family detached homes, 0.76 units per acre. The homes will be served by septic.

##### ***Rebuttal***

The applicant stated that the 27 homes will be off county roads and are supported by county road standards. The applicant stated that the roads will be brought to county standards but the existing road problems have been there since before the proposal. The reason the lots are bigger than residential standards is because the lot is in a watershed.

**Public Forum:**

**Lee Luplow, 3323 Springdal Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic and safety.

**Bobby Cruise, 3516 Springsdale Forrest Boulevard, Gainesville,** spoke in opposition. Concerns were traffic, safety, and acreage of homes.

**Kimberly Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, property, topography, and blind spots.

**Kenneth Evans, 3550 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were developing, traffic, and safety.

**Victoria Leming, 3369 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were ordinances, narrow road, safety, and traffic.

**Robert Campbell, 3419 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were safety, sharp and narrow roads, congestion,

**Tracy Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, safety, differing home styles, and buffers.

**Planning Commission Comments:**

Mr. Braswell wanted clarification of the rear setback. The applicant stated it is 20 feet. Mr. Braswell questioned if there would be a homeowners association in place. The applicant stated that it could be looked into but it might be a requirement. Mr. Hunt questioned if a homeowners association is a county code. Ms. Doveton stated it is because of the watershed.

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 3-1 (Bell absent & Varner opposed)**

*Conditions:*

1. *The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:*
  - a. *Increase the number of lots;*
  - b. *Decrease required greenspace, amenity areas, or buffers;*
  - c. *Change the design or materials of the dwellings;*
  - d. *Decrease the minimum building setbacks;*
  - e. *Reduce required landscaping*
2. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall*

*incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.*

- 3. All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
- 4. All conditions of zoning shall be made part of any plats created for the property.*
- 5. Standard Hall County plat review process shall be followed.*
- 6. Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
- 7. Development is subject to Hall County Stormwater Management regulations.*
- 8. The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.*
- 9. No variances in Hall County Development standards are granted.*
- 10. Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wrested vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.*
- 11. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:*  
*"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30601  
MAILING ADDRESS: PO BOX 1435 GAINESVILLE, GA 30601  
P 770-531-6809 F 770-531-2992



## ZONING APPLICATION

**Applicant (Name & Mailing Address)**

SrisadanOne LLC

990 Peachtree Industrial Blvd. Box 2493

Suwanee, GA 30024

Phone 770-781-4100

Email Address eunderwood@mhtlegal.com / tfisher@mhtlegal.com

Proposed Use 29 Dwellings, Single-Family Detached

**Property Owner (Name & Mailing Address)**

SrisadanOne LLC

990 Peachtree Industrial Blvd. Box 2493

Suwanee, GA 30024

Phone 770-853-0241

Email Address vrkonda25@gmail.com

**Contact Person (Name & Mailing Address)**

Miles Hansford & Tallant, LLC - J. Ethan Underwood

202 Tribble Gap Road, Suite 200

Cumming, GA 30040

Phone 770-781-4100

Email Address eunderwood@mhtlegal.com / tfisher@mhtlegal.com

Tax Parcel Number 10062 000001A

Location Address 3435 Springdale Forrest Blvd.

**Status of Applicant**

☒ Owner

☐ Option to Purchase

☐ Area Resident

☐ Other

Acreage 35.6

**Requested Action**

Existing Zoning: AR-III

Rezoned to: R-I

Fee: \$ 750.00 1000.00

Receipt #: 859068

Check #: 4234

I hereby certify that the above information and all attached information are true and correct.

Sign K V R Reddy Date: 11/3/2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

**Application Withdrawal:** I hereby withdraw the application.

Sign \_\_\_\_\_ Date: \_\_\_\_\_

**Staff Use Only**

Application Date: \_\_\_\_\_ Taken by: B.W.

Tentative Planning Commission Date: 1/3/2023 Tentative County Commission Date: 2/9/2023

County Commission District: \_\_\_\_\_

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30604  
MAILING ADDRESS: PO BOX 1403, GAINESVILLE, GA 30604  
770-531-6800 / 770-531-3902



### AUTHORIZATION OF PROPERTY OWNERS

*Note: If the applicant is the property owner, please disregard this form.*

Name of owner(s) SrisadanOne LLC  
Address 990 Peachtree Industrial Blvd. Box 2493  
Suwanee GA 30024  
Phone Number 770-853-0241  
Name of applicant(s) Same as above.  
Address \_\_\_\_\_  
\_\_\_\_\_  
Phone Number \_\_\_\_\_

**I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.**

**I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.**

Signature of Owner(s)

K V R Reddy.

Personally appeared before me

Venkatranga Konda

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]  
Notary Public

11/03/2022  
Date



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_

I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: J. G. Hunsford, Attorney

Date: 11/16/22

Applicant's/Owner's Name (Printed):

Miles Hunsford & Tallant, LLC

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30506  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30501  
(770) 531-5809 / (770) 531-3902



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_ I have not X \_\_\_\_\_

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: KVR Reddy

Date: 11/3/2022

Venkatranga Konda

Applicant's/Owner's Name (Printed): SrisadanOne LLC

J. Ethan Underwood  
[eunderwood@mhtlegal.com](mailto:eunderwood@mhtlegal.com)

#### **WRITTEN EVALUATION**

<b>Applicant:</b>	<b>SrisadanOne LLC</b>
<b>Subject Property:</b>	<b>35.6 Acres Designated as Hall County Tax Parcel(s): 10062 000001A</b>
<b>Current Zoning:</b>	<b>AR-III- Agricultural Residential III District</b>
<b>Proposed Zoning:</b>	<b>R-I- Residential I District</b>
<b>Proposed Use:</b>	<b>29 Dwellings, Single Family Detached</b>
<b>Application:</b>	<b>Rezoning with Conditional Use</b>
<b>ROW Access:</b>	<b>Springdale Forrest Boulevard</b>
<b>Governing Jurisdiction:</b>	<b>Hall County</b>

This statement is intended to comply with application procedures established by the Governing Jurisdiction, and is intended to set forth a preliminary development plan for the Subject Property, to evaluate the proposed development and new zoning classification, conditional use and variances (if any), based upon factors set forth by the Governing Jurisdiction and is otherwise intended as the Written Evaluation for the Subject Property. The Applicant has provided all required information and has submitted the appropriate application fees. The requested Application meets all judicial and statutory requirements for approval.

The Applicant intends to develop the Subject Property for the Proposed Use, as more fully described in the Application, incorporated herein by this reference. Any zoning request, sketch plat, conditional use permit, and variance applications submitted concurrently with the Application are also incorporated herein by this reference. The zoning request, sketch plat, conditional use permit, and variance applications, along with all supplemental plans and documents are collectively referred to as the "Applicant's Proposal."

#### **INTENDED USE**

The Applicant requests to rezone the Subject Property to the Proposed Zoning for the Proposed Use with a Conditional Use Permit for a subdivision pursuant to Hall County Zoning Ordinance § 17.60.040 (I). Specifically, the Subject Property will be developed as a **29-unit, Single Family Detached Subdivision**.

#### **COMPREHENSIVE PLAN**

The Governing Jurisdiction's Comprehensive Plan and the Future Development Map incorporated therein designates the Subject Property as located within the Residential Character Area. The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The Subject Property is located in the Lake Area Residential Character Area, which provides, "Future development will continue to be detached, single-family homes at low densities." The Proposed Use has a proposed density of 0.81 residential units per acre.



The Applicant's proposed density is in compliance with the Comprehensive Plan's recommendation of up to 1.0 dwellings per acre. *See Comp. Plan p. 29.*

**IMPACT ANALYSIS.**

When exercising the Governing Jurisdiction's zoning powers, consideration shall be given to the following factors associated with the use. The Applicant's Proposed Use satisfies all of these criteria as described below:

- 1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property.**

The Proposed Use is compatible with the surrounding properties and land use, specifically the residential use by surrounding single family homes. The Proposed Use and proposed density are in keeping with the Comprehensive Plan's recommended zoning categories and proposed density of development.

- 2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

The Proposed Use will not adversely affect the existing use or usability of adjacent or nearby properties because the Proposed Use will allow for a residential use that is compatible with the surrounding residential uses. The value of the surrounding properties will be enhanced by the Subject Property's residences and site design.

- 3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The shape, size, and topography of the Subject Property necessitate rezoning of the Subject Property, as its steep topography and streams prevent development using the Current Zoning. With the limited buildable area available on the site, the Proposed Use is the only physically practicable or financially viable use for the Subject Property. There is no other physically practicable or financially viable use for the Subject Property than as proposed by the Applicant.

- 4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service.**

The Proposed Use will not result in a use that will cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities. The projected impact on schools and utilities will be in keeping with projected growth, and any applicable impact fees from the development will fund infrastructure improvements. The number of car trips and need for transportation facilities will be comparable to surrounding uses, and the developer will make improvements to surrounding rights-of-way as required by applicable regulations for project improvements.

*See also the Applicant's Public Impact Analysis Below.*

**5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area.**

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The Subject Property is located in the Lake Area Residential Character Area, which provides, "Future development will continue to be detached, single-family homes at low densities."

In this regard, the development will provide:

- Low-density residential
- Green Space
- Moderate pedestrian connectivity with sidewalks
- Moderate vehicular connectivity with curvilinear streets

**6. The extent to which property values are diminished by the existing zoning restrictions.**

The Subject Property does not have a reasonable economic use as currently zoned. The AR-III zoning category requires a minimum lot size of 43,560 square feet. Smaller lot sizes are necessary in order to develop a sufficient number of single-family dwellings at a sufficient price-point to make the project economically viable for redevelopment.

**7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public.**

A refusal by the Governing Jurisdiction to approve the Application, as requested by the Applicant, will impose a disproportionate hardship on the Applicant and owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property except for development as proposed by the Applicant and there is no benefit to the public by requiring that the Current Zoning be maintained.

**8. The relative gain to the public as compared to the hardship imposed upon the individual property owner.**

refusal by the Governing Jurisdiction to approve the Application, as requested by the Applicant, will impose a disproportionate hardship on the Applicant and owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property except for development as proposed by the Applicant and there is no benefit to the public by requiring that the Current Zoning be maintained.

**9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.**

The Subject Property is currently zoned for agricultural purposes; however, remains undeveloped.

**10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

The area surrounding the Subject Property is developing as single-family residential homes, making continued agricultural use of the property increasingly difficult. The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area.

**11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning."**

The area surrounding the Subject Property is developing as single-family residential homes, making continued agricultural use of the property increasingly difficult. The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area.

**12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.**

The present zoning district boundaries are illogically drawn in relation to existing conditions in the area surrounding the Subject Property. The area surrounding the Subject Property is developing as single-family residential homes, making continued agricultural use of the property more difficult. The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area.

**13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood.**

The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area. The Proposed Use is in keeping with the scope and scale of development planned for by the Governing Jurisdiction's implementation strategy for public utilities, transportation improvements, and other capital improvement projects, such as parks, public safety, and schools.

**14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned.**

The Subject Property does not have a reasonable economic use as currently zoned.

**15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment.**

Approval of a variance will not allow the Proposed Use. Approval of the Application is necessary to allow the Proposed Use.

**16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted.**

The project should also have a minimal impact on the environment with no negative ecological or pollution impact up the Subject Property or the surrounding area. There should be no impact on air quality. Drainage, soil erosion, and sedimentation controls will be extensively utilized on the site after obtaining all required approvals from the Soil Conservation Service and the Governing Jurisdiction.

The Applicant will submit plans detailing the development for approval by the Governing Jurisdiction, the local Health Department, and any other appropriate governmental agencies, based on conformity with subdivision and zoning requirements, as well as other applicable ordinances, statutes and regulations.

**17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property.**

The Subject Property was appropriately zoned at the time of original zoning, but changing conditions affecting the use and development of the Subject Property supporting the Proposed Use and approval of the Application, as requested by the Applicant.

**IMPACT ON THE LOCAL POPULATION DENSITY PATTERN AND PUBLIC INFRASTRUCTURE**

**(A) Proposed Construction Phasing Schedule**

Construction of the project is anticipated to occur over approximately 36 months. Upon issuance of Land Disturbance Permit, the Applicant anticipates the project will be developed within 12 months thereafter, and houses to be constructed over the following 24 months. During the first 12 months of construction, the site will be developed and platted as residential lots. Home construction will begin immediately upon the platting of the first phase of development and will continue to full build out through month 36.

Based upon the most currently available data, the Applicant estimates there will be 3.05 occupants per unit. Assuming this to be the case, the Applicant expects the population of the new development to be as follows:

Projected Subdivision Population			
Year	New Houses	Total New Households	Population of New Homes
1	0	0	0
2	10	10	31
3	19	29	89

---

**(B) Public Road System**

Permanent access to the subdivision will be from the ROW Access. All of the development's interior streets will be publicly-owned and maintained.

Traffic generated from the development will be in keeping with expected growth patterns and access to public thoroughfares will be at a location where sight distance is sufficient. All curb cuts shall be coordinated and approved by the Governing Jurisdiction and acceleration and deceleration lanes will be installed as required. All streets within the development will be constructed to conform to the Governing Jurisdiction's standards. Parking will be provided onsite as required by the Zoning Ordinance.

**(C) County School System**

The Table below estimates the number of school children expected to be generated by the project, based upon the ratio of the estimated number of school children in the Governing Jurisdiction to the estimated number of households in Hall County, then multiplying the quotient by the number of residential units in the Proposed Use. This factor is calculated to 0.33 students per household.

Projected Student Population Impact: After calculating the first year add that amount to each year thereafter	
<u>Year</u>	<u>Total</u>
1	0
2	4
3	10

The numbers above are a planning factor used to project total student population and plan the need for new school facilities. However, the actual number of students who live in the proposed development may be more or less than the factor above, because the method of calculation uses a total number households countywide, with some households containing more than the average number of children and others comprised of zero children.

**(D) Water and Waste Water Systems**

The community's water needs will be served by the City of Gainesville. Please refer to the results of the water and sewer pre-application meeting, which has been submitted concurrently with this Written Evaluation. The community's sewer needs will be served through private septic.

**(E) Utilities**

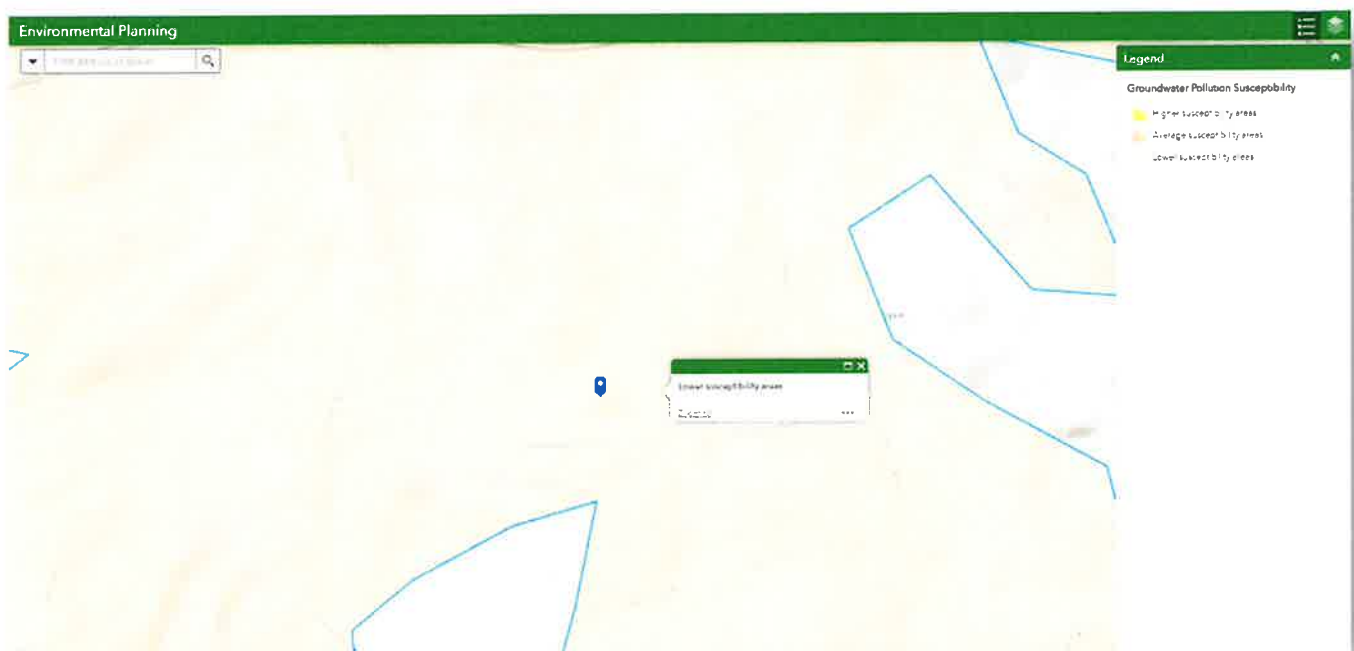
With regard to public utilities, water, sanitary sewer, natural gas, electricity and cable are available to the Subject Property. The impact on public utilities is anticipated to be minimal. The Applicant will install underground utility lines within the development to serve the project on an as-needed basis.

## **(F) Environmental Impact**

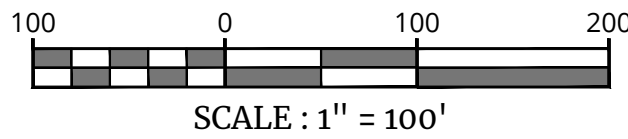
The project should also have a minimal impact on the environment. There should be no impact on air quality. Drainage, soil erosion, and sedimentation controls will be extensively utilized on the site after obtaining all required approvals from the Soil Conservation Service and Hall County.

The Applicant will submit plans detailing the development for approval by the Hall County Department of Planning and Development, the Hall County Department of Engineering, the City of Gainesville Department of Water & Sewer, the Hall County Health Department, and any other appropriate governmental agencies, based on conformity with subdivision and zoning requirements, as well as other applicable ordinances, statutes and regulations.

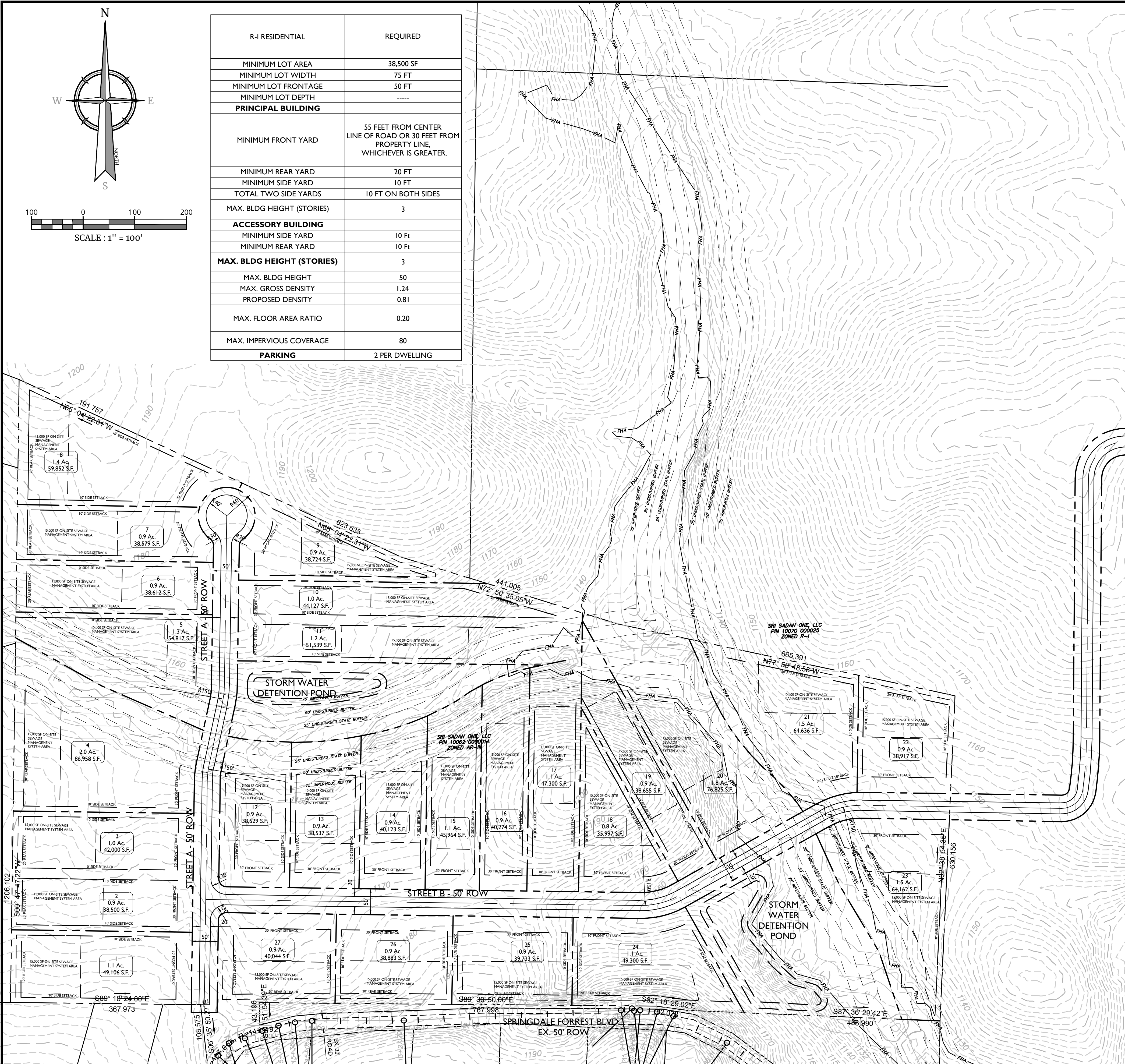
According to the Department of Community Affairs Environmental Planning Map, the Subject Property is located in a lower pollution susceptibility area regarding ground water recharge. Thus, Hall County Code requires the minimum lot size to be increased by 110%. (See Hall County Code of Ordinances § 17.225.080 (F)(3).







R-1 RESIDENTIAL	REQUIRED
MINIMUM LOT AREA	38,500 SF
MINIMUM LOT WIDTH	75 FT
MINIMUM LOT FRONTAGE	50 FT
MINIMUM LOT DEPTH	-----
<b>PRINCIPAL BUILDING</b>	
MINIMUM FRONT YARD	55 FEET FROM CENTER LINE OF ROAD OR 30 FEET FROM PROPERTY LINE, WHICHEVER IS GREATER.
MINIMUM REAR YARD	20 FT
MINIMUM SIDE YARD	10 FT
TOTAL TWO SIDE YARDS	10 FT ON BOTH SIDES
MAX. BLDG HEIGHT (STORIES)	3
<b>ACCESSORY BUILDING</b>	
MINIMUM SIDE YARD	10 Ft
MINIMUM REAR YARD	10 Ft
<b>MAX. BLDG HEIGHT (STORIES)</b>	3
MAX. BLDG HEIGHT	50
MAX. GROSS DENSITY	1.24
PROPOSED DENSITY	0.81
MAX. FLOOR AREA RATIO	0.20
MAX. IMPERVIOUS COVERAGE	80
<b>PARKING</b>	2 PER DWELLING



PARCELS		
PARCEL	AREA (AC)	AREA (SF)
1	1.13	49105.95
2	0.88	38500.00
3	0.96	41999.66
4	2.00	86957.95
5	1.26	54816.71
6	0.89	38612.24

PARCELS		
PARCEL	AREA (AC)	AREA (SF)
7	0.89	38578.57
8	1.37	59852.47
9	0.89	38723.58
10	1.01	44126.83
11	1.18	51539.11
12	0.88	38528.74

PARCELS		
PARCEL	AREA (AC)	AREA (SF)
13	0.88	38537.00
14	0.92	40122.62
15	1.06	45964.43
16	0.92	40273.60
17	1.09	47300.13
18	0.83	35996.92

PARCELS		
PARCEL	AREA (AC)	AREA (SF)
19	0.89	38655.17
20	1.76	76825.05
21	1.48	64635.85
22	0.89	38917.16
23	1.47	64162.13
24	1.13	49299.75


PARCELS		
PARCEL	AREA (AC)	AREA (SF)
25	0.91	39733.32
26	0.89	38883.42
27	0.92	40043.55

2. THE SUBJECT PROPERTY HOWEVER DOES HAVE A "FUTURE" HALL COUNTY FLOOD ZONE.

The advertisement is a large rectangular block with a white background. At the top, there is a large, stylized letter 'C' in a light grey color. Inside the upper curve of the 'C' is the word 'Colliers' in a bold, black, serif font. Below the 'C' is a horizontal line, followed by the words 'Engineering & Design' in a large, black, serif font. Underneath this is the website address 'www.colliersengineering.com' in a bold, black, sans-serif font. A paragraph of small text follows, stating copyright information for 2023 and a disclaimer about the use of the information. Below the text is a large, bold, black, sans-serif font that reads 'Doing Business as'. To the right of this text is the 'MASER' logo, which consists of a stylized 'M' made of two overlapping shapes, followed by the word 'MASER' in a bold, black, sans-serif font, and 'BY CONSULTING' in a smaller, black, sans-serif font below it. Below the logo is a large, bold, black, sans-serif font that reads 'PROTECT YOURSELF'. Underneath this is a paragraph of bold, black, sans-serif text that reads 'ALL STATES REQUIRE NOTIFICATION OF EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN ANY STATE'. At the bottom, there is a large, bold, black, sans-serif font that reads 'Know your's below.', followed by 'Call before you dig.' in a smaller, black, sans-serif font. Below this is the text 'FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM' in a bold, black, sans-serif font.

REV	DATE	DRAWN BY	DESCRIPTION
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SPRINDALE FORREST BLVD  
FOR  
SRISADANONE LLC  
3435 SPRINGDALE FOREST  
BLVD  
GAINESVILLE, GA 30506  
DISTRICT 01  
PIN 10062000001A  
CITY OF GAINESVILLE  
HALL COUNTY  
GEORGIA

		<b>ATLANTA</b>	
1305 Mall of Georgia Blvd, Suite 1200 Burlington, GA 30519		1305 Mall of Georgia Blvd, Suite 1200 Burlington, GA 30519	
<b>Engineering &amp; Design</b>		<b>Phone: 678.288.4491</b>	
COLLIERS ENGINEERING & DESIGN, INC. DOING BUSINESS AS MADER CONSULTING			
SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	02/28/2023	MKB	EMH
PROJECT NUMBER:	DRAWING NAME:		
22002572A	C-CNPT4		
SHEET TITLE:			
REZONING PLAN			
SHEET NUMBER:			
1	of	1	

**NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.**

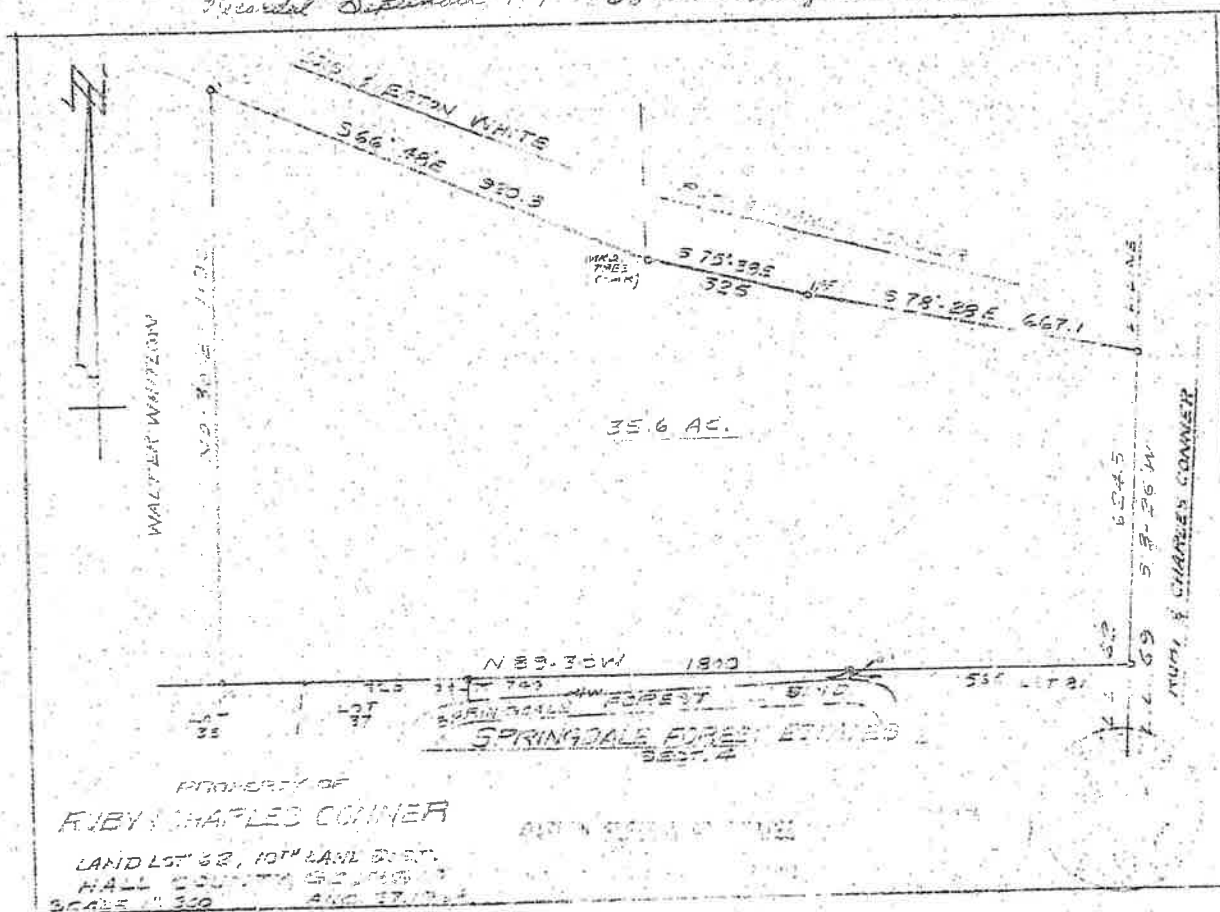


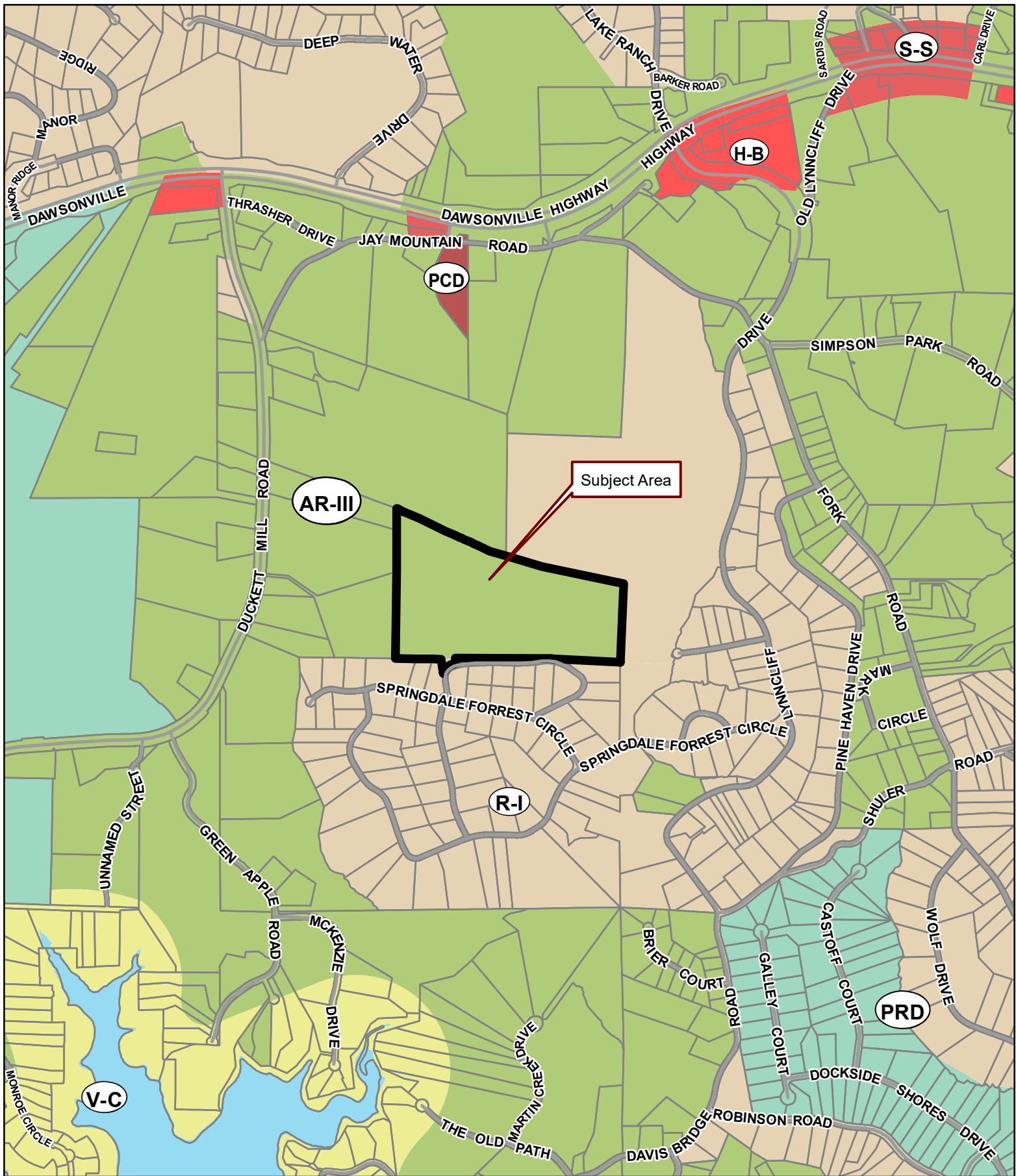






Recorded September 19, 1903 - H. Stanley Withers, Clerk





**Applicant:** SRISADANONE LLC

**Tax Parcel #:** 10062 000001A

**Location:** 3435 SPRINGDALE FORREST BOULEVARD, GAINESVILLE, GA 30506

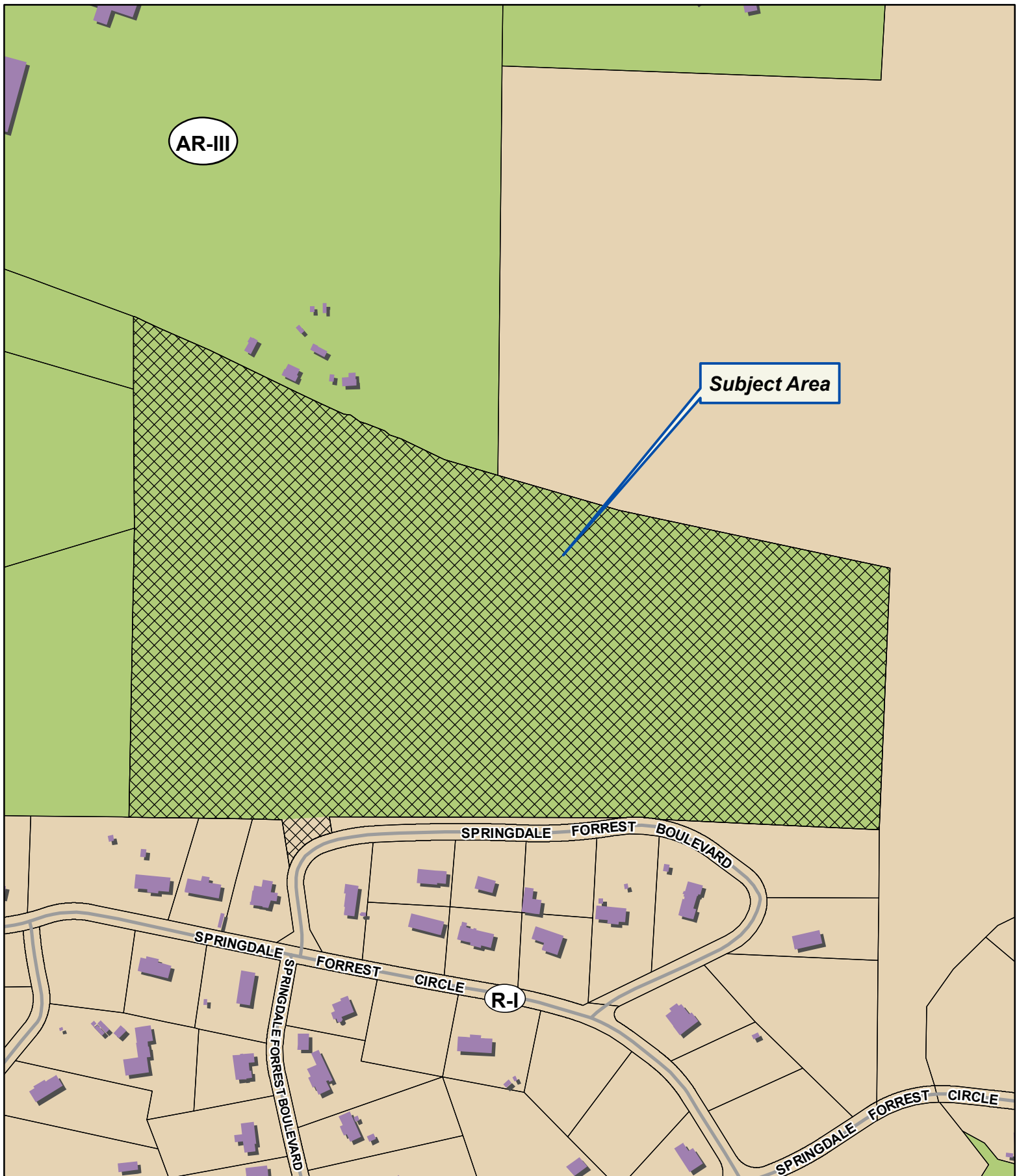
**Commission District 2**

**PC Mtg. Date:** 01/03/2023

0 300 600 1,200  
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





**Applicant:** SRISADANONE LLC

**Tax Parcel #:** 10062 000001A

**Location:** 3435 SPRINGDALE FORREST BOULEVARD, GAINESVILLE, GA 30506

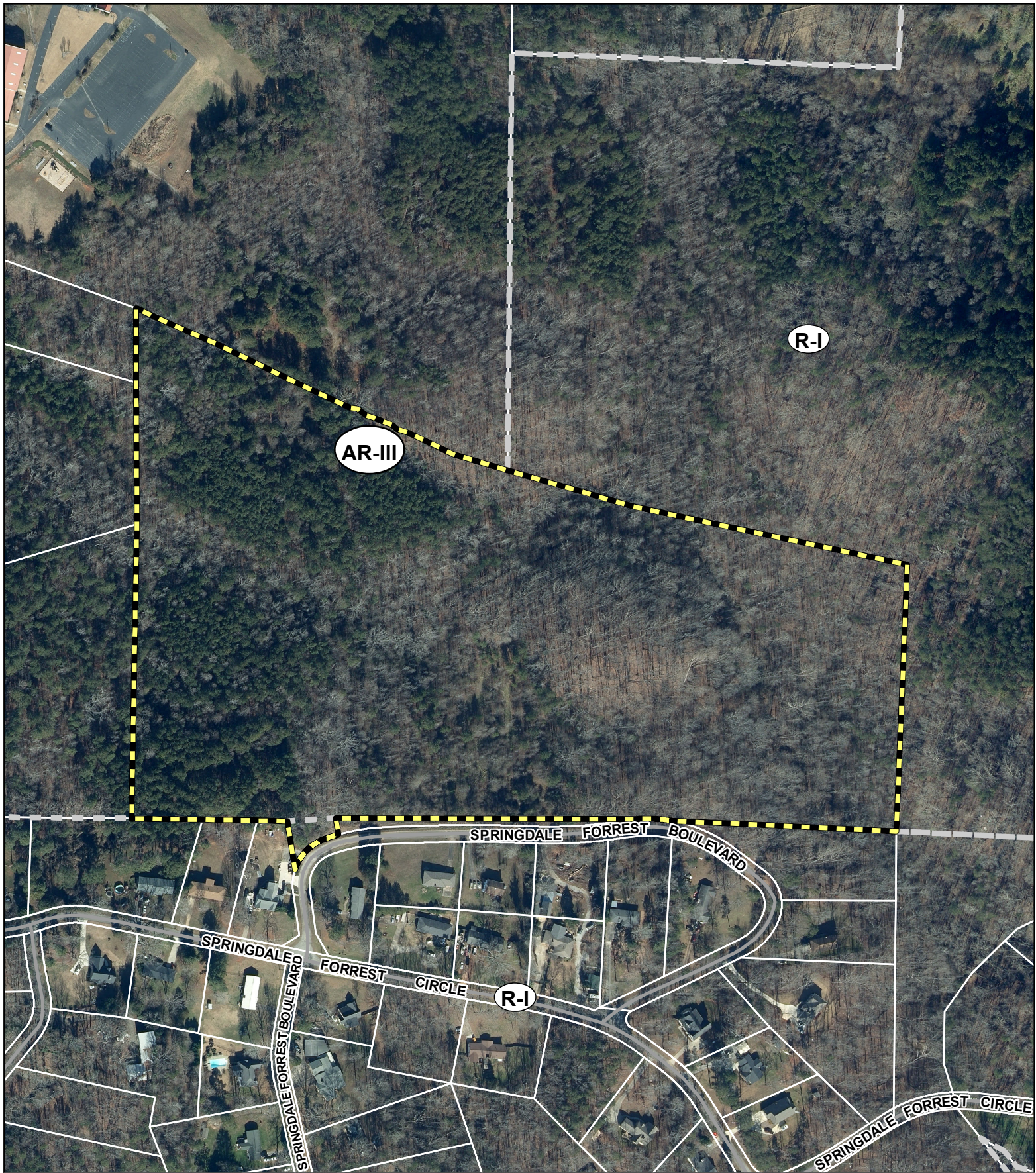
**Commission District 2**      **PC Mtg. Date:** 01/03/2023

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Feet

- Zoning Boundary
- City Limits
- ▨ Subject Area
- Structure







**Applicant:** SRISADANONE LLC

**Tax Parcel #:** 10062 000001A

**Location:** 3435 SPRINGDALE FORREST BOULEVARD, GAINESVILLE, GA 30506

**Commission District 2**      **PC Mtg. Date:** 01/03/2023

0 75 150 300  
Feet

— Zoning Boundary

City Limits

Subject Area





### **Legal Description**

All that tract or parcel of land lying and being in Land Lot 62 of the 10th Land District of Hall County Georgia, being identified as 35.6 acres, more or less, on a plat of survey dated August 27, 1968, prepared for Ruby and Charles Conner by Owen Patton, Georgia Registered Land Surveyor No. 1326 and G. Dwight Pless, Georgia Registered Land Surveyor No. 1326, recorded in Plat Book 40, Page 129, Hall County, Georgia Records. Said property is more fully described according to the above referenced plat, which is incorporated herein by reference.

To find the true point of beginning commence from an iron pin located at the intersection of the common boundary line of Land Lots 62 and 69 which is the true point of beginning; run

Thence North 89 degrees 30 minutes West a distance of 1800 to an iron pin found; run

Thence North 0 degrees 30 minutes East a distance of 1190 feet to an iron pin found; run

Thence South 66 degrees 48 minutes East a distance of 920.30 feet to point; run

Thence South 75 degrees 38 minutes East a distance of 325 feet to an iron pin; run

Thence South 78 degrees 28 minutes East a distance of 667.1 feet to an iron pin; run

Thence South 3 degrees 26 minutes West a distance of 624.5 feet; to an iron pin found and the true Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

**This legal description is prepared solely for the purpose of facilitating a land use application and should not be relied upon for any other purpose.**

## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Tuesday, December 13, 2022 4:01 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 1.3.23

Please find Environmental Health comments below:

Item 1, 5385 Winder Hwy, Dell Group: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 2, 6725 Bass Circle, Argento: Environmental Health contacted the applicant on 12.12.22 concerning requirements to move forward with development of the property.

Item 3, 5645 Burke Lane, Claxton: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 3055 Tumbling Creek, Rochester: No comment. Public sewer.

Item 5, 3814 Bolding Road, Jung/Kim: Must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal may be required to be permitted through EPD. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 6, 6047/6051/6057/6069 Lula Rd, 4927/5051 Cagle Rd, Solidum Holdings: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 7 and 8, 3435 Springdale Forrest Blvd, SrisadanOne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Emily

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973

## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Monday, December 19, 2022 7:06 PM  
**To:** Anael Dominguez (Planning); Peevy, Jonathan  
**Cc:** Randi Doveton (Planning); David Webb (Planning); Rebecca Keefer  
**Subject:** RE: Tentative Planning Agenda for January 3, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for following up Anael, I dropped the ball on this one. Item #6 (Solidum Holdings) will require GDOT coordination.

6. [6047, 6051, 6057, & 6069 Lula Road, 4927 & 5051 Cagle Road | Rezone | from Agricultural- Residential-IV \(AR-IV\) & Suburban-Shopping \(S-S\) to Planned Industrial Development \(PID\) on a 91.51± acre tract located on the west side of Lula Road at its intersection with Cagle Road | Zoned S-S & AR-IV; Tax Parcel 09084 000004 -000006, 000006A, 000017, 000020 | Proposed use: commercial & industrial mixed uses | \\*\\* Commission District 3 | Solidum Holdings, LLC, applicant.](#)

With deepest apologies for my tardiness,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Friday, December 16, 2022 9:52 AM  
**To:** Peevy, Jonathan <jpeevy@dot.ga.gov>; Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Cc:** Randi Doveton (Planning) <rdoveton@hallcounty.org>; David Webb (Planning) <dwebb@hallcounty.org>; Rebecca Keefer <rkeefe@cplteam.com>  
**Subject:** FW: Tentative Planning Agenda for January 3, 2023

Good morning,

I just wanted to check in and make sure you didn't have any comments for the 1-3-2023 tentative agenda below. Comments were due yesterday.

Thank you,

Ana Dominguez

Planning Commission Clerk

Hall County Government

2875 Browns Bridge Road, Gainesville, GA 30504





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**From:** Anael Dominguez (Planning)  
**Sent:** Thursday, December 8, 2022 10:41 AM  
**Subject:** Tentative Planning Agenda for January 3, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Tuesday, January 3, 2023** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Thursday, December 15<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

**CALL TO ORDER**

**AGENDA REVIEW**

**APPROVAL OF MINUTES – December 19, 2022**

**OLD BUSINESS**

1. [5385 Winder Highway | Amend Conditions | of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road | Zoned PCD; Tax Parcel 15028B000015 | Proposed use: car condos, storage, commercial uses, and retail | \\*\\* Commission District 1 | The Dell Group, LLC, applicant.](#)

**NEW BUSINESS**

2. [6725 Bass Circle | Variance | for a setback variance at the southern property line from 15 feet to 4 feet on a .15± acre tract located at the terminus of Bass Circle | Zoned R-I; Tax Parcel 07353 004003 | Proposed use: single-family home | \\* Commission District 2 | Douglas Argento, applicant.](#)
3. [5645 Burke Lane | Variance | for a left side yard setback variance from 10 feet to 5 feet on a .31± acre tract located at the terminus of Burke Lane | Zoned V-C; Tax Parcel 10012 000019 | Proposed use: single-family home | \\* Commission District 2 | Anthony R. Claxton, applicant.](#)
4. [3055 Tumbling Creek Road | Amend conditions | of a Planned Residential Development \(PRD\) on a 5.1± acre tract located on the west side of Tumbling Creek Road at approximately 30 feet from its intersection with Campus Pointe Circle | Zoned PRD; Tax Parcel 08026 000005 \(pt.\) | Proposed use: 38-unit residential rental community | \\*\\* Commission District 2 | Rochester/DCCM, applicant.](#)
5. [3814 Bolding Road | Rezone | from Agricultural-Residential-III \(AR-III\) to Mobile Home Park \(MHP\) on a 6.72± acre tract located on the west side of Bolding Road approximately 111 feet from its intersection with Glen Bower](#)

Road | Zoned AR-III; Tax Parcel 15036B000035 | **Proposed use: travel trailer park** | \*\* Commission District 1 | **Yeon H. Jung & Soyeon Kim, applicants.**

6. **6047, 6051, 6057, & 6069 Lula Road, 4927 & 5051 Cagle Road | Rezone** | from Agricultural- Residential-IV (AR-IV) & Suburban-Shopping (S-S) to Planned Industrial Development (PID) on a 91.51± acre tract located on the west side of Lula Road at its intersection with Cagle Road | Zoned S-S & AR-IV; Tax Parcel 09084 000004 - 000006, 000006A, 000017, 000020 | **Proposed use: commercial & industrial mixed uses** | \*\* Commission District 3 | **Solidum Holdings, LLC, applicant.**
7. **3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | \*\* Commission District 2 | **SrisadanOne LLC, applicant.**
8. **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | \*\* Commission District 2 | **SrisadanOne LLC, applicant.**

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, February 9, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, February 9, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** December 14, 2022  
**Subject:** January 3, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the January 3, 2023 meeting. Upon review, we provide the following comments.

### OLD BUSINESS

1. [5385 Winder Highway | Amend Conditions | of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road | Zoned PCD; Tax Parcel 15028B000015 | Proposed use: car condos, storage, commercial uses, and retail | \\*\\* Commission District 1 | The Dell Group, LLC, applicant.](#)
  - a) **Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.  
Show stream buffers and impervious setback from wrested vegetation not centerline of stream.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No sewer in the area of project; septic proposed requires Health Department Approval.

### NEW BUSINESS

2. [6725 Bass Circle | Variance | for a setback variance at the southern property line from 15 feet to 4 feet on a .15± acre tract located at the terminus of Bass Circle | Zoned R-I; Tax Parcel 07353 004003 | Proposed use: single-family home | \\* Commission District 2 | Douglas Argento, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
3. [5645 Burke Lane | Variance | for a left side yard setback variance from 10 feet to 5 feet on a .31± acre tract located at the terminus of Burke Lane | Zoned V-C; Tax Parcel 10012 000019 | Proposed use: single-family home | \\* Commission District 2 | Anthony R. Claxton, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

c) **Utilities:** No Comment

4. [3055 Tumbling Creek Road | Amend conditions | of a Planned Residential Development \(PRD\) on a 5.1± acre tract located on the west side of Tumbling Creek Road at approximately 30 feet from its intersection with Campus Pointe Circle | Zoned PRD; Tax Parcel 08026 000005 \(pt.\) | Proposed use: 38-unit residential rental community | \\*\\* Commission District 2 | Rochester/DCCM, applicant.](#)

a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Buffer change requested does not include stream buffers

Show 75' impervious setback or request a variance.

b) **Traffic:** No comment.

c) **Utilities:** City of Gainesville Sewer District.

5. [3814 Bolding Road | Rezone | from Agricultural-Residential-III \(AR-III\) to Mobile Home Park \(MHP\) on a 6.72± acre tract located on the west side of Bolding Road approximately 111 feet from its intersection with Glen Bower Road | Zoned AR-III; Tax Parcel 15036B000035 | Proposed use: travel trailer park | \\*\\* Commission District 1 | Yeon H. Jung & Soyeon Kim, applicants.](#)

a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Refer to Planning's comments regarding lot lines and subdivision of property.

b) **Traffic:** Driveway to meet Hall County Standards.

c) **Utilities:** City of Oakwood Sewer District

6. [6047, 6051, 6057, & 6069 Lula Road, 4927 & 5051 Cagle Road | Rezone | from Agricultural- Residential-IV \(AR-IV\) & Suburban-Shopping \(S-S\) to Planned Industrial Development \(PID\) on a 91.51± acre tract located on the west side of Lula Road at its intersection with Cagle Road | Zoned S-S & AR-IV; Tax Parcel 09084 000004 -000006, 000006A, 000017, 000020 | Proposed use: commercial & industrial mixed uses | \\*\\* Commission District 3 | Solidum Holdings, LLC, applicant.](#)

a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

## PUBLIC WORKS AND UTILITIES ENGINEERING DIVISION

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

North Oconee Watershed District

- b) **Traffic:** Driveway access of Cornelia Highway and Lula Road will need to be permitted through GDOT. Since Cagle Road is not adequate for commercial / industrial traffic, access should be from Cornelia Highway (SR354) and Lula Road (SR52) only. Access via Cagle Road should be restricted or, if considered, the roadway should be improved to County commercial / industrial standards.

- c) **Utilities:** Hall County Sewer District

7. [3435 Springdale Forrest Boulevard | Rezone | from Agricultural-Residential-III \(AR-III\) & Residential-I \(R-I\) to Residential-I \(R-I\) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | Proposed use: 29 single-family detached homes | \\*\\* Commission District 2 | SrisadanOne LLC, applicant.](#)

- a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

- b) **Traffic:** Roadways to meet Hall County standards.

- c) **Utilities:** Hall County Sewer District, no gravity sewer available. Proposed septic systems will require Health Department approval.

8. [3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | Proposed use: 29 single-family detached homes | \\*\\* Commission District 2 | SrisadanOne LLC, applicant.](#)

- a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

- b) **Traffic:** Roadways to meet Hall County Standards.

- c) **Utilities:** Proposed septic systems will require Environmental Health approval.

No Hall County Sanitary Sewer in area.

## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Thursday, December 15, 2022 11:33 AM  
**To:** Randi Doveton (Planning)  
**Cc:** Anael Dominguez (Planning)  
**Subject:** Fire Comments

Agenda and Maps for the **Tuesday, January 3, 2023** Hall County Planning Commission Meeting

1. **3435 Springdale Forrest Boulevard | Rezone |** from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes |** \*\* Commission District 2 | **SrisadanOne LLC, applicant.**
  - 1) **IFC Section 507, all buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
2. **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval |** on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes |** \*\* Commission District 2 | **SrisadanOne LLC, applicant.**
  - 1) **IFC Section 507, all buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)





Dec 16, 2022 at 10:01:32 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRISADANONE LLC**

REQUEST: **REZONE FROM AR III & R1 TO R1 FOR  
29 SINGLE FAMILY DETACHED HOMES**

PLANNING COMMISSION

Date: **JAN. 3, 2023**

Time: **5:15 PM**

AND

COUNTY COMMISSION

Date: **FEB. 9, 2023**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWN BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Dec 16, 2022 at 10:05:27 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRSISADANONE LLC**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION**

**APPROVAL FOR 29 SINGLE-FAMILY DETACHED HOMES**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **JAN. 3, 2023**

Time: **5:15 PM**

AND

COUNTY COMMISSION

Date: **FEB. 9, 2023**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Dec 16, 2022 at 10:06:55 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: SRISADANONE LLC

REQUEST: REZONE FROM AR III & R1 TO R1 FOR 29 SINGLE-FAMILY DETACHED HOMES

PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: JAN. 3, 2023 5:15 PM  
AND COUNTY COMMISSION Date: FEB. 9, 2023 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWN BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Feb 14, 2023 at 10:44:38 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRISADAN ONE LLC**

REQUEST: **REZONE FROM AR-III & R-1 TO R-1 FOR  
29 SINGLE-FAMILY DETACHED HOMES**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date: \_\_\_\_\_

Date: **MAR 9, 2023**

Time: \_\_\_\_\_

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Feb 14, 2023 at 10:49:50 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRISADAN ONE, LLC**

REQUEST: **REZONE FROM AR-III & R-1 TO R-1  
FOR 29 SINGLE-FAMILY DETACHED HOMES**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **—**

Time: **—**

COUNTY COMMISSION

Date: **MAR. 9, 2023**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 81/2023

**SUBJECT:** **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.** NOTE: Tabled at the February 9, 2023 Voting Meeting until the March 9, 2023 Voting Meeting.

---

#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:**  
**Recommendation:** RD

Approval, with conditions:

1. The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:

- a. Increase the number of lots;
- b. Decrease required greenspace, amenity areas, or buffers;
- c. Change the design or materials of the dwellings;
- d. Decrease the minimum building setbacks;
- e. Reduce required landscaping

2. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.

3. All costs associated with any required right-of-way improvements shall be the Developer's responsibility.

4. All conditions of zoning shall be made part of any plats created for the property.

5. Standard Hall County plat review process shall be followed.

6. Standard Hall County Development Review and Land Disturbance Permit process shall be followed.

7. Development is subject to Hall County Stormwater Management regulations.

8. The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.

9. No variances in Hall County Development standards are granted.

10. Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wretched vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.

11. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:

"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

**Purpose of Request:**

**3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.**

**History:**

**Facts and Issues:**

**Options:**

**Funding Requested**

\$ 0.00

**Are funds within current budget?** No  
**Source of Funds**  
**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?**

**Approvals:**

Submit	Approve	Budget	Finance
JR	RD	EW	WG
Attorney	Administration		Clerk
WLI	CR		JR

**Attachments:**

Revised Board Memo  
 Board Memo  
 Recommendation Report  
 Application  
 Narrative  
 Updated Site Plan - as of 2/28/2023  
 Updated Site Plan  
 Original Site Plan  
 Maps  
 Legal Description  
 Environmental Health Comments  
 GDOT Comments  
 Public Works Comments  
 Fire Comments  
 Notice Sign Photos  
 Updated Notice Signs



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** February 23, 2023

**Subject:** **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | Proposed use: 29 single-family detached homes | SrisadanOne LLC, applicant.

---

The request before you is the application of SrisadanOne, LLC to allow 29 single-family detached homes on 35.71± acre tract. ***It should be noted that a simultaneous rezone request accompanies this request but has separate reports and memos. Although you may wish to hear both associated items (rezoning and conditional use) at the same time, please deliberate and vote separately on each.*** This item is located within Commission District 2.

**This item was tabled at the February 9<sup>th</sup> voting meeting to the March 9<sup>th</sup> voting meeting, per the applicant's request. There have been no changes to the site plan or narrative since the item was tabled.**

At their January 3, 2023 meeting, the Hall County Planning Commission voted to recommend approval of the conditional use request with eleven (11) conditions **(3-1, Bell absent & Varner opposed)**.

There were no written comments submitted in advance of the Planning Commission meeting and **seven (7) individuals spoke in opposition** during the public hearing.

Since the Planning Commission took action, the applicant submitted a new site plan received 1-3-2023.

### Planning Commission Approval Conditions:

1. The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development

Review/Land Disturbance Permit process provided that the revisions do not:

- a. Increase the number of lots;
  - b. Decrease required greenspace, amenity areas, or buffers;
  - c. Change the design or materials of the dwellings;
  - d. Decrease the minimum building setbacks;
  - e. Reduce required landscaping
2. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.
  3. All costs associated with any required right-of-way improvements shall be the Developer's responsibility.
  4. All conditions of zoning shall be made part of any plats created for the property.
  5. Standard Hall County plat review process shall be followed.
  6. Standard Hall County Development Review and Land Disturbance Permit process shall be followed.
  7. Development is subject to Hall County Stormwater Management regulations.
  8. The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.
  9. No variances in Hall County Development standards are granted.
  10. Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wooded vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.
  11. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:  
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

***Please note that denial of the rezoning request is an automatic denial of the associated conditional use requests but this will need to be stated by the chairman after the rezoning vote.***





# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** January 10, 2023

**Subject:** **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | Proposed use: 29 single-family detached homes | SrisadanOne LLC, applicant.

---

The request before you is the application of SrisadanOne, LLC to allow 29 single-family detached homes on 35.71± acre tract. ***It should be noted that a simultaneous rezone request accompanies this request but has separate reports and memos. Although you may wish to hear both associated items (rezoning and conditional use) at the same time, please deliberate and vote separately on each.*** This item is located within Commission District 2.

At their January 3, 2023 meeting, the Hall County Planning Commission voted to recommend approval of the conditional use request with eleven (11) conditions **(3-1, Bell absent & Varner opposed)**.

There were no written comments submitted in advance of the Planning Commission meeting and **seven (7) individuals spoke in opposition** during the public hearing.

Since the Planning Commission took action, the applicant submitted a new site plan received 1-3-2023.

### Planning Commission Approval Conditions:

1. The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:
  - a. Increase the number of lots;
  - b. Decrease required greenspace, amenity areas, or buffers;
  - c. Change the design or materials of the dwellings;

- d. Decrease the minimum building setbacks;
  - e. Reduce required landscaping
- 2. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.
- 3. All costs associated with any required right-of-way improvements shall be the Developer's responsibility.
- 4. All conditions of zoning shall be made part of any plats created for the property.
- 5. Standard Hall County plat review process shall be followed.
- 6. Standard Hall County Development Review and Land Disturbance Permit process shall be followed.
- 7. Development is subject to Hall County Stormwater Management regulations.
- 8. The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.
- 9. No variances in Hall County Development standards are granted.
- 10. Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wrested vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.
- 11. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:

"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

***Please note that denial of the rezoning request is an automatic denial of the associated conditional use requests but this will need to be stated by the chairman after the rezoning vote.***

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... SrisadanOne LLC

**Request** ..... Use Subject to County Commission Approval

**Proposed Use** ..... 29 lot single-family detached development

**Size** ..... 35.71± acres

**Zoning** ..... Current: Agricultural Residential III (AR-III, [17.110](#))  
and Residential I (R-I, [17.60](#)) | Proposed:  
Residential I (R-I, [17.60](#))

**Location** ..... **3435 Springdale Forrest Boulevard** | Tax Parcel  
10062 000001A

**Commission District** ..... Two

**Planning Commission Date** ..... January 3, 2023

**Staff Recommendation** ..... **Approval, as the proposed use is consistent with  
the [Comprehensive Plan](#) and the Residential  
future land use classification.**

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 4-0 (Bell absent)**

**Planning Commission Conditions:**

1. *The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:*
  - a. *Increase the number of lots;*
  - b. *Decrease required greenspace, amenity areas, or buffers;*
  - c. *Change the design or materials of the dwellings;*
  - d. *Decrease the minimum building setbacks;*
  - e. *Reduce required landscaping*
2. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall*

*be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.*

3. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
4. *All conditions of zoning shall be made part of any plats created for the property.*
5. *Standard Hall County plat review process shall be followed.*
6. *Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
7. *Development is subject to Hall County Stormwater Management regulations.*
8. *The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.*
9. *No variances in Hall County Development standards are granted.*
10. *Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wrested vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.*
11. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:  
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

---

**This application has an associated rezoning request on this agenda. The items can be heard simultaneously but require separate motions since they are two distinct applications and agenda items. Should the rezoning request be denied, the conditional use is automatically denied. The following report is written under the assumption that the rezoning request is approved.**

**Public Forum:**

**Lee Luplow, 3323 Springdal Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic and safety.

**Bobby Cruise, 3516 Springsdale Forrest Boulevard, Gainesville,** spoke in opposition. Concerns were traffic, safety, and acreage of homes.

**Kimberly Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, property, topography, and blind spots.

**Kenneth Evans, 3550 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were developing, traffic, and safety.

**Victoria Leming, 3369 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were ordinances, narrow road, safety, and traffic.

**Robert Campbell, 3419 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were safety, sharp and narrow roads, congestion,

**Tracy Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, safety, differing home styles, and buffers.

### **Summary Analysis**

The applicant is requesting use approval for the County Commission for the purpose of developing a 29 lot single family detached subdivision. Within the Residential I (R-I, [17.60](#)) zoning district, subdivisions are uses permitted subject approval of the County Commission ([17.60.040](#)). There is a concurrent request to rezone the property to Residential I (R-I, [17.60](#)) zoning district for the purpose of developing a 29-lot subdivision.

Per [17.20.1210](#), subdivision means the division of a tract or parcel of land into seven or more lots, building sites, or other divisions for the purposes of sale, legacy, a new street, or a change in existing streets, and includes resubdivision. Where appropriate to the context, subdivision also relates to the process of subdividing or to the land or area subdivided. The term shall also include the opening of a new street or road. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots meet the standards of the county subdivision regulations is not included within this definition.

**The following dimensional standards have been proposed for the development:**

<b>Residential Standards</b>	
Minimum Lot Area	35,000 square feet
Minimum Lot Frontage	50 feet
Minimum Lot Width	75 feet
Front setback	55 feet from centerline or 30 feet from property line, whichever is greater
Side Setback	10 feet
Side Setback	10 feet
Rear Setback	10 feet
Maximum Building Height (stories)	3
<b>Accessory Building</b>	
Minimum Side Yard	10 feet
Minimum Rear Yard	10 feet
Maximum Building Height	50 feet
Proposed Gross Density	1.25 units per acre
Maximum Floor Area Ratio	0.20
Maximum Impervious Coverage	80
Parking Ratio	2 per dwelling

**No variance were submitted as part of this request or identified by staff in a review of the application.**

**Based on the future land-use plan, staff finds the requested use request consistent with the residential future land use classification in [Comprehensive Plan](#). Residential areas are characterized by moderate-density residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lot. Future development will continue to be detached, single-family homes at moderate densities.**

### Zoning Analysis

The proposed use of a 29-lot subdivision is consistent with the residential future land use classification, which are characterized by moderate-density residential development at density of less than 2 units per acre. **The development is subject to the Hall County stream buffer requirements. The current proposal shows the buffers are located within many if the individual lots, and some of the areas designated as “on-site sewage management area” on the conceptual include a portion of the 75FT impervious stream buffer. On-site systems cannot be located within the stream buffers so these lots may require reconfiguration to meet Environmental Health useable soil area requirements.**

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed use of a 29-lot subdivision is proposed adjacent to other Residential I (R-I, [17.60](#)) to the south and east, and Agricultural Residential III (AR-III, [17.110](#)) to the west and north. The proposed use is suitable in view of the use and development of adjacent and nearby properties; however, the proposed lot configuration may require revisions to accommodate on-site sewage systems and meet the stream buffer requirements.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The use proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The environmental features on the site necessitate buffers that will protect the streams which bisect the property.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to be undeveloped and wooded. The property has reasonable economic values as currently zoned; allowable uses within the Agricultural Residential III (AR-III, [17.110](#)) and Residential I (R-I, [17.60](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The proposed development should not result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. The density of the development is below the maximum density recommendation of 2 units per acre for the residential future land use classification found in the [Comprehensive Plan](#).**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use of a 29-lot subdivision is consistent with the residential future land use classification, which are characterized by moderate-density residential development at density of less than 2 units per acre.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**

8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is currently undeveloped and appears to have been this way for a number of years.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed development is adjacent to other Residential I (R-I, [17.60](#)) zoned parcels**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundary is illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The requested use approval is not out of scale with the needs of the county as a whole. While development has trended to smaller lot development recently, the proposed development is consistent with the surrounding development pattern.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support a moderate-density single-family residential uses based on the Future Land Use Map.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **This request could not be handled by a variance request instead; a subdivision is a use subject to County Commission approval within the R-I district ([17.60.040.I](#)).**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning of the property.**

#### **Development Support and Constraints – Departmental / Agency Comments**

##### **Hall County Environmental Health**

An email dated December 13, 2022 from Emily McGahee states “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.”

##### **Hall County Fire Marshal**

An email dated December 15, 2022 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following preliminary comments:

- 1) IFC Section 507, all buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.

#### **Hall County Public Works and Utilities**

In a memo dated December 14, 2022, from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wooded vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

##### **Traffic:**

Roadways to meet Hall County Standards

##### **Utilities**

Hall County Sewer District, no gravity sewer available.

Proposed septic systems will require Health Department approval.

#### **City of Gainesville Water Resources**

In an email dated November 15, 2022, Nick Swafford, Permitting Services Manager, confirmed availability of water service for the property via a 6-inch water main on Springdale Forrest Boulevard.

#### **Georgia Department of Transportation**

No comments from GDOT for this item.

#### **➤ Excerpts from the minutes of the January 3, 2023 meeting**

##### **Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Joshua Scoggins, 202 Tribble Gap Road, Cumming**, presented the request. The applicant addressed that the request was for 27 single-family detached homes, 0.76 units per acre. The homes will be served by septic.

##### ***Rebuttal***

The applicant stated that the 27 homes will be off county roads and are supported by county road standards. The applicant stated that the roads will be brought to county standards but the existing road problems have been there since before the proposal. The reason the lots are bigger than residential standards is because the lot is in a watershed.



**Public Forum:**

**Lee Luplow, 3323 Springdal Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic and safety.

**Bobby Cruise, 3516 Springsdale Forrest Boulevard, Gainesville,** spoke in opposition. Concerns were traffic, safety, and acreage of homes.

**Kimberly Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, property, topography, and blind spots.

**Kenneth Evans, 3550 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were developing, traffic, and safety.

**Victoria Leming, 3369 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were ordinances, narrow road, safety, and traffic.

**Robert Campbell, 3419 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were safety, sharp and narrow roads, congestion,

**Tracy Handl, 3427 Springdale Forrest Circle, Gainesville,** spoke in opposition. Concerns were traffic, safety, differing home styles, and buffers.

**Planning Commission Comments:**

Mr. Braswell wanted clarification of the rear setback. The applicant stated it is 20 feet. Mr. Braswell questioned if there would be a homeowners association in place. The applicant stated that it could be looked into but it might be a requirement. Mr. Hunt questioned if a homeowners association is a county code. Ms. Doveton stated it is because of the watershed.

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 3-1 (Bell absent & Varner opposed)**

*Conditions:*

1. *The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:*
  - a. *Increase the number of lots;*
  - b. *Decrease required greenspace, amenity areas, or buffers;*
  - c. *Change the design or materials of the dwellings;*
  - d. *Decrease the minimum building setbacks;*
  - e. *Reduce required landscaping*
2. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall*

*incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.*

3. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
4. *All conditions of zoning shall be made part of any plats created for the property.*
5. *Standard Hall County plat review process shall be followed.*
6. *Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
7. *Development is subject to Hall County Stormwater Management regulations.*
8. *The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.*
9. *No variances in Hall County Development standards are granted.*
10. *Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wrested vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.*
11. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:*  
*"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

RECEIVED

PLANNING AND DEVELOPMENT DEPARTMENT  
2815 N. GAINESVILLE ROAD, GAINESVILLE, GA 30604  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30603  
770-531-6800 / 770-531-3502  
Planning & Zoning Department



## CONDITIONAL USE APPLICATION

**Applicant (Name & Mailing Address)**

SrisadanOne LLC

990 Peachtree Industrial Blvd. Box 2493

Suwanee, GA 30024

Phone 770-781-4100

Email Address eunderwood@mhtlegal.com / tfisher@mhtlegal.com

Proposed Use 29 Dwellings, Single-Family Detached

**Property Owner (Name & Mailing Address)**

SrisadanOne LLC

990 Peachtree Industrial Blvd. Box 2493

Suwanee, GA 30024

Phone 770-853-0241

Email Address vrkonda25@gmail.com

**Contact Person (Name & Mailing Address)**

Miles Hansford & Tallant, LLC - J. Ethan Underwood

202 Tribble Gap Road, Suite 200

Cumming, GA 30040

Phone 770-781-4100

Email Address eunderwood@mhtlegal.com / tfisher@mhtlegal.com

Tax Parcel Number 10062 000001A

Location Address 3435 Springdale Forrest Blvd.

**Status of Applicant**

☒ Owner

☐ Option to Purchase

☐ Area Resident

☐ Other

Zoning: AR-III

Acreage 35.6

**Requested Action**

Permissive Use:

☐ HCPC ☐ HCC

Fee: \$ 750.00

Receipt #: 859069

Check #: 4234

I hereby certify that the above information and all attached information are true and correct.

Sign

K V R Reddy

Date:

11/3/2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

**Application Withdrawal:** I hereby withdraw the application.

Sign

Date:

**Staff Use Only**

Application Date:

Taken by:

Tentative Planning Commission Date:

Tentative County Commission Date:

County Commission District:

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30604  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30603  
T 770-531-5800 F 770-531-3902



### AUTHORIZATION OF PROPERTY OWNERS

*Note: If the applicant is the property owner, please disregard this form.*

Name of owner(s) SrisadanOne LLC  
Address 990 Peachtree Industrial Blvd. Box 2493  
Suwanee GA 30024  
Phone Number 770-853-0241

Name of applicant(s) Same as above.  
Address \_\_\_\_\_  
\_\_\_\_\_  
Phone Number \_\_\_\_\_

**I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.**

**I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.**

Signature of Owner(s)

K V R Reddy

Personally appeared before me

Venkatranga Konda

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]  
Notary Public

11/03/2022  
Date



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_ I have not X \_\_\_\_\_

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: K V R Reddy  
Venkatranga Konda

Date: 11/3/2022

Applicant's/Owner's Name (Printed): SrisadanOne LLC

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_

I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: J. G. Hunsford, Attorney

Date: 11/16/22

Applicant's/Owner's Name (Printed): Miles Hunsford & Tallant, LLC



J. Ethan Underwood  
[eunderwood@mhtlegal.com](mailto:eunderwood@mhtlegal.com)

#### **WRITTEN EVALUATION**

<b>Applicant:</b>	<b>SrisadanOne LLC</b>
<b>Subject Property:</b>	<b>35.6 Acres Designated as Hall County Tax Parcel(s): 10062 000001A</b>
<b>Current Zoning:</b>	<b>AR-III- Agricultural Residential III District</b>
<b>Proposed Zoning:</b>	<b>R-I- Residential I District</b>
<b>Proposed Use:</b>	<b>29 Dwellings, Single Family Detached</b>
<b>Application:</b>	<b>Rezoning with Conditional Use</b>
<b>ROW Access:</b>	<b>Springdale Forrest Boulevard</b>
<b>Governing Jurisdiction:</b>	<b>Hall County</b>

This statement is intended to comply with application procedures established by the Governing Jurisdiction, and is intended to set forth a preliminary development plan for the Subject Property, to evaluate the proposed development and new zoning classification, conditional use and variances (if any), based upon factors set forth by the Governing Jurisdiction and is otherwise intended as the Written Evaluation for the Subject Property. The Applicant has provided all required information and has submitted the appropriate application fees. The requested Application meets all judicial and statutory requirements for approval.

The Applicant intends to develop the Subject Property for the Proposed Use, as more fully described in the Application, incorporated herein by this reference. Any zoning request, sketch plat, conditional use permit, and variance applications submitted concurrently with the Application are also incorporated herein by this reference. The zoning request, sketch plat, conditional use permit, and variance applications, along with all supplemental plans and documents are collectively referred to as the "Applicant's Proposal."

#### **INTENDED USE**

The Applicant requests to rezone the Subject Property to the Proposed Zoning for the Proposed Use with a Conditional Use Permit for a subdivision pursuant to Hall County Zoning Ordinance § 17.60.040 (I). Specifically, the Subject Property will be developed as a **29-unit, Single Family Detached Subdivision**.

#### **COMPREHENSIVE PLAN**

The Governing Jurisdiction's Comprehensive Plan and the Future Development Map incorporated therein designates the Subject Property as located within the Residential Character Area. The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The Subject Property is located in the Lake Area Residential Character Area, which provides, "Future development will continue to be detached, single-family homes at low densities." The Proposed Use has a proposed density of 0.81 residential units per acre.

The Applicant's proposed density is in compliance with the Comprehensive Plan's recommendation of up to 1.0 dwellings per acre. *See Comp. Plan p. 29.*

**IMPACT ANALYSIS.**

When exercising the Governing Jurisdiction's zoning powers, consideration shall be given to the following factors associated with the use. The Applicant's Proposed Use satisfies all of these criteria as described below:

- 1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property.**

The Proposed Use is compatible with the surrounding properties and land use, specifically the residential use by surrounding single family homes. The Proposed Use and proposed density are in keeping with the Comprehensive Plan's recommended zoning categories and proposed density of development.

- 2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

The Proposed Use will not adversely affect the existing use or usability of adjacent or nearby properties because the Proposed Use will allow for a residential use that is compatible with the surrounding residential uses. The value of the surrounding properties will be enhanced by the Subject Property's residences and site design.

- 3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The shape, size, and topography of the Subject Property necessitate rezoning of the Subject Property, as its steep topography and streams prevent development using the Current Zoning. With the limited buildable area available on the site, the Proposed Use is the only physically practicable or financially viable use for the Subject Property. There is no other physically practicable or financially viable use for the Subject Property than as proposed by the Applicant.

- 4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service.**

The Proposed Use will not result in a use that will cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities. The projected impact on schools and utilities will be in keeping with projected growth, and any applicable impact fees from the development will fund infrastructure improvements. The number of car trips and need for transportation facilities will be comparable to surrounding uses, and the developer will make improvements to surrounding rights-of-way as required by applicable regulations for project improvements.

*See also the Applicant's Public Impact Analysis Below.*

**5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area.**

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The Subject Property is located in the Lake Area Residential Character Area, which provides, "Future development will continue to be detached, single-family homes at low densities."

In this regard, the development will provide:

- Low-density residential
- Green Space
- Moderate pedestrian connectivity with sidewalks
- Moderate vehicular connectivity with curvilinear streets

**6. The extent to which property values are diminished by the existing zoning restrictions.**

The Subject Property does not have a reasonable economic use as currently zoned. The AR-III zoning category requires a minimum lot size of 43,560 square feet. Smaller lot sizes are necessary in order to develop a sufficient number of single-family dwellings at a sufficient price-point to make the project economically viable for redevelopment.

**7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public.**

A refusal by the Governing Jurisdiction to approve the Application, as requested by the Applicant, will impose a disproportionate hardship on the Applicant and owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property except for development as proposed by the Applicant and there is no benefit to the public by requiring that the Current Zoning be maintained.

**8. The relative gain to the public as compared to the hardship imposed upon the individual property owner.**

refusal by the Governing Jurisdiction to approve the Application, as requested by the Applicant, will impose a disproportionate hardship on the Applicant and owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property except for development as proposed by the Applicant and there is no benefit to the public by requiring that the Current Zoning be maintained.

**9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.**

The Subject Property is currently zoned for agricultural purposes; however, remains undeveloped.

**10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

The area surrounding the Subject Property is developing as single-family residential homes, making continued agricultural use of the property increasingly difficult. The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area.

**11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning."**

The area surrounding the Subject Property is developing as single-family residential homes, making continued agricultural use of the property increasingly difficult. The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area.

**12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.**

The present zoning district boundaries are illogically drawn in relation to existing conditions in the area surrounding the Subject Property. The area surrounding the Subject Property is developing as single-family residential homes, making continued agricultural use of the property more difficult. The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area.

**13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood.**

The Proposed Use is in keeping with the Comprehensive Plan and with the changing use of the surrounding area. The Proposed Use is in keeping with the scope and scale of development planned for by the Governing Jurisdiction's implementation strategy for public utilities, transportation improvements, and other capital improvement projects, such as parks, public safety, and schools.

**14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned.**

The Subject Property does not have a reasonable economic use as currently zoned.

**15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment.**

Approval of a variance will not allow the Proposed Use. Approval of the Application is necessary to allow the Proposed Use.

**16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted.**

The project should also have a minimal impact on the environment with no negative ecological or pollution impact up the Subject Property or the surrounding area. There should be no impact on air quality. Drainage, soil erosion, and sedimentation controls will be extensively utilized on the site after obtaining all required approvals from the Soil Conservation Service and the Governing Jurisdiction.

The Applicant will submit plans detailing the development for approval by the Governing Jurisdiction, the local Health Department, and any other appropriate governmental agencies, based on conformity with subdivision and zoning requirements, as well as other applicable ordinances, statutes and regulations.

**17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property.**

The Subject Property was appropriately zoned at the time of original zoning, but changing conditions affecting the use and development of the Subject Property supporting the Proposed Use and approval of the Application, as requested by the Applicant.

**IMPACT ON THE LOCAL POPULATION DENSITY PATTERN AND PUBLIC INFRASTRUCTURE**

**(A) Proposed Construction Phasing Schedule**

Construction of the project is anticipated to occur over approximately 36 months. Upon issuance of Land Disturbance Permit, the Applicant anticipates the project will be developed within 12 months thereafter, and houses to be constructed over the following 24 months. During the first 12 months of construction, the site will be developed and platted as residential lots. Home construction will begin immediately upon the platting of the first phase of development and will continue to full build out through month 36.

Based upon the most currently available data, the Applicant estimates there will be 3.05 occupants per unit. Assuming this to be the case, the Applicant expects the population of the new development to be as follows:

Projected Subdivision Population			
Year	New Houses	Total New Households	Population of New Homes
1	0	0	0
2	10	10	31
3	19	29	89

---

**(B) Public Road System**

Permanent access to the subdivision will be from the ROW Access. All of the development's interior streets will be publicly-owned and maintained.

Traffic generated from the development will be in keeping with expected growth patterns and access to public thoroughfares will be at a location where sight distance is sufficient. All curb cuts shall be coordinated and approved by the Governing Jurisdiction and acceleration and deceleration lanes will be installed as required. All streets within the development will be constructed to conform to the Governing Jurisdiction's standards. Parking will be provided onsite as required by the Zoning Ordinance.

**(C) County School System**

The Table below estimates the number of school children expected to be generated by the project, based upon the ratio of the estimated number of school children in the Governing Jurisdiction to the estimated number of households in Hall County, then multiplying the quotient by the number of residential units in the Proposed Use. This factor is calculated to 0.33 students per household.

Projected Student Population Impact: After calculating the first year add that amount to each year thereafter	
<u>Year</u>	<u>Total</u>
1	0
2	4
3	10

The numbers above are a planning factor used to project total student population and plan the need for new school facilities. However, the actual number of students who live in the proposed development may be more or less than the factor above, because the method of calculation uses a total number households countywide, with some households containing more than the average number of children and others comprised of zero children.

**(D) Water and Waste Water Systems**

The community's water needs will be served by the City of Gainesville. Please refer to the results of the water and sewer pre-application meeting, which has been submitted concurrently with this Written Evaluation. The community's sewer needs will be served through private septic.

**(E) Utilities**

With regard to public utilities, water, sanitary sewer, natural gas, electricity and cable are available to the Subject Property. The impact on public utilities is anticipated to be minimal. The Applicant will install underground utility lines within the development to serve the project on an as-needed basis.

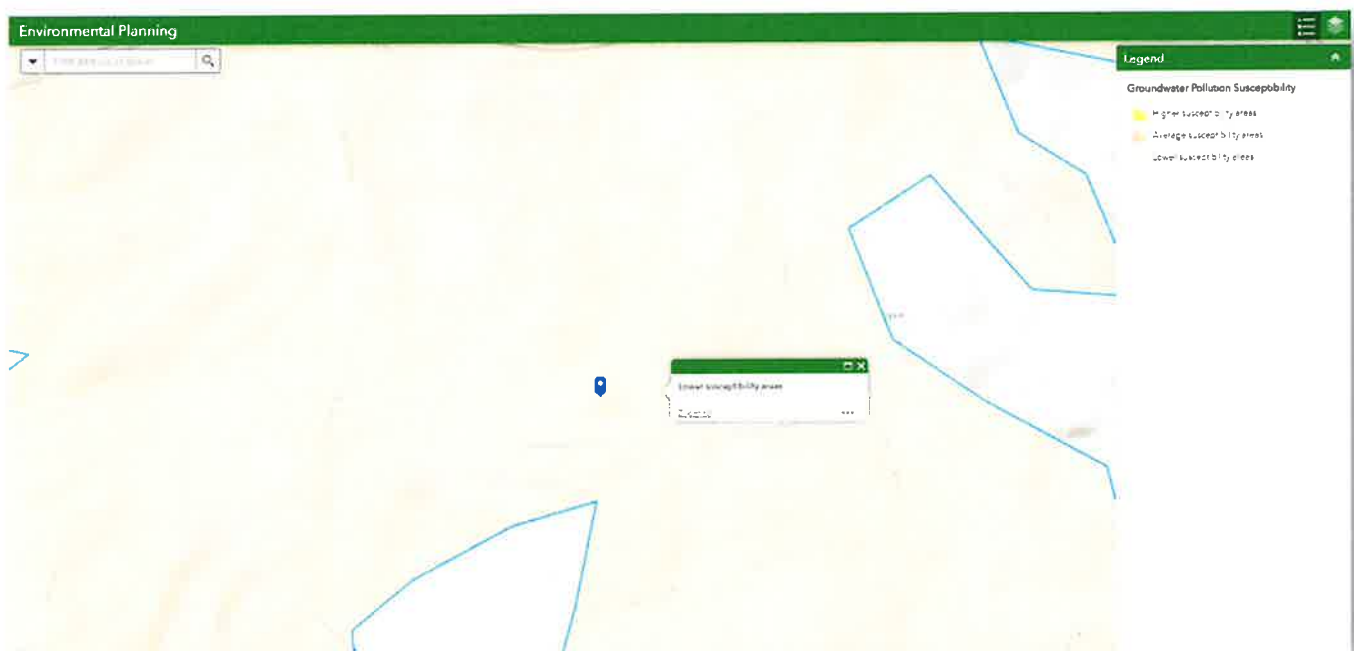


### (F) Environmental Impact

The project should also have a minimal impact on the environment. There should be no impact on air quality. Drainage, soil erosion, and sedimentation controls will be extensively utilized on the site after obtaining all required approvals from the Soil Conservation Service and Hall County.

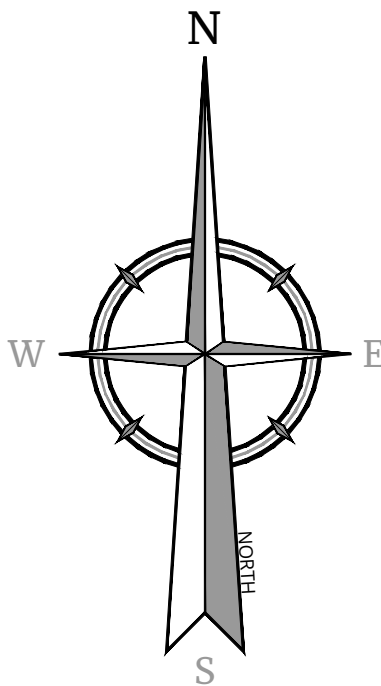
The Applicant will submit plans detailing the development for approval by the Hall County Department of Planning and Development, the Hall County Department of Engineering, the City of Gainesville Department of Water & Sewer, the Hall County Health Department, and any other appropriate governmental agencies, based on conformity with subdivision and zoning requirements, as well as other applicable ordinances, statutes and regulations.

According to the Department of Community Affairs Environmental Planning Map, the Subject Property is located in a lower pollution susceptibility area regarding ground water recharge. Thus, Hall County Code requires the minimum lot size to be increased by 110%. (See Hall County Code of Ordinances § 17.225.080 (F)(3).



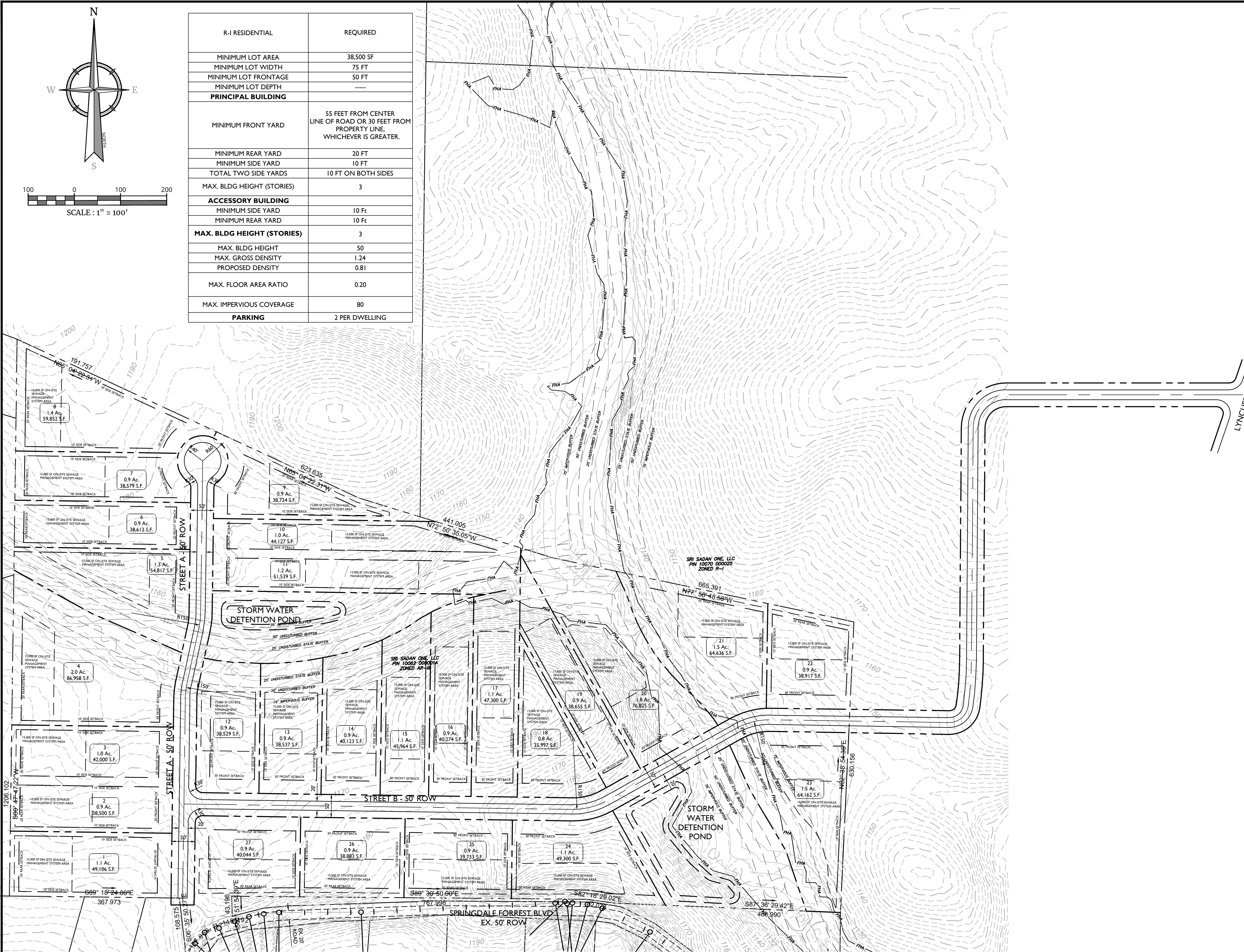


2023/03/03/22A/Engineering/C:\NF4\dwg/REZONING PLAN  
By: MATT BRADLEY



SCALE : 1" = 100'

R-I RESIDENTIAL	REQUIRED
MINIMUM LOT AREA	38,500 SF
MINIMUM LOT WIDTH	75 FT
MINIMUM LOT FRONTAGE	50 FT
MINIMUM LOT DEPTH	-----
PRINCIPAL BUILDING	
MINIMUM FRONT YARD	55 FEET FROM CENTER LINE OF ROAD OR 30 FEET FROM PROPERTY LINE, WHICHEVER IS GREATER.
MINIMUM REAR YARD	20 FT
MINIMUM SIDE YARD	10 FT
TOTAL TWO SIDE YARDS	10 FT ON BOTH SIDES
MAX. BLDG HEIGHT (STORIES)	3
ACCESSORY BUILDING	
MINIMUM SIDE YARD	10 Ft
MINIMUM REAR YARD	10 Ft
MAX. BLDG HEIGHT (STORIES)	3
MAX. BLDG HEIGHT	50
MAX. GROSS DENSITY	1.24
PROPOSED DENSITY	0.81
MAX. FLOOR AREA RATIO	0.20
MAX. IMPERVIOUS COVERAGE	80
PARKING	2 PER DWELLING



PARCELS		
PARCEL	AREA (AC)	AREA (SF)
1	1.13	49105.95
2	0.88	38500.00
3	0.96	41999.66
4	2.00	86957.95
5	1.26	54816.71
6	0.89	38612.24

PARCELS		
PARCEL	AREA (AC)	AREA (SF)
7	0.89	38578.57
8	1.37	59852.47
9	0.89	38723.58
10	1.01	44126.83
11	1.18	51539.11
12	0.88	38528.74

PARCELS		
PARCEL	AREA (AC)	AREA (SF)
13	0.88	38537.00
14	0.92	40122.62
15	1.06	45964.43
16	0.92	40273.60
17	1.09	47300.13
18	0.83	35996.92

PARCELS		
PARCEL	AREA (AC)	AREA (SF)
19	0.89	38655.17
20	1.76	76825.05
21	1.48	64635.85
22	0.89	38917.16
23	1.47	64162.13
24	1.13	49299.75

PARCELS		
PARCEL	AREA (AC)	AREA (SF)
25	0.91	39733.32
26	0.89	38883.42
27	0.92	40043.55

GENERAL INFORMATION:

THE SUBJECT PROPERTY IS KNOWN AS PARCEL #10062000001A

1. THE PROPERTY IS LOCATED IN AR-III ZONING DISTRICT AND CONTAINS 35.74 ACRES RESPECTIVELY FOR A TOTAL TRACT AREA OF 35.74 +/- ACRES OR 1,556,834.4 +/- SQUARE FEET

OWNER: SRISADANONE LLC  
990 PEACHTREE INDUSTRIAL BLVD.  
PO BOX 2493  
SUWANEE, GA 30024  
PHONE: 770-853-0241  
EMAIL: VRKONDA25@GMAIL.COM

2. THE SUBJECT PROPERTIES ARE CURRENTLY ZONED AR-III. THE APPLICANT PROPOSES TO REDEVELOP THE PROPERTY AS AN R-I ZONED 29 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION.

3. THE PURPOSE OF THIS PLAN IS TO SHOW A CONCEPTUAL LAYOUT OF A SINGLE FAMILY RESIDENTIAL SUBDIVISION.

4. HALL COUNTY GIS HAS BEEN UTILIZED TO PREPARE THIS PLAN.

5. THIS PLAN SET IS NOT DEPICTING ENVIRONMENTAL CONDITIONS OR A CERTIFICATION/WARRANTY REGARDING THE PRESENCE OR ABSENCE OF ENVIRONMENTALLY IMPACTED SITE CONDITIONS. COLLIER'S ENGINEERING & DESIGN HAS PERFORMED NO EXPLORATORY OR TESTING SERVICES, INTERPRETATIONS, CONCLUSIONS OR OTHER SITE ENVIRONMENTAL SERVICES RELATED TO THE DETERMINATION OF THE POTENTIAL FOR CHEMICAL, TOXIC, RADIOACTIVE OR OTHER TYPE OF CONTAMINANTS AFFECTING THE PROPERTY AND THE UNDERSIGNED PROFESSIONAL IS NOT QUALIFIED TO DETERMINE THE EXISTENCE OF SAME SHOULD ENVIRONMENTAL CONTAMINATION OR WASTE BE DISCOVERED. THE OWNER AND CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LAWS AND REGULATIONS.

6. VARIANCES AND/OR DESIGN WAIVERS ARE NOT ANTICIPATED TO BE REQUIRED FOR DEVELOPMENT OF THIS PROJECT.

7. ALL FUTURE DEVELOPMENT SHALL BE SUBJECT TO ALL STANDARDS SET FORTH BY THE HALL COUNTY MUNICIPAL CODE FOR R-I ZONING AND RESIDENTIAL SUBDIVISIONS; NO VARIANCES TO THESE STANDARDS SHALL BE APPROVED, UNLESS APPROVED BY THE PLANNING COMMISSION AND BOARD OF COMMISSIONERS.

8. ELEVATIONS DEPICTING THE PROPOSED BUILDINGS SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR APPROVAL OF THE DIRECTOR DURING THE DEVELOPMENT REVIEW PROCESS. NO BUILDING PERMIT SHALL BE ISSUED FOR THE DEVELOPMENT WITHOUT THE APPROVAL OF SAID ELEVATIONS.

9. ALL CONDITIONS OF ZONING SHALL BE MADE A PART OF ANY PLAT RECORDED FOR THIS PROPERTY.

10. THE MINIMUM LOT AREA OF 38,500 SF IS BASED UPON THE SITE BEING IN THE LOWER SUSCEPTIBILITY AREA OF THE GROUNDWATER POLLUTION SUSCEPTIBILITY MAP AND PER HALL COUNTY CODE OF ORDINANCE 17.225.080-F.3 REQUIRING A LOT AREA OF 110% MINIMUM LOT SIZE.

11. STREAM BUFFERS ARE MEASURED FROM THE TOP OF THE STREAM BANK AS DEPICTED ON THE HALL COUNTY GIS MAP AND ARE AN ESTIMATION OF THE LINE OF WRESTED VEGETATION SHALL BE DETERMINED BEFORE THE ISSUANCE OF A LAND DISTURBANCE PERMIT.

UTILITY NOTES:

1. EXISTING UTILITY INFORMATION SHOWN HEREON HAS BEEN COLLECTED FROM VARIOUS SOURCES AND IS NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS.

2. HALL COUNTY GIS INDICATES THERE IS AN EXISTING 6-INCH WATER LINE WITHIN THE SPRINGDALE FOREST CIRCLE ALIGNMENT.

WETLAND NOTES:

1. NO WETLAND OR STATE WATERS DELINEATION HAS BEEN DONE.

2. THERE ARE NOT APPARENT WETLANDS OR STATE WATERS WITHIN THE PROPOSED DEVELOPMENT AREA.

FLOOD HAZARD NOTES:

1. BY GRAPHIC PRESENTATION ONLY THIS PROPERTY IS LOCATED IN FLOOD MINIMAL FLOOD HAZARD AS SHOWN ON FLOOD INSURANCE MAPS. COMMUNITY PANEL NO. 175 OF 377 WHICH HAS MAP NUMBER 13139C0175G AND AN EFFECTIVE DATE OF 04/04/2018 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. FIELD SURVEYING WAS NOT PERFORMED TO DETERMINE THIS ZONE.

2. THE SUBJECT PROPERTY HOWEVER DOES HAVE A "FUTURE" HALL COUNTY FLOOD ZONE.

Colliers

Engineering & Design

www.colliersengineering.com

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Doing Business as MASER CONSULTING

811

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FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

REV. DATE. DRAWN BY. DESCRIPTION.

SPRINGDALE FOREST BLVD

FOR  
SRISADANONE LLC

3435 SPRINGDALE FOREST BLVD  
GAINESVILLE, GA 30506  
DISTRICT 01  
PIN 10062000001A

CITY OF GAINESVILLE  
HALL COUNTY  
GEORGIA

Colliers

Engineering & Design

ATLANTA  
1305 Mail of Georgia Blvd,  
Suite 120  
Buford, GA 30519  
Phone: 678.288.4491  
COLLIERS ENGINEERING & DESIGN, INC.  
DOING BUSINESS AS MASER CONSULTING

SCALE: AS SHOWN DATE: 02/28/2023 DRAWN BY: MKB CHECKED BY: EMH

PROJECT NUMBER: 22002572A DRAWING NAME: C-CNP14

SHEET TITLE: REZONING PLAN

SHEET NUMBER: 1 of 1

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.





[illegible]

#### GENERAL INFORMATION

THE SUBJECT PROPERTY IS LOCATED IN PARCEL # 1006200001A.

DATA MANAGEMENT SPECIALISTS

PHONE 770-853-0241

THE SUBJECT PROPERTIES ARE CURRENTLY ZONED AR411. THE APPLICANT

# DECLARATION OF THE BOARD OF DIRECTORS

**AUTHOR'S ADDRESS:** Department of Psychology, University of Illinois at Chicago, 606 S. Morgan St., Chicago, IL 60607-7181, USA.

THIS PLAN SET IS NOT SUITING ENVIRONMENTAL CONDITIONS OR A

DESIGN HAS PERFORMED NO EXPLORATORY OR TESTING SERVICES.

### TOXIC, RADIOACTIVE OR OTHER TYPE OF CONTAMINANT: AFFECTING THE

CONTAMINATION OR WASTE BE DISCOVERED THE OWNER AND

UNBIASED AND NO DESIGN WAIVES ARE NOT ANTICORRUPTION

ALL FUTURE DEVELOPMENT SHALL BE SUBJECT TO ALL STANDARDS SET FORTH

SUBDIVISIONS, NO VARIANCES TO THESE STANDARDS SHALL BE APPROVED, UNLESS APPROVED BY THE PLANNING COMMISSION AND BOARD OF

ELEVATIONS DETECTING THE PROPOSED BUILDINGS SHALL BE SUBMITTED TO

THE DEVELOPMENT WITHOUT THE APPROVAL OF SAID ELEVATIONS

RECORDED FOR THIS PROPERTY.

## NOTES

1. HALL COUNTY GAS INDICATES THERE IS AN EXISTING 6-INCH WATER LINE WITHIN THE SPRINGDALE FOREST CIRCLE ALIGNMENT.

TABLE 1

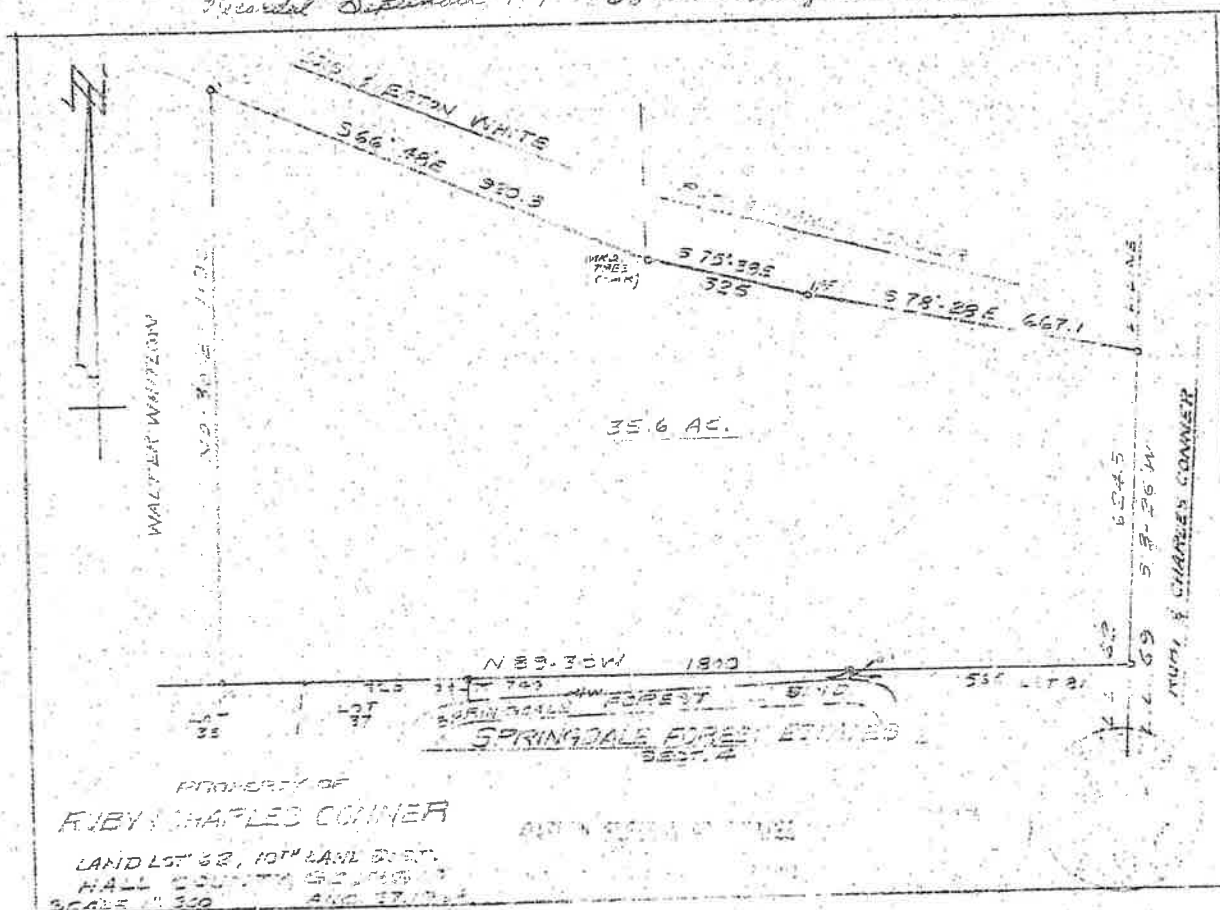
2. THERE ARE NOT APPARENT WETLANDS OR STATE WATERS WITHIN THE

GOOD HAZARD NOTES

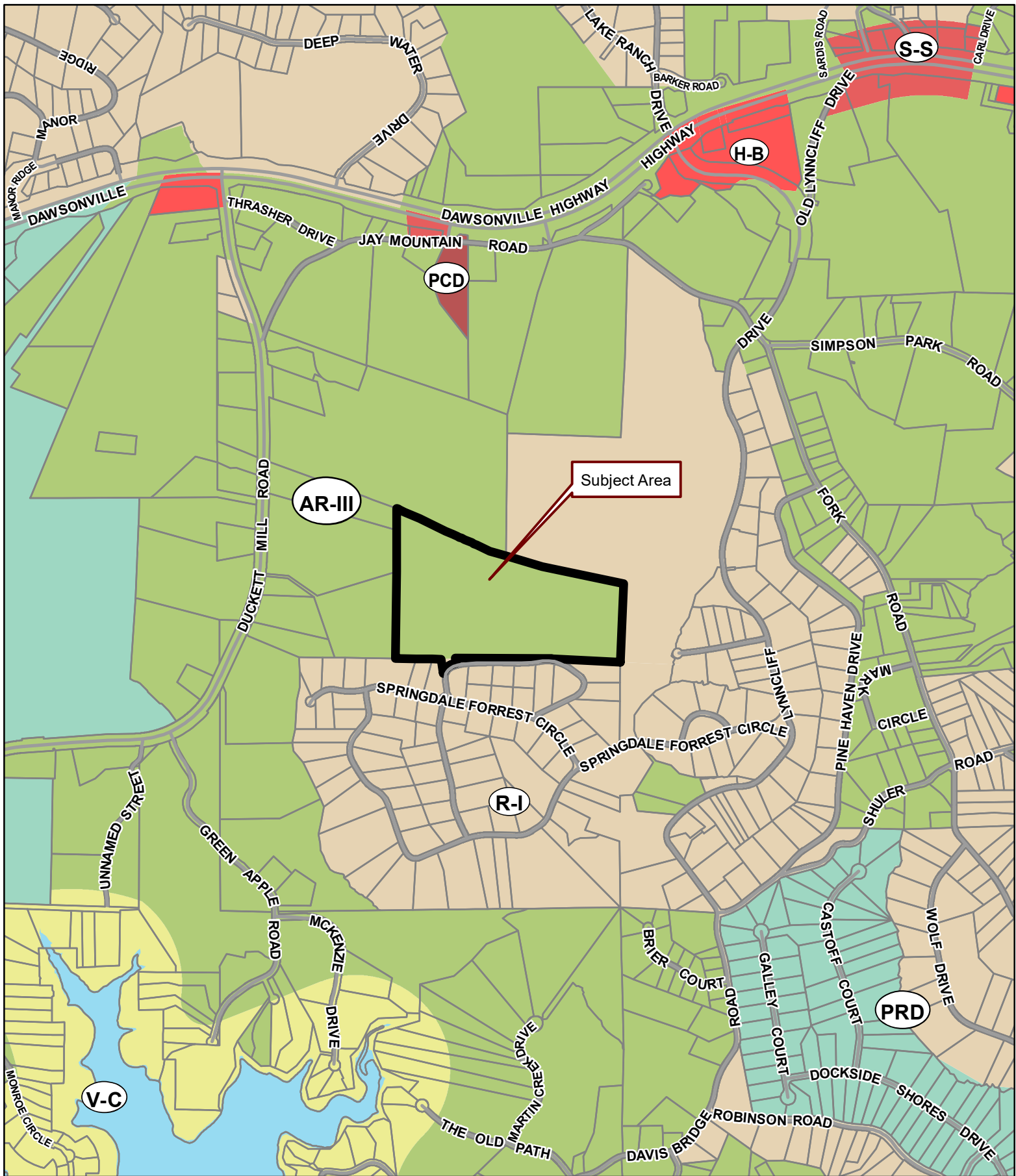
- BY GRAPHIC PRESENTATION ONLY THIS PROPERTY IS LOCATED IN TLOOD  
PRINCIPAL FLOOD HAZARD AS SHOWN ON FLOOD INSURANCE RATE MAPS  
AND EFFECTIVE DATE OF 06/06/2018 AND IS NOT IN A SPECIAL FLOOD  
HAZARD AREA. FIELD SURVEYING WAS NOT PERFORMED TO DETERMINE THIS  
ZONE.

PARCELS			
PARCEL	AREA (AC)	AREA (SQ)	AREA (SQ)
1	1.00	360,900	1
2	1.00	360,900	2
3	1.00	360,900	3
4	1.00	360,900	4
5	1.00	360,900	5
6	1.00	360,900	6
7	1.00	360,900	7
8	1.00	360,900	8
9	1.00	360,900	9
10	1.00	360,900	10
11	1.00	360,900	11
12	1.00	360,900	12
13	1.00	360,900	13
14	1.00	360,900	14
15	1.00	360,900	15
16	1.00	360,900	16
17	1.00	360,900	17
18	1.00	360,900	18
19	1.00	360,900	19
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21	1.00	360,900	21
22	1.00	360,900	22
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91	1.00	360,900	91
92	1.00	360,900	92
93	1.00	360,900	93
94	1.00	360,900	94
95	1.00	360,900	95
96	1.00	360,900	96
97	1.00	360,900	97
98	1.00	360,900	98
99	1.00	360,900	99
100	1.00	360,900	100

Recorded September 19, 1903 - H. Stanley Withers, Clerk







**Applicant:** SRISADANONE LLC

**Tax Parcel #:** 10062 000001A

**Location:** 3435 SPRINGDALE FORREST BOULEVARD, GAINESVILLE, GA 30506

**Commission District 2**

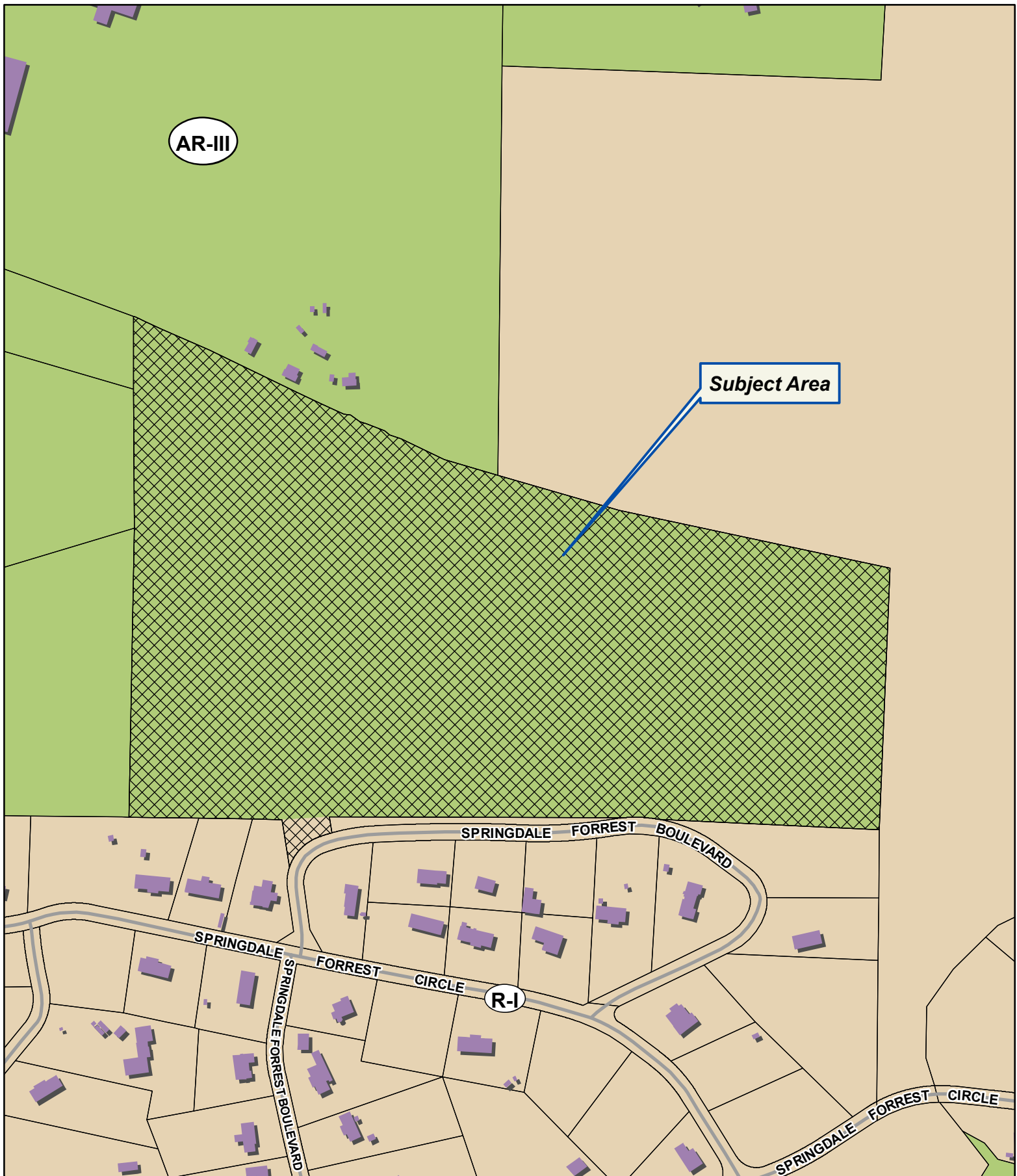
**PC Mtg. Date:** 01/03/2023

0 300 600 1,200  
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





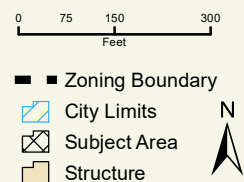


**Applicant:** SRISADANONE LLC

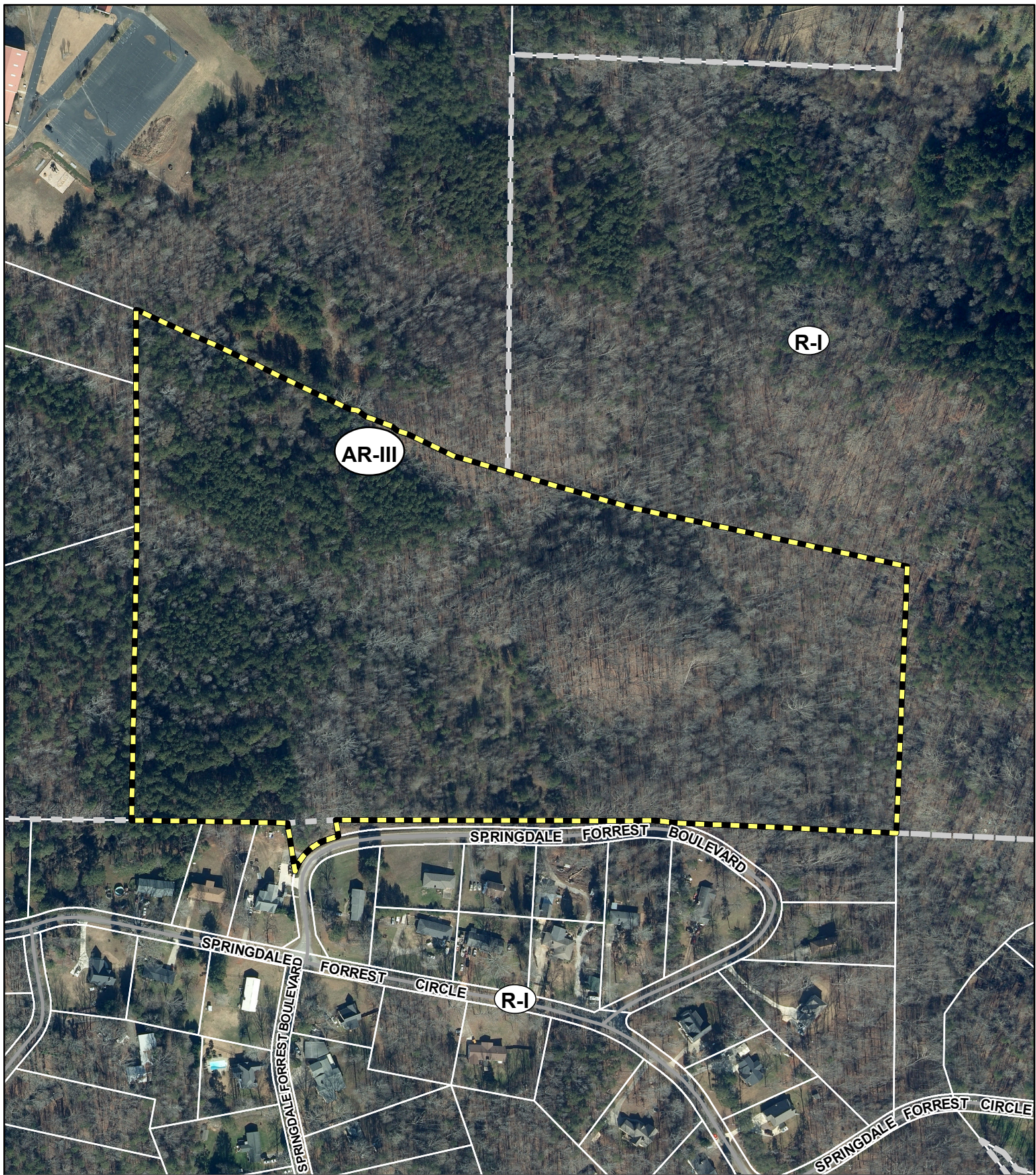
**Tax Parcel #:** 10062 000001A

**Location:** 3435 SPRINGDALE FORREST BOULEVARD, GAINESVILLE, GA 30506

**Commission District 2**      **PC Mtg. Date:** 01/03/2023







**Applicant:** SRISADANONE LLC

**Tax Parcel #:** 10062 000001A

**Location:** 3435 SPRINGDALE FORREST BOULEVARD, GAINESVILLE, GA 30506

**Commission District 2**      **PC Mtg. Date:** 01/03/2023

0 75 150 300  
Feet

— Zoning Boundary

City Limits

Subject Area





### **Legal Description**

All that tract or parcel of land lying and being in Land Lot 62 of the 10th Land District of Hall County Georgia, being identified as 35.6 acres, more or less, on a plat of survey dated August 27, 1968, prepared for Ruby and Charles Conner by Owen Patton, Georgia Registered Land Surveyor No. 1326 and G. Dwight Pless, Georgia Registered Land Surveyor No. 1326, recorded in Plat Book 40, Page 129, Hall County, Georgia Records. Said property is more fully described according to the above referenced plat, which is incorporated herein by reference.

To find the true point of beginning commence from an iron pin located at the intersection of the common boundary line of Land Lots 62 and 69 which is the true point of beginning; run

Thence North 89 degrees 30 minutes West a distance of 1800 to an iron pin found; run

Thence North 0 degrees 30 minutes East a distance of 1190 feet to an iron pin found; run

Thence South 66 degrees 48 minutes East a distance of 920.30 feet to point; run

Thence South 75 degrees 38 minutes East a distance of 325 feet to an iron pin; run

Thence South 78 degrees 28 minutes East a distance of 667.1 feet to an iron pin; run

Thence South 3 degrees 26 minutes West a distance of 624.5 feet; to an iron pin found and the true Point of Beginning.

Said property is more fully described according to the above-referenced plat, which is incorporated herein by this reference.

**This legal description is prepared solely for the purpose of facilitating a land use application and should not be relied upon for any other purpose.**

## Anael Dominguez (Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Tuesday, December 13, 2022 4:01 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 1.3.23

Please find Environmental Health comments below:

Item 1, 5385 Winder Hwy, Dell Group: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 2, 6725 Bass Circle, Argento: Environmental Health contacted the applicant on 12.12.22 concerning requirements to move forward with development of the property.

Item 3, 5645 Burke Lane, Claxton: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 3055 Tumbling Creek, Rochester: No comment. Public sewer.

Item 5, 3814 Bolding Road, Jung/Kim: Must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal may be required to be permitted through EPD. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 6, 6047/6051/6057/6069 Lula Rd, 4927/5051 Cagle Rd, Solidum Holdings: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 7 and 8, 3435 Springdale Forrest Blvd, SrisadanOne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Emily

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973

## Anael Dominguez (Planning)

---

**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Monday, December 19, 2022 7:06 PM  
**To:** Anael Dominguez (Planning); Peevy, Jonathan  
**Cc:** Randi Doveton (Planning); David Webb (Planning); Rebecca Keefer  
**Subject:** RE: Tentative Planning Agenda for January 3, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for following up Anael, I dropped the ball on this one. Item #6 (Solidum Holdings) will require GDOT coordination.

6. [6047, 6051, 6057, & 6069 Lula Road, 4927 & 5051 Cagle Road | Rezone | from Agricultural- Residential-IV \(AR-IV\) & Suburban-Shopping \(S-S\) to Planned Industrial Development \(PID\) on a 91.51± acre tract located on the west side of Lula Road at its intersection with Cagle Road | Zoned S-S & AR-IV; Tax Parcel 09084 000004 -000006, 000006A, 000017, 000020 | Proposed use: commercial & industrial mixed uses | \\*\\* Commission District 3 | Solidum Holdings, LLC, applicant.](#)

With deepest apologies for my tardiness,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Friday, December 16, 2022 9:52 AM  
**To:** Peevy, Jonathan <jpeevy@dot.ga.gov>; Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Cc:** Randi Doveton (Planning) <rdoveton@hallcounty.org>; David Webb (Planning) <dwebb@hallcounty.org>; Rebecca Keefer <rkeef@cplteam.com>  
**Subject:** FW: Tentative Planning Agenda for January 3, 2023

Good morning,

I just wanted to check in and make sure you didn't have any comments for the 1-3-2023 tentative agenda below. Comments were due yesterday.

Thank you,

Ana Dominguez

Planning Commission Clerk

Hall County Government

2875 Browns Bridge Road, Gainesville, GA 30504



---

**From:** Anael Dominguez (Planning)  
**Sent:** Thursday, December 8, 2022 10:41 AM  
**Subject:** Tentative Planning Agenda for January 3, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Tuesday, January 3, 2023** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Thursday, December 15<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

**CALL TO ORDER**

**AGENDA REVIEW**

**APPROVAL OF MINUTES – December 19, 2022**

**OLD BUSINESS**

1. [\*\*5385 Winder Highway | Amend Conditions\*\* | of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road | Zoned PCD; Tax Parcel 15028B000015 | \*\*Proposed use: car condos, storage, commercial uses, and retail\*\* | \\*\\* Commission District 1 | \*\*The Dell Group, LLC, applicant.\*\*](#)

**NEW BUSINESS**

2. [\*\*6725 Bass Circle | Variance\*\* | for a setback variance at the southern property line from 15 feet to 4 feet on a .15± acre tract located at the terminus of Bass Circle | Zoned R-I; Tax Parcel 07353 004003 | \*\*Proposed use: single-family home\*\* | \\* Commission District 2 | \*\*Douglas Argento, applicant.\*\*](#)
3. [\*\*5645 Burke Lane | Variance\*\* | for a left side yard setback variance from 10 feet to 5 feet on a .31± acre tract located at the terminus of Burke Lane | Zoned V-C; Tax Parcel 10012 000019 | \*\*Proposed use: single-family home\*\* | \\* Commission District 2 | \*\*Anthony R. Claxton, applicant.\*\*](#)
4. [\*\*3055 Tumbling Creek Road | Amend conditions\*\* | of a Planned Residential Development \(PRD\) on a 5.1± acre tract located on the west side of Tumbling Creek Road at approximately 30 feet from its intersection with Campus Pointe Circle | Zoned PRD; Tax Parcel 08026 000005 \(pt.\) | \*\*Proposed use: 38-unit residential rental community\*\* | \\*\\* Commission District 2 | \*\*Rochester/DCCM, applicant.\*\*](#)
5. [\*\*3814 Bolding Road | Rezone\*\* | from Agricultural-Residential-III \(AR-III\) to Mobile Home Park \(MHP\) on a 6.72± acre tract located on the west side of Bolding Road approximately 111 feet from its intersection with Glen Bower](#)



Road | Zoned AR-III; Tax Parcel 15036B000035 | **Proposed use: travel trailer park** | \*\* Commission District 1 | **Yeon H. Jung & Soyeon Kim, applicants.**

6. **6047, 6051, 6057, & 6069 Lula Road, 4927 & 5051 Cagle Road | Rezone** | from Agricultural- Residential-IV (AR-IV) & Suburban-Shopping (S-S) to Planned Industrial Development (PID) on a 91.51± acre tract located on the west side of Lula Road at its intersection with Cagle Road | Zoned S-S & AR-IV; Tax Parcel 09084 000004 - 000006, 000006A, 000017, 000020 | **Proposed use: commercial & industrial mixed uses** | \*\* Commission District 3 | **Solidum Holdings, LLC, applicant.**
7. **3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | \*\* Commission District 2 | **SrisadanOne LLC, applicant.**
8. **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | \*\* Commission District 2 | **SrisadanOne LLC, applicant.**

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, February 9, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, February 9, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** December 14, 2022  
**Subject:** January 3, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the January 3, 2023 meeting. Upon review, we provide the following comments.

### OLD BUSINESS

1. [5385 Winder Highway | Amend Conditions | of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road | Zoned PCD; Tax Parcel 15028B000015 | Proposed use: car condos, storage, commercial uses, and retail | \\*\\* Commission District 1 | The Dell Group, LLC, applicant.](#)
  - a) **Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffers and impervious setback from wretched vegetation not centerline of stream.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No sewer in the area of project; septic proposed requires Health Department Approval.

### NEW BUSINESS

2. [6725 Bass Circle | Variance | for a setback variance at the southern property line from 15 feet to 4 feet on a .15± acre tract located at the terminus of Bass Circle | Zoned R-I; Tax Parcel 07353 004003 | Proposed use: single-family home | \\* Commission District 2 | Douglas Argento, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
3. [5645 Burke Lane | Variance | for a left side yard setback variance from 10 feet to 5 feet on a .31± acre tract located at the terminus of Burke Lane | Zoned V-C; Tax Parcel 10012 000019 | Proposed use: single-family home | \\* Commission District 2 | Anthony R. Claxton, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

c) **Utilities:** No Comment

4. [3055 Tumbling Creek Road | Amend conditions | of a Planned Residential Development \(PRD\) on a 5.1± acre tract located on the west side of Tumbling Creek Road at approximately 30 feet from its intersection with Campus Pointe Circle | Zoned PRD; Tax Parcel 08026 000005 \(pt.\) | Proposed use: 38-unit residential rental community | \\*\\* Commission District 2 | Rochester/DCCM, applicant.](#)

a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Buffer change requested does not include stream buffers

Show 75' impervious setback or request a variance.

b) **Traffic:** No comment.

c) **Utilities:** City of Gainesville Sewer District.

5. [3814 Bolding Road | Rezone | from Agricultural-Residential-III \(AR-III\) to Mobile Home Park \(MHP\) on a 6.72± acre tract located on the west side of Bolding Road approximately 111 feet from its intersection with Glen Bower Road | Zoned AR-III; Tax Parcel 15036B000035 | Proposed use: travel trailer park | \\*\\* Commission District 1 | Yeon H. Jung & Soyeon Kim, applicants.](#)

a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Refer to Planning's comments regarding lot lines and subdivision of property.

b) **Traffic:** Driveway to meet Hall County Standards.

c) **Utilities:** City of Oakwood Sewer District

6. [6047, 6051, 6057, & 6069 Lula Road, 4927 & 5051 Cagle Road | Rezone | from Agricultural- Residential-IV \(AR-IV\) & Suburban-Shopping \(S-S\) to Planned Industrial Development \(PID\) on a 91.51± acre tract located on the west side of Lula Road at its intersection with Cagle Road | Zoned S-S & AR-IV; Tax Parcel 09084 000004 -000006, 000006A, 000017, 000020 | Proposed use: commercial & industrial mixed uses | \\*\\* Commission District 3 | Solidum Holdings, LLC, applicant.](#)

a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

## PUBLIC WORKS AND UTILITIES ENGINEERING DIVISION

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

North Oconee Watershed District

- b) **Traffic:** Driveway access of Cornelia Highway and Lula Road will need to be permitted through GDOT. Since Cagle Road is not adequate for commercial / industrial traffic, access should be from Cornelia Highway (SR354) and Lula Road (SR52) only. Access via Cagle Road should be restricted or, if considered, the roadway should be improved to County commercial / industrial standards.

- c) **Utilities:** Hall County Sewer District

7. [3435 Springdale Forrest Boulevard | Rezone | from Agricultural-Residential-III \(AR-III\) & Residential-I \(R-I\) to Residential-I \(R-I\) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | Proposed use: 29 single-family detached homes | \\*\\* Commission District 2 | SrisadanOne LLC, applicant.](#)

- a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

- b) **Traffic:** Roadways to meet Hall County standards.

- c) **Utilities:** Hall County Sewer District, no gravity sewer available. Proposed septic systems will require Health Department approval.

8. [3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | Proposed use: 29 single-family detached homes | \\*\\* Commission District 2 | SrisadanOne LLC, applicant.](#)

- a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

- b) **Traffic:** Roadways to meet Hall County Standards.

- c) **Utilities:** Proposed septic systems will require Environmental Health approval.

No Hall County Sanitary Sewer in area.

## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Thursday, December 15, 2022 11:33 AM  
**To:** Randi Doveton (Planning)  
**Cc:** Anael Dominguez (Planning)  
**Subject:** Fire Comments

Agenda and Maps for the **Tuesday, January 3, 2023** Hall County Planning Commission Meeting

1. **3435 Springdale Forrest Boulevard | Rezone |** from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes |** \*\* Commission District 2 | **SrisadanOne LLC, applicant.**
  - 1) **IFC Section 507, all buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
2. **3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval |** on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes |** \*\* Commission District 2 | **SrisadanOne LLC, applicant.**
  - 1) **IFC Section 507, all buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)





Dec 16, 2022 at 9:56:33 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRSADANONE LLC**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL**  
**FOR 29 SINGLE-FAMILY DETACHED HOMES**

PUBLIC HEARINGS WILL BE HELD ON

PLANNING COMMISSION  
Date: **JAN. 3, 2023**  
Time: **5:15 PM**

AND

COUNTY COMMISSION  
Date: **FEB. 9, 2023**  
Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWN BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Dec 16, 2022 at 10:01:32 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRISADANONE LLC**

REQUEST: **REZONE FROM AR III & R1 TO R1 FOR  
29 SINGLE FAMILY DETACHED HOMES**

PLANNING COMMISSION

Date: **JAN. 3, 2023**

Time: **5:15 PM**

AND

COUNTY COMMISSION

Date: **FEB. 9, 2023**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWN BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Dec 16, 2022 at 10:05:27 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRSADANONE LLC**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION**

**APPROVAL FOR 29 SINGLE-FAMILY DETACHED HOMES**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **JAN. 3, 2023**

Time: **5:15 PM**

AND

COUNTY COMMISSION

Date: **FEB. 9, 2023**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Feb 14, 2023 at 10:45:27 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRISADAN ONE LLC**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION**

**APPROVAL FOR 29 SINGLE-FAMILY DETACHED HOMES**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: \_\_\_\_\_

Time: \_\_\_\_\_

COUNTY COMMISSION

Date: **MAR 9, 2023**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Feb 14, 2023 at 10:48:01 AM

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **SRISADAN ONE LLC**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL**

**FOR 29 SINGLE-FAMILY DETACHED HOMES**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date:           

County Commission  
Date: **MAR. 9, 2023**

Time:           

Time: **6:00PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 102/2023

**SUBJECT:** **4654 Shirley Road | Variance** | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision** | Commission District 3 | **Rochester|DCCM, applicant.**

---

#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions:

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail plan dated 1-19-23, and developed in accordance with common access driveways; minimum standards, ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
3. All Zoning conditions shall be part of any plat or site plans prepared.

**Purpose of Request:**

**4654 Shirley Road | Variance** | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision** | Commission District 3 | **Rochester|DCCM, applicant.**

**History:**

**Facts and Issues:**

**Options:**

**Funding Requested**

\$ 0.00



**Are funds within current budget?** No  
**Source of Funds**  
**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?**

**Approvals:**

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	CR	JR	

**Attachments:**

Board Memo  
 Recommendation Report  
 Application  
 Narrative  
 Updated Site Plan  
 Original Site Plan  
 Maps  
 Deed  
 Environmental Health Comments  
 GDOT Comments  
 Public Works Comments  
 Fire Comments  
 Notice Sign Photos



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** February 20, 2023

**Subject:** **4654 Shirley Road | Variance |** road frontage variance from 150 feet to 50 feet on a 22.04± acre tract | **Proposed use: 6-lot subdivision | Rochester | DCCM, applicant.**

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The request before you is the variance request of Rochester | DCCM to allow a 6-lot subdivision on 22.04± acres. **It should be noted that a simultaneous conditional use request accompanies this request but has a separate memo and report. The items can be heard simultaneously but separate motions and votes are required.** This item is located within Commission District 3.

At their February 6, 2023 meeting, the Hall County Planning Commission voted to recommend approval with three (3) conditions. **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

There has been no change since the Planning Commission took action.

### Planning Commission Approval Conditions:

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail plan dated 1-19-23, and developed in accordance with common access driveways minimum standards ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
3. All Zoning conditions shall be part of any plat or site plans prepared.

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Rochester| DCCM

**Request** ..... Variance | road frontage variance from 150 feet to 50 feet

**Proposed Use** ..... 6-lot subdivision

**Size** ..... 22.04± acres

**Zoning** ..... Vacation Cottage (V-C, [17.50](#))

**Location** ..... **4676 & 4654 Shirley Road** | Tax Parcels 10119 000001(pt.) - 000002

**Commission District** ..... Three

**Planning Commission Date** ..... February 6, 2023

**Staff Recommendation** ..... **Approval, as the request is consistent with the density requirements of the Lake Area Residential Future Land Use classification in the [Comprehensive Plan](#).**

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 5-0**

**Planning Commission Conditions:**

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail pan dated 1-19-23, and developed in accordance with common access driveways; minimum standards ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
3. All Zoning conditions shall be part of any plat or site plans prepared.

---

**A concurrent conditional use application is on this agenda. The items may be heard together but separate motions and votes are required since these are two distinct applications and agenda items. Should the variance request be denied the conditional use will not be possible as proposed.**

**Public Forum**

*There were no comments in support or opposition.*

**Summary Analysis**

The applicant is requesting approval reduce the road frontage requirement from 150 feet to 50 feet in order to subdivide the 22.04± acres into a 6-lot subdivision. The submitted narrative explains that the applicant intends to subdivide the property into 6 building lots for high-end residential homes.

Lots 1 – 5 will each have 50 feet of frontage along Shirley Road and be served by a common access drive which connects to Shirley Road, rather than having their own individual driveway. Lot 6 will have an individual driveway. The submitted site plan shows a 20 foot wide t-shaped area labeled as a common access drive. It should be noted that this does not meet the requirements of common access driveways; minimum standards, ([12.40.220](#)). This section requires a common access driveway which terminates in a dead end to terminate in either a cul-de-sac with a paved radius of 25 feet, or another termination method that allows for vehicles to turn around safely and is acceptable to Hall County Engineering.

There is an existing residence on lot 3. Neither the site plan nor the narrative state if this home is to remain or be removed. The lot frontage and area is listed below:

Lot	Area	Frontage	Required Variance
1	3.631 acres	53.41 feet	96.59 feet
2	2.832 acres	53.41 feet	96.59 feet
3	3.469 acres	53.40 feet	96.58 feet
4	3.809 acres	53.40 feet	96.58 feet
5	3.384 acres	53.40 feet	96.58 feet
6	4.920 acres	336.14 feet	N/A

**Five (5) variances** related to access will be required if the site plan, as presented, is approved because the proposal does not meet the requirements.

- Per [16.050.040](#), access, in any subdivision not involving the construction of new roads and in any minor subdivision (as defined by the Hall County zoning regulations), all new lots accessing a road designated as an arterial or collector shall have a minimum frontage of 150 feet.

Per the requirements of [17.50.040](#), uses permitted subject to approval of the county commission, within the Vacation Cottage (V-C, [17.50](#)) zoning district, subdivisions require Board of Commissioner approval. As such, there is a concurrent conditional use request being heard as part of this application.

**Zoning Analysis**

The Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence that [2.60.030.J](#) provided the request meets the criteria set forth in [2.60.030.K](#).



1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **The subject property has approximately 603 feet of road frontage. It is not possible to subdivide the property into 6 building lots and for each lot to have 150 feet of frontage. The subject property is a large parcel, 22.04 acres, with limited road frontage and an existing dwelling.**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **The applicant would not be able to subdivide the property as proposed. Without the requested variances, the maximum number lots would be 4.**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; and **No, the lot is similar to other properties in the neighborhood.**
4. Such conditions are not the result of any actions of the property owner; and **The applicant has requested the variance to accommodate a 6 lot subdivision.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#); provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by [Title 17](#) or for a conditional use which has been denied by the county planning commission. **The road frontage requirement for collector roads is 150 feet so to minimize the number of curb cuts that slow down and impede the orderly flow of traffic. The utilization of a common access drive will mitigate the potential impacts of 6 building lots.**

#### **Development Support and Constraints / Departmental Comments**

##### **Hall County Environmental Health**

An email dated January 23, 2023 from Emily McGahee states “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. The applicant was notified of EH requirements on 12.19.2022.”

##### **Hall County Fire Marshal**

An email dated January 24, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant states, “The Hall County Fire Marshal’s Office has no comments regarding the proposed common access drive as proposed or existing fire hydrant location.”

##### **Hall County Public Works and Utilities**

In a memo dated January 23, 2023 from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

##### **Traffic:**

Provide site distance for each drive.

**Utilities**

No comment.

**Georgia Department of Transportation**

In an email dated January 19, 2023, Parker Niebauer, D1TO Traffic Operations Supervisor, confirmed that this project will not require GDOT coordination.

➤ **Excerpts from the minutes of the February 6, 2023 meeting**

**Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Bradley Dunckel, 425 Oak Street, Gainesville**, presented the request. The applicant stated the five flag lots would share a common driveway access to limit the number of driveways off Shirley Road.

**Public Forum:**

*There were no comments in support or opposition.*

**Planning Commission Comments:**

Mr. Braswell questioned if the northern lot would have its own driveway. The applicant stated that was correct. Ms. Pilcher requested clarification of the site plans submitted.

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.**

**Vote: 5-0**

**Conditions:**

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail pan dated 1-19-23, and developed in accordance with common access driveways; minimum standards, ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
3. All Zoning conditions shall be part of any plat or site plans prepared.

## VARIANCE APPLICATION

**Applicant (Name and Mailing Address)**

Rochester/DCCM  
425 Oak St.  
Gainesville, GA 30501  
Phone 770-363-1997  
Email Address bkdunckel@rochester-assoc.com

**Property Owner (Name and Mailing Address)**

Wilbanks Family Holdings, LLC  
4676 Shirley Bridge Road  
Gainesville, GA 30506  
Phone \_\_\_\_\_  
Email Address \_\_\_\_\_

Location of Property 4676 Shirley Bridge Road, Gainesville, GA 30506 4654 **Tax PIN: 10119 000001**  
Present Zoning V-C Existing Structures Single Family Residential House

**Type of Appeal:**

☐ Setback Variance  
☒ Road Frontage Variance  
☐ Sign Variance  
☐ Hardship Mobile Home

☐ Front Yard  
☐ Right Side Yard  
☐ Left Side Yard  
☐ Rear Yard  
☒ Road Frontage  
☐ Sign Area  
☐ Sign Height  
☐ Doctor's Letter

From \_\_\_\_ ft. to \_\_\_\_ ft.  
From \_\_\_\_ ft. to \_\_\_\_ ft.  
From \_\_\_\_ ft. to \_\_\_\_ ft.  
From \_\_\_\_ ft. to \_\_\_\_ ft.  
From 150 ft. to 50 ft.  
From \_\_\_\_ ft. to \_\_\_\_ ft.  
From \_\_\_\_ ft. to \_\_\_\_ ft.  
☐ Terms Agreement

Supporting Documents: ☒ Plat of Property ☐ Site Plan  
☒ Deed of Property ☐ Floor Plans  
☒ Hardship Statement ☐ Other

**Hardship Mobile Home:**

I understand that, if granted, the mobile home must be removed from the property when my hardship ceases to exist.

\_\_\_\_\_  
(Signature)

Fee (Must be paid for application to be complete): \$ \_\_\_\_\_

**I hereby certify that the above information is true & correct to the best of my knowledge.**

Sign [Signature]

Date 12/13/22

**I hereby withdraw this application.**

Sign \_\_\_\_\_

Date \_\_\_\_\_

**Staff Use Only**

Application Date: 12/14/22

Taken by: E. Gannon

Tentative Planning Commission Date: 2/6/23

If Appealed County Commission Date: 3/9/23

County Commission District: \_\_\_\_\_



## HALL COUNTY PLANNING AND DEVELOPMENT AUTHORIZATION OF PROPERTY OWNERS

*Note: If the applicant is the property owner, please disregard this form.*

Name of owner(s) Wilbanks Family Holdings, LLC

Address 4676 Shirley Road  
Gainesville, GA 30506

Phone Number 706-499-5493

Name of applicant(s) Rochester I DCCM - Bradley Dunckel

Address 425 Oak St.  
Gainesville, GA 30501

Phone Number 770-363-1997

Purpose of Permit Minor Subdivision Plat

Site Address 4676 Shirley Road, Gainesville, GA 30506

I swear that I am the owner of the property, which is the subject matter of the attached applications as shown in the records of Hall County, Georgia. I authorize the person named above to act as applicant in the pursuit of a permit as described above for the subject property.

Signature of Owner(s)

[Signature]

Personally appeared before me

Notary Public (Print Name)

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public Signature

Date

12/1/22



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_ I have not ☒ \_\_\_\_\_

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: 

Date: 12/13/22

Applicant's/Owner's Name (Printed): Wilbanks Family Holdings, LLC

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_ I have not ☒

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: Bradley Dunckel

Date: 12/13/22

Applicant's/Owner's Name (Printed): Bradley Dunckel

### **STATEMENT OF HARDSHIP**

The Hall County Planning Commission has the authority, in specific cases, to grant variances from the terms of the Zoning Regulations when the variance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Zoning Regulations will, in specific cases, result in unnecessary hardship and so that the resolution shall be observed, public safety and welfare secured, and substantial justice done. The authority to grant such variances shall be limited to those instances where a hardship is clearly established as required by the Zoning Regulations.

In all cases involving requests for residential variances from the terms of the Zoning Regulations, a plat or survey of the property prepared by a registered surveyor, architect, or engineer shall be required. In all cases involving variances for commercial or industrial uses of land, a site plan of the property prepared by a registered surveyor, architect, or engineer shall be required. Variances may be granted only upon a finding by the board that:

**Describe how each situation listed below relates to your application:**

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship).

As is the case with many lake frontage properties, the amount of available road frontage is disproportional to the amount of lake frontage. The lake frontage can easily support 6 lots, based on minimum Army Corps of Engineer's criteria but the road frontage will only support a 3 lot subdivision.

2. The application of the requirements of this resolution to this particular property would create an unusual hardship.

A hardship will be created if the property owner is not allowed to fully subdivide the property based on the underlying zoning requirements. The property owner has offered to construct a common driveway in order to limit the number of driveways from 6 to 2.

3. Such conditions are peculiar to the particular piece of property involved and not common to other properties in the neighborhood. That is, the application of the regulation would deprive the applicant of the rights commonly enjoyed by others in the neighborhood.

Two other projects on Shirley Road, with lake frontage, have been approved with road frontages of less than 150'. The Summercrest S/D in 2016 and the Sosewood Property Group, LLC S/D in 2021.

4. Such conditions are not the result of any actions of the property owner.

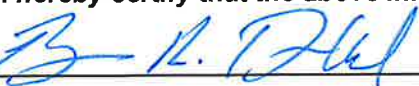
The property owner has taken no actions which would facilitate the request for this variance.

5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this resolution provided; however, that no variance may be granted for a use of land or building or structure that is prohibited by this resolution. For example, granting the variance would not confer any special privilege that is denied by this regulation to other property in the same zoning district.

If granted, this variance would not be detrimental as the result does not increase the density allowed by the underlying zoning. In fact, the resulting lot sizes are much larger than the minimum for the V-C zoning district. The specifics of this variance are unique to this property and would not confer any other special privilege.

***I hereby certify that the above information and all attached information is true and correct.***

Applicant



Date

12/13/22

## **Project Narrative for Wilbanks Tract**

**LOCATION** – 4676 Shirley Road, Gainesville, Georgia 30506

**ACREAGE** – 22.045 acres +/-

**APPLICANT** – Rochester | DCCM

### **Summary**

The accompanying application seeks a conditional use permit for a 6-lot (Minor) Subdivision in the existing VC zoning district. The site includes an existing 22.045 acre parcel located on Shirley Road in north Hall approximately 1.3 miles southeast of Mount Vernon Road (SR 283). The intent is to subdivide 6 lots of lake front property, with an average lot size of 3.6 acres, for high end residential homes. The proposed use is consistent with the Hall County Comprehensive Plan for “residential” use and appropriate for Hall County’s Planned Residential Development (PRD) District and for this location. Completion of development is anticipated by 2025.

### **Site Description**

The site has approximately 595 LF of frontage along Shirley Road. The site is rectangular in shape with an average depth of 1,500 LF and average width of 600 LF. One Ephemeral Stream is located near the northwest side of the site. The site has approximately 1,900 LF of Lake Frontage on the northwestern boundary. Domestic water provided by the City of Gainesville and is located in the Shirley Road right-of-way. Individual, on-site sewage management systems will handle wastewater disposal. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to the site’s successful development for the purposes intended.

### **Adjacencies**

The property is surrounded by residential zonings (PRD, AR-III & VC) to the north, east and south.

### **Access**

Access to the property is proposed as a common, private driveway entrance onto Shirley Road with shared use between 5 lot owners. The common driveway easement is proposed in the location shown on the conceptual site plan. Lot #6 would be served with an individual driveway directly to Shirley Road. Ownership and maintenance of the drive will be through a mandatory homeowner’s association. Each lot that contains a portion of the common drive will grant an access easement in favor of all the other lot owners. Concurrent with the Conditional Use Permit request, we are also requesting a variance from the minimum lot frontage of 150’ to 50’.



Aerial View



## **REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE**

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the conditional use permit application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Hall County Development Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth

Amendment to the Constitution of the United States. A refusal to grant the conditional use request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

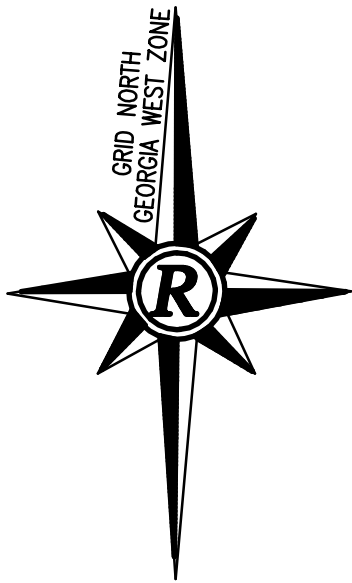
A refusal by the Hall County Board of Commissioners to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

## **I. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that this conditional use permit application be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Bradley Dunkel  
Rochester | DCCM  
425 Oak St.  
Gainesville, GA 30501  
770-363-1997  
bkdunckel@rochester-assoc.com





THIS BOX RESERVED FOR  
THE CLERK OF THE SUPERIOR COURT

LEGEND

- AC - ACRES  
AIF - ANGLE IRON FOUND  
AICE - ARMY CORPS OF ENGINEER  
APPROX - APPROXIMATE  
BL - BUILDING SETBACK LINE  
BWF - BARBED WIRE FENCE  
CL - CENTERLINE  
CLF - CHAIN LINK FENCE  
CTP - CRIMP TOP PIPE  
CONC - CONCRETE  
DB, PG - DEED BOOK, PAGE  
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GW - GUY WIRE  
HW - HEADWALL  
IPF - IRON PIN FOUND  
IPF SET (1/2" R/B) - IRON PIN SET (1/2" R/B)  
IPF WITH A YELLOW PLASTIC CAP - WITH A YELLOW PLASTIC CAP  
IPF STAMPED LSF000484 - STAMPED ROCHESTER LSF000484  
LLC - LAND LOT CORNER  
LL - LAND LOT  
LL - LAND LOT LINE  
MON - MONUMENT  
N/F - NOW OR FORMERLY  
OTP - OPEN TOP PIPE  
PL - PROPERTY LINE  
PP - POWER METER  
POB - POINT OF BEGINNING  
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PB, PG - PLAT BOOK, PAGE  
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R/W - RIGHT OF WAY  
TBX - TELEPHONE BOX  
TFR - TRANSFORMER  
TPOB - TRUE POINT OF BEGINNING  
WV - WATER VALVE

CALL TABLE

LINE	CHORD BEARING	CHORD	ARC	RADIUS
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10	S32°51'58"E	53.40'	53.41'	900.70'
11	S36°15'50"E	53.40'	53.41'	900.70'
12	S38°22'33"E	13.00'	13.00'	900.70'
13	S41°45'10"E	40.41'	40.41'	1383.48'
14	S43°41'44"E	53.40'	53.41'	1383.48'
15	S48°05'55"E	150.60'		
16	S52°17'37"E	150.01'	150.01'	5437.35'

NOTES

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- A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA "A" PER F.E.M.A. FLOOD INSURANCE RATE MAPS OF HALL COUNTY, GEORGIA MAP NO. 13139C0088 G DATED: APRIL 4, 2018.
- THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
- ALL PROPERTY CORNERS REFERENCED AS IPS INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP, STAMPED "ROCHESTER LSF000484," UNLESS OTHERWISE NOTED.
- DURING THE FIELD SURVEY PERFORMED ON THIS SITE THERE WAS NO VISIBLE ABOVE GROUND EVIDENCE OF A HUMAN BURIAL AREA OR CEMETERY OBSERVED. HOWEVER A THOROUGH INSPECTION OF THE INTERIOR OF THIS SITE WAS NOT PERFORMED BY THIS SURVEYOR. THEREFORE EXCEPTION IS MADE HEREIN TO ANY HUMAN BURIAL AREAS OR CEMETERIES THAT MAY EXIST WITHIN THE BOUNDARIES OF THIS SITE.
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- ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET. (39.37 INCHES = 1 METER).
- THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83 GEORGIA WEST) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE R8 GNSS GPS RECEIVER WITH A TRIMBLE TSC3 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A WIRELESS NETWORK FROM BASE STATIONS OPERATED BY EPOS. THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL. THESE VALUES WERE DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE.
- THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM ABOVE GROUND VISIBLE EVIDENCE. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR WARRANTS THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THEREFORE EXCEPTION IS TAKEN HEREON TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST. FURTHERMORE, THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY OR RESTRICTIONS WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
- NATURAL WATER BOUNDARIES ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND IT MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE.
- ZONING PER HALL COUNTY GEORGIA WEBSITE.

HALL COUNTY ENGINEERING NOTES

- ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FOOT IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE § 8.170.070)
- IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040)
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AREA SUMMARY  
LOT 1 = 3.631 ACRES  
LOT 2 = 2.832 ACRES  
LOT 3 = 3.469 ACRES  
LOT 4 = 3.809 ACRES  
LOT 5 = 3.384 ACRES  
LOT 6 = 4.920 ACRES  
TOTAL AREA = 22.045 ACRES

N/F  
U.S. GOVERNMENT  
LAKE SIDNEY LANIER  
SEGMENT - "P"

N/F  
WILBANKS FAMILY HOLDINGS, LLC  
DB 9154, PG 3  
TRACT #1 (6 PARCELS)  
22.046 AC  
ZONED: AR-III

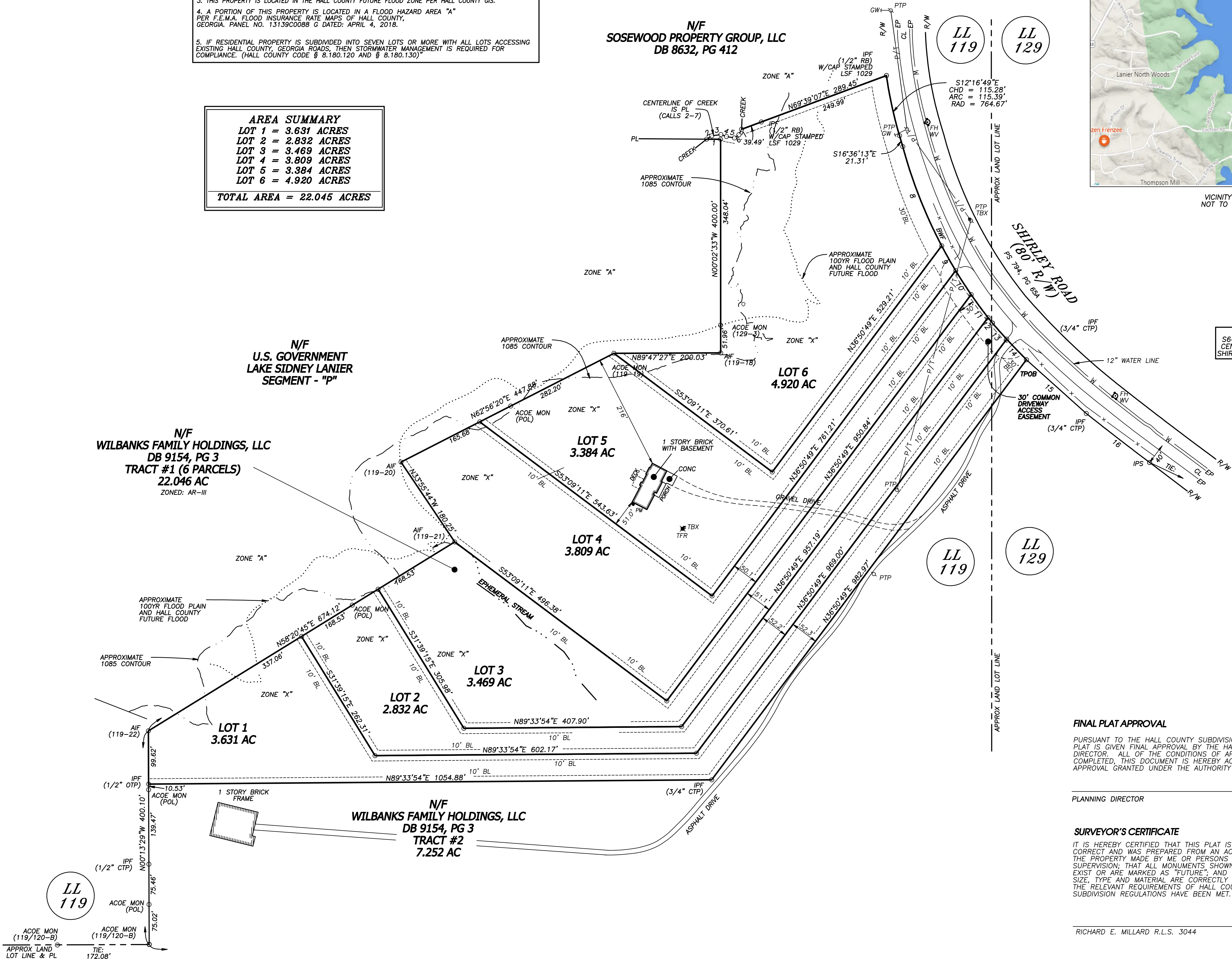
N/F  
WILBANKS FAMILY HOLDINGS, LLC  
DB 9154, PG 3  
TRACT #2  
7.252 AC

FOR REVIEW  
PURPOSES ONLY

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PREPARED BY PATTON-BOYER, INC. DATED 7/16/2001 &  
RECORDED IN PG 794, PG 65A, HALL COUNTY GEORGIA RECORDS.

N/F  
SOSEWOOD PROPERTY GROUP, LLC  
DB 8632, PG 412



FINAL PLAT APPROVAL

PURSUANT TO THE HALL COUNTY SUBDIVISION REGULATIONS, THIS PLAT IS GIVEN FINAL APPROVAL BY THE HALL COUNTY PLANNING DIRECTOR. ALL OF THE CONDITIONS OF APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED AND THIS APPROVAL GRANTED UNDER THE AUTHORITY OF SAID REGULATIONS.

PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR PERSONS UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN; AND THAT THE RELEVANT REQUIREMENTS OF HALL COUNTY ZONING AND SUBDIVISION REGULATIONS HAVE BEEN MET.

RICHARD E. MILLARD R.L.S. 3044 \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATE

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

**DRAFT**

REGISTERED GEORGIA LAND SURVEYOR  
Richard E. Millard, GA RLS# 3044  
ROCHESTER & ASSOCIATES, LLC  
CERTIFICATE OF AUTHORIZATION NO. - LSF000484  
Email: remillard@rochester-assoc.com

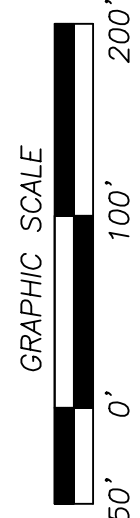
DATE

MINOR SUBDIVISION PLAT  
FOR :

WILBANKS FAMILY HOLDINGS, LLC

LOCATED IN  
LAND LOTS 119 & 129  
10TH DISTRICT  
HALL COUNTY, GEORGIA

NO.	DATE	REVISIONS
1	01/30/23	REVISED PER COUNTY COMMENTS



SHEET  
1  
OF  
1  
DATE : 11/03/22  
SCALE : 1" = 100'  
JOB NO : 022023.WBT  
FILE NO : #B0101  
DRAWN BY: WDC



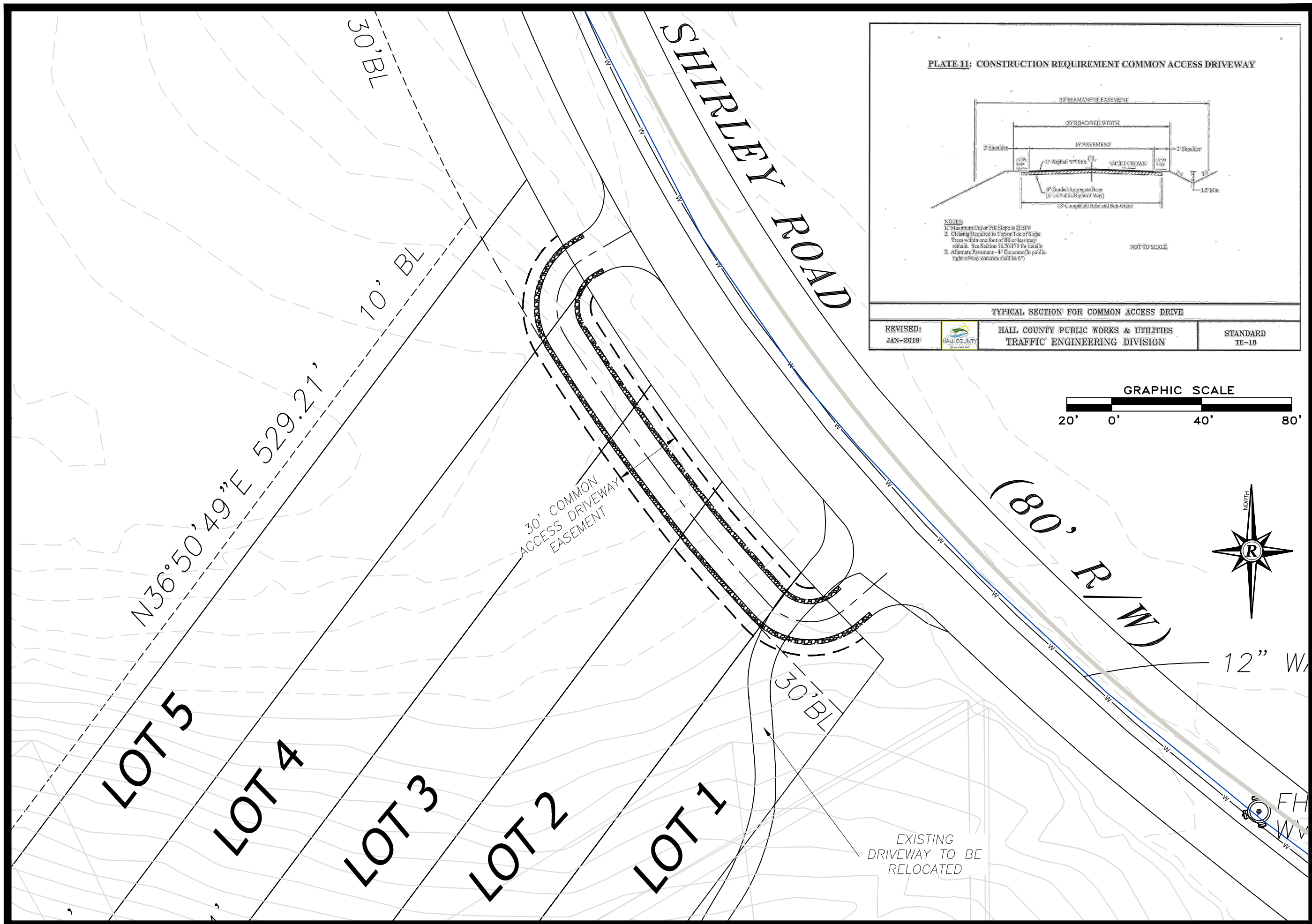
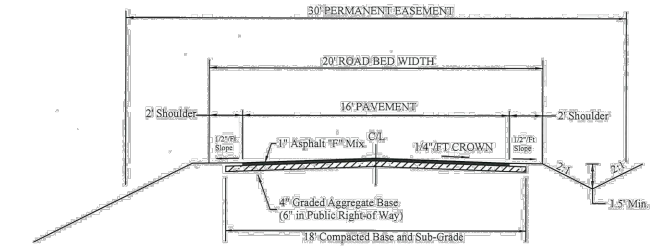


PLATE 11: CONSTRUCTION REQUIREMENT COMMON ACCESS DRIVEWAY



- NOTES:
1. Maximum Cut or Fill Slope is 2H:1V
  2. Clearing Required to Top or Toe of Slope  
Trees within one foot of fill or less may remain. See Section 16.20.170 for details
  3. Alternate Pavement - 4" Concrete (In public right-of-way concrete shall be 6")

NOT TO SCALE

TYPICAL SECTION FOR COMMON ACCESS DRIVE

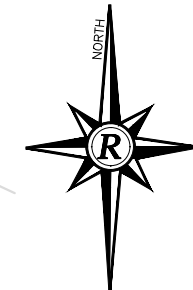
REVISED:  
JAN-2019



HALL COUNTY PUBLIC WORKS & UTILITIES  
TRAFFIC ENGINEERING DIVISION

STANDARD  
TE-18

GRAPHIC SCALE



COMMON ACCESS DRIVEWAY EASEMENT EXHIBIT  
FOR :

**4654 SHIRLEY ROAD**  
**WILBANKS FAMILY HOLDINGS, LLC**

LOCATED IN  
LAND LOTS 119 & 129  
10TH DISTRICT  
HALL COUNTY, GEORGIA

SHEET  
**1**

OF  
**1**

DATE: 1/19/2023  
SCALE: 1"=40'  
JOB# G220123.WBT  
FILE# \*.SITE  
DRAWN BY: JDF

**Rochester** **DECM**

425 Oak St NW, Gainesville, GA 30501  
770.718.0600 p | www.rochester-assoc.com



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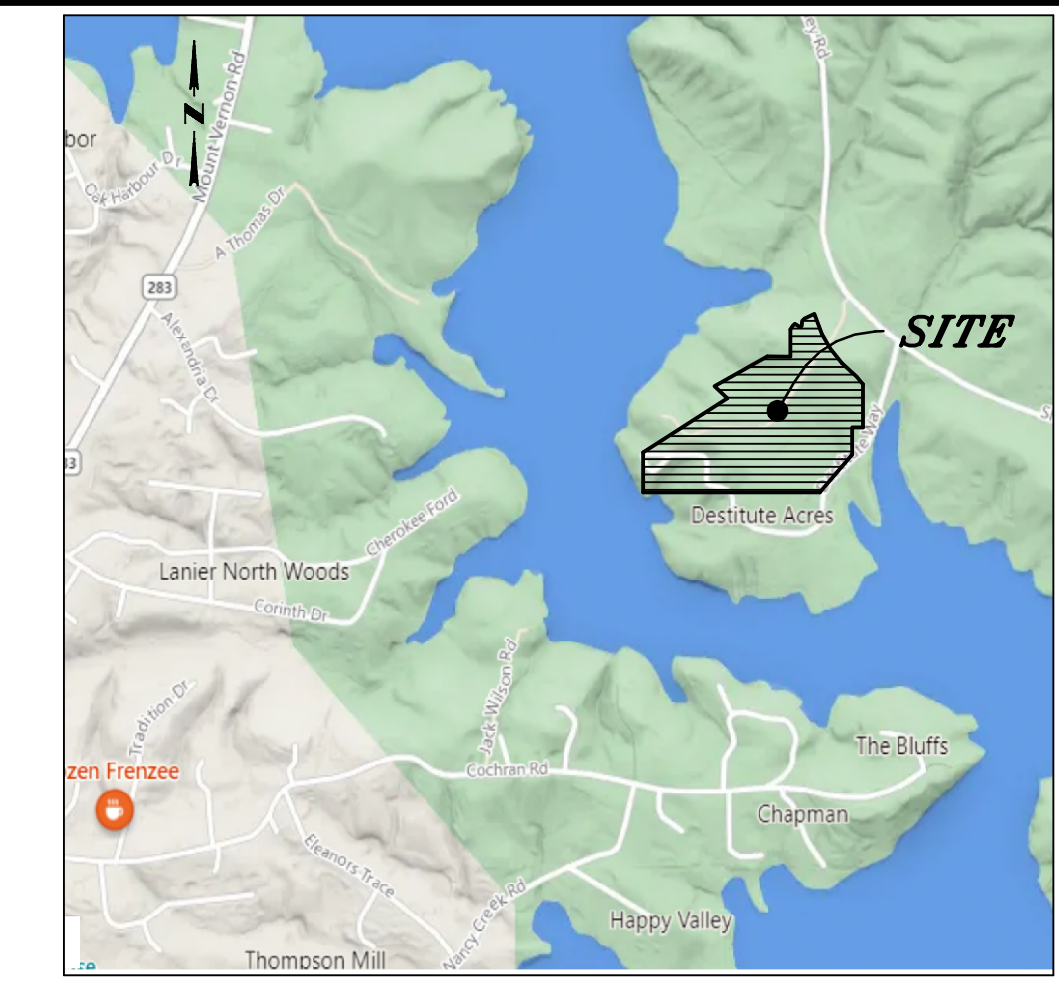
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N/F  
SOSEWOOD PROPERTY GROUP, LLC  
DB 8632, PG 412



VICINITY MAP  
NOT TO SCALE

TIE:  
S64°42'40"E 205.17' TO THE  
CENTERLINE INTERSECTION OF  
SHIRLEY ROAD & DESTITUTE WAY

- LEGEND
- AC - ACRES
  - ALF - ANGLE IRON FOUND
  - AOE - ANGLE CORPS OF ENGINEER
  - APPROX - APPROXIMATE
  - BL - BUILDING SETBACK LINE
  - BWF - BARBED WIRE FENCE
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  - CLF - CHAIN LINK FENCE
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  - LLC - WITH A YELLOW PLASTIC CAP
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6. DURING THE FIELD SURVEY PERFORMED ON THIS SITE THERE WAS NO VISIBLE ABOVE GROUND EVIDENCE OF A HUMAN BURIAL AREA OR CEMETERY OBSERVED. HOWEVER A THOROUGH INSPECTION OF THE INTERIOR OF THIS SITE WAS NOT PERFORMED BY THIS SURVEYOR. THEREFORE EXCEPTION IS MADE HEREIN TO ANY HUMAN BURIAL AREAS OR CEMETERIES THAT MAY EXIST WITHIN THE BOUNDARIES OF THIS SITE.
7. THIS PROPERTY MAY OR MAY NOT CONTAIN WETLAND AREAS. NO EFFORTS HAVE BEEN MADE BY THE SURVEYOR TO IDENTIFY OR LOCATE ANY WETLAND AREAS ON THIS PROPERTY. A QUALIFIED WETLAND SPECIALIST PRIOR TO ANY LAND DISTURBANCE SHOULD PERFORM WETLAND IDENTIFICATION AND DELINEATION.
8. ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET. (39.37 INCHES = 1 METER)
9. THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83) GEORGIA WEST AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE R8 GNSS GPS RECEIVER WITH A TRIMBLE TSC3 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A WIRELESS NETWORK FROM BASE STATIONS OPERATED BY EPOS. THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL. THESE VALUES WERE DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE.
10. THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM ABOVE GROUND VISIBLE EVIDENCE. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR WARRANTS DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
11. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT; THEREFORE EXCEPTION IS TAKEN HEREON TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST. FURTHERMORE, THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY OR RESTRICTIONS WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
12. NATURAL WATER BOUNDARIES ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND IT MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE.
13. ZONING PER HALL COUNTY GEORGIA WEBSITE.

FINAL PLAT APPROVAL

PURSUANT TO THE HALL COUNTY SUBDIVISION REGULATIONS, THIS PLAT IS GIVEN FINAL APPROVAL BY THE HALL COUNTY PLANNING DIRECTOR. ALL OF THE CONDITIONS OF APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED AND THIS APPROVAL GRANTED UNDER THE AUTHORITY OF SAID REGULATIONS.

PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR PERSONS UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN; AND THAT THE RELEVANT REQUIREMENTS OF HALL COUNTY ZONING AND SUBDIVISION REGULATIONS HAVE BEEN MET.

RICHARD E. MILLARD R.L.S. 3044 \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATE

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

DRAFT

REGISTERED GEORGIA LAND SURVEYOR  
Richard E. Millard, R.L.S.# 3044  
ROCHESTER & ASSOCIATES, LLC  
CERTIFICATE OF AUTHORIZATION NO. - LSF000484  
Email: remillard@rochester-assoc.com

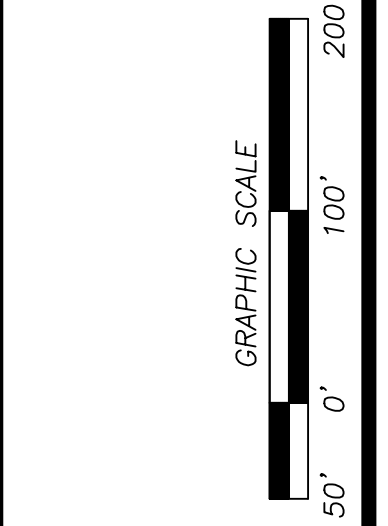
DATE

MINOR SUBDIVISION PLAT  
FOR :

WILBANKS FAMILY HOLDINGS, LLC

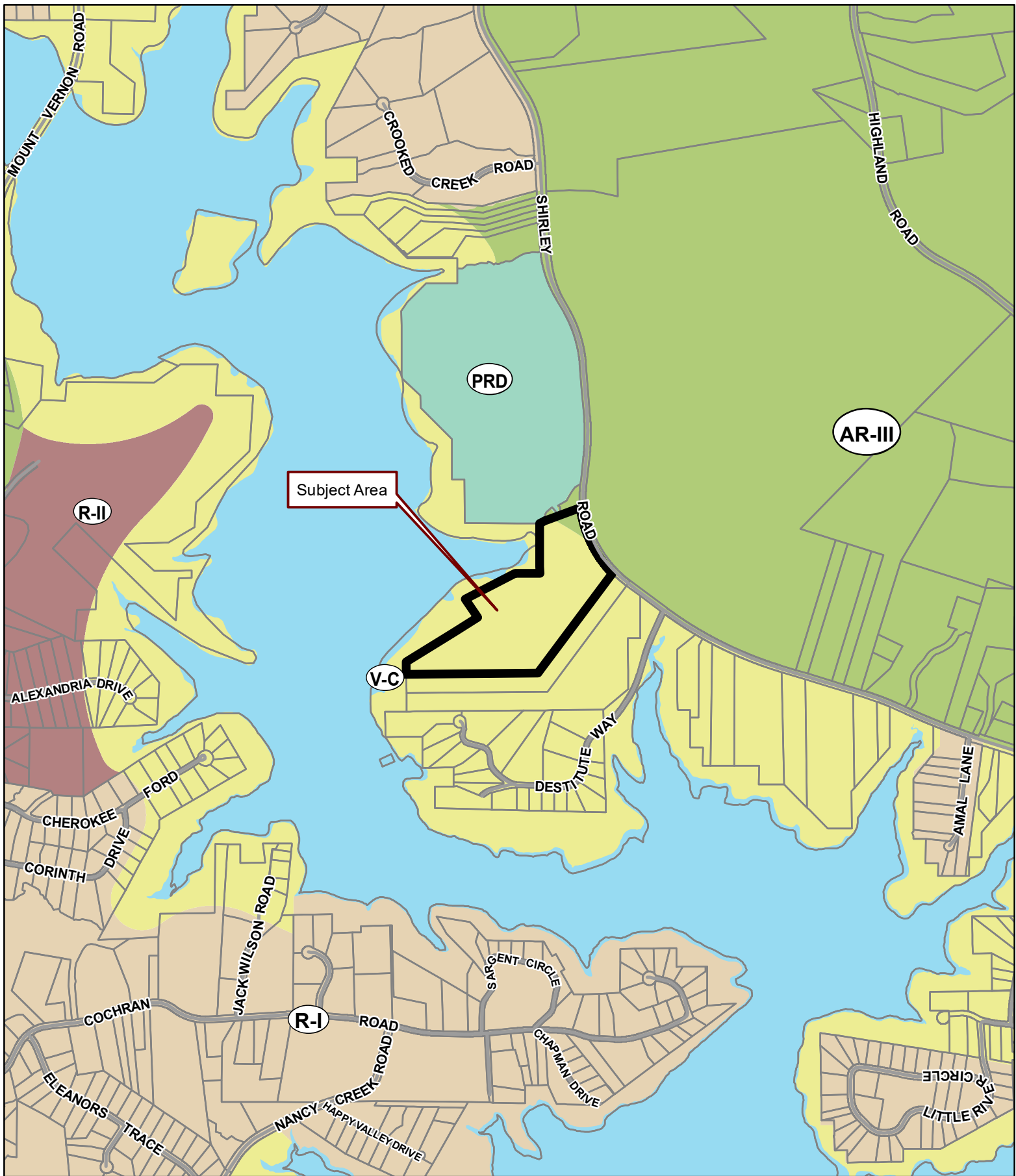
LOCATED IN  
LAND LOTS 119 & 129  
10TH DISTRICT  
HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS



SHEET  
1  
OF  
1  
DATE : 11/03/22  
SCALE : 1" = 100'  
JOB NO : 0220232.WBT  
FILE NO : #B0101  
DRAWN BY: WDC





**Applicant:** ROCHESTER | DCCM

**Tax Parcel #:** 10119 000001 (pt.)

**Location:** 4654 SHIRLEY ROAD, GAINESVILLE, GA 30506

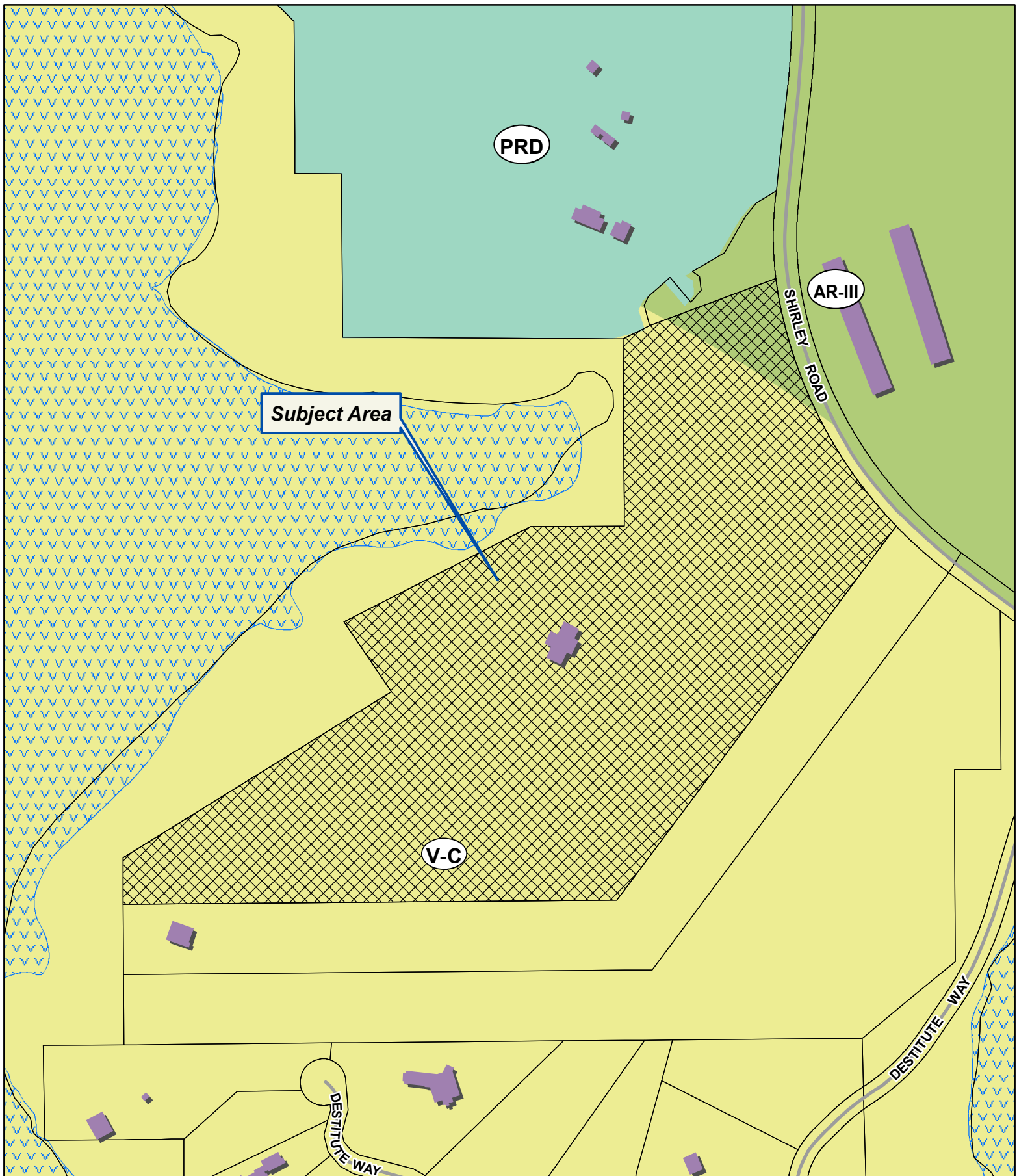
**Commission District 3**

**PC Mtg. Date:** 02/06/2023

0 300 600 1,200  
Feet

- Zoning Boundary
- ▭ City Limits
- ▭ Subject Area
- ▭ Structure





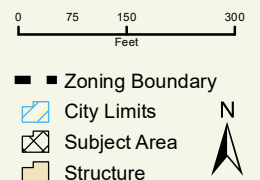
**Applicant:** ROCHESTER | DCCM

**Tax Parcel #:** 10119 000001 (pt.)

**Location:** 4654 SHIRLEY ROAD, GAINESVILLE, GA 30506

**Commission District 3**

**PC Mtg. Date:** 02/06/2023







**Applicant:** ROCHESTER | DCCM

**Tax Parcel #:** 10119 000001 (pt.)

**Location:** 4654 SHIRLEY ROAD, GAINESVILLE, GA 30506

**Commission District 3**

**PC Mtg. Date:** 02/06/2023

0 75 150 300  
Feet

— Zoning Boundary

— City Limits

— Subject Area





FILED & RECORDED 06/29/2022 3:56 PM  
DEED BOOK 9154 PAGES 3 - 4  
FILING FEES: \$25.00  
PT61: 069-2022-005762 TRANSFER TAX: \$3,850.00  
RECORDED BY: MB  
CLERK: Charles Baker, C.S.C Hall County, GA

After recording, return to: SCOTT A. BALL  
STEWART, MELVIN & FROST, LLP  
P.O. BOX 3280,  
GAINESVILLE, GA 30503

## LIMITED WARRANTY DEED

THIS INDENTURE is made this 29<sup>th</sup> day of June, 2022, between

**SUTTON LEWIS SHIRLEY, III a/k/a S. L. SHIRLEY, III**  
**and TESSA C. SHIRLEY**  
(hereinafter referred to as "Grantor")

and

**WILBANKS FAMILY HOLDINGS, LLC**  
(hereinafter referred to as "Grantee")

("Grantors" and "Grantees" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits.)

### WITNESSETH

GRANTORS, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, have granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantees the following described property, to wit:

### SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the Land, 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 Grantees forever in FEE SIMPLE.

AND GRANTORS WILL WARRANT and forever defend the right and title to the Land unto Grantees against the claims of all persons whomsoever claiming by, under, or through said Grantor.



EXECUTED under seal as of the date above.

Signed, sealed, and delivered  
in the presence of:

Unofficial Witness

Notary Public



  
SUTTON LEWIS SHIRLEY, III  
a/k/a S. L. SHIRLEY, III  
  
TESSA C. SHIRLEY

(Seal)

(Seal)

**EXHIBIT A**  
**Description of Property**

**Tract I:**

All that tract or parcel of land lying and being in Land Lots 119 and 129, 10th Land District, Hall County, Georgia, being shown as two separate parcels containing 22.68 acres and 12.92 acres as both are shown on that plat of survey prepared by Chris M. Patton, Georgia Registered Land Surveyor, dated January 16, 2001, recorded in Plat Book 794, Page 65-A, Hall County, Georgia Plat Records, which plat and record thereof are incorporated herein by reference for a more complete description of said properties, it being the intention of the parties that both of the above tracts are included in this legal description.

LESS AND EXCEPT from the above that 0.64 acre parcel in Land Lot 119 of the 10th Land District, Hall County, Georgia, being the northernmost portion of the 22.68 acre tract referenced above, and which 0.64 parcel is more particularly described in the deed from Sutton Lewis Shirley, III to Sosewood Property Group, LLC, dated October 30, 2020, and recorded in Deed Book 8632 Page 412 of the Hall County, Georgia Deed Records.

The above two tracts are a portion of **Tax Parcel 10-119-000-001** according to the 2022 system of numbering properties by the Hall County, Georgia Tax Assessor's office. Said property is conveyed together with and subject to all easements, covenants, and restrictions of record, if any.

**Tract II:**

All that tract or parcel of land lying and being in Land Lots 119 and 129, 10th Land District, Hall County, Georgia, containing 7.25 acres as shown on that plat, recorded in Plat Slide 270, Page 49-B, Hall County, Georgia Plat Records, which plat and record thereof are incorporated herein by reference for a more complete description of said property. This property is known as **4676 Shirley Road and Tax Parcel 10-119-000-002** according to the 2022 system of numbering properties by the Hall County, Georgia Tax Assessor's office. Said property is conveyed together with and subject to all easements, covenants, and restrictions of record, if any.

## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Monday, January 23, 2023 1:01 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 2.6.23

Please find Environmental Health comments below:

Item 1, 3325 Lakeland Road, Gonzalez: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation may be required to verify setbacks.

Item 2, 3268 Whidby Road, Bazemore: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system.

Items 3 and 4, 4654 Shirley Road, Rochester: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. The applicant was notified of EH requirements on 12.19.2022.

Item 5 and 6, 1600 Athens Hwy, Vargas: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 7, 3675 Thompson Bridge Road, NGHS: Connection to public sewer required. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, January 19, 2023 2:15 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for February 6, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Items 1-4 will not require GDOT Coordination

Items 5 & 6 (Gerardo Vargas) will require GDOT Coordination

Item 7 (Northeast Georgia Health System) will require GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

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**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>

**Sent:** Tuesday, January 17, 2023 9:17 AM

**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.org) <jeremy.wills@gainesvillega.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for February 6, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Monday, January 23<sup>rd</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – January 17, 2023**

## **NEW BUSINESS**

1. **3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \* Commission District 3 | Lydia Gonzalez, applicant.**
2. **3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \* Commission District 2 | Douglas & Sheridan Bazemore, applicants.**
3. **4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
4. **4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
5. **1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
6. **1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
7. **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | \*\* Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.**

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, March 9, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, March 9, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** January 23, 2023  
**Subject:** February 6, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 6, 2023 meeting. Upon review, we provide the following comments.

### NEW BUSINESS

1. [3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \\* Commission District 3 | Lydia Gonzalez, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
2. [3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \\* Commission District 2 | Douglas & Sheridan Bazemore, applicants.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
3. [4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) | Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No comment





POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

4. [\*\*4654 Shirley Road | Use Subject to County Commission Approval |\*\*](#)  
[on a 22.04± acre tract located on the south side of Shirley Road](#)  
[approximately 500 feet from its intersection with Destitute Way | Zoned](#)  
[V-C & AR-III; Tax Parcel 10119 000001\(pt.\) \*\*Proposed use: 6-lot\*\*](#)  
[\*\*subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.\*\*](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of the creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No Comment
5. [\*\*1600 Athens Highway, Building C | Rezone |\*\*](#) from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outdoor storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include all impervious that was added without a permit
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
6. [\*\*1600 Athens Highway, Building C | Use Subject to County Commission Approval |\*\*](#) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outside storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include impervious that was added without a permit.
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
7. [\*\*3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone |\*\*](#) from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | [\*\*Proposed use: mixed use office-institutional park | \\*\\* Commission District 2 | Northeast Georgia Health Systems, Inc., applicant.\*\*](#)
  - a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
**Director**

BILL NASH, P.E.  
**Assistant Director**

FRANKLIN P. MILLER, P.E.  
**County Engineer**

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

- b) **Traffic:** Permit from GDOT will be required from driveway connection. Driveways on Southers will require widening. Check distance between proposed driveways.
- c) **Utilities:** Gainesville sewer district.

## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Tuesday, January 24, 2023 11:04 AM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Subject:** Planning Agenda Fire Comments

Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

[4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) | Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.](#) **The Hall County Fire Marshal's Office has no comments regarding the proposed common access drive as proposed or existing fire hydrant location.**

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)





Jan 20, 2023 at 2:42:52 PM  
4500-4668 Shirley Rd  
Gainesville GA 30506  
United States





Jan 20, 2023 at 2:43:05 PM  
4500-4668 Shirley Rd  
Gainesville GA 30506  
United States





Jan 20, 2023 at 2:47:35 PM  
4676 Shirley Rd  
Gainesville GA 30506  
United States

**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ROCHESTER DCCM

REQUEST: VARY ROAD FRONTAGE FROM 150 FT. TO 50 FT.

FOR 6-LOT SUBMISSION

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	IF APPEALED	COUNTY COMMISSION
Date: FEB. 6, 2023		Date: MAR. 9, 2023
Time: 5:15 PM		Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 205 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ROCHESTER DCCM

REQUEST: USE SUBJECT TO COUNTY COMMISSION

FOR 6-LOT SUBMISSION

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: FEB. 6, 2023		Date: MAR. 9, 2023
Time: 5:15 PM		Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 205 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Jan 20, 2023 at 2:47:48 PM  
4501-4669 Shirley Rd  
Gainesville GA 30506  
United States







## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 103/2023

**SUBJECT:** **4654 Shirley Road | Use Subject to County Commission Approval |** on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision |** Commission District 3 | **Rochester|DCCM, applicant.**

---

### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions:

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail plan dated 1-19-23, and developed in accordance with common access driveways; minimum standards, ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
3. All Zoning conditions shall be part of any plat or site plans prepared.
4. Plat shall show the buffer and impervious setback from wretsted vegetation, not centerline of creek and shall show Hall County studied floodplain and FEMA floodplain.
5. Development shall follow the standard Hall County Plat Review process.
6. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:

“Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices.”



**Purpose of Request:****History:**

**4654 Shirley Road | Use Subject to County Commission**

**Approval** | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision** | Commission District 3 | **Rochester|DCCM, applicant.**

**Facts and Issues:****Options:****Funding Requested**

\$ 0.00

**Are funds within current budget?**

No

**Source of Funds****Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?****Approvals:**

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	CR	JR	

**Attachments:**

Board Memo

Recommendation Report

Application

Narrative

Updated Site Plan

Original Site Plan

Maps

Deed

Environmental Health Comments

GDOT Comments

Public Works Comments

Fire Comments

Notice Sign Photos



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** February 20, 2023

**Subject:** **4654 Shirley Road | Use Subject to County Commission Approval | Proposed use: 6-lot subdivision | Rochester | DCCM, applicant.**

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The request before you is the conditional use request of Rochester | DCCM to a 6-lot subdivision on 22.04± acres. ***It should be noted that a simultaneous variance request accompanies this request but has separate memo and report. The items can be heard simultaneously but separate motions and votes are required.*** This item is located within Commission District 3.

At their February 6, 2023 meeting, the Hall County Planning Commission voted to recommend approval with six (6) conditions. **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

There has been no change since the Planning Commission took action.

### Planning Commission Approval Conditions:

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail plan dated 1-19-23, and developed in accordance with common access driveways; minimum standards ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
3. All Zoning conditions shall be part of any plat or site plans prepared.
4. Plat shall show the buffer and impervious setback from wooded vegetation, not centerline of creek and shall show Hall County studied floodplain and FEMA floodplain.
5. Development shall follow the standard Hall County Plat Review process.

6. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:  
“Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices.”

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Rochester| DCCM

**Request** ..... Conditional Use to allow a minor subdivision

**Proposed Use** ..... 6-lot subdivision

**Size** ..... 22.04± acres

**Zoning** ..... Vacation Cottage (V-C, [17.50](#))

**Location** ..... **4676 & 4654 Shirley Road** | Tax Parcels 10119  
000001(pt.) - 000002

**Commission District** ..... Three

**Planning Commission Date** ..... February 6, 2023

**Staff Recommendation** ..... **Approval, as the request is consistent with the density requirements of the Lake Area Residential Future Land Use classification in the [Comprehensive Plan](#).**

**Planning Commission Recommendation**.....**Approval, with conditions**

**Vote:** 5-0

**Planning Commission Conditions:**

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail pan dated 1-19-23, and developed in accordance with common access driveways; minimum standards ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
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property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices.”

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**A concurrent conditional use application is on this agenda. The items may be heard together but separate motions and votes are required since these are two distinct applications and agenda items. Should the variance request be denied the conditional use will not be possible as proposed.**

#### **Public Forum**

*There were no comments in support or opposition.*

#### **Summary Analysis**

The applicant is requesting approval to subdivide the 22.04± acres into a 6-lot subdivision. Per the requirements of [17.50.040](#), uses permitted subject to approval of the county commission, within the Vacation Cottage (V-C, [17.50](#)) zoning district, minor subdivisions require Board of Commissioner approval. The submitted narrative explains that the applicant intends to subdivide the property into 6 building lots for high-end residential homes.

Lots 1 – 5 will each have 50 feet of frontage along Shirley Road and will be served by a common access drive which connects to Shirley Road. Lot 6 will have an individual driveway. The submitted site plan shows a 30 foot wide t-shaped area labeled as a common access drive. It should be noted that this does not meet the requirements of common access driveways; minimum standards, ([12.40.220](#)). This section requires a common access driveway which terminates in a dead end to terminate in either a cul-de-sac with a paved radius of 25 feet, or another termination method that allows for vehicles to turn around safely and is acceptable to Hall County Engineering.

There is an existing residence on lot 3. Neither the site plan nor the narrative state if this home is to remain or be removed. The lot frontage and area is listed below:

<b>Lot</b>	<b>Area</b>	<b>Frontage</b>
<b>1</b>	3.631 acres	53.41 feet
<b>2</b>	2.832 acres	53.41 feet
<b>3</b>	3.469 acres	53.40 feet
<b>4</b>	3.809 acres	53.40 feet
<b>5</b>	3.384 acres	53.40 feet
<b>6</b>	4.920 acres	336.14 feet

Concurrent to this request, the applicant is requesting a road frontage variance for lots 1 – 5 from 150 feet to 50 feet.

#### **Zoning Analysis**

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)), the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The proposed use is consistent with the use, development, and zoning of adjacent and nearby properties. The proposed lot size and development pattern is consistent with other nearby properties.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed use of a 6 lot subdivision will not adversely affect the existing use or usability of adjacent or nearby properties.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property has reasonable economic use as currently zoned, Vacation Cottage (V-C, [17.50](#)), but no further subdivision of the property can occur without conditional use approval.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **The development of 6 building lots should not cause an excessive or burdensome use of the existing streets, transportation facilities, etc.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed use of a 6-lot subdivision is consistent with the [Comprehensive Plan's](#) future land use classification of Lake Area Residential. In this land use classification, the recommended density is 1 dwelling unit per acre; the current proposal is 0.27 units per acre.**
6. The extent to which property values are diminished by the existing zoning restrictions; **All division of land within the V-C zoning classification requires approval from the Board of Commissioners.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **No, the request is not out of scale with the needs of the county as a whole.**
9. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **All subdivision within the Vacation Cottage (V-C, [17.50](#)) zoning districts require conditional use approval, which would necessitate the same request on any property with that designation.**
10. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no significant changes proposed to the site. Further, any land disturbance activities on the property shall be required to go through the land development**

permitting process, and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.

#### **Development Support and Constraints / Departmental Comments**

##### **Hall County Environmental Health**

An email dated January 23, 2023 from Emily McGahee states “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. The applicant was notified of EH requirements on 12.19.2022.”

##### **Hall County Fire Marshal**

An email dated January 24, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant states, “The Hall County Fire Marshal’s Office has no comments regarding the proposed common access drive as proposed or existing fire hydrant location.”

##### **Hall County Public Works and Utilities**

In a memo dated January 23, 2023 from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

Show buffer and impervious setback from wrested vegetation, not centerline of creek.  
Show flood Hall County studied and FEMA.

##### **Traffic:**

Provide site distance for each drive.

##### **Utilities**

No comment.

##### **Georgia Department of Transportation**

In an email dated January 19, 2023, Parker Niebauer, D1TO Traffic Operations Supervisor, confirmed that this project will not require GDOT coordination.

#### **➤ Excerpts from the minutes of the February 6, 2023 meeting**

##### **Applicant’s Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Bradley Dunkel, 425 Oak Street, Gainesville**, presented the request. The applicant stated the five flag lots would share a common driveway access to limit the number of driveways off Shirley Road.

##### **Public Forum:**

*There were no comments in support or opposition.*

##### **Planning Commission Comments:**

Mr. Braswell questioned if the northern lot would have its own driveway. The applicant stated that was correct. Ms. Pilcher requested clarification of the site plans submitted.

***Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.***

***Vote: 5-0***

*Conditions:*

1. The development shall be limited to a maximum of 6 lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.
2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated 1-30-23 and the enlarged driveway detail pan dated 1-19-23, and developed in accordance with common access driveways; minimum standards, ([12.40.220](#)), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.
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PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902



## CONDITIONAL USE APPLICATION

### Applicant (Name & Mailing Address)

Rochester/DCCM

425 Oak St.

Gainesville, GA 30501

Phone 770-363-1997

Email Address bkdunckel@rochester-assoc.com

Proposed Use Minor Subdivision (6 lots)

### Property Owner (Name & Mailing Address)

Wilbanks Family Holdings, LLC

4676 Shirley Bridge Road

Gainesville, GA 30506

Phone 706-499-5493

Email Address atwilbanks@gmail.com

### Contact Person (Name & Mailing Address)

Bradley Dunckel

425 Oak St.

Gainesville, GA 30501

Phone 770-363-1997

Email Address bkdunckel@rochester-assoc.com

Tax Parcel Number 10119 000001

Location Address ~~4676~~ 4654 Shirley Bridge Road, Gainesville, GA 30506

### Status of Applicant

☐ Owner

☐ Option to Purchase

☐ Area Resident

☒ Other

Zoning: V-C

Acreage 22.045

### Requested Action

Permissive Use:

☐ HCPC ☒ HCC

Fee: \$ 1,000.00

Receipt #: 859081

Check #: 002560

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature]

Date: 12/13/22

**Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.**

**Application Withdrawal:** I hereby **withdraw** the application.

Sign \_\_\_\_\_

Date: \_\_\_\_\_

### Staff Use Only

Application Date: 12/14/22

Taken by: E. Gannon

Tentative Planning Commission Date: 2/6/23

Tentative County Commission Date: 3/9/23

County Commission District: \_\_\_\_\_



## HALL COUNTY PLANNING AND DEVELOPMENT AUTHORIZATION OF PROPERTY OWNERS

*Note: If the applicant is the property owner, please disregard this form.*

Name of owner(s) Wilbanks Family Holdings, LLC

Address 4676 Shirley Road  
Gainesville, GA 30506

Phone Number 706-499-5493

Name of applicant(s) Rochester I DCCM - Bradley Dunckel

Address 425 Oak St.  
Gainesville, GA 30501

Phone Number 770-363-1997

Purpose of Permit Minor Subdivision Plat

Site Address 4676 Shirley Road, Gainesville, GA 30506

I swear that I am the owner of the property, which is the subject matter of the attached applications as shown in the records of Hall County, Georgia. I authorize the person named above to act as applicant in the pursuit of a permit as described above for the subject property.

Signature of Owner(s)

[Signature]

Personally appeared before me

Notary Public (Print Name)

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public Signature

Date

12/1/22

### CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_ I have not ✓

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: [Signature]

Date: 12/13/22

Applicant's/Owner's Name (Printed): Wilbanks Family Holdings, LLC

PLANNING AND DEVELOPMENT DEPARTMENT  
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I have\*\* \_\_\_\_\_ I have not ☒

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**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: Bradley Dunckel

Date: 12/13/22

Applicant's/Owner's Name (Printed): Bradley Dunckel



## **Project Narrative for Wilbanks Tract**

**LOCATION** – 4676 Shirley Road, Gainesville, Georgia 30506

**ACREAGE** – 22.045 acres +/-

**APPLICANT** – Rochester | DCCM

### **Summary**

The accompanying application seeks a conditional use permit for a 6-lot (Minor) Subdivision in the existing VC zoning district. The site includes an existing 22.045 acre parcel located on Shirley Road in north Hall approximately 1.3 miles southeast of Mount Vernon Road (SR 283). The intent is to subdivide 6 lots of lake front property, with an average lot size of 3.6 acres, for high end residential homes. The proposed use is consistent with the Hall County Comprehensive Plan for “residential” use and appropriate for Hall County’s Planned Residential Development (PRD) District and for this location. Completion of development is anticipated by 2025.

### **Site Description**

The site has approximately 595 LF of frontage along Shirley Road. The site is rectangular in shape with an average depth of 1,500 LF and average width of 600 LF. One Ephemeral Stream is located near the northwest side of the site. The site has approximately 1,900 LF of Lake Frontage on the northwestern boundary. Domestic water provided by the City of Gainesville and is located in the Shirley Road right-of-way. Individual, on-site sewage management systems will handle wastewater disposal. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to the site’s successful development for the purposes intended.

### **Adjacencies**

The property is surrounded by residential zonings (PRD, AR-III & VC) to the north, east and south.

### **Access**

Access to the property is proposed as a common, private driveway entrance onto Shirley Road with shared use between 5 lot owners. The common driveway easement is proposed in the location shown on the conceptual site plan. Lot #6 would be served with an individual driveway directly to Shirley Road. Ownership and maintenance of the drive will be through a mandatory homeowner’s association. Each lot that contains a portion of the common drive will grant an access easement in favor of all the other lot owners. Concurrent with the Conditional Use Permit request, we are also requesting a variance from the minimum lot frontage of 150’ to 50’.

Aerial View



## **REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE**

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the conditional use permit application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Hall County Development Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth

Amendment to the Constitution of the United States. A refusal to grant the conditional use request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

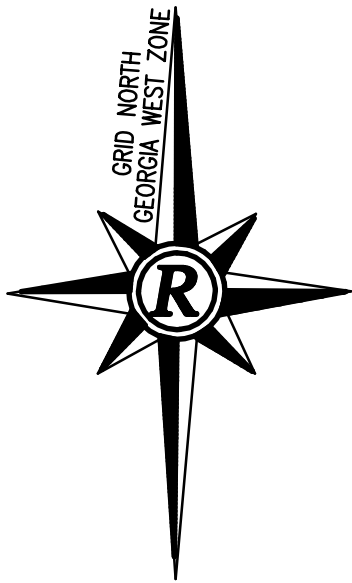
A refusal by the Hall County Board of Commissioners to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

## **I. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that this conditional use permit application be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Bradley Dunkel  
Rochester | DCCM  
425 Oak St.  
Gainesville, GA 30501  
770-363-1997  
bkdunckel@rochester-assoc.com





THIS BOX RESERVED FOR  
THE CLERK OF THE SUPERIOR COURT

LEGEND

- AC - ACRES  
AIF - ANGLE IRON FOUND  
AICE - ARMY CORPS OF ENGINEER  
APPROX - APPROXIMATE  
BL - BUILDING SETBACK LINE  
BWF - BARBED WIRE FENCE  
CL - CENTERLINE  
CLF - CHAIN LINK FENCE  
CTP - CRIMP TOP PIPE  
CONC - CONCRETE  
DB, PG - DEED BOOK, PAGE  
EP - EDGE OF PAVEMENT  
FH - FIRE HYDRANT  
GW - GUY WIRE  
HW - HEADWALL  
IPF - IRON PIN FOUND  
IPF SET (1/2" R/B) - IRON PIN SET (1/2" R/B)  
IPF WITH A YELLOW PLASTIC CAP - WITH A YELLOW PLASTIC CAP  
IPF STAMPED LSF000484 - STAMPED ROCHESTER LSF000484  
LLC - LAND LOT CORNER  
LL - LAND LOT  
LL - LAND LOT LINE  
MON - MONUMENT  
N/F - NOW OR FORMERLY  
OTP - OPEN TOP PIPE  
PL - PROPERTY LINE  
PM - POWER METER  
POB - POINT OF BEGINNING  
POL - POINT ON LINE  
PP - POWER POLE  
P/T - POWER & TELEPHONE LINE  
PTP - POWER & TELEPHONE POLE  
PB, PG - PLAT BOOK, PAGE  
RB - REBAR  
R/W - RIGHT OF WAY  
TBX - TELEPHONE BOX  
TFR - TRANSFORMER  
TPOB - TRUE POINT OF BEGINNING  
WV - WATER VALVE

CALL TABLE

LINE	CHORD BEARING	CHORD	ARC	RADIUS
1	S89°32'33"E	26.12'		
2	N56°38'18"E	11.50'		
3	N82°20'15"E	17.32'		
4	S70°33'04"E	10.90'		
5	S79°47'35"E	15.18'		
6	N54°40'32"E	10.31'		
7	N26°20'46"E	11.39'		
8	S21°24'38"E	199.55'	199.96'	900.70'
9	S29°28'09"E	53.40'	53.41'	900.70'
10	S32°51'58"E	53.40'	53.41'	900.70'
11	S36°15'50"E	53.40'	53.41'	900.70'
12	S38°22'33"E	13.00'	13.00'	900.70'
13	S41°45'10"E	40.41'	40.41'	1383.48'
14	S43°41'44"E	53.40'	53.41'	1383.48'
15	S48°05'55"E	150.60'		
16	S52°17'37"E	150.01'	150.01'	5437.35'

NOTES

- THE FIELD DATA DATED 10/24/22 - 10/26/22 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 26,875 FEET AND AN ANGULAR ERROR OF .01 SECONDS PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. TRIMBLE 56 WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 48,086 FEET.
- A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA "A" PER F.E.M.A. FLOOD INSURANCE RATE MAPS OF HALL COUNTY, GEORGIA MAP NO. 13139C0088 G DATED: APRIL 4, 2018.
- THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
- ALL PROPERTY CORNERS REFERENCED AS IPS INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP, STAMPED "ROCHESTER LSF000484," UNLESS OTHERWISE NOTED.
- DURING THE FIELD SURVEY PERFORMED ON THIS SITE THERE WAS NO VISIBLE ABOVE GROUND EVIDENCE OF A HUMAN BURIAL AREA OR CEMETERY OBSERVED. HOWEVER A THOROUGH INSPECTION OF THE INTERIOR OF THIS SITE WAS NOT PERFORMED BY THIS SURVEYOR. THEREFORE EXCEPTION IS MADE HEREIN TO ANY HUMAN BURIAL AREAS OR CEMETERIES THAT MAY EXIST WITHIN THE BOUNDARIES OF THIS SITE.
- THIS PROPERTY MAY OR MAY NOT CONTAIN WETLAND AREAS. NO EFFORTS HAVE BEEN MADE BY THE SURVEYOR TO IDENTIFY OR LOCATE ANY WETLAND AREAS ON THIS PROPERTY. A QUALIFIED WETLAND SPECIALIST PRIOR TO ANY LAND DISTURBANCE SHOULD PERFORM WETLAND IDENTIFICATION AND DELINEATION.
- ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET. (39.37 INCHES = 1 METER).
- THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83 GEORGIA WEST) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE R8 GNSS GPS RECEIVER WITH A TRIMBLE TSC3 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A WIRELESS NETWORK FROM BASE STATIONS OPERATED BY EPOS. THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL. THESE VALUES WERE DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE.
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- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THEREFORE EXCEPTION IS TAKEN HEREON TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST. FURTHERMORE, THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY OR RESTRICTIONS WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
- NATURAL WATER BOUNDARIES ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND IT MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE.
- ZONING PER HALL COUNTY GEORGIA WEBSITE.

HALL COUNTY ENGINEERING NOTES

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AREA SUMMARY	
LOT 1 =	3.631 ACRES
LOT 2 =	2.832 ACRES
LOT 3 =	3.469 ACRES
LOT 4 =	3.809 ACRES
LOT 5 =	3.384 ACRES
LOT 6 =	4.920 ACRES
TOTAL AREA = 22.045 ACRES	

N/F  
U.S. GOVERNMENT  
LAKE SIDNEY LANIER  
SEGMENT - "P"

N/F  
WILBANKS FAMILY HOLDINGS, LLC  
DB 9154, PG 3  
TRACT #1 (6 PARCELS)  
22.046 AC  
ZONED: AR-III

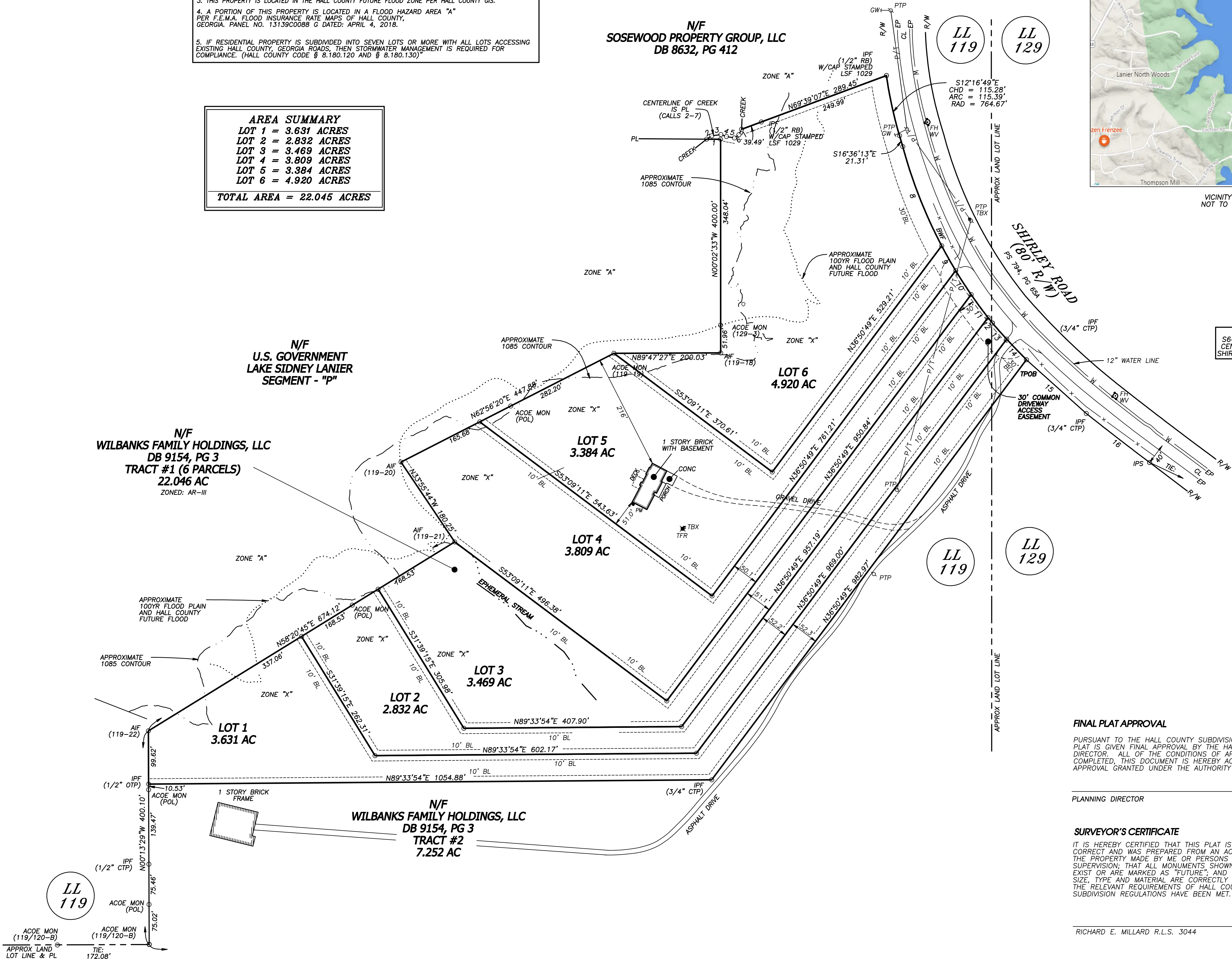
N/F  
WILBANKS FAMILY HOLDINGS, LLC  
DB 9154, PG 3  
TRACT #2  
7.252 AC

FOR REVIEW  
PURPOSES ONLY

REFERENCE PLATS

1. PLAT FOR VIRGINIA S. ROBERTS AND S.L.S SHIRLEY, JR.  
PREPARED BY PATTON-BOYER, INC. DATED 7/16/2001 &  
RECORDED IN PG 794, PG 65A, HALL COUNTY GEORGIA RECORDS.

N/F  
SOSEWOOD PROPERTY GROUP, LLC  
DB 8632, PG 412



FINAL PLAT APPROVAL

PURSUANT TO THE HALL COUNTY SUBDIVISION REGULATIONS, THIS PLAT IS GIVEN FINAL APPROVAL BY THE HALL COUNTY PLANNING DIRECTOR. ALL OF THE CONDITIONS OF APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED AND THIS APPROVAL GRANTED UNDER THE AUTHORITY OF SAID REGULATIONS.

PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR PERSONS UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN; AND THAT THE RELEVANT REQUIREMENTS OF HALL COUNTY ZONING AND SUBDIVISION REGULATIONS HAVE BEEN MET.

RICHARD E. MILLARD R.L.S. 3044 \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATE

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

**DRAFT**

REGISTERED GEORGIA LAND SURVEYOR  
Richard E. Millard, GA RLS# 3044  
ROCHESTER & ASSOCIATES, LLC  
CERTIFICATE OF AUTHORIZATION NO. - LSF000484  
Email: remillard@rochester-assoc.com

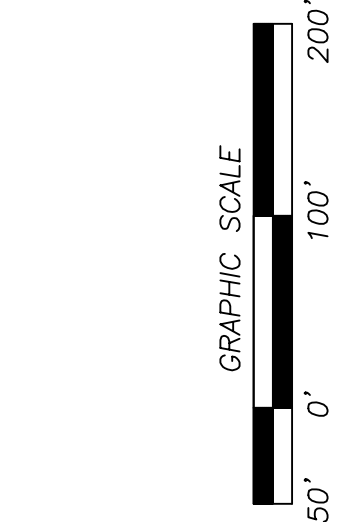
DATE

MINOR SUBDIVISION PLAT  
FOR :

WILBANKS FAMILY HOLDINGS, LLC

LOCATED IN  
LAND LOTS 119 & 129  
10TH DISTRICT  
HALL COUNTY, GEORGIA

REVISED PER COUNTY COMMENTS		DESCRIPTION		REVISIONS	
NO.	DATE				
1	01/30/23				



SHEET		DATE : 11/03/22	
1	OF	1	1
1		SCALE : 1" = 100'	
1		JOB NO : 022023.WBT	
1		FILE NO. : #B0101	
1		DRAWN BY: WDC	



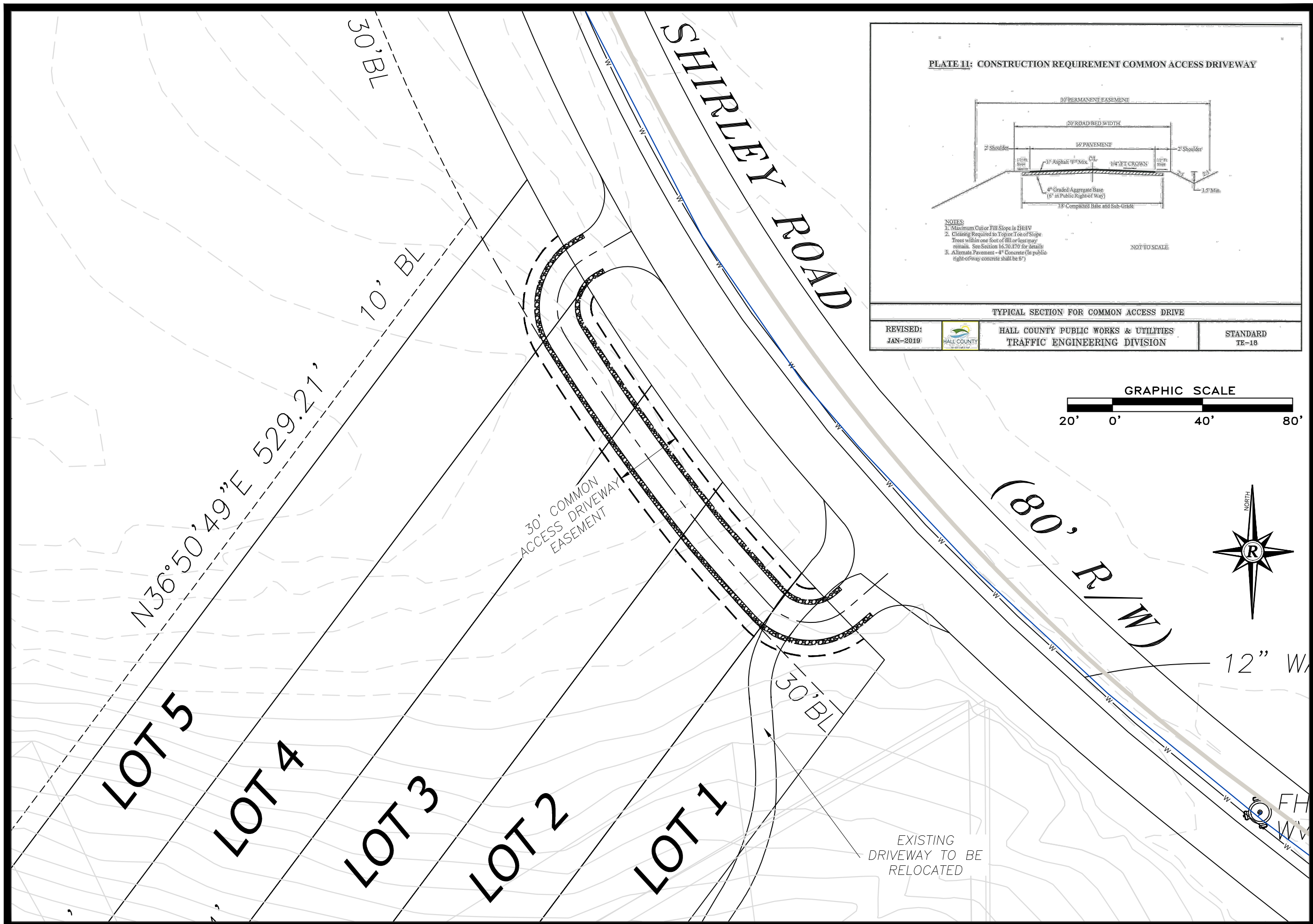
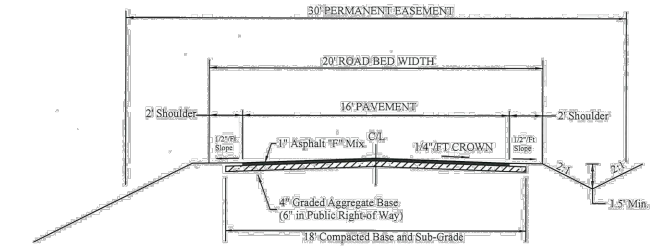


PLATE 11: CONSTRUCTION REQUIREMENT COMMON ACCESS DRIVEWAY



- NOTES:
1. Maximum Cut or Fill Slope is 2H:1V
  2. Clearing Required to Top or Toe of Slope  
Trees within one foot of fill or less may remain. See Section 16.20.170 for details
  3. Alternate Pavement - 4" Concrete (In public right-of-way concrete shall be 6")

NOT TO SCALE

TYPICAL SECTION FOR COMMON ACCESS DRIVE

REVISED:  
JAN-2019



HALL COUNTY PUBLIC WORKS & UTILITIES  
TRAFFIC ENGINEERING DIVISION

STANDARD  
TE-18

COMMON ACCESS DRIVEWAY EASEMENT EXHIBIT  
FOR :

**4654 SHIRLEY ROAD**  
**WILBANKS FAMILY HOLDINGS, LLC**

LOCATED IN  
LAND LOTS 119 & 129  
10TH DISTRICT  
HALL COUNTY, GEORGIA

SHEET  
**1**

OF  
**1**

DATE: 1/19/2023  
SCALE: 1"=40'  
JOB# G220123.WBT  
FILE# \*.SITE  
DRAWN BY: JDF

**Rochester** **DECM**

425 Oak St NW, Gainesville, GA 30501  
770.718.0600 p | www.rochester-assoc.com



HALL COUNTY ENGINEERING NOTES

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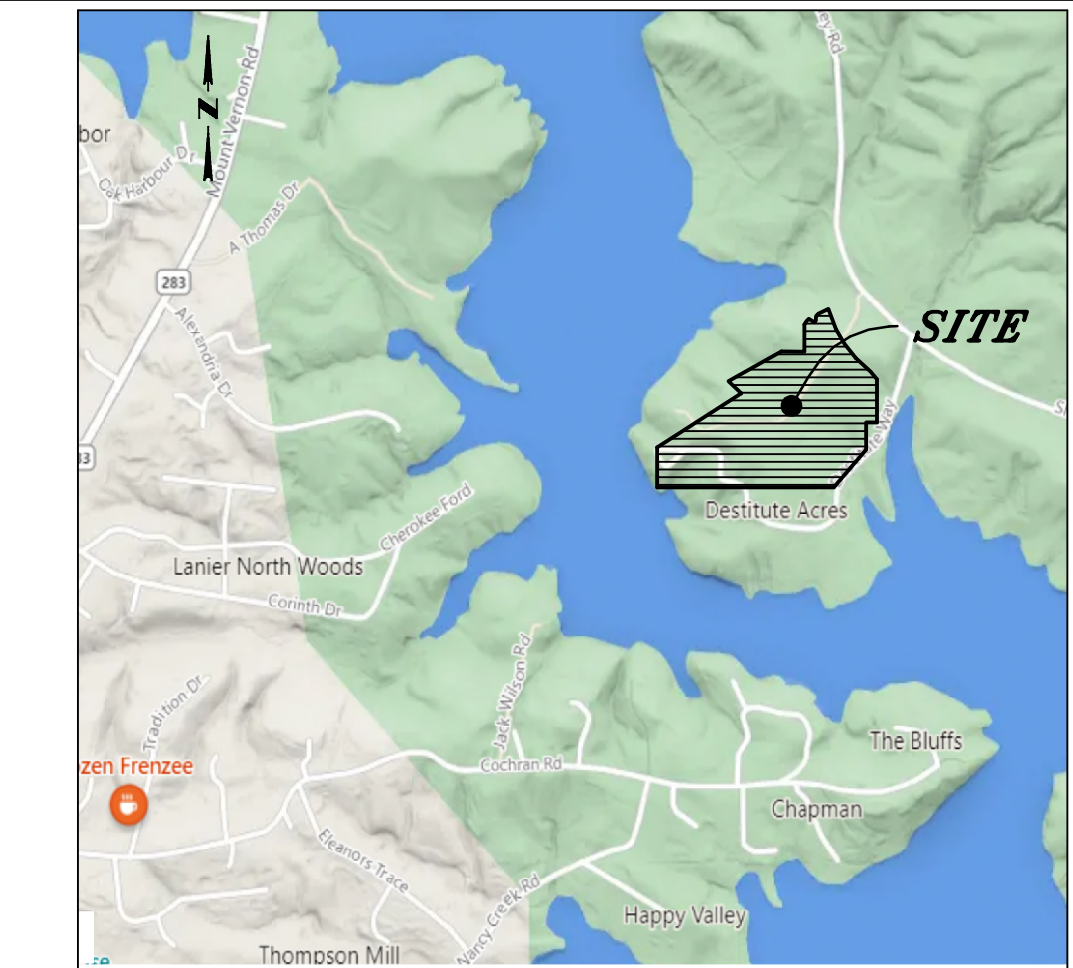
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RECORDED IN PG 794, PG 65A, HALL COUNTY GEORGIA RECORDS.

N/F  
SOSEWOOD PROPERTY GROUP, LLC  
DB 8632, PG 412



VICINITY MAP  
NOT TO SCALE

TIE:  
S64°42'40"E 205.17' TO THE  
CENTERLINE INTERSECTION OF  
SHIRLEY ROAD & DESTITUTE WAY

- LEGEND
- AC - ACRES
  - ALF - ANGLE IRON FOUND
  - AOE - ANGLE CORPS OF ENGINEER
  - APPROX - APPROXIMATE
  - BL - BUILDING SETBACK LINE
  - BWF - BARBED WIRE FENCE
  - CL - CENTERLINE
  - CLF - CHAIN LINK FENCE
  - CTP - CRIMP TOP PIPE
  - CONC - CONCRETE
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  - GH - GUY WIRE
  - HW - HEADWALL
  - IPF - IRON PIN FOUND
  - IPS - IRON PIN SET (1/2" R/B)
  - LLC - WITH A YELLOW PLASTIC CAP
  - LL - LAND LOT
  - LL - LAND LOT LINE
  - MON - MONUMENT
  - N/F - NOW OR FORMERLY
  - OTP - OPEN TOP PIPE
  - PL - PROPERTY LINE
  - PM - POWER METER
  - POB - POINT OF BEGINNING
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RICHARD E. MILLARD R.L.S. 3044 \_\_\_\_\_ DATE \_\_\_\_\_

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**DRAFT**

REGISTERED GEORGIA LAND SURVEYOR  
Richard E. Millard, R.L.S. # 3044  
ROCHESTER & ASSOCIATES, LLC  
CERTIFICATE OF AUTHORIZATION NO. - LSF000484  
Email: remillard@rochester-assoc.com

DATE

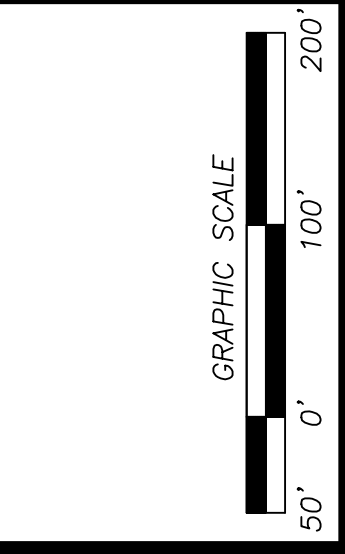
**Rochester** | **BCCM**

Rochester & Associates, LLC  
425 Oak St NW, Gainesville, GA 30501  
770.718.0600 p | www.rochester-assoc.com

WILBANKS FAMILY HOLDINGS, LLC

LOCATED IN  
LAND LOTS 119 & 129  
10TH DISTRICT  
HALL COUNTY, GEORGIA

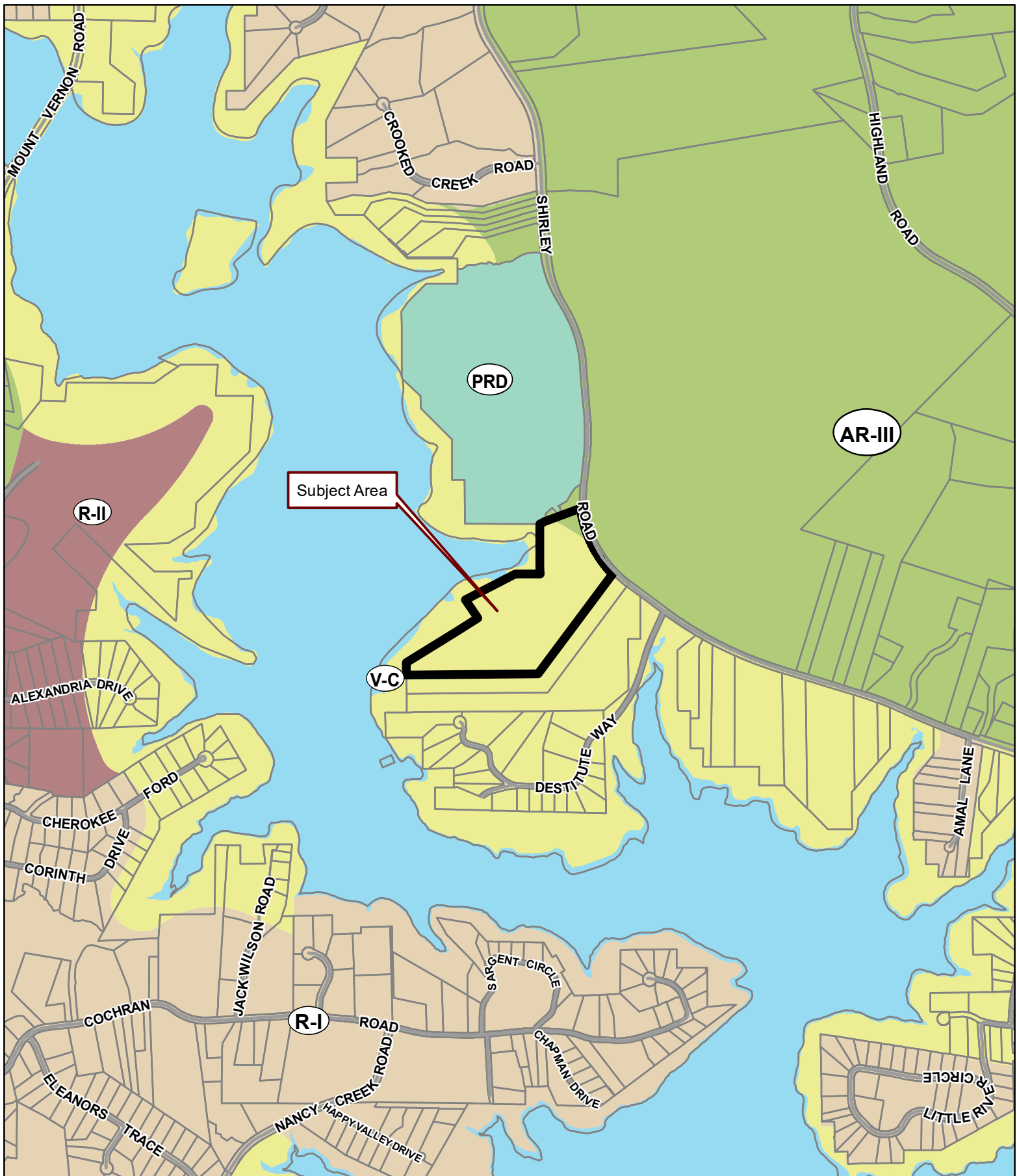
NO.	DATE	DESCRIPTION	REVISIONS



SHEET  
**1**  
OF  
**1**

DATE : 11/03/22  
SCALE : 1" = 100'  
JOB NO : 0220232.WBT  
FILE NO : #B0101  
DRAWN BY: WDC





**Applicant:** ROCHESTER | DCCM

**Tax Parcel #:** 10119 000001 (pt.)

**Location:** 4654 SHIRLEY ROAD, GAINESVILLE, GA 30506

**Commission District 3**

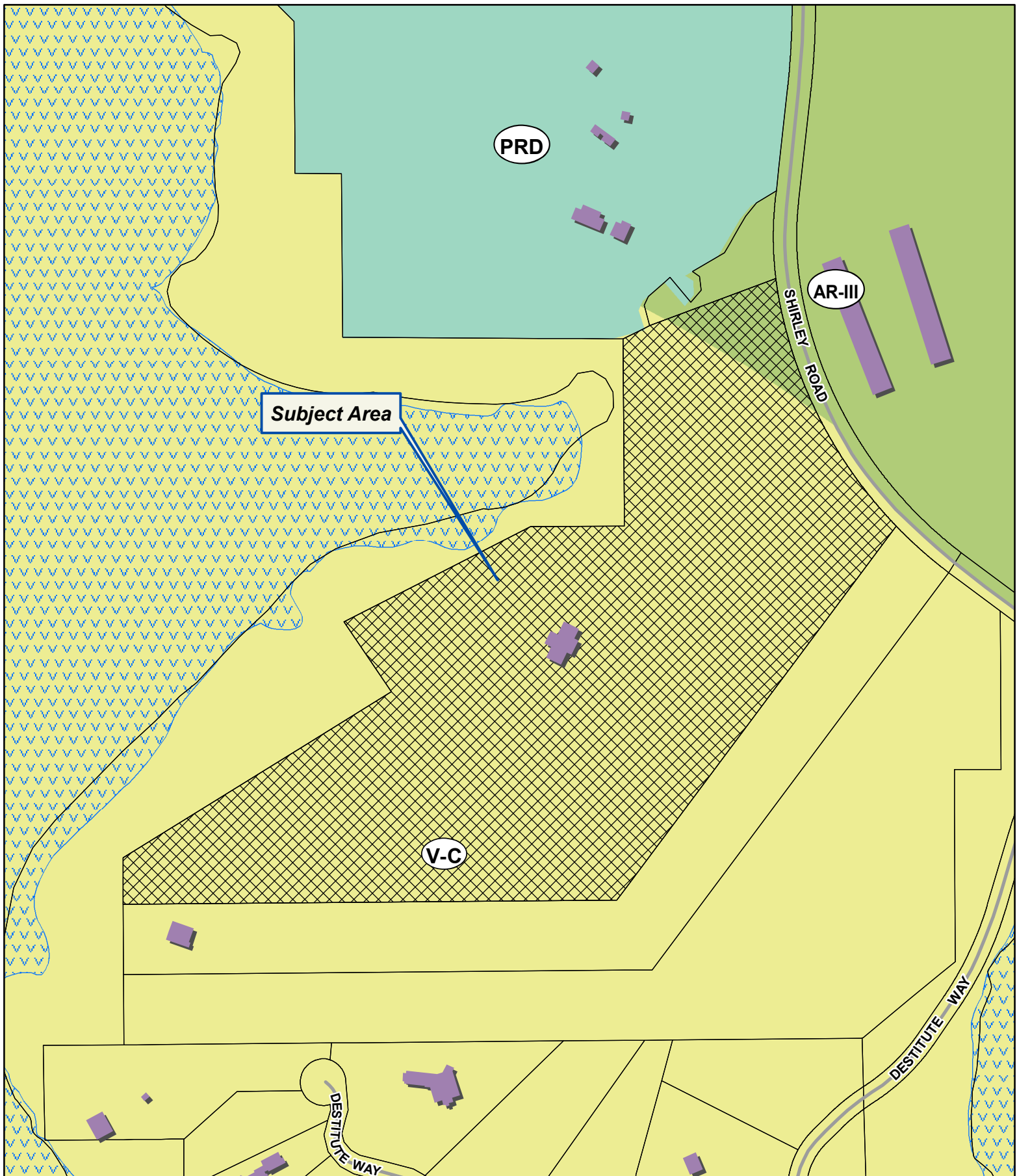
**PC Mtg. Date:** 02/06/2023

0 300 600 1,200  
Feet

- Zoning Boundary
- ▭ City Limits
- ▭ Subject Area
- ▭ Structure







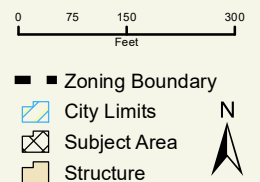
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**Commission District 3**

**PC Mtg. Date:** 02/06/2023







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**Location:** 4654 SHIRLEY ROAD, GAINESVILLE, GA 30506

**Commission District 3**

**PC Mtg. Date:** 02/06/2023

0 75 150 300  
Feet

— Zoning Boundary

— City Limits

— Subject Area





FILED & RECORDED 06/29/2022 3:56 PM  
DEED BOOK 9154 PAGES 3 - 4  
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After recording, return to: SCOTT A. BALL  
STEWART, MELVIN & FROST, LLP  
P.O. BOX 3280,  
GAINESVILLE, GA 30503

## LIMITED WARRANTY DEED

THIS INDENTURE is made this 29<sup>th</sup> day of June, 2022, between

**SUTTON LEWIS SHIRLEY, III a/k/a S. L. SHIRLEY, III**  
**and TESSA C. SHIRLEY**  
(hereinafter referred to as "Grantor")

and

**WILBANKS FAMILY HOLDINGS, LLC**  
(hereinafter referred to as "Grantee")

("Grantors" and "Grantees" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits.)

### WITNESSETH

GRANTORS, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, have granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantees the following described property, to wit:

### SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the Land, 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 Grantees forever in FEE SIMPLE.

AND GRANTORS WILL WARRANT and forever defend the right and title to the Land unto Grantees against the claims of all persons whomsoever claiming by, under, or through said Grantor.



EXECUTED under seal as of the date above.

Signed, sealed, and delivered  
in the presence of:

Unofficial Witness

Notary Public



  
\_\_\_\_\_  
SUTTON LEWIS SHIRLEY, III  
a/k/a S. L. SHIRLEY, III  
  
\_\_\_\_\_  
TESSA C. SHIRLEY

(Seal)

(Seal)

**EXHIBIT A**  
**Description of Property**

**Tract I:**

All that tract or parcel of land lying and being in Land Lots 119 and 129, 10th Land District, Hall County, Georgia, being shown as two separate parcels containing 22.68 acres and 12.92 acres as both are shown on that plat of survey prepared by Chris M. Patton, Georgia Registered Land Surveyor, dated January 16, 2001, recorded in Plat Book 794, Page 65-A, Hall County, Georgia Plat Records, which plat and record thereof are incorporated herein by reference for a more complete description of said properties, it being the intention of the parties that both of the above tracts are included in this legal description.

LESS AND EXCEPT from the above that 0.64 acre parcel in Land Lot 119 of the 10th Land District, Hall County, Georgia, being the northernmost portion of the 22.68 acre tract referenced above, and which 0.64 parcel is more particularly described in the deed from Sutton Lewis Shirley, III to Sosewood Property Group, LLC, dated October 30, 2020, and recorded in Deed Book 8632 Page 412 of the Hall County, Georgia Deed Records.

The above two tracts are a portion of **Tax Parcel 10-119-000-001** according to the 2022 system of numbering properties by the Hall County, Georgia Tax Assessor's office. Said property is conveyed together with and subject to all easements, covenants, and restrictions of record, if any.

**Tract II:**

All that tract or parcel of land lying and being in Land Lots 119 and 129, 10th Land District, Hall County, Georgia, containing 7.25 acres as shown on that plat, recorded in Plat Slide 270, Page 49-B, Hall County, Georgia Plat Records, which plat and record thereof are incorporated herein by reference for a more complete description of said property. This property is known as **4676 Shirley Road and Tax Parcel 10-119-000-002** according to the 2022 system of numbering properties by the Hall County, Georgia Tax Assessor's office. Said property is conveyed together with and subject to all easements, covenants, and restrictions of record, if any.



## Anael Dominguez (Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Monday, January 23, 2023 1:01 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 2.6.23

Please find Environmental Health comments below:

Item 1, 3325 Lakeland Road, Gonzalez: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation may be required to verify setbacks.

Item 2, 3268 Whidby Road, Bazemore: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system.

Items 3 and 4, 4654 Shirley Road, Rochester: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. The applicant was notified of EH requirements on 12.19.2022.

Item 5 and 6, 1600 Athens Hwy, Vargas: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 7, 3675 Thompson Bridge Road, NGHS: Connection to public sewer required. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

## Anael Dominguez (Planning)

---

**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, January 19, 2023 2:15 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for February 6, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Items 1-4 will not require GDOT Coordination

Items 5 & 6 (Gerardo Vargas) will require GDOT Coordination

Item 7 (Northeast Georgia Health System) will require GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>

**Sent:** Tuesday, January 17, 2023 9:17 AM

**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.org) <jeremy.wills@gainesvillega.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for February 6, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Monday, January 23<sup>rd</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – January 17, 2023**

## **NEW BUSINESS**

1. **3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \* Commission District 3 | Lydia Gonzalez, applicant.**
2. **3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \* Commission District 2 | Douglas & Sheridan Bazemore, applicants.**
3. **4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
4. **4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
5. **1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
6. **1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
7. **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | \*\* Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.**

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, March 9, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, March 9, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.





POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** January 23, 2023  
**Subject:** February 6, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 6, 2023 meeting. Upon review, we provide the following comments.

### NEW BUSINESS

1. [3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \\* Commission District 3 | Lydia Gonzalez, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
2. [3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \\* Commission District 2 | Douglas & Sheridan Bazemore, applicants.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
3. [4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) | Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No comment



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

4. [\*\*4654 Shirley Road | Use Subject to County Commission Approval |\*\*](#)  
[on a 22.04± acre tract located on the south side of Shirley Road](#)  
[approximately 500 feet from its intersection with Destitute Way | Zoned](#)  
[V-C & AR-III; Tax Parcel 10119 000001\(pt.\) \*\*Proposed use: 6-lot\*\*](#)  
[\*\*subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.\*\*](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of the creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No Comment
5. [\*\*1600 Athens Highway, Building C | Rezone |\*\*](#) from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outdoor storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include all impervious that was added without a permit
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
6. [\*\*1600 Athens Highway, Building C | Use Subject to County Commission Approval |\*\*](#) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outside storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include impervious that was added without a permit.
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
7. [\*\*3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone |\*\*](#) from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | [\*\*Proposed use: mixed use office-institutional park | \\*\\* Commission District 2 | Northeast Georgia Health Systems, Inc., applicant.\*\*](#)
  - a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
**Director**

BILL NASH, P.E.  
**Assistant Director**

FRANKLIN P. MILLER, P.E.  
**County Engineer**

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

- b) **Traffic:** Permit from GDOT will be required from driveway connection. Driveways on Southers will require widening. Check distance between proposed driveways.
- c) **Utilities:** Gainesville sewer district.

## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Tuesday, January 24, 2023 11:07 AM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Subject:** Planning Agenda Fire Comments

Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

[4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM. applicant. The Hall County Fire Marshal's Office has no comments regarding the proposed common access drive as proposed or existing fire hydrant location.](#)

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)





Jan 20, 2023 at 2:42:52 PM  
4500-4668 Shirley Rd  
Gainesville GA 30506  
United States





Jan 20, 2023 at 2:43:05 PM  
4500-4668 Shirley Rd  
Gainesville GA 30506  
United States





Jan 20, 2023 at 2:47:35 PM  
4676 Shirley Rd  
Gainesville GA 30506  
United States

**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ROCHESTER DCCM

REQUEST: VARY ROAD FRONTAGE FROM 150 FT. TO 50 FT.

FOR 6-LOT SUBMISSION

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	IF APPEALED	COUNTY COMMISSION
Date: FEB. 6, 2023		Date: MAR. 9, 2023
Time: 5:15 PM		Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 205 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ROCHESTER DCCM

REQUEST: USE SUBJECT TO COUNTY COMMISSION

FOR 6-LOT SUBMISSION

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: FEB. 6, 2023		Date: MAR. 9, 2023
Time: 5:15 PM		Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 205 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Jan 20, 2023 at 2:47:48 PM  
4501-4669 Shirley Rd  
Gainesville GA 30506  
United States







## AGENDA ITEM

### Planning and Development

---

**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 100/2023

**SUBJECT:** **1600 Athens Highway, Building C | Rezone** | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outdoor storage** | Commission District 3 | **Gerardo Vargas, applicant.**

---

#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions:

1. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.
2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.
4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.
  - c. Hotel, motels, or tourist courts.
  - d. Junk yards.
  - e. Planned-unit developments on a minimum of ten acres.
  - f. Service stations.
  - g. Family day care home.
  - h. Group day care home.
  - i. Adult establishments.
  - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

**Purpose of Request:**

**1600 Athens Highway, Building C | Rezone** | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outdoor storage** | Commission District 3 | **Gerardo Vargas, applicant.**

**History:**

**Facts and Issues:**

**Options:**

**Funding Requested**

\$ 0.00

**Are funds within current budget?**

No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

**Approvals:**

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	CR	JR	

---

**Attachments:**

Board Memo  
Recommendation Report  
Application  
Narrative  
Site Plan  
Maps  
Deed  
Legal Description  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire Comments  
Notice Sign Photo





# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** February 20, 2023

**Subject:** **1600 Athens Highway, Building C | Rezone |** from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract | **Proposed use: countertop manufacturing with outdoor storage | Gerardo Vargas, applicant.**

---

The request before you is the rezone request of Gerardo Vargas to allow countertop manufacturing with outdoor storage on .64± acres. ***It should be noted that a simultaneous conditional use request accompanies this request but has separate memo and report. The items can be heard simultaneously but separate motions and votes are required.*** This item is located within Commission District 3.

At their February 6, 2023 meeting, the Hall County Planning Commission voted to recommend approval with four (4) conditions. **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

There has been no change since the Planning Commission took action.

### Planning Commission Approval Conditions:

1. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.

2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.
4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.
  - c. Hotel, motels, or tourist courts.
  - d. Junk yards.
  - e. Planned-unit developments on a minimum of ten acres.
  - f. Service stations.
  - g. Family day care home.
  - h. Group day care home.
  - i. Adult establishments.
  - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Gerardo Vargas

**Request** ..... Rezone from Highway Business (H-B, [17.150](#)) to  
Light Industrial (I-I, [17.160](#))

**Proposed Use** ..... Countertop manufacturing with outdoor storage

**Size** ..... 0.64± acres

**Zoning** ..... Current: **Highway Business** (H-B, [17.150](#)) / GCOD  
Overlay District ([17.420](#)) | Proposed: **Light  
Industrial (I-I, [17.160](#))** / GCOD Overlay District  
([17.420](#))

**Location** ..... **1600 Athens Highway, Building C** | Tax Parcel  
15032 000050

**Commission District** ..... Three

**Planning Commission Date** ..... February 6, 2023

**Staff Recommendation** ..... **Approval as the proposed use is consistent with  
the Mixed Use Corridor in the [Comprehensive  
Plan](#).**

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 5-0**

**Planning Commission Conditions:**

1. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.
2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.
4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.



- c. Hotel, motels, or tourist courts.
- d. Junk yards.
- e. Planned-unit developments on a minimum of ten acres.
- f. Service stations.
- g. Family day care home.
- h. Group day care home.
- i. Adult establishments.
- j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

---

**A companion conditional use application is on this agenda. The items may be heard together but shall require separate motions and votes since they are two separate applications and agenda items. Should the rezoning request be denied, the conditional use application is automatically denied but the chairman should specifically address this when the vote is taken.**

#### **Public Forum**

*There were no comments in support or opposition.*

#### **Summary Analysis**

The applicant is requesting approval to rezone the subject parcel from Highway Business (H-B, [17.150](#)) to Light Industrial (I-I, [17.160](#)) for the purpose of operating a countertop manufacturing business with outdoor storage of inventory items located in the rear of the property. The applicant's narrative states that the less expensive marble will be stored outdoors, in an existing gravel parking lot. A 12 foot by 68 foot shed is proposed to provide cover for the marble.

The narrative continues to explain that there is an existing security fence around the rear of the property. The fence will be improved so that it is opaque, but specific details on how this will be accomplished were not included with the application. Any lighting or signage will be consistent with Hall County regulations. As part of the development process, a tree replacement plan will be submitted by the applicant, and will again be consistent with Hall County standards.

The applicant has submitted a concurrent application requesting conditional use approval for outdoor storage of inventory items within the Gateway Corridors Overlay District (GCOD, [17.420](#)). The applicant intends permission to use the existing gravel parking area for the storage of marble in this area.

**Based on the future land-use plan, staff finds the requested zoning designation consistent with the Comprehensive Plan's future land use classification of a mixed use corridor. Mixed use corridors are anticipated to include retail activities, office based employment, and civic uses. Low-impact industrial or higher density residential only where the same is found on adjacent properties.**

#### **Zoning Analysis**

The proposed use of a marble countertop manufacturing with outdoor storage of inventory items is consistent with the Comprehensive Plan's future land use classification of a mixed use corridor. In this corridor, low-impact industrial uses are permitted where the same is found on adjacent properties. Adjacent to the subject parcel to the south (tax parcel [15032 000013B](#)) and east (tax parcel [15032 000036](#)) are properties zoned

Planned Industrial Development (PID, [17.180.090](#)). To the west is another Highway Business (H-B, [17.150](#)) zoned parcel ([15032 000013E](#)). To the west of parcel 15032 000013E is a Light Industrial (I-I, [17.160](#)) zoned parcel ([15031 000013D](#)).

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **Adjacent to the subject parcel to the south (tax parcel [15032 000013B](#)) and east (tax parcel [15032 000036](#)) are properties zoned Planned Industrial Development (PID, [17.180.090](#)). To the west is another Highway Business (H-B, [17.150](#)) zoned parcel ([15032 000013E](#)). To the west of parcel 15032 000013E is a Light Industrial (I-I, [17.160](#)) zoned parcel ([15031 000013D](#)).**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed rezoning should not have an adverse effect on the use of adjacent or nearby properties. The adjacent parcels are already developed with non-residential uses, the majority of which are industrial in nature.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **Yes, the current zoning designation of Highway Business (H-B, [17.150](#)) has reasonable economic use with the uses permitted under section permitted uses ([17.150.010](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **While it is difficult to fully assess the impact of a future development, as the property is already developed with a non-residential use, in a predominately industrial area, it is not anticipated that there would be an excessive or burdensome use of the existing streets, transportation facilities, or utilities.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use of a marble countertop manufacturing with outdoor storage of inventory items is consistent with the [Comprehensive Plan's](#) future land use classification of a mixed use corridor. In this corridor, low-impact industrial uses are permitted where the same is found on adjacent properties.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **There are no known changing conditions affecting the use or development of the property.**
10. Whether the change would create an isolated district unrelated to the surrounding districts; **No, the zoning change would not create an isolated district unrelated to the surrounding districts.**

11. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
12. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed use is not out of scale with the needs of the county as a whole. The subject property is part of a mixed use corridor as identified in the [Comprehensive Plan](#).**
13. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support the proposed use based on the Future Land Use Map and existing zoning designations without requesting a rezoning.**
14. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **No, the request could not be handled alternatively as a variance as the requested use is not permitted within the Highway Business (H-B, [17.150](#)) zoning district.**
15. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no significant changes proposed to the site. Further, any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
16. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

The subject property falls within the Gateway Corridors Overlay District (GCOD, [17.420](#)) which provides supplemental design standards for non-residential property development.

**[17.380.050](#) - Submission requirements for a rezoning requests have been met.**

#### **Development Support and Constraints / Departmental Comments**

##### **Hall County Environmental Health**

An email dated January 23, 2023 from Emily McGahee states “Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan”

##### **Hall County Fire Marshal**

An email dated January 24, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant states, “The Hall County Fire Marshal’s Office has no comments regarding the storage building location as proposed.”

##### **Hall County Public Works and Utilities**

In a memo dated January 23, 2023 from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

Stormwater will need to include all impervious that was added without a permit.



**Traffic:**

Need permit from GDOT for any driveway modifications.

**Utilities**

No comment.

**Georgia Department of Transportation**

In an email dated January 19, 2023, Parker Niebauer, D1TO Traffic Operations Supervisor, confirmed that this project will require GDOT coordination.

➤ **Excerpts from the minutes of the February 6, 2023 meeting**

**Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Gerardo Vargas, 5016 Arthur Avenue, Oakwood**, presented the request. The applicant stated that he is requesting to have outside storage since his cutting table takes up most of the space inside along with the granite that needs to be stored inside. The applicants stated he would like to build a canopy style shed.

**Public Forum:**

*There were no comments in support or opposition.*

**Planning Commission Comments:**

Mr. Braswell questioned if storage outside the building would only be in the rear of the property. The applicant stated that was correct. Mr. Hunt questioned if the flooring in the outside storage area would be concrete or gravel. The applicant stated it would be gravel due to the budget. Mr. Hunt questioned if the applicant was going to utilize the same sign that was in the front of the building. The applicant stated he was going to change the name but use the same type of sign.

***Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.***

***Vote: 5-0***

***Conditions:***

1. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.

- f. Gravel storage and parking is allowed for the area in the rear of the existing building.
- 2. The development shall follow all Hall County Development Review processes and stormwater requirements.
- 3. If the existing driveway is modified, a permit may be required by GDOT.
- 4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.
  - c. Hotel, motels, or tourist courts.
  - d. Junk yards.
  - e. Planned-unit developments on a minimum of ten acres.
  - f. Service stations.
  - g. Family day care home.
  - h. Group day care home.
  - i. Adult establishments.
  - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

RECEIVED

NOV 29 2022

Planning & Zoning Department



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902

## ZONING APPLICATION

### Applicant (Name & Mailing Address)

GERARDO VARGAS

5016 ARTHUR AVE

OAKWOOD, GA 30566

Phone 678-989-7468

Email Address gerardoyalma@gmail.com

Proposed Use STORAGE SHED AND GRAVEL AREA

### Property Owner (Name & Mailing Address)

VARGAS AUTO REPAIR CENTER, LLC (GARARDO VARGAS)

1600 C ATHENS HIGHWAY

GAINESVILLE, GA 30507

Phone 678-989-7468

Email Address gerardoyalma@gmail.com

### Contact Person (Name & Mailing Address)

GERARDO VARGAS

5016 ARTHUR AVE

OAKWOOD, GA 30566

Phone 678-989-7468

Email Address gerardoyalma@gmail.com

Tax Parcel Number 15032 000050

Location Address 1600 C ATHENS HIGHWAY, GAINESVILLE, GA 30507

### Status of Applicant

☒ Owner

☐ Option to Purchase

☐ Area Resident

☐ Other

### Requested Action

Existing Zoning: H-B

Rezone to: L-I

Fee: \$ 450.00

Receipt #: 859078  
virtual terminal  
Check #: 7711435

Acreage 0.61

I hereby certify that the above information and all attached information are true and correct.

Sign Gerardo  
Gerardo Vargas (Nov 30, 2022 09:38 EST)

Date: Nov 30, 2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign \_\_\_\_\_ Date: \_\_\_\_\_

### Staff Use Only

Application Date: \_\_\_\_\_ Taken by: \_\_\_\_\_

Tentative Planning Commission Date: \_\_\_\_\_ Tentative County Commission Date: \_\_\_\_\_

County Commission District: \_\_\_\_\_



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_

I have not ☒

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: Gerardo Vargas (Nov 28, 2022 09:05 EST)

Date: **Nov 28, 2022**

Applicant's/Owner's Name (Printed): GERARDO VARGAS



NARRATIVE REPORT  
REQUEST FOR REZONING  
HALL COUNTY, GEORGIA

RE: 0.61 acres located on 1600-C Athens Hwy, Gainesville, GA 30507  
Parcel ID 15032 000050

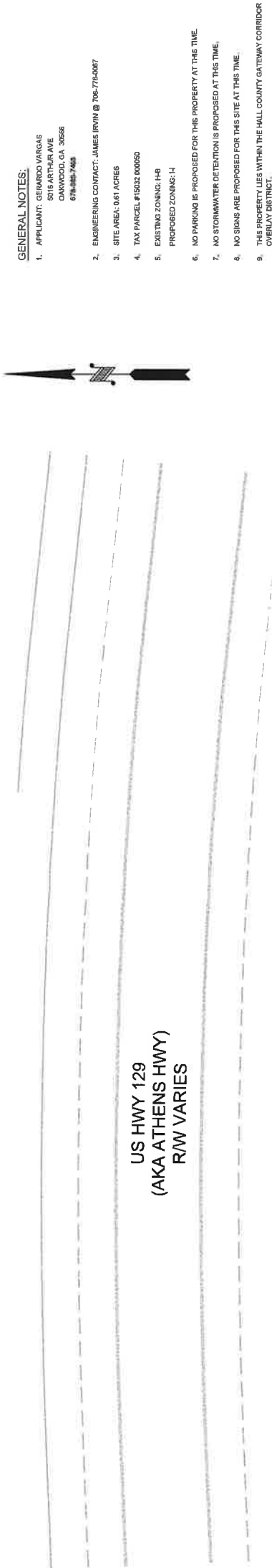
Gerardo Vargas (the “Applicant”) respectfully submits this Narrative Report to the Hall County Board of Commissioners in support of an application for rezoning from HB zoning classification to I-I zoning classification in the Gateway Corridor Overlay district.

The primary use of this parcel is planned and intended to be used as marble countertop fabrication and installation business utilizing the existing building and other improvements on the property. The purpose of the rezoning is for the ability to have outdoor storage. This rear yard area has existing gravel; therefore, the applicant also requests a variance to allow this area to remain as gravel. The gravel has been there for many years but it is difficult to tell when it was installed. It appears that weeds and grass were growing through the gravel, it was cleaned up, and then the gravel was recently refreshed by previous property owner. The applicant did not install the gravel. If it is determined that the gravel was installed after stormwater management regulations were in place then this area will have to meet current stormwater requirements. The more expensive marble material will be stored inside while the less expensive marble will be stored outside. A 68’ x 12’ shed in the rear of the property is proposed for cover. The existing gravel in the rear will also be used for delivery area.

There is an existing security fence around the rear of the property. Improvements will be made to the existing fence so that it is opaque. Lighting will be LED security non-spill lighting and signage will concur with Hall County regulations. A tree replacement plan will be required and provided by the applicant. The proposed use is consistent with the uses in the immediate vicinity and with adjacent properties on Athens Hwy and will not have any adverse impacts to the environment.

Sincerely,

James Irvin, PE  
Engineer for Applicant  
Foothills Land Design, LLC



US HWY 129  
(AKA ATHENS HWY)  
R/W VARIES

**GENERAL NOTES:**

1. APPLICANT: GERARDO VARGAS  
5016 ARTHUR AVE  
OAKWOOD, GA 30566  
678-548-7468
  2. ENGINEERING CONTACT: JAMES IRWIN @ 770-770-0067
  3. SITE AREA: 0.81 ACRES
  4. TAX PARCEL #1503 00050
  5. EXISTING ZONING: I-48  
PROPOSED ZONING: H
  6. NO PARKING IS PROPOSED FOR THIS PROPERTY AT THIS TIME.
  7. NO STORMWATER DETENTION IS PROPOSED AT THIS TIME.
  8. NO SIGNS ARE PROPOSED FOR THIS SITE AT THIS TIME.
- THE PROPERTY LIES WITHIN THE HALL COUNTY GATEWAY CORRIDOR OVERLAY DISTRICT.



GSWCC LEVEL II #0832

DATE: NOVEMBER 29, 2022

SCALE: 1" = 20'

SHEET:

JOB #22154

[illegible]

**G & D COUNTERTOPS**  
1600 C ATHENS HIGHWAY  
GMD 411  
HALL COUNTY, GA

**GARRARD V.**  
5016 ARTHUR AVE  
OAKWOOD, GA 30556

**GARRARDO VARGAS**



Name HALL CO. PLANNING DEPT. Date

Name HALL CO. ENGINEERING Date

Name HALL COUNTY Date  
ENVIRONMENTAL HEALTH

"ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE # 8.170.070)"

"IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE CODE # 17.225.040)"

"THIS PROPERTY IS/NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP # 13139C0195F, HALL COUNTY GEORGIA, DATED 9/29/06."

"THIS PROPERTY IS/NOT LOCATED IN THE HALL COUNTY FUTURE ZONE PER HALL COUNTY GIS."

PROPERTY ADDRESS:  
1600 C, ATHENS HWY.,  
GAINESVILLE, GA.  
30507

U.S. HWY. 129  
CURVE DATA

DELTA 03°22'51"  
RADIUS 1873.95'  
ARC 110.58'  
CHORD 110.56'  
CHORD BEARING S 89°37'05" E

SURVEYORS CERTIFICATION

As required by subsection (c) of O.C.G.A. Section 15-6-67, the Registered Land Surveyor hereby certifies that this map, plat, or plan has been approved for filing in writing by any and all applicable municipal, county or municipal-county planning commissions or municipal or county governing authorities or that such governmental bodies have affirmed in writing that approval is not required.

The following governmental bodies have approve this map, plat or plan for filing.

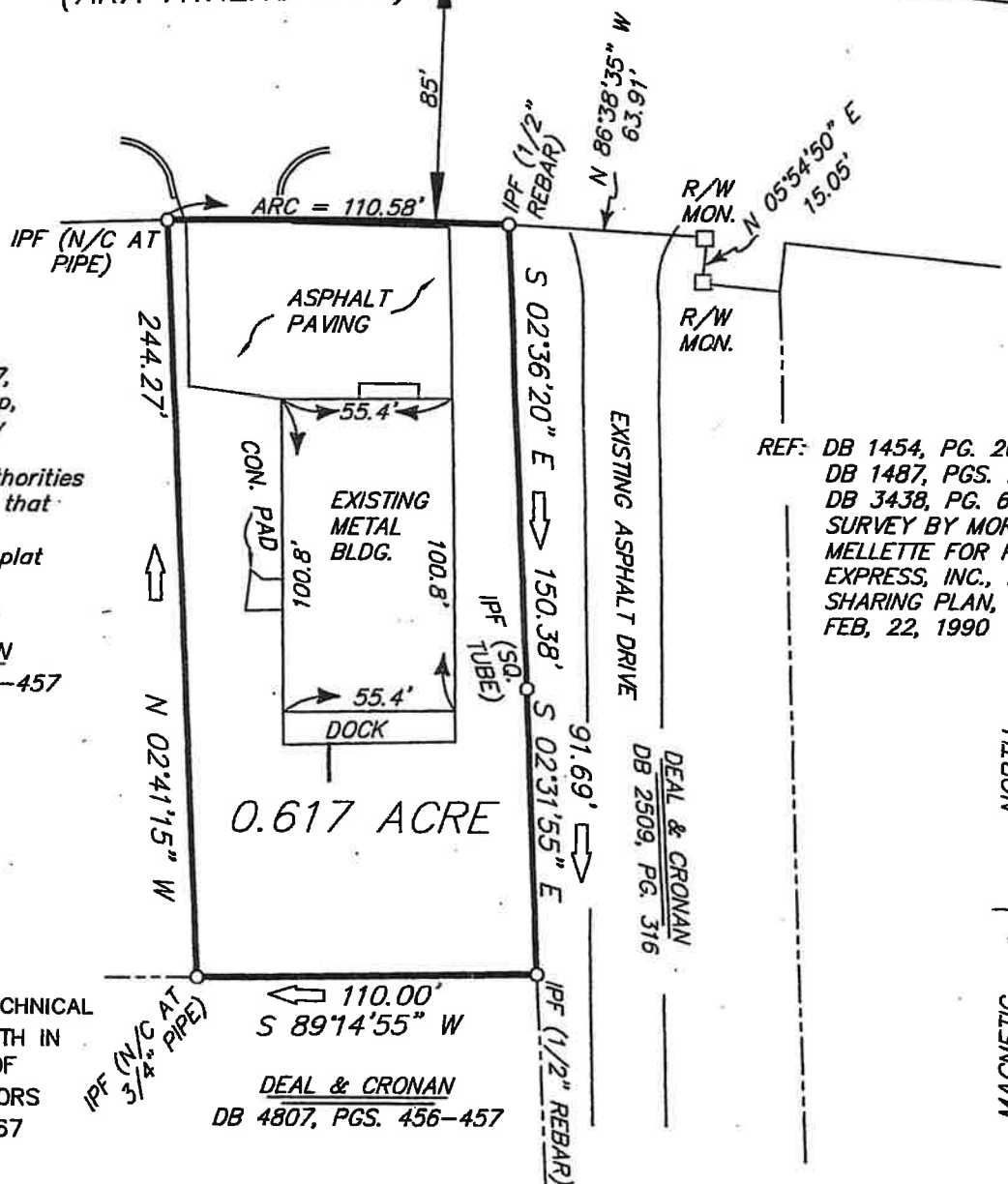
DEAL & CRONAN  
DB 4807, PGS. 456-457

EQPT. USED: 01 SEC. NIKON DTM 520 TOTAL STATION  
FIELD SURVEY ERROR OF CLOSURE 1' / 81,750'  
PLAT ERROR OF CLOSURE = 1' / 235,467'  
ANGLE ERROR: 02" PER STATION  
ADJUSTMENT: ANGLE  
FIELD SURVEY COMPLETED 10-24-2017

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

(4 LANE HWY.)  
C/L U.S. HWY. 129 R/W VARIES  
(AKA ATHENS HWY.)



REF: DB 1454, PG. 208-210  
DB 1487, PGS. 245-246  
DB 3438, PG. 629  
SURVEY BY MORGAN  
MELLETTE FOR POLAR  
EXPRESS, INC., PROFIT  
SHARING PLAN,  
FEB, 22, 1990

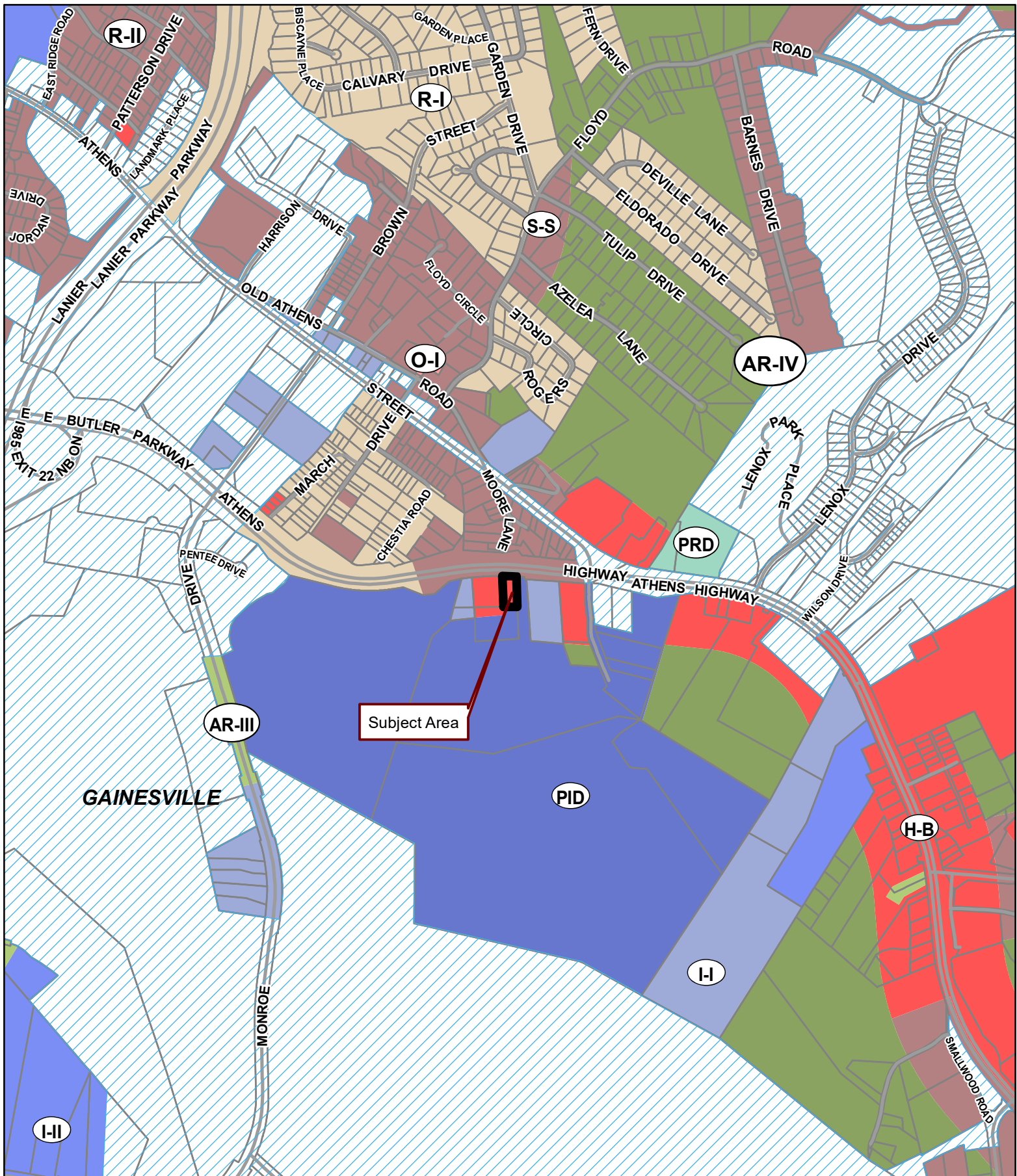


60 0 120 180  
SCALE: 1" = 60'

C/T = CRIMPTON  
● = TRAVERSE POINT  
POB = POINT OF BEGINNING  
N/C = NAIL IN CAP  
R/W = RIGHT OF WAY  
C/L = CENTERLINE  
R.R. SPIKE =  
RAILROAD SPIKE SET



SURVEY FOR: <b>LEE DODGEN &amp; LADONNA DODGEN</b>			
COUNTY: HALL	GMD: 411	STATE: GEORGIA	IPS=IRON PIN SET IPF=IRON PIN FOUND O/S=OFFSET
DATE: OCTOBER 30, 2017	SCALE: 1" = 60'	DR. BY: TL	LOCATION MAP:
SURVEY BY: <b>JAMES M. PAUL</b> REGISTERED LAND SURVEYOR CRAWFORD, GEORGIA (PHONE) 706-783-5125, OR 706-743-5125		Dr. No.	
		FIELD BOOK: TDS	
		Disk: 120 (GAIN-OR) DODGEN-LEE-HALL DODGEN-LEE-HALL-ESMT	



**Applicant:** GERARDO VARGAS

**Tax Parcel #:** 15032 000050

**Location:** 1600 ATHENS HIGHWAY, BUILDING C, GAINESVILLE, GA 30507

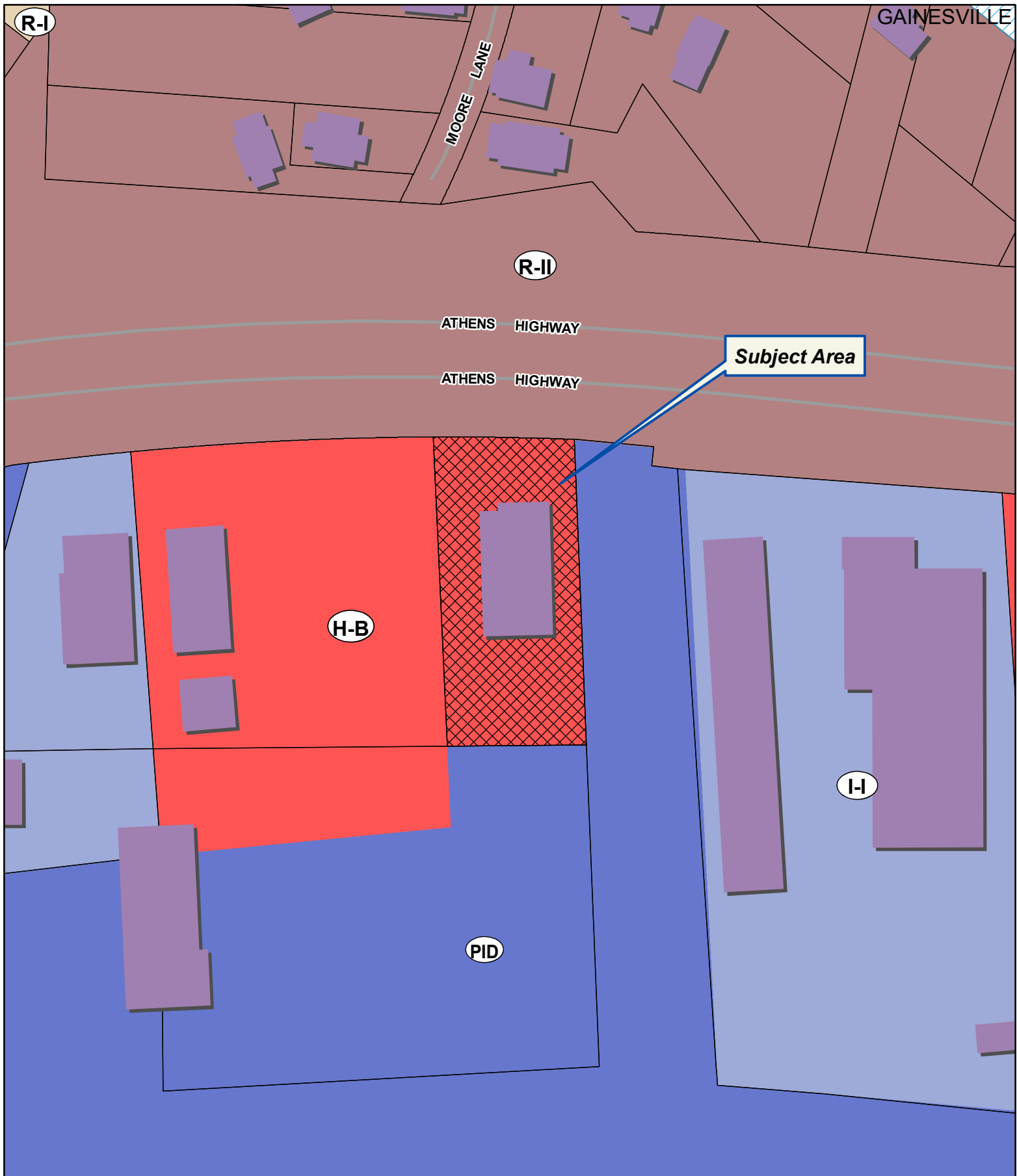
**Commission District 3**

**PC Mtg. Date:** 02/06/2023

0 300 600 1,200  
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





**Applicant:** GERARDO VARGAS

**Tax Parcel #:** 15032 000050

**Location:** 1600 ATHENS HIGHWAY, BUILDING C, GAINESVILLE, GA 30507

**Commission District 3**

**PC Mtg. Date:** 02/06/2023





**Applicant:** GERARDO VARGAS

**Tax Parcel #:** 15032 000050

**Location:** 1600 ATHENS HIGHWAY, BUILDING C, GAINESVILLE, GA 30507

**Commission District 3**

**PC Mtg. Date:** 02/06/2023

0 25 50 100  
Feet

— Zoning Boundary

City Limits

Subject Area





**AFTER RECORDING, RETURN TO:**

Matt S. Smith, Esq.  
ANDERSEN, TATE & CARR, P.C.  
One Sugarloaf Centre, Suite 4000  
1960 Satellite Boulevard  
Duluth, GA 30097  
File #9550.70695 MT

Parcel ID No: 15032 000050

**LIMITED WARRANTY DEED**

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, made the 21<sup>st</sup> day of September, 2020, between

**T. LEE DODGEN and LADONNA H. DODGEN**

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

**VARGAS AUTO REPAIR CENTER, LLC, a Georgia limited liability company**

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 AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in the Gainesville Militia District, GMD 411, Hall County, Georgia, as more particularly described in Exhibit "A" attached hereto and by reference made a part hereof.

Said property is conveyed subject to the permitted title exceptions as described on Exhibit "B" attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 claims of Grantor and all others claiming by, through or under Grantor.

[SIGNATURES ON FOLLOWING PAGE]



[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

All that lot, tract, or parcel of land, together with improvements thereon, lying and being in the Gainesville Militia District, GMD 411, of Hall County, Georgia and designated as Parcel B and Parcel C, as shown on a survey prepared by Morgan R. Mellette, Georgia Registered Land Surveyor, dated February 22, 1990, entitled "Survey for Polar Express, Inc. Profit Sharing Plan", and being more particularly described according to said survey as follows:

BEGINNING at an iron pin corner on the southerly right-of-way of U. S. Highway 129, said iron pin being located at a distance of 630.5 feet west of the intersection of the southerly right-of-way of U.S. Highway 129 and the centerline of Old U.S. Highway 129; thence South 02°34'40" East a distance of 241.98 feet to an iron pin set; thence South 89°30'23" West a distance of 110.06 feet to an iron pin set; thence North 02°34'40" West a distance of 244.29 feet to an iron pin set; thence along a curve to the right having a radius of 1,873.95 feet and an arc length of 110.19 feet; being subtended by a chord of South 89°17'50" East, a distance of 110.16 feet to the point of beginning.

The above-described property is expressly subject to a perpetual non-exclusive easement in favor of Interstate Transport, Inc., for the purpose of ingress and egress to adjacent properties owned by Interstate Transport, Inc., as appurtenant thereto, over and across a 30 foot strip of land located adjacent to the western border of the above-described tract on the eastern side, as more particularly described in the reservation of said easement as set forth in the Warranty Deed from Interstate Transport, Inc., to Polar Express, Inc., Profit Sharing Plan as recorded in Deed Book 1454, Pages 208-210 of the Hall County, Georgia, Deed Records, said description being specifically incorporated herein by reference.

## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Monday, January 23, 2023 1:01 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 2.6.23

Please find Environmental Health comments below:

Item 1, 3325 Lakeland Road, Gonzalez: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation may be required to verify setbacks.

Item 2, 3268 Whidby Road, Bazemore: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system.

Items 3 and 4, 4654 Shirley Road, Rochester: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. The applicant was notified of EH requirements on 12.19.2022.

Item 5 and 6, 1600 Athens Hwy, Vargas: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 7, 3675 Thompson Bridge Road, NGHS: Connection to public sewer required. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, January 19, 2023 2:15 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for February 6, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Items 1-4 will not require GDOT Coordination

Items 5 & 6 (Gerardo Vargas) will require GDOT Coordination

Item 7 (Northeast Georgia Health System) will require GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

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**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>

**Sent:** Tuesday, January 17, 2023 9:17 AM

**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.org) <jeremy.wills@gainesvillega.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for February 6, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Monday, January 23<sup>rd</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – January 17, 2023**

## **NEW BUSINESS**

1. **3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \* Commission District 3 | Lydia Gonzalez, applicant.**
2. **3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \* Commission District 2 | Douglas & Sheridan Bazemore, applicants.**
3. **4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
4. **4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
5. **1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
6. **1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
7. **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | \*\* Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.**

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, March 9, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, March 9, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** January 23, 2023  
**Subject:** February 6, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 6, 2023 meeting. Upon review, we provide the following comments.

### NEW BUSINESS

1. [3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \\* Commission District 3 | Lydia Gonzalez, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
2. [3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \\* Commission District 2 | Douglas & Sheridan Bazemore, applicants.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
3. [4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) | Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.](#)
  - a) **Engineering:** Show buffer and impervious setback from wretched vegetation, not centerline of creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No comment





POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

4. [\*\*4654 Shirley Road | Use Subject to County Commission Approval |\*\*](#)  
[on a 22.04± acre tract located on the south side of Shirley Road](#)  
[approximately 500 feet from its intersection with Destitute Way | Zoned](#)  
[V-C & AR-III; Tax Parcel 10119 000001\(pt.\) \*\*Proposed use: 6-lot\*\*](#)  
[\*\*subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.\*\*](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of the creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No Comment
5. [\*\*1600 Athens Highway, Building C | Rezone |\*\*](#) from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outdoor storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include all impervious that was added without a permit
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
6. [\*\*1600 Athens Highway, Building C | Use Subject to County Commission Approval |\*\*](#) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outside storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include impervious that was added without a permit.
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
7. [\*\*3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone |\*\*](#) from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | [\*\*Proposed use: mixed use office-institutional park | \\*\\* Commission District 2 | Northeast Georgia Health Systems, Inc., applicant.\*\*](#)
  - a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
**Director**

BILL NASH, P.E.  
**Assistant Director**

FRANKLIN P. MILLER, P.E.  
**County Engineer**

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

- b) **Traffic:** Permit from GDOT will be required from driveway connection. Driveways on Southers will require widening. Check distance between proposed driveways.
- c) **Utilities:** Gainesville sewer district.

## Anael Dominguez (Planning)

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**From:** John Hornick (Fire Services)  
**Sent:** Tuesday, January 24, 2023 11:12 AM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Subject:** Planning Agenda Fire Comments

Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

1. **1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | \*\* Commission District 3 | Gerardo Vargas, applicant. The Hall County Fire Marshal's Office has no comments regarding the storage building location as proposed.**

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)







## ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: GERARDO VARGAS

REQUEST: REZONE FROM HB TO H FOR

COUNTERTOP MANUFACTURING WITH OUTDOOR STORAGE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION AND COUNTY COMMISSION

Date: FEBRUARY 6, 2023 AND Date: MARCH 9, 2023

Time: 5:15 PM Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWN'S BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Thursday, January 19, 2023 12:50:21  
1600 Athens Hwy, Gainesville, GA 30507, USA





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 101/2023

**SUBJECT:** **1600 Athens Highway, Building C | Use Subject to County Commission Approval |** on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outside storage |** Commission District 3 | **Gerardo Vargas, applicant.**

---

#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:**  
**Recommendation:** RD

Approval, with conditions:

1. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.
2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.
4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.
  - c. Hotel, motels, or tourist courts.
  - d. Junk yards.
  - e. Planned-unit developments on a minimum of ten acres.
  - f. Service stations.
  - g. Family day care home.
  - h. Group day care home.
  - i. Adult establishments.
  - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

**Purpose of Request:**

**1600 Athens Highway, Building C | Use Subject to County Commission Approval** | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outside storage** | Commission District 3 | **Gerardo Vargas, applicant.**

**History:**

**Facts and Issues:**

**Options:**

**Funding Requested**

\$ 0.00

**Are funds within current budget?**

No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
AD	RD	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	CR	JR	

---

**Attachments:**

Board Memo  
Recommendation Report  
Application  
Narrative  
Site Plan  
Maps  
Deed  
Legal Description  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire Comments  
Notice Sign Photo



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** February 20, 2023

**Subject:** **1600 Athens Highway, Building C | Use Subject to County Commission Approval | Proposed use: countertop manufacturing with outside storage | Gerardo Vargas, applicant.**

---

The request before you is the conditional use request of Gerardo Vargas to allow countertop manufacturing with outdoor storage on .64± acres. **It should be noted that a simultaneous rezone request accompanies this request but has separate memo and report. The items can be heard simultaneously but separate motions and votes are required.** This item is located within Commission District 3.

At their February 6, 2023 meeting, the Hall County Planning Commission voted to recommend approval with four (4) conditions. **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

There has been no change since the Planning Commission took action.

### Planning Commission Approval Conditions:

1. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.



2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.
4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.
  - c. Hotel, motels, or tourist courts.
  - d. Junk yards.
  - e. Planned-unit developments on a minimum of ten acres.
  - f. Service stations.
  - g. Family day care home.
  - h. Group day care home.
  - i. Adult establishments.
  - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Gerardo Vargas

**Request** ..... Conditional Use to allow countertop  
manufacturing with outdoor storage

**Proposed Use** ..... Countertop manufacturing with outdoor storage

**Size** ..... 0.64± acres

**Zoning** ..... Current: **Highway Business** (H-B, [17.150](#)) / GCOD  
Overlay District ([17.420](#)) | Proposed: **Light  
Industrial** (I-I, [17.160](#)) / GCOD Overlay District  
([17.420](#))

**Location** ..... **1600 Athens Highway, Building C | Tax Parcel  
15032 000050**

**Commission District** ..... Three

**Planning Commission Date** ..... February 6, 2023

**Staff Recommendation** ..... **Approval as the proposed use is consistent with  
the Mixed Use Corridor in the [Comprehensive  
Plan](#).**

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 5-0**

**Planning Commission Conditions:**

1. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.
2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.

4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.
  - c. Hotel, motels, or tourist courts.
  - d. Junk yards.
  - e. Planned-unit developments on a minimum of ten acres.
  - f. Service stations.
  - g. Family day care home.
  - h. Group day care home.
  - i. Adult establishments.
  - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

---

**A companion rezoning application is on this agenda. The items may be heard together but shall require separate motions and votes since they are two separate applications and agenda items.**

#### **Public Forum**

*There were no comments in support or opposition.*

#### **Summary Analysis**

The applicant is requesting conditional use approval for outdoor storage of inventory items on a property located within the GCOD Overlay District ([17.420](#)). The applicant's narrative states that marble will be stored outdoors, in an existing gravel parking lot in the rear of the property. A 12 foot by 68 foot shed is proposed to provide cover for the marble.

The narrative continues to explain that there is an existing security fence around the rear of the property. The fence will be improved so that it is opaque, but specific details on how this will be accomplished were not included with the application. Any lighting or signage will be consistent with Hall County regulations. As part of the development process, a tree replacement plan will be submitted by the applicant, and will again be consistent with Hall County standards.

The applicant has submitted a concurrent application requesting to rezone the property from Highway Business (H-B, [17.150](#)) to Light Industrial (I-I, [17.160](#)) for the purpose of operating a countertop manufacturing business on the property. The outdoor storage of inventory items will be marble that will be store outside in a gravel lot located in the rear of the property.

The property was previously approved as a welding and fabrication shop, and a machine shop, per Tidemark record 99000

**Based on the future land-use plan, staff finds the conditional use request is consistent with the Comprehensive Plan's future land use classification of a mixed use corridor. Mixed use corridors are anticipated to include retail activities, office based employment, and civic uses. Low-impact industrial or higher density residential only where the same is found on adjacent properties.**

### Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)), the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The requested use is consistent with the industrial development pattern of the area. Properties to the east, west, and south are industrially zoned.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **As the adjacent properties are also industrially zoned the use or usability of adjacent or nearby property should not be effected.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the current zoning designation of Highway Business (H-B, [17.150](#)) has reasonable economic use with the uses permitted under section permitted uses ([17.150.010](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **While it is difficult to fully assess the impact of a future development, as the property is already developed with a non-residential use, in a predominately industrial area, it is not anticipated that there would be an excessive or burdensome use of the existing streets, transportation facilities, or utilities.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed use of a marble countertop manufacturing with outdoor storage of inventory items is consistent with the [Comprehensive Plan's](#) future land use classification of a mixed use corridor. In this corridor, low-impact industrial uses are permitted where the same is found on adjacent properties.**
6. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **There are no known changing conditions affecting the use or development of the property.**
8. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed use is not out of scale with the needs of the county as a whole. The subject property is part of a mixed use corridor as identified in the Comprehensive Plan.**
9. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support the proposed**



use based on the Future Land Use Map and existing zoning designations. All properties within the Gateway Corridors Overlay District (GCOD, [17.420](#)) require conditional use approval for outdoor storage.

10. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no significant changes proposed to the site. Further, any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

The subject property falls within the Gateway Corridors Overlay District (GCOD, [17.420](#)) which provides supplemental design standards for non-residential property development.

#### **Development Support and Constraints / Departmental Comments**

##### **Hall County Environmental Health**

An email dated January 23, 2023 from Emily McGahee states “Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan”

##### **Hall County Fire Marshal**

An email dated January 24, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant states, “The Hall County Fire Marshal’s Office has no comments regarding the storage building location as proposed.”

##### **Hall County Public Works and Utilities**

In a memo dated January 23, 2023 from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

Stormwater will need to include all impervious that was added without a permit.

##### **Traffic:**

Need permit from GDOT for any driveway modifications.

##### **Utilities**

No comment.

##### **Georgia Department of Transportation**

In an email dated January 19, 2023, Parker Niebauer, D1TO Traffic Operations Supervisor, confirmed that this project will require GDOT coordination.

#### **➤ Excerpts from the minutes of the February 6, 2023 meeting**

##### **Applicant’s Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Gerardo Vargas, 5016 Arthur Avenue, Oakwood**, presented the request. The applicant stated that he is requesting to have outside storage since his cutting table takes up most of the space inside along with the granite that needs to be stored inside. The applicants stated he would like to build a canopy style shed.

**Public Forum:**

*There were no comments in support or opposition.*

**Planning Commission Comments:**

Mr. Braswell questioned if storage outside the building would only be in the rear of the property. The applicant stated that was correct. Mr. Hunt questioned if the flooring in the outside storage area would be concrete or gravel. The applicant stated it would be gravel due to the budget. Mr. Hunt questioned if the applicant was going to utilize the same sign that was in the front of the building. The applicant stated he was going to change the name but use the same type of sign.

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.**  
**Vote: 5-0**

**Conditions:**

1. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.
  - c. An opaque fence shall be required to parallel US-129.
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, & type of construction. Standing seam roof panels shall be allowed.
  - e. No storage of material shall be allowed outside of the fenced area.
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.
2. The development shall follow all Hall County Development Review processes and stormwater requirements.
3. If the existing driveway is modified, a permit may be required by GDOT.
4. The following uses are not allowed:
  - a. Automobile repair garage.
  - b. Drive-in theaters.
  - c. Hotel, motels, or tourist courts.
  - d. Junk yards.
  - e. Planned-unit developments on a minimum of ten acres.
  - f. Service stations.
  - g. Family day care home.
  - h. Group day care home.
  - i. Adult establishments.
  - j. Astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902



## CONDITIONAL USE APPLICATION

### Applicant (Name & Mailing Address)

GERARDO VARGAS

5016 ARTHUR AVE

OAKWOOD, GA 30566

Phone 678-989-7468

Email Address gerardoyalma@gmail.com

### Property Owner (Name & Mailing Address)

VARGAS AUTO REPAIR CENTER, LLC (GARARDO VARGAS)

1600 C ATHENS HIGHWAY

GAINESVILLE, GA 30507

Phone 678-989-7468

Email Address gerardoyalma@gmail.com

Proposed Use Storage Shed and Gravel Area for Outside Storage of materials- countertop manufacturing

### Contact Person (Name & Mailing Address)

GERARDO VARGAS

5016 ARTHUR AVE

OAKWOOD, GA 30566

Phone 678-989-7468

Email Address gerardoyalma@gmail.com

Tax Parcel Number 15032 000050

Location Address 1600 C ATHENS HIGHWAY, GAINESVILLE, GA 30507

### Status of Applicant

☒ Owner

☐ Option to Purchase

☐ Area Resident

☐ Other

### Requested Action

Permissive Use:

☐ HCPC ☒ HCC

Fee: \$ 350.00

Receipt #: \_\_\_\_\_

Check #: \_\_\_\_\_

Acreage 0.61

I hereby certify that the above information and all attached information are true and correct.

Sign Gerardo Date: Dec 20, 2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

**Application Withdrawal:** I hereby **withdraw** the application.

Sign \_\_\_\_\_ Date: \_\_\_\_\_

### Staff Use Only

Application Date: \_\_\_\_\_ Taken by: \_\_\_\_\_

Tentative Planning Commission Date: \_\_\_\_\_ Tentative County Commission Date: \_\_\_\_\_

County Commission District: \_\_\_\_\_

## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_

I have not ✓

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: Gerardo Vargas (Nov 28, 2022 09:05 EST)

Date: **Nov 28, 2022**

Applicant's/Owner's Name (Printed): GERARDO VARGAS





NARRATIVE REPORT  
REQUEST FOR REZONING  
HALL COUNTY, GEORGIA

RE: 0.61 acres located on 1600-C Athens Hwy, Gainesville, GA 30507  
Parcel ID 15032 000050

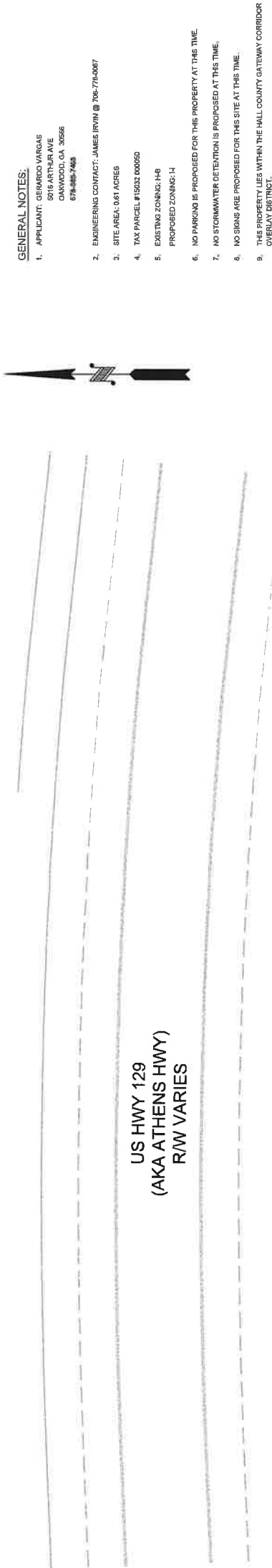
Gerardo Vargas (the "Applicant") respectfully submits this Narrative Report to the Hall County Board of Commissioners in support of an application for rezoning from HB zoning classification to I-I zoning classification in the Gateway Corridor Overlay district.

The primary use of this parcel is planned and intended to be used as marble countertop fabrication and installation business utilizing the existing building and other improvements on the property. The purpose of the rezoning is for the ability to have outdoor storage. This rear yard area has existing gravel; therefore, the applicant also requests a variance to allow this area to remain as gravel. The gravel has been there for many years but it is difficult to tell when it was installed. It appears that weeds and grass were going through it and then it was cleaned up and the gravel was recently refreshed by previous property owner. The applicant did not install the gravel. If it is determined that the gravel was installed after stormwater management regulations were in place then this area will have to meet current stormwater requirements. The more expensive marble material will be stored inside while the less expensive marble will be stored outside. A 68' x 12' shed in the rear of the property is proposed for cover. The existing gravel in the rear will also be used for delivery area.

There is an existing security fence around the rear of the property. Improvements will be made to the existing fence so that it is opaque. Lighting will be LED security non-spill lighting and signage will concur with Hall County regulations. A tree replacement plan will be required and provided by the applicant. The proposed use is consistent with the uses in the immediate vicinity and with adjacent properties on Athens Hwy and will not have any adverse impacts to the environment.

Sincerely,

James Irvin, PE  
Engineer for Applicant  
Foothills Land Design, LLC



US HWY 129  
(AKA ATHENS HWY)  
R/W VARIES

**GENERAL NOTES:**

1. APPLICANT: GERARDO VARGAS  
5016 ARTHUR AVE  
OAKWOOD, GA 30566  
678-548-7468
  2. ENGINEERING CONTACT: JAMES IRWIN @ 770-770-0067
  3. SITE AREA: 0.81 ACRES
  4. TAX PARCEL #1503 00050
  5. EXISTING ZONING: I-8  
PROPOSED ZONING: H
  6. NO PARKING IS PROPOSED FOR THIS PROPERTY AT THIS TIME.
  7. NO STORMWATER DETENTION IS PROPOSED AT THIS TIME.
  8. NO SIGNS ARE PROPOSED FOR THIS SITE AT THIS TIME.
- THE PROPERTY LIES WITHIN THE HALL COUNTY GATEWAY CORRIDOR OVERLAY DISTRICT.



GSWCC LEVEL II #0832

DATE: NOVEMBER 29, 2022

SCALE: 1" = 20'

SHEET: 1

JOB #22154

[illegible]

**G & D COUNTERTOPS**  
1600 C ATHENS HIGHWAY  
GMD 411  
HALL COUNTY, GA

**GARRARD V.**  
5016 ARTHUR AVE  
OAKWOOD, GA 30556

**GARRARDO VARGAS**

Name HALL CO. PLANNING DEPT. Date

Name HALL CO. ENGINEERING Date

Name HALL COUNTY Date  
ENVIRONMENTAL HEALTH

"ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE # 8.170.070)"

"IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE # 17.225.040)"

"THIS PROPERTY IS/NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP # 13139C0195F, HALL COUNTY GEORGIA, DATED 9/29/06."

"THIS PROPERTY IS/NOT LOCATED IN THE HALL COUNTY FUTURE ZONE PER HALL COUNTY GIS."

PROPERTY ADDRESS:  
1600 C, ATHENS HWY.,  
GAINESVILLE, GA.  
30507

U.S. HWY. 129  
CURVE DATA

DELTA 03°22'51"  
RADIUS 1873.95'  
ARC 110.58'  
CHORD 110.56'  
CHORD BEARING S 89°37'05" E

SURVEYORS CERTIFICATION

As required by subsection (c) of O.C.G.A. Section 15-6-67, the Registered Land Surveyor hereby certifies that this map, plat, or plan has been approved for filing in writing by any and all applicable municipal, county or municipal-county planning commissions or municipal or county governing authorities or that such governmental bodies have affirmed in writing that approval is not required.

The following governmental bodies have approve this map, plat or plan for filing.

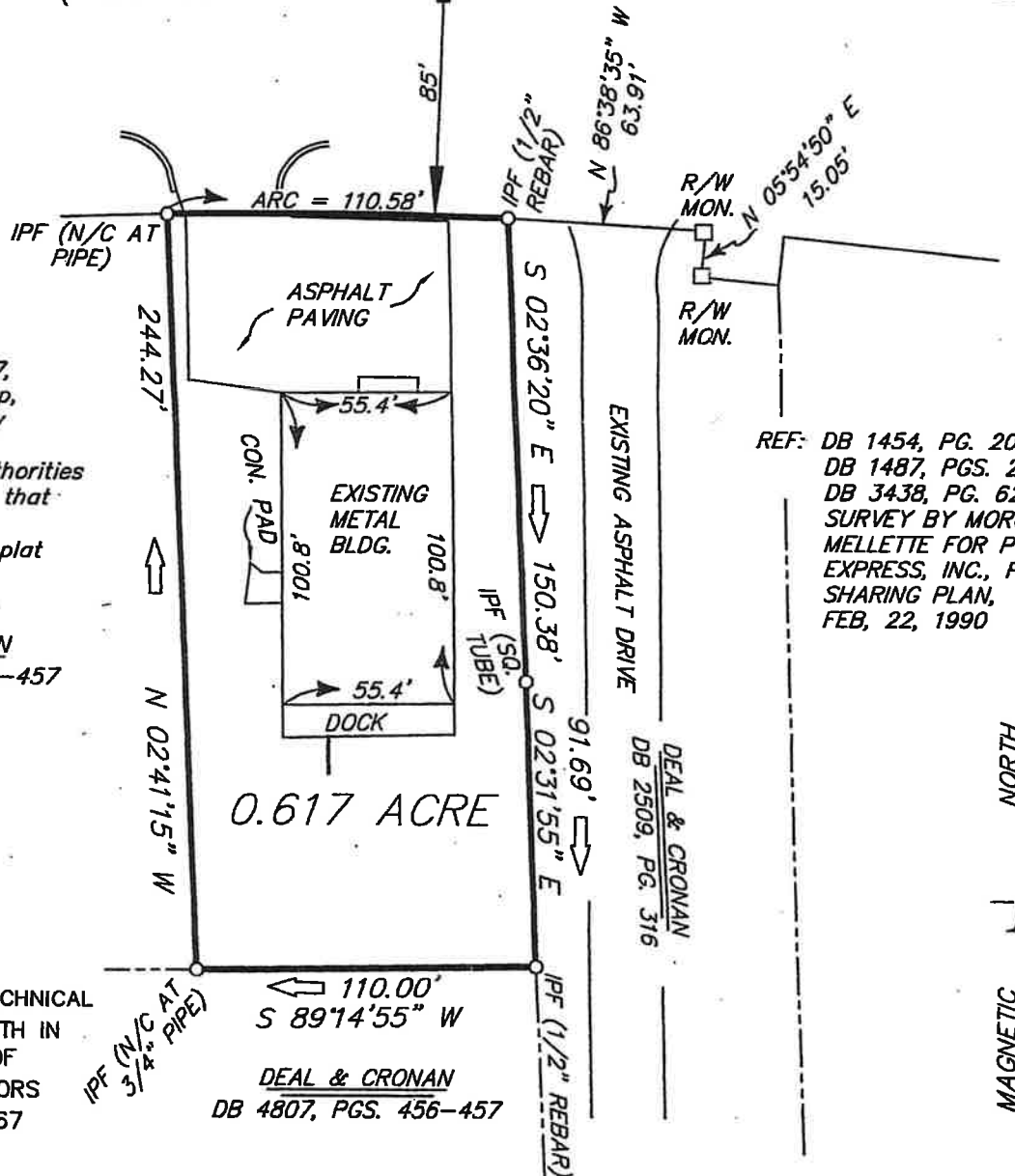
DEAL & CRONAN  
DB 4807, PGS. 456-457

EQPT. USED: 01 SEC. NIKON DTM 520 TOTAL STATION  
FIELD SURVEY ERROR OF CLOSURE 1' / 81,750'  
PLAT ERROR OF CLOSURE = 1' / 235,467'  
ANGLE ERROR: 02" PER STATION  
ADJUSTMENT: ANGLE  
FIELD SURVEY COMPLETED 10-24-2017

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

(4 LANE HWY.)  
C/L U.S. HWY. 129 R/W VARIES  
(AKA ATHENS HWY.)



REF: DB 1454, PG. 208-210  
DB 1487, PGS. 245-246  
DB 3438, PG. 629  
SURVEY BY MORGAN  
MELLETTE FOR POLAR  
EXPRESS, INC., PROFIT  
SHARING PLAN,  
FEB, 22, 1990

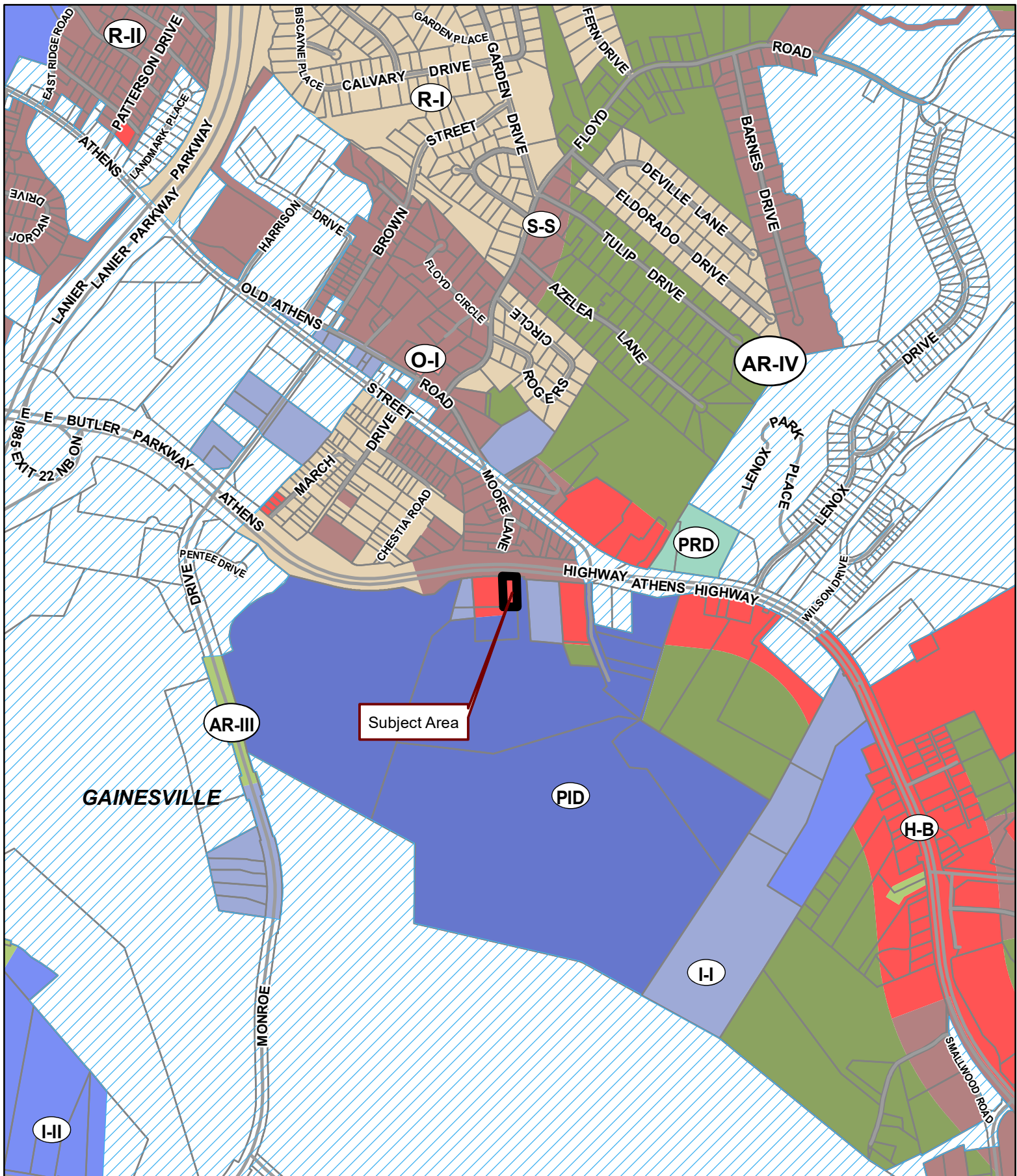


60 0 120 180  
SCALE: 1" = 60'

C/T = CRIMPTON  
● = TRAVERSE POINT  
POB = POINT OF BEGINNING  
N/C = NAIL IN CAP  
R/W = RIGHT OF WAY  
C/L = CENTERLINE  
R.R. SPIKE =  
RAILROAD SPIKE SET



SURVEY FOR: <b>LEE DODGEN &amp; LADONNA DODGEN</b>			
COUNTY: HALL	GMD: 411	STATE: GEORGIA	LOCATION MAP:
DATE: OCTOBER 30, 2017	SCALE: 1" = 60'	DR. BY: TL	
SURVEY BY: <b>JAMES M. PAUL</b> REGISTERED LAND SURVEYOR CRAWFORD, GEORGIA (PHONE) 706-783-5125, OR 706-743-5125		Dr. No.	
		FIELD BOOK: TDS	
		Disk: 120 (GAIN-OR) DODGEN-LEE-HALL DODGEN-LEE-HALL-ESMT	



**Applicant:** GERARDO VARGAS

**Tax Parcel #:** 15032 000050

**Location:** 1600 ATHENS HIGHWAY, BUILDING C, GAINESVILLE, GA 30507

**Commission District 3**

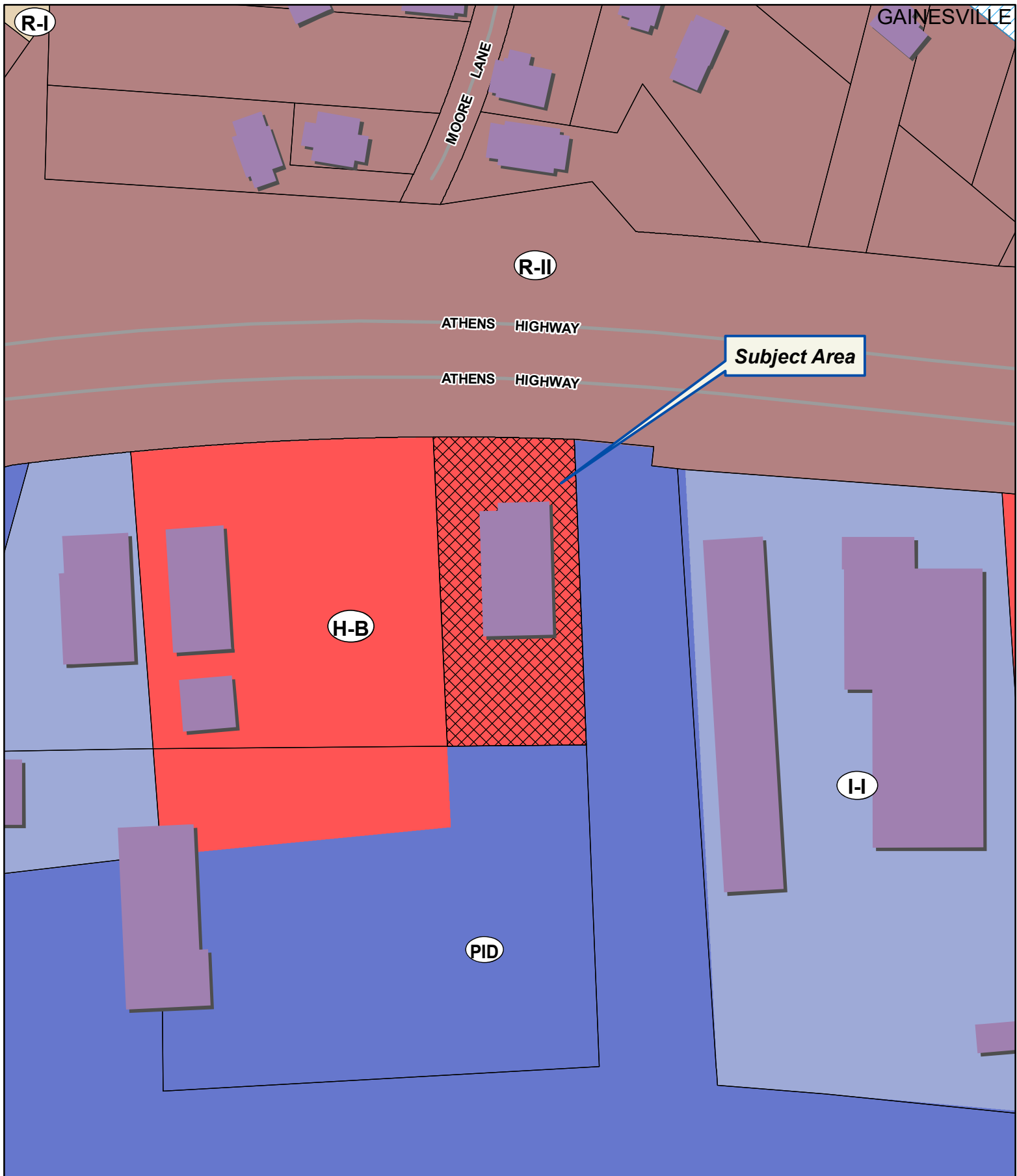
**PC Mtg. Date:** 02/06/2023

0 300 600 1,200  
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure







**Applicant:** GERARDO VARGAS

**Tax Parcel #:** 15032 000050

**Location:** 1600 ATHENS HIGHWAY, BUILDING C, GAINESVILLE, GA 30507

**Commission District 3**

**PC Mtg. Date:** 02/06/2023





**Applicant:** GERARDO VARGAS

**Tax Parcel #:** 15032 000050

**Location:** 1600 ATHENS HIGHWAY, BUILDING C, GAINESVILLE, GA 30507

**Commission District 3**

**PC Mtg. Date:** 02/06/2023

0 25 50 100  
Feet

— Zoning Boundary

City Limits

Subject Area





**AFTER RECORDING, RETURN TO:**

Matt S. Smith, Esq.  
ANDERSEN, TATE & CARR, P.C.  
One Sugarloaf Centre, Suite 4000  
1960 Satellite Boulevard  
Duluth, GA 30097  
File #9550.70695 MT

Parcel ID No: 15032 000050

**LIMITED WARRANTY DEED**

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, made the 21<sup>st</sup> day of September, 2020, between

**T. LEE DODGEN and LADONNA H. DODGEN**

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

**VARGAS AUTO REPAIR CENTER, LLC, a Georgia limited liability company**

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 AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in the Gainesville Militia District, GMD 411, Hall County, Georgia, as more particularly described in Exhibit "A" attached hereto and by reference made a part hereof.

Said property is conveyed subject to the permitted title exceptions as described on Exhibit "B" attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 claims of Grantor and all others claiming by, through or under Grantor.

[SIGNATURES ON FOLLOWING PAGE]



[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

All that lot, tract, or parcel of land, together with improvements thereon, lying and being in the Gainesville Militia District, GMD 411, of Hall County, Georgia and designated as Parcel B and Parcel C, as shown on a survey prepared by Morgan R. Mellette, Georgia Registered Land Surveyor, dated February 22, 1990, entitled "Survey for Polar Express, Inc. Profit Sharing Plan", and being more particularly described according to said survey as follows:

BEGINNING at an iron pin corner on the southerly right-of-way of U. S. Highway 129, said iron pin being located at a distance of 630.5 feet west of the intersection of the southerly right-of-way of U.S. Highway 129 and the centerline of Old U.S. Highway 129; thence South 02°34'40" East a distance of 241.98 feet to an iron pin set; thence South 89°30'23" West a distance of 110.06 feet to an iron pin set; thence North 02°34'40" West a distance of 244.29 feet to an iron pin set; thence along a curve to the right having a radius of 1,873.95 feet and an arc length of 110.19 feet; being subtended by a chord of South 89°17'50" East, a distance of 110.16 feet to the point of beginning.

The above-described property is expressly subject to a perpetual non-exclusive easement in favor of Interstate Transport, Inc., for the purpose of ingress and egress to adjacent properties owned by Interstate Transport, Inc., as appurtenant thereto, over and across a 30 foot strip of land located adjacent to the western border of the above-described tract on the eastern side, as more particularly described in the reservation of said easement as set forth in the Warranty Deed from Interstate Transport, Inc., to Polar Express, Inc., Profit Sharing Plan as recorded in Deed Book 1454, Pages 208-210 of the Hall County, Georgia, Deed Records, said description being specifically incorporated herein by reference.

## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Monday, January 23, 2023 1:01 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 2.6.23

Please find Environmental Health comments below:

Item 1, 3325 Lakeland Road, Gonzalez: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation may be required to verify setbacks.

Item 2, 3268 Whidby Road, Bazemore: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system.

Items 3 and 4, 4654 Shirley Road, Rochester: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. The applicant was notified of EH requirements on 12.19.2022.

Item 5 and 6, 1600 Athens Hwy, Vargas: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 7, 3675 Thompson Bridge Road, NGHS: Connection to public sewer required. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, January 19, 2023 2:15 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for February 6, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Items 1-4 will not require GDOT Coordination

Items 5 & 6 (Gerardo Vargas) will require GDOT Coordination

Item 7 (Northeast Georgia Health System) will require GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>

**Sent:** Tuesday, January 17, 2023 9:17 AM

**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.org) <jeremy.wills@gainesvillega.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for February 6, 2023



Good morning –

Here is the Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Monday, January 23<sup>rd</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – January 17, 2023**

## **NEW BUSINESS**

1. **3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \* Commission District 3 | Lydia Gonzalez, applicant.**
2. **3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \* Commission District 2 | Douglas & Sheridan Bazemore, applicants.**
3. **4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
4. **4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
5. **1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
6. **1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
7. **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | \*\* Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.**

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, March 9, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, March 9, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** January 23, 2023  
**Subject:** February 6, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 6, 2023 meeting. Upon review, we provide the following comments.

### NEW BUSINESS

1. [3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \\* Commission District 3 | Lydia Gonzalez, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
2. [3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \\* Commission District 2 | Douglas & Sheridan Bazemore, applicants.](#)
  - a) **Engineering:** No Comment
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3. [4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) | Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No comment



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SRIKANTH YAMALA  
Director

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Assistant Director

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County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

4. [\*\*4654 Shirley Road | Use Subject to County Commission Approval |\*\*](#)  
[on a 22.04± acre tract located on the south side of Shirley Road](#)  
[approximately 500 feet from its intersection with Destitute Way | Zoned](#)  
[V-C & AR-III; Tax Parcel 10119 000001\(pt.\) \*\*Proposed use: 6-lot\*\*](#)  
[\*\*subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.\*\*](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of the creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No Comment
5. [\*\*1600 Athens Highway, Building C | Rezone |\*\*](#) from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outdoor storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include all impervious that was added without a permit
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
6. [\*\*1600 Athens Highway, Building C | Use Subject to County Commission Approval |\*\*](#) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | [\*\*Proposed use: countertop manufacturing with outside storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.\*\*](#)
  - a) **Engineering:** Stormwater will need to include impervious that was added without a permit.
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
7. [\*\*3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone |\*\*](#) from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | [\*\*Proposed use: mixed use office-institutional park | \\*\\* Commission District 2 | Northeast Georgia Health Systems, Inc. applicant.\*\*](#)
  - a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.





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SRIKANTH YAMALA  
**Director**

BILL NASH, P.E.  
**Assistant Director**

FRANKLIN P. MILLER, P.E.  
**County Engineer**

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

- b) **Traffic:** Permit from GDOT will be required from driveway connection. Driveways on Southers will require widening. Check distance between proposed driveways.
- c) **Utilities:** Gainesville sewer district.

## Anael Dominguez (Planning)

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**From:** John Hornick (Fire Services)  
**Sent:** Tuesday, January 24, 2023 11:15 AM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Subject:** Planning Agenda Fire Comments

Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting

1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | \*\* Commission District 3 | Gerardo Vargas, applicant. **The Hall County Fire Marshal's Office has no comments regarding the storage building location as proposed.**

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)







# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: GERARDO VARGAS

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL

FOR COUNTERTOP MANUFACTURING WITH OUTSIDE STORAGE

PUBLIC HEARINGS WILL BE HELD ON: COUNTY COMMISSION

DATE: FEBRUARY 16, 2023 AND DATE: MARCH 9, 2023

TIME: 5:15 PM AND TIME: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 200 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Thursday, January 19, 2023 12:50:41  
1600 Athens Hwy, Gainesville, GA 30507, USA





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 104/2023

**SUBJECT:** **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone** | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | **Proposed use: mixed use office-institutional park** | Commission District 2 | **Northeast Georgia Health Systems, Inc, applicant.**

---

### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

### Executive Summary:

**Presenter:** RD  
**Recommendation:**



Approval, with conditions:

1. The site shall be developed in accordance with the conceptual master plan dated 12/15/2022 and narrative dated 2-6-23 submitted as part of this application. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards.
2. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply to the development. No variances to these standards are granted, except those expressly granted by the Planning Commission and listed herein.
3. The development shall follow all Hall County Development Review processes and stormwater requirements as established by the Official Code of Hall County and any other applicable agency.
4. The applicant shall obtain a commercial driveway permit for construction of the entrance at SR 60 from the Georgia Department of Transportation prior to issuance of a CO for buildings on lots 2 & 3. The applicant shall obtain a commercial driveway permit for construction of the entrance at SR 136 from the Georgia Department of Transportation prior to issuance of the final CO for the last building on the campus.
5. The zoning conditions shall be placed on any plat or site plan prepared for the property.
6. Prior to issuance of a land disturbance permit for the individual parcels, a landscape and lighting plan shall be submitted to the Planning Director for approval.
7. Signage shall be as amended on 2-2-2023 and approved on 2-6-2023 and shall require building permits. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of the sign types.
8. Allow basic architectural theme and materials as shown on attached renderings including phenolic siding.
9. TVO roof systems shall be allowed as an approved roofing material.

**Purpose of Request:**

**3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone** | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | **Proposed use: mixed use office-institutional park** | Commission District 2 | **Northeast Georgia Health Systems, Inc, applicant.**

**History:**

**Facts and Issues:**

**Options:**

<b>Funding Requested</b>	\$ 0.00
<b>Are funds within current budget?</b>	No
<b>Source of Funds</b>	
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	No
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	

**Approvals:**

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	CR	JR	

**Attachments:**

Board Memo  
Recommendation Report  
Application  
Narrative  
Updated Site Plan  
Maps  
Renderings  
Deed  
Legal Description  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire Comments  
Public Comments  
Notice Sign Photos



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** February 20, 2023

**Subject:** **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone** | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract | **Proposed use: mixed use office-institutional park | Northeast Georgia Health Systems, Inc., applicant.**

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The request before you is the rezoning request of Northeast Georgia Health Systems, Inc. to allow a mixed use office-institutional park on 42.97± acres. This item is located within Commission District 2.

At their February 6, 2023 meeting, the Hall County Planning Commission voted to recommend approval with nine (9) conditions. **(5-0)**.

There were **five (5) written comments in opposition submitted** in advance of the Planning Commission meeting, **three (3) individuals spoke in favor** and **one (1) individual spoke in opposition** during the public hearing.

There has been no change since the Planning Commission took action.

### Planning Commission Approval Conditions:

1. The site shall be developed in accordance with the conceptual master plan dated 12/15/2022 and narrative dated 2-6-23 submitted as part of this application. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards.
2. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply to the development. No variances to these standards are granted, except those expressly granted by the Planning Commission and listed herein.

3. The development shall follow all Hall County Development Review processes and stormwater requirements as established by the Official Code of Hall County and any other applicable agency.
4. The applicant shall obtain a commercial driveway permit, for construction of the entrance at SR 60, from the Georgia Department of Transportation prior to issuance of a CO for buildings on lots 2 & 3. The applicant shall obtain a commercial driveway permit, for construction of the entrance at SR 136, from the Georgia Department of Transportation prior to issuance of the final CO for the last building on the campus.
5. The zoning conditions shall be placed on any plat or site plan prepared for the property.
6. Prior to issuance of a land disturbance permit for the individual parcels, a landscape and lighting plan shall be submitted to the Planning Director for approval.
7. Signage shall be as amended on 2-2-2023 and approved on 2-6-2023 and shall require building permits. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of the sign types.
8. Allow basic architectural theme and materials as shown on attached renderings including phenolic siding.
9. TPO roof systems shall be allowed as an approved roofing material.



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Northeast Georgia Health Systems Inc.

**Request** ..... Rezone from Highway Business (H-B, [17.150](#)),  
Agricultural Residential III (AR-III, [17.110](#)), and  
Residential I (R-I, [17.60](#)) to Planned Office  
Development (POD, [17.180.070](#))

**Proposed Use** ..... Mixed use office-institutional park

**Size** ..... 42.97± acres

**Zoning** ..... Current: Highway Business (H-B, [17.150](#)),  
Agricultural Residential III (AR-III, [17.110](#)), and  
Residential I (R-I, [17.60](#)) | **Proposed: Planned  
Office Development** (POD, [17.180.070](#))

**Location** ..... **3675 Thompson Bridge Road, 3510 Southers  
Road, 3709, 3719, 3739 Price Road** | Tax Parcels  
10104 000020, 10104 000022 – 000023, 000031,  
& 000059

**Commission District** ..... Two

**Planning Commission Date** ..... February 6, 2023

**Staff Recommendation** ..... **Approval as the request is consistent with a  
mixed use activity center future land use  
designation as described by the [Comprehensive  
Plan](#).**

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 5-0**

**Planning Commission Conditions:**

1. The site shall be developed in accordance with the conceptual master plan dated 12/15/2022 and narrative dated 2-6-23 submitted as part of this application. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards.
2. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply to the development. No variances to these standards are granted, except those expressly granted by the Planning Commission and listed herein.
3. The development shall follow all Hall County Development Review processes and stormwater requirements as established by the Official Code of Hall County and any other applicable agency.

4. The applicant shall obtain a commercial driveway permit, for construction of the entrance at SR 60, from the Georgia Department of Transportation prior to issuance of a CO for buildings on lots 2 & 3. The applicant shall obtain a commercial driveway permit, for construction of the entrance at SR 136, from the Georgia Department of Transportation prior to issuance of the final CO for the last building on the campus.
5. The zoning conditions shall be placed on any plat or site plan prepared for the property.
6. Prior to issuance of a land disturbance permit for the individual parcels, a landscape and lighting plan shall be submitted to the Planning Director for approval.
7. Signage shall be as amended on 2-2-2023 and approved on 2-6-2023 and shall require building permits. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of the sign types.
8. Allow basic architectural theme and materials as shown on attached renderings including phenolic siding.
9. TPO roof systems shall be allowed as an approved roofing material.

---

### **Public Forum**

**Danny Mackey, 2101 Jonquil Court, Canton,** spoke in favor. Spoke about the material consistency.

**Rudy Lonergan, 743 Spring Street, Gainesville,** spoke in favor. Spoke about the lighting, landscaping, and material.

**Augie DeAugustine, 3743 Dove Cove Circle, Gainesville,** spoke in favor. Spoke about how favorable it is to seniors to have medical care close. Concerns were traffic.

**Margaret McGlaun, 3881 Village View Drive, Gainesville,** spoke in opposition. Concerns were the environment.

### **Summary Analysis**

The applicant is requesting to rezone the subject properties from Highway Business (H-B, [17.150](#)), Agricultural Residential III (AR-III, [17.110](#)), and Residential I (R-I, [17.60](#)) to Planned Office Development (POD, [17.180.070](#)) for the purpose of developing a mixed-use, office-institutional park. Per the narrative, this development will serve the future needs of Northeast Georgia Health Systems, (NGHS).

The narrative describes a phased development of five lots with future phases based on future demand along the growing Thompson Bridge Road / State Route 60 corridor. The proposed development will include 200,000 square feet of office area, through a combination of one and two-story buildings. The narrative states that parking will be provided per Hall County regulations, determined by the use. Additionally, shared parking may be utilized when there are no conflicts of operating hours.

Access to the site is proposed from both Thompson Bridge Road / State Route 60, and Price Road / State Route 136, subject to Hall County and Georgia Department of Transportation (GDOT) approval. The narrative states that the entrance onto SR 60 is proposed to be a right-in/right-out only where the SR 136 location is proposed to be a full access intersection. The property borders Southers Road to the south, where two driveway accesses are proposed. The intersection of Southers and Thompson Bridge Roads is already a full access intersection, with an existing left turn lane onto Thompson Bridge Road.

The narrative states that the project may contain a variety of uses consistent with those allowed in the Office Institutional (O-I, [17.130](#)) zoning district including the following uses: medical office buildings, outpatient surgical facility, and inpatient care facility (hospice unit). In addition to the medical and office uses, the applicant is proposing a limited amount of commercial space near the Price Road entrance for retail or retail service establishments.

The following are the proposed minimum standards for the development:

POD Development Standards	
Minimum Lot Area	15,000 square feet
Minimum Lot Frontage	100 feet
Front Setback	215 feet, 15 additional feet per building story
Side setback	20 feet
Rear Setback	10 feet
Exterior Buffer to Residential Zoning	25 feet
Total Acreage	43.89 acres
Parking Ratio	Per Hall County guidelines
Maximum Total Building Floor Area	200,000 square feet

The submitted site plan shows 5 proposed building lots, each containing a primary structure and associated parking. The lots are connected internally through a series of interparcel connections. The proposed lot configuration is as follows:

Lot	Area	Proposed Use
1	4.00 acres	Medical Office Building (1-story)
2	5.40 acres	Medical Office Building (2-story)
3	4.77 acres	Medical Office Building (2-story)
4	3.05 acres	Office / Commercial (1 story)
5	26.61 acres	Medical Office / Hospice Care (2 story, 38,000 square feet)

The site plan shows the proposed building setbacks and exterior buffer where adjacent to residential uses. A master signage plan and renderings were submitted for the development. The narrative notes that the site plan is conceptual in nature, and as such may require modifications during the engineering and development process. Modification to the locations and arrangements of buildings, roads, and other improvements which do not conflict with specific standards and requirements of these conditions may be made by the developer or end user so long as the modifications do not change the land use, increase the overall density of the project, or reduce any established exterior buffers or setbacks.

A number of variances have been requested by the applicant, both in relation to the standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) and the Tree Protection ([17.280](#)) for non-residential property development.

Specifically, the applicant has requested the following variances:

- Signage:
  - Allow internally illuminated signs on the buildings and monument signs.



- Allow wall signs on all 4 sides of a buildings.
- Quantity: one (1) per Tenant, per Wall Elevation
- Sign Area: 150 sq. ft. per elevation, for single tenant; 175 sq. ft. combined, per elevation,
- for multiple tenants
  - Allow one (1) Campus Monumental Sign at the intersection of SR 60 and Southers Road
  - Sign may be curved, angled (possibly greater than 60 degrees) or straight configuration, as needed
  - Stone sign structure will be approx. 6' above grade, however sign structure may be incorporated into a retaining wall which could increase overall height.
  - Sign Panels: 96 sq. ft. each, 1 per street elevation
  - 170 sq. ft. permanent banner frames to display 90 sq ft banners, 1 per street elevation.
  - Banners will be in place continuously and will change periodically.
- Allow one (1) Campus Entry Pylon at each Campus Entry Drive
  - Materials: Stone Base w/ fabricated aluminum sign cabinet
  - Sign Area: 96 sq. ft.
  - Height: 12 ft. above street grade
  - Setback: 5' from R/W
- Allow Building Monuments with Aluminum Pylon without masonry base
  - Sign Area: 64 sq. ft.
  - Height: 10 ft. above street grade
  - Setback: 5' from R/W
- Allow one (1) freestanding or building mounted Directory sign per building entry
  - Aluminum Pylon without masonry base
  - Sign Area: 44 sq. ft.
  - Height: 8' above street grade
- Building Orientation:
  - Allow buildings to orient inward and away from SR 60, provided no parking shall occur between the building and SR 60.
- Building Materials:
  - Allow basic architectural theme as shown on attached renderings.
  - Allow TPO roofing materials for any flat roof building areas.
- Hall County Tree Ordinance
  - The Applicant requests a variance from Chapter 17.280 of the Hall County Code of Ordinances. The Applicant commits to submitting a landscape plan (to include tree planting) with any Land Disturbance Permit for review by the Director

**Based on the future land-use plan, staff finds the requested zoning designation consistent with the intent of a Mixed Use Activity Center as described in the [Comprehensive Plan](#).**

### **Zoning Analysis**

The proposed development of a mixed-use, office-institutional along this portion of Thompson Bridge Road is consistent with the future land use classification of a Mixed Use Activity Center, as identified in the [Comprehensive Plan](#).

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed use is suitable in view of the uses and development of adjacent and nearby properties. The intersection of Thompson Bridge Road / SR 60 and Price Road / SR 136 is an area of the county currently experiencing both commercial and residential growth. Having access to medical facilities nearby is a logically progression of development in the region.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed development should not have an adverse effect on the existing uses or usability of adjacent or nearby property. The proposed use will be subject to all applicable local, state, and federal development regulations.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property has reasonable economic values as currently zoned; allowable uses within the Highway Business (H-B, [17.150](#)), Agricultural Residential III (AR-III, [17.110](#)), and Residential I (R-I, [17.60](#)) zoning districts.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **As the end users have not been identified, it is difficult to determine the frequency and intensity of traffic using the site. The development does not trigger the need for a DRI review nor is a traffic study required as part of the rezoning application.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposal is consistent with the [Comprehensive Plan](#) and the future land use classification of an Activity Center.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **This portion of the county is rapidly changing as both residential and commercial growth is occurring in the area.**
10. Whether the change would create an isolated district unrelated to the surrounding districts; **While there is not another parcel zoned Planned Office Development (POD, [17.180.070](#)) in the immediate vicinity, the proposal is consistent with the intended development pattern along the Thompson Bridge Road corridor as described by the [Comprehensive Plan](#).**
11. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence the present zoning district boundaries or illogical drawn.**

12. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **No, the request is in scale with the needs of the county as a whole.**
13. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **While there are potentially other areas in the county identified for this sort of development in the [Comprehensive Plan](#), the applicant would still be required to go through a rezoning request to develop the project as proposed.**
14. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **No, the need for rezoning could not be handled instead by a variance request to the Planning Commission. The proposed uses are not permitted in the current zoning districts.**
15. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
16. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

Per the requirements of **Planned Office Development (POD, [17.180.070](#))**, a planned office development should contain orderly, well-designed office and institutional uses upon a site that results in minimum impact upon the surrounding area. The site plans and building designs should produce a development that can be constructed to achieve maximum utilization of space while maintaining a low-intensity office character protected from more intensive commercial and industrial development and protecting any nearby residential uses. Such a development may also include a limited number of residential and commercial uses.

Additionally, applicant for planned office developments are required to submit the following information as part of the application:

1. The site plan shall indicate the proposed size, location, number of stories and estimated number of employees in each office building. **The applicant has provided all of the information with the exception of an estimate of the number of employees in each office building. Since the end users have not been identified, the applicant cannot provide the number of employees for each building.**
2. A proposed development schedule and a listing of proposed uses shall be provided. **The narrative states that initial development is expected to be completed by 2025, though as it is a phased development the entire site development will not be complete.**

The subject property falls within the **Gateway Corridors Overlay District (GCOD, [17.420](#))** which provides supplemental design standards for non-residential property development.

**[17.380.050](#) submission requirements for a rezoning request have been met.**

#### **Development Support and Constraints / Departmental Comments**

**Hall County Environmental Health**



An email dated January 23, 2023 from Emily McGahee states “Connection to public sewer required. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.”

#### **Hall County Fire Marshal**

An email dated January 24, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant states, “Hall County Fire Marshal concept plan comments for 3675 Thompson Bridge Rd.

- 1) Lot 1-5 will require an underground water distribution line with fire hydrant(s) installed to meet the 400 foot hose lay distance requirements to each building as the fire truck travels.
- 2) Lot 1-5 dead end turnarounds greater than 150’ will require an approved fire apparatus turnaround.
- 3) Any building requiring a fire protection system will be required to install a fire service vault for each building, see Gainesville Water fire service vault detail.
- 4) Fire access lane around building on lot 5 will require an approved asphalt or concrete surface, no gravel or turf surfaced fire lane will be accepted.
- 5) Lot 1-5 Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 ft. exclusive of shoulders, in the immediate vicinity of the building or portion thereof.”

#### **Hall County Public Works and Utilities**

In a memo dated January 23, 2023 from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.

##### **Traffic:**

Permit from GDOT will be required from driveway connection. Driveways on Southers will require widening. Check distance between proposed driveways.

##### **Utilities**

Gainesville sewer district.

#### **Georgia Department of Transportation**

In an email dated January 19, 2023, Parker Niebauer, D1TO Traffic Operations Supervisor, confirmed that this project will require GDOT coordination.

#### **➤ Excerpts from the minutes of the February 6, 2023 meeting**

##### **Applicant’s Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Brian Rochester, 425 Oak Street, Gainesville**, presented the request. The applicant stated that the building off Price Road could be utilized as retail. He pointed out that there is a 25 foot buffer along the property against residential properties and that the development is pushed closer to Thompson Bridge Road. The applicant stated that there will be un-spilled lighting in the parking lots. The applicant went over the renderings and signage for the development. The applicant went over the proffered conditions: 1. No change; 2. No change; 3. No change; 4. The applicant shall obtain a commercial driveway permit, for construction of the entrance at SR 60, from the Georgia Department of Transportation prior to

issuance of a CO for buildings on lots 2 & 3. The applicant shall obtain a commercial driveway permit, for construction of the entrance at SR 136, from the Georgia Department of Transportation prior to issuance of the final CO for the last building on the campus; 5. No change; 6. No change; 7. Signage shall be as amended on 2-2-2023 and approved on 2-6-2023 and shall require building permits. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of the sign types; 8. Allow basic architectural theme and materials as shown on attached renderings.

***Rebuttal***

The applicant stated that not all of the land will be developed, there will be plenty of green space. The applicant stated that there will be an Interstate Control Evaluation for each proposed improvements on state routes.

**Public Forum:**

**Danny Mackey, 2101 Jonquil Court, Canton,** spoke in favor. Spoke about the material consistency.

**Rudy Lonergan, 743 Spring Street, Gainesville,** spoke in favor. Spoke about the lighting, landscaping, and material.

**Augie DeAugustine, 3743 Dove Cove Circle, Gainesville,** spoke in favor. Spoke about how favorable it is to seniors to have medical care close. Concerns were traffic.

**Margaret McGlaun, 3881 Village View Drive, Gainesville,** spoke in opposition. Concerns were the environment.

**Planning Commission Comments:**

No comments.

***Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.***

***Vote: 5-0***

***Conditions:***

1. The site shall be developed in accordance with the conceptual master plan dated 12/15/2022 and narrative dated 2-6-23 submitted as part of this application. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards.
2. The standards of the Gateway Corridors Overlay District (GCOD, [17.420](#)) shall apply to the development. No variances to these standards are granted, except those expressly granted by the Planning Commission and listed herein.
3. The development shall follow all Hall County Development Review processes and stormwater requirements as established by the Official Code of Hall County and any other applicable agency.
4. The applicant shall obtain a commercial driveway permit, for construction of the entrance at SR 60, from the Georgia Department of Transportation prior to issuance of a CO for buildings on lots 2 & 3. The applicant shall obtain a commercial driveway permit, for

construction of the entrance at SR 136, from the Georgia Department of Transportation prior to issuance of the final CO for the last building on the campus.

5. The zoning conditions shall be placed on any plat or site plan prepared for the property.
6. Prior to issuance of a land disturbance permit for the individual parcels, a landscape and lighting plan shall be submitted to the Planning Director for approval.
7. Signage shall be as amended on 2-2-2023 and approved on 2-6-2023 and shall require building permits. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of the sign types.
8. Allow basic architectural theme and materials as shown on attached renderings including phenolic siding.
9. TVO roof systems shall be allowed as an approved roofing material.



# Revised 2/6/23

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 f: 770-531-3902



## ZONING APPLICATION

### Applicant (Name & Mailing Address)

Northeast Georgia Health Systems, Inc.

743 Spring St. N.E.

Gainesville, GA 30501

Phone 678-677-5393

Email Address Rudy.Lonergan@nghs.com

Proposed Use Planned Office Development

### Property Owner (Name & Mailing Address)

The Medical Center Foundation, Inc. attn: Real Estate

743 Spring St. N.E.

Gainesville, GA 30501

Phone 678-677-5393

Email Address Rudy.Lonergan@nghs.com

### Contact Person (Name & Mailing Address)

Rudy Lonergan

743 Spring St. N.E.

Gainesville, GA 30501

Phone 678-677-5393

Email Address Rudy.Lonergan@nghs.com

### Status of Applicant

☒ Owner

☐ Option to Purchase

☐ Area Resident

☐ Other

### Requested Action

Existing Zoning: AR-III & H-B & R-1

Rezone to: POD

Fee: \$ 1500.00

Receipt #: \_\_\_\_\_

Check #: \_\_\_\_\_

Tax Parcel Number 10104 000031  
10104 000020, 10104 000022, 10104 000023 & 10104 000059

Acreage 43.887

Location Address 3675 Thompson Bridge Road, 3709 Price Road, 3719 Price Road & 3510 Southers Road, Gainesville, GA 30506  
3739 Price Road

I hereby certify that the above information and all attached information are true and correct.

Sign

Date:

12/15/2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

**Application Withdrawal:** I hereby withdraw the application.

Sign

Date:

### Staff Use Only

Application Date: \_\_\_\_\_

Taken by: \_\_\_\_\_

Tentative Planning Commission Date: \_\_\_\_\_

Tentative County Commission Date: \_\_\_\_\_

County Commission District: \_\_\_\_\_

PLANNING AND DEVELOPMENT DEPARTMENT  
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## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant 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.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\* \_\_\_\_\_ I have not ☒

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: 

Date: 12/15/2022

Applicant's/Owner's Name (Printed): Northeast Georgia Health Systems, Inc.

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
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Name of Official(s): \_\_\_\_\_ Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_ Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: [Signature] Date: 12/15/2022

Applicant's/Owner's Name (Printed): The Medical Center Foundation, Inc. attn: Real Estate



# **Project Narrative for Thompson Bridge Plaza**

**Revised 1/16/23**

**LOCATION** – 3675 Thompson Bridge Road, 3509/3519/3739 Price Road & 3510 Southers Road

**ACREAGE** – 43.887 acres +/-

**APPLICANT** – Northeast Georgia Health Systems, Inc. (NGHS)

## **Summary**

The accompanying application seeks zoning district change from AR-III & H-B to POD for 43.887 acres +/- of undeveloped property located on Thompson Bridge Road (SR 60), Price Road (SR 136) and Southers Road in north Hall County. The intent is to develop a mixed-use, office-institutional park that will serve future needs of NGHS. The property may be developed in several phases on five lots, with future phases based on future demand in the growing SR 60 corridor. An aggregate square footage of 200,000 SF is requested, in a combination of one and two-story buildings. Parking will be provided per Hall County regulations based on the final usage of each lot. Shared parking may be utilized where there are no conflicts of operating hours. This narrative will propose a unified set of standards for project. The location and proposed use is consistent with the Hall County Comprehensive Plan's designation as an "Activity Center" and appropriate for Hall County's Planned Office Development (POD) District. Initial completion of development is anticipated by 2025.

## **Site Description**

The site has approximately 1400 LF of frontage along Thompson Bridge Road (SR 60), 450 LF along Price Road (SR 136) and 650 LF along Southers Road. A portion of the site along SR 60 is located within the Gateway Corridor Overlay District. The site is comprised of five tax parcels and is irregular in shape. The eastern boundary of the site is primarily Thompson Bridge Road (SR 60) while the southern boundary is Southers Road. An unnamed tributary of Ada Creek is located on the south end of the site. The site contains both cleared areas and random stands of trees with rolling topography. Public water is available through the City of Gainesville and is located in the Thompson Bridge Road (SR 60), Southers Road and Price Road (SR 136) rights-of-way. City of Gainesville public sewer is located south of the property at the intersection of Southers Road. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

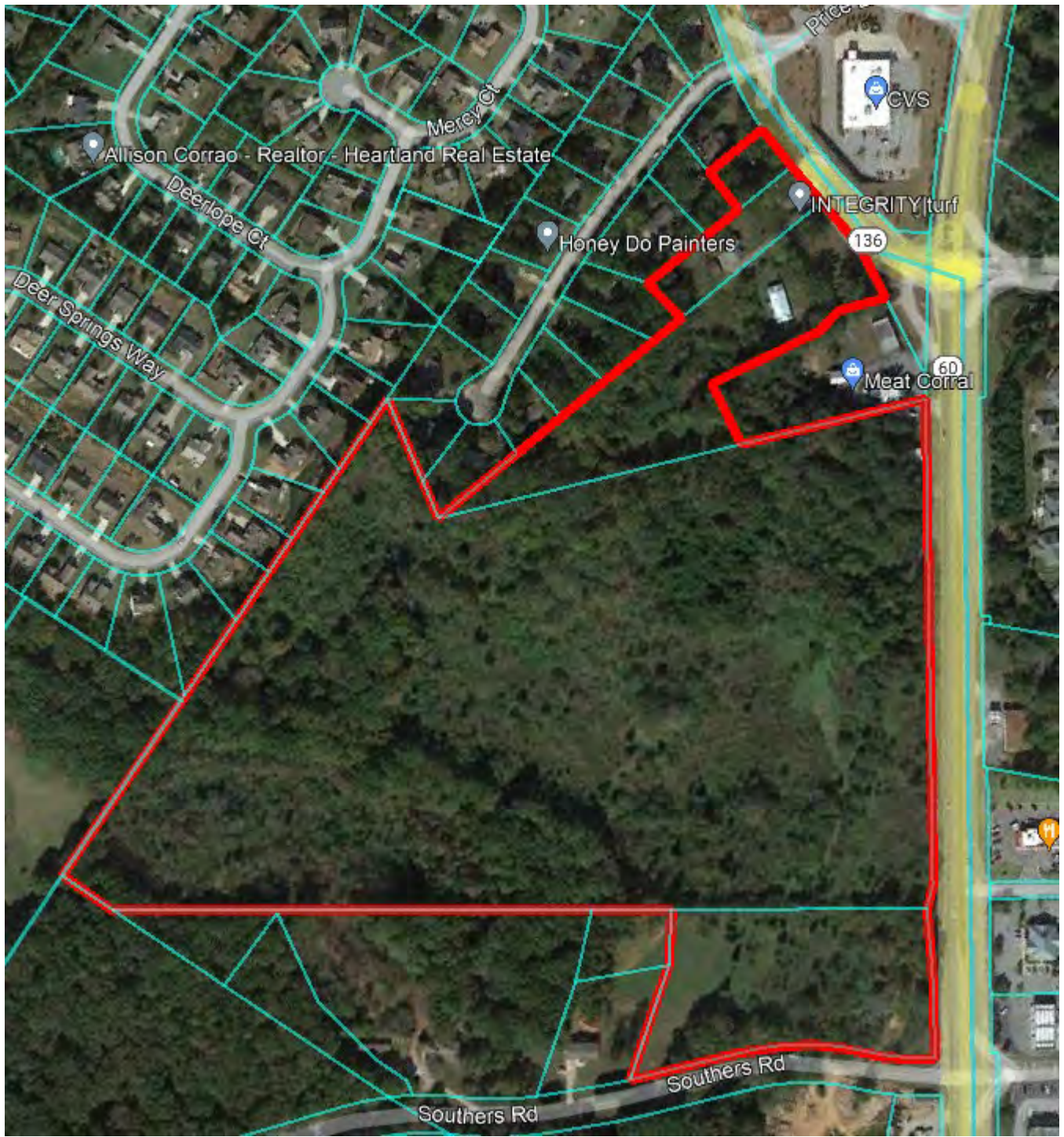
## **Adjacencies**

The property is surrounded by residential zonings R-1 to the north and west and AR-II and to the east. The parcel to the east (across Thompson Bridge Road) contains a shopping center zoned PCD.

## **Access**

Access to the property is planned from Thompson Bridge Road (SR 60) and Price Road (SR 136), subject to GDOT approval, and from Southers Road, subject to Hall County approval. SR 60 access is proposed as right-in/right-out only and the SR 136 location as a full access intersection. The intersection of Southers Road and Thompson Bridge Road is a full access intersection with an existing left turn lane. Two access points from Southers Road to the property are additionally proposed.

## **Aerial View**



**Proximity to Other Uses**

- Nearest distance to undeveloped commercial property – parcel 10103 000094 zoned H-B, at 3808 Eades Drive.
- Nearest distance to developed commercial property – parcel 10104 000021 zoned H-B, at 3695 Thompson Bridge Road.
- Nearest distance to a single family home – a single family home at 3761 Price Drive is located within 15’ of the western boundary.
- Nearest distance to a subdivision – The Price Place S/D is located immediately west of the property.

### **Comprehensive Plan Consistency**

The project is consistent with the “Activity Center” of the Future Land Use Map and the primary future land uses notes as:

- Employment Activity Centers: Master planned business park or industrial park, mid-rise office
- Mixed Use Centers: Retail, office, higher density residential (including multi-family), civic uses, open/park space

The proposed project is consistent with the Goals, Policies and Objectives of the Comprehensive Plan and is not known or believed to be in conflict with any of the above.

### **Hall County Gateway Corridor Overlay District (GCOD)**

The site is within the Hall County Gateway Corridor Overlay District. The following items require a variance from the ordinance

#### **Signage:**

- Allow internally illuminated signs on the buildings and monument signs.
- Allow wall signs on all 4 sides of a buildings.
  - Quantity: one (1) per Tenant, per Wall Elevation
  - Sign Area: 150 sq. ft. per elevation, for single tenant; 175 sq. ft. combined, per elevation, for multiple tenants
- Allow one (1) Campus Monumental Sign at the intersection of SR 60 and Southers Road
  - Sign may be curved, angled (possibly greater than 60 degrees) or straight configuration, as needed
  - Stone sign structure will be approx. 6’ above grade, however sign structure may be incorporated into a retaining wall which could increase overall height.
  - Sign Panels: 96 sq. ft. each, 1 per street elevation
  - 170 sq. ft. permanent banner frames to display 90 sq ft banners, 1 per street elevation. Banners will be in place continuously and will change periodically.
- Allow one (1) Campus Entry Pylon at each Campus Entry Drive
  - Materials: Stone Base w/ fabricated aluminum sign cabinet
  - Sign Area: 96 sq. ft.
  - Height: 12 ft. above street grade
  - Setback: 5’ from R/W
- Allow Building Monuments with



- Aluminum Pylon without masonry base
- Sign Area: 64 sq. ft.
- Height: 10 ft. above street grade
- Setback: 5' from R/W
- Allow one (1) freestanding or building mounted Directory sign per building entry
  - Aluminum Pylon without masonry base
  - Sign Area: 44 sq. ft.
  - Height: 8' above street grade

**Building Orientation:**

- Allow buildings to orient inward and away from SR 60, provided no parking shall occur between the building and SR 60.

**Building Materials:**

- Allow basic architectural theme as shown on attached renderings.
- Allow TPO roofing materials for any flat roof building areas.

**Hall County Tree Ordinance**

The Applicant requests a variance from Chapter 17.280 of the Hall County Code of Ordinances. The Applicant commits to submitting a landscape plan (to include tree planting) with any Land Disturbance Permit for review by the Director.

**Proposed Uses**

The project may contain a variety of uses consistent with those allowed in the O-I district and specifically as shown below:

- Medical Office Buildings
- Out Patient Surgical Facility
- In Patient Care Facility (Hospice Unit – 28 beds)

Additionally, and in addition to the uses listed above, we request a limited amount of commercial space (near the Price Road Entrance) for the following uses:

- Retail or Retail Service Establishment (Pharmacy, Medical Device Sales)

**DRI/Traffic Impact Study**

Based on the applicable DRI threshold of 400,000 SF for office building development, it is our determination that a DRI will not be required for the site. Peak hour volumes are shown below:

ITE Land Use Category	ITE Code	SF	AM Peak per 1000	AM Peak Total	PM Peak per 1000	PM Peak Total
Medical Office Building	720	200000	2.79	558	3.46	692

**Project Dimensional Standards**

POD DEVELOPMENT STANDARDS	
Minimum Lot Area	15,000 sf
Minimum Lot Frontage	100 Ft
Front Setback	25', 15' add. per bldg story
Side Setback	20 Ft
Rear Setback	10 Ft
Exterior Buffer to Residential Zoning	25 Ft
Total Acreage	43.89 Acres
Parking Ratio	Per Hall County Guidelines
Maximum Total Building Floor Area	200,000 sf

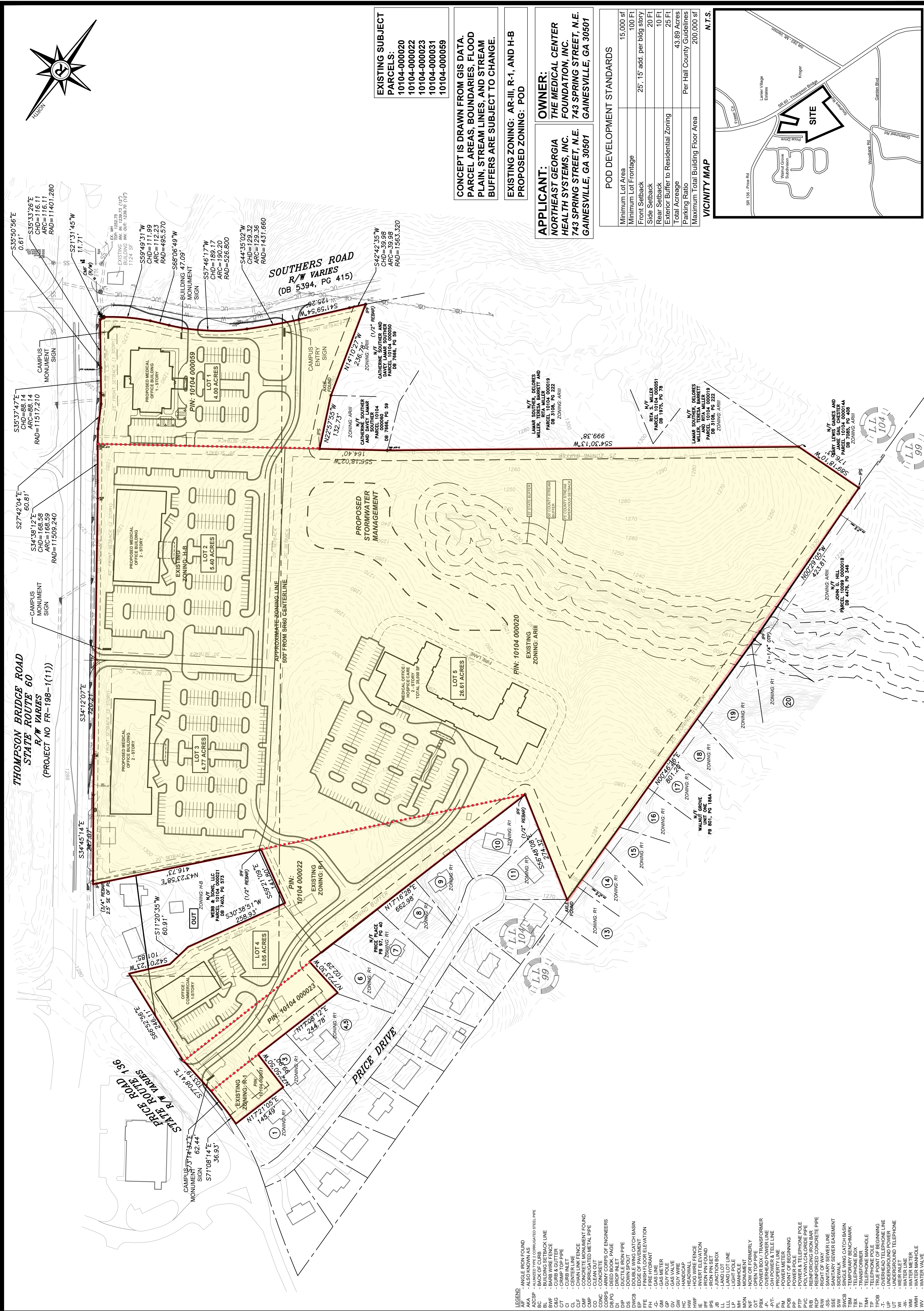
### **Conceptual Master Plan**

The development of Thompson Bridge Road Tract shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "B". The plan is considered conceptual in nature, and as such may require modifications during the engineering and development process. Modifications to the locations and arrangement of buildings, roads, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer or End User, so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.















# Untitled Map

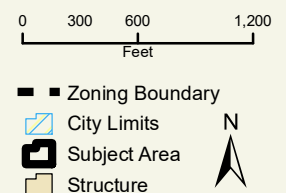
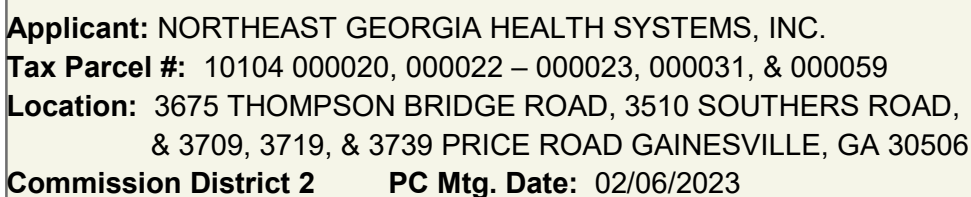
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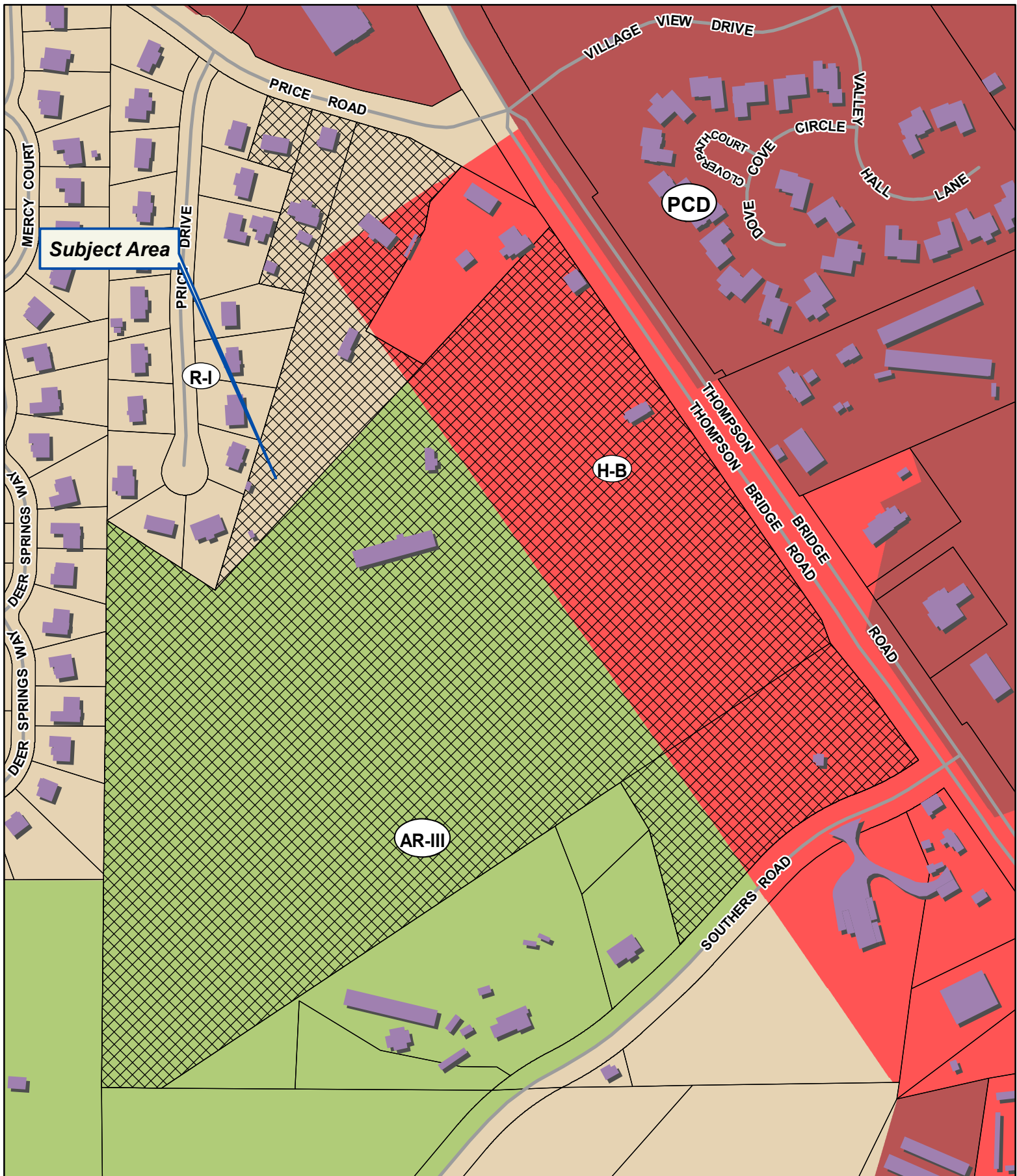
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- Feature 1
- Feature 2
- Untitled Path
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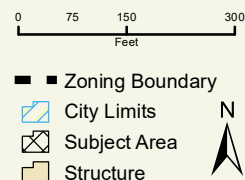








**Applicant:** NORTHEAST GEORGIA HEALTH SYSTEMS, INC.  
**Tax Parcel #:** 10104 000020, 000022 – 000023, 000031, & 000059  
**Location:** 3675 THOMPSON BRIDGE ROAD, 3510 SOUTHERS ROAD,  
 & 3709, 3719, & 3739 PRICE ROAD GAINESVILLE, GA 30506  
**Commission District 2**      **PC Mtg. Date:** 02/06/2023







**Applicant:** NORTHEAST GEORGIA HEALTH SYSTEMS, INC.



**Tax Parcel #:** 10104 000020, 000022 – 000023, 000031, & 000059

**Location:** 3675 THOMPSON BRIDGE ROAD, 3510 SOUTHERS ROAD,  
& 3709, 3719, & 3739 PRICE ROAD GAINESVILLE, GA 30506

**Commission District 2**

**PC Mtg. Date:** 02/06/2023

0 75 150 300  
Feet

— Zoning Boundary  
 City Limits  
 Subject Area





**Street Corner: Base Option**



## Site Approach: Base Option

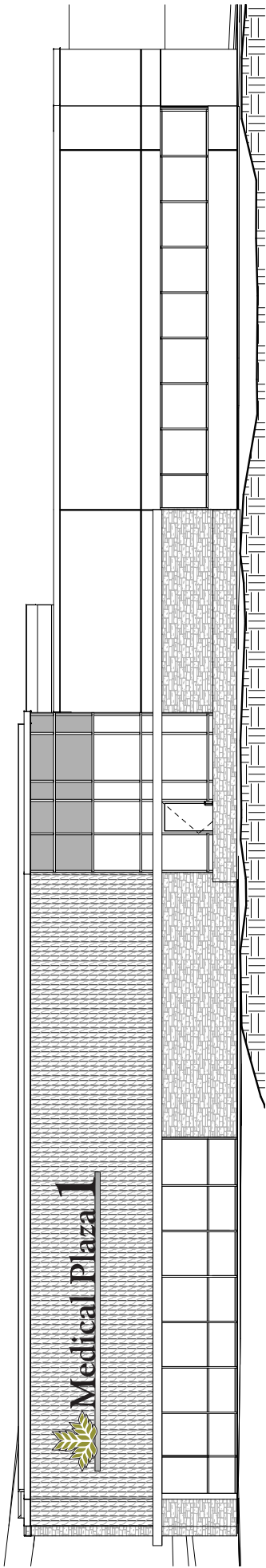
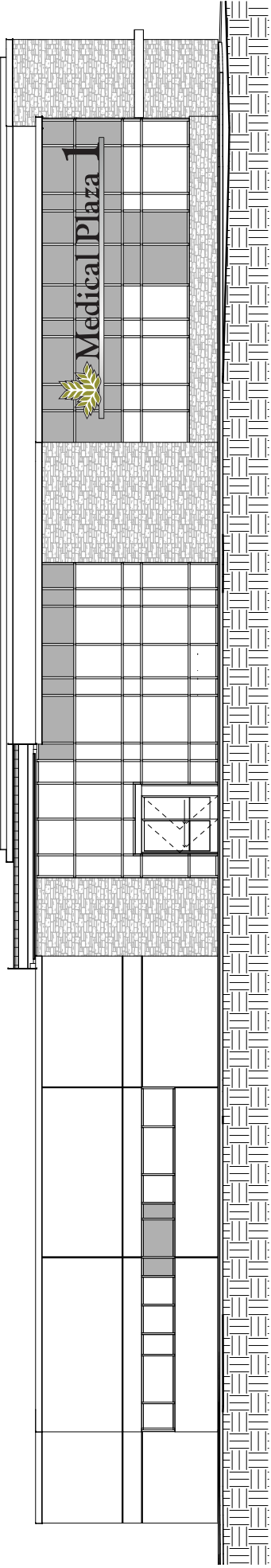
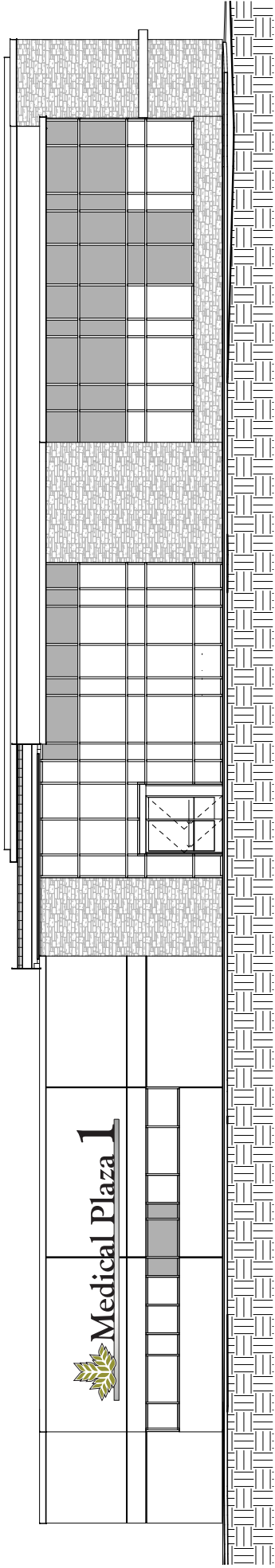






### POD Requests - Wall Signs

- Allow Internally Illuminated Wall Signs on all 4 sides of a buildings.
  - o Quantity: one (1) per Tenant, per Wall Elevation
  - o Sign Area: 150 sq. ft. per elevation, for single tenant; 175 sq. ft. combined, per elevation, for multiple tenants



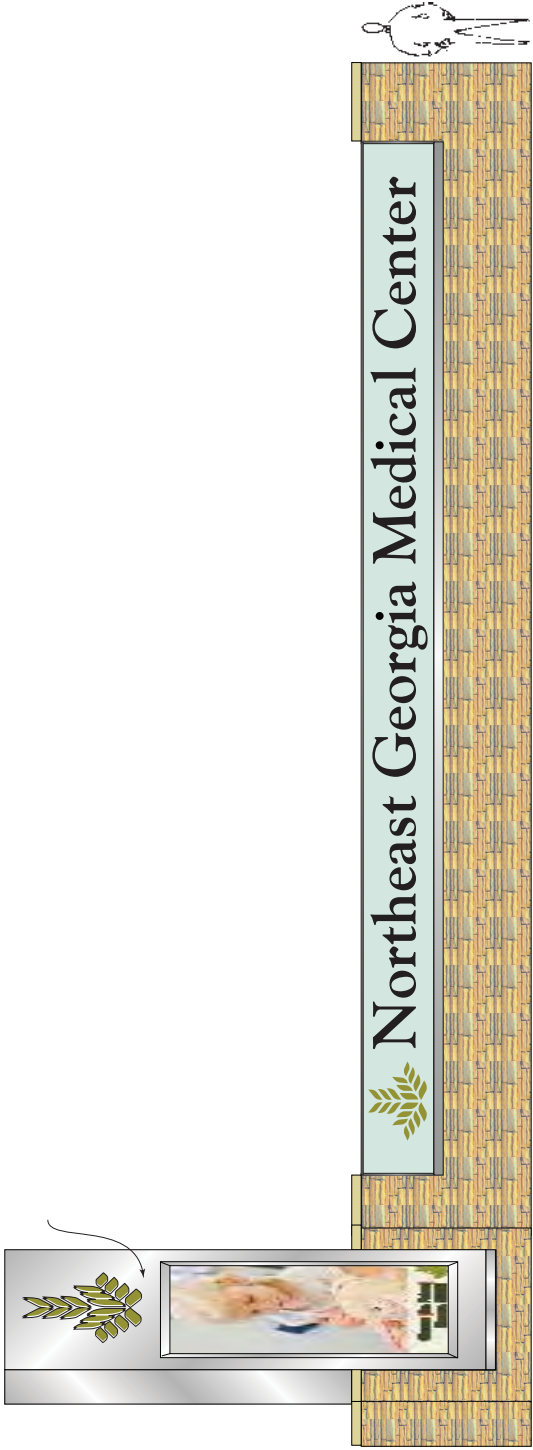


**POD Requests - Campus Monumental Sign**

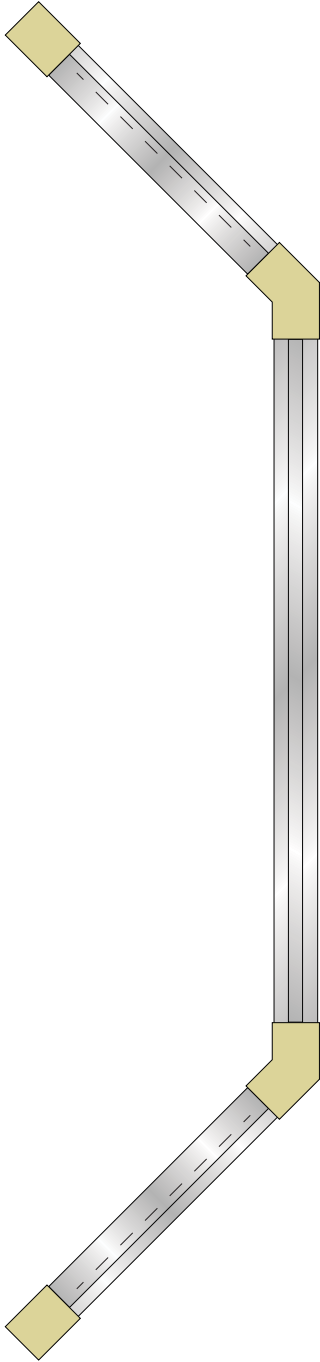
- Allow one (1) Campus Monumental Sign at the intersection of SR 60 and Southers Road
  - Sign may be curved, angled (possibly greater than 60 degrees) or straight configuration, as needed
  - Stone sign structure will be approx. 6’ above grade, however sign structure may be incorporated into a retaining wall which could increase overall height.
  - Interior Illuminated Sign Panels: 96 sq. ft. each, 1 per street elevation
  - 170 sq. ft. permanent banner frames to display 90 sq ft banners, 1 per street elevation. Ground Illuminated Banners will be in place continuously and will change periodically.



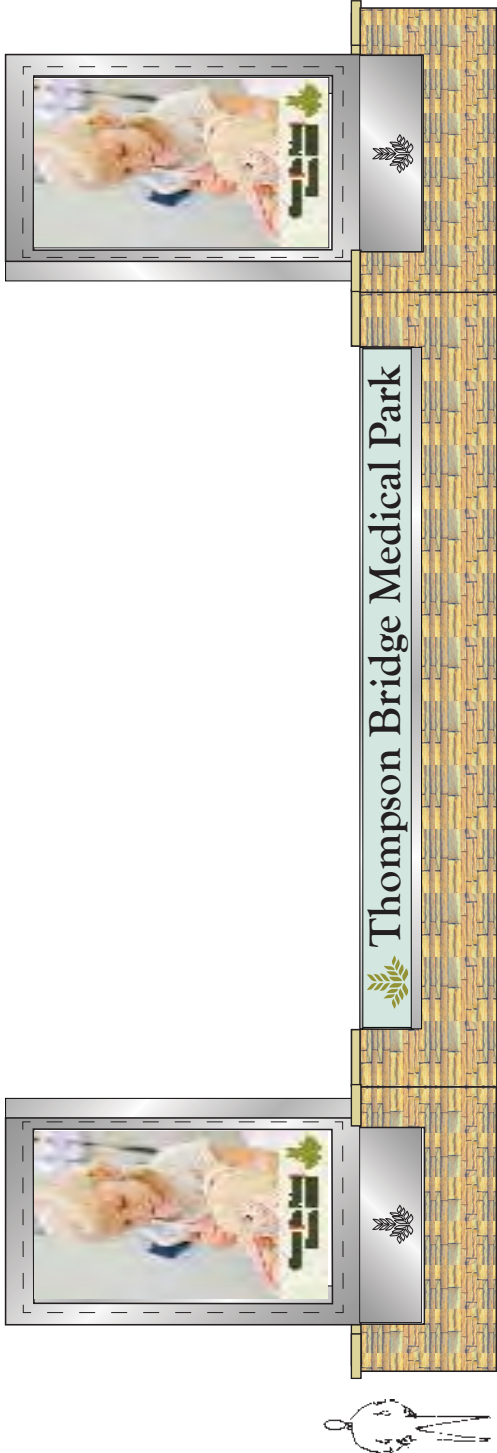
OPT 2 - PLAN



OPT 2 - FRONT ELEVATION



OPT 1 - PLAN

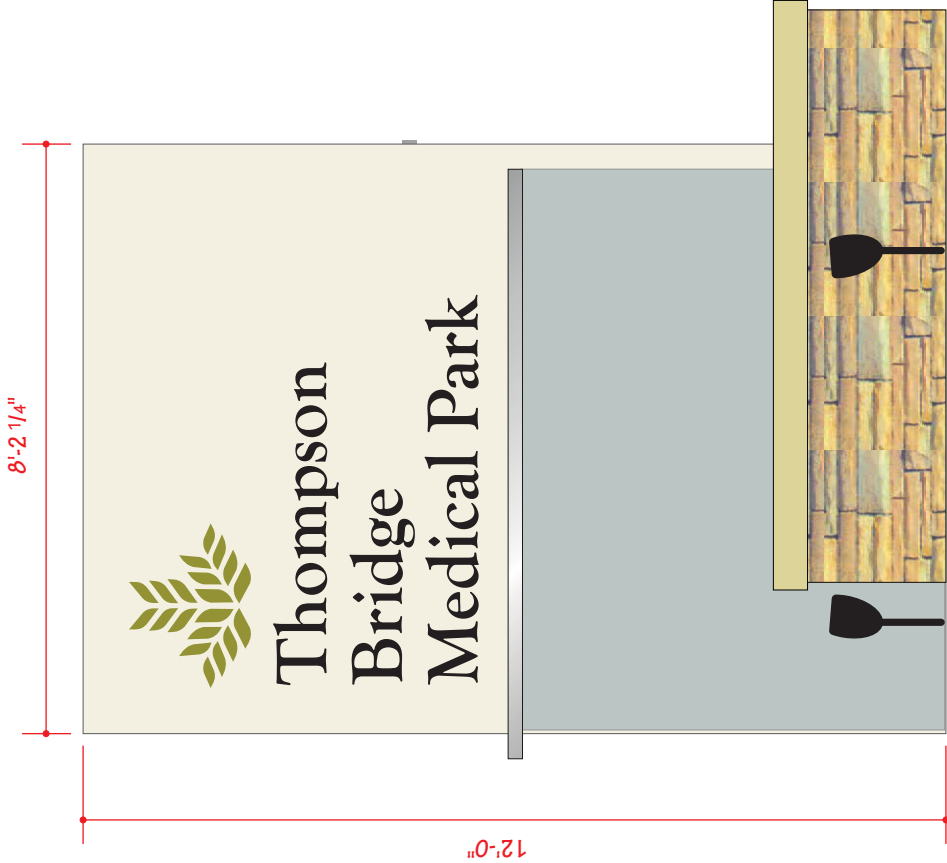


OPT 1 - FRONT ELEVATION



POD Requests - Campus Entry Pylon

- Allow one (1) Campus Entry Pylon at each Campus Entry Drive
  - o Materials: Stone Base w/ fabricated aluminum sign cabinet
  - o Sign Area: 96 sq. ft.
  - o Height: 12 ft. above street grade
  - o Setback: 5’ from R/W



POD Requests - Building Monument

- Allow Building Monuments with
  - o Aluminum Pylon without masonry base
  - o Sign Area: 64 sq. ft.
  - o Height: 10 ft. above street grade
  - o Setback: 5’ from R/W



POD Requests - Directory Signs

- Allow one (1) freestanding or building mounted Directory sign per building entry
  - o Aluminum Pylon without masonry base
  - o Sign Area: 44 sq. ft.
  - o Height: 8’ above street grade



Campus Entry Pylon

Building Monument

Directory Sign



# Untitled Map

Write a description for your map.

## Legend

- Feature 1
- Feature 2
- Untitled Path
- Untitled Polygon





000415

027242

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Paid \$ 1,426.80

Date 8-2-05

DWIGHT S. WOOD  
Clerk Superior Court

By DT

069-2005-006941

GEORGIA, HALL COUNTY, CLERK  
SUPERIOR COURT FILED IN OFFICE 5394  
AND RECORDED IN BOOK  
PAGE (S) 415-418 THIS 2  
DAY OF August 2005 AT 3:55 PM  
DWIGHT S. WOOD, CLERK BY DT  
33079,80

Prepared by/return to:

Edgar B. Dunlap, II  
Welchel & Dunlap, LLP  
Post Office Box 1  
Gainesville, GA 30503



**LIMITED WARRANTY DEED**

**GEORGIA, HALL COUNTY**

THIS INDENTURE, made this 27<sup>th</sup> day of July, 2005, between **LILLIAN FRASER**,  
Grantor, and **THE MEDICAL CENTER FOUNDATION, INC.**, Grantee,

**WITNESSETH:**

That the said Grantor, for and in consideration of TEN (\$10.00) DOLLARS AND  
OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid at and before the sealing  
and delivery of these presents, the receipt and sufficiency 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 property described on Exhibit "A" attached hereto and incorporated  
herein by reference.

**TO HAVE AND TO HOLD** the said premises, together with all rights and  
appurtenances unto the said Grantee, forever in **FEE SIMPLE**, and the said Grantor  
**WARRANTS** the title to same against the lawful claims of all persons owning, holding, or  
claiming by, through or under Grantor herein.

Whenever there is a reference herein to the Grantor or the Grantee, the singular includes  
the plural and the masculine includes the feminine and the neuter, and said terms include and  
bind the heirs, executors, administrators, successors and assigns of the parties hereto.

000416

IN WITNESS WHEREOF, Grantor has executed this instrument and affixed her seal  
hereto the day and year first above written.

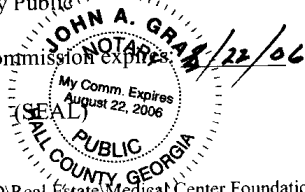
Signed, sealed and delivered  
in the presence of:

Adam A. Hilde  
Unofficial Witness

Lillian Fraser (SEAL)  
LILLIAN FRASER

John A. Grant  
Notary Public

My commission expires:



PAEBD\Real Estate\Medical Center Foundation pur fm Fraser, Lillian



000417

**EXHIBIT "A"**

**TRACT ONE:**

All that tract or parcel of land, lying and being in Land Lot 104 of the 10<sup>th</sup> District, Hall County, Georgia, being more particularly described as follows:

Commence at a right of way monument found at the most northerly point of the mitered right of way of the northerly variable width right of way line of Southers Road and the westerly variable width right of way line of S. R. 60/Thompson Bridge Road; thence along said right of way line of S.R. 60/Thompson Bridge Road the following courses: along a curve to the left having a radius of 11402.28 feet and an arc length of 116.11 feet, being subtended by a chord of North 35 degrees 34 minutes 07 seconds West for a distance of 116.11 feet to an iron pin set, North 35 degrees 51 minutes 32 seconds West for a distance of 0.60 feet to an iron pin set, along a curve to the right having a radius of 11517.24 feet and an arc length of 88.14 feet, being subtended by a chord of North 35 degrees 38 minutes 28 seconds West for a distance of 88.14 feet to an iron pin set, North 27 degrees 42 minutes 45 seconds West for a distance of 60.81 feet to an iron pin set, along a curve to the right having a radius of 11509.24 feet and an arc length of 36.48 feet, being subtended by a chord of North 35 degrees 31 minutes 13 seconds West for a distance of 36.48 feet to a ½ inch rebar found, said point being the True Point of Beginning;

Thence, leaving said right of way South 56 degrees 17 minutes 42 seconds West for a distance of 538.09 feet to an iron pin set; thence, South 56 degrees 17 minutes 42 seconds West for a distance of 164.57 feet to a 1 inch open top pipe found beside a 22 inch oak; thence, South 54 degrees 30 minutes 54 seconds West for a distance of 999.23 feet to an iron pin set; thence, South 89 degrees 19 minutes 03 seconds West for a distance of 176.93 feet to a ½ inch rebar found on the land lot line common to Land Lots 99 and 104; thence, along said land lot line North 00 degrees 28 minutes 12 seconds West for a distance of 423.81 feet to an iron pin set; thence, North 00 degrees 47 minutes 19 seconds East for a distance of 801.20 feet to an axle found; thence, leaving said land lot line South 56 degrees 47 minutes 15 seconds East for a distance of 189.24 feet to a ½ inch rebar found; thence, South 56 degrees 57 minutes 09 seconds East for a distance of 84.99 feet to the base of a ½ inch rebar found (disturbed); thence, North 42 degrees 44 minutes 25 seconds East for a distance of 255.68 feet to a 1 inch rod found; thence, North 43 degrees 29 minutes 47 second East for a distance of 298.65 feet to a ½ inch open top pipe found; thence, North 43 degrees 44 minutes 07 seconds East for a distance of 100.32 feet to an axle found; thence, North 43 degrees 33 minutes 07 second East for a distance of 313.55 feet to an iron pin set; thence, North 42 degrees 35 minutes 07 seconds East for a distance of 102.07 feet to an iron pin set on the westerly variable right of way line of S.R. 60/Thompson Bridge Road; thence, along said right of way the following courses: South 34 degrees 50 minutes 04 second East for a distance of 217.07 feet to an iron pin set; South 34 degrees 16 minutes 57 seconds East for a distance of 720.21 feet to an iron pin set; along a curve to the left having a radius of 11509.24 feet and an arc length of 132.11 feet, being subtended by a chord of South 34 degrees 28 minutes 35 second East for a distance of 132.11 feet to a ½ inch rebar found, said point being the True Point of Beginning;

Said property contains 1,510.047 square feet or 34.67 acres and being all of Tract 1 as shown on that certain survey entitled "Wal-Mart Stores East, L.P. and Chicago Title Insurance Company" prepared by Wolverson & Associates, Incorporated and bearing the seal and certification of Lewis M. Brown, Jr., Georgia Registered Land Surveyor Number 2283, dated November 3, 2004.

*LM*  
*L.B.*

**000418**

**TRACT TWO:**

All that tract or parcel of land, lying and being in Land Lot 104 of the 10<sup>th</sup> District, Hall County, Georgia, being more particularly described as follows:

Commence at a right of way monument found at the most northerly point of the mitered right of way of the northerly variable width right of way line of Southers Road and the westerly variable width right of way line of S.R. 60/Thompson Bridge Road, said point being the True Point of Beginning;

Thence, along said mitered right of way South 20 degrees 36 minutes 24 seconds West for a distance of 11.71 feet to a mark in concrete; thence, leaving said mitered right of way and along the northerly variable width right of way line of Southers Road the following courses: a curve to the right having a radius of 495.57 feet and an arc length of 113.29 feet, being subtended by a chord of South 59 degrees 45 minutes 09 seconds West for a distance of 113.04 feet to an iron pin set; South 68 degrees 06 minutes 08 seconds West for a distance of 47.09 feet to an iron pin set; along a curve to the left having a radius of 526.80 feet and an arc length of 190.20 feet, being subtended by a chord of South 57 degrees 45 minutes 36 seconds West for a distance of 189.17 feet to an iron pin set; along a curve to the left having a radius of 1431.66 feet and an arc length of 129.36 feet, being subtended by a chord of South 44 degrees 34 minutes 21 seconds West for a distance of 129.32 feet to an iron pin set; South 41 degrees 59 minutes 13 seconds West for a distance of 125.26 feet to an iron pin set; along a curve to the right having a radius of 1563.32 feet and an arc length of 39.98 feet, being subtended by a chord of South 42 degrees 41 minutes 54 second West for a distance of 36.98 feet to an iron pin set; thence, leaving said right of way North 14 degrees 17 minutes 15 seconds West for a distance of 236.97 feet to a ½ inch rebar found beside an axle; thence, North 22 degrees 50 minutes 33 seconds West for a distance of 132.51 feet to an iron pin set; thence, North 56 degrees 17 minutes 42 seconds East for a distance of 538.09 feet to a ½ inch rebar found on the westerly variable width right of way line of S.R. 60/Thompson Bridge Road; thence, along said right of way the following courses: a curve to the left having a radius of 11509.24 feet and an arc length of 36.48 feet, being subtended by a chord of South 35 degrees 31 minutes 13 seconds East for a distance of 36.48 feet to an iron pin set; South 27 degrees 42 minutes 45 seconds East for a distance of 60.81 feet to an iron pin set; along a curve to the left having a radius of 11517.24 feet and an arc length of 88.14 feet, being subtended by a chord of South 35 degrees 38 minutes 28 seconds East for a distance of 88.14 feet to an iron pin set; South 35 degrees 51 minutes 32 seconds East for a distance of 0.60 feet to an iron pin set; along a curve to the right having a radius of 11401.28 feet and an arc length of 116.11 feet, being subtended by a chord of South 35 degrees 34 minutes 07 seconds East for a distance of 116.11 feet to a right of way monument found, said point being the True Point of Beginning;

Said property contains 174,397 square feet or 4.00 acres and being all of Tract 2 as shown on that certain survey entitled "Wal-Mart Stores East, L.P. and Chicago Title Insurance Company" prepared by Wolverson & Associates, Incorporated and bearing the seal and certification of Lewis M. Brown, Jr., Georgia Registered Land Surveyor Number 2283, dated November 3, 2004.

*Handwritten signature/initials*



After recording, return to:  
The Weber Firm, LLC  
303 Jesse Jewell Parkway, Ste. 310  
Gainesville, Georgia 30501

eFiled and eRecorded  
DATE: 02/09/2022  
TIME: 12:33 PM  
DEED BOOK: 9056  
PAGE: 165 - 166  
FILING FEES: \$25.00  
TRANSFER TAX: \$0.00  
INTANGIBLE TAX: \$0.00  
PARTICIPANT ID: 5598194144  
PT61: 069-2022-001098  
RECORDED BY: CH  
CLERK: Charles Baker, C.S.C  
Hall County, GA

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### ADMINISTRATOR'S DEED

STATE OF GEORGIA,  
COUNTY OF HALL

**THIS INDENTURE**, made this 8th day of February, 2022, between **Wilma Irene Campbell, as administrator of the Estate of Patricia Lee Emmett, deceased**, hereinafter called Grantor, and **Northeast Georgia Health System, Inc.**, a Georgia not-for-profit corporation, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

### WITNESSETH:

That the said Grantor (acting under and by virtue of the authority granted by (i) those Letters of Administration dated October 30, 2019, and (ii) Order dated January 21, 2022, approving Grantor's Petition for Leave to Sell Real Property, each issued by the Probate Court of Hall County in In Re: Estate of Patricia Lee Emmett, Estate No. E-19-324) for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

All that tract or parcel of land lying and being in Bark Camp District of Hall County, Georgia, consisting of 4.02 acres, more or less, according to a plat by Owen Patton, Georgia Registered Surveyor, recorded in Plat Book 55, Page 101 of the Hall County, Georgia, Plat Records, said plat description being specifically incorporated herein by reference, and being more particularly described according to said plat as follows:

BEGINNING at an iron pin located on the south side of the right-of-way of Price Road, said iron pin lying 228 feet, as measured along the south side of the right-of-way of said Price Road, northwest of the centerline of Georgia Highway 60, thence along the boundary line of property now or formerly owned by Wilbert E. Robinson the following courses and distances S41-

42W, 102.21 feet to an iron pin, thence S11-10W, 60.60 feet to an iron pin; thence S30-30W, 259.36 feet to an iron pin; thence S59-30E, 141.80 feet to an Iron pin; thence along the boundary line of Property now or formerly owned by Souther S43-00W, 655.53 feet to an iron pin, thence N17-09E, 1,067.98 feet to an iron pin located on the south side of the right-of-way of Price Road, thence along the right-of-way of said Price Road the following courses and distances: S67-21E, 107.16 feet, S60-43E. 140.40 feet to an iron pin located at the point of BEGINNING.

This property being subject to existing utility easements.

**TO HAVE AND TO HOLD** the said tract or parcel of land, 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.

**IN WITNESS WHEREOF**, Wilma Irene Campbell as Administrator as aforesated, has hereunto set her hand and seal the day and year above written.

Signed, sealed and delivered as of  
this 8th day of February, 2022,  
in the presence of:

Elaine A. Barnett

Unofficial Witness

B. Weber

Notary Public

My Commission Expires

(NOTARY SEAL)



Wilma Campbell, Administrator  
Wilma Irene Campbell, as Administrator  
of the Estate of Patricia Lee Emmett,  
deceased



eFiled and eRecorded  
DATE: 02/09/2022  
TIME: 12:33 PM  
DEED BOOK: 9056  
PAGE: 167 - 169  
FILING FEES: \$25.00  
TRANSFER TAX: \$0.00  
INTANGIBLE TAX: \$0.00  
PARTICIPANT ID: 5598194144  
PT61: 069-2022-001102  
RECORDED BY: CH  
CLERK: Charles Baker, C.S.C  
Hall County, GA

After recording, return to:  
The Weber Firm, LLC  
303 Jesse Jewell Parkway, Ste. 310  
Gainesville, Georgia 30501  
File 1938.008

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**QUIT CLAIM DEED**

**THIS INDENTURE** is made this 8th day of February, 2022, between **TERESA RENEE CORLEY, an individual resident of the State of Georgia, individually and as Executor of the Estate of VERNON MOSES EMMETT (deceased); WILMA IRENE CAMPBELL, an individual resident of the State of Georgia, individually and as Administrator of the Estate of PATRICIA LEE EMMETT (deceased), and DEBORAH (a/k/a DEBRA) DIANN EMMETT, by and through her duly appointed, authorized, and acting guardian, WILMA IRENE CAMPBELL,** parties of the first part, hereinafter referred to as "Grantors," and **NORTHEAST GEORGIA HEALTH SYSTEM, INC.,** a Georgia not-for-profit corporation, party of the second part, hereinafter referred to as "Grantee" ("Grantors" and "Grantee" to include their respective successors, legal representatives and assigns where the context permits or requires).

**WITNESSETH:**

**THAT** Grantors for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, do by these presents remise, release and forever quit-claim unto Grantee all of the Grantors' right, title and interest in and to:

All that tract or parcel of land lying and being in Bark Camp District of Hall County, Georgia, consisting of 4.02 acres, more or less, according to a plat by Owen Patton, Georgia Registered Surveyor, recorded in Plat Book 55, Page 101 of the Hall County, Georgia, Plat Records, said plat description being specifically incorporated herein by reference, and being more particularly described according to said plat as follows:

BEGINNING at an iron pin located on the south side of the right-of-way of Price Road, said iron pin lying 228 feet, as measured along the south side of the right-of-way of said Price Road, northwest of the centerline of Georgia Highway 60, thence along the boundary line of property now or formerly owned by Wilbert E. Robinson the following courses and distances S41-42W, 102.21 feet to an iron pin, thence S11-10W, 60.60 feet to an iron pin; thence S30-30W, 259.36 feet to an iron pin: thence S59-30E, 141.80 feet to an Iron pin: thence along the boundary line of Property now or formerly owned by Souther S43-00W, 655.53 feet to an iron pin, thence N17-09E, 1,067.98 feet to an iron pin located on the south side of the right-of-way of Price Road, thence along the right-of-way of said Price Road

the following courses and distances: S67-21E, 107.16 feet, S60-43E, 140.40 feet to an iron pin located at the point of BEGINNING.

This property being subject to existing utility easements.

The above-described property is the same as that shown on that ALTA/NSPS Land Title Survey for Wilma Irene Campbell, Teresa Renee Corley, Deborah Diann Emmett, Northeast Georgia Health System, Inc., and Chicago Title Insurance Company, prepared by Richard E. Millard, RLS, Rochester & Associates, LLC, dated December 6, 2021, jn. G22461, and being more particularly described according to said survey as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 104, 10<sup>th</sup> DISTRICT, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF PRICE DRIVE (50' R/W) WITH THE SOUTHERN RIGHT-OF-WAY OF PRICE ROAD, A.K.A STATE ROUTE 136 (R/W VARIES); THENCE SOUTH 64°39'09" WEST, A DISTANCE OF 339.26 FEET TO A CONCRETE MONUMENT FOUND (R/W, DISTURBED) ON THE SOUTHERN RIGHT-OF-WAY OF SAID PRICE ROAD AND THE **TRUE POINT OF BEGINNING**; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 66°52'56" EAST, A DISTANCE OF 246.11 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE PROPERTY NOW OR FORMERLY OF WEBB & SONS, LLC THE FOLLOWING COURSES AND DISTANCES: SOUTH 42°01'23" WEST, A DISTANCE OF 101.85 FEET TO AN IRON PIN FOUND (5/8" REBAR); THENCE SOUTH 11°20'35" WEST, A DISTANCE OF 60.91 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 30°38'51" WEST, A DISTANCE OF 258.93 FEET TO AN IRON PIN FOUND (3/4" OPEN TOP PIPE); THENCE SOUTH 59°21'09" EAST, A DISTANCE OF 141.80 FEET TO AN IRON PIN SET (1/2" REBAR WITH YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484); THENCE ALONG THE PROPERTY NOW OR FORMERLY OF THE MEDICAL CENTER FOUNDATION, INC., SOUTH 43°12'15" WEST, A DISTANCE OF 655.34 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE ALONG THE SUBDIVISION NOW OR FORMERLY KNOWN AS PARK PLACE SUBDIVISION AND THE PROPERTY NOW OR FORMERLY OF W&P PROPERTIES, LLC, NORTH 17°16'28" EAST, A DISTANCE OF 1052.20 FEET TO THE **TRUE POINT OF BEGINNING**.

**TO HAVE AND TO HOLD** said property unto Grantee, so that neither Grantors nor any entity or entities claiming under Grantors shall at any time, by any means or ways, have, claim, or demand any right, title, or interest in or to the Land or its appurtenances, or any rights thereof.

The purpose of this Deed is for each of the undersigned to join in and indicate consent to that Executor's Deed and Administrator's Deed of even date herewith, given respectively by Teresa Renee Corley and Wilma Irene Campbell as Executor and Administrator of the Estates of Vernon Moses Emmett and Patricia Lee Emmett, and to further confirm that Grantors have hereby conveyed, released, and forever quit-claimed all right, title and interest any of them may have as beneficiaries and/or heirs of either of such estates.



eFiled and eRecorded  
DATE: 06/17/2022  
TIME: 4:21 PM  
DEED BOOK: 9147  
PAGE: 501 - 503  
FILING FEES: \$25.00  
TRANSFER TAX: \$130.00  
PARTICIPANT ID: 5598194144  
PT61: 069-2022-005457  
RECORDED BY: CH  
CLERK: Charles Baker, C.S.C  
Hall County, GA

After recording, return to:  
The Weber Firm, LLC  
303 Jesse Jewell Parkway, Ste.310  
Gainesville, Georgia 30501

Map No. 10104 000023

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### LIMITED WARRANTY DEED

THIS INDENTURE is made this 17<sup>th</sup> day of June, 2022, between **WHIT & PAT PROPERTIES, LLC**, formerly known as **W & P PROPERTIES, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantor") and **NORTHEAST GEORGIA HEALTH SYSTEM, INC.**, a Georgia not-for-profit corporation (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

#### WITNESSETH:

GRANTOR, in consideration of the sum of TEN DOLLARS and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described property, to wit:

All that tract or parcel of land situated, lying and being in Land Lot No. 104 of Hall County, Georgia, near Corinth Church about seven miles northwest of Gainesville, and being a portion of Lot No. Twenty-one (21) of the John A. Gaines lands as shown by a plat thereof made by S.C. Moon, C.E., and recorded in Plat Book 3, Pages 117-118, Clerks Office, Hall Superior Court, the tract herein conveyed being more fully described as follows: Beginning at a stake on the Bark Camp Road, being East corner of a lot herein conveyed and corner common to property owned by Art Sund; and running thence in a Westerly direction along Bark Camp Road a distance of one hundred (100) feet to stake on line of property owned by Thomas W. Rylee; thence a Southerly direction along line of other property of Thomas W. Rylee, a distance of four hundred (400) feet to a stake on line of Rylee property; thence in an Easterly direction along line of other property of Rylee, a distance of one hundred (100) feet to stake on line of property of Art Sund; thence along line of Art Sund property, a distance of four hundred (400) feet to the beginning stake corner on said road.

Being a part of the same property as described and conveyed in deed from John A. Gaines, by Executors, to Thomas W. Rylee, as recorded in Book 74, page 130; and also being the same

property as described and conveyed in deed from Thomas W. Rylee to Delmar Lee, as shown recorded in Book 82, Page 199, Clerk's Office, Hall Superior Court.

**TO HAVE AND TO HOLD** the said premises, together with all rights and appurtenances unto the said Grantee, forever in **FEE SIMPLE**; the said Grantor **WARRANTS** title to same against the lawful claims of all persons claiming by, through or under Grantor, but against none other subject only to permitted exceptions on Exhibit "A" attached hereto and incorporated by reference herein.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of all persons whomsoever.

EXECUTED under seal as of the date above.

Signed, sealed and delivered in  
the presence of

Elaine A. Barrett  
Unofficial Witness

B. Weber  
Notary Public

Notary Seal Affixed

My Commission Expires:



**WHIT & PAT PROPERTIES, LLC,**  
formerly known as **W & P PROPERTIES,**  
**LLC**, a Georgia limited liability company

By: Alfred W. Powell (SEAL)  
Alfred W. Powell, Manager



EXHIBIT "A"  
PERMITTED EXCEPTIONS

1. State and County ad valorem taxes for 2022 and future years which are a lien not yet due and payable.
2. Zoning and other ordinances affecting subject property.
3. General utility and right-of-way easements serving the property and upon which any improvements as may exist thereon do not encroach.

eFiled and eRecorded  
DATE: 06/17/2022  
TIME: 4:21 PM  
DEED BOOK: 9147  
PAGE: 504 - 506  
FILING FEES: \$25.00  
TRANSFER TAX: \$0.00  
PARTICIPANT ID: 5598194144  
PT61: 069-2022-005458  
RECORDED BY: CH  
CLERK: Charles Baker, C.S.C  
Hall County, GA

After recording, return to:  
The Weber Firm, LLC  
303 Jesse Jewell Parkway, Ste. 310  
Gainesville, Georgia 30501

---

**QUIT CLAIM DEED**

**THIS INDENTURE** is made this 17<sup>th</sup> day of June, 2022, between **WHIT & PAT PROPERTIES, LLC**, formerly known as **W & P PROPERTIES, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantor") and **NORTHEAST GEORGIA HEALTH SYSTEM, INC.**, a Georgia not-for-profit corporation (hereinafter referred to as "Grantee"), party of the second part, hereinafter referred to as "Grantee" ("Grantor" and "Grantee" to include their respective successors, legal representatives and assigns where the context permits or requires).

**WITNESSETH:**

**THAT** Grantor, for the sole purpose hereinafter set forth, and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, does by these presents remise, release and forever quit-claim unto Grantee all of the Grantor's right, title and interest in and to:

All that tract or parcel of land described on **Exhibit "A"** attached hereto and incorporated by reference herein.

**TO HAVE AND TO HOLD** said property unto Grantee, so that neither Grantor nor any entity or entities claiming under Grantor shall at any time, by any means or ways, have, claim, or demand any right, title, or interest in or to the Land or its appurtenances, or any rights thereof.

**IN WITNESS WHEREOF**, Grantor has caused these presents to be executed under seal by its properly and duly authorized officers as of the day, month and year first above written.



Signed, sealed and delivered in the presence of :

Elaine A. Barnett  
Unofficial Witness

R. Weber  
Notary Public

My commission expires

[NOTARIAL SEAL]



**GRANTOR:**

**WHIT & PAT PROPERTIES, LLC,**  
formerly known as **W & P PROPERTIES,**  
**LLC**, a Georgia limited liability company

By: Alfred W. Powell (SEAL)  
Alfred W. Powell, Manager

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 104, 10<sup>th</sup> DISTRICT, HALL COUNTY, GEORGIA, CONTAINING 0.916 ACRE OR 39,886 SQUARE FEET, MORE OR LESS, AND SHOWN AS "TRACT 1" ON THAT ALTA/NSPS LAND TITLE SURVEY FOR "W& P PROPERTIES, LLC, WHIT POWELL, NORTHEAST GEORGIA HEALTH SYSTEM, INC. & CHICAGO TITLE INSURANCE COMPANY," DATED MARCH 16, 2022, PREPARED BY ROCHESTER & ASSOC., LLC, RICHARD E. MILLARD, RLS, JN. G222028, AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO SAID SURVEY AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF PRICE AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF PRICE DRIVE (50' R/W) WITH THE SOUTHERN RIGHT-OF-WAY OF PRICE ROAD, A.K.A STATE ROUTE 136 (R/W VARIES); THENCE SOUTH 50°18'33" EAST, A DISTANCE OF EAST, A DISTANCE OF 144.59 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE) ON THE SOUTHERN CRIMPED TOP PIPE) ON THE SOUTHERN RIGHT-OF-WAY OF SAID PRICE ROAD; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 71°08'14" EAST, A DISTANCE OF 36.93 FEET TO A POINT; THENCE SOUTH EAST, A DISTANCE OF 36.93 FEET TO A POINT; THENCE SOUTH 73°14'37" EAST, A DISTANCE OF 62.44 FEET TO AN IRON PIN FOUND (1/2" EAST, A DISTANCE OF 62.44 FEET TO AN IRON PIN FOUND (1/2" REBAR WITH CAP) AND THE TRUE POINT OF BEGINNING; THENCE CONTINUE ALONG TRUE POINT OF BEGINNING; THENCE CONTINUE ALONG THENCE CONTINUE ALONG SAID RIGHT-OF-WAY, SOUTH 77°08'41" EAST, A DISTANCE OF 103.19 FEET TO A CONCRETE MONUMENT FOUND STAMPED "R/W"(DISTURBED); THENCE LEAVING SAID R/W" (DISTURBED); THENCE LEAVING SAID (DISTURBED); THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE PROPERTY NOW OR FORMERLY OF VERNON EMMETT, SOUTH 17°16'28" WEST, A DISTANCE OF 389.22 FEET TO A POINT; WEST, A DISTANCE OF 389.22 FEET TO A POINT; THENCE ALONG THE PROPERTY NOW OR FORMERLY OF LOT 6 OF PRICE PLACE SUBDIVISION, NORTH 77°23'30" WEST, A DISTANCE OF 102.29 FEET TO AN IRON WEST, A DISTANCE OF 102.29 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE ALONG THE PROPERTIES NOW OR FORMERLY REBAR); THENCE ALONG THE PROPERTIES NOW OR FORMERLY OF JACQUELINE A. WALDEN AND PRICE PLACE LOT 2, NORTH 17°08'12" EAST, A DISTANCE OF 389.60 FEET TO THE TRUE POINT OF BEGINNING.



eFiled and eRecorded  
DATE: 06/17/2022  
TIME: 4:13 PM  
DEED BOOK: 9147  
PAGE: 489 - 491  
FILING FEES: \$25.00  
TRANSFER TAX: \$430.00  
PARTICIPANT ID: 5598194144  
PT61: 069-2022-005453  
RECORDED BY: CH  
CLERK: Charles Baker, C.S.C  
Hall County, GA

After recording, return to:  
The Weber Firm, LLC  
303 Jesse Jewell Parkway, Ste.310  
Gainesville, Georgia 30501

Map No. 10104 000031

### LIMITED WARRANTY DEED

THIS INDENTURE is made this 17<sup>th</sup> day of June, 2022, between **WHIT POWELL** (hereinafter referred to as "Grantor") and **NORTHEAST GEORGIA HEALTH SYSTEM, INC.**, a Georgia not-for-profit corporation (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

### WITNESSETH:

GRANTOR, in consideration of the sum of TEN DOLLARS and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described property, to wit:

All that tract or parcel of land lying and being in Land Lot 104, 10th District, Hall County, Georgia consisting of Lot 2, Price Place Subdivision and being more particularly described according to a survey for Richard E. & Rhonda E. Abreu & Decatur Federal Savings and Loan Association, by Henry Grady Jarrard, Registered Surveyor, dated July 19, 1989 and being recorded in the Clerk's Office of the Superior Court of Hall County, Georgia in Plat Book 137, Page 90. Said plat and the record thereof are herein incorporated for a full and complete legal description.

**TO HAVE AND TO HOLD** the said premises, together with all rights and appurtenances unto the said Grantee, forever in **FEE SIMPLE**; the said Grantor **WARRANTS** title to same against the lawful claims of all persons claiming by, through or under Grantor, but against none other subject only to those permitted exceptions on Exhibit "A" attached hereto.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of all persons whomsoever.

EXECUTED under seal as of the date above.

Signed, sealed and delivered in

Elaine A. Barnett  
Unofficial Witness

Whit Powell (SEAL)  
**Whit Powell**

R. Weber  
Notary Public  
Notary Seal Affixed  
My Commission Expires:





**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 104, 10<sup>th</sup> DISTRICT, HALL COUNTY, GEORGIA, CONTAINING 0.331 ACRE OR 14,419 SQUARE FEET, MORE OR LESS, AND SHOWN AS "TRACT 2" ON THAT ALTA/NSPS LAND TITLE SURVEY FOR "W& P PROPERTIES, LLC, WHIT POWELL, NORTHEAST GEORGIA HEALTH SYSTEM, INC. & CHICAGO TITLE INSURANCE COMPANY," DATED MARCH 16, 2022, PREPARED BY ROCHESTER & ASSOC., LLC, RICHARD E. MILLARD, RLS, JN. G222028, AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO SAID SURVEY AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF PRICE AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF PRICE DRIVE (50' R/W) WITH THE SOUTHERN RIGHT-OF-WAY OF PRICE ROAD, A.K.A STATE ROUTE 136 (R/W VARIES); THENCE SOUTH 50°18'33" EAST, A DISTANCE OF 144.59 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE) ON THE SOUTHERN CRIMPED TOP PIPE) ON THE SOUTHERN RIGHT-OF-WAY OF SAID PRICE ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 71°08'14" EAST, A DISTANCE OF 36.93 FEET TO A POINT; THENCE SOUTH 73°14'37" EAST, A DISTANCE OF 62.44 FEET TO AN IRON PIN FOUND (1/2" REBAR WITH CAP); THENCE LEAVING SAID REBAR WITH CAP); THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE PROPERTY NOW OR FORMERLY OF W&P PROPERTIES, LLC, SOUTH 17°08'12" WEST, A DISTANCE OF 144.82 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE ALONG THE PROPERTY NOW OR FORMERLY OF LOT 3 OF PARK PLACE, NORTH 72°50'50" WEST, A DISTANCE OF 99.90 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE ALONG THE CRIMPED TOP PIPE); THENCE ALONG THE PROPERTY NOW OR FORMERLY OF LOT 1 OF SAID PRICE PLACE, NORTH 17°21'05" EAST, A DISTANCE OF 145.49 FEET TO THE TRUE POINT OF BEGINNING.

## LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 104, 10th DISTRICT, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MITERED INTERSECTION OF THE NORTHWESTERN RIGHT-OF-WAY OF SOUTHERS ROAD (R/W VARIES) WITH THE SOUTHWESTERN RIGHT-OF-WAY OF THOMPSON BRIDGE ROAD, A.K.A. STATE ROUTE 60 (R/W VARIES); THENCE ALONG THE RIGHT OF WAY OF SAID SOUTHERS ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTH 21°31'45" WEST, A DISTANCE OF 11.71 FEET TO A POINT; THENCE 112.23 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 495.57 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 59°49'31" WEST, 111.99 FEET TO A POINT; THENCE SOUTH 68°06'49" WEST, A DISTANCE OF 47.09 FEET TO A POINT; THENCE 190.20 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 526.80 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 57°46'17" WEST, 189.17 FEET TO A POINT; THENCE 129.36 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1431.66 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 44°35'02" WEST, 129.32 FEET TO A POINT; THENCE SOUTH 41°59'54" WEST, A DISTANCE OF 125.26 FEET TO A POINT; THENCE 39.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1563.32 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 42°42'35" WEST, 39.98 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE PROPERTY NOW OR FORMERLY OF DIANE CATHERINE SOUTHER AND DAVEY LAMAR SOUTHER, NORTH 14°10'27" WEST, A DISTANCE OF 236.78 FEET TO AN AXLE FOUND; THENCE NORTH 22°57'55" WEST, A DISTANCE OF 132.73 FEET TO AN IRON PIN SET (1/2" REBAR WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484"); THENCE SOUTH 56°18'02" WEST, A DISTANCE OF 164.40 FEET TO AN IRON PIN FOUND (1-3/4" OPEN TOP PIPE); THENCE ALONG THE PROPERTY NOW OR FORMERLY OF LAMAR SOUTHER, DELORES MILLER, TERESA BARRETT AND RITA MILLER, SOUTH 54°30'13" WEST, A DISTANCE OF 999.38 FEET TO AN IRON PIN SET (1/2" REBAR WITH A

YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484"); THENCE SOUTH 89°18'10" WEST, A DISTANCE OF 176.93 FEET TO AN IRON PIN SET (1/2" YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484") ON THE LINE COMMON WITH LAND LOT 104 AND LAND LOT 99, AFOREMENTIONED DISTRICT; THENCE ALONG SAID LAND LOT LINE, NORTH 00°29'05" WEST, A DISTANCE OF 423.81 FEET TO AN IRON PIN FOUND (1-1/4" OPEN TOP PIPE); THENCE CONTINUE ALONG SAID LAND LOT LINE AND ALONG THE SUBDIVISION NOW OR FORMERLY KNOWN AS WALNUT GROVE, UNIT ONE, NORTH 00°46'26" EAST, A DISTANCE OF 801.20 FEET TO AN AXLE FOUND; THENCE LEAVING SAID LAND LOT LINE AND ALONG THE SUBDIVISION NOW OR FORMERLY KNOWN AS PRICE PLACE THE FOLLOWING COURSES AND DISTANCES: SOUTH 56°48'08" EAST, A DISTANCE OF 274.32 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE NORTH 17°16'28" EAST, A DISTANCE OF 665.06 FEET TO A POINT; THENCE NORTH 77°23'30" WEST, A DISTANCE OF 102.29 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE NORTH 17°08'12" EAST, A DISTANCE OF 389.60 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE NORTH 72°50'50" WEST, A DISTANCE OF 99.90 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE NORTH 17°21'05" WEST, A DISTANCE OF 145.49 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE) ON PRICE ROAD, A.K.A. STATE ROUTE 136 (R/W VARIES); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES: SOUTH 71°08'14" EAST, A DISTANCE OF 36.93 FEET TO A POINT; THENCE SOUTH 73°14'37" EAST, A DISTANCE OF 62.44 FEET TO AN IRON PIN FOUND (1/2" REBAR WITH CAP); THENCE SOUTH 77°08'41" EAST, A DISTANCE OF 103.19 FEET TO A CONCRETE MONUMENT FOUND (R/W-DISTURBED); THENCE SOUTH 66°52'56" EAST, A DISTANCE OF 246.11 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE PROPERTY NOW OR FORMERLY BELONGING TO WEBB & SONS, LLC, THE FOLLOWING COURSES AND DISTANCES: SOUTH 42°01'23" WEST, A DISTANCE OF 101.85 FEET TO AN IRON PIN FOUND (5/8" REBAR); THENCE SOUTH 11°20'35" WEST, A DISTANCE OF 60.91 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); THENCE SOUTH 30°38'51" WEST, A DISTANCE OF 258.93 FEET TO AN IRON PIN FOUND (3/4" OPEN TOP PIPE); THENCE SOUTH 59°21'09" EAST, A DISTANCE OF 141.80 FEET TO AN IRON PIN FOUND (1/2"



REBAR WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF00484"); THENCE NORTH  $43^{\circ}23'58''$  EAST, A DISTANCE OF 416.73 FEET TO AN IRON PIN FOUND ( $1/2$ " REBAR WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF00484") ON THE SOUTHWESTERN RIGHT-OF-WAY OF SAID THOMPSON BRIDGE ROAD; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES: SOUTH  $34^{\circ}45'14''$  EAST, A DISTANCE OF 217.07 FEET TO A POINT; THENCE SOUTH  $34^{\circ}12'07''$  EAST, A DISTANCE OF 720.21 FEET TO A CONCRETE MONUMENT FOUND (R/W); THENCE 168.59 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 11,509.24 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH  $34^{\circ}38'12''$  EAST, 168.58 FEET; THENCE SOUTH  $27^{\circ}42'04''$  EAST, A DISTANCE OF 60.81 FEET TO A POINT; THENCE 88.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 11,517.21 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH  $35^{\circ}37'47''$  EAST, 88.14 FEET TO A POINT; THENCE SOUTH  $35^{\circ}50'56''$  EAST, A DISTANCE OF 0.61 FEET TO A POINT; THENCE 116.11 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 11401.28 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH  $35^{\circ}33'26''$  EAST, 116.11 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT CONTAINS 43.887 ACRES.

## Anael Dominguez (Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Monday, January 23, 2023 1:01 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 2.6.23

Please find Environmental Health comments below:

Item 1, 3325 Lakeland Road, Gonzalez: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation may be required to verify setbacks.

Item 2, 3268 Whidby Road, Bazemore: All proposed structures must meet required setbacks to existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system.

Items 3 and 4, 4654 Shirley Road, Rochester: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. The applicant was notified of EH requirements on 12.19.2022.

Item 5 and 6, 1600 Athens Hwy, Vargas: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 7, 3675 Thompson Bridge Road, NGHS: Connection to public sewer required. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, January 19, 2023 2:15 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for February 6, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Items 1-4 will not require GDOT Coordination

Items 5 & 6 (Gerardo Vargas) will require GDOT Coordination

Item 7 (Northeast Georgia Health System) will require GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

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**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>

**Sent:** Tuesday, January 17, 2023 9:17 AM

**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.org) <jeremy.wills@gainesvillega.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for February 6, 2023



Good morning –

Here is the Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Monday, January 23<sup>rd</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – January 17, 2023**

## **NEW BUSINESS**

1. **3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \* Commission District 3 | Lydia Gonzalez, applicant.**
2. **3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \* Commission District 2 | Douglas & Sheridan Bazemore, applicants.**
3. **4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
4. **4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) Proposed use: 6-lot subdivision | \*\* Commission District 3 | Rochester|DCCM, applicant.**
5. **1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
6. **1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | \*\* Commission District 3 | Gerardo Vargas, applicant.**
7. **3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | \*\* Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.**

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, March 9, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, March 9, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** January 23, 2023  
**Subject:** February 6, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 6, 2023 meeting. Upon review, we provide the following comments.

### NEW BUSINESS

1. [3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | \\* Commission District 3 | Lydia Gonzalez, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
2. [3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | \\* Commission District 2 | Douglas & Sheridan Bazemore, applicants.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
3. [4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) | Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No comment





POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

4. [4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001\(pt.\) Proposed use: 6-lot subdivision | \\*\\* Commission District 3 | Rochester|DCCM, applicant.](#)
  - a) **Engineering:** Show buffer and impervious setback from wrested vegetation, not centerline of the creek.  
Show flood Hall County studied and FEMA.
  - b) **Traffic:** Provide sight distance for each drive.
  - c) **Utilities:** No Comment
5. [1600 Athens Highway, Building C | Rezone | from Highway-Business \(H-B\) to Light-Industrial \(I-I\) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.](#)
  - a) **Engineering:** Stormwater will need to include all impervious that was added without a permit
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
6. [1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | \\*\\* Commission District 3 | Gerardo Vargas, applicant.](#)
  - a) **Engineering:** Stormwater will need to include impervious that was added without a permit.
  - b) **Traffic:** Need permit from GDOT for any driveway modifications.
  - c) **Utilities:** No Comment
7. [3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business \(H-B\), Agricultural-Residential-III \(AR-III\), & Residential-I \(R-I\) to Planned Office Development \(POD\) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | \\*\\* Commission District 2 | Northeast Georgia Health Systems, Inc., applicant.](#)
  - a) **Engineering:** This site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surface and/or disturbed acreage.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

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SRIKANTH YAMALA  
**Director**

BILL NASH, P.E.  
**Assistant Director**

FRANKLIN P. MILLER, P.E.  
**County Engineer**

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

- b) **Traffic:** Permit from GDOT will be required from driveway connection. Driveways on Southers will require widening. Check distance between proposed driveways.
- c) **Utilities:** Gainesville sewer district.

## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Tuesday, January 24, 2023 12:45 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Subject:** Planning Agenda Fire Comments

Tentative Agenda and Maps for the **Monday, February 6, 2023** Hall County Planning Commission Meeting.

**3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | \*\* Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.**

Hall County Fire Marshal concept plan comments for 3675 Thompson Bridge Rd.

- 1) Lot 1-5 will require an underground water distribution line with fire hydrant(s) installed to meet the 400 foot hose lay distance requirements to each building as the fire truck travels.
- 2) Lot 1-5 dead end turnarounds greater than 150' will require an approved fire apparatus turnaround.
- 3) Any building requiring a fire protection system will be required to install a fire service vault for each building, see Gainesville Water fire service vault detail.
- 4) Fire access lane around building on lot 5 will require an approved asphalt or concrete surface, no gravel or turf surfaced fire lane will be accepted.
- 5) Lot 1-5 Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 ft. exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**

**Lieutenant, Hall County Fire Rescue**

**Hall County Government**

Main: 770-531-6838 | Cell: 404-597-0083

Website: [www.Hallcounty.org](http://www.Hallcounty.org)





Planning Commission Comments - February 6, 2023 - Submission #68649

Date Submitted: 2/5/2023

Comments completed in the form below will be submitted into the record for the February 6, 2023 meeting of the Hall County Planning Commission.

First Name\*

Augie

Last Name\*

DeAugustinis

Address1\*

3743 Dove Cove Cir

Address2

City\*

Gainesville

State\*

GA

Zip\*

30506

Zoning Item for Comment\*

7. 3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments\*

While the residents of Lanier Village Estates welcome an expansion of medical facilities right across the street from us, our biggest concern is the effect the medical park will have on traffic through the intersection at our entrance. The traffic produced by this expansion will be in addition to the traffic produced from the 225 apartments under construction at Treesort, the 185 townhomes starting construction behind the CVS, and the 202 residential units recently approved on Price Road right next to all this other construction. That construction alone will likely produce an addition 5,000 trips per day through the Price Road/Thompson Bridge intersection.

We are hopeful that NGHS and the developers for the previously mentioned projects might coordinate with the GDOT to implement traffic flow and lane improvements for that intersection, including dedicated left turn lanes for northbound and southbound traffic for Thompson Bridge. (Please see attached file for illustration.) Let's not wait until we have another serious accident there before action is taken. Thank you!

Please write your comments in the box above.

**File Upload**

SR 60 -- SR 136-ver1-2.pdf

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

**Would you like follow-up communication?**

augie222@gmail.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.





© 2013 Google

Google earth

Imagery Date: 3/18/2013 34°22'34.98" N 88°52'30.08" W elev 1282 ft eye alt 2041 ft



Board of Commissioners Work Session Comments - February 6, 2023 - Submission #68659

Date Submitted: 2/5/2023

Comments completed in the form below will be submitted into the record for the February 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name\*

Davey

Last Name\*

Souther

Address1\*

3524 southers rd.

Address2

City\*

Gainesville

State\*

GA

Zip\*

30506

Your Comments\*

HI to whom it may concern my husband and will be living next door to the new medical office building our concern is he has Lymphoma (cancer) we would really like to have a tall privacy fence to help with the noise and traffic and any lights. and we don't want traffic using our driveway for a turn around. Thank you so much

Please write your comments in the box above.

File Upload

Choose File

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

770-540-7533

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Board of Commissioners Work Session Comments - February 6, 2023 - Submission #68657

Date Submitted: 2/5/2023

Comments completed in the form below will be submitted into the record for the February 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name\*

Delores

Last Name\*

Miller

Address1\*

219 Regency Ct,

Address2

City\*

Acworth

State\*

GA

Zip\*

30102

Your Comments\*

Question on the buffers for the property on Southers Road. The concept drawing states buffers are subject to change. Would that mean it could be less than the 25 feet as mentioned in the document, or more than the 25 feet? Also, what form will the buffer be? Trees, wall, etc.  
What about light pollution? Will the lights be faced away from all homes?

Please write your comments in the box above.

File Upload

Choose File

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

miller\_dee@bellsouth.net

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Planning Commission Comments - February 6, 2023 - Submission #68669

Date Submitted: 2/6/2023

Comments completed in the form below will be submitted into the record for the February 6, 2023 meeting of the Hall County Planning Commission.

First Name\*

Rita

Last Name\*

Rylee

Address1\*

6030 Ransom Free Road

Address2

City\*

Clermont

State\*

GA

Zip\*

30527

Zoning Item for Comment\*

7. 3675 Thompson Bridge Road, 3510 Souther's Road, 3709, 3719, & 3739 Price Road | Rezone

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments\*

I am a property owner on the section of Souther's Road effected by this rezoning. I'm concerned about the barrier between the hospitals building projects.

Please write your comments in the box above.

File Upload

Choose File

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

rsr21@comcast.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.



Planning Commission Comments - February 6, 2023 - Submission #68658

Date Submitted: 2/5/2023

Comments completed in the form below will be submitted into the record for the February 6, 2023 meeting of the Hall County Planning Commission.

First Name\*

Teresa

Last Name\*

Barrett

Address1\*

4128 Cha Co Rd

Address2

3530 Souther Rd

City\*

Gainesville

State\*

GA

Zip\*

30506

Zoning Item for Comment\*

7. 3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

## Your Comments\*

7. 3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office

Comments / concerns:

1. There is no mention of how noise is to be controlled during the construction / building process as it will be a nuisance to surrounding residents. How will noise be handled?
2. (Agenda Page 193) (NGHS 2 of 68) Recommended conditions Item# 6 - Landscape and lighting plan shall be submitted prior to land disturbance permit being issued. What are the buffers between residents and proposed site? The only thing mentioned is a required 25ft buffer. Lighting as a problem for surrounding residents as most commercial lighting is at heights above normal landscape of residential outdoor security lights. How will barriers keep proposed lighting from being a disturbance to residential owners where properties join the proposed project?
3. (Agenda Page 207) (NGHS 16 of 68) Map – Comments regarding the required buffers on creek that feeds into other waterways mentions measuring from Location wrested vegetation instead of centerline of creek. (Public works letter Agenda page 258) (NGHS 66 & 67 of 68)
4. (Agenda Page 207) (NGHS 16 of 68) Storm water management pond – Public works letter (page 66 & 67 of 68 NGHS) states the site may need a stormwater management report. The location of this pond produces threat of mosquitos and other health threatening and nuisance insects and other habitat to Southers Road residents of which is a major concern but is a smaller issue than the location of this collection of water that could possibly overflow into the creek.
5. Agenda Page 193 agenda) (NGHS 2 of 68) Recommended conditions Item#4 – Commercial driveway permit. Proposing two driveways, or even one drive will change the amount of traffic potentially backing up at the Southers Road stop sign. There will not be an option for exits for the existing residents on Southers once the proposed road (Sardis Road connector) has been completed as the Southers becomes a cul-de-sac with no access to the new connector. This proposed project is changing from 2 drives to 1 drive from Price Road where there is already construction for multi family units which will increase traffic flow substantially. Why is a traffic study not important for this project?
6. (Agenda Page 193) (NGHS 2 of 68) Summary Analysis Second paragraph mentions 2 story buildings. Again, there is no mention as to the impact to the residents living next to the project. Buffers cannot hide tall buildings.
7. (Agenda Page 196) (NGHS 5 of 68) Zoning analysis item#7 it is stated that the impact on surrounding properties is unknown until development completed. If no studies are provided, then the existing property owners will just be stuck with whatever impacts this project creates. If addressed up front, then accommodations can be considered. All traffic studies and other impact studies should be performed. This should happen for all large projects.
8. (Agenda Page 204) (NGHS 13 of 68) Proximity to other uses This mentions a single-family home that is closest to the project at 3761 Price Drive and the Price Place subdivision, however it does not mention the Southers Road properties of which are being isolated as a residential island with commercial property surrounding it which also utilizes the road for commercial entrance/ exits that otherwise would have become a residential cul-de-sac with road changes from the Sardis Road connector.

Please write your comments in the box above.

## File Upload

NGHS Proposed rezoning comments.docx

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

## Would you like follow-up communication?

1tsbcpa@bellsouth.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

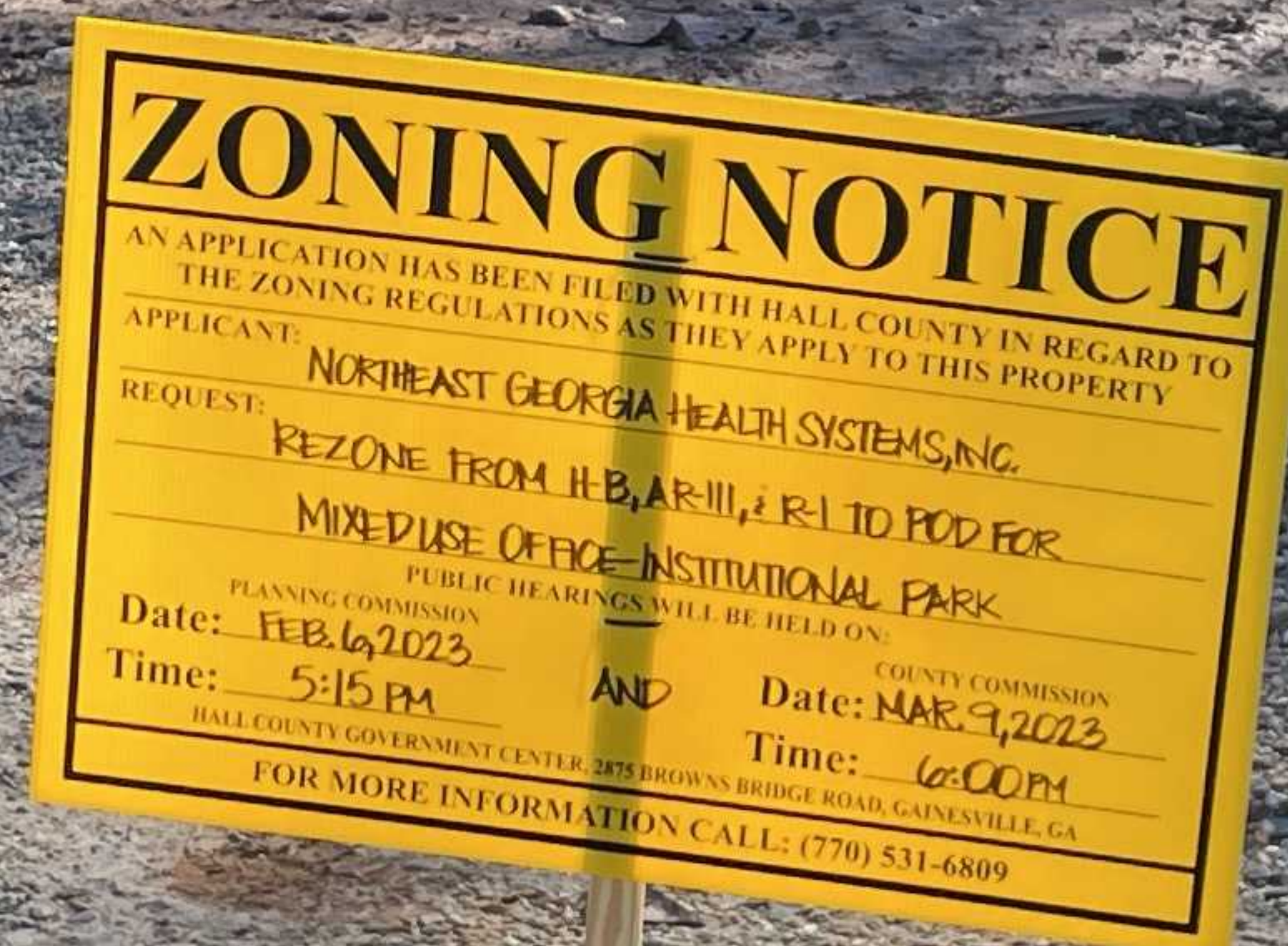
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Jan 20, 2023 at 3:03:05 PM  
3721 Price Rd  
Gainesville GA 30506  
United States





Jan 20, 2023 at 3:05:07 PM  
3697 Thompson Bridge Rd  
Gainesville GA 30506  
United States

**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: NORTHEAST GEORGIA HEALTH SYSTEMS, INC.

REQUEST: REZONE FROM HB, AR-III, & R1 TO POD FOR MIXED USE OFFICE-INSITUATIONAL PARK

PUBLIC HEARINGS WILL BE HELD ON:

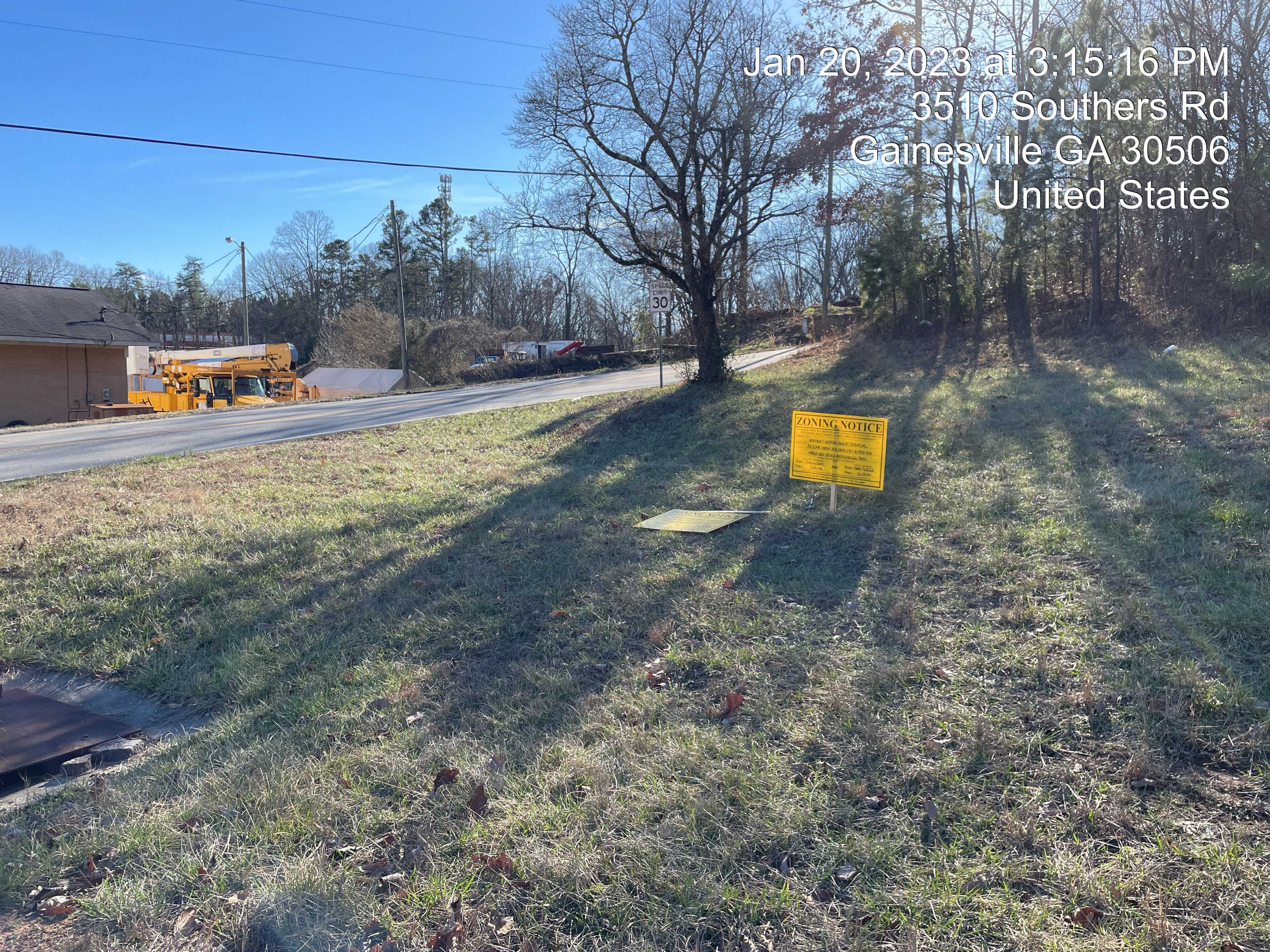
PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: <u>FEB 6, 2023</u>		Date: <u>MAR 9, 2023</u>
Time: <u>5:15 PM</u>		Time: <u>6:00 PM</u>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Jan 20, 2023 at 3:15:16 PM  
3510 Southers Rd  
Gainesville GA 30506  
United States





Jan 20, 2023 at 3:18:47 PM  
3631–3675 Thompson Bridge Rd  
Gainesville GA 30506  
United States

**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: NORTHEAST GEORGIA HEALTH SYSTEMS, INC.

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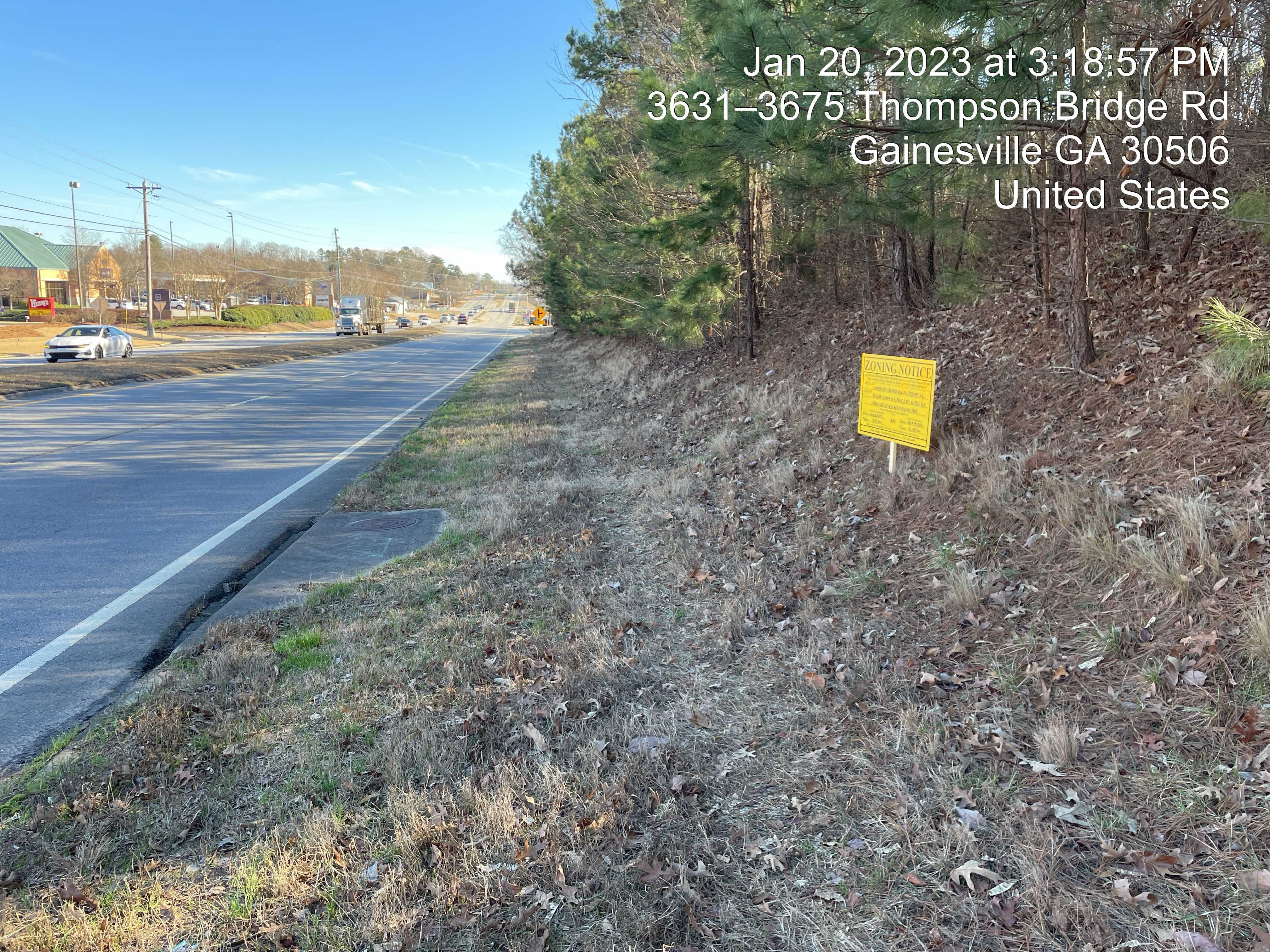
PLANNING COMMISSION		COUNTY COMMISSION
Date: <u>FEB. 6, 2023</u>	AND	Date: <u>MAR. 9, 2023</u>
Time: <u>5:15 PM</u>		Time: <u>6:00 PM</u>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



Jan 20, 2023 at 3:18:57 PM  
3631–3675 Thompson Bridge Rd  
Gainesville GA 30506  
United States







## AGENDA ITEM

### Public Works and Utilities

---

**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 88/2023

**SUBJECT:** Approve the sole source purchase of two (2) self-contained compactors for Resource Recovery to FleetGenius of NC, Inc., of Lenoir, NC, in the amount of \$54,843.00.

---

#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** BN

**Recommendation:**

Approve, Hall County has purchased Pinnacle SC35 Self Contained Compactors for many years. This purchase will allow for consistent operation and will make training and maintenance more manageable.

**Purpose of Request:**

Hall County Resource Recovery is seeking to purchase two (2) Pinnacle SC35 self contained compactors as a sole source purchase from FleetGenius of NC. These compactors allow for interchangeability between compactors and power units that are already in use at the Tadmore, Sardis, and Flowery Branch compactor sites.

**History:**

Hall County has purchased these exact compactors previously and this will allow for continuity in training protocol as well as fewer maintenance issues and added efficiency.

**Facts and Issues:**

The Pinnacle SC35 compactors and power units are interchangeably specific between the compactors, and the power units are already in use at the Tadmore, Sardis and Flowery Branch compactor sites.

**Options:**

**Funding Requested**

\$ 54,843.00

**Are funds within current budget?**

Yes

**Source of Funds**

Landfill Fund

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**



**Approvals:**

<b>Buyer</b>	<b>Submit</b>	<b>Approve</b>	<b>Purchasing</b>
JD	SY	SY	AP
<b>Budget</b>	<b>Finance</b>	<b>Attorney</b>	<b>Administration</b>
EW	WG	WLI	CR
<b>Clerk</b>			
JR			

---

**Attachments:**

Financial Supplement  
Quote  
Sole Source Justification  
FleetGenius Letter



**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 88/2023**

**Funds Requested:** \$ 54,843.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

Landfill Fund

No

**Funding Source Items:**

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2023	010 - LANDFILL	135 - RESOURCE RECOVERY	6005 - HEAVY EQUIPMENT	\$54,843.00

**Budget Transfer Items:**

**Additional Information/Comments:**

**Contact for Questions:** NS

**Phone:** 770-531-6851

**FleetGenius of NC****QUOTATION**

Original

**FLÉETGENIUS™**

1808 Norwood St SW  
 Lenoir NC 28645  
 USA

Quote No.: 48409  
 Date: 02/03/23  
 Valid Until: 03/03/23  
 Customer No.: C01507  
 Customer Ref. No.:  
 Page No.: Page 1 of 3

**BILL TO**

Hall County  
 P O Drawer 1435  
  
 Gainesville GA 30503  
 USA

**SHIP TO**

Hall County Landfill  
 1700 Oakbrook Drive  
 678-630-0530 Johnnie Vickers  
 Gainesville GA 30507  
 USA

**TOTAL****\$ 54,843.00**

Sales Employee: Missi Templeton  
 Contact Name: Bobby Purdum  
 Terms: N30

Ship Via: BWE Transport, LLC  
 FOB:

Item No.	Description	Unit Price	Quantity	Total
SC-35	Pinnacle Self Cont Compactor-35cy (278"L x 96"W x 105"H)	\$ 27,074.00	2.000	\$ 54,148.00

Baker Green - FN001,

"The Flex" Remote Power Unit w/ weather cover  
 \*Soft Shift Hydraulics & Calibrating Technology  
 w/ key lock start, reverse, & e-stop controls in panel  
 w/ 8ft hydraulic hoses

Voltage: 230 / 3ph

Warning lights 80% & 100%  
 Color Coded Pressure gauge on Power Unit  
 Multicycle  
 Extended Breaker Bar Teeth-approx 1" above Ram  
 Sealed Clean Out Door (hinged) in Compactor Head (sub for bolt on panel)

Hydraulic Connections / Disconnects: Hard Piping to Door End Both Sides with Fittings

\*No Load Option Requires Hold To Run or Signed Disclaimer

CO-GdSC110"+Stop SC Guide(110")- Lg Stops	2.000
---	-------

**PINNACLE COMPACTOR DISCLAIMER:****\*\*\*SITE READINESS\*\*\***

Customer is responsible for the removal of any existing equipment prior to installation new equipment  
 Customer will provide a clean, level, concrete pad to spec for compactor installations  
 Customer is responsible for supplying the electric service disconnect in line of sight of the compactor  
 Electrical disconnect box must be ready ("hot") w/ the proper fuse prior to compactor installation  
 Upon installation, compactors will be leveled, secured to the pad, and tested  
 Remote power units will be located in close proximity to the compactor and electric disconnect  
 Power units are free standing and not bolted to the pad unless specified

\*\*\*Compactors ordered without fabricated load options are subject to the 84" Rule (ANSI 245.2)\*\*\*

\*If the 84" Rule is not met, then the compactor will be equipped w/ "Hold To Run Controls"





1808 Norwood St SW  
Lenoir NC 28645  
USA

FLEETGENIUS™

Quote No.: 48409  
Date: 02/03/23  
Valid Until: 03/03/23  
Customer No.: C01507  
Customer Ref. No.:  
Page No.: Page 2 of 3

Item No.	Description	Unit Price	Quantity	Total
*In lieu of Hold To Run, an "Auto Start Key Switch" can be offered providing the customer assumes responsibility for compliance with the 84" Rule				
*Disclaimer forms for sign off, and assuming responsibility to the 84" Rule are available upon request				
***IF BWE PINNACLE IS DELIVERING AND / OR INSTALLING, THE CUSTOMER IS RESPONSIBLE FOR OFFLOADING AND PLACEMENT OF EQUIPMENT UPON DELIVERY UNLESS PRIOR ARRANGEMENTS HAVE BEEN MADE***				
***All warranty claims on parts and components are subject to the damaged/defective part being returned to BWE / Pinnacle for inspection***				
Upon receipt of the damaged/defective part, BWE / Pinnacle will diagnose the failure and process the warranty claim accordingly.				
If the part is deemed defective, then the replacement part will be provided at no charge				
If the part is found to be abused or physically damaged due to misuse, then the replacement part will be invoiced				
All parts and components are subject to the BWE / Pinnacle 1 year warranty from date of purchase				

We Appreciate Your Interest In BWE Products, And For This Opportunity To Do Business,

Missi Templeton  
Bakers Waste Equipment Inc  
BWE South Region Sales Manager  
828-448-8371 (cell)  
828-726-3001 (main office)  
mtempleton@bwe-nc.com (email)  
www.bwe-nc.com (website)

\*Lead Time: Approx (7) Weeks After Receipt Of Order - Subject To Change At Time Of Order

\*Prices Quoted Are Good For 60 Days From The Date Of The Quote

\*Sales Tax Will Be Applied Unless BWE Has A Tax Exempt Certificate On File

\*Customer Is Responsible And Liable For Offloading Equipment Upon Delivery Unless Alternate Methods Have Been Arranged Prior To Delivery

#### Order Terms and Conditions:

Order Confirmation – quotes are confirmed into orders based on customer verbal or written confirmation.

ALL INFORMATION CONTAINED IN A CONFIRMED QUOTE WILL BE CONSIDERED CORRECT AND ACCURATE AT THE TIME OF THE ORDER

Purchase Orders are recommended and preferred to confirm an order. The quoted product item, price, quantity, and specifications are also acknowledged at the time the order is confirmed.

Prices will be subject to change based on any subsequent alteration to quantity, product design or specification, logistics, or delivery schedule.

Order Cancellations – cancelled or revised orders must be approved by BWE and may be subject to a change order fee of 25% if the order is already in production

Payment Terms – method and payment terms are confirmed at time of order. New accounts will be subject to a deposit, prepayment, and / or COD payment terms until a credit application can be processed for payment term options

Warranty – standard BWE warranty applies to all new products sold. Warranty date begins on the date the product is received and is only valid if the products have been received, and paid for in full

Shipping Damages – any damages must be noted at the time of delivery to the freight company that delivers the product.

Failure to do so may jeopardize any damage claim to repair, return, or replace the damaged product. Customer is responsible

**FleetGenius of NC****QUOTATION**

Original



1808 Norwood St SW  
Lenoir NC 28645  
USA

**FLEETGENIUS™**

Quote No.: 48409  
Date: 02/03/23  
Valid Until: 03/03/23  
Customer No.: C01507  
Customer Ref. No.:  
Page No.: Page 3 of 3

Item No.	Description	Unit Price	Quantity	Total
for offloading equipment and is liable for damages during offloading unless arranged otherwise				
Return Policy – products must have return authorization from BWE prior to them being returned. Items returned are subject to restocking fees of 25%. BWE reserves the sole right to waive any return or restocking fees				

Subtotal	\$ 54,148.01
Discount	
Shipping	\$ 695.01
Tax	
<b>Total</b>	<b>\$ 54,843.01</b>

Remarks: (4) SC-35  
2 TL Freight  
Lead Times Approx 9 Weeks



## Sole Source/Brand and Single Source Justification

### Request Submitted By

<b>Name:</b>	Bobby Purdum
<b>Job Title:</b>	Interim Deputy Sanitation Supervisor
<b>Department:</b>	Resource Recovery
<b>E-Mail Address:</b>	rpurdum@hallcounty.org
<b>Date of Request:</b>	02/03/2023

### Request Details

**Sole Source:** Any contract entered into without a competitive solicitation process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements of the County.

**Sole Brand:** A purchasing situation in which only one brand of equipment/supply, etc. will meet the requirements of the County.

**Single Source:** Any contract entered into without a competitive solicitation process, based on a justification that two or more vendors can supply the commodity, technology, and/or perform the services required by an agency, but one vendor is selected over the others for reasons such as expertise or previous experience with similar contracts.

*For Sole Source or Sole Brand, identify efforts made to locate other possible sources.*

#### Sole Source

Hall County has purchased Pinnacle SC35 Self Contained Compactors for many years. To maintain the ability to change out the self contained compactors at the compactor sites, it is required to use the Pinnacle SC35 Self Contained Compactor cans. The Pinnacle SC35 compactors and power units are interchangeably specific between the compactors and the power units.

**Desired Supplier Name:** FleetGenius of NC

**Desired Supplier Email:** mtempleton@fleetgenius.com

**Desired Supplier Phone Number:** 828-448-8371



### Scope of Work

Provide a detailed description of commodities/services to be provided. Also, include the following details: exact or estimated quantity, per unit price, and the total estimated cost.

2 Pinnacle Self Contained Compactor - 35cy (278"L x 96"w x 105"h)

Baker Green - FN001 (color)

"The Flex" remote power unit with weather cover.

"Soft Shift Hydraulics & Calibrating Technology with key lock start, reverse, & e-stop controls in panel with 8' hydraulic hoses.

Voltage: 230/3ph

Warning lights 80% & 100%

Color Coded Pressure Gauge on Power Unit

Multi-cycle

Extended Breaker Bar Teeth - approx. 1" above Ram

Sealed Clean Out Door (hinged) in Compactor Head (sub for bolt on panel)

Hydraulic Connections/Disconnects: Hard piping to Door End Both Sides with Fittings

Unit Price: \$27,074.00

# Units: 2

Total: \$54,148.00

### **Justifying a Sole Source/Brand**

**Provide an explanation why only a particular style, model, type or manufacturer is required (i.e. why the commodity is the only commodity which will meet the County needs).**

Hall County has purchased Pinnacle SC35 Self Contained Compactors for many years. To maintain the ability to change out the self contained compactors at the Sardis, Tadmire, and Flowery Branch compactor sites, it is required to use the Pinnacle SC35 Self Contained Compactor cans. The Pinnacle SC35 compactors and power units are interchangeably specific between the compactors and the power units.

This allows the County to continue the standardization of it's compactors.

**Provide a detailed description of proposed source's unique capabilities and/or personnel to perform the work and why this is the only source.**

The Pinnacle SC35 compactors and power units are interchangeably specific between the compactors and the power units. These units are located at Sardis, Tadmire, and Flowery Branch compactor sites

### Justifying a Single Source

Provide an explanation why the recommended vendor is being selected over other vendors that can provide the requested commodity, technology, and/or perform the services required.

Letter from Original Equipment Manufacturer (required):



Attached

### Purchasing Use Only

Buyer:

Buyer E-Mail Address:

Buyer Telephone:

Contract #:

Contract Name:

If publicly solicited, number of protests:

Outcome:

Awarded Sole Source/Brand



Bid # (if competitively bid):

Purchase Order #:





## FLEETGENIUS™

December 16, 2022

Hall County  
PO Drawer 1435  
Gainesville, GA 30503

Dear Buyer,

As Hall County has been purchasing Pinnacle (now FleetGenius) SC35 Self Contained Compactors from FleetGenius (formerly BWE) for many years, be advised that interchangeability is specific between FleetGenius (formerly BWE) compactors and power units.

FleetGenius (formerly BWE) Pinnacle(now FleetGenius) power units are programmed and set to operate in conjunction w/ the style and stroke of the cylinders inside our compactors. This allows interchangeability between compactors and power units in the field.

The challenge all compactor manufacturers have is interchangeability between different makes and models of power units to compactors. If a power unit is programmed and set to run an associated brand, then a different brand may not operate the same way on that power unit without making setting and / or program changes. This poses an efficiency and operational challenge when interchanging multiple brands of compactors in the field on a dialy basis.

It is highly recommended to keep consistant makes and models in the field for consistant operation. In addition, maintenance protocol and parts change from

one brand to another so having the same brand of compactor makes upkeep and troubleshooting more manageable.

The Pinnacle (now FleetGenius) brand name and line of compactors is an exclusive product manufactured by FleetGenius (formerly BWE) only.

In summary, all compactors are not built exactly alike and have design and operational differences so it is always recommended that similar makes and models be deployed for interchangeability and maintenance.

As always we appreciate the business and look forward to working with you and Hall County on future compactor projects.

Sincerely,

**Lea Cook**  
Plant Manager  
FleetGenius of NC, Inc.  
Toll Free: 800-221-4153  
O: 828-726-3001 ext 308  
E: [lcCook@fleetgenius.com](mailto:lcCook@fleetgenius.com)  
URL: [www.fleetgenius.com](http://www.fleetgenius.com)



**FLEETGENIUS™**





## AGENDA ITEM

### Public Works and Utilities

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**REPORT TO:** Work Session (03/06/23)

**REPORT TO:** Voting Meeting (03/09/23)

**ITEM NO:** 113/2023

**SUBJECT:** Approve the Extension of a \$501,017.00 Guaranty Performance/Maintenance Agreement for The Retreat at Chicopee Subdivision. Commission District 2.

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#### Meetings:

**Work Session Date:** 03/06/23

**Voting Meeting Date:** 03/09/23

#### Executive Summary:

**Presenter:** BN

**Recommendation:**  
Approve

**Purpose of Request:**  
Approve the Extension of a \$501,017.00 Guaranty Performance/Maintenance Agreement for The Retreat at Chicopee Subdivision. Commission District 2.

#### History:

#### Facts and Issues:

#### Options:

**Funding Requested** \$ 0.00

**Are funds within current budget?** No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No

**Has it been reviewed by the County Attorney?** Yes

**Is there a deadline for this item?**

#### Approvals:

Submit	Approve	Budget	Finance
WS	SY	EW	WG
Attorney		Administration	Clerk
WLI		CR	JR



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**Attachments:**

Certificate

Final Plat Information



ARCHSURETY

CONTINUATION CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS, THAT:

In consideration for the payment of a renewal premium, ARCH INSURANCE COMPANY, as SURETY, does hereby continue

Bond Number: SU 1169566-0000

Effective Date: 03/16/2021

Amount of bond: \$501,017.00

Continued from: 03/16/2023 to 03/16/2025

On behalf of: Mountain View Development LLC

In favor of: Hall County Board of Commissioners

Provided, however, that this Continuation Certificate does not create a new obligation and is executed upon the express condition and provision that the Surety's liability under said bond and this and all Continuation Certificates issued in connection therewith shall not be cumulative and that said Surety's aggregate liability under said bond and this and all such Continuation Certificates on account of all defaults committed during the period (regardless of the number of years) said bond has been and shall be in force, shall not in any event exceed the amount of said bond as hereinbefore set forth.

Dated this 14th day of February 2023

ARCH INSURANCE COMPANY

By:   
Jarrett Merlucci, Attorney-in-Fact

*This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.*

# POWER OF ATTORNEY

## Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Brett Rosenhaus of Delray Beach, FL

Charles D. Nielson, Charles J. Nielson, David R. Hoover and Jarrett Merlucci of Miami Lakes, FL (EACH)

F. Danny Gann, Edward T. Ward and Audria R. Ward of Atlanta, GA (EACH)

John R. Neu and Kevin Wojtowicz of St. Petersburg, FL (EACH)

Laura D. Mosholder of Orlando, FL

its true and lawful Attorney(s)-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars (\$90,000,000.00).

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on December 10, 2020, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on December 10, 2020:

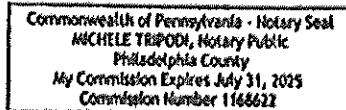
VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on December 10, 2020, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company. In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 22<sup>nd</sup> day of October, 2021.

## Attested and Certified

  
Regan A. Shulman, Secretary

STATE OF PENNSYLVANIA SS  
COUNTY OF PHILADELPHIA SS

I, Michele Tripodi, a Notary Public, do hereby certify that Regan A. Shulman and Stephen C. Ruschak personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.



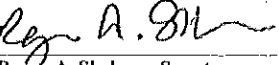
Arch Insurance Company

  
Stephen C. Ruschak, Executive Vice President

## CERTIFICATION

I, Regan A. Shulman, Secretary of the Arch Insurance Company, do hereby certify that the attached Power of Attorney dated October 22, 2021 on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Stephen C. Ruschak, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 14<sup>th</sup> day of February, 20 23.

  
Regan A. Shulman, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:

Arch Insurance - Surety Division  
3 Parkway, Suite 1500  
Philadelphia, PA 19102



To verify the authenticity of this Power of Attorney, please contact Arch Insurance Company at [SuretyAuthentic@archinsurance.com](mailto:SuretyAuthentic@archinsurance.com)  
Please refer to the above named Attorney-in-Fact and the details of the bond to which the power is attached.



Final Plat Information

Consider extension of \$501,017.00 Guaranty Performance/Maintenance Agreement for The Retreat at Chicopee Subdivision.

Subject Subdivision is located off Titshaw Drive

NAME OF SUBDIVISION: The Retreat at Chicopee  
NAME OF OWNER/DEVELOPER: Mountain View Development, LLC  
ADDRESS: 655 Engineering Drive, Suite 208  
Peachtree Corners, GA 30092

TYPE OF MAINTENANCE BOND: Guaranty Performance  
DATE OF BOND: March 16, 2021  
AMOUNT OF BOND: \$501,017.00

FINANCIAL INSTITUTION: Arch Insurance Company  
AND ADDRESS: Harborside 3  
210 Hudson Street, Suite 300  
Jersey City, NJ 07311-1107

Account No.: SU1169566

COMM.		R/W	LENGTH	WIDTH	TYPE	STATE
DIST.	STREET NAME	IN	IN	IN	OF	REF.
		FEET	FEET	FEET	SURFACE	NO.
2	Birch Mountain Run	50	2421.71	20	P.M.	----
2	Chicopee Trail Drive	50	258.97	20	P.M.	----
2	Deerhaven Crossing	50	812.47	20	P.M.	----
2	Peakridge Lane	50	950.00	20	P.M.	----

**NOTES:**

NUMBER OF LOTS: 122  
CURB & GUTTER: 24" Rolled Back  
TOTAL ACRES OF S/D: 38.2 AC