HALL COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA
Hall County Government Center 2nd Floor
2875 Browns Bridge Road
Gainesville, GA 30504
Streamed Live on Hall County Government's Website - www.hallcounty.org
Monday, March 25, 2024 - 03:00 PM

Call to Order

Appointments for Consideration

1 Appointment to the Chicopee Woods Area Park Commission to serve a term from March 27, 2024 to March 26, 2027. Commission District 1.

2 Appointment to the Chicopee Woods Area Park Commission to serve a term from March 27, 2024 to March 26, 2027. Commission District 3.

Community Services and Parks

3 Approve the award of IFB #034-44 Animal Shelter Generator Replacement for Animal Services to Capital City Electrical Services, LLC of Norcross, GA, in the amount of $168,350.00.

County Attorney

4 Approval and authorization for the Chairman to execute a resolution accepting 3.535 acres of improved real property known as 1280 Athens Street, Gainesville, GA, deeded to the County by the Gainesville and Hall County Development Authority for access to Butler Park, and to authorize the Chairman to execute any and all documents necessary to effectuate the transaction, subject to the review and approval of the County Attorney.

Fire Rescue

5 Approve the application for the FY 2024 State Homeland Security Program grant for the Fire Rescue Hazmat Team to purchase identification equipment for hazardous materials in the amount of $80,990.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

Planning and Development

6 **5348 Channel Drive | Amend Conditions |** of a previous rezoning on a 17.60± acre tract located on the south side of Channel Drive, approximately 2,085 feet from its intersection with Bryant Quarter Road | Zoned AR-IV; Tax Parcel 15001C000007 **| Proposed Use: 2-lot subdivision |** Commission District 3 **| Robert Ratcliffe, applicant.** Note: Tabled at the February 8, 2024 Voting Meeting until the March 28, 2024 Voting Meeting.

7 **0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324-unit residential development |** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** Note: Tabled at the March 14, 2024 Voting Meeting until the March 28, 2024 Voting Meeting.

8 **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions** | of a Planned Residential Development (PRD) on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | Commission District 1 | **Steven P. Gilliam, applicant**

9 **2554 White Sulphur Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 11.94± acre tract on the east side of White Sulphur Road, approximately 230 feet from its intersection with Ramsey Circle | Zoned AR-III; Tax Parcel 15020C000005 | **Proposed Use: 53-unit townhome development**| Commission District 3 | **CMWB Company, LLC, applicant**

10 **6384 Yellow Creek Road | Use Subject to County Commission Approval** | on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | Commission District 2 | **Sara Hathaway, applicant**

11 **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone** | from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | Commission District 4 | **Tim Ferguson, applicant**

12 **17, 20, 21 & 24 Spring Street | Rezone** | from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcels 00063 008022, 23, & 24 | **Proposed Use: 10-unit residential development** | Commission District 4 | **Alex Petry, applicant**

13 **6585 Johnson Circle | Appeal a Planning Commission Decision for a Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | Commission District 2 |**Kristy Wilkerson – Brown Haven Homes, applicant; Gail Hunter, appellant**

Public Works and Utilities

14 Approve the Agreement for Reservation of Sewerage Service between Hall County and Clayton Properties Group, Inc. for the capacity of 46,000 gallons per day for Ponderosa Farms Subdivision, in the amount of $1,775,968.00. Commission District 2.

15 Public hearing to request approval and authorization for the Chairman to execute a resolution for the expansion of a Special Tax District for street lights on Spring Road and Skelton Road in Hall County. Commission District 4.

16 Approval and authorization for the Chairman to execute a Settlement Agreement for the purchase of 0.219 acres of real property and 0.137 acres for permanent and temporary easements for the purpose of constructing and maintaining slopes and relocating utilities, located at 3590 Thompson Bridge Road, Hall County, GA, tax parcel number 10104 000012, for the sum of $1,866,757.00, and authorization for the Chairman to execute any and all documents necessary to effectuate the transaction, subject to review and approval of the County Attorney.

17 Approve the extension of $615,335.39 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Union Grove Phase II Subdivision. Commission District 1.

18 Approve the release of a $429,745.31 Guaranty Performance/Maintenance Agreement and acceptance of streets in Lancaster Subdivision Phase II into Hall County maintenance. Commission District 1.

19 Approve the release of a $516,275.00 Irrevocable Letter of Credit/Performance Agreement and acceptance of streets in Overlook at Marina Bay Subdivision. Commission District 2.

20 Approve the acceptance of $86,000.00 Irrevocable Letter of Credit/Performance Agreement for stormwater management facilities and sidewalks in Overlook at Marina Bay Subdivision. Commission District 2.

Tax Assessors

21 Approve the 2022 real property refund in the amount of $2,131.42 for overpayment of Hall County Taxes regarding 9.95 acres of property located at 0 Gainesville Street, Flowery Branch to the Summit Lake Homeowners Association, Inc.

Treatment Services

22 Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding Program for Family Treatment Court for staffing, technical and professional services, supplies, and training in the amount of $280,509.00, 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 $42,076.00 is required.

23 Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding for the HELP Program to fund HELP staff, provide surveillance, counseling, drug testing, transportation and medication assistance in the amount of $506,613.00, 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 $75,992.00 is required.

24 Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of $119,568.00, 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 $17,935.00 is required.

25 Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding Program for the Drug Court for staffing, technical and professional services, supplies, and training in the amount of $1,002,462.00, 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 $150,369.00 is required.

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

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 79/2024

SUBJECT: Appointment to the Chicopee Woods Area Park Commission to serve a term from March 27, 2024 to March 26, 2027. Commission District 1.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Chicopee Woods Area Park Commission to serve a term from March 27, 2024 to March 26, 2027. Commission District 1.

History:
The current appointment is Keith Morris.

Facts and Issues:
Keith Morris is willing and eligible to serve should the Board decide to re-appoint.

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?	2024-03-26

Approvals:

Approve	Clerk
JR	JR

Attachments:

AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 80/2024

SUBJECT: Appointment to the Chicopee Woods Area Park Commission to serve a term from March 27, 2024 to March 26, 2027. Commission District 3.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Chicopee Woods Area Park Commission to serve a term from March 27, 2024 to March 26, 2027. Commission District 3.

History:
Amanda Norton is the current appointment.

Facts and Issues:
Amanda Norton does not wish to serve another term.

Jenny Floyd has been recommended for this appointment. Ms. Floyd is willing and eligible to serve should the Board decide to appoint her.

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	Clerk
JR	JR

Attachments:

AGENDA ITEM

Community Services and Parks

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 42/2024

SUBJECT: Approve the award of IFB #034-44 Animal Shelter Generator Replacement for Animal Services to Capital City Electrical Services, LLC of Norcross, GA, in the amount of $168,350.00.

Meetings:

Work Session Date: 03/25/24

Voting Meeting Date: 03/28/24

Executive Summary:

Presenter: TG

Recommendation:
Approve.

Purpose of Request:
Approve the award of IFB #034-44 Animal Shelter Generator Replacement for Animal Services to Capital City Electrical Services, LLC of Norcross, GA in the amount of $168,350.00.

History:

Capital City Electrical Services, LLC has proven to be a reliable and trusted vendor.

Facts and Issues:
This is to replace the existing generator that is beyond its useful life. Staff recommends awarding IFB #034-44 Animal Shelter Generator Replacement to Capital City Electrical Services, LLC of Norcross, GA in the amount of $168,350.00. Forty-eight (48) bids were sent out, and only four (4) responses were received - one of which, Synergy Industrial Services, LLC of Atlanta, GA submitted a "no bid".

Additionally, Current Edge Solutions, LLC of Savannah, GA was the low bidder; however, they are not within 100 miles as stated in the IFB subsection 1.2.B. or the service zone. (The installation/service center must be located within 100 miles of Hall County, GA.)

Options:

Funding Requested $ 168,350.00

Are funds within current budget? No

Source of Funds	ARPA / 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?	

Approvals:

Buyer	Submit	Approve	Purchasing
AY	BH	BH	AY
Budget	**Finance**	**Attorney**	**Administration**
EW	WG	WLI	CR
Clerk			
JR			

Attachments:

Financial Supplement
Bid Tab
Contract
Bid Packet

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 42/2024

Funds Requested: $ 168,350.00

Request Budgeted: No

Proposed Source of Funding:

ARPA / Capital Projects

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	542500-OTHER EQUIPMENT	$134,683.00
2024	350-CAPITAL PROJECTS FUND	3910-ANIMAL SERVICES	542500-OTHER EQUIPMENT	$33,667.00

Budget Transfer Items:

Additional Information/Comments:

Stephanie Maloch, 678-450-1587 Funding for the capital projects fund portion of this purchase is from project savings from the Animal Control Boxes and Radio replacement projects.

Contact for Questions: TG

Phone: 678-450-1587

IFB #:	034-44 Animal Shelter Generator Replacement	DeHart & Hill Electric, Inc	Capital City Electrical Services, LLC	Current Edge Solutions, LLC	Synergy Industrial Services, LLC
		Cumming, GA	Norcross, GA	Savannah, GA	Atlanta, GA
ITEM NO.	ITEM DESCRIPTION	PRICE	PRICE	PRICE	PRICE
1	Generator	$169,289.00	$149,450.00	$140,682.00	
2	Extended Warranty (for years 2-5)	$25,000.00	$17,400.00	$6,300.00	
3	Cap/Abandon existing natural gas line	$2,500.00	$1,500.00	$1,500.00	
4	Modify/Replace existing concrete pad	$2,500.00	N/A	N/A	
5	Permitting	$500.00	N/A	$200.00	
	Total	$199,789.00	$168,350.00	$148,682.00	NO BID
	Lead Time	40-46 Weeks	40-46 Weeks	10 Weeks	

RECOMMENDED AWARD: Capital City Electrical Services, LLC

*Current Edge Solutions, LLC is the low bidder; however, it does not operate within the 100-mile radius requirement as stated in the IFB subsection 1.2.B

BUDGET AMOUNT:

TOTAL AWARDED AMOUNT: $168,350.00

BIDS MAILED: 48 HALL: 0

BIDS RECEIVED: 3 (1 -NO BIDS) HALL: 0

FUNDS:

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

CONTRACT EXECUTION SIGNATURE REQUEST

Date: 2/1/2024

To: Richard Higgins, Chairman, Board of Commissioners

From: Andrew Youngblood, Purchasing Supervisor

Your signature is requested to execute the attached Contract.

Bid/Contract No: # 034-44

Contract Name: Contract For Services for the Provision of Animal Shelter Generator Replacement

Department(s) Requesting Contract: Animal Services

Vendor Name: Capital City Electrical Services, LLC

Agenda Item #: 42/2024

☐ Price Increase Requested — Percentage Increase: n/a

☐ Demand Service Contract — Previous Spend: n/a

☐ Commodity Contract — Requested Amount: $168,350.00

☒ Service Contract

Comments:

To approve the services of removal and disposal of the old natural gas Generac generator at Hall County Animal Shelter and replace it with a new diesel Generac generator.

PRICE INCREASE DETAILS

Bid/Contract No: Invitation For Bid #034-44 Animal Shelter Generator Replacement

Bid/Contract Name: Invitation For Bid #034-44 Animal Shelter Generator Replacement

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GAINESVILLE, GA 30503

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DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

EXHIBIT B – Contract for Services

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT # 034-44

For the provision of

Animal Shelter Generator Replacement

ARTICLE #101 – INTRODUCTION

This Contract for Animal Shelter Generator Replacement at the Hall County Animal Shelter located at 1688 Barber Rd, Gainesville, GA 30507 (hereinafter "Services") as entered into on _____, and with an Effective Date of _____, is by and between; Hall County, Georgia, Board of Commissioners, (hereinafter "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Capital City Electrical Services, LLC (Hereinafter "Contractor"), located at 1346 Oakbrook Dr, Suite 170A, Norcross, GA 30093. 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 provision of Services or other good and valuable consideration by the Contractor to the County in exchange for payment as compensation, and

Whereas, this contract will become legally binding and executed upon signature by both parties, and

Whereas, this Contract is the result of the competitively Bid or cooperative contract **#034-44,** the Contractor's bid response, acceptance of the Scope of Work, its Exhibits, Attachments, and references are all incorporated herein by reference, and

NOW, THEREFORE and in consideration of the terms, conditions, mutual promises, covenants and agreements made as expressed and contained herein, or attached and incorporated and made a part hereof, and other good and valuable consideration, expressed by a valid offer and acceptance, the receipt and sufficiency of which the parties hereby acknowledge, the Parties hereto agree as follows:

ARTICLE #102 – CONTRACT:

A. Contractor agrees to provide the Services to the County as detailed attached as the Scope of Work.
B. County hereby agrees as good and valuable compensation as provided in the attached Exhibit C – Cost Proposal Worksheet, as incorporated herein by reference, (including Performance & Payment Bonds and all permits if required) shown below:

   Contractor is to invoice the County after substantial completion of project in arrears. County will pay Contractor progress payments as further described herein;

C. **Price Escalation Clause.** (Not applicable) Contractor may request up to, but no more than, a three percent (3%) price escalation adjustment to this contract at each time of contract renewal.

ARTICLE #103 – NOTICES:

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

COUNTY PROJECT MANAGER
Trey Garcia, Director
Hall County Animal Services
1688 Barber Rd
Gainesville, GA 30507
tgarcia@hallcounty.org
(678) 450-1587

COUNTY ISSUING OFFICER
Andrew Youngblood
Hall County Purchasing Division
2875 Browns Bridge Rd
Gainesville, GA 30504
andrew.youngblood@hallcounty.org
(770) 531-4940

CONTRACTOR'S CONTACT INFO
Name Rick Moore
Title Estimator/Account Manager
Company Name Capital City Electrical
Physical Address 1346 Oakbrook Dr, Suit
City, State, ZIP Norcross, GA 30093
Email rick.moore@ccelect.com
Phone (470) 929-0560

REMIT-TO ADDRESS (if different)

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:

Until substantial and final completion of services according to the time schedule and after all sub-contractor(s) and material suppliers liens are satisfied.

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 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, acts of war, civil unrest, 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(s).

ARTICLE #108 – TERMINATION:

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. 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 sixty (60) 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 contractor's satisfactory performance of the Contract substantially

endangered or that 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 this ARTICLE 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 this ARTICLE, 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 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.

D. **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.

E. **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 subcontractors 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.*

F. **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.

G. **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. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.

H. **Liquidated Damages.** In the event that the Contractor unreasonably delays completion of the project, or abandons the project before completion, the Contractor shall pay the County liquidated damages an amount equal to the percentage of work not completed.

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 (SUBCONTRACTORS):
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 subcontractors, 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 hyperlink. 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 (i) 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 subcontractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

ARTICLE #118 – INSURANCE REQUIREMENTS:

Workers Compensation Insurance: Required for all contracts.
a. $500,000 Bodily Injury by Accident Each Accident
b. $500,000 Bodily Injury by Disease Each Disease
c. $500,000 Bodily Injury by Disease Each Employee

Additional Provisions: Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers, and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC; but this provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

General Liability Insurance: Required for all contracts.
a. $2,000,000 General Aggregate
b. $2,000,000 Products & Completed Operations Aggregate
c. $1,000,000 Each Occurrence
d. $1,000,000 Personal & Advertising Injury
e. $500,000 Damages to Premises / Fire / Legal
f. $5,000 Medical Payments

Commercial Auto Liability Insurance: Required for all contracts, except for Goods and/or Services that are remote in nature and/or are delivered by a professional delivery service.
a. $1,000,000 Combined Single Limit OR
b. $500,000 per Person
c. $500,000 per Occurrence

d. $100,000 Property Damage
e. $1,000 for Medical Payments (no fault coverage)

Additional Provisions:
a. Uninsured motorists coverage should be equal to the per occurrence limit except for contracts with other governmental entities
b. Coverage shall be included for any owned, leased, hired, or non-owned autos
c. For any contracts involving the transportation of hazardous materials, limited pollution endorsement ISO form CA9948 or its equivalent shall be on the policy

Umbrella Liability Insurance: Required for all contracts
a. $1,000,000 per Occurrence

Additional Provisions:
a. Underlying coverage shall be General Liability, Automobile Liability, and Employers Liability (Workers Compensation)
b. Minimum limit of $5,000,000 per occurrence for all contracts over $1,000,000 or involving any special risks or high hazard activities
c. Minimum limit of $5,000,000 for automobile coverage for any transportation contracts involving seniors, special education, transit services, students, or youths.
d. Concurrent policy dates with primary liability policies except for workers compensation

Cyber Insurance: (If applicable) Required for all software, computer hardware installation, data access, data integrations, data usage, cloud storage, SaaS, and or technology related contracts.
a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 Annual Aggregate
c. $1,000,000 Business Interruption
d. $1,000,000 Data Recovery
e. $500,000 Cyber Extortion Expenses
f. $50,000 Cyber Extortion/Ransom Payments

Additional Provisions: (If applicable) Coverage shall include at a minimum:
a. Information Security & Privacy Liability
b. Regulatory Fines and Penalties
c. Payment Card Industry (PCI) – if credit cards and/or banking information is obtained or accessed
d. Ransomware

Professional Liability Insurance (Errors & Omissions): Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents, or other professions that require proper licenses.
a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 General Aggregate

Builders Risk: (If Applicable) Recommended for most new construction projects.
a. With any construction project, Hall County should consider purchasing Builders Risk Coverage on a direct basis or have the contractor provide the coverage for projects under $5,000,000 in value.
b. For projects over $5,000,000 in value, Hall County BOC should obtain Builders Risk Coverage on a direct basis to ensure coverage consistency and additional protections are made for Hall County BOC.

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.

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 any specified County-owned equipment and vehicles listed herein, Contractor warrants that no Contractor employees, subcontractors or others will not use 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 and 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 – 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 (NTP) 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 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 – CONTRACT.*
   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 – NOTICES* 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 or deny payment pursuant to this *ARTICLE* or terminate the Contract pursuant to *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 as liquidated damages 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 both a Performance and Payment Bond, both equal to one hundred percent (100%) of the Contract's total initial award dollar amount. The County will only issue a Notice to Proceed after the bonds are received. 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 Contractor must provide all required bonding instruments to the County prior to commencement of any work. The County will consider any work done prior to the receipt of bonding instruments as null-and-void and thus not eligible for compensation.

ARTICLE #124 – RETAINAGE:
The County will retain funds to be withheld from compensation in compliance with Georgia law. Hall County may hold up to five percent (5%) retainage throughout the entire project and will release said retainage at the point of 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 (E-Verify):

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:

1. Amendments to the Contract, including all Exhibits thereto.
2. The Contract itself, including all Exhibits thereto.
3. Attachments appended to the Contract.

ARTICLE #129 – CONTRACT EXHIBITS AND ATTACHMENTS:
The Parties mutually acknowledge that all Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the IFB documents and the bidder's response, are herein incorporated into this contract by reference.

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 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 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", "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 whether 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 (N30).
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 PO 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 PO, Contract, or Agreement unless mutually agreed in writing by both parties.
15. The County does not accept automatic contract 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, 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 a 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 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 it 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.

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
Capital City Electrical Services
By: _____
Print Name: Charles Brooks
Title: President

Sworn to and subscribed before me this
31 Day of January, 2024

Notary Public: Lauren Russell Haggard

Notary commission expires: _____

[Locus Sigilli – Seal or Stamp]

STATE OF GEORGIA
LAUREN RUSSELL HAGGARD
Notary Public, Georgia
Forsyth County
My Commission Expires
October 07, 2025

HALL COUNTY, GEORGIA

By: _____
Richard Higgins, Chairman
Hall County Board of Commissioners

Date: _____

Attestment: _____
County Clerk

Approved as to Form
_____
William J. Linkous III, County Attorney

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

INVITATION FOR BID

IFB #034-44

For the provision of services:

Animal Shelter Generator Replacement

Hall County, Georgia, (Herein "County") Animal Services, is seeking qualified contractors to furnish and install one (1) replacement generator to replace existing Generac 300 KW diesel/natural gas generator at Hall County Animal Shelter located at 1688 Barber Road, Gainesville, GA 30507. (herein "Services").

This is a turnkey project to provide all materials, equipment, labor, transportation, and supervision. The project includes removing and disposing of the existing Generac natural gas generator and providing and installing a new diesel generator. The County seeks to award one (1) contractor for the project.

Date IFB Issued: Monday, January 8, 2024
Mandatory Pre-Bid On-Site Visit: Bidders are required to attend the pre-bid on-site meeting on Thursday, January 18, 2024 at 9:00am located at Hall County Animal Shelter, 1688 Barber Road, Gainesville, GA 30507
Bid Due Date: Thursday, January 25, 2024 at 2:00pm

Project Manager: Trey Garcia, Director of Hall County Animal Services
Phone (678) 450-1587, tgarcia@hallcounty.org

Bidding Process: The County is now accepting sealed bids for the provision of services to replace existing Generac 300 KW natural gas generator and furnish and install one (1) new standby diesel Generac generator or other brand of equal fit, form, and function at Hall County Animal Shelter, in the County's Purchasing Division, located on the fourth (4th) floor at the Hall County Government Center, 2875 Browns Bridge Road, Gainesville, GA 30504, until 2:00 p.m. EST, Thursday, January 25, 2024.

The County will make any extension of the bidding period by a formal written addendum and publicly posted. Bidders must submit two (2) copies of the bid along with all mandatory exhibits and documents, signed affidavits, and Exhibit C – Cost Proposal in hardcopy and also include on one (1) USB Flash Drive with all documents. Emailed bids are not acceptable.

Proposal Documents: Bidders may download bid submittal documents via the County's Website at https://www.hallcounty.org/Bids.aspx, then choose *ANIMAL SHELTER GENERATOR REPLACEMENT* to download the bid packet.

General Qualifications: Bidders must be in the regular business of providing similar services, be licensed, insured, and bonded to do so in the State of Georgia. A bid bond is not required but a Letter of Bondability, in the case of an award, is required.

Bid Retention: Bidders may not withdraw their bid after the bid opening. Bids must be valid for one hundred and twenty (120) calendar days. The County reserves the right to retain all bids submitted and use any idea(s) in a bid regardless of award. The County shall have the right to waive any informality or irregularity of immaterial deviation in any bid received. All forms, exhibits, and documents are mandatory and must be completed and returned with the bid. Please remember to sign EXHIBIT B – Contract for Services.

Award Process: The County reserves the option to reject any or all bids, in whole or part, or to select any bidder, without liability on part of the County to the bidder to complete the described work. The County will award the project to one (1) contractor to perform all work to the lowest cost, responsible and responsive bidder. The Bidder expressly understands that the County may reject bids for any reason.

Bonds: If required, Contractor shall provide the following with their bid response:

A. Valid Business License
B. Required licenses and certifications
C. Bid Bond, not required
D. Letter of Bondability that your firm can acquire performance and payment bonds equal to one hundred percent (100%) each of the contract value. Awarded Contractors must produce the Bonds prior to a Notice to Proceed issuance or any work commencing.

1.0 SCOPE OF WORK

- Remove and dispose of existing natural gas Generac 300KW generator and install new diesel Generac generator or other brand of equal fit, form, and function of existing generator.
    - Bidders are responsible for verifying capacity, voltage, etc. when on site at the pre-bid meeting.
- Relocate existing remote annunciator panel from its current location to near the fire alarm panel
- Bidders shall include the following cost(s) in their bids:
    - Convert fuel from natural gas to diesel and cap/abandon existing natural gas line.
    - Modify or replace the concrete pad to accommodate the new generator, if necessary.
    - Optional five (5) year parts and labor warranty
    - Downtime hours necessary to do changeover
    - All required permitting, if necessary
- Four (4) hour load bank test
- Bidders shall include lead time for the unit in their bids

1.1 SPECIFICATIONS

A. The emergency power system (EPS) must provide an alternate AC power source for load in the event there is an interruption of normal utility power. When required, the unit must automatically transfer the load from the normal power source to the standby emergency generator. Upon return of normal power, the load shall be automatically transferred back to the normal power source, and the emergency generator shall automatically shut off after a cool-down period.

B. The extent of EPS work is indicated by the requirements of this section. Provide a complete automatically operated electric generating set of the size, type, and operating characteristics described, completely installed, tested, and operative. All equipment, labor, and materials necessary to accomplish this must be included, and the coordination of all required equipment and materials shall be the responsibility of one manufacturer, who has an approved experience record in furnishing similar equipment.

1.2 QUALITY ASSURANCE

A. Manufacturers: The following manufacturers are acceptable provided they meet all requirements of the specifications: Generac or equal in fit, form, and function.

B. Geographic Location: The installation/service center must be located within one hundred (100) miles of Hall County, Georgia.
C. Requirements:
   - The installation/service center shall be factory authorized and must be certified in writing by the manufacturer as being responsible for installation and warranty work and must be capable of performing work on the engine, generator, battery charger, fuel system, automatic transfer switch, and all accessories that make up the complete emergency power system.
   - The installation/service center shall provide on-site service within four (4) hours of receipt of service request.
   - The installation/service center shall maintain adequate levels of repair parts inventory.

1.3 MANUFACTURER TESTING

A. Design prototype testing must be performed on similar models of the unit furnished on this project.
B. Final production testing of the engine/generator.
C. Field testing by the manufacturer's local representative.

1.4 ENVIRONMENTAL PROTECTION AGENCY (EPA) EMISSIONS REGULATION COMPLIANCE.

The generator assembly shall comply with EPA Tier regulations with respect to the specified size.

1.5 SERVICE / MAINTENANCE AGREEMENT:

A. The engine/generator supplier shall provide a service/maintenance contract covering a minimum of one (1) year of operation from the date of substantial completion. There shall be no deductible costs or other costs to the owner for these services. All costs shall be included in the bid for this project. The agreement shall be made in the name of the owner. The service/maintenance agreement applies to the Engine-Generator Set.
B. The Maintenance agreement shall include the following and shall include services per the equipment manufacturer's applicable instruction manual:
   - Lube, oil, and filter change
   - Fuel filter change
   - Engine tune-up with parts
   - Service/replace air cleaner
   - Test/Check/Adjust the coolant/antifreeze level
   - Inspect/Replace cooling system hoses as required
   - Service/replace belts as required
   - Check/Service engine heater operation
   - Check the generator set for fuel, oil, and coolant leaks and repair, as necessary
   - Check air intakes and outlets
   - Drain exhaust line, as necessary
   - Inspect/Service silencer
   - Check battery charger operation and charge rate
   - Check battery electrolyte levels and specific gravity
   - Test/Inspect emergency system operation with load applied for a single, one (1) hour period
   - Frequency check/governor adj.
   - Check the transfer switch and accessory operation
   - Check engine alternator charge rate
   - Check engine generator gauge and indicator operation
   - Check generator set controller operation including shutdown functions and emergency stop
   - Check generator output voltage and adjust as necessary
C. Maintenance shall be performed at intervals stated in the equipment manufacturer's applicable instruction manuals, except that the minimum service visits shall be four (4) per year.

D. Routine maintenance shall be performed during the owner's normal working hours. Arrangements will be made with the owner within twenty-four (24) hours prior to each service call in order to secure access to the equipment.
E. The servicing agent will supply labor, transportation, supplies, and parts, and test equipment as necessary to perform the service and preventative maintenance, at no additional cost.
F. The service agreement shall include labor, transportation, supplies, and replacement parts to restore the system to operating condition, whether due to normal wear and tear or defects in workmanship or materials.
G. Response to service calls shall be made within four (4) hours.
H. The servicing agent shall maintain complete service history and necessary drawings and service procedure data for reference in the service of the equipment. The agreement does not include any expense to repair damage caused by abuse, accident, theft, acts of a third person, forces of nature, alteration of equipment, or improper operation. The servicing agent shall maintain a representative stock of replacement parts for the complete emergency system and a competent factory-trained service organization.
I. After each inspection, the owner will be furnished a written report detailing any conditions found and advising further service required, if any, to ensure the operating dependability of the equipment under contract.

1.6 COMPREHENSIVE WARRANTY

The standby electric generating system components, complete genset, and instrumentation panel shall be warranted by the manufacturer against defective materials and factory workmanship for a period of five (5) years. Such defective parts shall be repaired or replaced at the manufacturer's option, free of charge for parts, labor, and travel. The warranty period must commence when the standby power system is first placed into service. Warranties for individual components (engine, alternator, controls, etc.) will not be acceptable. Satisfactory warranty documents must be provided to owner. Also, in the judgment of the specifying authority, the manufacturer supplying the warranty for the complete system must have the necessary financial strength and technical expertise with all components supplied to provide adequate warranty support.

1.7 PRODUCTS

A. The system shall have the following characteristics:
   - 300 KW, for continuous standby service based on use in outdoor housing
   - Geographic location: Gainesville, Georgia, USA.
B. Provide monitoring and controls necessary to achieve the following sequence of operation:
   1. Transfer the emergency system load within the ten (10) second interval required by NFPA 110.
   2. After the emergency load has been stabilized, transfer the optional standby load. Time delay shall be field selectable, 1-5 minutes. Set for one (1) minute.
C. The isochronous governor must be capable of +.25% steady-state frequency regulation.
D. Air Cleaner: Dry element with restriction indicator.
E. Lube Oil Filter: Single spin-on, full flow.
F. Positive displacement, full-pressure lubrication oil pump, cartridge oil filters, dipstick, and oil drain.
G. Cooling system: High ambient 122° Fahrenheit unit mounted radiator, blower fan, water pump, and thermostat.
   - Salient-pole, brushless, 12 lead reconnectable type; self-ventilated, drip-proof housing; amortisseur rotor windings and skewed for smooth voltage waveform. NEMA Class H insulation with fungus-resistant epoxy varnish. Brushless excitation system controlled by solid-state, anti-tracking voltage regulator capable of maintaining +/- 2% for any constant load from 0 to 100% of rating. Provide individual adjustments for voltage range, stability, and volts/hertz operations.
   - Voltage dip not to exceed 20% with one-second recovery within 2% of rated voltage, for one-step loads 0% to 90% of the rating.

- Shall sustain at least 250% rated current for a minimum of 10 seconds, based on a 3-phase symmetrical fault.
- Integral thermal-magnetic circuit breaker on output, coordinated not to trip under the conditions described above.

1.8 CONTROLLER

A. Set-mounted, microprocessor-based, with vibration isolation. Modular construction to allow field replacement and for field testing without starting the generator. Controller shall include:
   - Fused DC circuit
   - Complete two-wire start/stop control which shall operate on closure of remote contact device(s).
   - Speed-sensing and a second independent starter motor disengagement system that shall protect against starter engagement with a moving flywheel. Battery charging alternator voltage will not be acceptable for this purpose.
   - The starting system shall be designed for restarting in the event of a false engine start, by permitting the engine to completely stop and then re-engage the starter.
   - Cranking cycler with 15-second ON and OFF cranking periods. Crank control shall provide at least two (2) cranking periods. Each cranking attempt shall be separated by appropriate rest periods. A sensing device shall automatically disconnect the starting circuit when the engine has started. If the engine has not started at the completion of the starting program, the over-cranking signal shall so indicate. The engine starting controls shall be locked out and no further starting controls shall be locked out and no further starting attempts shall take place until the over-cranking device has been manually reset. A selector switch shall be incorporated into the automatic engine start and stop controls. It shall include an "off" position that prevents manual or automatic starting of the engine; a "Manual" or "hand-crank" position that permits the engine to be started manually by the pushbutton on the control cabinet and an "automatic" position that readies the system for automatic start/stop on demand of the control system.
   - Over-crank protection is designed to open the cranking circuit after seventy-five (75) seconds if the engine fails to start.
   - Circuitry to shut down the engine when signal for high coolant temperature, low oil pressure, or over speed are received.
   - Engine cool down timer factory set at five (5) minutes to permit unloaded running of the standby set after the transfer of the load to normal.
   - Three-position (Automatic-OFF-TEST) selector switch. In the TEST position, the engine shall start and run regardless of the position of the remote starting contacts. In the Automatic position, the engine shall start when contact in the remote control circuit closes and stop five (5) minutes after this contact opens. In the OFF position, the engine shall not start even though the remote start contacts close. This position shall also provide for immediate shutdown in case of an emergency. The rest of any fault shall also be accomplished by putting the switch in the OFF position.

B. Indicating lights to signal:
   - Auxiliary Pre-alarm (Yellow)
   - Auxiliary Safety Shutdown (Red)
   - Switch “OFF” (Flashing Red)
   - Over-crank (Red)
   - Emergency Stop (Red)
   - High Water Temperature (Red)
   - Over speed (Red)
   - Low Oil Pressure (Red)
   - Battery Charger Fault (Red)
   - Low Battery Voltage (Red)
   - Low Fuel (Red)
   - System Ready (Green)

- Anti-High Water Temperature (Yellow)
- Anti-Low Oil Pressure (Yellow)
- Low Coolant Temperature (Red)
- Test button for indicating lights
- Alarm Horn with silencer switch per NFPA 110

Terminals shall be provided for each signal above, plus additional terminals for common fault and common pre-alarm

1.9 INSTRUMENT PANEL

The instrument panel shall include:

- Dual range voltmeter 3-1/2 inch, 2% accuracy
- Dual range ammeter phase selector switch
- Voltmeter-ammeter phase selector switch
- Lights to indicate high/low meter scale
- Direct reading pointer-type frequency meter 3-1/2 inch, 0.5% accuracy, 45 to 65 Hz scale
- Panel illuminating lights
- Battery charging voltmeter
- Coolant temperature gauge
- Oil pressure gauge
- Running time meter
- Voltage adjust rheostat

1.10 MOUNTING BASE

A. The engine generator shall be skid-mounted on two (2) iron "I" or "C" type channels. The design shall provide vibration isolation between the genset and the mounting base.

B. The frame design shall not inhibit easy access to the oil pan after the genset has been installed. Installations which require the use of a pump to drain the oil are not acceptable.

1.11 ACCESSORIES. The following accessories shall be installed:

- Block Heater: 120 Volt AC. Thermostatically controlled and sized to maintain engine coolant at 90°F (32°C) to meet the start-up requirements of NFPA 110, Level 1.
- Generator strip heater, 120 volts, single phase for high humidity applications.
- Over-voltage protection will shut down the unit after one (1) second of fifteen percent (15%) or more over-voltage.
    - Note: Sensitive equipment may suffer damage in less than one (1) second of an over-voltage condition. Online equipment requiring faster shutdown should have its own over-voltage protection.
- Weather housing constructed of rugged steel, cleaned, phosphated, and electrocoat painted inside and out with rust inhibiting primer and exterior coat of the manufacturer's standard color. Provide hinged, double doors on each side to give easy access to the genset, and a rear door to allow access to the control panel. All door handles shall be key-lock type. Skid and floor design shall include a removable panel below the engine oil pan. All shelters shall come ready for job installation. Top-mounted exhaust silencer with rain shield over the exhaust opening.
    - Note: A 120-volt battery box heater shall be included.
- Battery rack, battery cables, 12-volt batteries capable of delivering the required minimum cold-cranking amps are required at 0°F.
- 10-Ampere automatic float and equalize battery charger with +/- 1% constant voltage regulation from no load to full load over +/- 10% AC input line variation, current limited during engine cranking and short circuit conditions, temperature compensated for ambientes from -40°C to +60°C, 5% accurate voltmeter and ammeter, fused, reverse polarity and transient protection. Provide alarm circuit board to meet the requirements of NFPA 110 for low battery voltage, high battery voltage, and battery charger malfunction.

- Gas-proof, seamless, stainless steel, flexible exhaust connection, and engine exhaust silencer rated for critical application. Exhaust noise shall be limited to 85 dBA as measured at ten (10) feet in a free-field environment.
- Provide and locate an annunciator adjacent to the fire alarm control panel. Provide all wiring between the remote annunciator and generator set if existing wiring is not usable.

1.12 FUEL FACILITIES

A. Sub-base fuel storage tank shall be supplied. The tank shall be double-wall design with a minimum of twenty-four (24) hours of operation at full load capacity. The tank shall be made of corrosion-resistant steel. Provide an automatic leak detection system in the space between the walls, supply vents, lockable fill, level gauge, and fuel lines as required. The fuel tank shall be UL-listed and labeled.
B. Hall County will provide/fill the generator with diesel fuel as needed.
C. Provide factory representative to conduct startup and testing. Testing shall comply with the requirements of NFPA 110, paragraph 5-13, "Installation Acceptance". Manufacturer, manufacturer's representative, or contractor shall provide a resistive load bank to conduct the tests.
D. Upon completion of testing, the factory representative shall provide four (4) hours of on-site training of the owner's designated personnel.
E. All wiring and interconnections shall be in accordance with commercial electrical standards. Installation drawings and complete wiring diagrams shall be furnished to the owner.

Mandatory on-site meeting will be held on Thursday, January 18, 2024 at 9:00am with the County Project Manager. Only signed attendees of this meeting will be allowed to bid!

Alternate/add #1: Provide the cost for additional Preventive Maintenance (as described for year one) for years 2 through 5.

Give estimated lead times for completion after the job is awarded.

2.0 SUBMISSION OF BIDS

2.1 Complete and include all Exhibit documents shown below in 2.03. Failure to include any of the Exhibit documents listed may result in disqualification. All responses must be in writing.

2.2 Bidders must submit their signed response in a sealed envelope clearly marked with "**IFB #034-44 Animal Shelter Generator Replacement**" on the outside and on a USB drive. The submittal must have an original wet signature on the bid. Faxed or emailed bids will not be accepted.

2.3 Follow these instructions carefully. Complete and return the following included in your bid envelope. These documents are mandatory. Do not email your bid response.

Exhibit A – Bid Response Form
Exhibit B – Contract for Services
Exhibit C – Cost Proposal Worksheet
Exhibit D – W-9 Form
Exhibit E – E-Verify Affidavit
Exhibit F – Ethics Affidavit
Exhibit G – Questions/Responses
Copy of Business License
Letter of Bondability
Copy of Certificate of Insurance

2.4 Bids openings are open to the public and bidders may attend but are not required to do so. All bids, supporting materials, and correspondence relating to this IFB become property of Hall County when received. Bidders can submit bids to the following address by the deadline date and time:

Hall County Government Center
Andrew Youngblood, Issuing Officer
Purchasing Division – 4th Floor
2875 Browns Bridge Road,
Gainesville, Georgia 30504

3.0 BID PREPARATION

Bidder bears all responsibility for expenses incurred in responding to this IFB.

If you desire to submit a "NO BID", response then please indicate by checking below:

_____ No Bid. List reason for no bid _____

_____

_____

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

EXHIBIT A – 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 requirements needed to complete the project. The services offered and the cost proposal must be valid for at least one hundred twenty (120) days from date of signature.

Date of Bid Submittal: _____ **Bid No:** IFB #034-44

Bid Name: Animal Shelter Generator Replacement

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

"I, the undersigned, agree to abide by all terms and conditions of this solicitation and certify that I am authorized to sign this bid proposal".

Company Name: _____

Bidder Signature: _____ Date: _____

Print Name: _____

Title: _____

Phone Number: _____

Email Address: _____

Physical Address: _____

City, State, ZIP: _____

Unsigned bids may be declared as "Non-Responsive" and may 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

_____

_____

HALL COUNTY
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t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT B – Contract for Services

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT # 034-44

For the provision of

Animal Shelter Generator Replacement

ARTICLE #101 – INTRODUCTION

This Contract for Animal Shelter Generator Replacement at the Hall County Animal Shelter located at 1688 Barber Rd, Gainesville, GA 30507 (hereinafter "Services") as entered into on _____, and with an Effective Date of _____, is by and between; Hall County, Georgia, Board of Commissioners, (hereinafter "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and _____ (Hereinafter "Contractor"), located at _____. 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 provision of Services or other good and valuable consideration by the Contractor to the County in exchange for payment as compensation, and

Whereas, this contract will become legally binding and executed upon signature by both parties, and

Whereas, this Contract is the result of the competitively Bid or cooperative contract **#034-44,** the Contractor's bid response, acceptance of the Scope of Work, its Exhibits, Attachments, and references are all incorporated herein by reference, and

NOW, THEREFORE and in consideration of the terms, conditions, mutual promises, covenants and agreements made as expressed and contained herein, or attached and incorporated and made a part hereof, and other good and valuable consideration, expressed by a valid offer and acceptance, the receipt and sufficiency of which the parties hereby acknowledge, the Parties hereto agree as follows:

ARTICLE #102 – CONTRACT:

A. Contractor agrees to provide the Services to the County as detailed attached as the Scope of Work.
B. County hereby agrees as good and valuable compensation as provided in the attached Exhibit C – Cost Proposal Worksheet**,** as incorporated herein by reference, (including Performance & Payment Bonds and all permits if required) shown below:

   Contractor is to invoice the County after substantial completion of project in arrears. County will pay Contractor progress payments as further described herein;

C. **Price Escalation Clause.** (Not applicable) Contractor may request up to, but no more than, a three percent (3%) price escalation adjustment to this contract at each time of contract renewal.

ARTICLE #103 – NOTICES:

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

COUNTY PROJECT MANAGER
Trey Garcia, Director
Hall County Animal Services
1688 Barber Rd
Gainesville, GA 30507
tgarcia@hallcounty.org
(678) 450-1587

COUNTY ISSUING OFFICER
Andrew Youngblood
Hall County Purchasing Division
2875 Browns Bridge Rd
Gainesville, GA 30504
andrew.youngblood@hallcounty.org
(770) 531-4940

CONTRACTOR'S CONTACT INFO
Name
Title
Company Name
Physical Address
City, State, ZIP
Email
Phone

REMIT-TO ADDRESS (if different)

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:

Until substantial and final completion of services according to the time schedule and after all sub-contractor(s) and material suppliers liens are satisfied.

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 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, acts of war, civil unrest, 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(s).

ARTICLE #108 – TERMINATION:

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. 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 sixty (60) 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 contractor's satisfactory performance of the Contract substantially

endangered or that 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 this ARTICLE 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 this ARTICLE, 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 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.

D. 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.

E. 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 subcontractors 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*.

F. 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.

G. 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. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.

H. Liquidated Damages. In the event that the Contractor unreasonably delays completion of the project, or abandons the project before completion, the Contractor shall pay the County liquidated damages an amount equal to the percentage of work not completed.

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 (SUBCONTRACTORS):
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 subcontractors, 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 hyperlink. 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 (i) 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 subcontractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

ARTICLE #118 – INSURANCE REQUIREMENTS:

Workers Compensation Insurance: Required for all contracts.
a. $500,000 Bodily Injury by Accident Each Accident
b. $500,000 Bodily Injury by Disease Each Disease
c. $500,000 Bodily Injury by Disease Each Employee

Additional Provisions: Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers, and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC; but this provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

General Liability Insurance: Required for all contracts.
a. $2,000,000 General Aggregate
b. $2,000,000 Products & Completed Operations Aggregate
c. $1,000,000 Each Occurrence
d. $1,000,000 Personal & Advertising Injury
e. $500,000 Damages to Premises / Fire / Legal
f. $5,000 Medical Payments

Commercial Auto Liability Insurance: Required for all contracts, except for Goods and/or Services that are remote in nature and/or are delivered by a professional delivery service.
a. $1,000,000 Combined Single Limit OR
b. $500,000 per Person
c. $500,000 per Occurrence

d. $100,000 Property Damage
e. $1,000 for Medical Payments (no fault coverage)

Additional Provisions:
a. Uninsured motorists coverage should be equal to the per occurrence limit except for contracts with other governmental entities
b. Coverage shall be included for any owned, leased, hired, or non-owned autos
c. For any contracts involving the transportation of hazardous materials, limited pollution endorsement ISO form CA9948 or its equivalent shall be on the policy

Umbrella Liability Insurance: Required for all contracts
a. $1,000,000 per Occurrence

Additional Provisions:
a. Underlying coverage shall be General Liability, Automobile Liability, and Employers Liability (Workers Compensation)
b. Minimum limit of $5,000,000 per occurrence for all contracts over $1,000,000 or involving any special risks or high hazard activities
c. Minimum limit of $5,000,000 for automobile coverage for any transportation contracts involving seniors, special education, transit services, students, or youths.
d. Concurrent policy dates with primary liability policies except for workers compensation

Cyber Insurance: (If applicable) Required for all software, computer hardware installation, data access, data integrations, data usage, cloud storage, SaaS, and or technology related contracts.
a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 Annual Aggregate
c. $1,000,000 Business Interruption
d. $1,000,000 Data Recovery
e. $500,000 Cyber Extortion Expenses
f. $50,000 Cyber Extortion/Ransom Payments

Additional Provisions: (If applicable) Coverage shall include at a minimum:
a. Information Security & Privacy Liability
b. Regulatory Fines and Penalties
c. Payment Card Industry (PCI) – if credit cards and/or banking information is obtained or accessed
d. Ransomware

Professional Liability Insurance (Errors & Omissions): Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents, or other professions that require proper licenses.
a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 General Aggregate

Builders Risk: (If Applicable) Recommended for most new construction projects.
a. With any construction project, Hall County should consider purchasing Builders Risk Coverage on a direct basis or have the contractor provide the coverage for projects under $5,000,000 in value.
b. For projects over $5,000,000 in value, Hall County BOC should obtain Builders Risk Coverage on a direct basis to ensure coverage consistency and additional protections are made for Hall County BOC.

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.

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 any specified County-owned equipment and vehicles listed herein, Contractor warrants that no Contractor employees, subcontractors or others will not use 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 and 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 – 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 (NTP) 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 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 – CONTRACT.*
   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 – NOTICES* 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 or deny payment pursuant to this *ARTICLE* or terminate the Contract pursuant to *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 as liquidated damages 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 both a Performance and Payment Bond, both equal to one hundred percent (100%) of the Contract's total initial award dollar amount. The County will only issue a Notice to Proceed after the bonds are received. 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 Contractor must provide all required bonding instruments to the County prior to commencement of any work. The County will consider any work done prior to the receipt of bonding instruments as null-and-void and thus not eligible for compensation.

ARTICLE #124 – RETAINAGE:
The County will retain funds to be withheld from compensation in compliance with Georgia law. Hall County may hold up to five percent (5%) retainage throughout the entire project and will release said retainage at the point of 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 (E-Verify):

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:

1. Amendments to the Contract, including all Exhibits thereto.
2. The Contract itself, including all Exhibits thereto.
3. Attachments appended to the Contract.

ARTICLE #129 – CONTRACT EXHIBITS AND ATTACHMENTS:
The Parties mutually acknowledge that all Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the IFB documents and the bidder's response, are herein incorporated into this contract by reference.

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 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 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", "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 whether 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 (N30).
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 PO 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 PO, Contract, or Agreement unless mutually agreed in writing by both parties.
15. The County does not accept automatic contract 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, 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 a 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 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 it 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.

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

By: _____

Print Name:

Title:

Sworn to and subscribed before me this

_____ Day of _____, 2024

Notary Public: _____

Notary commission expires: _____

[Locus Sigilli – Seal or Stamp]

HALL COUNTY, GEORGIA

By: _____
Richard Higgins, Chairman
Hall County Board of Commissioners

Date: _____

Attestment: _____
County Clerk

Approved as to Form

_____
William J. Linkous III, County Attorney

HALL COUNTY
GEORGIA
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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

EXHIBIT C – Cost Worksheet

IFB # 034-44

Animal Shelter Generator Replacement

Company Name: _____

Bidder's Name: _____

Bidder's Signature: _____

Date: _____

Instructions:

Line	Lump Sum
Replace One (1) Standby Generator per specifications	
Preventive Maintenance Agreement Years 2 – 5 (if not included with unit)	
Cap/Abandon existing natural gas line	
Modify/Replace existing concrete pad (if necessary)	
Permitting (if necessary)	

_____

Approximate Lead Time for generator unit: _____

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ **Go to *www.irs.gov/FormW9* for instructions and the latest information.**

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

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

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.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

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.

☐ 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) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

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

			–			–				

or

Employer identification number

		–							

Part II Certification

Under penalties of perjury, I certify that:

1. 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
2. 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
3. I am a U.S. citizen or other U.S. person (defined below); and
4. 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** ▶

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.*

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.*

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GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT E – 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:

a) 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;
b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
c) 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;
d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
e) 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);
f) 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
g) 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.

_____ _____
Federal Work Authorization User Identification Number Date of Authorization

_____Animal Shelter Generator Replacement
Name of Contractor Name of Project

Hall County, Georgia

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

Executed on _____, _____, 2023 in _____ (city), _____ (state).

_____
Signature of Authorized Officer or Agent

_____
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 20___.

_____
NOTARY PUBLIC

My Commission Expires: _____ [Locus Sigilli]

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DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT F – Ethics Affidavit

Contractors, consultants, and vendors of any service or commodity to Hall County, Georgia must read and affirm to adhere to the following ethics requirements for compliance with the Official Code 3.10.070 of Hall County - 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, or not, a contract.

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 _____, _____, 20____ in _____ (city), _____ (state) _____ (Zip Code)

_____
Signature of Authorized Officer or Agent

_____
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

On This the _____ Day of _____, 20_____.

_____
NOTARY PUBLIC

My Commission Expires: _____

[Locus Sigilli]

HALL COUNTY
GEORGIA
We have it **all** in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT G – Questions/Responses

Bidder's company name: _____

Please Answer Each Question. You may use additional pages if needed.

1. Does your company have at least three (3) sequential years of experience in providing services as detailed in the Scope of Work outlined in the IFB document?

2. Describe in narrative form at least three (3) projects within the past five (5) years, in similar size and scope that you have completed with project names, entity name, references names and contact details.

3. Will any of the proposed services be subcontracted out to a third-party? If so, denote the work, the percentage of total, and list each of the legal entity's company names of the third-party(s).

4. Do you affirm that neither your firm nor its principals are currently in litigation with Hall County, Georgia?

5 Has your company been terminated from a project due to failure to deliver services or deliver services on time?

HALL COUNTY
GEORGIA
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Hall County Board of Commissioners
Purchasing Department
Mandatory Pre-Bid On-site Meeting, Thursday, 1/18/23 9:00 AM
IFB#: 034-44 Animal Shelter Generator Replacement

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
DEHART & Hill Electric	David Wolcott	455 Tolbert St Cumming GA 30040	David.wolcott@dehartandhillelectric.com	404-375-5869
Current Edge Solutions	Dave Magdanz	2700 Gregory Street, St 160 Savannah, GA 31406	dave@currentedgesolutions.com	256-443-9192
DPS	Tim Kent	11187 Bobby Williams Pkwy Covington, Ga 30014	tkent@datapowersource.com	404 317 8930
CAPITAL CITY	RICH MOORE	1346 OAKBROOK DR. SUITE 170A NORCROSS GA 30093	rich.moore@ccelect.com	470-929-0560
PRIME POWER	DONALD BLOOM	3617 SOUTHLAND DR. FLOWERY BRANCH, GA 30542	dbloom@primeretailservices.com	678-618-8941
Prime Power	Mike Harkins	"	mharkins@primeretailservices	678-873-5455
Jimmy Motes	Jimmy Motes	5003 Bucket Drop Court Gainesville	jmotes.hvac@bellsouth.net	678 316 2081
~~William Dove~~				
GA solar partners	William Dove	499 Shirley Rd Royston Ga	williamD@georgiasolarllc.com	706-498 2534
Bird electric	William Dove	13 Smith St Toccoa	williamD@georgiasolarllc.com	706-498 2534
Synergy Ind. services	Peter Stefanovich	836 Joseph E. Lowery Blvd Atlanta 30318	PETER@SYNERGIES.COM	404-213 7792

HALL COUNTY
GEORGIA
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Hall County Board of Commissioners
Purchasing Department
Mandatory Pre-Bid On-site Meeting, Thursday, 1/18/23 9:00 AM
IFB#: 034-44 Animal Shelter Generator Replacement

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
Power + Energy	C. Harris Brandon C.	1781 Westfork Dr Lithia Springs, Ga.	brandon @ PandEservices.com	404- 405- 7924
CAID Electric	Ryan Howard	1743 Cleveland Hwy Gainesville 30501	CAIDelectric@att.net	770 534 3520
Anderson Power Services	Brian Reid	13211 Veterans Memorial Hwy Douglasville, GA 30134	Brian@andersonpowerservices.com	4) 784-3642

AGENDA ITEM

County Attorney

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 157/2024

SUBJECT: Approval and authorization for the Chairman to execute a resolution accepting 3.535 acres of improved real property known as 1280 Athens Street, Gainesville, GA, deeded to the County by the Gainesville and Hall County Development Authority for access to Butler Park, and to authorize the Chairman to execute any and all documents necessary to effectuate the transaction, subject to the review and approval of the County Attorney.

Meetings:

Work Session Date: 03/25/24

Voting Meeting Date: 03/28/24

Executive Summary:

Presenter: WLCA

Recommendation:
Approval.

Purpose of Request:

Approval and authorization for the Chairman to execute a resolution accepting 3.535 acres of improved real property known as 1280 Athens Street, Gainesville, GA, deeded to the County by the Gainesville and Hall County Development Authority for access to Butler Park, and to authorize the Chairman to execute any and all documents necessary to effectuate the transaction, subject to the review and approval of the County Attorney.

History:
The property was formerly owned by Hall County. It was deeded to the Development Authority in February of 1998 and a Lease Agreement was executed by Hall County and the Development Authority on February 1, 1998 whereby the parties would work together to build facilities on the property and the County would lease the property from the Development Authority. The Development Authority has now deeded the property back to the County as required by Section 10.2 of the Lease Agreement via a Limited Warranty Deed dated March 19, 2024.

Facts and Issues:

Options:

The County seeks grant funds for the construction and improvement of Butler Park. The Property lies along Athens Street near Butler Park and all visitors to Butler Park must access the Park through the Property. In order to obtain the grant funds from the State of Georgia, the Butler Park tract must be subdivided into its own separate tract. In order to subdivide the Butler Park tract, the City requires road frontage/access. Acceptance of the deeded Property will allow for the frontage/access needed to comply with the City's code.

Approve or deny the Resolution.

Funding Requested	$ 0.00
Are funds within current budget?	No
Source of Funds	N/A
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?	2024-03-28

Approvals:

Submit	Attorney	Administration	Clerk
WLI	WLI	CR	JR

Attachments:

Resolution
Map
Limited Warranty Deed - 1280 Athens Street
1998 Lease Agreement - 1280 Athens Street

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 157/2024

Funds Requested: $ 0.00

Request Budgeted: No

Proposed Source of Funding:

N/A

Budget Transfer Requested:

No

Funding Source Items:

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: WLCA

Phone: (770) 297-2686

STATE OF GEORGIA

COUNTY OF HALL

RESOLUTION ACCEPTING CERTAIN REAL PROPERTY FROM THE GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY

WHEREAS, the Gainesville and Hall County Development Authority currently possesses a tract of improved real property (the "Property") along Athens Street in Gainesville, Georgia consisting of approximately 3.535 acres, containing a single story brick building, and various parking lots, which is known as "Tract 2" on the attached map and known by the address of 1280 Athens Street, Gainesville, Georgia (Parcel# 01140 000011); and

WHEREAS, said property is further identified in the Limited Warranty Deed attached hereto, and in the February 1, 1998 Lease Agreement between Hall County and the Gainesville and Hall County Development Authority attached hereto; and

WHEREAS, the Property is currently being used, in part, as access into Hall County's Butler Park and there is no other access into said park; and

WHEREAS, under Section 10.2 of the attached February 1, 1998 Lease Agreement between Hall County and the Development Authority, the Property was to be deeded back to the County at the expiration or sooner termination of the Lease Term following payment in full of the associated bonds, all of which has occurred; and

WHEREAS, The Gainesville and Hall County Development Authority has deeded the Property to Hall County by way of a Limited Warranty Deed dated March 19, 2024; and

WHEREAS, in order to be awarded Grant funds for the improvement of Butler Park, the tract containing Butler Park must be subdivided into a separate tract, and said separate Butler Park tract cannot be landlocked under the applicable regulations of the City of Gainesville; and

WHEREAS, the County's acceptance of the Property via the attached Limited Warranty Deed will allow the County to be awarded the grant funds by providing access to Butler Park necessary to keep the Butler Park tract from being landlocked so as to comply with the regulations of the City of Gainesville for subdividing the Butler Park tract as required by the State of Georgia; and

WHEREAS, the Board of Commissioners has determined that accepting the Property per the attached Limited Warranty Deed would support the general welfare of the citizens of Hall County.

NOW THEREFORE, the Board of Commissioners determines and declares that the improved real property described on the map, Limited Warranty Deed, and Lease Agreement attached hereto is hereby accepted, and directs the County's Administration to list said property in all applicable lists of County property. The Board further authorizes the Chairman to execute any and all documents necessary to effectuate this transaction.

SO RESOLVED this the _____ day of March, 2024.

HALL COUNTY BOARD OF COMMISSIONERS

_____

Chairman, Richard Higgins

ATTEST:

_____ (SEAL)
Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

_____
William J. Linkous III, County Attorney


PROPOSED GRANT BOUNDARY / PROPERTY LINE
FIELDALE DONATION AREA
4.3 ACRES
TRACT 1
TRACT 2
TRACT 3
INTERSTATE 985
S.R. 365/U.S. 23
ATHENS STREET
E.E. BUTLER PARKWAY
S.R. 11/U.S. HIGHWAY 129
FIELDALE FARMS CORPORATION
DB 8148 PG 426

After recording, return to:
Tread Syfan
P. O. Box 3280
Gainesville, GA 30503

LIMITED WARRANTY DEED

GEORGIA, COUNTY OF HALL

THIS INDENTURE, made this 19th day of March, 2024, between **GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY** (hereinafter called "GRANTOR"), and **HALL COUNTY, GEORGIA** (hereinafter called "GRANTEE").

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION ($10.00) Dollars, in hand paid at and before the sealing and delivery of these presents, the receipt of which 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 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 all persons claiming under GRANTOR.

WHEREVER 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.

IN WITNESS WHEREOF, the said GRANTOR has executed this deed under seal, the day and year above written.

Signed, sealed and delivered
in presence of:

Unofficial Witness

Notary Public
My Commission Expires:

(SEAL)

LISA RENEE GRAHAM NOTARY PUBLIC COMMISSION EXPIRES Oct. 5, 2025 HALL COUNTY, GA

GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY

By: _____
Chairman

Attest: _____
Secretary

(SEAL)

4885-0742-9550, v. 1

EXHIBIT "A"

All that tract or parcel of land lying and being in Gainesville District, G.M.D. 411, Hall County, Georgia, and fronting on Athens Street (Old U. S. Hwy. 129) and being more particularly described as follows:

BEGINNING at a point on the Southwestern right-of-way of Athens Street, said point being located 1,048.73 feet South along said right-of-way from the intersection of said right-of-way with the right-of-way of Monroe Drive, and running thence South 30 degrees 22 minutes 40 seconds West 101.04 feet to a point; thence South 80 degrees 55 minutes 51 seconds West 356.64 feet to a point; thence South 80 degrees 55 minutes 51 seconds West 287.5 feet, more or less, to a point on the Eastern right-of-way of Interstate Highway 985; thence North 25 degrees 12 minutes 24 seconds East along said right-of-way of Interstate Hwy. 985 156.25 feet, more or less, to a 3/8 inch rebar found; thence North 29 degrees 41 minutes 1 second East 30.99 feet to a 3/8 inch rebar found; thence North 41 degrees 14 minutes 42 seconds East 326.07 feet to a 3/8 inch rebar found; thence North 81 degrees 33 minutes 44 seconds East 55.08 feet to a concrete monument found on the Southwestern right-of-way of Athens Street; thence South 52 degrees 43 minutes 55 seconds East 84.95 feet along said right-of-way to a point; thence continuing along said right-of-way a chord bearing and distance of South 55 degrees 58 minutes 31 seconds East 324.17 feet, having an arc distance of 324.34 feet and a radius distance of 2,864.79 feet, to the point of beginning.

F:\DOCS\WORDPROC\HEALTH\LEGAL.WPD

03108
0001

file: SMF

GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY

AND

HALL COUNTY, GEORGIA

Georgia, Hall County, Clerk Superior Court
Filed in office, this 3 day of Mar
19 98 at 10:45A M. Recorded in
Book 3108 Page(s) 1-39
this 4 day of Mar, 19 98.
DWIGHT S. WOOD, CLERK, by: DW
QD

1.

LEASE AGREEMENT

Dated as of February 1, 1998

The interest of the Gainesville and Hall County Development Authority ("Issuer") in this Lease Agreement has been assigned to Regions Bank, as escrow agent ("Escrow Agent"), pursuant to an Escrow Agreement, dated as of the date hereof between the Issuer and the Escrow Agent, and is subject to the security interest of the Escrow Agent.

LEASE AGREEMENT

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(This Table of Contents is not a part of the Lease Agreement and is only for convenience of reference.)

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EXHIBIT "A" - DESCRIPTION OF THE PROJECT LAND

THIS LEASE AGREEMENT ("Lease"), dated as of February 1, 1998, is made between GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY (hereinafter referred to as the "Issuer"), as lessor, and the HALL COUNTY, GEORGIA (hereinafter referred to as the "County" or the "Lessee"), as lessee.

W I T N E S S E T H:

WHEREAS, pursuant to and in accordance with provisions of amendments to the Constitution of the State of Georgia (Ga. Laws 1964, page 866, et seq.; Georgia Laws 1986, page 4328, et seq.), duly ratified and proclaimed, and an act of the General Assembly of the State of Georgia (Ga. Laws 1964, page 2282, et seq.), as amended (collectively, the "Act"), by written resolution of the Issuer, and in furtherance of the purposes of the Act, Issuer proposes to undertake the acquisition, construction and installation of a certain Project (hereinafter defined) to be located in the Hall County, Georgia, and Issuer proposes to finance the cost of acquiring, constructing, installing and equipping the Project by the issuance of its Revenue Bond (District Health Office Project), Series 1998, in the principal amount of $1,650,000 (the "Bond"); and

WHEREAS, Issuer proposes to lease the Project to the Lessee and the Lessee desires to lease the Project from Issuer upon the terms and conditions as set forth herein;

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto agree as follows:

ARTICLE I
DEFINITIONS

"Act" means amendments to the Constitution of the State of Georgia (Ga. Laws 1964, page 866, et seq. and Ga. Laws 1986, page

4328, et seq.), duly ratified and proclaimed, and an act of the General Assembly of the State of Georgia (Ga. Laws 1964, page 2282, et seq.), as amended.

"Authorized Issuer Representative" means the person at the time designated to act on behalf of Issuer by written certificate furnished to Lessee and Escrow Agent containing the specimen signature of such person and signed on behalf of Issuer by its duly authorized agent. Such certificates may designate an alternate or alternates.

"Authorized Lessee Representative" means the person or persons at the time designated to act on behalf of Lessee by written certificate furnished to Issuer and Escrow Agent and containing the specimen signature of such person or persons and signed by Lessee. Such certificate may designate an alternate or alternates.

"Bond" means the Series 1998 Bond issued by Issuer pursuant to the Escrow Agreement.

"Building" means those certain buildings (and all furnishings and equipment located therein) and all other facilities and improvements forming a part of the Project which are located on the Project Land, as they may at any time exist.

"Business Day" means a day on which banking business is transacted in the city in which Escrow Agent has its principal office.

"County" means the Hall County, Georgia, a political subdivision and body corporate of the State of Georgia.

"Code" means the Internal Revenue Code of 1986, as amended.

"Escrow Agreement" means the Escrow Agreement, dated as of February 1, 1998, between Issuer and Regions Bnak, as Escrow Agent, which, among other things, authorizes the issuance of the Bond.

"Force Majeure" means, without limitation, acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders or restraints of any kind of the government of the United States of America or of the State or any of their departments, agencies, or officials, or any civil or military authority; insurrections; riots; landslides; earthquakes; fires; storms; droughts; floods; explosions; breakage or accident to

machinery; transmission pipes or canals; or any other cause or event not reasonably within the control of County. County agrees, however, to remedy with all reasonable dispatch the cause or causes preventing County from carrying out its agreement; provided, that the settlement of strikes, lockouts, and other industrial disturbances shall be entirely within the discretion of County, and County shall not be required to make settlement of strikes, lockouts and other industrial disturbances by acceding to the demands of the opposing party or parties when such course is in the judgment of County unfavorable to County.

"Independent Counsel" means an attorney duly admitted to practice law before the highest court of the State who is not a full-time employee of Issuer or Lessee.

"Issuer" means the Gainesville and Hall County Development Authority, a public body corporate and politic and an instrumentality of the Hall County and the City of Gainesville, Georgia, duly organized and existing under the Constitution and laws of the State.

"Late Payment Rate" is the contract rate of interest on the Bond plus one percent (1%).

"Lease" means this Lease Agreement and any amendments or supplements hereto.

"Lease Term" means the duration of the leasehold estate created in this Lease as specified in Section 10.1 hereof.

"Lessee" means the County.

"Net Proceeds," when used with respect to any insurance proceeds from policies required by this Lease, means the amount remaining after deducting all expenses (including attorneys' fees) incurred in the collection of such proceeds from the gross proceeds thereof.

"Permitted Encumbrances" means, as of any particular time, (i) liens for taxes and assessments not then delinquent or which Issuer may, pursuant to the provisions of Section 5.4 hereof, permit to remain unpaid, (ii) the Escrow Agreement, this Lease and any financing statements naming Issuer or County as debtor and naming Escrow Agent or Issuer as secured party filed to perfect the security interests granted by this Agreement and the Escrow

Agreement, (iii) utility access and other easements and rights of way, restrictions and exceptions that Issuer Representative certifies will not interfere with or impair the Project, and (iv) such minor defects, irregularities, encumbrances and clouds on title as normally exist with respect to property similar in character to the Project and as do not, in the opinion of Independent Counsel, materially impair the property affected thereby for the purpose for which it was acquired or held by Issuer.

"Project" means the Project Land and the Building.

"Project Land" means the real estate described on Exhibit A to this Agreement on which the Building is to be situated.

"State" means the State of Georgia.

In addition, all words and phrases defined in Article I of the Escrow Agreement shall have the same meaning in this Lease.

ARTICLE II
REPRESENTATIONS

SECTION 2.1. Representations of the Lessee. The Lessee makes the following representations for the basis of the undertaking on its part herein contained:

(a) There exists a need in the County to encourage, promote and expand for the public good and welfare, industry and trade within the City of Gainesville and the County, and to reduce unemployment in the County to the greatest extent possible; and the acquisition, construction and installation of the Project as herein contemplated is a desirable method to meet the aforesaid need.

(b) The County has heretofore acquired the Project Land by purchase and has determined that the same is a suitable location for the acquisition, construction and installation of the Project, and that the accomplishment of the same would be in the best interest of the County and the inhabitants thereof and that the same will

achieve valid public purposes and will promote and expand industry and trade for the benefit of the County and the inhabitants thereof.

(c) The County has determined that the best method of accomplishing and financing the cost of the acquisition, construction and installation of the Project is for the same to be accomplished by the Issuer with the cooperation of the County in the manner herein provided.

(d) The County, as permitted by Article IX, Section III, Paragraph I of the Constitution of the State of Georgia, has the power to contract for any period not exceeding fifty (50) years with the Issuer for the use by the County of the facilities or services of the Issuer and has the power to pledge its taxing power to the extent necessary to pay the amounts required to be paid under any such contract.

(e) Article IX, Section VI, Paragraph III of the Constitution of the State of Georgia provides that the promotion of industry and trade is a public purpose vital to the welfare of the people of the State of Georgia.

(f) Pursuant to the provisions of Article IX, Section III, Paragraph I of the Constitution of the State of Georgia, the County is authorized to convey the Project Land to the Issuer.

(g) As of sixty (60) days prior to November 27, 1996, the date of declaration of official intent to finance the Project, no contracts had been awarded or entered into and no purchase orders had been issued with respect to any components of the Project, none of said components had been acquired and no on-site or off-site construction, installation or fabrication had commenced with respect to any of said components.

(h) The County has the power to enter into this Lease Agreement and to perform all obligations contained herein and has, by proper action, duly authorized the execution and delivery of this Lease.

SECTION 2.2. Representations of the Issuer. The Issuer makes the following representations as the basis for the undertaking on its part herein contained:

(a) The Issuer is a public body corporate and politic and an instrumentality of the City of Gainesville and Hall County, Georgia, created under the amendments to the Constitution of the State of Georgia and the Act of the General Assembly of Georgia hereinabove referred to for the purpose of promoting and expanding for the public good and welfare, industry and trade within the City of Gainesville and Hall County, Georgia and reducing unemployment to the greatest extent possible within the County.

(b) The Issuer has determined that the issuance of the Bond and the acquisition, construction and installation of the Project as contemplated herein is a lawful and valid public purpose in that it will further the public purposes for which the Issuer was created.

(c) The Issuer has the power to enter into this Lease Agreement and perform all obligations contained herein and has, by proper action of its members, been duly authorized to execute and deliver this Lease Agreement.

(d) The Issuer has found, determined and does hereby declare that the most feasible way to finance the cost of acquiring, constructing and installing the Project for use as herein contemplated and to achieve the public purposes hereinabove referred to is to issue the Bond and to pledge to the payment of the principal and interest thereof the rental payments which the Lessee has agreed to make to the Issuer pursuant to the provisions of Section 5.2 of this Lease.

ARTICLE III
DEMISING CLAUSE

Lessee hereby agrees to convey the Project Land to Issuer, and upon such conveyance Issuer hereby leases back to Lessee, and Lessee leases back from Issuer, the Project, subject only to Permitted Encumbrances, in accordance with the provisions of this Lease, to have and to hold for the Lease Term. Lessee warrants and covenants that it shall convey to Issuer good and marketable fee simple title to the Project Land free from any encumbrances other than Permitted Encumbrances.

ARTICLE IV
ACQUISITION, CONSTRUCTION, INSTALLATION AND COMPLETION OF THE PROJECT; ISSUANCE OF THE BOND

SECTION 4.1. Agreement to Acquire, Construct, Equip and Install the Project. The Issuer authorizes the Lessee to make all contracts and do all things necessary for acquisition, construction and installation of the Project with all reasonable dispatch; and the Lessee shall use its best efforts to cause acquisition, construction, installation and occupancy of the Project to be completed by March 1, 1999, or as soon thereafter as may be practicable, delays excepted; but if for any reason such acquisition, construction and installation is not completed by said date there shall be no resulting liability on the part of Issuer and no diminution in or postponement of the payments required in Section 5.2 hereof to be paid by Lessee. The Lessee acknowledges that any portion of the Project which has already been acquired, constructed or installed was done so on behalf of the Issuer and in compliance with this Lease. The Project shall be the property of the Issuer and subject to the terms hereof.

The Issuer agrees that it will enter into, or accept the assignment of, such contracts as the Lessee may request in order to effectuate the purposes of this Section, but that it will not execute any other contract or give any order for the acquisition, construction or installation of the Project unless and until the

Project Supervisor (hereinafter designated) shall have approved the same in writing.

The Lessee hereby agrees that in order to effectuate the purposes of this Lease it will make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions with any other persons, firms or corporations and in general do all things which may be requisite or proper, all for acquiring, constructing and installing of the Project. So long as the Lessee is not in default under any of the provisions of this Lease, the Lessee shall have full power to carry out the acts and agreements provided in this Section 4.1 and such power is granted and conferred irrevocably by the Issuer to the Lessee, and is accepted by the Lessee, and shall not be terminated by act of the Issuer or of the Lessee.

SECTION 4.2. Agreement to Issue Bond; Application of Bond Proceeds. In order to provide funds for the payment of the cost of the acquisition, construction and installation called for in Section 4.1 (including capitalized interest), the Issuer agrees that as soon as possible it will authorize, validate, sell and cause to be delivered to the initial purchaser thereof, the Bond, bearing interest and maturing as set forth in Article II of the Escrow Agreement, at a price to be approved by the Lessee.

SECTION 4.3. Advances of the Proceeds of the Bond. The Issuer has in the Escrow Agreement authorized and directed the Bondholder to make Advances to pay the Costs of the Project, or to reimburse the County for any Cost of the Project paid by it, upon receipt of a requisition signed by the Authorized Authority (Issuer) Representative and the Authorized Lessee (County) Representative or (in lieu of the Authorized Lessee Representative) the Project Supervisor, for the purposes set forth in the Escrow Agreement.

In approving or certifying any requisition under Section 4.04 of the Escrow Agreement, the Issuer may rely as to the completeness and accuracy of all statements in such requisition upon the

approval of or certification to such requisition by the Authorized Lessee Representative and/or the Project Supervisor, as the case may be, and the Lessee hereby agrees to indemnify and save harmless the Issuer, its members, officers, agents and employees from any liability incurred in connection with any requisition so approved or certified.

The Issuer and the Lessee agree for the benefit of each other and for the benefit of the holder of the Bond that the proceeds of the Bond will not be used in any manner which would result in the loss of the exemption from Federal income taxation of the interest on the Bond.

SECTION 4.4. Furnishing Documents to Bondholder. Issuer and County agree to cause such requisitions to be directed by Issuer and County to the Bondholder as may be necessary to effect Advances in accordance with Section 4.3 hereof. The Bondholder shall retain a record of all such Advances and requisitions.

SECTION 4.5. Establishment of Completion Date. Completion Date shall be evidenced to the Issuer and the Bondholder by a certificate signed by the Authorized Lessee (County) Representative containing the statements provided in the Escrow Agreement and shall be delivered to the Bondholder. Forthwith upon completion of the acquisition, construction, equipping and installing of the Project, and upon payment of the final Advance, Lessee agrees to cause such certificate to be furnished to the Bondholder. Notwithstanding the foregoing, such certificate shall state that it is given without prejudice to any rights against third parties which exist at the date of such certificate of which may subsequently come into being.

SECTION 4.6. Lessee Required to Pay Project Costs if Bond Proceeds Insufficient. In the event the proceeds from the sale of the Bond should not be sufficient to pay the Costs of the Project in full, the Lessee agrees to complete the Project and to pay all that portion of the Costs of the Project as may be in excess of the

proceeds of the Bond. The Issuer does not make any warranty, either express or implied, that the proceeds of the Bond, which, under the provisions hereof, will be available for payment of the Costs of the Project, will be sufficient to pay all the costs which will be incurred in that connection. The Lessee agrees that if after exhaustion of the proceeds of the Bond the Lessee should pay any portion of the Costs of the Project pursuant to the provisions of this Section, it shall not be entitled to any reimbursement therefor from the Issuer or from the Escrow Agent or from the holder of the Bond, nor shall it be entitled to any diminution in or postponement or abatement of the payments payable under Section 5.2.

SECTION 4.7. Project Supervisor. Jim Shuler, Assistant County Administrator, is hereby designated as the Project Supervisor for the purpose of taking all actions and making all certificates required to be taken and made by the Project Supervisor under the provisions hereof. If the Project Supervisor should become unavailable or unable to take any action or make any certificate provided for herein, another Project Supervisor and/or an Alternate Project Supervisor shall thereupon be appointed by the Issuer pursuant to designation for that purpose made by the Lessee.

SECTION 4.8. Issuer to Pursue Remedies Against Suppliers, Contractors and Subcontractors and Their Sureties. At the direction and sole cost of the Lessee (to the extent that such cost is not payable and actually paid from the proceeds of the Bond), the Issuer will promptly proceed, either separately or in conjunction with others, to exhaust the remedies of the Issuer against any defaulting supplier, contractor or subcontractor and against any surety therefor, for the performance of any contract made in connection with the Project. If the Lessee shall so notify the Issuer, the Lessee may, in its own name or in the name of the Issuer, prosecute or defend any action or proceeding or take any other action involving any such supplier, contractor, subcontractor or surety which the Lessee deems reasonably necessary, and in such

event the Issuer agrees to cooperate fully with the Lessee and to take all action necessary, to the extent it might lawfully do so, to effect the substitution of the Lessee for the Issuer in any such action or proceeding. Any moneys recovered by way of damages, refunds, adjustments or otherwise in connection with the foregoing shall be paid into the Bond Fund.

SECTION 4.9. Investment of Moneys Permitted. Any moneys held as a part of any fund shall be invested or reinvested by the Escrow Agent, to the extent permitted by law, at the request of and as directed by the Lessee (County) Representative, as provided in the Escrow Agreement.

SECTION 4.10. Obligations Relating to Bond. The Lessee agrees to perform all such obligations as are contemplated by the Escrow Agreement to be performed by the Lessee.

ARTICLE V
LEASE OF PROJECT TO LESSEE; RENTAL PROVISIONS

SECTION 5.1. Quiet Enjoyment. Issuer hereby covenants and agrees that it will not take any action, other than pursuant to Section 7.2 or Article IX of this Lease, to prevent Lessee from having quiet and peaceable possession and enjoyment of the Project during the Lease Term and will, at the request of Lessee, and at Lessee's cost, to the extent that it may lawfully do so, join in any legal action in which Lessee asserts its right to such possession and enjoyment.

SECTION 5.2. Rents and Other Amounts Payable.

(a) Lessee agrees to pay to Issuer as and for rental and for the use of the Project as follows: on each date on which principal of or interest on the Bond is payable, an amount sufficient when added to funds on hand at such time in the Bond Fund to pay the amount of principal, premium, if any, and interest required to be paid with respect to the Bond on such date.

(b) The Lessee agrees to pay to the Escrow Agent until the principal of and the interest on the Bond shall have been paid in full (i) an amount equal to the annual fee of the Escrow Agent for the Ordinary Services of the Escrow Agent rendered and its Ordinary Expenses incurred under the Escrow Agreement, (ii) the reasonable fees and charges of the Escrow Agent and any other paying agent for acting as paying agent and as Bond Registrar and the reasonable fees of Escrow Agent's Counsel as provided in the Escrow Agreement, as and when the same become due, and (iii) the reasonable fees and charges of the Escrow Agent for Extraordinary Services rendered by it and Extraordinary Expenses incurred by it, as and when the same become due; provided, that the Lessee may, without precipitating an event of default hereunder, withhold any such payment to contest in good faith the necessity for any such Extraordinary Services or Extraordinary Expenses and the reasonableness of any such fees, charges or expenses.

(c) In the event Lessee should fail to make any of the payments required in this Section 5.2, the item or installment so in default shall continue as an obligation of Lessee until the amount in default shall have been fully paid. The provisions of this Section 5.2 shall be subject to the provisions of Section 8.9.

SECTION 5.3. Payment of Rents. The payments provided in Section 5.2 hereof shall be remitted directly to the Escrow Agent for the benefit of the holder of the Bond and from said payments the Escrow Agent shall make timely payments into the Bond Fund in amounts sufficient to insure the prompt payment of the principal of, premium, if any, and interest on the Bond, all as provided in the Escrow Agreement. The Lessee covenants that it will exercise its power of taxation to the extent necessary to pay the amounts required to be paid hereunder and it will make available and use for the payment of its obligations incurred hereunder all such taxes levied and collected for that purpose together with funds received from any other source.

SECTION 5.4. Obligations of Lessee Hereunder Unconditional; Rentals Assigned. Subject to the provisions of Section 8.9, the obligations of Lessee to make the payments required in Section 5.2 and other sections hereof and to perform and observe the other agreements contained herein shall be absolute and unconditional and shall not be subject to any defense or any right of set-off, counterclaim or recoupment arising out of any breach by Issuer of any obligation to Lessee, whether hereunder or otherwise, or out of any indebtedness or liability at any time owing to Lessee by Issuer and until such time as the principal of, premium, if any, and interest on the Bond shall have been fully paid, Lessee (i) will not suspend or discontinue any payments provided for in Section 5.2 except to the extent the same have been prepaid, (ii) will perform and observe all other agreements contained in this Lease and (iii) except as provided in Section 10.1, will not terminate the Lease Term for any cause including, without limiting the generality of the foregoing, failure of Issuer to acquire the Project, the occurrence of any acts or circumstances that may constitute failure of consideration, destruction of or damage to the Project, commercial frustration of purpose, any change in the tax or other laws of the United States of America or of the State or any political subdivision of either thereof or any failure of Issuer to perform and observe any agreement, whether express or implied, or any duty, liability or obligation arising out of or connected with this Lease. Nothing contained in this Section shall be construed to release Issuer from the performance of any of the agreements on its part herein contained; and in the event Issuer should fail to perform any such agreement on its part, Lessee may institute such action against Issuer as Lessee may deem necessary to compel performance so long as such action does not abrogate the obligations of Lessee contained in the first sentence of this Section. Lessee may, however, at Lessee's own cost and expense and in Lessee's own name or in the name of Issuer, prosecute or defend any action or proceeding or take any other action involving third persons which Lessee deems reasonably necessary in order to secure or protect Lessee's right of possession and use hereunder, and in

such event Issuer hereby agrees to cooperate fully with Lessee and to take all action necessary to effect the substitution of Lessee for Issuer in any such action or proceeding if Lessee shall so request.

SECTION 5.5. Maintenance and Modification of Project by Lessee. Lessee agrees that at all times during the Lease Term, Lessee will, at Lessee's own expense, maintain, preserve and keep the Project or cause the Project to be maintained, preserved and kept in good repair, working order and condition, reasonable wear and tear excepted, and that Lessee will from time to time make or cause to be made all necessary and proper repairs, replacements and renewals. Issuer shall have no responsibility in any of these matters or for the making of improvements or additions to the Project.

In addition, the Lessee shall have the privilege of remodeling the Project or making substitutions, additions, modifications and improvements to the Project form time to time as the Lessee, in its discretion, may deem to be desirable for Lessee's use for such purposes as shall be permitted by the Act, the cost of which remodeling, substitutions, additions, modifications and improvements shall be paid by the Lessee, and the same shall be the property of Issuer and be included under the terms of this Lease as part of the Project; provided, however, that such remodeling, substitutions, additions, modifications and improvements shall not interfere with the construction of the Project or in any way damage the Project; and provided that the Project, as remodeled, improved or altered upon completion of such remodeling, substitutions, additions, modifications and improvements made pursuant to this Section, shall be of a value not less than the value of the Project immediately prior to the remodeling or making of such substitutions, additions, modifications and improvements. Any property for which a substitution or replacement is made pursuant to this Section may be disposed of by the Lessee in any manner and in the sole discretion of the Lessee. The Lessee will not permit any mechanic's or other lien to be established or remain against

the Project for labor or materials furnished in connection with any remodeling, substitutions, additions, modifications, improvements, repairs, renewals or replacements so made by the Lessee, provided that if the Lessee shall first notify Issuer of Lessee's intention so to do, Lessee may in good faith contest any mechanic's or other lien filed or established against the Project, and in such event may permit the items so contested to remain undischarged and unsatisfied during the period of such contest and any appeal therefrom unless Issuer or the Bondholder shall notify Lessee that, in the opinion of their counsel, by nonpayment of any such items the lien of the Escrow Agreement as to the rentals and other amounts from the Project will be materially endangered or the Project or any part thereof will be subject to loss or forfeiture, in which event Lessee shall promptly pay and cause to be satisfied and discharged all such unpaid items or Lessee shall post bond or provide other surety to the extent necessary to adequately secure the Bondholder against loss due to such endangerment, loss or forfeiture. Issuer will cooperate fully with the Lessee in any such contest, upon the request and at the expense of the Lessee.

SECTION 5.6. Utility Charges. Lessee will pay during the Lease Term, as the same become due, all utility and other charges incurred in the operation, maintenance, use, occupancy and upkeep of the Project.

In the event that Lessee shall fail to pay any of the foregoing items required by this Section to be paid by Lessee (unless the Lessee is contesting any such item in good faith) Issuer may (but shall be under no obligation to) pay the same and any amounts so advanced therefor by Issuer shall become an additional obligation of Lessee to the party making the advancement, which amounts, together with interest thereon at the Late Payment Rate per annum, Lessee agrees to pay.

SECTION 5.7. Casualty and Other Insurance. Lessee agrees to insure or cause to be insured the Project against loss or damage of the kinds usually insured against by companies similarly situated,

by means of policies issued by reputable insurance companies duly qualified to do such business in the State with uniform standard form of extended coverage endorsement limited only as may be provided in the standard form of extended coverage endorsement at that time in use in the State, in amounts that are not less than full insurable value of the Project. The term "full insurable value" as used herein shall mean the actual replacement value, or at the option of the Lessee, any lesser amount which is equal to or greater than the amount of the principal amount of the Bond then outstanding. Alternatively, Lessee may insure or cause to be insured such property under a blanket insurance policy or policies which cover not only such property but other properties in the amounts required by the previous sentence.

Any insurance policy issued pursuant to the preceding paragraph of this Section shall be so written or endorsed as to make losses, if any, payable to Issuer, the Bondholder, and Lessee, as their respective interests may appear. The Net Proceeds of the insurance required in this Section shall be applied as provided in Section 6.2 hereof. Each insurance policy provided for in Sections 5.7 and 5.8 hereof shall contain a provision to the effect that the insurance company shall not cancel the policy or modify it materially and adversely to the interest of Issuer or the Bondholder without first giving written notice thereof to Issuer and Escrow Agent at least ten (10) days in advance of such cancellation or modification. All insurance policies issued pursuant to Section 5.8 or 5.9 hereof, or certificates evidencing such policies, shall be deposited with Issuer.

SECTION 5.8. Public Liability Insurance. Lessee agrees to carry or cause to be carried public liability insurance with respect to the Project with one or more reputable insurance companies in minimum amounts of $500,000 for the death of or personal injury to one person and $1,000,000 for personal injury or death for each occurrence in connection with the Project and $500,000 for property damage for any occurrence in connection with the Project. Issuer and Escrow Agent shall be made additional

insurers under such policies or such policies may provide that all of the lessors of and owners of property leased by Lessee are insured in lieu of naming Issuer specifically. The insurance provided by this Section may be a blanket insurance policy or policies.

SECTION 5.9. Workmen's Compensation Coverage. At all times from the date hereof until the end of the Lease Term, Lessee shall maintain workmen's compensation coverage or cause the same to be maintained to the extent, if any, required by law of the State.

SECTION 5.10. Advances. In the event Lessee shall fail to maintain the full insurance coverage required by this Lease or shall fail to keep the Project in good repair and operating condition, Issuer may (but shall be under no obligation to) take out the required policies of insurance and pay the premiums on the same or may make such repairs or replacements as are necessary and provide for payment thereof; and all amounts so advanced therefor by Issuer shall become an additional obligation of the Lessee to Issuer, which amounts, together with interest thereon at the Late Payment Rate per annum, Lessee agrees to pay.

ARTICLE VI
DAMAGE AND DESTRUCTION; USE OF NET PROCEEDS

SECTION 6.1. Damage and Destruction. Unless Issuer shall have exercised its option to prepay the Bond pursuant to the provisions of Section 3.01 of the Escrow Agreement, if prior to full payment of the Bond the Project or any portion thereof is destroyed (in whole or in part) or is damaged by fire or other casualty, Lessee shall be obligated to continue to pay the amounts specified in Section 5.2 hereof.

SECTION 6.2. Application of Net Proceeds. Unless the Lessee shall have elected to exercise its option to terminate the Lease Term under Section 10.1 and shall have purchased the Project

pursuant to Section 10.2, if prior to payment in full of the Bond the Project is damaged by fire or other casualty to such extent that the claim for loss (including any deductible amount pertaining thereto) resulting from such damage is not greater than $100,000, the Lessee, or the Issuer at the Lessee's direction,

(a) shall promptly replace, repair, rebuild or restore the property damaged to substantially the same condition as existed prior to the event causing such damage, with such changes, alterations and modifications (including the substitution and addition of other property) as may be desired by the Lessee and as will not impair the operating unity or productive capacity of the Project or change its character to such an extent that its ownership by the Issuer would not be permitted under the laws pursuant to which the Issuer exists, and

(b) shall apply for such purpose so much as may be necessary of any Net Proceeds of insurance resulting from claims for such losses, as well as any additional moneys of the Lessee necessary therefor.

All Net Proceeds of insurance resulting from claims for such losses not in excess of the amount hereinabove specified in this paragraph and not used to pay expenses incurred under (a) above shall be paid into the Bond Fund. If payment in full of the Bond has been made, all Net Proceeds shall be paid to the Lessee.

Unless the Lessee shall have elected to exercise its option to terminate the Lease Term under Section 10.1 and shall have purchased the Project pursuant to Section 10.2, if prior to payment in full of the Bond the Project is destroyed (in whole or in part) or is damaged by fire or other casualty to such extent that the claim for loss resulting from such destruction or damage is in excess of the amount hereinabove specified, the Lessee shall promptly give written notice thereof to the Escrow Agent. In such an event all Net Proceeds of insurance resulting from claims for such losses shall be paid to and held by the Escrow Agent in a trust account and invested in securities of the type referred to in Section 6.02 of the Escrow Agreement, whereupon (i) the Lessee, or

the Issuer at the Lessee's direction, shall proceed promptly to replace, repair, rebuild, or restore the property damaged or destroyed to substantially the same condition as existed prior to the event causing such damage or destruction, with such changes, alterations and modifications (including the substitution and addition of other property) as may be desired by the Lessee and as will not impair operating unity or productive capacity of the Project or change its character to such an extent that its ownership by the Issuer would not be permitted under the laws pursuant to which the Issuer then exists, and (ii) the Escrow Agent shall apply so much as may be necessary of the Net Proceeds of such insurance to the payment of the costs of such replacement, repair, rebuilding or restoration, as directed by the Lessee. Each such direction of the Lessee shall be accompanied by a certificate of an architect or engineer (who shall be selected by the Lessee and satisfactory to the Escrow Agent) in charge of the replacement, repair, rebuilding or restoration, dated not more than thirty (30) days prior to such direction, setting forth in substance that (A) the sum then directed to be applied either has been paid by the Lessee, or is justly due, to contractors, subcontractors, materialmen, engineers, architects or other persons who shall have rendered services or furnished materials or improvements for the replacement, repair, rebuilding or restoration therein specified; the names of such persons; a brief description of such services or materials or improvements and the several amounts so paid or due to each of such persons; and, a statement that none of the costs of the services or materials or improvements described in such certificate has been or is being made the basis, in any previous or then pending direction, for payment under this Section and that the sum then directed to be applied does not exceed the value of the services or materials or improvements described in the certificate, and (B) except for the amount, if any, stated (pursuant to (A) preceding) in such certificate to be due for services or materials or improvements, there is not outstanding any indebtedness known to the persons signing such certificate which is then due for labor, services, material, supplies and/or equipment in connection with

the replacement, repair, rebuilding or restoration which, if unpaid, might become the basis of mechanics', materialmen's, suppliers' and vendors' liens or other similar liens (other than those being contested in good faith as permitted in Section 5.4) upon the Project or any part thereof.

The Escrow Agent may conclusively rely upon such direction and shall have no liability or responsibility for payments made pursuant to this Section in reliance thereon. If said Net Proceeds are not sufficient to pay in full the costs of such replacement, repair, rebuilding or restoration, the Lessee shall nonetheless complete the same and shall pay that portion of the costs thereof in excess of the amount of said Net Proceeds or shall advance to the Issuer and the Escrow Agent the moneys necessary to complete said replacement, repair, rebuilding or restoration, in which case the Issuer shall proceed so to complete the replacement, repair, rebuilding or restoration. The Lessee shall not, by reason of the payment of such excess costs (whether by direct payment thereof or advances to the Issuer or Escrow Agent), be entitled to any reimbursement from the Issuer or any diminution in or postponement or abatement of the rents payable under Section 5.2.

Any balance of said Net Proceeds remaining after payment of all the costs of such replacement, repair, rebuilding or restoration shall be paid into the Bond Fund. If payment in full of the Bond has been made, all Net Proceeds shall be paid to the Lessee.

SECTION 6.3. Cooperation of Lessee. Issuer shall cooperate fully with Lessee at the expense of Lessee in filing any proof of loss with respect to any insurance policy covering the casualties described in Section 6.1 hereof and will, to the extent it may lawfully do so, permit Lessee to litigate in any proceeding resulting therefrom in the name of and on behalf of Issuer. In no event will Issuer voluntarily settle, or consent to the settlement of, any proceeding arising out of any insurance claim with respect to the Project or any part thereof without the written consent of Authorized Lessee Representative.

ARTICLE VII
SPECIAL COVENANTS

SECTION 7.1. No Warranty of Condition or Suitability by Issuer. Issuer makes no warranty, either express or implied, as to the Project or the condition thereof, or that the Project will be suitable for the purposes or needs of the Lessee.

SECTION 7.2. Inspection of the Project. Lessee agrees that Issuer and its duly authorized agents shall have the right at all reasonable times during business hours of Lessee to enter upon the Project Land and to examine and inspect the Project. Lessee further agrees that Issuer and its duly authorized agents shall have such rights of access to the Project as may be reasonably necessary to cause to be completed the acquisition, construction and installation provided for in Section 4.1 hereof, and thereafter for the proper maintenance of the Project in the event of failure by Lessee to perform its obligations under Section 5.5 hereof. Issuer and its duly authorized agents shall also be permitted, at all reasonable times during business hours of Lessee, to examine the books, records, reports and other papers of Lessee with respect to the Project.

SECTION 7.3. Further Assurances and Corrective Instruments. Issuer and Lessee agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may be reasonably required for correcting any inadequate or incorrect description of the Project hereby leased or intended so to be for carrying out the expressed intention of this Lease.

SECTION 7.4. Issuer and Lessee Representatives. Whenever under the provisions of this Lease the approval of Issuer or Lessee is required or Issuer or Lessee is required to take some action at the request of the other, such approval or such request shall be given for Issuer by the Authorized Issuer Representative and for

Lessee by Authorized Lessee (County) Representative and any party hereto shall be authorized to act on any such approval or request.

SECTION 7.5. Arbitrage Covenant. The Lessee covenants and agrees with the Issuer for the benefit of the holder of the Bond that it will not permit any of the Bond proceeds to be invested in such a manner which would cause the Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and applicable regulations proposed or promulgated thereunder as of the date of such investment. The Lessee covenants and agrees to comply with all of the requirements of Code Section 148(f) and in particular agrees to pay to the United States any arbitrage rebate amounts or penalties required to be paid pursuant to Code Section 148(f) at the times and in the amounts as required by Code Section 148(f) and the regulations thereunder. The Lessee covenants not to make or permit the use of, nor direct the Escrow Agent to make any investment of, any proceeds of the Bond which, if such use or investment had been reasonably expected on the date of issuance of the Bond, would have caused the Bond to be an "arbitrage" bond within the meaning of Section 148 of the Code, as amended, and applicable regulations.

SECTION 7.6. Granting of Easements. If no event of default shall have happened and be continuing, after obtaining the written consent of Issuer, Lessee may at any time or times, subject to its leasehold interest, grant easements, licenses, rights of way (including the dedication of public highways) and other rights or privileges in the nature of easements with respect to the Project Land, or Lessee may, after obtaining the written consent of Issuer, release existing easements, licenses, rights of way and other rights and privileges with or without consideration, and Lessee agrees that it shall execute and deliver and will cause and direct execution and delivery of any instrument necessary or appropriate to confirm and grant or release any such easement, license, right of way or other grant or privilege upon receipt of: (1) a copy of the instrument of grant or release, (2) a written application

signed by Authorized Lessee Representative requesting such instrument and stating (i) that such grant or release is not detrimental to the proper conduct of the business of Lessee, and (ii) that such grant or release will not impair the effective use or interfere with the operation of the Project and (3) an opinion of Lessee's counsel that such grant or release will not materially weaken, diminish or impair the security afforded by or under the Escrow Agreement.

SECTION 7.7. Release of Certain Land. Notwithstanding any other provisions of this Lease, the parties hereto reserve the right, at any time and from time to time, to amend this Lease for the purpose of effecting the release of and removal from this Lease and the leasehold estate created hereby of (i) any unimproved part of the Project Land (on which no part of the Building or other building or equipment owned by Issuer and essential to the continued operation of the Project is situated) or (ii) any part of the Project Land with respect to which Issuer would propose to convey fee title to a railroad, public utility or public body in order that railroad service, utility services or roads may be provided for the Project.

ARTICLE VIII

ASSIGNMENT, SUBLEASING, INDEMNIFICATION, MORTGAGING AND SELLING

SECTION 8.1. Assignment and Subleasing. This Lease may not be assigned by Lessee without the prior written consent of Issuer and Escrow Agent. The Project may be subleased by the Lessee; however, any such sublease shall be subject to each of the following conditions:

(a) No sublease shall relieve the Lessee from primary liability for any obligations hereunder, and in the event of any such sublease, Lessee shall continue to remain primarily liable for payment of the amounts specified in Section 5.2 hereof and for performance and observance of

the other agreements on its part herein provided to be performed and observed by Lessee to the same extent as though no sublease had been made.

(b) Lessee shall, upon the request by Issuer or Escrow Agent, furnish or cause to be furnished to Issuer and the Escrow Agent a true and complete copy of each sublease, as the case may be.

Consent by the Issuer and Escrow Agent to one or more assignments shall not operate as a waiver of the obligation of obtaining their consent to any subsequent assignment.

SECTION 8.2. Release and Indemnification Covenants. Lessee shall and hereby agrees to indemnify and save Issuer and the Escrow Agent harmless against and from all claims by or on behalf of any person, firm, corporation or other legal entity arising from the conduct or management of, or from any work or thing done on, the Project, during the Lease Term from (i) any condition of the Project, (ii) any breach or default on the part of Lessee in the performance of any of its obligations under this Lease, (iii) any act or negligence of Lessee or of any of its agents, contractors, servants, employees or licensees or (iv) any act or negligence of any assignee or sublessee of Lessee, or of any agents, contractors, servants, employees or licensees of any assignees or sublessees of Lessee. Lessee shall indemnify and save Issuer and the Escrow Agent harmless from any such claim arising as aforesaid from (i), (ii), (iii) or (iv) above, or in connection with any action or proceeding brought thereon, and upon notice from Issuer or Escrow Agent, Lessee shall defend them or any of them in any such action or proceeding.

SECTION 8.3. Assignment of Rents. Issuer shall assign its right, title and interest in, and all rents, payments and revenues under, this Lease to the Escrow Agent by the Escrow Agreement as security for payment of the amounts payable under the Bond. This Lease shall be subject and subordinate to the Escrow Agreement.

SECTION 8.4. Restrictions on Mortgage or Sale of Property by Issuer. Issuer agrees that, except for any assignment or pledge of its interest in the rentals hereunder to the Escrow Agent pursuant to the Escrow Agreement, Issuer will not mortgage, sell, assign, transfer or convey the Project or any portion thereof during the Lease Term.

SECTION 8.5. Installation of Lessee's Own Machinery. Lessee may, from time to time in its sole discretion and at its own expense, install machinery, equipment and other tangible property in the Project or on the Project Land. All such machinery, equipment and other tangible property shall remain the sole property of the Lessee in which Issuer shall have no interest.

SECTION 8.6. References to Bond Ineffective After Bond Paid. Upon payment in full of the Bond and all fees and charges of the Escrow Agent, all references in this Lease to the Bond and holder of the Bond and Escrow Agent shall be ineffective and neither the holder of the Bond nor Escrow Agent shall thereafter have any further rights hereunder, saving and excepting those that shall have theretofore vested.

SECTION 8.7. Redemption of Bond. The Issuer or the Escrow Agent, at the request at any time of the Lessee and if the same is then redeemable, shall forthwith take all steps that may be necessary under the applicable redemption provisions of the Escrow Agreement to effect redemption of all or any portion of the Bond, as may be specified by the Lessee, on the earliest applicable redemption date on which such redemption may be made under such applicable provisions. As long as the Lessee is not in default hereunder and the Issuer is not obligated to call the Bond pursuant to the terms of the Escrow Agreement, neither the Issuer nor the Escrow Agent shall redeem the Bond prior to its stated maturity unless requested to do so in writing by the Lessee.

SECTION 8.8. Prepayment of Rents. There is expressly reserved to the Lessee the right, and the Lessee is authorized and permitted, at any time it may choose, so long as it is not in default hereunder, to prepay all or any part of the rents payable under Section 5.2, and the Issuer agrees that the Escrow Agent may accept such prepayment when the same is tendered by the Lessee. All prepaid rents shall be credited on the rents specified in Section 5.2 in the chronological order of their due dates, or at the election of the Lessee shall be used for the redemption or purchase of Bond in the manner and to the extent provided in the Escrow Agreement.

SECTION 8.9. Rent Abatements If Bond Paid Prior to Maturity. If at any time the moneys in the Bond Fund are sufficient to retire, in accordance with the terms of the Escrow Agreement, the Bond and to pay all fees and charges of the Escrow Agent due or to become due through the date on which the Bond is to be retired, under circumstances not resulting in termination of the Lease Term, and if the Lessee is not at the time otherwise in default hereunder, the Lessee shall be entitled to use of the Project from the date on which such moneys are in the Bond Fund to and including midnight on March 1, 2014, without the payment of rent during that interval (but otherwise on the terms and conditions hereof).

ARTICLE IX
EVENTS OF DEFAULT AND REMEDIES

SECTION 9.1. Events of Default Defined. The following shall be "events of default" under this Lease and the terms "event of default" and "default" shall mean, whenever they are used in this Lease, any one or more of the following events:

(a) Failure by Lessee to pay the rent required to be paid under Section 5.2 hereof at the time specified therein;

(b) Failure by Lessee to observe and perform any covenant, condition or agreement on its part to be

observed or performed, other than as referred to in subsection (a) of this Section, for a period of thirty (30) days after written notice, specifying such failure and requesting that it be remedied, given to Lessee by Issuer, unless Issuer shall agree in writing to an extension of such time prior to its expiration; provided, however, if the failure stated in the notice cannot be corrected within the applicable period, Issuer will not unreasonably withhold its consent to an extension of such time if corrective action is instituted by Lessee within the applicable period and diligently pursued until the default is corrected.

The foregoing provisions of subsection (b) of this Section are subject to the foregoing limitations: if by reason of Force Majeure Lessee is unable in whole or in part to carry out its agreement on its part herein contained, other than the obligations on the part of the Lessee contained in Article V hereof, Lessee shall not be deemed in default during the continuance of such inability.

SECTION 9.2. Remedies on Default. Whenever any event of default referred to in Section 9.1 hereof shall have happened and be continuing, Issuer may take one or any combination of the following remedial steps:

(a) Declare all installments of rent payable under Section 5.2 for the remainder of the Lease Term to be immediately due and payable, whereupon the same shall become immediately due and payable. If the Issuer elects to exercise the remedy afforded in this subsection (a) and accelerates all rents payable under Section 5.2 for the remainder of the Lease Term, the amount then due and payable by the Lessee as accelerated rents shall be the sum of (i) the principal amount of the Bond then outstanding, and (ii) all interest on the Bond then due and to become due to maturity whether by acceleration or otherwise. Such sums as may then become payable shall be

paid into the Bond Fund and after the Bond and accrued interest thereon have been fully paid and any costs occasioned by such event of default have been satisfied, any excess moneys in the Bond Fund shall be returned to the Lessee as an overpayment of rents;

(b) Re-enter and take possession of the Project, enforcing the Lease or terminating the Lease, and sell or lease the Project or sublease it for the account of Lessee, holding Lessee liable for all rent and other payments due up to the effective date of such selling, leasing, or subleasing and for the difference in the purchase price, rent and other amounts paid by the purchaser, lessee or sublessee pursuant to such sale, lease or sublease and the rents and other amounts payable by Lessee hereunder;

(c) Have reasonable access to inspect, examine and make copies of the books and records of Lessee pertaining to the Project during regular business hours of Lessee if reasonably necessary in the opinion of Issuer; or

(d) Take whatever action at law or in equity may appear necessary or desirable to collect the rent then due and thereafter to become due, or to enforce performance and observance of any obligation, agreement or covenant of Lessee under this Lease.

SECTION 9.3. No Remedy Exclusive. No remedy herein conferred upon or reserved to Issuer is intended to be exclusive of any other remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Lease or now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. In order to entitle Issuer to exercise any remedy reserved to it in this Article, it shall not be necessary to give

any notice, other than such notice as may be required in this Article.

SECTION 9.4. Agreement to Pay Attorneys' Fees and Expenses. In the event Lessee should default under any of the provisions of this Lease and Issuer should employ attorneys or incur other expenses for the collection of rent or the enforcement or performance or observance of any obligation or agreement on the part of Lessee herein contained, Lessee agrees that it will on demand therefor pay to Issuer the reasonable fees of such attorneys and such other reasonable expenses so incurred by Issuer.

SECTION 9.5. No Additional Waiver Implied by One Waiver. In the event any agreement contained in this Lease should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

ARTICLE X
OPTIONS IN FAVOR OF LESSEE; OBLIGATION TO PURCHASE

SECTION 10.1. Options to Terminate the Lease Term. The Lessee shall have the following options to terminate the Lease Term:

(a) before payment in full of the Bond, the Lessee may terminate the Lease Term by giving the Issuer notice in writing of such termination and by paying to the Escrow Agent an amount of money which, when added to the moneys in the Bond Fund, will be sufficient to pay, retire and redeem the Bond in accordance with the provisions of the Escrow Agreement (including, without limiting the generality of the foregoing, principal, interest to maturity or earliest applicable redemption date, as the case may be, redemption premium (if any), expenses of redemption and the Escrow Agent's and paying agent's fees and expenses), and, in case of redemption, making

arrangements satisfactory to the Escrow Agent for the giving of the required notice of redemption; or

(b) after payment in full of the Bond, the Lessee may terminate the Lease Term by giving the Issuer notice in writing of such termination and such termination shall forthwith become effective.

SECTION 10.2. Obligation to Purchase Project. The Lessee agrees to purchase, and the Issuer agrees to sell, the Project for Ten Dollars ($10.00) at the expiration or sooner termination of the Lease Term following payment in full of the Bond. The obligation specified in this Section shall be and remain prior and superior to the Escrow Agreement and may be exercised whether or not there exists an event of default hereunder provided that the existence of such event of default will not result in nonfulfillment of any condition to this obligation.

SECTION 10.3. Conveyance on Purchase. At the closing of the purchase pursuant to Section 10.2, the Issuer will upon receipt of the purchase price deliver to the Lessee the following:

(a) if at the time the Escrow Agreement has not been satisfied in full, a release by the Escrow Agent from the lien or security interest of the Escrow Agreement in the property with respect to which such purchase is being consummated; and

(b) documents conveying to the Lessee good and marketable fee simple title in and to the property with respect to which such purchase is being consummated, as such property then exists, subject to the following: (i) those liens, security interests and encumbrances (if any) to which such title in and to said property was subject when conveyed to the Issuer, (ii) those liens, security interests and encumbrances created by the Lessee or to the creation or suffering of which the Lessee consented, (iii) those liens, security interests and encumbrances resulting from the failure of the Lessee to perform or

observe any of its agreements contained herein, and (iv) Permitted Encumbrances other than the Escrow Agreement.

ARTICLE XI
MISCELLANEOUS

SECTION 11.1. Lease Term. This Agreement shall become effective upon its execution and delivery and the leasehold interest created hereby shall then begin, and, subject to the other provision hereof (including particularly Article X), shall expire at midnight on March 1, 2014, or if at said time and on said date the Bond has not been paid in full, then on such date as such payment shall have been made.

SECTION 11.2. Notices. All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when delivered or mailed by registered mail, postage prepaid, addressed as follows:

(a)	If to the Issuer:	Gainesville and Hall County Development Authority P.O. Box 3280 Gainesville, Georgia 30503 Attention: Chairman
(b)	If to the County:	Hall County, Georgia P.O. Drawer 1435 Gainesville, Georgia 30503 Attention: Finance Director
(c)	If to the Escrow Agent:	Regions Bank P. O. Drawer 937 Gainesville, Georgia 30503 Attention: Corporate Banking Dept.

Issuer, Escrow Agent and Lessee may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

SECTION 11.3. Binding Effect. This Lease shall inure to the benefit of and shall be binding upon Issuer and Lessee and their

respective successors and assigns, subject, however, to the limitations contained in Sections 8.1, 8.3 and 8.4 hereof.

SECTION 11.4. Severability. In the event any provision of this Lease shall be held invalid or unenforceable by any Court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

SECTION 11.5. Amendments, Changes and Modifications. Subsequent to the issuance of the Bond and prior to its payment in full, and except as otherwise herein expressly provided, this Lease may not be effectively amended, changed, modified, altered or terminated.

SECTION 11.6. Execution in Counterparts. This Lease may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 11.7. Net Lease. This Lease shall be deemed and construed to be a "net lease," and Lessee shall pay absolutely net during the Lease Term the rent and all other payments required hereunder, free of any deductions, and without abatement, deduction or set-off, other than those herein expressly provided.

SECTION 11.8. Applicable Law. This Lease shall be governed by and construed in accordance with the laws of the State.

SECTION 11.9. Limit of Validity. If from any circumstances whatsoever fulfillment of any provision of this Lease, at the time performance of such provision shall be due, shall involve transcending the limit of validity presently prescribed by any applicable usury statute or any other applicable law, with regard to obligations of like character and amount then ipso facto the obligation to be fulfilled shall be reduced to the limit of such validity, so that in no event shall any exaction be possible under

this Lease that is in excess of the current limit of such validity, but such obligation shall be fulfilled to the limit of such validity.

SECTION 11.10. Captions. The captions or headings in this Lease are for convenience only and in no way define, limit or describe the scope or intent of any provisions or Sections of this Lease.

IN WITNESS WHEREOF, Issuer and Lessee have executed this Lease as of the date first above written.

AS TO LESSOR, signed and sealed in the presence of:

Sandra K. Jones
Unofficial Witness

Amy C. Stewart
Notary Public

(NOTARY SEAL)

GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY

By: _____
Chairman

Attest: _____
Secretary

(CORPORATE SEAL)

AS TO LESSEE, signed and sealed in the presence of:

Sandra K. Jones
Unofficial Witness

Amy C. Stewart
Notary Public

(NOTARY SEAL)

HALL COUNTY, GEORGIA

By: _____
Chairman, Board of Commissioners

Attest: _____
Clerk, Board of Commissioners

(CORPORATE SEAL)

F:\DOCS\WORDPROC\HEALTH\LEASE

359

EXHIBIT "A"

All that tract or parcel of land lying and being in Gainesville District, G.M.D. 411, Hall County, Georgia, and fronting on Athens Street (Old U. S. Hwy. 129) and being more particularly described as follows:

BEGINNING at a point on the Southwestern right-of-way of Athens Street, said point being located 1,048.73 feet South along said right-of-way from the intersection of said right-of-way with the right-of-way of Monroe Drive, and running thence South 30 degrees 22 minutes 40 seconds West 101.04 feet to a point; thence South 80 degrees 55 minutes 51 seconds West 356.64 feet to a point; thence South 80 degrees 55 minutes 51 seconds West 287.5 feet, more or less, to a point on the Eastern right-of-way of Interstate Highway 985; thence North 25 degrees 12 minutes 24 seconds East along said right-of-way of Interstate Hwy. 985 156.25 feet, more or less, to a 3/8 inch rebar found; thence North 29 degrees 41 minutes 1 second East 30.99 feet to a 3/8 inch rebar found; thence North 41 degrees 14 minutes 42 seconds East 326.07 feet to a 3/8 inch rebar found; thence North 81 degrees 33 minutes 44 seconds East 55.08 feet to a concrete monument found on the Southwestern right-of-way of Athens Street; thence South 52 degrees 43 minutes 55 seconds East 84.95 feet along said right-of-way to a point; thence continuing along said right-of-way a chord bearing and distance of South 55 degrees 58 minutes 31 seconds East 324.17 feet, having an arc distance of 324.34 feet and a radius distance of 2,864.79 feet, to the point of beginning.

F:\DOCS\WORDPROC\HEALTH\LEGAL.WPD

03108
0040

RETURN TO ... 40 ... GAINESVILLE, GA 30503

WARRANTY DEED—Survivorship

GEORGIA, COUNTY OF Hall

THIS INDENTURE, Made this 27th day of February in the Year of Our Lord One Thousand Nine Hundred and Ninety-Eight between April Dellinger Tuttle formerly known as April H. Dellinger of the State of Georgia and County of Hall (hereinafter called "GRANTOR"), and Douglas P. Smith and Evelyn J. Smith of the State of Georgia and County of Hall (hereinafter called "GRANTEES")

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of Ten Dollars and other valuable considerations ($10.00) DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto GRANTEES, as Joint Tenants, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

All that tract or parcel of land lying and being in the Morgain GMD 385 District, Hall County, Georgia, consisting of Lot 9 of the Crabapple Creek Subdivision, containing 26,363 feet, as shown on a plat of survey prepared by Farley-Collins Associates, Georgia Registered Surveyors, dated May 5, 1994, recorded on Plat Slide 350, page 98-A, Hall County, Georgia Plat Records. Reference to said plat and the record thereof is hereby made for a more complete description of said property.

This conveyance is made subject to the following:
1. Restrictive Covenants recorded in Deed Book 1764, page 86, Hall County, Georgia Deed Records.
2. Building setback requirements more particularly described according to the subdivision plat recorded on Plat Slide 101, page 105A, Hall County, Georgia Plat Records.
3. Fifteen foot (15') and five foot (5') utility and drainage easements as per the within referenced survey.

Georgia, Hall County, Clerk Superior Court
Filed in office, this 3 day of Mar
1998 at 10:45a m. Recorded in
Book 3108 Page(s) 40
this 4 day of Mar, 1998.
DWIGHT S. WOOD, CLERK, by: RSC pd

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 GRANTEES, as Joint Tenants, for and during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND THE SAID GRANTOR will warrant and forever defend the rights and title to the above described property, unto the said GRANTEES, as hereinabove provided, against the claims of all persons whomsoever.

WHEREVER there is a reference herein to the GRANTOR, 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.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:

Kristy Crawford
Unofficial Witness

April Dellinger Tuttle (SEAL)
April Dellinger Tuttle formerly known as April H. Dellinger

J. M. Melvin
Notary Public, Hall County, GA
My Commission Expires: 2-18-2001
Date signed by Notary: 2-27-1998

(SEAL)

JOHN M. MELVIN NOTARY EXPIRES GEORGIA FEB. 18, 2001 PUBLIC HALL COUNTY

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 115.00
Date Mar 3 1998
DWIGHT S. WOOD
Clerk Superior Court
By RCunard pd

AGENDA ITEM

Fire Rescue

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 138/2024

SUBJECT: Approve the application for the FY 2024 State Homeland Security Program grant for the Fire Rescue Hazmat Team to purchase identification equipment for hazardous materials in the amount of $80,990.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

Meetings:

Work Session Date: 03/25/24

Voting Meeting Date: 03/28/24

Executive Summary:

Presenter: JS

Recommendation:
Approval.

Purpose of Request:
Approve the application for the FY 2024 State Homeland Security Program grant for the Fire Rescue Hazmat Team to purchase identification equipment for hazardous materials in the amount of $80,990.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

History:

NA

Facts and Issues:

Options:

Hall County Fire Rescue's Hazardous Materials team is seeking $80,990 in grant funding to purchase a ThreatID meter. This meter gives emergency responders the ability to rapidly detect and identify more than 27,600 unknown gas/vapor, powder/liquid chemical threats, and mixtures with a single, portable tool. The Hall County Fire Rescue Regional Hazardous Materials team currently does not have this capability. A ThreatID meter would be a vital resource for Northeast Georgia.

Funding Requested	$ 0.00
Are funds within current budget?	No
Source of Funds	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?	

Approvals:

Grants	submit	approve	Grants
PS	JS	JS	SG
Budget	**Finance**	**Attorney**	**Administration**
EW	WG	WLI	CR
Clerk			
JR			

Attachments:

Application

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 138/2024

Funds Requested: $ 0.00

Request Budgeted: No

Proposed Source of Funding:

Grant Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	250-MULTIPLE GRANT FUND	3520-FIRE RESCUE	334110-STATEâ€OPERATING DIRECT	$-80,990.00
2024	250-MULTIPLE GRANT FUND	3520-FIRE RESCUE	542500-OTHER EQUIPMENT	$80,990.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: JS

Phone: Ext. 3280

Application - 2024 Hall County Fire Rescue Hazmat

Draft

Application Summary

This form outlines all project details, including Scope of Work, all costs, and location worksheets.

Title:	2024 Hall County Fire Rescue Hazmat
Total Project Cost:	$80,990.00
Eligible Amount:	$80,990.00
Cost Summary:	Equipment $80,990.00 Note: these values will only update after the form is saved.
Funding Sources:	Federal - $80,990.00 State - $0.00 Local - $0.00
FEMA Obligation Data:	Federal Number - < no value > Edit

Workflow Summary

Current Step: 1) Applicant Submission
Description: Applicant completes and submits Application to State

Draft

Grant

2024 State Homeland Security Program
State Homeland Security Program
Start Date: October 1, 2024
Closed: September 30, 2026
Work Deadline: September 30, 2026
CFDA Number: 97.067

Applicant

Hall (county)
Hall County
UEI:
FIPS: 139-99139-00
FEIN #: 58-6000836
Vendor # (Applicant): 0000014610
DUNS #: 078124617 Type: County Government
Physical: 470 Crescent Drive Gainesville, GA, 30501
Mailing: PO Box 907730 Gainesville, GA, 30501

Introduction

Summary Information

Grant:	2024 State Homeland Security Program
Project Discipline Type:	Hazmat(General ND Application - standardND/)
Title:	2024 Hall County Fire Rescue Hazmat Used to help identify the Project. Ex: "Jurisdiction - Project Name".
Total Project Investment Amount:	$80,990
Project Capabilities Type:	Sustaining Existing Capabilities
Project Jurisdiction Description:	Georgia EM and HS Field Area #1
Does the project require an MOU to a State Agency?	No

Primary Contact: ?

Sommer Green - Grants Manager

Edit

Email Address: sgreen@hallcounty.org
Phone: 770-297-5503

Alternate Contact: ?

Kris Boggs - Division Chief of Safety and Special Opperations

Edit

Email Address: kboggs@hallcounty.org
Phone: 678-725-3340

Authorized Contact: ?

Richard Higgins - Chairman Hall County Board of Commissioners

Edit

Email Address: rhiggins@hallcounty.org
Phone: 770-535-8288

Financial Contact:

*Once Hall County is awarded, Grants staff will be able to correct this spelling with the grant sponsor.

*Geddings

Wesley ~~Giddings~~ Hall County Financial Services Director

Edit

*wgeddings@hallcounty.org

Email Address: ~~wgiddings~~@hallcounty.org
Phone: 770-718-5724

This application contains Work Activity and Costs in the following areas:	Equipment Hold Ctrl key to select multiple areas.

Federal Funding Accountability and Transparency Act Certification (FFATA)

You shall report the names and total compensation of each of the five most highly compensated executives for the preceding completed fiscal year, if:

a. in the sub-grantee's preceding fiscal year, the sub-grantee received
   i. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
   ii. $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)

Are all of the above statements true?	No

Project Details

Summarize the proposed project, including its purpose and how it aligns with the State's funding priorities for this Grant:

Request for funds to maintain existing Hazmat Teams Georgia s Hazardous Material Teams provides emergency service to local and regional areas in a coordinated effort, with all resources, to contain and neutralize, or minimize the disastrous effects of an accident involving hazardous materials. An emergency or disaster could result from hazardous and radiological materials being released into the environment. And these teams are to be equipped and properly trained for response.
The Hall County Fire Rescue Hazmat team was formed in the early 2000 s following the events of 9/11. This GEMA designated regional team covers all the counties in Northeast Georgia to include Hall, Lumpkin, White, Union, Towns, Rabun, Habersham, Stephens, Banks, Franklin, Hart, Jackson, Madison, Barrow, Clarke, Walton, Newton, Oconee, Morgan, Oglethorpe, Greene, Elbert, Wilkes, and Lincoln. The Hall County Fire Rescue Hazmat team has 45 active members, serving Gainesville/Hall County, as well as all the additional counties in GEMA region 1. In addition to our regional partners Gainesville/Hall County has numerous facilities that work in or around hazardous materials. Additionally we have hazardous materials traveling on our interstate, and a large inland port that will be coming soon.
Hall County Fire Rescue s Hazardous Materials team is seeking $80,990 to funding this exist Hazmat Program. Funds will be used as follows:
1. Hall County Fire Rescue is requesting $80,990 to purchase a ThreatID meter. This meter gives emergency responders the ability to rapidly detect and identify more than 27,600 unknown gas/vapor, powder/liquid chemical threats, and mixtures with a single, portable tool. ThreatID requires no alignment, calibration, or configuration when changing between gas/vapor and liquid/powder sampling modules. The rugged diamond sample interfaces provide reliable measurement in harsh environments while the interactive, on-screen prompts guide users through the sampling process, step by step. The Hall County Fire Rescue Regional Hazardous Materials team currently does not have this capability and would be a huge resource for Northeast Georgia. Included in the purchase will be 1 day of training for up to 14 people as well as 1 year of Warranty & Support (parts and labor, next day loaner, and 24/7/365 Reachback). Additionally we have requested in the quote an additional year of Warranty & Support to provide for 2 years of warranty and support. After the additional 2 years we will include in our annual budget.

The SHSP supports state, local, tribal, and territorial preparedness activities that address high priority preparedness gaps across all core capabilities that support terrorism preparedness.

Will the funds being applied for supplant other funding for this project?

No

Example: SPLOST or other local funds already planned for use to do this project

Primary Core Capability to be addressed by this Project: Common - Threats and Hazard Identification

Estimate the amount of funding you are requesting that will be used to strengthen the selected Primary Core Capability: $ 80,990.00

Secondary Core Capability to be addressed by this Project: Common - Situational Assessment

Estimate the amount of funding you are requesting that will be used to strengthen the selected Secondary Core Capability: $ 80,990.00

How much of the funding in the proposed project can be associated with Law Enforcement Terrorism Prevention Activities (LETPA)? $ 80,990.00

This could include activities and equipment with a nexus to terrorism that are focused on information sharing and analysis; target hardening; treat recognition; terrorism interdiction; fusion center operation; or training/exercises associated with these activities.

Briefly explain how this project will support LETPA:

The ThreatID meter gives emergency responders the ability to rapidly detect and identify more than 27,600 unknown gas/vapor, powder/liquid chemical threats, and mixtures with a single, portable tool. Hall County is one of our nation's top leaders in chicken production, making this area a target for terroristic activities. This equipment will enable Hall County's Hazmat team to have the ability to rapidly contain and neutralize hazardous materials from being released into the environment.

Risk Assessment

Agency Tax Status?	Appropriated Division of the Town
Agency Fiscal Year:	July - June For example: July-June or Jan-Dec
Legal name of the entity to which the FTIN was assigned:	Hall County. Georgia
Does the Physical Address on file match your address as listed on SAM.gov?	No
Address Line 1:	2875 Browns Bridge Road
Address Line 2:	
City:	Gainesville
State:	GA - Georgia
Zip Code:	30504
Is the Mailing Address on file correct?	No
Address Line 1:	P.O. Drawer 1435
Address Line 2:	
City:	Gainesville
State:	GA - Georgia
Zip Code:	30503

Has your organization been audited in the past 12 months?	Yes, by an outside audit firm
Is your organization required to have a single audit conducted in accordance with the Single Audit Act (sub recipient expends $750,000 or more in federal assistance during its fiscal year)?	Yes
Has the A-133 single audit been submitted to primary pass through Party?	Yes
Who was the audit sent to?	Georgia Department of Audits and Accounts
What date was the audit sent?	Dec 29, 2023
Did the organization have significant audit findings from your last single audit regarding program non-compliance?	No
If the single audit has not yet been conducted, when will this be completed?	Dec 27, 2024
What type of accounting system do you use?	Manual
Does your organization have written policies and procedures for checks and balances of all fiscal transactions?	Yes

Does your organization maintain for inspection all the books, documents, payroll papers, accounting records and grant files pertaining to sub grant agreements and contracts for a period of three years after the close of the sub-grant?	Yes
Is the Unique Entity Identifier (UEI) on file for your organization correct?	Yes

UEI:

Costs

Cost Line Items

- Cost line items should be listed in the order of descending priority, with the most important item first, then second most important item next, and so on.
- Costs must be rounded to the nearest whole dollar amount.
- For Equipment items costing $5,000 or more each it is required to provide a Tangible Property Report. If applicable, please attach to this application prior to submission.

Classification	Description	Qty	Price	Total
Area: Equipment Type: Detection Equipment (DET) AEL Code (List)	Field-portable FTIR chemical identifier capable of analyzing gases, vapors, liquids, and solids.	1	$ 35,990.00	$35,990.00
Area: Equipment Type: Detection Equipment (DET) AEL Code (List)	Field-portable FTIR to rapidly and identify unknown gases and vapors.	1	$ 25,000.00	$25,000.00
Area: Equipment Type: Detection Equipment (DET) AEL Code (List)	Field-portable FTIR to rapidly and identify a vast range of chemical threats in complex mixtures,	1	$ 15,000.00	$15,000.00
Area: Equipment Type: Detection Equipment (DET) AEL Code (List)	Platinum Warrenty to include software and library upgrade, parts and labor,. loaner system, 24/7/365 access to Ph.DChemists, and technical support.	1	$ 5,000.00	$5,000.00
Application Total				**$80,990.00**
Grand Total				**$80,990.00**

Funding Sources

Method: ◉ By Percent ○ By Amount

Funding Source / Other Agency

Estimated Federal Share:	100	%	$80,990.00
Total Allocated:	100	%	$80,990.00

Equipment Work Plan

Provide up to four major milestones and their associated completion dates that will be required to complete the project.

Remove this Objective

Start Date: Oct 1, 2024 End Date: Sep 30, 2025

Objective: The objective of this project is to improve the detection devices for Hall County Hazmat team and properly train its team members to utilize the equipment so that they can carry out their mission of a safe, effective, and efficient response to all Hazmat/WMDC calls for the county, region, mutual, and automatic aid.

Justification: Hall County Hazmat team has 45 active members that serves Northeast Georgia 24 county area. Within this area there are numerous facilities that work in or around hazardous materials. These hazardous materials are transported on our interstates, and also our inland port that is coming soon.

Action Steps

List Action Steps to be taken to achieve each Objective

Action Step	Start Date	End Date
Training on Equipment	Oct 1, 2024	Dec 31, 2024

Add an Objective

EHP Review

Projects that are not classroom training and are not simply (portable) equipment purchases will require an Environmental and Historic Preservation (EHP) Review to be done before work begins. If you wish to review the EHP screening form or program requirements, they can be found at the FEMA EHP site by clicking here.

EHP Review Required: No

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 74/2024

SUBJECT: **5348 Channel Drive | Amend Conditions |** of a previous rezoning on a 17.60± acre tract located on the south side of Channel Drive, approximately 2,085 feet from its intersection with Bryant Quarter Road | Zoned AR-IV; Tax Parcel 15001C000007 **| Proposed Use: 2-lot subdivision |** Commission District 3 **| Robert Ratcliffe, applicant.** Note: Tabled at the February 8, 2024 Voting Meeting until the March 28, 2024 Voting Meeting.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: RD

Recommendation:

Approval.

Conditions:

1. All previous conditions of zoning included herein shall apply, specifically:
    a. Mobile homes are prohibited.
    b. Poultry houses are prohibited.
    c. Hog parlors are prohibited.
    d. Stick built homes only with a minimum 1,500 square feet shall be constructed.
    e. All lots shall have individual wells and septic tanks.
2. The property shall be developed in accordance with the site plan dated February 19, 2023, and as described in the project narrative received February 1, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
3. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Channel Drive.
4. A recorded plat shall be prepared, reviewed, and approved for the newly created parcels. The standard Hall County Plat Review process shall apply.
5. All conditions of zoning shall appear on any plats created for the subject property.
6. The approval of these zoning condition amendments shall only apply to the subject parcel, 15001C000007.

Purpose of Request: **History:**

5348 Channel Drive | Amend Conditions | of a previous rezoning on a 17.60± acre tract located on the south side of Channel Drive, approximately 2,085 feet from its intersection with Bryant Quarter Road | Zoned AR-IV; Tax Parcel 15001C000007 | **Proposed Use: 2-lot subdivision |** Commission District 3 | **Robert Ratcliffe, 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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:

Request to Withdraw
Updated Board Memo
Request to Table to 2-22-2024
Board Memo
Recommendation Report
Application
Narrative
Site Plan
Maps
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Updated Notice Sign Photo
Notice Sign Photos

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Friday, March 22, 2024 2:21 PM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: 5348 Channel Drive - Withdraw Request

Good afternoon, all.

Please be aware that Robert Ratcliffe has requested to withdraw his request to amend conditions of zoning for a 2-lot subdivision at 5348 Channel Drive. This item was scheduled for the March 28th voting meeting.

Jennifer, would you please update his file?

Please let me know if you have any questions.

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
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From: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Sent: Friday, March 22, 2024 2:17 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: 5348 Channel Drive - Withdraw Request

Beth,

Robert Ratcliff, the applicant for 5348 Channel Drive, called me this morning to request to withdraw his application from the agenda .

Thank you,

Katie Greenway
Planning and Zoning Administrator
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org



HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: March 11, 2024

Subject: **5348 Channel Drive | Amend Conditions** | of a previous rezoning on a 17.60± acre tract | **Proposed Use: 2-lot subdivision | Robert Ratcliffe, applicant.**

The request before you is the request of Robert Ratcliffe to Amend Conditions of a previous rezoning to allow a 2-lot subdivision. This item is located within Commission District 3.

At their January 2, 2024 meeting, the Hall County Planning Commission voted to recommend approval with six (6) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions** as the proposed use is consistent with surrounding development.

There were **no comments submitted** in advance of the Planning Commission meeting and **one (1) person spoke in opposition during the public hearing.**

At their February 22, 2024 meeting, the Board of Commissioners tabled this item to March 28, 2024 to allow the applicant to consult with an attorney about possible deed restrictions regarding subdivision. There have been no updates since then.

Planning Commission Conditions:

1. All previous conditions of zoning included herein shall apply, specifically:
    a. Mobile homes are prohibited.
    b. Poultry houses are prohibited.
    c. Hog parlors are prohibited.
    d. Stick built homes only with a minimum 1,500 square feet shall be constructed.
    e. All lots shall have individual wells and septic tanks.
2. The property shall be developed in accordance with the site plan dated February 19, 2023, and as described in the project narrative received

February 1, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

3. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Channel Drive.
4. A recorded plat shall be prepared, reviewed, and approved for the newly created parcels. The standard Hall County Plat Review process shall apply.
5. All conditions of zoning shall appear on any plats created for the subject property.
6. The approval of these zoning condition amendments shall only apply to the subject parcel, 15001C000007.

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, January 15, 2024 12:20 PM
To: Jennifer Rivera (Administration)
Cc: Beth Garmon (CDI: Planning); Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: FW: Request for extension

Good afternoon,

Please see the email below requesting to table the BOC decision for 5348 Channel Drive (HZCU23-0058) from February 8th, 2024 to February 22nd, 2024.

After the Planning Commission meeting and comments from neighbors, the applicant has hired an attorney to look into deed restrictions regarding subdivisions. This is so the applicant is aware of other possible restrictions that he must abide by other than the zoning conditions he is requesting to amend.

Please let me know if you have any questions.

Thank you,
Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
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From: robert ratcliffe <robertbucky@yahoo.com>
Sent: Monday, January 15, 2024 11:14 AM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Request for extension

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.

Dear Board,

I am sending this email to request an extension / reschedule of my zoning hearing. Unfortunately on the current date, February 8, 2024, I will be out of town for a previously planned trip. I have also acquired an attorney for the investigation and review of the covenants and bylaws and he is requesting additional time to complete this task. I am requesting to reschedule until the next hearing, which I believe is around the end of February. Please advise if you can grant this extension.

I appreciate your time and consideration.

Thank you,
Robert Ratcliffe
770-605-8988

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Randi Doveton, Director of Planning & Development

Date: January 22, 2024

Subject: **5348 Channel Drive | Amend Conditions |** of a previous rezoning on a 17.60± acre tract | **Proposed Use: 2-lot subdivision | Robert Ratcliffe, applicant.**

The request before you is the request of Robert Ratcliffe to Amend Conditions of a previous rezoning to allow a 2-lot subdivision. This item is located within Commission District 3.

At their January 2, 2024 meeting, the Hall County Planning Commission voted to recommend approval with six (6) conditions **(5-0)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **one (1) person spoke during the public hearing.**

Since the Planning Commission took action, the applicant has emailed Planning Staff a request to table this application to February 22, 2024 to consult with an attorney about possible deed restrictions regarding subdivision.

Planning Commission Conditions:

1. All previous conditions of zoning included herein shall apply, specifically:
    a. Mobile homes are prohibited.
    b. Poultry houses are prohibited.
    c. Hog parlors are prohibited.
    d. Stick built homes only with a minimum 1,500 square feet shall be constructed.
    e. All lots shall have individual wells and septic tanks.
2. The property shall be developed in accordance with the site plan dated February 19, 2023, and as described in the project narrative received February 1, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

3. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Channel Drive.
4. A recorded plat shall be prepared, reviewed, and approved for the newly created parcels. The standard Hall County Plat Review process shall apply.
5. All conditions of zoning shall appear on any plats created for the subject property.
6. The approval of these zoning condition amendments shall only apply to the subject parcel, 15001C000007.

HALL COUNTY PLANNING COMMISSION
RECOMMEDATION REPORT

Applicant ..... Robert Ratcliffe

Request ..... Use Subject to County Commission Approval | Amend Conditions of Zoning for a 2-lot subdivision

Proposed Use ..... 2-lot subdivision

Size ..... 17.60± acres

Zoning ..... Agricultural Residential IV (AR-IV, 17.120)

Location ..... **5348 Channel Drive |** Tax Parcel 15001C000007

Commission District ..... Three

Planning Commission Date ..... January 2, 2024

Staff Recommendation ..... **Approval, with conditions** as the proposed use is consistent with surrounding development.

Planning Commission Recommendation.....**Approval, with conditions**
Vote: 5-0

Planning Commission Conditions:

1. All previous conditions of zoning included herein shall apply, specifically:
    a. Mobile homes are prohibited.
    b. Poultry houses are prohibited.
    c. Hog parlors are prohibited.
    d. Stick built homes only with a minimum 1,500 square feet shall be constructed.
    e. All lots shall have individual wells and septic tanks.
2. The property shall be developed in accordance with the site plan dated February 19, 2023, and as described in the project narrative received February 1, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
3. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Channel Drive.
4. A recorded plat shall be prepared, reviewed, and approved for the newly created parcels. The standard Hall County Plat Review process shall apply.
5. All conditions of zoning shall appear on any plats created for the subject property.
6. The approval of these zoning condition amendments shall only apply to the subject parcel, 15001C000007.

Staff Recommended Conditions:

1. All previous conditions of zoning included herein shall apply, , with the exception of those modified for the current application:
    a. Mobile homes are prohibited.
    b. Poultry houses are prohibited.
    c. Hog parlors are prohibited.
    d. Stick built homes only with a minimum 1,500 square feet shall be constructed.
    e. All lots shall have individual wells and septic tanks.
2. The property shall be developed in accordance with the site plan dated 2/19/2023, and as described in the project narrative received 2/1/2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
3. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Channel Drive.
4. A recorded plat shall be prepared, reviewed, and approved for the newly created parcels. The standard Hall County Plat Review process shall apply.
5. All conditions of zoning shall appear on any plats created for the subject property.
6. The approval of these zoning condition amendments shall only apply to the subject parcel, 15001C000007.

Public Forum:

James Eaves, 5347 Channel Drive, Gillsville, spoke in opposition. Concerns were that other property owners would follow and start subdividing their property within the subdivision when there are restrictions in the deeds.

Summary Analysis

The applicant is requesting to amend conditions of a residential subdivision to allow for the subdivision of the subject property, which is a 17.60± acre lot. The parcel is located in the Valley Ridge Farms subdivision. The subdivision was established in 1993 with seven conditions of approval from the Board of Commissioners, and is zoned Agricultural Residential IV (AR-IV, 17.120). The applicant is seeking to amend the zoning conditions to subdivide 4.82± acres from the 17.60± acre parcel for the future construction of a single-family residence; this action will increase the total number of lots within the subdivision from nine (9) to ten (10). The property is developed with a 2,456 square foot single-family dwelling, and there are six farm animals kept on the property.

When the Hall County Board of Commissioners approved the establishment of Valley Ridge Farms subdivision on May 27, 1993, the following conditions were included:

a. Mobile homes are prohibited.
b. Poultry houses are prohibited.
c. Hog parlors are prohibited.
d. Stick built homes only with a minimum 1,500 square feet shall be constructed.
e. Future subdivisions of tracts is prohibited.
f. All lots shall have individual wells and septic tanks.
g. Even though the size of the tracts change you cannot change the total number of tracts.

The applicant's request is to amend only conditions e and g, and keep all other aforementioned conditions in effect.

Based on the future land-use plan, staff finds the requested zoning designation is *consistent* with the Hall County Comprehensive Plan. The Comprehensive Plan's future land use designation for the subject parcels is "Rural." The intent of this land use category is to preserve the existing rural character, including agricultural uses and large-lot residential uses, as well as natural and historic features. Future development is envisioned to consist of agricultural activities and low-density detached single-family homes.

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 associated with the requested amendment to the subdivision is consistent with nearby properties. The newly created parcel will become the smallest in the subdivision; however, this will have minimal impact on the density as that will remain low at no greater than 0.11 dwelling units per acre.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The subdivision of land into two parcels will have little, if any, adverse effects on 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 Agricultural Residential IV (AR-IV, 17.120). The site is currently occupied by a single-family house.**

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 subdivision should not cause an excessive or burdensome use of the existing streets, utilities, or public services.**

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 minor subdivision is consistent with the Comprehensive Plan's future land use classification of Rural.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Absent a market study, staff is unable to determine whether property values are diminished by the existing zoning restrictions.**

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. The property owner purchased the property in 2021, after which the conditions of zoning were applied to the development, and are noted on the final plat for the subdivision.**

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; **Tax parcel 15001C000007 is currently developed with a 2,456 square foot single-family residence which was constructed in 2002.**

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; **There are no known changing conditions affecting the use or development of the property, however, existing stream buffers limit the available area for development of these lots.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **As the requested action is an amendment to the existing conditions of zoning, the underlying district designation will remain Agricultural Residential IV (AR-IV, 17.120). All adjacent parcels are within this district as well.**

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 boundaries are illogically drawn.**

13. 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 neighborhood or the county.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Several sites exist within the county that are adequate for the establishment of a minor subdivision by right. However, many such sites share the same underlying zoning designation as the subject property.**

15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **No, the request could not be handled instead by a variance.**

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 are no anticipated ecological or pollution impacts 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.**

17.350.040. - Submission requirements for a conditional use request

An application shall be submitted to the planning department at least 30 working days prior to the date of the planning commission meeting or zoning board of adjustment meeting at which the application is to be considered. The completed application shall be accompanied by payment of such fee prescribed in chapter 17.30 hereof to cover administrative and advertising costs. The following items of information shall be supplied by the applicant as set forth in chapter 17.350. **The applicant submitted to the planning department more than 30 days prior to the meeting date and has paid the application fee.**

17.380.050. - Submission requirements

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The proposal does provide a narrative outlining the intent of minor subdivision; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**

2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district**. The applicant has submitted a site plan; however, information about adjacent properties is limited.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable to the applicant's request.**

D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health

In an email dated November 28, 2023, Emily McGahee stated "All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. This plat

is currently under review by the Hall County Plat Review Team and Environmental Health contacted the owner on May 5, 2023 concerning requirements to further process the plat for review."

Hall County Fire Marshal
In an email dated December 1, 2023, from John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, "The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Public Works and Utilities
In a memorandum from Public Works and Utilities dated November 30, 2023, Director Bill Nash stated the following:

Engineering:
This 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.

Traffic:
Driveway sight distance.

Utilities:
Gainesville/ Hall sewer district: no sewer connection within feasible distance.

Georgia Department of Transportation
In an email dated December 4, 2023, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination would not be required for this request.

- **Excerpts from the minutes of the January 2, 2024 meeting**

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

Robert Ratcliffe, 5348 Channel Drive, Gillsville, presented the request. The applicant stated that they would like to build a single family home on the second lot for their family to be close.

Diane Ratcliffe, 5348 Channel Drive, Gillsville, presented the request.

Public Forum:

James Eaves, 5347 Channel Drive, Gillsville, spoke in opposition. Concerns were that other property owners would follow and start subdividing their property within the subdivision when there are restrictions in the deeds.

Planning Commission Comments:

Mr. Braswell questioned if there is a deed restriction on subdividing property in the subdivision and if the County could take action if there are deed restrictions in place. Ms. Garmon stated that the planning department would not interfere or override covenants restrictions, they only enforce zoning regulations and conditions of zoning. Mr. Braswell questioned if there should be an action taken. Ms. Garmon stated that the

zoning request is necessary in order to get the process started but the covenants are a civil issue. Mr. Braswell recommended the applicants reach out to their closing attorney to figure out restrictions.

Motion: ***A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Sosebee. Vote: 5-0***

Conditions:

1. All previous conditions of zoning included herein shall apply, specifically:
    a. Mobile homes are prohibited.
    b. Poultry houses are prohibited.
    c. Hog parlors are prohibited.
    d. Stick built homes only with a minimum 1,500 square feet shall be constructed.
    e. All lots shall have individual wells and septic tanks.
2. The property shall be developed in accordance with the site plan dated February 19, 2023, and as described in the project narrative received February 1, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
3. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Channel Drive.
4. A recorded plat shall be prepared, reviewed, and approved for the newly created parcels. The standard Hall County Plat Review process shall apply.
5. All conditions of zoning shall appear on any plats created for the subject property.
6. The approval of these zoning condition amendments shall only apply to the subject parcel, 15001C000007.

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
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We have it all in Hall

ZONING APPLICATION

Applicant (Name & Mailing Address)

Robert L. Ratcliffe
5348 Channel Drive
Gillsville, GA 30543

Phone 770-605-8988

Email Address robertbucky@yahoo.com

Property Owner (Name & Mailing Address)

Phone 770-605-8988

Email Address robertbucky@yahoo.com

Proposed Use Separate property for ONE Single Family Dwelling

Contact Person (Name & Mailing Address)

Robert L. Ratcliffe
5348 Channel Dr.
Gillsville, GA. 30543

Phone 770-605-8988

Email Address robertbucky@yahoo.com

Status of Applicant

- ☑ Owner
- ☐ Option to Purchase
- ☐ Area Resident
- ☐ Other

Requested Action

Existing Zoning: AR-IV (C)

Rezone to: AR-IV

Fee:$ 600.00

Receipt #: _____

Check #: _____

Tax Parcel Number _____

Acreage 5 acres

Location Address 5348 Channel Dr. Gillsville, GA 30543

I hereby certify that the above information and all attached information are true and correct.

Sign Robert L Ratcliffe Date: 10/19/2023

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, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

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: Diane L. Ratcliffe **Date:** 10/31/2023

Applicant's/Owner's Name (Printed): Diane L. Ratcliffe

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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I hereby certify that I have read the above and that:

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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: Robert L Ratcliffe **Date:** 10/19/2023

Applicant's/Owner's Name (Printed): Robert L. Ratcliffe

PLANNING AND DEVELOPMENT DEPARTMENT
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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: Jason Hollis **Date:** 10/29/23

Applicant's/Owner's Name (Printed): Jason Hollis

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 I f: 770-531-3902

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I have**____ I have not X

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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: _____ **Date:** 10/26/23

Applicant's/Owner's Name (Printed): Cynthia C. Hollis

Dear Committee Members,

We are Robert and Diane Ratcliffe. Our place of residence is 5348 Channel Dr., Gillsville, GA, 30543. It is also the residence of Jay and Cindy Hollis, along with their daughter, Diana Hollis. Cindy is my youngest daughter from a previous marriage. We have four horses, two donkeys, two dogs, and a cat who also call this wonderful place home.

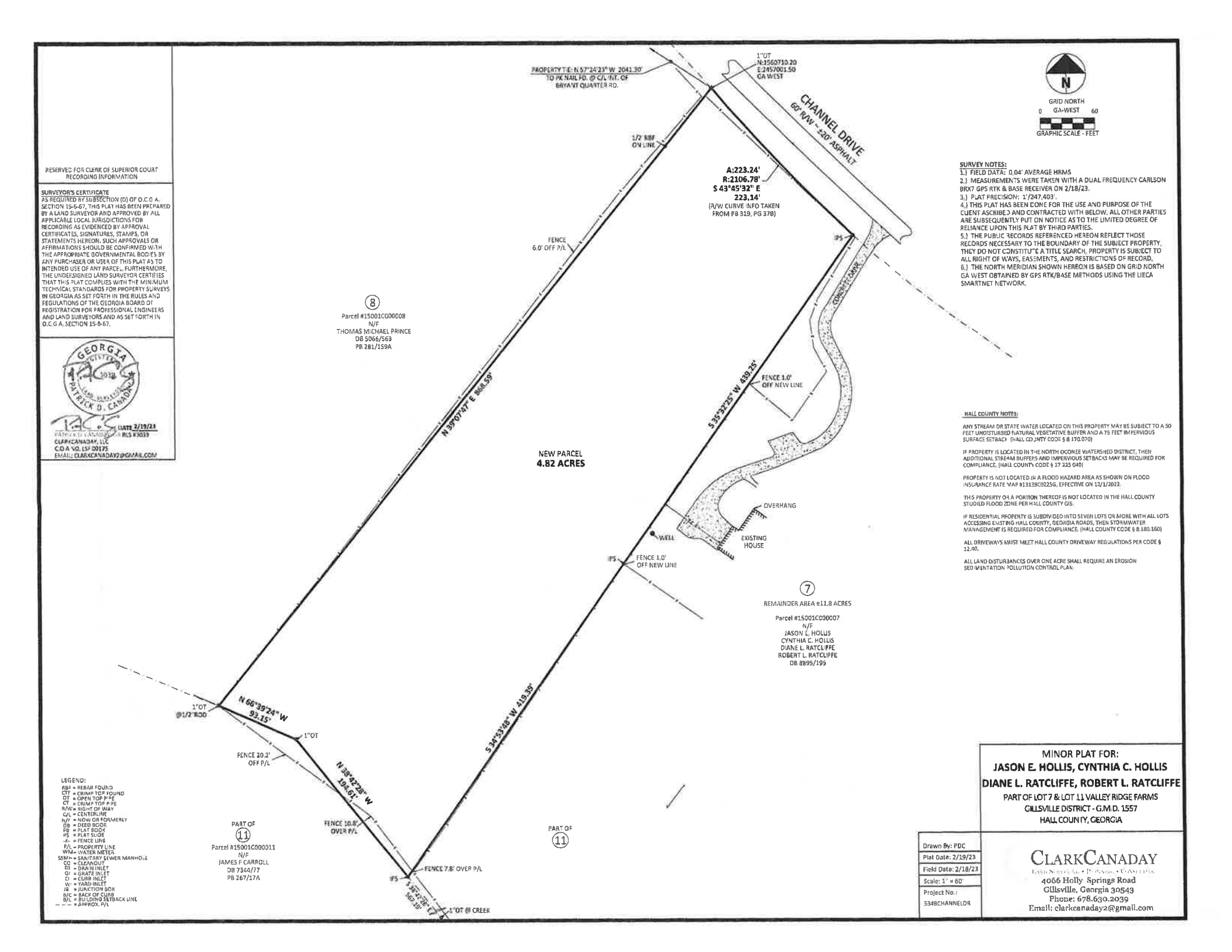
The property originally consisted of 12 acres along with the current 4500 sq ft home on it. The previous owner purchased an additional 5 adjoining acres from the neighbor, bringing the total acreage to 17 +/- acres. It is our wish to separate a 5-acre plat to the west side of the property on which we could build a home of our own. Our plan is to build a handicap accessible 2500-3000 sq ft home that will face Channel Drive. My husband and I, aged 83 and 75, respectively, want our own home, but feel it is important that we have family members close by as we are getting older. Our other children either live out of state or long distances from us, rendering them unavailable to assist us on a daily basis. Also, my daughter's father and mother-in-law are also aging quickly and will eventually require living assistance as well, thus emphasizing the need for separate dwellings.

Due to having such family circumstances, it is necessary that Robert and I possess a separate deed so that our new home and property would become part of our estate upon our passing. Our ultimate hope is that the home will stay in the family, but in the event that is not possible, having the separate title deed would provide much peace of mind for our family.

We all love living on our little farm, lovingly named "Sweet Creek", here on Channel Drive. Being able to build our own home on our own adjoining property next to caring loved ones would truly be a blessing for our entire blended family. It would then truly become a place where we could all gather and enjoy one another for generations to come.

If you have any questions, please do not hesitate to contact us. We greatly appreciate your time and consideration, and look forward to hearing from you soon.

Thank you,
Robert and Diane Ratcliffe



RESERVED FOR CLERK OF SUPERIOR COURT
RECORDING INFORMATION

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.

GEORGIA REGISTERED 3039 LAND SURVEYOR PATRICK D. CANADAY

DATE 2/19/23

PATRICK D. CANADAY GA RLS #3039

CLARKCANADAY, LLC
C.O.A NO. LSF 001275
EMAIL: CLARKCANADAY2@GMAIL.COM

SURVEY NOTES:

1.) FIELD DATA: 0.04' AVERAGE RRMS
2.) MEASUREMENTS WERE TAKEN WITH A DUAL FREQUENCY CARLSON BRX7 GPS RTK & BASE RECEIVER ON 2/18/23.
3.) PLAT PRECISION: 1'/247,403'.
4.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
5.) THE PUBLIC RECORDS REFERENCED HEREON REFLECT THOSE RECORDS NECESSARY TO THE BOUNDARY OF THE SUBJECT PROPERTY. THEY DO NOT CONSTITUTE A TITLE SEARCH. PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.
6.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH GA WEST OBTAINED BY GPS RTK/BASE METHODS USING THE LIECA SMARTNET NETWORK.

HALL COUNTY NOTES:

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 § 17.215.040)

PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP #13139C0225G, EFFECTIVE ON 12/1/2022.

THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.

ALL LAND DISTURBANCES OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

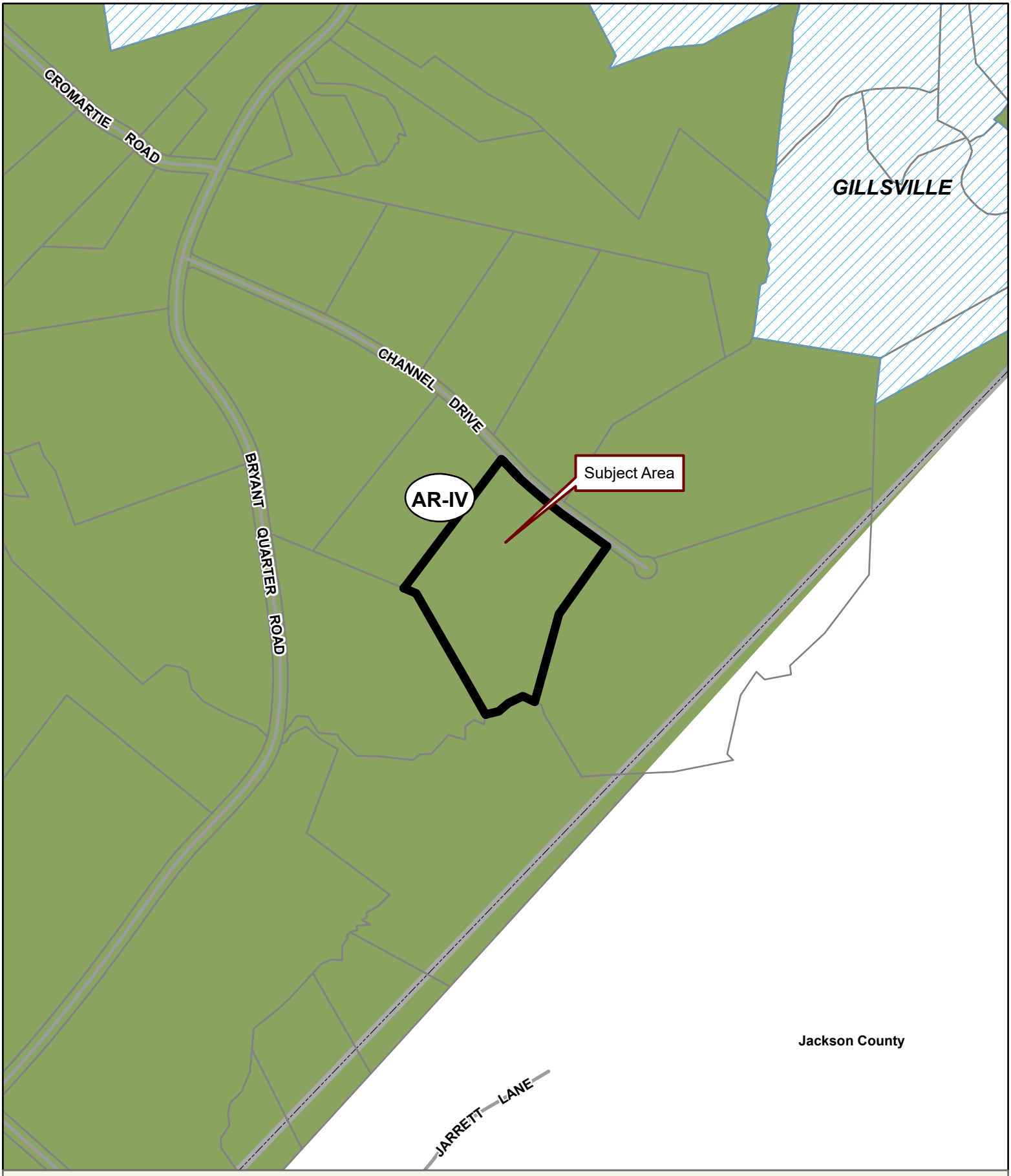
LEGEND:
RBF = REBAR FOUND
CTF = CRIMP TOP FOUND
OT = OPEN TOP PIPE
CT = CRIMP TOP PIPE
R/W = RIGHT OF WAY
C/L = CENTERLINE
N/F = NOW OR FORMERLY
DB = DEED BOOK
PB = PLAT BOOK
PS = PLAT SLIDE
-x- = FENCE LINE
P/L = PROPERTY LINE
WM = WATER METER
SSMH = SANITARY SEWER MANHOLE
CO = CLEANOUT
DI = DRAIN INLET
GI = GRATE INLET
CI = CURB INLET
YI = YARD INLET
JB = JUNCTION BOX
B/C = BACK OF CURB
B/L = BUILDING SETBACK LINE
– – – = APPROX. P/L

MINOR PLAT FOR:
JASON E. HOLLIS, CYNTHIA C. HOLLIS
DIANE L. RATCLIFFE, ROBERT L. RATCLIFFE

PART OF LOT 7 & LOT 11 VALLEY RIDGE FARMS
GILLSVILLE DISTRICT - G.M.D. 1557
HALL COUNTY, GEORGIA

Drawn By: PDC	
Plat Date: 2/19/23	
Field Date: 2/18/23	
Scale: 1" = 60'	
Project No.: 5348CHANNELDR	

CLARKCANADAY
LAND SURVEYING • PLANNING • CONSULTING
4066 Holly Springs Road
Gillsville, Georgia 30543
Phone: 678.630.2039
Email: clarkcanaday2@gmail.com



Applicant: ROBERT RATCLIFFE
Tax Parcel #: 15001C000007
Location: 5348 CHANNEL DRIVE, GILLSVILLE, GA 30543
Commission District 3 **PC Mtg. Date: 01/02/24**

0 200 400 800
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



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Tax Parcel #: 15001C000007
Location: 5348 CHANNEL DRIVE, GILLSVILLE, GA 30543
Commission District 3 **PC Mtg. Date: 01/02/24**

0 120 240 480
Feet

Zoning Boundary
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0 125 250 500
Feet

Zoning Boundary
City Limits
Subject Area

N

O'Kelley & Sorohan, Attorneys at Law, LLC
1305 Mall of Georgia Blvd, Suite 180
Buford, GA 30519
Attn: Tanya Stolevski
File No.: 04-176103-REG

eFiled and eRecorded
DATE: 08/06/2021
TIME: 1:00 PM
DEED BOOK: 8895
PAGE: 195 - 196
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 8274269752
PT61: 069-2021-007755
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

STATE OF GEORGIA
COUNTY OF GWINNETT

WARRANTY DEED

THIS INDENTURE made this **17th day of July, 2021**, between

Jason E. Hollis

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

Jason E. Hollis and Cynthia C. Hollis and Diane L. Ratcliffe and Robert L. Ratcliffe

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 consideration ($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, the following described property:

SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "A"

This conveyance is made subject to a security deed from Grantor to Churchill Mortgage Corporation dated June 17, 2021 in the amount of $297,000.00.

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 all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public
Commission expires:

JARYD TAMARES
NOTARY PUBLIC
DEKALB COUNTY
GEORGIA
EXPIRES
September 21, 2024

Jason E. Hollis

EXHIBIT "A"

All that lot, tract, parcel of land, together with improvements thereon, lying and being in the Gillsville District (GMD 1557) of Hall County, Georgia, being all of Lot 7 of Valley Ridge Farms, containing 11.235 acres, as shown on that survey for Bruce A. Overby and Linda S. Overby, by Thomas Wood, Georgia Registered Surveyor, dated September 15, 1999, and which is more particularly described according to said survey as follows: Beginning at an iron pin located on the southwest right-of-way of Channel Drive (80 foot right-of-way) located 2015.34 feet along the right-of-way of Channel Drive from the intersection of Channel Drive with Bryant Quarter Road; from said point of beginning, thence along the right-of-way of Channel Drive in a southeasterly direction along a chord bearing south 46 degrees 09 minutes 59 seconds east 399.71 feet to a point; thence south 52 degrees 43 minutes 25 seconds east 328.23 feet to an iron pin; thence leaving the right-of-way south 37 degrees 16 minutes 35 seconds west 449.53 feet to an iron pin; thence north 79 degrees 53 minutes west 771.02 feet to an iron pin found; thence north 65 degrees 06 minutes 59 seconds west 93.11 feet to an iron pin found; thence north 40 degrees 40 minutes 59 seconds east 868.64 feet to an iron pin found on the right-of-way of Channel Drive and the true point of beginning.

AND

All that lot, tract, or parcel of land lying and being in the Gillsville District (GMD No. 1557) of Hall County, Georgia, containing 5.461 acres and being part of Lot 11 of Valley Ridge Farms Subdivision, and shown as Tract 2 on that plat for Bruce A. Overby and Linda S. Overby, dated September 15, 1999, revised November 30, 1999, by Thomas Wood, Georgia Registered Surveyor, and which property is more particularly described according to said plat as follows: To find the point of beginning, locate an iron pin found on the southwest right-of-way of Channel Drive (80 foot right-of-way) located 2015.34 feet along the right-of-way of Channel Drive from the right-of-way of Bryant Quarter Road; thence along the line dividing Lot 7 and 8 of Valley Ridge Farms South 40 degrees 40 minutes 59 seconds West 868.64 feet to an iron pin found; thence South 65 degrees 06 minutes 59 seconds East 93.11 feet to an Iron pin found and the True Point of beginning; from said True point of Beginning thence South 79 degrees 53 minutes East along the line dividing Lots 7 and 11 of Valley Ridge Farms 771.02 feet to an Iron pin found; thence South 15 degrees 50 minutes 35 seconds West 539.53 feet to a point in the centerline of a creek; thence along the centerline of the creek South 84 degrees 40 minutes 31 seconds West 20.52 feet to a point; thence North 47 degrees 35 minutes 01 seconds West 66.79 feet to a point; thence South 66 degrees 58 minutes 53 seconds West 59.09 feet to a point; thence South 58 degrees 06 minutes 22 seconds West 30.17 feet to an Iron pin thence North 37 degrees 09 minutes 33 seconds West 795.73 feet to an iron pin and the True Point of Beginning. This is a portion of the property conveyed by Warranty Deed dated June 15, 1995 from Jacob W. Wise a/k/a Jacob W. Taylor to Timothy S. Baker and Kristin Baker recorded in Deed Book 2403, Page 72 of the Hall County, Georgia Deed Records.

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=79235101&key1=8895&key2=195&county=69&countyname=HALL&userid=120898&appid=4 1/1

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, November 28, 2023 9:11 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Katie L. Greenway (CDI: Planning); Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 1.2.24

Please find Environmental Health comments below:

Item 1, 3428 Cagle Road, Bishop: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 2, 3806 Chestatee Road, Kennedy: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and Environmental Health can approve the subdivision plat as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 3, 4732 Cool Springs Road, Palmer: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation. HPLT23-0245 has been created by the applicant; however, they have not submitted the plat for the Hall County Plat Review Team to review as of this date. The applicant was contacted on 11.17.23 to submit the plat for review in HPLT23-0245.

Item 4, 3922 Green Drive, Poole: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and Environmental Health can approve the subdivision plat of Lot 5 into 3 parcels as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 5, 5348 Channel Drive, Ratcliffe: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. This plat is currently under review by the Hall County Plat Review Team and Environmental Health contacted the owner on May 5, 2023 concerning requirements to further process the plat for review.

Item 6, 6512 Misty Harbor Court: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. This plat is currently under review by the Hall County Plat Review Team and Environmental Health contacted the applicant/surveyor on September 20, 2023 concerning requirements to further process the plat for review.

Item 7, 2955 Candler Road, Gilliam: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

http://dph.georgia.gov/environmental-health (State Website)
http://www.phdistrict2.org/HallCounty.htm (District Website)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Monday, December 4, 2023 11:44 AM
To: Anael Dominguez (CDI: Planning)
Subject: RE: Tentative Planning Agenda for January 2, 2024

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.

See comments below, in red.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Monday, December 4, 2023 11:20 AM
To: Chavers, Veronica E <VChavers@dot.ga.gov>
Subject: FW: Tentative Planning Agenda for January 2, 2024

Good morning,
Did GDOT have any comments for the agenda below?

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

From: Anael Dominguez (CDI: Planning)
Sent: Tuesday, November 21, 2023 12:10 PM
Subject: Tentative Planning Agenda for January 2, 2024

Good afternoon –

Here is the Tentative Agenda and Maps for the **Tuesday, January 2, 2024** 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 **Friday, December 1st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – December 18, 2023

OLD BUSINESS

1. **3428 Cagle Road | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline of road to 40 feet from centerline of road | on a 0.57± acre parcel located on the south side of Cagle Road, approximately 810 feet from its intersection with Ridge Drive | Zoned R-I, Tax Parcel 09106A002019 | **Proposed Use: residential addition** | * Commission District 3 | **Lee Bishop, applicant.** No GDOT coordination required

NEW BUSINESS

2. **3806 Chestatee Road | Variance |** 16.50.040 to reduce the road frontage requirement from 90 feet to 50 feet | on a 13.28± acre tract located on the north side of Chestatee Road, at its intersection with Chestatee Cut Off | Zoned AR-III, Tax Parcel 10024 000045 | **Proposed Use: 2-lot subdivision** | * Commission District 2 **| Mark Kennedy, applicant.** No GDOT coordination required

3. **4732 Cool Springs Road | Variance |** 16.50.040 to reduce the road frontage requirement from 90 feet to 64 feet | on a 3.55± acre tract located on the north side of Cool Springs Road, approximately 383 feet from its intersection with Forest Boulevard | Zoned AR-III, Tax Parcel 10052 000004 | **Proposed Use: 2-lot subdivision** | * Commission District 2 | **Mariana Palmer, applicant**. No GDOT coordination required

4. **3922 Green Drive | Rezone from R-I to AR-III** | on a 8.83± acre tract located on the south side of the Green Drive, approximately 348 feet from its intersection with Clarks Bridge Road | Zoned R-I; Tax Parcel 10156 000009 (pt.) | **Proposed Use: 3-lot subdivision** | ** Commission District 3 **| Larry Poole, applicant.** GDOT coordination required for driveway access on Clarks Bridge Rd

5. **5348 Channel Drive | Amend Conditions of Zoning |** on a 17.60± acre tract located on the south side of Channel Drive, approximately 2,085 feet from its intersection with Bryant Quarter Road | Zoned AR-IV; Tax Parcel 15001C000007 | **Proposed Use: 2-lot subdivision** | ** Commission District 3 | **Robert Ratcliffe, applicant.** No GDOT coordination required

6. **6512 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.14± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000002C | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, applicant**. No GDOT coordination required

7. **2955 Candler Road | Use Subject to County Commission Approval** | 17.170.020.13 Manufacture of cement, cement products, concrete, clay products, lime, gypsum, brick, tile or plaster of Paris | on a 33.46± tract on the east side of Candler Road, approximately 407 feet from its intersection with Dale Road | Zoned I-II; Tax Parcel 15025 000011 | **Proposed Use: concrete plant** | ** Commission District 3 | **Steve Gilliam, applicant.** GDOT coordination required for driveway access on Candler Rd

*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 8, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd 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 8, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: November 30, 2023

Subject: January 2, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the January 2, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **3428 Cagle Road | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline of road to 40 feet from centerline of road | on a 0.57± acre parcel located on the south side of Cagle Road, approximately 810 feet from its intersection with Ridge Drive | Zoned R-I, Tax Parcel 09106A002019 | **Proposed Use: residential addition** | * Commission District 3 | **Lee Bishop, applicant.**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

2. **3806 Chestatee Road | Variance |** 16.50.040 to reduce the road frontage requirement from 90 feet to 50 feet | on a 13.28± acre tract located on the north side of Chestatee Road, at its intersection with Chestatee Cut Off | Zoned AR-III, Tax Parcel 10024 000045 | **Proposed Use: 2-lot subdivision** | * Commission District 2 **| Mark Kennedy, applicant.**

   a. **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan if the total number of lots reaches more than 6.
   Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** Driveway sight distance
   c. **Utilities:** Hall County sewer- no connection within feasible distance

3. **4732 Cool Springs Road | Variance |** 16.50.040 to reduce the road frontage requirement from 90 feet to 64 feet | on a 3.55± acre tract located on the north side of Cool Springs Road, approximately 383 feet from its intersection with Forest Boulevard | Zoned AR-III, Tax Parcel

10052 000004 | **Proposed Use: 2-lot subdivision** | * Commission District 2 | **Mariana Palmer, applicant**.

a. **Engineering:** No Comment
b. **Traffic:** Driveway sight distance
c. **Utilities:** No Comment

4. **3922 Green Drive | Rezone from R-I to AR-III** | on a 8.83± acre tract located on the south side of the Green Drive, approximately 348 feet from its intersection with Clarks Bridge Road | Zoned R-I; Tax Parcel 10156 000009 (pt.) | **Proposed Use: 3-lot subdivision** | ** Commission District 3 **| Larry Poole, applicant.**

   a. **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan if the total number of lots reaches more than 6.
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Driveway sight distance
   c. **Utilities:** Gainesville/ Hall sewer district- no sewer connection within feasible distance.

5. **5348 Channel Drive | Amend Conditions of Zoning |** on a 17.60± acre tract located on the south side of Channel Drive, approximately 2,085 feet from its intersection with Bryant Quarter Road | Zoned AR-IV; Tax Parcel 15001C000007 | **Proposed Use: 2-lot subdivision** | ** Commission District 3 | **Robert Ratcliffe, applicant.**

   a. **Engineering:** This 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.
   b. **Traffic:** Driveway sight distance
   c. **Utilities:** Gainesville/ Hall sewer district: no sewer connection within feasible distance.

6. **6512 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.14± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000002C | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, applicant**.

   a. **Engineering:** This 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 buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** No Comment

c. **Utilities:** Flowery Branch sewer district

7. **2955 Candler Road | Use Subject to County Commission Approval |** 17.170.020.13 Manufacture of cement, cement products, concrete, clay products, lime, gypsum, brick, tile or plaster of Paris | on a 33.46± tract on the east side of Candler Road, approximately 407 feet from its intersection with Dale Road | Zoned I-II; Tax Parcel 15025 000011 | **Proposed Use: concrete plant** | ** Commission District 3 | **Steve Gilliam, applicant.**

   a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** Clarify how access to the parcel will be maintained. Will an easement be created through an adjacent parcel?
   c. **Utilities:** No Comment

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Friday, December 1, 2023 1:45 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Tuesday, January 2, 2024 Hall County Planning Commission Meeting.

1. **5348 Channel Drive | Amend Conditions of Zoning |** on a 17.60± acre tract located on the south side of Channel Drive, approximately 2,085 feet from its intersection with Bryant Quarter Road | Zoned AR-IV; Tax Parcel 15001C000007 | **Proposed Use: 2-lot subdivision** | ** Commission District 3 | **Robert Ratcliffe, applicant.**

   The Hall County Fire Marshal's Office has no comments 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

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ROBERT RATCLIFFE

REQUEST: AMEND CONDITIONS OF ZONING FOR A 2-LOT SUBDIVISION

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: JAN 2, 2024
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: MAR 28, 2024
Time: 6:00 p.m.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

04-2024

Feb 9, 2024 10:54:29
12477 Gillsville Road
Maysville
Jackson County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: ROBERT RATCLIFFE
REQUEST: AMEND CONDITIONS OF ZONING FOR A 2-LOT SUBDIVISION
PUBLIC HEARINGS WILL BE HELD ON:
Date: JAN 2, 2024
Time: 5:15 PM
&
Date: FEB 6, 2024
Time: 6:00 PM
FOR MORE INFORMATION CALL: (770) 531-6809

HALL COUNTY
GEORGIA We have it all in Hall

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 147/2024

SUBJECT: **0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324-unit residential development |** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** Note: Tabled at the March 14, 2024 Voting Meeting until the March 28, 2024 Voting Meeting.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BG

Recommendation:
Denial.

Purpose of Request:
0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324-unit residential development |** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, 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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:

Request to Table
Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Updated Site Plan
Original Site Plans Combined
Maps
Renderings
Sewer Application
Sewer Route
Revised Traffic Impact Study
Original Traffic Impact Study
Environmental Health Comments
GDOT Comments
Public Works Comments
Tax Assessors Comments
Fire Comments
Community Meeting Report
Public Comments
Notice Sign Photos
Updated Notice Sign Photos

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Monday, March 11, 2024 12:02 PM
To: Jennifer Rivera (Administration)
Subject: FW: JM Turk

Jennifer,

JM Turk is requesting to table from this week's BOC meeting to 3/28/24. Please see email below and add the request to their file.

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: Bret Clark <atldevelopment@bellsouth.net>
Sent: Monday, March 11, 2024 11:54 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; 'Diehl, William' <wdiehl@sgrlaw.com>
Cc: keithrbreedlove@gmail.com; 'Reynolds, Jeffrey A.' <jreynolds@tokn.com>
Subject: RE: JM Turk

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.

Beth,

Happy Monday, I hope you are doing well.

We're to need to table this to March 28th, we need a little more time to adjust the plans per our last meeting with Jeff Stowe. Let me know if this email is sufficient to do that or if you require something more formal.

Thanks

Bret Clark

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: February 26, 2024

Subject: **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres **| Proposed Use: 324 lot residential development | Thompson O'Brien Kappler & Nasuti PC, applicant**

The request before you is the request of Thompson O'Brien Kappler & Nasuti PC to Rezone from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) to allow a 324 lot residential development. This item is located within Commission District 1.

At their February 5, 2024 meeting, the Hall County Planning Commission voted to recommend denial **(5-0)**.

There were **twenty five (25) comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke in opposition during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Thompson O'Brien Kappler & Nasuti PC

Request ..... Rezone from Agricultural Residential III (AR-III, 17.110) to Planned Residential Development (PRD, 17.180.060)

Proposed Use ..... 324-lot residential development

Size ..... 117.31± acres

Zoning ..... Current Agricultural Residential III (AR-III, 17.110) | Proposed Planned Residential Development (PRD, 17.180.060)

Location ..... **0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road** | Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, and 000127

Commission District ..... One

Planning Commission Date ..... February 5, 2024

Staff Recommendation ..... **Denial** as the proposed use exceeds the maximum density of 2 dwelling units per acre for the Residential future land use classification in the Comprehensive Plan**.**

Planning Commission Recommendation.....**Denial**
Vote: 5-0

Staff recommends DENIAL of the applicant's request. However, if the Planning Commission sees fit to approve this application, staff recommends the following conditions:

1. Development is approved generally as depicted on the site plan dated January 22, 2024 and as detailed in the project narrative dated January 22. 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The minimum heated floor area (HFA) shall be 1,800 square feet for single-family detached homes and 1,300 square feet for townhomes.

3. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with brick or stone accents on the front façade of the homes. The balance of the home may be the same materials or of fiber-cement material. Vinyl siding is prohibited. Homes shall be consistent with the submitted renderings. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.

4. The development shall have a 50-foot exterior buffer per the requirements of 17.180.060, Planned Residential Development along all exterior boundaries.

5. The recommendations of the most recent traffic study shall be implemented as part of the development process. Such improvements will be the financial responsibility of the developer.

6. The development shall be limited to a maximum of three (3) model homes prior to recording of the final plat.

7. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

- 17.180.060.B.2.C Setbacks
  - Minimum front yard setback from the property line of 25 feet.
    - The applicant has proposed a 20-foot setback for Pods A, B, and C for single-family residences.
    - The applicant has proposed a 10-foot setback for Pod D for multi-family residences.

- 17.180.060(B) Recessed Garage Doors
  - Garage doors shall be oriented towards the street. Garage doors shall be positioned between five and 20 feet behind the front wall plane of the residence, extending no more than 40 percent of the width of the residence.
    - The applicant has submitted renderings that do not appear to comply with this standards.

- 17.180.060(B) Recessed Garage Doors
  - Garage doors shall constitute no more than 50 percent of the width of the individual townhouse unit. A minimum of 20 feet is required between the garage and the back of sidewalk.
    - The applicant is proposing that garage doors shall not exceed 80% of the width of the individual townhouse façade.
- 17.180.060(B) Minimum Lot Area
  - Minimum lot area of 8,000 square feet on sanity sewer.
    - The applicant is proposing a minimum lot area of 5,000 square feet for single-family detached residences.

- 17.180.060(B) Minimum lot width
    - Minimum lot width of 50 feet for a single-family detached residence.
        - The applicant is proposing a 40-foot minimum lot width for single-family detached residences.

11-20-2023 Public Forum:

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the proximity to subdivision, character, density, water runoff, and townhomes.

Andy Carter, 4430 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density, sewer connection, traffic, safety, and sewage influx.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were mosquitos, wildlife, safety, inconsistency with the comprehensive plan, property value, and land lock.

Jamie Phillips, 4607 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the entrances, traffic, noise and road widening.

Tommy Channell, 4737 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were sewage connection, septic tanks, and water contamination.

Darlene Long, 4655 Quailwood Drive, Flowery Branch, spoke in opposition. Addressed the 80 signatures signed by her neighborhood in opposition.

Todd Philips, 4526 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were traffic, road widening, and sewage.

2-5-2024 Public Forum:

Janet Myers, 4859 Wildlife Way, Flowery Branch, spoke in opposition. Concerns were long and short term effects like traffic, density, disruption of bridge structures, and inadequate emergency vehicle access.

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density and inconsistency with the surrounding development.

Peggy Proctor-Matos, 4751 Falling Brooke Drive, Flowery Branch, spoke in opposition. Concerns were location, density, dimensions, storm water management, public safety, schools, and traffic.

Albert Guth, 4589 Guth Road, Flowery Branch, spoke in opposition. Concerns were emergency vehicle access and right of way.

Mark Dunn, 4781 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were surrounding density, sewer system, and safety.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were the emergency vehicle entrance, excessive variances requested, inconsistency with the area, devaluing neighboring property, and flooding.

Byron Purvis, 4944 Feather Lane, Flowery Branch, spoke in opposition. Concerns were traffic, density, and development.

Summary Analysis

The applicant is requesting to rezone a combined 117.31± acres of Agricultural Residential (AR-III, 17.110) zoned property to Planned Residential Development (PRD, 17.180.060) for the purpose of constructing a 324-unit residential development. The total density of the development will be 2.80 units per acre, containing a total of 197 detached homes and 127 attached townhomes. An existing residence (4621 Stanley Road, tax parcel 15044 000035D) located on Stanley Road will remain, with shared access through the proposed development. This parcel is not included with the rezoning request.

Per the applicant's letter of intent, and represented in the submitted zoning site plan, the development will be constructed in a series of four pods. Pods A, B, and C will be developed with detached single-family residences with Pod D developed with attached single-family residences (townhomes). Per the letter of intent, each unit "…will have garage and driveway space and will be constructed with a variety of high-end materials consisting of variations of brick, stone, and cement sidings."

Pod A will feature 13 estate-style lots, with each consisting of a minimum of 21,780 square feet (equivalent to half an acre) and a minimum heated floor area of 1,800 square feet. Pods B and C will consist of a total 184 detached single-family homes, with a proposed minimum lot size of 5,000 square feet and a minimum heated floor area of 1,800 square feet. Specifically, Pod B will contain 52 front-entry and 13 rear-entry homes, while all Pod C homes will be front-entry. Lots with front entry garages will be a minimum of 50 feet in width with rear-entry residences having a lot width of 40 feet. Pod D will be exclusively townhomes, with 86 of the units being rear-entry and 41 front-entry. The front-entry units will be 24 feet wide with the rear-entry being 22 feet in width and the minimum townhome size will be 1,300 square feet. As stated previously, overall density for the development is 2.8 dwelling units per acre. The density for the detached single-family residential portion of the development is 1.99 dwelling units per acre while the attached single-family residences are proposed at a density of 8.25 units per acre.

The development will include a minimum of 30% of open space, which will include streams and associated buffers, replanted buffers, pocket/linear parks, and an amenity area. The main amenity site will serve both the single-family attached and detached pods, and is located within Pod C. The site includes the mail kiosk, playing fields, and a pool and clubhouse with adjacent parking. The development will include 5-foot-wide sidewalks on both sides of the street, ensuring pedestrian connectivity within the development.

Access to the subdivision will be provided by reconfiguring where Stanley Road currently intersects with JM Turk Road. Guth Road will be improved and utilized as a gated emergency-only entrance with a cul-de-sac between lots 142 and 142. Pods A, B and C will be served by public streets with 50-foot rights-of-way. The townhomes in Pod D will be served by a series of private streets and alleyways, with one primary entrance connecting to a public street within the new development. The zoning plan notes that the applicant may

choose to place gates at the development entrance, and therefore privatize all proposed streets. The concept plan shows that two existing residences will remain as outparcels within the development, although the site plan proposes a new driveway for access to the homes off of the reconfigured Stanley Road (parcel 15044 000035D and 15044 000034.

A traffic impact study was conducted by Marc R. Acampora Traffic Engineering in May of 2023. The study, which was based on a proposed 216 detached single-family homes and 125 attached townhomes for a total of 341 homes, was slightly higher than what was submitted for the rezoning request. The study found the proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips. The report found that the three studied intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study confirms the need for a northbound right turn lane and a southbound left turn lane on JM Turk Road at the proposed project entrance. The applicant has notified staff that a new traffic impact study has been commissioned and the results are expected within the next month.

The development standards for the project are described in the table below and are compared with the PRD requirements, (17.180.060):

Standard	**PRD Requirement (17.180.060)**	**Proposed Development**				
		Overall	**Pod A (single-family detached)**	**Pod B (single-family detached)**	**Pod C (single-family detached)**	**Pod D (single-family attached)**
Site Area	5 acre minimum	117.31± acres (GIS calculated)	21.4 acres	24.4 acres	53.0 acres	15.3 acres
Number of Units	–	324 units	Total – 13	Front Entry – 52 Rear Entry – 13 Total – 65	Front Entry – 119	Front Entry – 41 Rear Entry – 86 Total – 127
Density (dwelling units per acre)	2 du/a	2.80 du/a*	0.60 du/a	2.66 du/a*	2.24 du/a*	8.25 du/a*
Min. Lot Area	8,000 square feet	–	21,780 sq. ft.	5,000 sq. ft.*	5,000 sq. ft.*	650,000 sq. ft. (35,000 + (5,000 sf/unit x 123)
Min. Lot/Unit Width	50 feet	–	50 feet	40 feet* (Front Entry – 50 feet Rear Entry – 40 feet)	50 feet	Front Entry – 24 ft. Rear Entry – 22 ft.
Front Yard Setback	25 feet	–	20 feet*	20 feet*	20 feet*	10 feet*
Front Side Yard Setback (corner lot)	DSF - 25 feet	–	10 feet*	10 feet*	10 feet*	10 feet*
Side Yard Setback	5 feet	–	5 feet	5 feet	5 feet	–

Rear Yard Setback	20 feet	–	20 feet	20 feet	20 feet	–
Building Separation	–	–	10 feet (foundation to foundation)	10 feet (foundation to foundation)	10 feet (foundation to foundation)	20 feet (side) 40 feet (rear)
Max. Building Height	–	40 feet	–	–	–	–
Exterior Buffer	50 feet	50 feet	–	–	–	–
Min. Open Space	30%	30% (34.23 acres)	–	–	–	–
Parking	2 spaces for each dwelling unit (17.250.020)	2 spaces per each dwelling unit	–	–	–	–
Min. Heated Floor Space	–	–	1,800 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	1,300 sq. ft.
Garage – % of front façade	55% when recessed a minimum of 20 feet behind front wall plan of residence	–	–	–	–	80%* (Front Entry)
*These figures do not meet the standards of 17.180.060.						

Note: The open space calculation of 34.23 acres is based off the total acreage of 115.6 acres, which deviates from the advertised acreage of 117.31 acres. The site acreage will need to be confirmed to ensure that there is a minimum of 30% of open space, as required by the PRD requirements, (17.180.060).

Based on the future land-use plan, staff finds the *requested zoning designation* is not consistent with the Hall County Comprehensive Plan future land use designation. Although the proposed use is consistent with the "Residential" designation in general, the Residential designation envisions a maximum density of 2 dwelling unit per acre, similar to the maximum density requirement within a Planned Residential Development (PRD, 17.180.060). The development has proposed a density of 2.80 du/acre, exceeding the recommended maximum. The Residential land use category is characterized by moderate-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create new residential development consistent to surrounding suburban densities, which range from low to moderate. Future development will continue to be detached, single family homes at moderate densities.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered by the Planning Commission and the Hall County Commission pursuant to 17.380.060:

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 zoning proposal may be suitable given the context of the surrounding area, though the proposed development is more dense than the surrounding developments with an overall density of 2.80 du/acre.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed residential use will adversely affect adjacent properties. A traffic study found that the three studied intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study confirms the requirement for a northbound right turn lane and a southbound left turn lane on JM Turk Road at the proposed project entrance. Another traffic study has been commissioned by the applicant, but the results are not yet available for review.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. The properties appear to have reasonable economic use as currently zoned. **The property appears to have reasonable economic use as currently zoned.**

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; **A traffic study found that the three study intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study does confirm the need for a northbound right turn lane and a southbound left turn lane are required on JM Turk Road at the proposed project entrance. Water service to be provided by the City of Gainesville has been confirmed by a letter dated September 28, 2023 from Nick Swafford, Permitting Services Manager with Gainesville Department of Water Resources.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **Although consistent with the "Residential" land use designation, the proposed use is not consistent with the Comprehensive Plan recommended maximum density of two dwelling units per acre. The proposed development is proposing a density of 2.80 dwelling units per acre.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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; **Hall County property tax records show the properties are a mixture of vacant and developed parcels, which include a number of residential structures and accessory building that will be removed during the development of the project.**

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 zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall**

County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is higher than that found on surrounding properties.

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 boundaries are 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 proposed density is higher than that found on immediately surrounding properties; however, the use does not appear to be out of scale with the needs of the county as a whole, as there is a need for additional and varied housing types.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other properties within the county that are currently zoned to support the type of mixed-use development being proposed without requiring zoning action.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

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.**

A Planned Residential Development (PRD, 17.180.080) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.

17.380.050. - Submission requirements for a rezoning request

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter].

Proposal provides a narrative outlining the intent of the development however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.

2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district**. Proposal meets the requirement. The applicant has provided a site plan and included the necessary information to properly assess the development.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development will utilize public sewer and water; as such, this is not applicable.**

D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **Proposal does meet the requirement. The traffic study found that the three study intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study does confirm the requirement for a northbound right turn lane and a southbound left turn lane on JM Turk Road at the proposed project entrance.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health

In an email dated January 4, 2024, Emily McGahee stated "The entire development (all pods) must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. 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

In an email dated August 31, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated the following:

Hall County Fire Marshal's comments: Current concept plan will need to be modified to meet the below fire code requirements.

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply

with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility. This code requirement applies to the townhome buildings.

Appendix D 107.1, as follows:
Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Appendix D 107.2, as follows:
Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Hall County Public Works and Utilities
In a memorandum from Public Works and Utilities dated January 5, 2024, Bill Nash, Director, stated the following:

Engineering:
No dead end streets.
Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
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.

Traffic:
A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

Utilities:
No sanitary sewer in area.

Hall County Tax Assessor
In an email dated August 24, 2023, Nicole Griffin, Appraisal Systems Coordinator, provided the following comment:

15043 000027- CUVA- starting 2022
15043 000128- CUVA starting 2022
15044 000035- CUVA starting in 2019

The re-zoning application itself would not cause a breach but if the property is sold or developed with the proposed 324 lot residential development after the re-zoning then the conservation covenant could/would be breached and result in a penalty on each parcel.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Civil Engineer 3, did not indicate that GDOT coordination would be required for the request.

- **Excerpts from the minutes of the November 20, 2023 meeting**

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

William Diehl, 1105 West Peachtree Street, Atlanta, presented the request. The applicant described the open space within the development, as well as the intention to connect to county sewer, and the different styles of the homes to be constructed throughout the development including estate, traditional, and townhomes.

Rebuttal

The applicant stated that the development will be consistent with the suburban developments that are in the area including Sterling on the Lake and Royal Lakes. The applicant stated that they will comply with water runoff regulations in place. The applicant explained that the sewer line will connect from J M Turk Road through an easement.

Public Forum:

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the proximity to subdivision, character, density, water runoff, and townhomes.

Andy Carter, 4430 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density, sewer connection, traffic, safety, and sewage influx.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were mosquitos, wildlife, safety, inconsistency with the comprehensive plan, property value, and land lock.

Jamie Phillips, 4607 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the entrances, traffic, noise and road widening.

Tommy Channell, 4737 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were sewage connection, septic tanks, and water contamination.

Darlene Long, 4655 Quailwood Drive, Flowery Branch, spoke in opposition. Addressed the 80 signatures signed by her neighborhood in opposition.

Todd Philips, 4526 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were traffic, road widening, and sewage.

Planning Commission Comments:

Mr. Hunt questioned whose property the sewer line would go through to reach J M Turk Road. The applicant stated that there is still no agreement to an easement but there are other ways to get to J M Turk Road. Mr. Braswell stated that there has been a lack of response to Planning staff by the applicants. Mr. Braswell stated that the site plan suggests land-locking property which cannot be done. Mr. Sosebee recommended that the applicant meet with the nearby communities and address their concerns. Mr. Hunt stated his concern with the site plan only having one entrance and not meeting County or Fire Code. Mr. Braswell stated that the Hall County code requires that more than one vehicular entrance needs to be provided when there is a development greater than 150 lots. Ms. Pilcher stated that the elevations presented are not consistent with the neighboring communities as stated earlier. Mr. Hunt stated that the applicant needs to show county access to all detention ponds on the site plan. Mr. Varner stated that there needs to be a better traffic study. Ms. Pilcher stated that this proposal will create an impact on the school system. Mr. Braswell stated the applicant also needs to meet traffic engineer requirements for a decel lane.

Motion: ***A motion to table to February 5, 2024 was made by Mr. Sosebee and seconded by Ms. Pilcher. Vote: 5-0***

- **Excerpts from the minutes of the February 5, 2024 meeting**

Applicant's Presentation:

Beth Garmon, Planning and Zoning Administrator, presented a summary of the request.

William Diehl, 1105 West Peachtree Street, Atlanta, presented the request. The applicant stated that surrounding development is similar to this proposal providing consistency with increased density in the area. The applicant stated that there will be two entrances to the development but one will be for emergency vehicles only and residents would use the entrance at Stanley Road. The applicant stated that the lots backing up to the stream buffers have been removed and will be incorporated as green space.

Rebuttal

The applicant stated that the detention pond will help alleviate the existing storm water conditions. The applicant stated that the density is consistent with the development in the county with the growing population. The applicant stated that the variances requested will help shape the development. The applicant stated that obtaining sewer for the development requires the requested density.

Public Forum:

Janet Myers, 4859 Wildlife Way, Flowery Branch, spoke in opposition. Concerns were long and short term effects like traffic, density, disruption of bridge structures, and inadequate emergency vehicle access.

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density and inconsistency with the surrounding development.

Peggy Proctor-Matos, 4751 Falling Brooke Drive, Flowery Branch, spoke in opposition. Concerns were location, density, dimensions, storm water management, public safety, schools, and traffic.

Albert Guth, 4589 Guth Road, Flowery Branch, spoke in opposition. Concerns were emergency vehicle access and right of way.

Mark Dunn, 4781 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were surrounding density, sewer system, and safety.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were the emergency vehicle entrance, excessive variances requested, inconsistency with the area, devaluing neighboring property, and flooding.

Byron Purvis, 4944 Feather Lane, Flowery Branch, spoke in opposition. Concerns were traffic, density, and development.

Planning Commission Comments:

Mr. Sosebee questioned if the applicant met with the community. The applicant stated that they did and they discussed increasing the landscape buffers with evergreen planting, conducting an updated traffic study, elevations, and quality. Mr. Hunt requested the percentage of brick on homes. The applicant stated that it would be brick up to the first floor and above it will be cement fiber for the front façade. The applicant went over the variances being requested: 1. Section 17.180.060 B.7.—Allow for the development of the property with only one access point to the development, while also conditioning the variance or development on the installation of an emergency-access; 2. Section 17.180.060 B.2.a.—Reduce minimum lot area of single-family detached residences to 5,000 square feet from 8,000 square feet; 3. Section 10.180.060 B.2.b.—Reduce minimum lot width of single-family detached residences to 40 feet from 50 feet; 4. Chapter 10.180.060 B.2.c.i.—Reduce minimum front yard setback to 20 feet for single family detached residences from 25 feet; 5. Chapter 10.180.060 B.9.c.ii.—Increase width of garage door to 80% of the width of the individual townhouse units from 50%; 6. Allow eyebrow cul-de-sacs to be utilized 7. Allow dead-end streets within townhome portion of development (as permitted by fire code), to be conditioned on the property being developed with hammerhead turnarounds. Ms. Pilcher stated that the developments the applicant referred to as similar to this proposal are not relevant because they are off state highways. Mr. Varner questioned if the applicant researched the proposed development's effect on the school system. The applicant stated that the two elementary schools designated to the area still have capacity available. Mr. Sosebee stated his concerns were density, emergency entrance access, storm water management, and traffic.

Motion: ***A motion to deny was made by Mr. Sosebee and seconded by Ms. Pilcher. Vote: 5-0***

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD GAINESVILLE GA 30504
MAILING ADDRESS PO BOX 1435 GAINESVILLE GA 30503
P 770.531.6809 | F 770.531.3902

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ZONING APPLICATION

Applicant (Name & Mailing Address)

Thompson, O'Brien, Kappler & Nasuti, PC
2 Sun Court, Suite 400
Peachtree Corners, GA 3009
Phone 770 925-0111
Email Address wdiehl@tokn.com

Property Owner (Name & Mailing Address)

See attached "property owner list".
Phone —
Email Address —

Proposed Use Single family Residential Subdivision

Contact Person (Name & Mailing Address)

Thompson O'Brien Kappler & Nasuti, P.C.
Att: William J. Diehl 2 Sun Court, Suite 400 Peachtree Corners Georgia 30092
Phone 770-925-0111
Email Address wdiehl@tokn.com

Status of Applicant

Owner
Option to Purchase
Area Resident
Other

Requested Action

Existing Zoning: AR-111
Rezone to: PRD
Fee:$
Receipt #:
Check #:

Tax Parcel Number 15043 000027, 000109, 128, 201 15044 000035, 358, 43, 000100, 127 Acreage
Location Address 0, 4611, 4627 Guth Road & 0, 4561, 4613 JM Turk Rd & 4590, 4601, 4610 Stanley Rd.

I hereby certify that the ~~above~~ information and all attached information are true and correct.

Sign _____ Date: 8/17/23

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 Distnct _____

Revised December 2019

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HALL COUNTY
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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Roger & Cathy Little

Address 4627 Guth Road
Flowery Branch GA 30542

Phone Number 770-654-9307

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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) Cathy Little Roger Little

Personally appeared before me

Rebecca Foote

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Rebecca Foote
Notary Public

6-29-23
Date

REBECCA FOOTE
NOTARY PUBLIC
HALL COUNTY, GEORGIA
MY COMMISSION EXPIRES
JANUARY 08, 2027

Revised December 2019

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Travis Lee Little

Address 4611 Guth Road
Flowery Branch, GA 30542

Phone Number 678-865-6181

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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)
TLL

Personally appeared before me
Travis Lee Little

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Stephany L. Cantrell
Notary Public

STEPHANY L. CANTRELL NOTARY PUBLIC BARROW COUNTY MY COMM. EXPIRES May. 9th, 2025

6/30/23
Date

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Randy JONES TAMMY JONES

Address 204 Beechnut AVE
South Mills N.C 27976

Phone Number 252 619 1627

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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)

Personally appeared before me

Jennifer L. Prayer-Pendleton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public Exp. 1.08.27

JENNIFER L PRAYER-PENDLETON NOTARY PUBLIC CAMDEN COUNTY, NC

7.3.23
Date

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Buddy Stanley

Address 4561 JM Turk Rd
Flowery Branch, Ga

Phone Number 678-878-6596

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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)

Personally appeared before me
Buddy Allen Stanley

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

10/30/2023
Date

OFFICIAL SEAL
LAURA MOORE STUMPFF
NOTARY PUBLIC - GEORGIA
JACKSON COUNTY
My Commission Expires Feb. 22, 2026

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Gloria Stanley

Address 4590 Stanley Road
Flowery Branch, GA 30542

Phone Number 678 - 316 - 5338

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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)
Gloria Stanley

Personally appeared before me
Shelby Hope

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Shelby Hope
Notary Public

July 3, 2023
Date

SHELBY HOPE NOTARY PUBLIC COMMISSION EXPIRES MARCH 22, 2027 HALL COUNTY, GEORGIA

Revised December 2019

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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: Roger L. Little **Date:** 7/1/2023

Applicant's/Owner's Name (Printed): Roger Little

PLANNING AND DEVELOPMENT DEPARTMENT
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(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: Cathy Little **Date:** 7/1/2023

Applicant's/Owner's Name (Printed): CATHY LITTLE

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

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:

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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 6-30-2023

Applicant's/Owner's Name (Printed): Travis Little

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30504
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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: Randy Jones **Date:** 9-4-2023

Applicant's/Owner's Name (Printed): RANDY JONES

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
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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: _____ **Date:** 6/30/2023

Applicant's/Owner's Name (Printed): _____

TOKN | THOMPSON O'BRIEN

Thompson, O'Brien, Kappler & Nasuti, P.C.
Attorneys at Law

January 22, 2024

To the Planning Department of Hall County
Hall County Government Center
2875 Browns Bridge Road
Gainesville, Georgia 30504

RE: Rezoning and Concurrent Variance Requests for 0, 4611, 4627 Guth Road, 0, 4561, 4613 J M Turk Road, & 4590, 4601, 4610 Stanley Road

Please allow this letter of intent to supplement and amend the previous letter of intent provided in connection with the above application. After the Planning Commission meeting on November 20, 2023, the developer and applicant have worked to address concerns raised in the public hearing. Those concerns are addressed in this amended letter of intent as follows:

I. Secondary Entrance

The PRD standards in the Hall County Zoning Ordinance (the "Ordinance") require that all PRD developments over 150 units provide at least two vehicular entrances connecting to a county-maintained road. Hall County Code 17.180.060(B)(7). After extensive discussions with County staff, it was determined that, rather than developing Guth Road as a full secondary entrance, Guth Road was better left as an emergency access road with an emergency-access gate (knox box controlled). This will allow for emergency vehicle access, as intended by the Ordinance, while also addressing the Guth Road development concerns raised by the County's traffic engineer.

Although the two-entrance provision is a requirement of the PRD section, many other developments in the County with greater than 150 units have been constructed with less than two entrances. Those include, the surrounding neighborhoods of Quailwood and Grandview, which do not have the emergency-access accommodations that this project proposes. The development team believes the emergency-access gate meets the intent of the Ordinance and is consistent with the existing development of surrounding neighborhoods.

II. Sewer Connectivity

This project envisions the expansion of sanitary sewer connectivity from the proposed development to connections into a Hall County sewer on Union Church Road, which will require a forcemain extending from the Development to the discharge collection system. All homes within the development will be connected to sewer. The sewer line is now proposed to exit the development from Stanley Road, where it will connect to right of way along JM Turk Road. This route was selected over the route presented to the Planning Commission showing sewer connection from a small tangent of the subject property connecting it to JM Turk Road.

The development cost, which is substantial, will be borne by the developer with the sewer lines, of course, dedicated to the County.

III. Stanley Road and Connectivity to Adjoining Parcels

The site plan presented to the Planning Commission previously did not show an access easement to be dedicated to surrounding property owners. That was in error. Considering the issues presented to the Planning Commission and those raised at community meetings, the plan was revised to show the original path of Stanley Road, except where improved at its intersection with JM Turk Road. Accordingly, the adjoining property owner's access will not be moved from their current location, although the neighboring property owners will benefit from the improvement of JM Turk Road.

IV. Access to Detention Ponds

The site plan was revised to more clearly show access to all detention ponds and the proposed lift station.

V. Traffic Study

At the Planning Commission Meeting and at both community meetings held, there were concerns expressed about the traffic study that was performed. A new traffic study has been commissioned. The study's findings will be available before the Board of Commissioners. The study will be performed according to industry standards and will assess traffic patterns at the main entrance of the development, at the intersection of Stanley Road and JM Turk Road.

VI. Community Feedback

Members of the community were invited to two community meetings held in December. A few concerns were raised about the development's impact on Quailwood, the neighborhood to the northeast of the Property. To alleviate concerns with sight-lines between the development and surrounding properties, the developer is willing to proffer conditions that it will ensure sufficient evergreen planting along the boundaries with Quailwood to provide additional screening.

In response to concerns about the design features of the homes in the development, the developer is willing to proffer conditions that the buildings will be constructed with cementitious fiber siding and/or brick used in the facades of the home. Furthermore, the development team will update the results of its traffic study, including performing a new traffic count.

V. All Lots are Developable

At the public hearing, the Planning Commission requested that the site plan show that certain lots with large percentages of appliable stream buffers were developable. The site plan has been revised to show that the lots are developable. The rendering shows the following:



The lots will include the impervious and undisturbed buffers, however, the buildings will not infringe on those buffers. The buffer restrictions can be enforced by both the County and, likely, by the covenants and restrictions which will limit the development of structures in the residents' backyards without County and homeowner's association approval.

VII. Variance Requests

The following variance requests are being made to the PRD requirements in the Hall County Code:

1. Section 17.180.060 B.7.—Allow for the development of the property with only one access point to the development, while also conditioning the variance or development on the installation of an emergency-access
2. Section 17.180.060 B.2.a.—Reduce minimum lot area of single-family detached residences to 5,000 sq. ft. from 8,000 sq. ft.
3. Section 10.180.060 B.2.b.—Reduce minimum lot width of single-family detached residences to 40 from 50' sq. ft.
4. Chapter 10.180.060 B.2.c.i.—Reduce minimum front yard setback to 20 feet for single family detached residences from 25 feet.
5. Chapter 10.180.060 B.9.c.ii.—Increase width of garage door front door to 80% of the width of the individual townhouse units from 50%.
6. Allow eyebrow cul-de-sacs to be utilized
7. Allow dead-end streets within townhome potion of development (as permitted by fire code), to be conditioned on the property being developed with hammerhead turnarounds.

PRESERVATION OF CONSTITUTIONAL RIGHTS AND OBJECTIONS

As agent for the owner of the property, the Applicant respectfully submits that the current zoning classification of and rules relative to the intended use of the Property as established in the Hall County's Zoning Ordinance, to the extent they prohibit this use, are unconstitutional, and constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights of the Applicant guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to allow this use

would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, the Applicant respectfully submits that the County's failure to approve the requested Rezoning would be unconstitutional and would discriminate in an arbitrary, capricious, and unreasonable manner between the Property Owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States. A refusal to allow the development in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The practical effect of a denial of the Rezoning will be to drive up the cost of housing which will have the effect of discriminating on the basis of age and/or race in violation of the Fair Housing Act of the United States and Georgia. Opponents to this request, if any, lack standing; have failed to exhaust administrative remedies; and have waived their rights to appeal by failing to assert legal and constitutional objections.

Very truly yours,

THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.



Jeffrey A. Reynolds
jreynolds@tokn.com

SMITH GAMBRELL & RUSSELL



William J. Diehl
wdiehl@sgrlaw.com

ALLIANCE
ENGINEERING + PLANNING + LAND SURVEYING
LANDSCAPE ARCHITECTURE
AN LJA COMPANY

4525 South Lee Street, Buford, Georgia 30518
t 770.225.4730 Allianceco.com LJA.com

Applicant's Letter of Intent
PRD – 324 Units
Parcels:(15043 000027, 000109, 000128, 15044 000035G, 000127, 000035, 000043, 000035B, 000100)

The Applicant requests to rezone an assemblage of nine parcels totaling approximately 114 acres on J M Turk Road to develop a residential community. The site sits between the Grandview Estates subdivision on JM Turk Road, the Quailwood subdivision on Martin Road, and a PRD-zoned subdivision to the east on Union Church Road. To develop the site as proposed, the applicant requests to rezone the subject site from AR-II to PRD.

As planned, the development will include a maximum of 324 units that will be divided into four separate PODs. Throughout, the development will feature a variety of unique lot sizes and housing types including single-family detached homes and attached townhomes. Site access will be provided where Stanley Road currently abuts JM Turk Road. Once the new Stanley Road is constructed and dedicated to Hall County as a public right of way, then the old Stanley Road will be abandoned. An existing residence that is located on Stanley Road will remain, with shared access through the proposed development. The developer shall bring Guth road up to standards sufficient for to provide the necessary fire and emergency services as written in the Hall County ordinance. POD A will include a total of 13 single-family detached homes on large lots, which range from at least 21,000 square feet to over an acre in size. The estate lot homes will range between 2,800 square feet to 4,000 square feet. PODs B and C will include a total of 187 single-family detached homes. 174 will be 50-feet wide front entry lots, and 13 will be 40-feet wide rear entry lots. The 50-feet wide lots will have homes ranging from 1,800 square feet to 3,300 square feet. POD D will include 124 townhomes, 38 of which are to be front entry and 86 will be rear entry. The front entry units will be 24-feet wide, and the rear entry will be 22-feet wide. Townhomes will range from 1,300 square feet to 2,100 square feet. Each unit will have garage and driveway space and will be constructed with a variety of high-end materials consisting of variations of brick, stone, and cement sidings. As illustrated on the plan, the development will include abundant open space. Included in the open space are streams and accompanying buffers, replanted buffers, pocket/linear parks, and the amenity area. Although the site will have sufficient parking and vehicular circulation, the development will also include five-feet-wide sidewalks on both sides of the internal streets, providing safe and efficient walkability for residents to access various parts of the community, including the amenities. Other site improvements will include parking adjacent to the main amenity area, and site access improvements to be determined by the department of transportation. The site is within the residential character area of the Hall County comprehensive plan. The planned development will meet the intent of the character, which encourages moderate density residential uses (around 2 units per acre) with large swaths of open space. As proposed, the subdivision will have a density of 2.8 units per acre and will incorporate approximately 34.7 acres of open space. Further, the site is off the highly desirable 985 corridor, which has produced similar density residential development in proximity of the subject site. In addition to the rezoning request, the Applicant requests variances to allow "eyebrow" cul-de-sacs throughout the single-family detached portion of the development and allow dead-end streets within the townhouse portion of the development, as shown on the submitted site plan.

The Applicant looks forward to meeting with staff and the community to answer all questions or concerns and is excited to be able to provide exceptional housing in a highly desirable area of Hall County.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment

to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	127
MINIMUM LOT SIZE	665,000 SF (15.27 AC)
35,000 + (5,000 SF/ UNIT X 126)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF
OWNER PARKING CALCULATIONS	
GARAGE (2 PER UNIT)	254
GUEST PARKING CALCULATIONS	
DRIVEWAY	254
OFF STREET	64
TOTAL (2.5 PER UNIT)	318

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	21.4 AC	24.4 AC	53.0 AC	15.3 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	119	127
	13 ESTATE LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 119	24' FRONT-ENTRY TOWNHOMES - 41
	(GRAVITY & LOW PRESSURE SEWER)	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.99 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.25

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
L19	S02°11'49"W	87.15'
L20	S09°29'18"W	39.98'
L21	S86°38'12"E	135.51'
L22	N81°05'59"E	89.25'
L23	S69°00'55"E	101.39'
L24	N84°55'16"E	75.64'
L25	S51°26'21"E	129.38'
L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
L32	S86°17'55"E	67.97'
L33	S72°05'37"E	115.60'
L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
L40	S19°14'23"W	115.53'
L41	S18°27'03"W	57.52'
L42	S63°24'39"E	26.78'
L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.

This plat has been prepared using a TRIMBLE S6 Total Station for angle and distance measurements.

The field data upon which this map or plat is based has a closure precision of one (1) foot in 11,408 feet and an average angular error of 04 seconds per angle point, and was adjusted using Compass Rule.

NOTE : Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

OWNERS

Property Assemblage

RANDY JONES
TAMMY JONES
CATHY LITTLE
ROGER LITTLE
TRAVIS LITTLE

BUDDY STANLEY
GLORIA STANLEY

Travis Pruitt & Associates, Inc.
4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruitt.com

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VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	114.1± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	197
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	127
TOTAL DENSITY	2.80 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.23 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.23 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
4. WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
6. HALL COUNTY FIRE RESCUE SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
7. WATER SERVICE SHALL BE PROVIDED BY CITY OF GAINESVILLE. EXISTING WATER SERVICE WILL BE USED.
8. SANITARY SEWER SERVICE WILL BE PROVIDED BY HALL COUNTY. ON-SITE PUMP STATION AND OUTFALL FORCE MAIN WILL BE REQUIRED.
9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

FROM CHAPTER 17.180.060 -

- Sec B.2.a - Reduce minimum lot area of single-family detached residences to 5,000 sf
- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit
- Allow eyebrow cul-de-sacs to be utilized
- Allow dead-end streets within townhome portion of development. Dead ends to meet fire code.

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201,

15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT EDWARD J. ANDERSON No. 1303

For The Firm
Travis Pruitt & Associates, Inc.

DATE: 1-22-2024
SCALE: 1" = 150'
CN:2301S1CP19
LSV:
JN:
FN:

1 of 1

N:\2023\2301S1CP19\Engineering\CAD\Drawings\2301S1CP19.dwg Jan 25, 2024 - 8:24am

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	124
MINIMUM LOT SIZE	650,000 SF (14.92 AC)
35,000 + (5,000 SF/ UNIT X 123)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	22.9 AC	24.4 AC	53.2 AC	15.1 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	122	124
	8 SEPTIC LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 122	24' FRONT-ENTRY TOWNHOMES - 38
	5 ESTATE LOTS	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.99 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.21

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
L19	S02°11'49"W	87.15'
L20	S09°29'18"W	39.98'
L21	S86°38'12"E	135.51'
L22	N81°05'59"E	89.25'
L23	S69°00'55"E	101.39'
L24	N84°55'16"E	75.64'
L25	S51°26'21"E	129.38'
L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
L32	S86°17'55"E	67.97'
L33	S72°05'37"E	115.60'
L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
L40	S19°14'23"W	115.53'
L41	S18°27'03"W	57.52'
L42	S83°24'39"E	26.78'
L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.

This plat has been prepared using a TRIMBLE S6 Total Station for angle and distance measurements.

The field data upon which this map or plat is based has a closure precision of one (1) foot in 11,408 feet and an average angular error of 04 seconds per angle point, and was adjusted using Compass Rule.

NOTE : Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

OWNERS

Property Assemblage

RANDY JONES
TAMMY JONES
CATHY LITTLE
ROGER LITTLE
TRAVIS LITTLE

BUDDY STANLEY
GLORIA STANLEY

Travis Pruitt & Associates, Inc.
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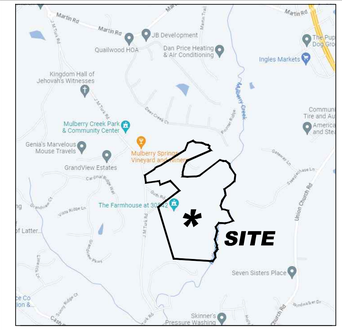

VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	115.6± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	200
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	124
TOTAL DENSITY	2.80 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.7 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.7 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
4. WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
6. HALL COUNTY FIRE RESCUE SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
7. WATER SERVICE SHALL BE PROVIDED BY CITY OF GAINESVILLE. EXISTING WATER SERVICE WILL BE USED.
8. SANITARY SEWER SERVICE WILL BE PROVIDED BY HALL COUNTY. ON-SITE PUMP STATION AND OUTFALL FORCE MAIN WILL BE REQUIRED.
9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

FROM CHAPTER 17.180.060 -

- Sec B.2.a - Reduce minimum lot area of single-family detached residences to 5,000 sf
- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201, 15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GRAPHIC SCALE – IN FEET
75 0 150 300 450

GEORGIA REGISTERED LANDSCAPE ARCHITECT No. 1395 EDWARD J. ANDERSON

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	08-02-2023
SCALE:	1" = 150'
CN:	23D151CP11
LSV:	
JN:	
FN:	

1 of 1

N:\2023\23D151CP\Engineering\CAD\Drawings\23D151CP01.dwg Aug 02, 2023 - 2:50pm

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	124
MINIMUM LOT SIZE	650,000 SF (14.92 AC)
35,000 + (5,000 SF/ UNIT X 123)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	22.9 AC	24.4 AC	53.2 AC	15.1 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	122	124
	8 SEPTIC LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 122	24' FRONT-ENTRY TOWNHOMES - 38
	5 ESTATE LOTS	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.99 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.21

Submitted 11-16-2023

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
L19	S02°11'49"W	87.15'
L20	S09°29'18"W	39.98'
L21	S86°38'12"E	135.51'
L22	N81°05'59"E	89.25'
L23	S69°00'55"E	101.39'
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L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
L32	S86°17'55"E	67.97'
L33	S72°05'37"E	115.60'
L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
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L42	S63°24'39"E	26.78'
L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.
   This plat has been prepared using a TRIMBLE S6 Total Station for angle and distance measurements.
   The field data upon which this map or plat is based has a closure precision of one (1) foot in 11,408 feet and an average angular error of 04 seconds per angle point, and was adjusted using Compass Rule.

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REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

OWNERS

Property Assemblage

RANDY JONES
TAMMY JONES
CATHY LITTLE
ROGER LITTLE
TRAVIS LITTLE
BUDDY STANLEY
GLORIA STANLEY

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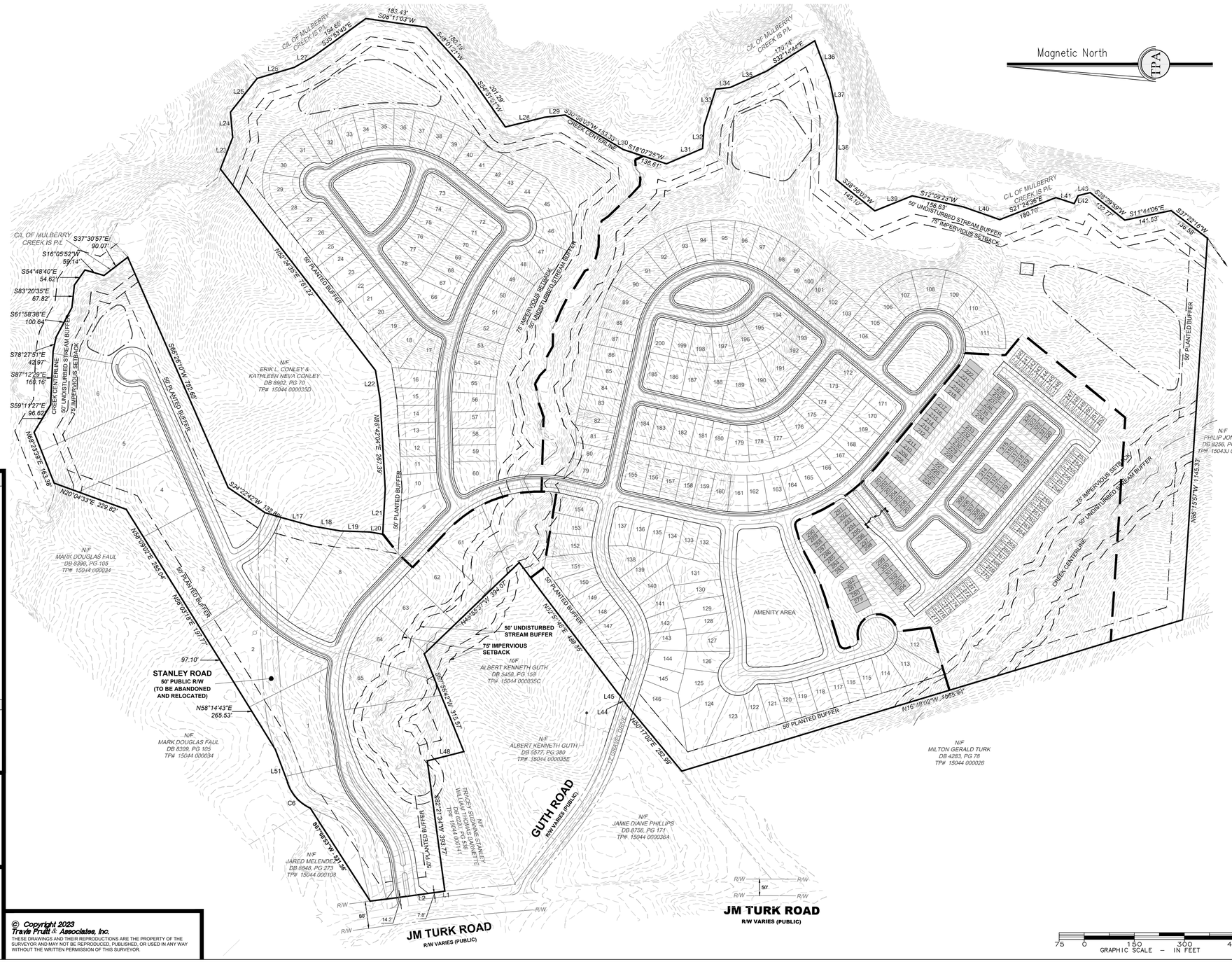

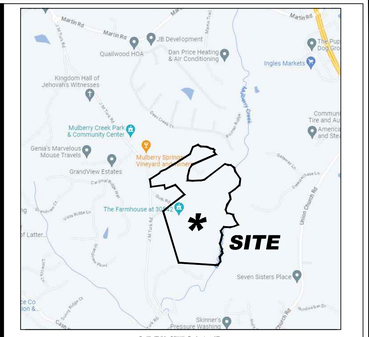

VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	115.6± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	200
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	124
TOTAL DENSITY	2.80 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.7 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.7 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
4. WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
6. HALL COUNTY FIRE RESCUE SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
7. WATER SERVICE SHALL BE PROVIDED BY CITY OF GAINESVILLE. EXISTING WATER SERVICE WILL BE USED.
8. SANITARY SEWER SERVICE WILL BE PROVIDED BY HALL COUNTY. ON-SITE PUMP STATION AND OUTFALL FORCE MAIN WILL BE REQUIRED.
9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

FROM CHAPTER 17.180.060 -

- Sec B.2.a - Reduce minimum lot area of single-family detached residences to 5,000 sf
- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201,

15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT EDWARD J. ANDERSON No. 1305

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	10-26-2023
SCALE:	1" = 150'
CN:230151CP13	
LSV:	
JN:	
FN:	

1 of 1

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Received 11-20-2023

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	124
MINIMUM LOT SIZE	650,000 SF (14.92 AC)
35,000 + (5,000 SF/ UNIT X 123)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	22.9 AC	24.4 AC	53.2 AC	15.1 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	120	124
	8 SEPTIC LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 120	24' FRONT-ENTRY TOWNHOMES - 38
	5 ESTATE LOTS	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.97 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.21

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
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L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
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L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
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L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.
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REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

OWNERS

Property Assemblage

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TAMMY JONES
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TRAVIS LITTLE

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4317 Park Drive, Suite 400
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Phone: (770)416-7511
Fax: (770)416-6759
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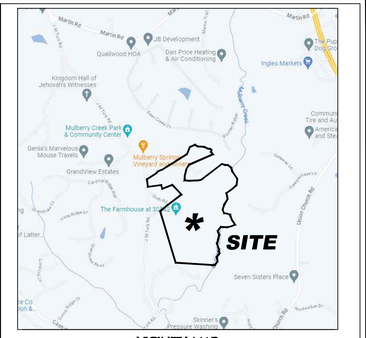

VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	115.6± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	198
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	124
TOTAL DENSITY	2.79 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.7 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.7 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
4. WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
6. HALL COUNTY FIRE RESCUE SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
7. WATER SERVICE SHALL BE PROVIDED BY CITY OF GAINESVILLE. EXISTING WATER SERVICE WILL BE USED.
8. SANITARY SEWER SERVICE WILL BE PROVIDED BY HALL COUNTY. ON-SITE PUMP STATION AND OUTFALL FORCE MAIN WILL BE REQUIRED.
9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

FROM CHAPTER 17.180.060 -

- Sec B.2.a - Reduce minimum lot area of single-family detached residences to 5,000 sf
- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit
- Allow eyebrow cul-de-sacs to be utilized
- Allow dead-end streets within townhome portion of development. Dead ends to meet fire code.

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201,

15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT EDWARD J. ANDERSON No. 1303

For The Firm
Travis Pruitt & Associates, Inc.

DATE: 11-17-2023
SCALE: 1" = 150'
CN:2301S1CP15
LSV:
JN:
FN:

1 of 1

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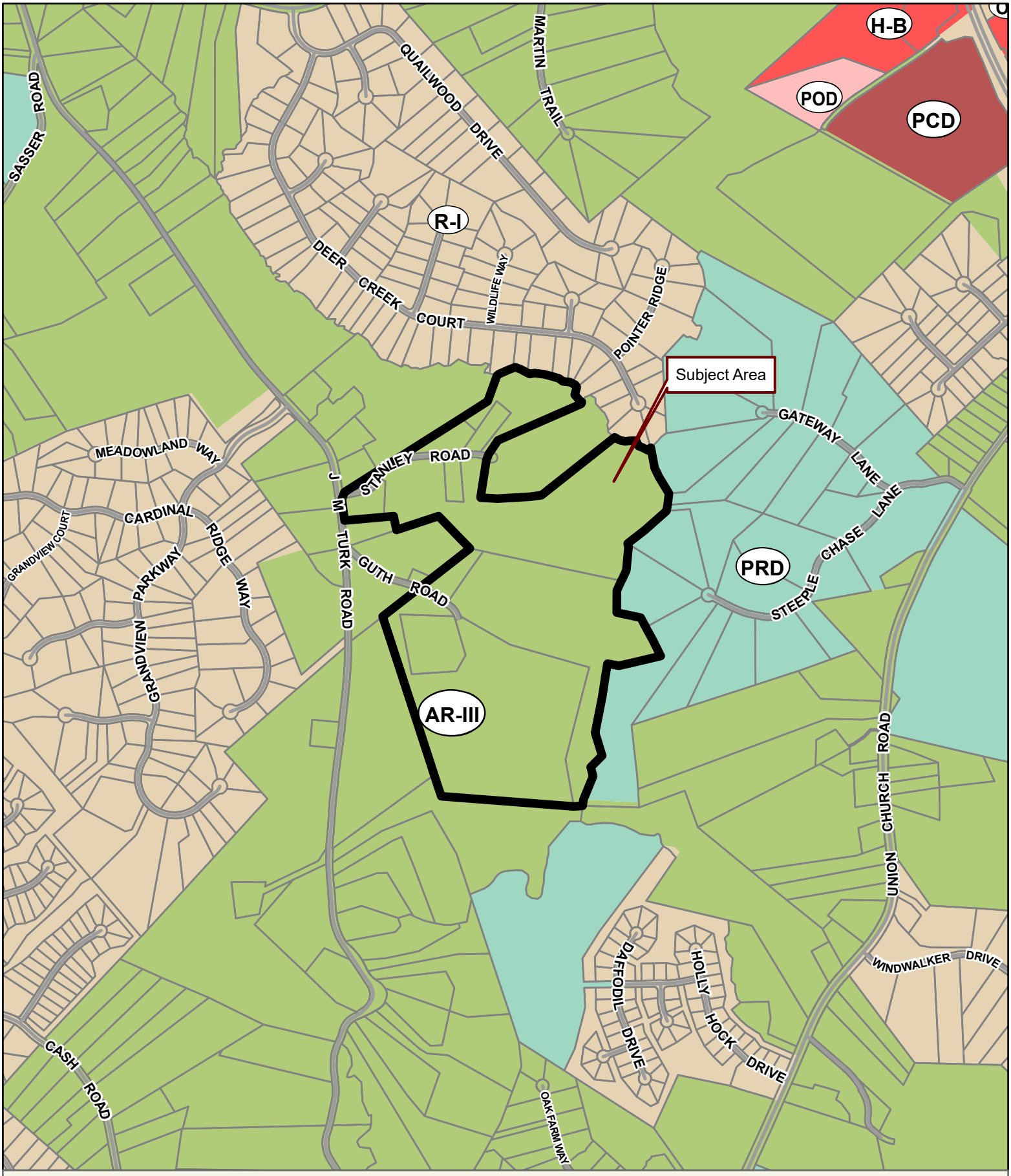


Applicant: THOMAS O'BRIEN KAPPLER & NASUTI PC

Tax Parcel #: 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127

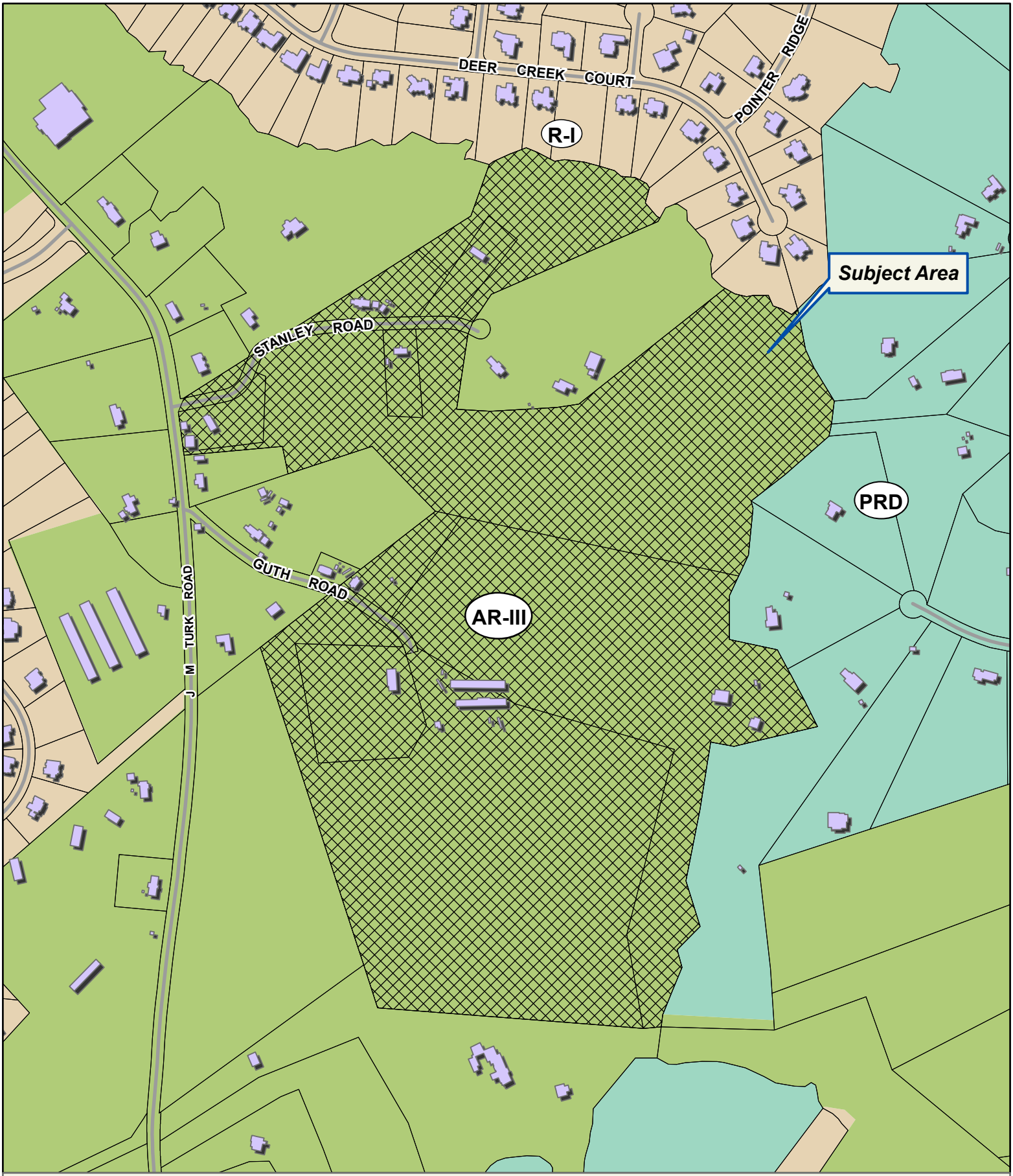
Location: 0, 4611, 4627 GUTH ROAD & 0, 4561, 4613 J M TURK ROAD
& 4590, 4601, 4610 STANLEY ROAD, FLOWERY BRANCH, GA 30542

Commission District 1 **PC Mtg. Date: 10/2/23**

0 300 600 1,200
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure

N



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Commission District 1 **PC Mtg. Date: 10/2/23**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area

N

Proposed Elevations—Estate Lots





Proposed Elevations—Traditional Neighborhood Lots





Proposed Elevations—Townhouses







Application for Sewer Availability Letter

Date: 9/27/2023

Name of Applicant: Alliance Engineering and Planning Contact Number: 770.225.4730 ext.819

Address of Applicant: 299 S. Main Street

City: Alpharetta State: GA Zip: 30009 E-mail: tylerl@allianceco.com

Name of Agent: Alliance Engineering and Planning Contact Number: 770.225.4730 ext.819

Address of Agent: 299 S. Main Street

City: Alpharetta State: GA Zip: 30092 E-mail: tylerl@allianceco.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT FOR THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (Please check the purpose of letter request and fill in all applicable information legibly and completely.)

AVAILABILITY: ☐ General Availability ☒ Rezoning ☐ Conditional Use Permit

Availability letters will require a minimum of one week from the date of application submittal.

Request from AR-III (Present Zoning) to PRD (Requested Zoning)

For the Purpose of Residential Subdivision (Type of Development)

Address of Property: JM Turk Road

Nearest Intersection to Property: JM Turk Road and Stanley Road

Size of Tract: 34.2 acre(s), Lane Lot Number(s): 000027, 000109, 000128, 000035G, 000127, 000035, 000043, 000035B, 000100, District(s): 15

Development Estimate Average Daily Sewer Flow (GPD): 65,000GPD (324+1 X 200gpd)

Property Tax Parcel Number: 15043 000027, 15043 000109, 15043 000128, 15044 000035G, 15044 000127, 15044 000035, 15044 000043, 15044 000035B, 15044 000100 Proposed number of Lots: 324

(Below: For properties within protected watershed districts only)

Gross Density: 2.84 units per acre Net Density: _____ units per acre

Estimated amount of impervious surface: _____ Minimum Lot Size: _____

Notary

Signature of Owner(s)/Agent(s)

Holt Persinger

Printed Name of Owner(s)/Agent(s)

Planner

Title of Agent

LYNN PASS NOTARY PUBLIC GWINNETT COUNTY, GEORGIA COMMISSION EXPIRES SEPTEMBER 28, 2025

ALLIANCE
ENGINEERING + PLANNING + LAND SURVEYING
LANDSCAPE ARCHITECTURE
AN LJA COMPANY

4525 South Lee Street, Buford, Georgia 30518
t 770.225.4730 Allianceco.com LJA.com

Applicant's Letter of Intent
PRD – 324 Units
Parcels:(15043 000027, 000109, 000128, 15044 000035G, 000127, 000035, 000043, 000035B, 000100)

The Applicants requests to rezone an assemblage of nine parcels totaling approximately 114 acres on J M Turk Road to develop a residential community. The site sits between the Grandview Estates subdivision on JM Turk Road, the Quailwood subdivision on Martin Road, and a PRD-zoned subdivision to the east on Union Church Road. To develop the site as proposed, the applicant requests to rezone the subject site from AR-III to PRD.

As planned, the development will include a maximum of 324 units that will be divided into four separate PODs. Throughout, the development will feature a variety of unique lot sizes and housing types including single-family detached homes and attached townhomes. Site access will be provided where Stanley Road currently abuts JM Turk Road. Stanley Road will be abandoned, and the new road will be realigned for vehicular circulation throughout the site. An existing residence that is located on Stanley Road will remain, with shared access through the proposed development. POD A will include a total of 13 single-family detached homes on large lots, which range from at least 21,000 square feet to over an acre in size. The estate lot homes will range between 2,800 square feet to 4,000 square feet. PODs B and C will include a total of 187 single-family detached homes. 174 will be 50-feet wide front entry lots, and 13 will be 40-feet wide rear entry lots. The 50-feet wide lots will have homes ranging from 1,800 square feet to 3,300 square feet. POD D will include 124 townhomes, 38 of which are to be front entry and 86 will be rear entry. The front entry units will be 24-feet wide, and the rear entry will be 22-feet wide. Townhomes will range up to 2,100 square feet. Each unit will have garage and driveway space and will be constructed with a variety of high-end materials consisting of variations of brick, stone, and cement sidings. As illustrated on the plan, the development will include abundant open space. Included in the open space are streams and accompanying buffers, replanted buffers, pocket/linear parks, and the amenity area. Although the site will have sufficient parking and vehicular circulation, the development will also include five-feet-wide sidewalks on both sides of the internal streets, providing safe and efficient walkability for residents to access various parts of the community, including the amenities. Other site improvements will include parking adjacent to the main amenity area, and site access improvements to be determined by the department of transportation. The site is within the residential character area of the Hall County comprehensive plan. The planned development will meet the intent of the character, which encourages moderate density residential uses (around 2 units per acre) with large swaths of open space. As proposed, the subdivision will have a density of 2.8 units per acre and will incorporate approximately 34.7 acres of open space. Further, the site is off the highly desirable 985 corridor, which has produced similar density residential development in proximity of the subject site. The applicants are proposing to use The City of Gainesville as the water provider. The applicants are currently working with Hall County and the City of Oakwood to determine the most appropriate and responsible access to sanitary sewer.

The Applicant looks forward to meeting with staff and the community to answer all questions or concerns and is excited to be able to provide exceptional housing in a highly desirable area of Hall County.

Constitutional Objections

Facially and as applied to the Property, the specific portions of the Hall County Comprehensive Plan and zoning ordinance which restrict the Property to any zoning classification, conditions, uses, or to any development other than those proposed by the Applicant are unconstitutional because they would abolish or damage the Applicant's property rights without paying adequate, fair, and just compensation for such rights, in violation of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

Facially and as applied to the Property, the application of Hall County ordinances or Comprehensive Plan which restrict the Property to any zoning classification, conditions, uses, or to any development other than that proposed by the Applicant is unconstitutional, illegal, null, and void, constituting a taking and/or damaging of Applicant's Property by denying the Applicant all economically viable use of its land while not substantially advancing legitimate state interests in violation of the United States Constitution's Just Compensation Clause of the Fifth Amendment and the Equal Protection and Due Process Clauses of the Fourteenth Amendment and the Constitution of the State of Georgia of 1983.

The denial of this application would be an arbitrary and capricious act by Hall County without any rational basis, thus constituting an abuse of discretion in violation of the Constitution of the State of Georgia of 1983 and Due Process Clauses of the Fourteenth Amendment to the United States Constitution.

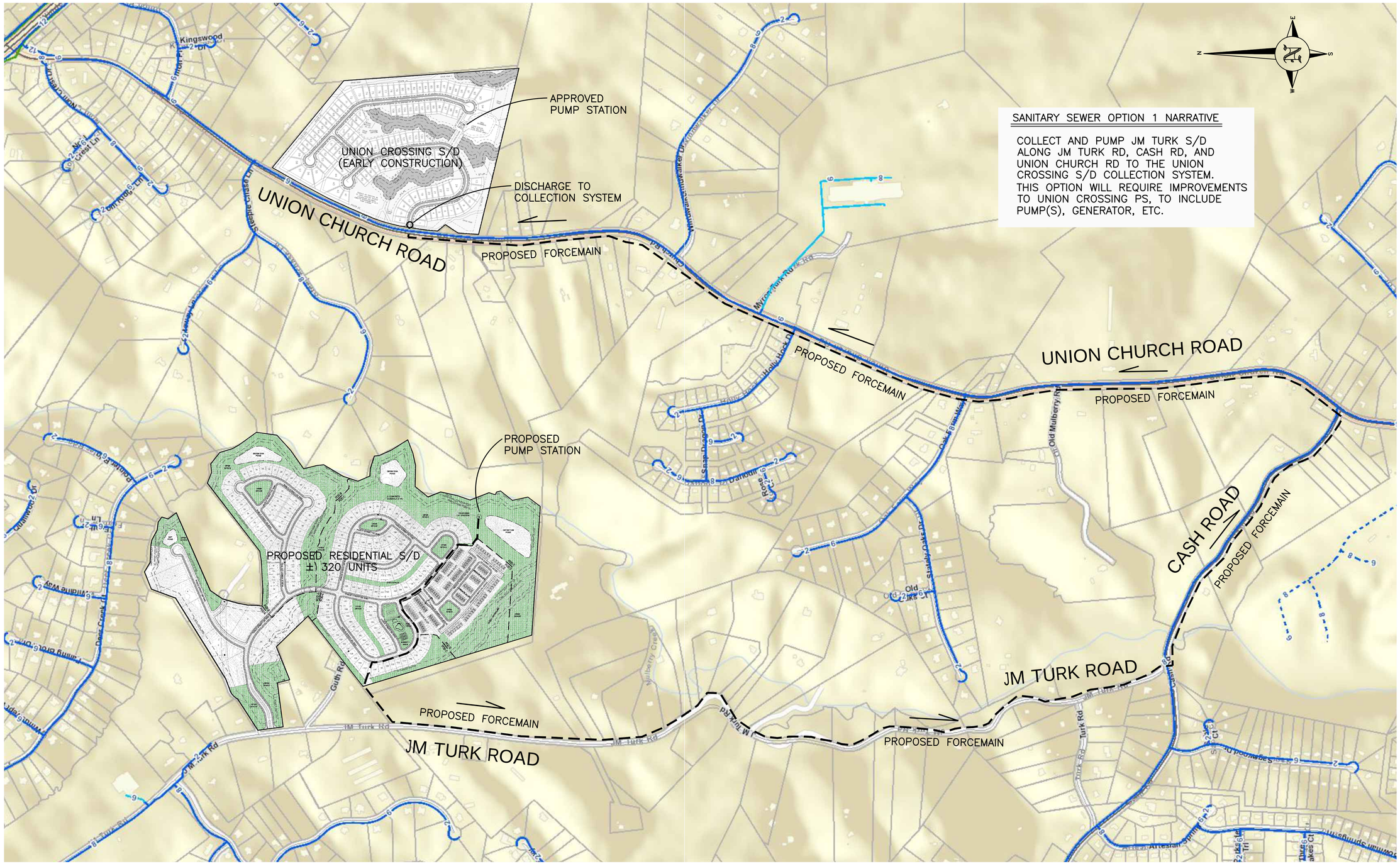
A refusal by Hall County to approve this application for the Property would be unconstitutional and discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated property in violation of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the United
States Constitution.

Opponents to the request set forth in the Application, or in any amendments to the Application, have waived their rights to appeal any decision of the Hall County Board of Commissioners because they lack standing, have failed to exhaust administrative remedies, and/or because they failed to assert any legal or constitutional objections."

The applicant and stakeholders respectfully request approval of this application and welcome the opportunity to meet with Hall County Planning and Development staff, Planning Commission, and Board of Commissioners to discuss any questions or concerns regarding the application.

Sincerely,

Holt Persinger, PLA


APPROVED
PUMP STATION
UNION CROSSING S/D
(EARLY CONSTRUCTION)
DISCHARGE TO
COLLECTION SYSTEM
UNION CHURCH ROAD
PROPOSED FORCEMAIN
PROPOSED
PUMP STATION
PROPOSED RESIDENTIAL S/D
± 320 UNITS
PROPOSED FORCEMAIN
JM TURK ROAD
PROPOSED FORCEMAIN
UNION CHURCH ROAD
PROPOSED FORCEMAIN
CASH ROAD
PROPOSED FORCEMAIN
PROPOSED FORCEMAIN
JM TURK ROAD
JM Turk Rd
Turk Rd
Guth Rd
Mulberry Creek
Old Mulberry Rd
Myrtle Hill Church Rd
Kingswood Dr
Kingswood Ct
Hall Oaks Dr
Alfred Crest Ln
Cumming Hwy
Dawn Creek Dr
Cumming Way
Cumming Springs Ct
Sagewood Dr
Sagewood Ct
Artesian Spring Ln
Old Oaks Ct
Old Oaks Dr
Snap Dragon Dr
Daffodil Dr
Rose Ln
Holly Hock Ln
Myrtle Hill Church Rd
Old Mulberry Rd
Old Oaks Dr
Old Oaks Ct
Sagewood Dr
Sagewood Ct
Artesian Spring Ln
Cumming Springs Ct
Cumming Springs Dr
Cumming Springs Trl
Cumming Springs

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

May 23, 2023



MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

study prepared for:

Mr. Bret Clark

May 23, 2023



MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

858 Myrtle Street, NE
Atlanta, Georgia 30308
(678) 637-1763

e-mail: acamporatraffic@comcast.net

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Introduction

This study assesses the traffic impact of a proposed residential subdivision in Hall County, Georgia. The site is located along the east side of JM Turk Road at Stanley Road, as shown in Figure 1. The development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only.

The purpose of this traffic impact study is to determine existing traffic operating conditions in the vicinity of the proposed subdivision, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project.



Figure 1 – Site Location Map

Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed subdivision were assessed. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Roadways

JM Turk Road is a two lane north-south road classified by the Georgia DOT as an urban major collector. The road begins at a roundabout at Martin Road, passes the subject site, and terminates at a side street stop sign controlled T-intersection at Cash Road. The road is winding, the terrain is gently rolling, and the posted speed limit is 45 mph. The cross section is rural with no shoulders, curb-and-gutter, or sidewalks. The road primarily serves accesses to homes and undeveloped land, with a community center and a winery a short distance north of the subject development site. A 24-hour bi-directional traffic volume count collected for this study on JM Turk Road at the project frontage revealed a northbound volume of 692 vehicles, a southbound volume of 724 vehicles, for a two-way volume of 1,416 vehicles.

Pedestrian, Bicycle, and Transit Accessibility

There are no sidewalks or dedicated bicycle lanes along the adjacent roadway and there is no regularly scheduled mass transit in the area.

Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

1. Martin Road at JM Turk Road
2. JM Turk Road at Grandview Parkway
3. Cash Road at JM Turk Road

In addition to the intersection counts, a 24-hour bi-directional count was collected on JM Turk Road adjacent to the site.

The counts were collected on Tuesday, May 16, 2023, from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in session on the day on which the counts were recorded. The locations of the traffic counts are presented in Figure 2.

From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the existing weekday a.m. and p.m. peak hour traffic volumes at each intersection and are shown in Figure 3. The raw count data is found in Appendix A.



Figure 2 – Traffic Volume Count Locations

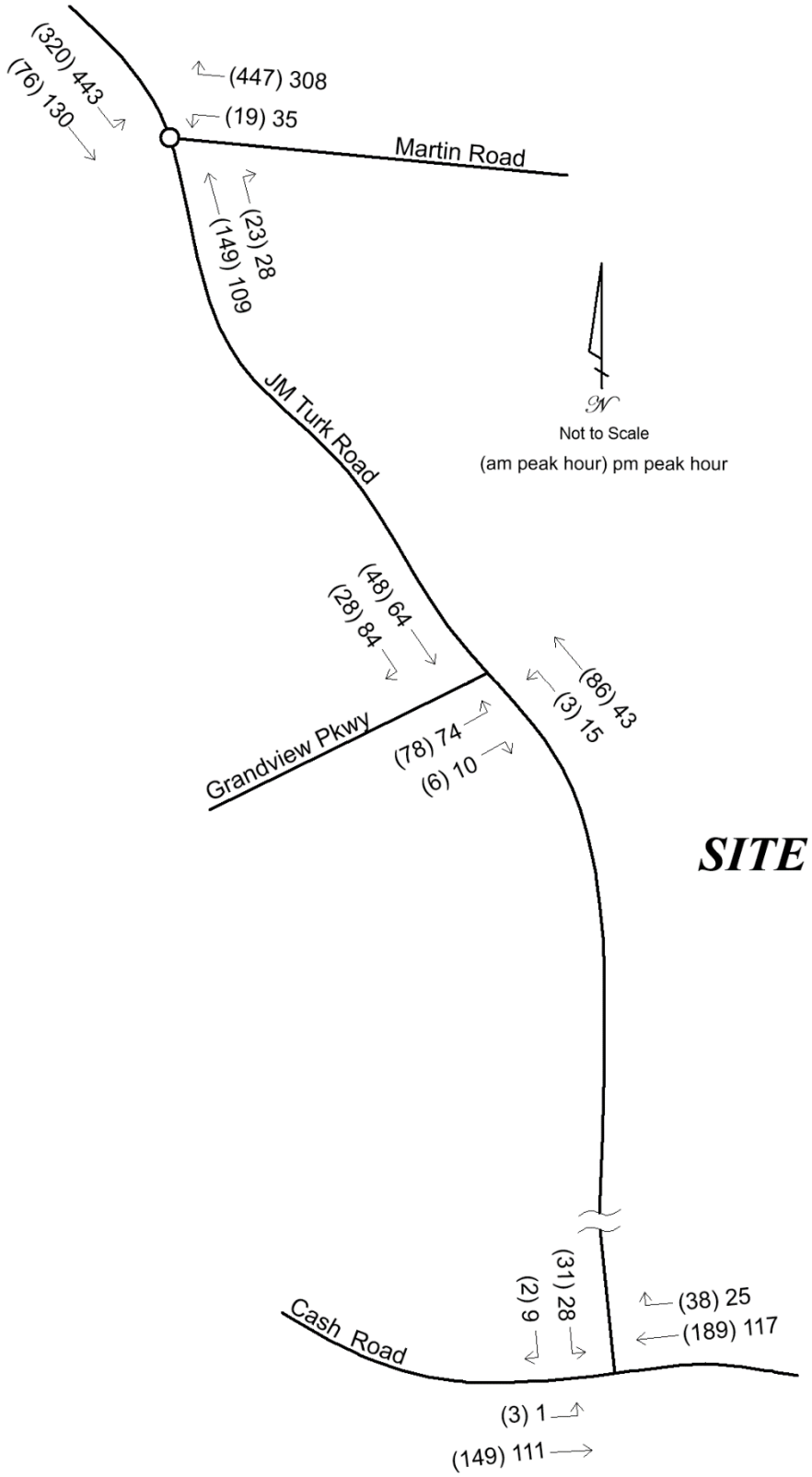

Figure 3 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 10, in accordance with the methodology presented in the Transportation Research Board's 2016 *Highway Capacity Manual* (*HCM 6*). This methodology is presented in Appendix B. The results of the analysis are shown in Table 1. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 1 – Existing Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	7.3	A	6.8
northbound approach	A	6.7	A	6.5
southbound approach	A	6.7	A	7.4
westbound approach	A	8.1	A	6.1
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.5	A	3.6
northbound left turn	A	7.4	A	7.6
eastbound approach	B	10.1	A	10.0
3. Cash Road at JM Turk Road (side street stop sign)	A	1.4	A	1.3
southbound approach	B	12.1	B	10.3
eastbound left turn	A	7.8	A	7.6

The existing analysis reveals acceptable operating conditions at the three study intersections. No mitigation is identified for the existing condition.

No-Build Traffic Conditions

A 2028 no-build condition was developed. This represents the traffic conditions that will exist in the future at the anticipated date of the build-out of the subdivision, but not including the subdivision's trips. The purpose of the analysis of this condition is to isolate the traffic impacts of the proposed development from background growth in volumes that are expected to occur in the area while the subdivision is under construction.

In order to develop no-build volumes, background growth factors were developed using historic Georgia DOT 24-hour traffic counts that were collected in this area for the years 2017 through 2021 (the latest year for which data was available at the time of this study), as shown in Table 2.

Table 2 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Cash W of JM Turk	Annual Growth	Union Church S of Winder Hwy	Annual Growth	Winder Hwy S of Martin	Annual Growth
Station ID	139-0779		139-7386		139-0287	
2017	2,420		3,420		25,200	
2018	2,810	16.1%	3,470	1.5%	25,000	-0.8%
2019	2,870	2.1%	4,410	27.1%	31,600	26.4%
2020	2,660	-7.3%	4,100	-7.0%	28,600	-9.5%
2021	2,830	6.4%	4,360	6.3%	30,100	5.2%
avg growth		*3.2%*		*5.0%*		*3.6%*

Growth in the area has been moderately positive. Each intersection experienced a decrease in volumes from 2019 to 2020. This is attributable to the COVID-19 pandemic. The latest year saw solid positive growth. However, most of that is attributable to a return to pre-pandemic levels. Based on the growth trends identified in Table 2, and taking the pandemic into consideration, a modest 3.0% annual growth factor was applied to the existing volumes when projecting the future no-build volumes. The growth factor was applied for five years, for a total of 15.9% growth that will occur while the proposed subdivision is under construction. The existing traffic volumes were increased by the 15.9% growth factor. The results are the 2028 no-build traffic volumes that will be on the roadway network in the future when the proposed subdivision is completely developed, but excluding the subdivision's trips.

Programmed Transportation Infrastructure Improvements

The Gainesville-Hall Regional Transportation Plan 2020 and the Georgia DOT projects website were reviewed for programmed (scheduled and funded) and planned (anticipated) transportation infrastructure projects in the vicinity of the proposed development. No projects were identified.

No-Build Intersection Operations

The no-build condition includes the no-build traffic volumes, as described above. These were entered into the Synchro model and the 2028 no-build traffic operations were analyzed at the study intersections using Synchro 10 software in accordance with the HCM 6 methodology. The results of the no-build analysis are shown in Table 3. Computer printouts containing detailed results of the no-build analysis are located in Appendix D. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 3 – No-Build Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	8.6	A	7.9
northbound approach	A	7.9	A	7.6
southbound approach	A	7.7	A	8.6
westbound approach	A	9.8	A	6.9
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.6	A	3.7
northbound left turn	A	7.5	A	7.6
eastbound approach	B	10.4	B	10.3
3. Cash Road at JM Turk Road (side street stop sign)	A	1.5	A	1.3
southbound approach	B	13.0	B	10.8
eastbound left turn	A	7.9	A	7.7

The no-build analysis shows a slight deterioration in operations due to anticipated growth in this area. However, operations and delays will continue to be acceptable and no mitigation is necessary for the no-build condition.

Project Traffic Characteristics

This section describes the anticipated traffic characteristics of the proposed subdivision, including a site description, how much traffic the project will generate, and where that traffic will travel.

Project Description

The proposed development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The site plan is presented in Figure 4.

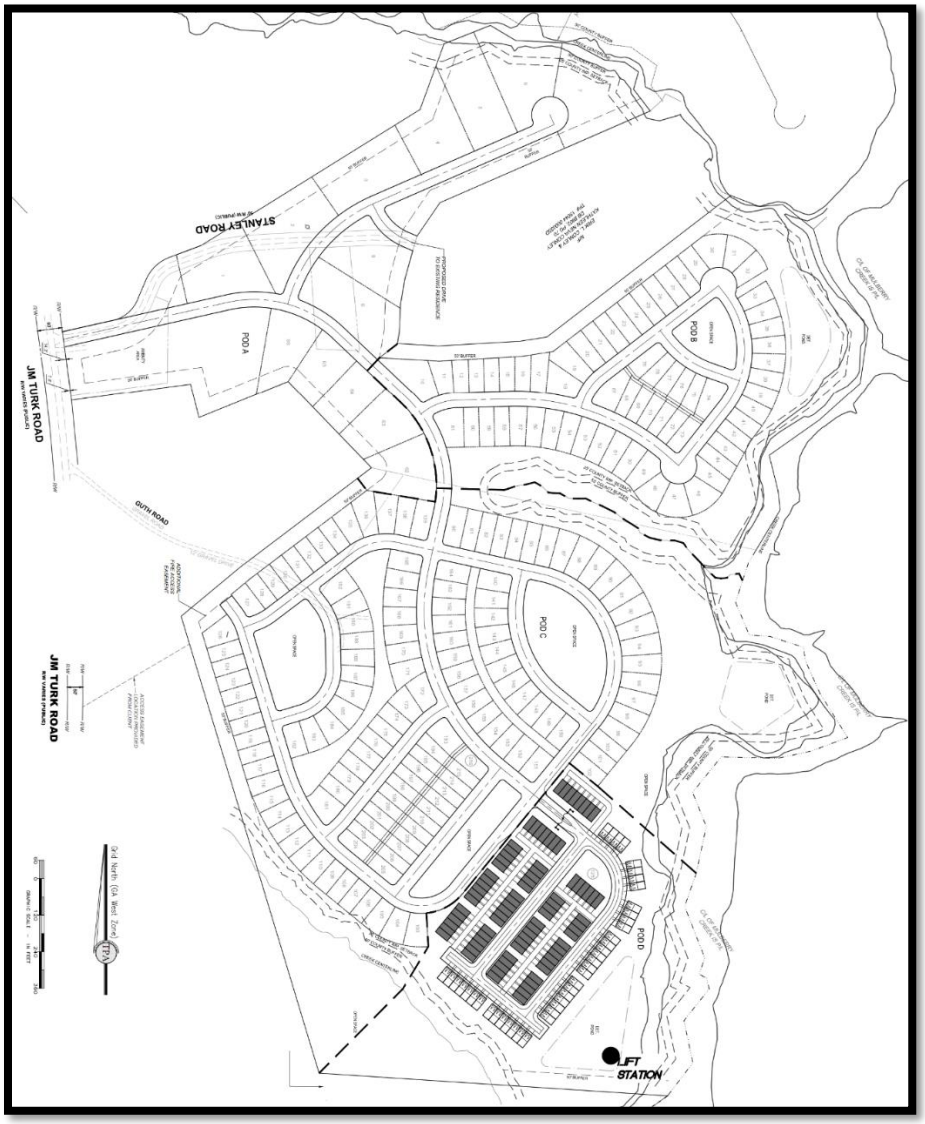

Figure 4 – Site Plan for Proposed Subdivision

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed development. The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* (the current edition). ITE Land Use 210 – Single Family Detached Housing was chosen as representative of the detached houses and ITE Land Use 215 – Single Family Attached Housing was chosen for the townhomes. The trip generation is summarized in Table 4.

Table 4 – Proposed Subdivision Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
Detached Houses	210	216 homes	38	112	150	129	76	205	1,025	1,025	2,050
Townhomes	215	125 homes	15	44	59	42	29	71	451	451	902
Total		*341 homes*	*53*	*156*	*209*	*171*	*105*	*276*	*1,476*	*1,476*	*2,952*

The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the subdivision were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area, notably Interstate 985, Spout Springs Road, and SR 53. The new project trips, shown in Table 4, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed subdivision are shown in Figure 5.

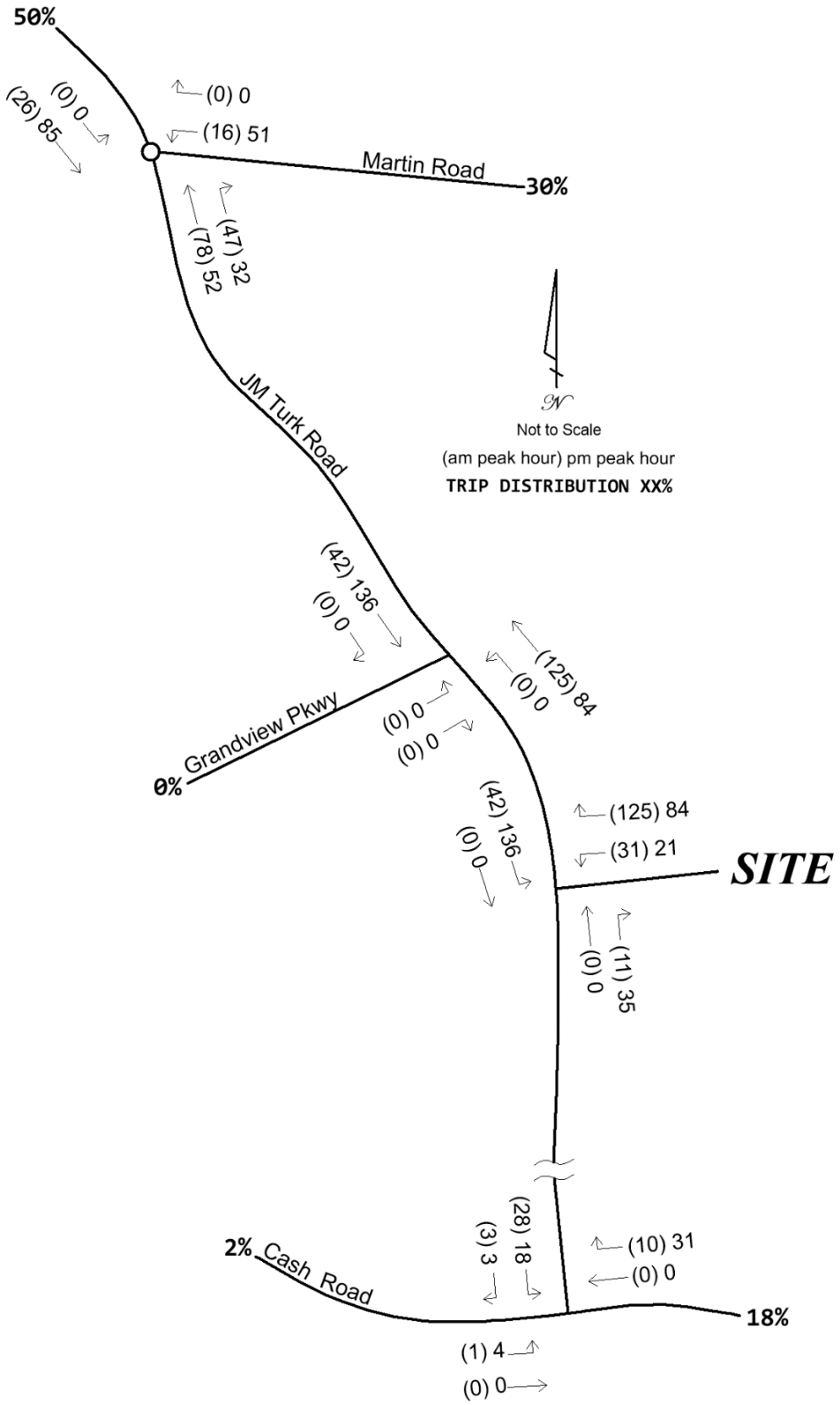

Figure 5 – Weekday A.M. and P.M. Peak Hour Project Trips and Distribution Percentages

Future Traffic Conditions

The future volumes consist of the no-build volumes plus the trips that will be generated by the proposed subdivision. The future volumes are shown in Figure 6.

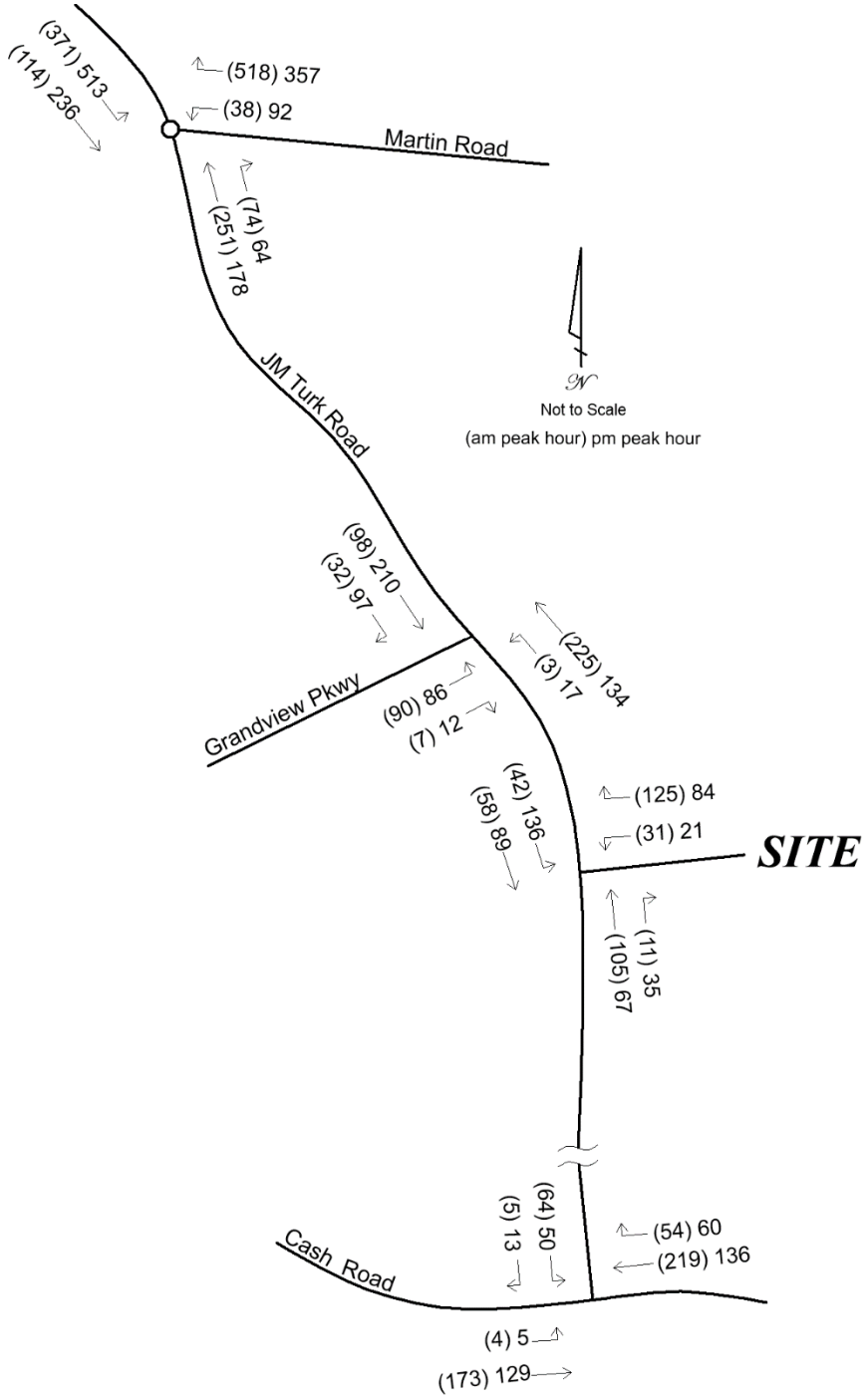

Figure 6 – Future Weekday A.M. and P.M. Peak Hour Volumes

Auxiliary Lane Requirements at Project Access

The Hall County Code was reviewed to determine auxiliary turn lane requirements at the project access on JM Turk Road. Code Section 16.60.290. – Deceleration lanes and left-turn lanes states:

A. Subdivisions with greater than 24 lots will be required to have a deceleration lane constructed in accordance with current Hall County Engineering and Traffic Engineering specifications. The Hall County Traffic Engineer may waive or require the installation of a deceleration lane for subdivisions regardless of lot number based upon traffic and safety considerations.

B. Left-turn lanes will be constructed in accordance with current Hall County Engineering and Traffic Engineering when warranted by the following table:

Table 5 – Hall County Turn Lane Thresholds

Average Daily Traffic (ADT)	Number of Lots (equal to or greater than the following)
>6,000	100
4,001—6,000	125
2,001—4,000	150
1,000—2,000	175
<1,000	200

C. The Hall County Traffic Engineer may waive or require the installation of a left-turn lane, regardless of average daily traffic (ADT) or number of lots, based upon traffic and safety considerations.

D. For those developments that a turn lane is required and the development is proposed in phases, construction of the turn lane is required prior to platting 100 lots or more.

E. Additional right-of-way and/or easements necessary for the installation of decel and/or left-turn lanes will be acquired by and will be the financial responsibility of the developer.

F. A signed and recorded frontage and/or radius encroachment agreement with applicable property owners will be required if any portion of the access extends beyond the development's road frontage.

Based on 341 proposed homes, a northbound right turn lane is required on JM Turk Road at the project access and this study agrees with that requirement.

The counted 24-hour volume on JM Turk Road is 1,416 vehicles, so the number of lots above which a left turn lane is required is 175 lots. The proposed subdivision will include 341 homes with one access. Therefore, a southbound left turn lane will be required at the project access and this study agrees with that requirement.

One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

Future Intersection Operations

An operational analysis was performed for the anticipated future project build-out at the study intersections and the project access. Table 6 presents the results of the future analysis. Computer printouts containing detailed results of the future analysis are located in Appendix E. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 6 – Future Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	B	10.3	A	10.0
northbound approach	B	11.0	A	9.7
southbound approach	A	8.4	B	11.1
westbound approach	B	12.1	A	8.5
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	2.7	A	2.8
northbound left turn	A	7.6	A	8.0
eastbound approach	B	12.5	B	12.8
3. Cash Road at JM Turk Road (side street stop sign)	A	2.7	A	1.8
southbound approach	B	14.3	B	11.3
eastbound left turn	A	8.0	A	7.8
4. JM Turk Road at Project Access (side street stop sign)	A	5.6	A	5.3
southbound left turn (entering project)	A	7.6	A	7.7
westbound approach (exiting project)	B	10.7	B	10.4

The future analysis with the addition of the proposed subdivision's trips reveals continued acceptable traffic operations and delays at the three study intersections, as well as the project access.

The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Hall County. The site is located along the east side of JM Turk Road at Stanley Road and the development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The following are the findings and recommendations of this study:

1. Existing traffic operations and delays are acceptable at the three study intersections. No mitigation is identified for the existing condition.

2. Traffic volume growth in this area has been positive and modest and this is expected to continue into the future.

3. No programmed or planned roadway improvement projects were identified in this vicinity.

4. With the growth in background traffic volumes, delays will increase moderately in the no-build condition. However, all delays will continue to be acceptable and no mitigation is identified for the no-build condition.

5. The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

6. The future analysis with the addition of the proposed subdivision's trips reveals modest increases in delays at the study intersections. The three study intersections will continue to operate acceptably. Therefore, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision.

7. A northbound right turn lane and a southbound left turn lane are required on JM Turk Road at the project access and this study agrees with those requirements.

8. One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

9. The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Appendix A

Traffic Count Data and Volume Worksheets

JM Turk Road Subdivision Traffic Impact Study

Hall County, Georgia

May 2023

Intersection: 1. Martin Road at JM Turk Road

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**149**	**23**	**172**	**320**	**76**	**396**		**19**	**447**	**466**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**173**	**27**	**199**	**371**	**88**	**459**		**22**	**518**	**540**
Proposed JM Turk Road Subdivision Trips	**78**	**47**	**125**	**0**	**26**	**26**		**16**	**0**	**16**
Build Volumes	**251**	**74**	**324**	**371**	**114**	**485**		**38**	**518**	**556**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**109**	**28**	**137**	**443**	**130**	**573**		**35**	**308**	**343**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**126**	**32**	**159**	**513**	**151**	**664**		**41**	**357**	**398**
Proposed JM Turk Road Subdivision Trips	**52**	**32**	**84**	**0**	**85**	**85**		**51**	**0**	**51**
Build Volumes	**178**	**64**	**243**	**513**	**236**	**749**		**92**	**357**	**449**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 2. JM Turk Road at Grandview Parkway

Weekday A.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**3**	**86**	**89**	**48**	**28**	**76**	**78**	**6**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**3**	**100**	**103**	**56**	**32**	**88**	**90**	**7**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**125**	**125**	**42**	**0**	**42**	**0**	**0**	**0**	
Build Volumes	**3**	**225**	**228**	**98**	**32**	**130**	**90**	**7**	**97**	

Weekday P.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**15**	**43**	**58**	**64**	**84**	**148**	**74**	**10**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**17**	**50**	**67**	**74**	**97**	**172**	**86**	**12**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**84**	**84**	**136**	**0**	**136**	**0**	**0**	**0**	
Build Volumes	**17**	**134**	**151**	**210**	**97**	**308**	**86**	**12**	**97**	

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 3. Cash Road at JM Turk Road

Weekday A.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)		**31**	**2**	**33**	**3**	**149**	**152**	**189**	**38**	**227**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**36**	**2**	**38**	**3**	**173**	**176**	**219**	**44**	**263**
Proposed JM Turk Road Subdivision Trips		**28**	**3**	**31**	**1**	**0**	**1**	**0**	**10**	**10**
Build Volumes		**64**	**5**	**69**	**4**	**173**	**177**	**219**	**54**	**273**

Weekday P.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 5:00-6:00)		**28**	**9**	**37**	**1**	**111**	**112**	**117**	**25**	**142**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**32**	**10**	**43**	**1**	**129**	**130**	**136**	**29**	**165**
Proposed JM Turk Road Subdivision Trips		**18**	**3**	**21**	**4**	**0**	**4**	**0**	**31**	**31**
Build Volumes		**50**	**13**	**64**	**5**	**129**	**134**	**136**	**60**	**196**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 4. JM Turk Road at Project Access

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:00-8:00)	**91**		**91**		**50**	**50**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**105**		**105**		**58**	**58**				
Proposed JM Turk Road Subdivision Trips	**0**	**11**	**11**	**42**	**0**	**42**		**31**	**125**	**156**
Build Volumes	**105**	**11**	**116**	**42**	**58**	**100**		**31**	**125**	**156**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**58**		**58**		**77**	**77**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**67**		**67**		**89**	**89**				
Proposed JM Turk Road Subdivision Trips	**0**	**35**	**35**	**136**	**0**	**136**		**21**	**84**	**105**
Build Volumes	**67**	**35**	**102**	**136**	**89**	**225**		**21**	**84**	**105**

JM Turk Road at project access location **Tuesday, May 16, 2023**
Peak Hour Calculation

	NB		SB		2-Way	
Begin Time	**15 min**	**Hourly**	**15 min**	**Hourly**	**15 min**	**Hourly**
7:00 AM	21		10		31	
7:15 AM	21		13		34	
7:30 AM	20		16		36	
7:45 AM	***29***	***91***	***11***	***50***	***40***	***141***
8:00 AM	14	84	15	55	29	139
8:15 AM	24	87	5	47	29	134
8:30 AM	8	75	6	37	14	112
8:45 AM	13	59	8	34	21	93
4:00 PM	13		25		38	
4:15 PM	12		22		34	
4:30 PM	14		13		27	
4:45 PM	11	50	19	79	30	129
5:00 PM	9	46	20	74	29	120
5:15 PM	18	52	19	71	37	123
5:30 PM	***20***	***58***	***19***	***77***	***39***	***135***
5:45 PM	8	55	16	74	24	129
6:00 PM	7	53	22	76	29	129
6:15 PM	14	49	17	74	31	123
24-Hour	**692**		**724**		**1416**	

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TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	33	2	0	35	58	7	0	0	65	0	0	0	0	0	5	0	94	0	99	199
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	110	25	0	0	135	0	0	0	0	0	4	0	109	0	113	287
07:45 AM	0	40	9	0	49	59	17	0	0	76	0	0	0	0	0	7	0	120	0	127	252
Total	0	148	18	0	166	322	66	0	0	388	0	0	0	0	0	22	0	416	0	438	992
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	125	0	127	241
08:15 AM	0	28	6	0	34	54	15	0	0	69	0	0	0	0	0	3	0	75	0	78	181
08:30 AM	0	15	7	0	22	61	17	0	0	78	0	0	0	0	0	6	0	77	0	83	183
08:45 AM	0	18	2	0	20	35	27	0	0	62	0	0	0	0	0	7	0	72	0	79	161
Total	0	95	22	0	117	206	76	0	0	282	0	0	0	0	0	18	0	349	0	367	766
*** BREAK ***																					
04:00 PM	0	16	5	0	21	116	33	0	0	149	0	0	0	0	0	6	0	55	0	61	231
04:15 PM	0	13	5	0	18	125	35	0	0	160	0	0	0	0	0	3	0	82	0	85	263
04:30 PM	0	16	2	0	18	114	29	0	0	143	0	0	0	0	0	13	0	72	0	85	246
04:45 PM	0	20	8	0	28	115	28	0	0	143	0	0	0	0	0	10	0	77	0	87	258
Total	0	65	20	0	85	470	125	0	0	595	0	0	0	0	0	32	0	286	0	318	998
05:00 PM	0	27	6	0	33	112	34	0	0	146	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	36	8	0	44	101	37	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	83	0	91	269
05:45 PM	0	16	2	0	18	107	34	0	0	141	0	0	0	0	0	6	0	75	0	81	240
Total	0	105	22	0	127	435	136	0	0	571	0	0	0	0	0	31	0	306	0	337	1035
Grand Total	0	413	82	0	495	1433	403	0	0	1836	0	0	0	0	0	103	0	1357	0	1460	3791
Apprch %	0	83.4	16.6	0		78.1	21.9	0	0		0	0	0	0		7.1	0	92.9	0		
Total %	0	10.9	2.2	0	13.1	37.8	10.6	0	0	48.4	0	0	0	0	0	2.7	0	35.8	0	38.5	

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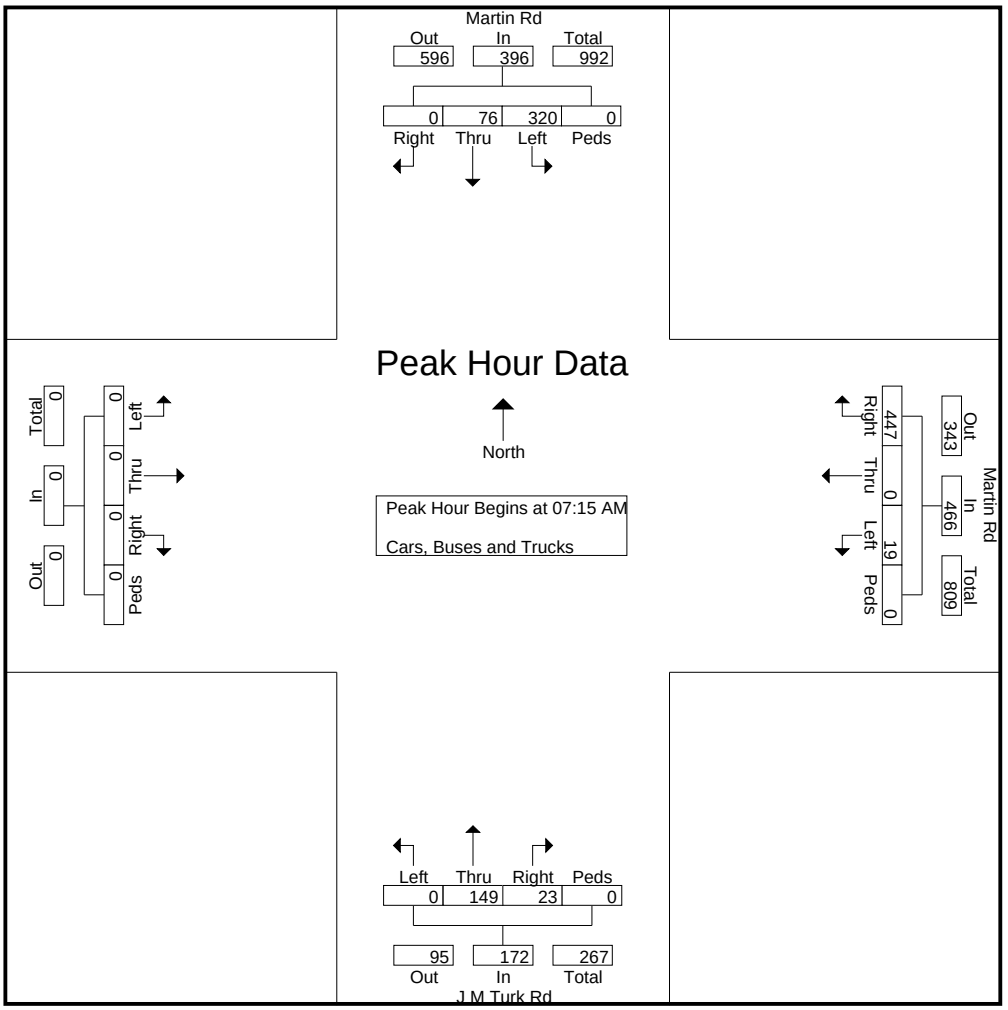
TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	**110**	**25**	0	0	**135**	0	0	0	0	0	4	0	109	0	113	**287**
07:45 AM	0	**40**	**9**	0	**49**	59	17	0	0	76	0	0	0	0	0	**7**	0	120	0	**127**	252
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	**125**	0	127	241
Total Volume	0	149	23	0	172	320	76	0	0	396	0	0	0	0	0	19	0	447	0	466	1034
% App. Total		86.6	13.4			80.8	19.2											95.9			
PHF	.000	.931	.639	.000	.878	.727	.760	.000	.000	.733	.000	.000	.000	.000	.000	.679	.000	.894	.000	.917	.901



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TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
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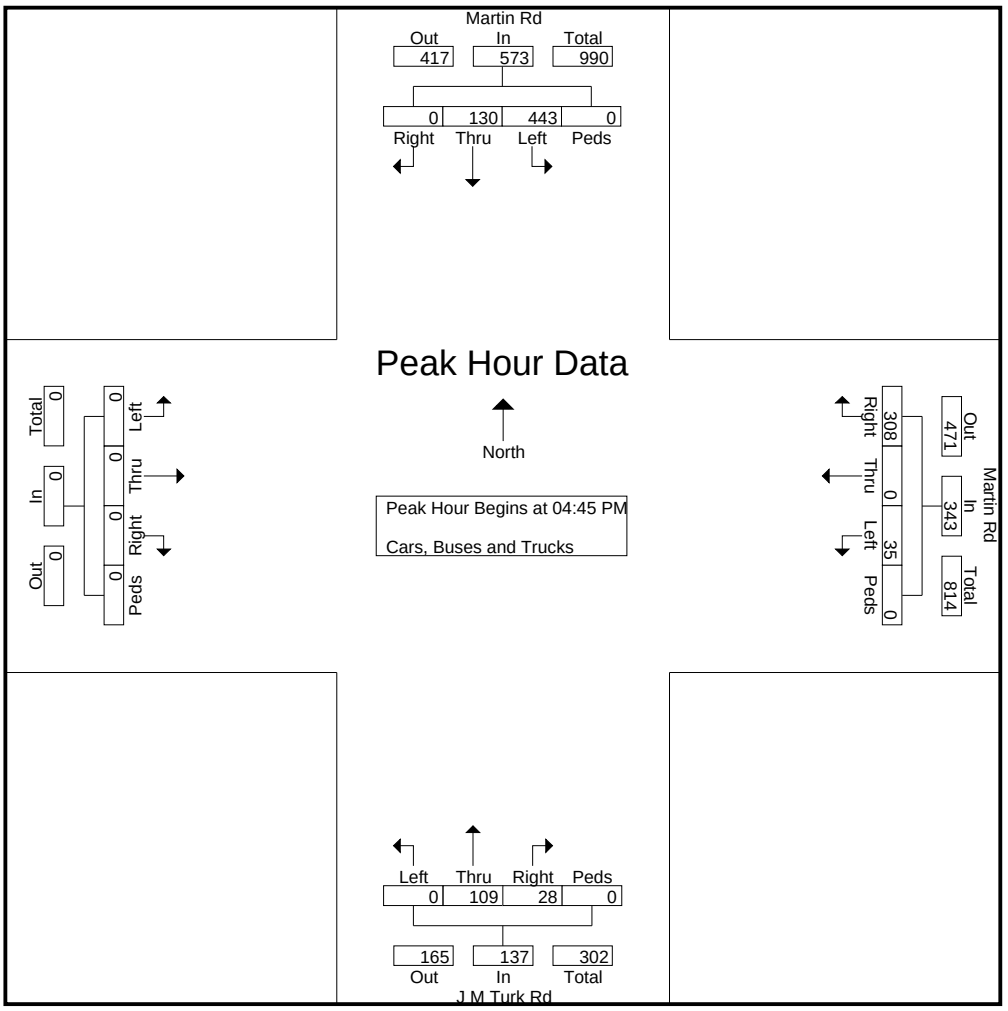
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 3

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	0	20	**8**	0	28	**115**	28	0	0	143	0	0	0	0	0	**10**	0	77	0	87	258
05:00 PM	0	27	6	0	33	112	34	0	0	**146**	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	**36**	8	0	**44**	101	**37**	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	**83**	0	**91**	**269**
Total Volume	0	109	28	0	137	443	130	0	0	573	0	0	0	0	0	35	0	308	0	343	1053
% App. Total		79.6	20.4			77.3	22.7									10.2		89.8			
PHF	.000	.757	.875	.000	.778	.963	.878	.000	.000	.981	.000	.000	.000	.000	.000	.875	.000	.928	.000	.942	.979



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TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	18	0	0	18	0	6	3	0	9	17	0	5	0	22	0	0	0	0	0	49
07:15 AM	2	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	15	10	0	25	23	0	4	0	27	0	0	0	0	0	74
07:45 AM	0	28	0	0	28	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
Total	3	88	0	0	91	0	40	25	0	65	75	0	10	0	85	0	0	0	0	0	241
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
08:15 AM	4	21	0	0	25	0	3	7	0	10	11	0	2	0	13	0	0	0	0	0	48
08:30 AM	0	8	0	0	8	0	5	9	0	14	8	0	2	0	10	0	0	0	0	0	32
08:45 AM	1	13	0	0	14	0	6	5	0	11	7	0	1	0	8	0	0	1	0	1	34
Total	5	58	0	0	63	0	28	27	0	55	46	0	6	0	52	0	0	1	0	1	171
*** BREAK ***																					
04:00 PM	2	12	0	0	14	0	22	17	0	39	9	0	2	0	11	0	0	0	0	0	64
04:15 PM	2	7	0	0	9	0	18	17	0	35	8	0	4	0	12	1	0	0	0	1	57
04:30 PM	6	9	0	0	15	0	14	18	0	32	9	0	1	0	10	0	0	0	0	0	57
04:45 PM	1	10	0	0	11	0	13	27	0	40	14	0	2	0	16	0	0	0	0	0	67
Total	11	38	0	0	49	0	67	79	0	146	40	0	9	0	49	1	0	0	0	1	245
05:00 PM	5	8	0	0	13	0	21	21	0	42	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	14	0	0	17	0	17	20	0	37	26	0	2	0	28	0	0	0	0	0	82
05:30 PM	6	11	0	0	17	1	13	16	0	30	15	0	4	0	19	0	0	0	0	0	66
05:45 PM	0	6	0	0	6	0	12	15	0	27	14	0	4	0	18	0	0	0	0	0	51
Total	14	39	0	0	53	1	63	72	0	136	74	0	12	0	86	0	0	0	0	0	275
Grand Total	33	223	0	0	256	1	198	203	0	402	235	0	37	0	272	1	0	1	0	2	932
Apprch %	12.9	87.1	0	0		0.2	49.3	50.5	0		86.4	0	13.6	0		50	0	50	0		
Total %	3.5	23.9	0	0	27.5	0.1	21.2	21.8	0	43.1	25.2	0	4	0	29.2	0.1	0	0.1	0	0.2	

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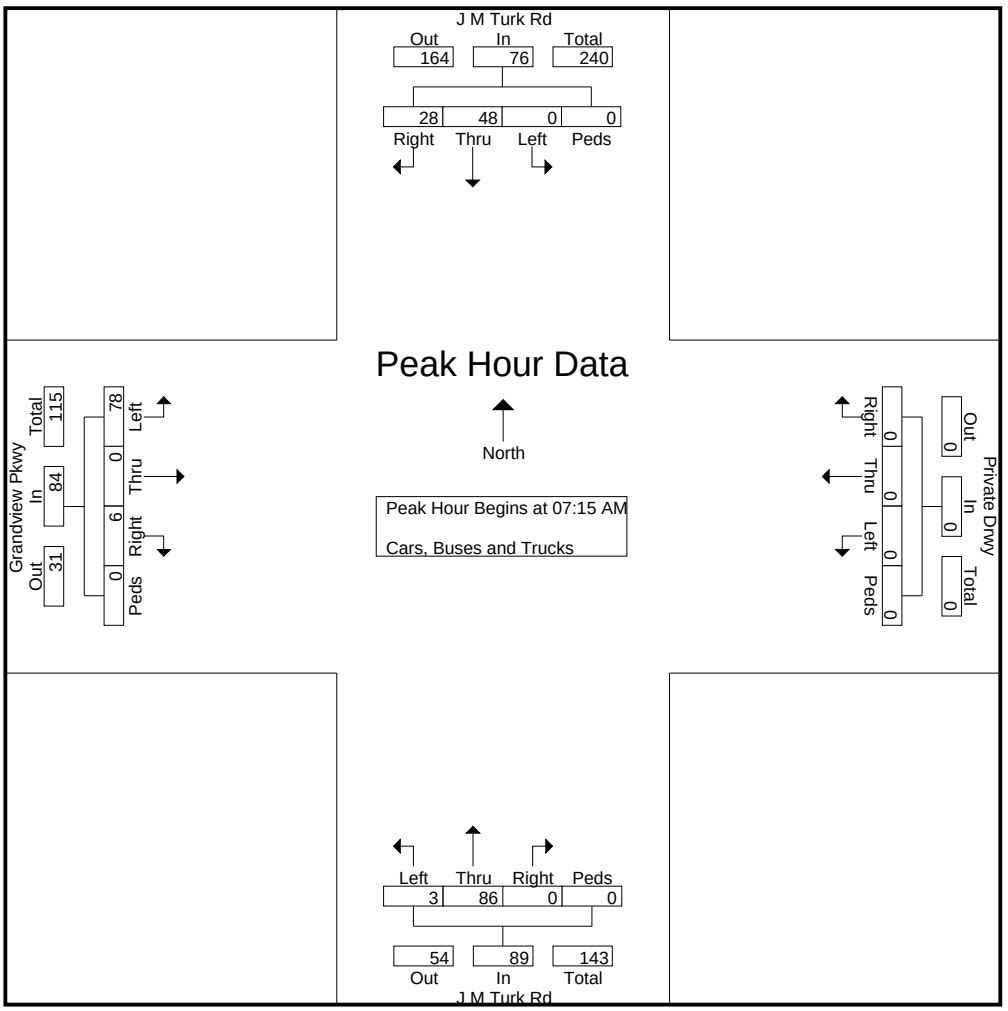
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	**2**	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	**15**	**10**	0	**25**	**23**	0	**4**	0	**27**	0	0	0	0	0	**74**
07:45 AM	0	**28**	0	0	**28**	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
Total Volume	3	86	0	0	89	0	48	28	0	76	78	0	6	0	84	0	0	0	0	0	249
% App. Total		96.6					63.2	36.8			92.9										
PHF	.375	.768	.000	.000	.795	.000	.800	.700	.000	.760	.848	.000	.375	.000	.778	.000	.000	.000	.000	.000	.841



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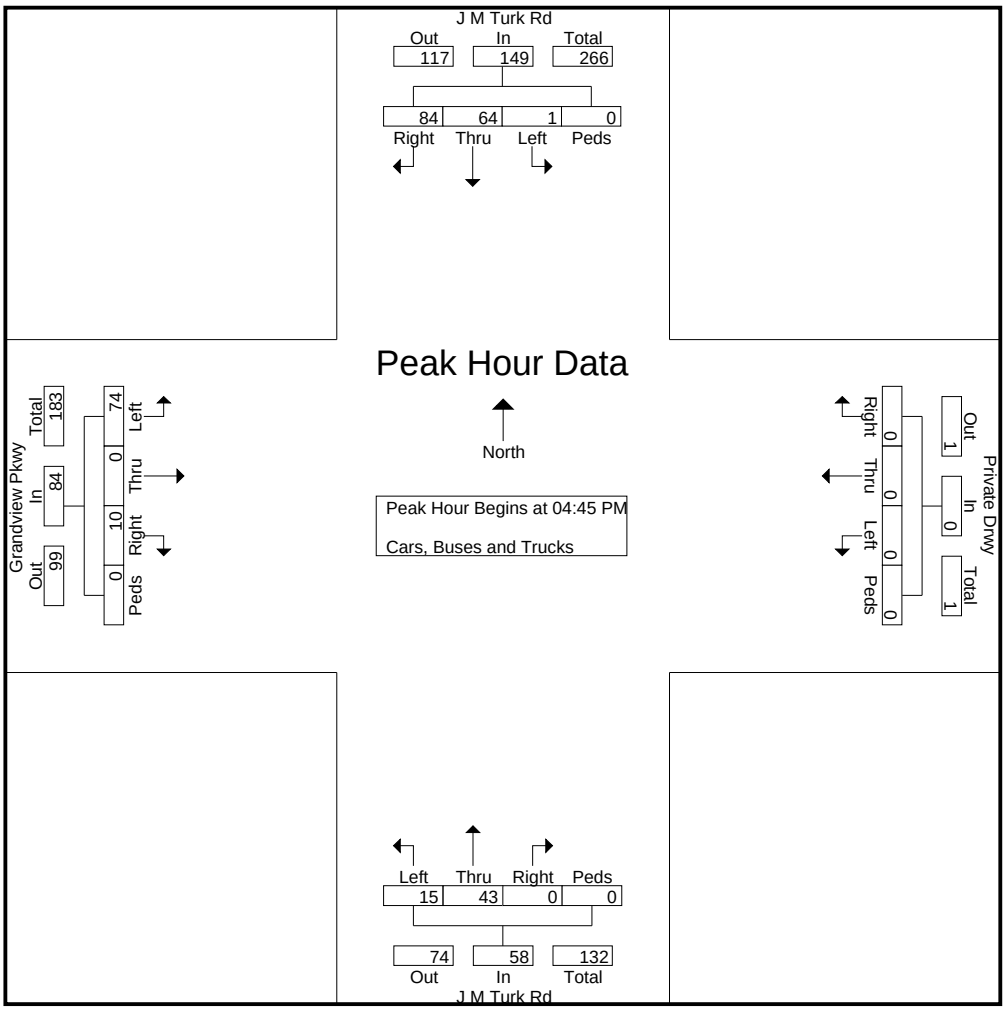
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023
Page No : 3

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	1	10	0	0	11	0	13	**27**	0	40	14	0	2	0	16	0	0	0	0	0	67
05:00 PM	5	8	0	0	13	0	**21**	21	0	**42**	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	**14**	0	0	**17**	0	17	20	0	37	**26**	0	2	0	**28**	0	0	0	0	0	**82**
05:30 PM	**6**	11	0	0	17	**1**	13	16	0	30	15	0	**4**	0	19	0	0	0	0	0	66
Total Volume	15	43	0	0	58	1	64	84	0	149	74	0	10	0	84	0	0	0	0	0	291
% App. Total	25.9	74.1						56.4			88.1		11.9								
PHF	.625	.768	.000	.000	.853	.250	.762	.778	.000	.887	.712	.000	.625	.000	.750	.000	.000	.000	.000	.000	.887



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TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	0	0	0	0	4	0	0	0	4	1	22	0	0	23	0	15	9	0	24	51
07:15 AM	0	0	0	0	0	5	0	1	0	6	1	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	14	0	1	0	15	1	48	0	0	49	0	56	14	0	70	134
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
Total	0	0	0	0	0	31	0	2	0	33	4	144	0	0	148	0	150	43	0	193	374
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
08:15 AM	0	0	0	0	0	5	0	0	0	5	1	34	0	0	35	0	32	11	0	43	83
08:30 AM	0	0	0	0	0	1	0	0	0	1	0	15	0	0	15	0	12	0	0	12	28
08:45 AM	0	0	0	0	0	5	0	1	0	6	4	14	0	0	18	0	17	6	0	23	47
Total	0	0	0	0	0	15	0	1	0	16	5	90	0	0	95	0	115	21	0	136	247
*** BREAK ***																					
04:00 PM	0	0	0	0	0	15	0	0	0	15	2	27	0	0	29	0	34	5	0	39	83
04:15 PM	0	0	0	0	0	9	0	1	0	10	0	23	0	0	23	0	25	5	0	30	63
04:30 PM	0	0	0	0	0	5	0	1	0	6	2	24	0	0	26	0	16	7	0	23	55
04:45 PM	0	0	0	0	0	7	0	4	0	11	0	17	0	0	17	0	26	9	0	35	63
Total	0	0	0	0	0	36	0	6	0	42	4	91	0	0	95	0	101	26	0	127	264
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	8	0	3	0	11	0	36	0	0	36	0	28	5	0	33	80
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	37	9	0	46	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	1	22	0	0	23	0	27	6	0	33	65
Total	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
Grand Total	0	0	0	0	0	110	0	18	0	128	14	436	0	0	450	0	483	115	0	598	1176
Apprch %	0	0	0	0		85.9	0	14.1	0		3.1	96.9	0	0		0	80.8	19.2	0		
Total %	0	0	0	0	0	9.4	0	1.5	0	10.9	1.2	37.1	0	0	38.3	0	41.1	9.8	0	50.9	

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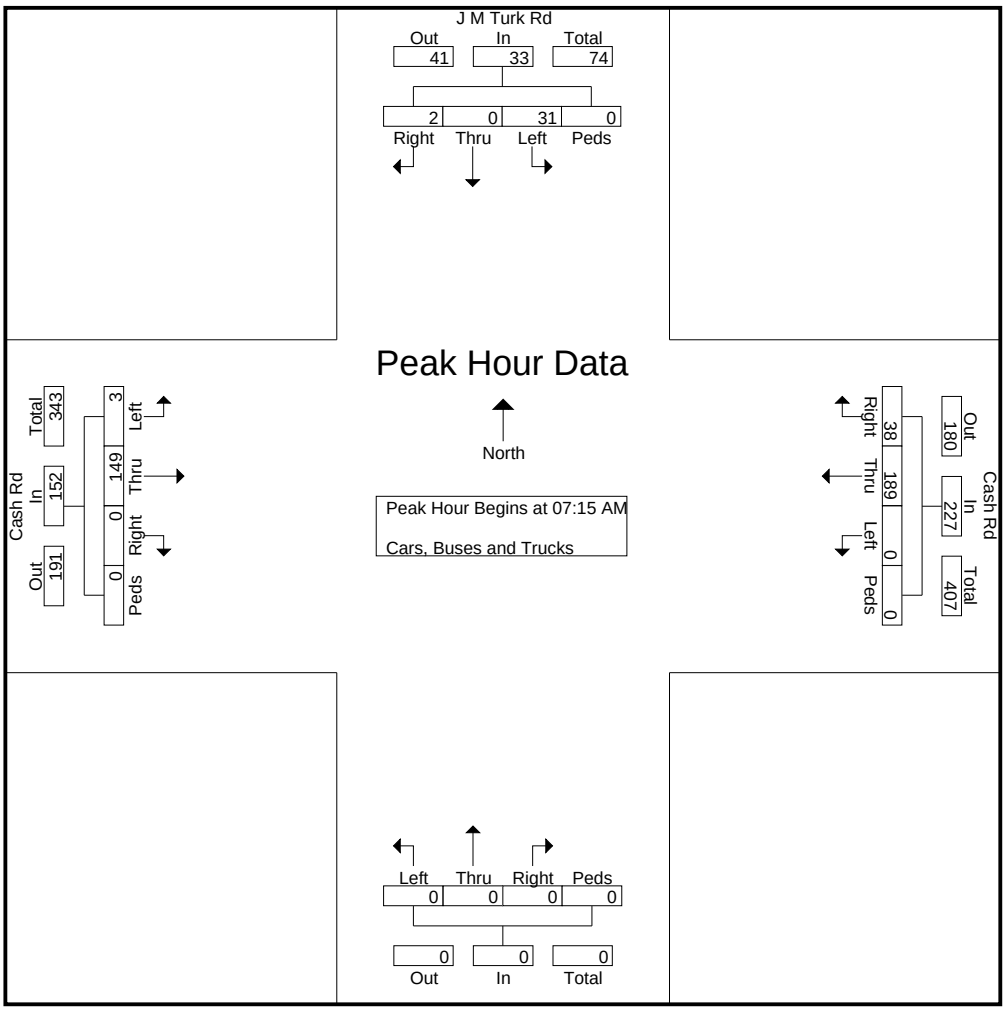
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	0	0	0	0	5	0	**1**	0	6	**1**	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	**14**	0	1	0	**15**	1	**48**	0	0	**49**	0	**56**	**14**	0	**70**	**134**
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
Total Volume	0	0	0	0	0	31	0	2	0	33	3	149	0	0	152	0	189	38	0	227	412
% App. Total						93.9											83.3	16.7			
PHF	.000	.000	.000	.000	.000	.554	.000	.500	.000	.550	.750	.776	.000	.000	.776	.000	.844	.679	.000	.811	.769



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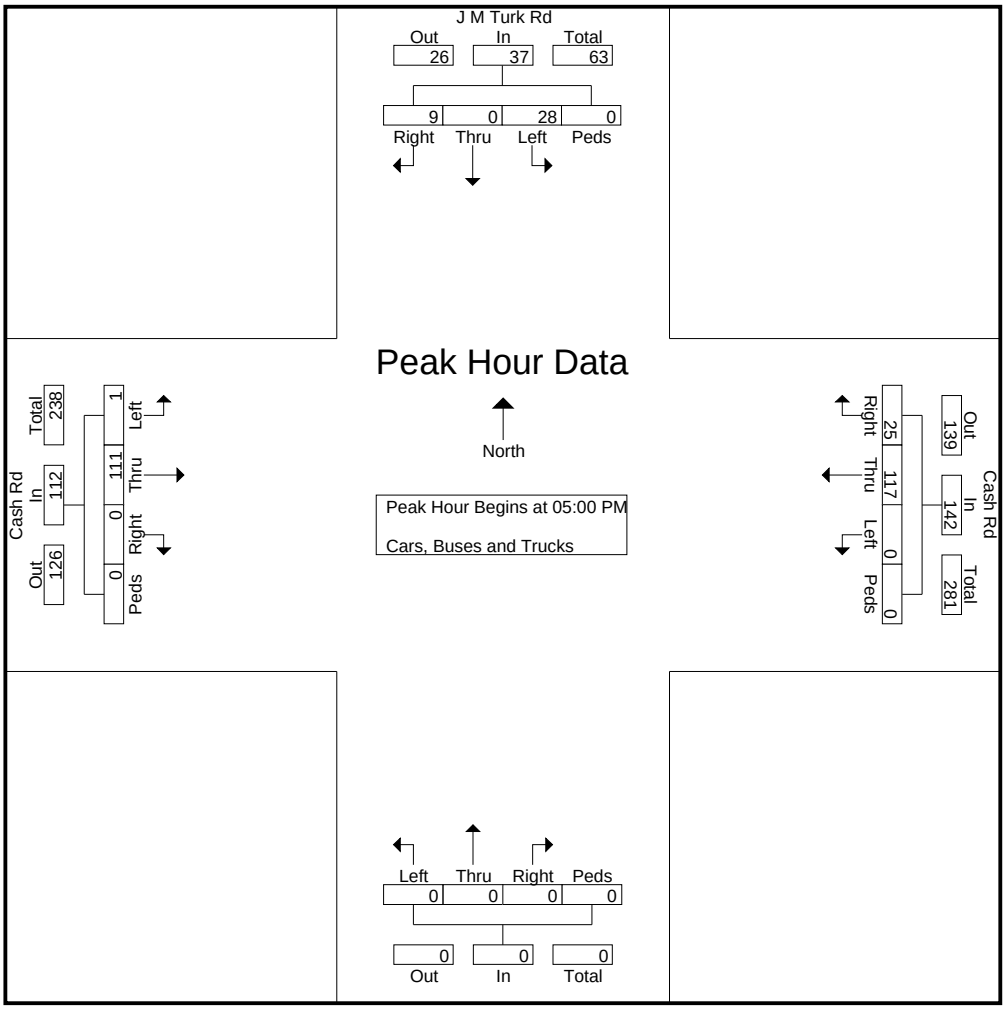
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023
Page No : 3

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	**8**	0	**3**	0	**11**	0	**36**	0	0	**36**	0	28	5	0	33	**80**
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	**37**	**9**	0	**46**	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	**1**	22	0	0	23	0	27	6	0	33	65
Total Volume	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
% App. Total						75.7		24.3				99.1					82.4	17.6			
PHF	.000	.000	.000	.000	.000	.875	.000	.750	.000	.841	.250	.771	.000	.000	.778	.000	.791	.694	.000	.772	.909



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ADT Data

Site Code: 47830101
J M Turk Rd south of Grandview Pkwy
Flowery Branch, GA

Start Time	16-May-23 Tue	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		0	6			0	11				
12:15		1	9			0	14				
12:30		0	10			0	6				
12:45		0	10	1	35	0	7	0	38	1	73
01:00		0	14			2	16				
01:15		0	12			0	6				
01:30		0	7			0	5				
01:45		0	9	0	42	0	8	2	35	2	77
02:00		0	7			0	16				
02:15		0	10			0	16				
02:30		0	17			2	16				
02:45		1	14	1	48	1	12	3	60	4	108
03:00		0	6			0	17				
03:15		0	10			0	14				
03:30		0	19			0	18				
03:45		2	16	2	51	0	26	0	75	2	126
04:00		0	13			0	25				
04:15		1	12			0	22				
04:30		2	14			1	13				
04:45		1	11	4	50	2	19	3	79	7	129
05:00		3	9			1	20				
05:15		2	18			0	19				
05:30		2	20			2	19				
05:45		8	8	15	55	1	16	4	74	19	129
06:00		2	7			3	22				
06:15		4	14			1	17				
06:30		10	6			2	14				
06:45		22	7	38	34	1	8	7	61	45	95
07:00		21	11			10	16				
07:15		21	11			13	8				
07:30		20	10			16	4				
07:45		29	6	91	38	11	7	50	35	141	73
08:00		14	3			15	7				
08:15		24	2			5	10				
08:30		8	4			6	5				
08:45		13	5	59	14	8	7	34	29	93	43
09:00		9	5			10	7				
09:15		15	2			6	5				
09:30		11	3			9	4				
09:45		13	2	48	12	9	3	34	19	82	31
10:00		4	1			6	4				
10:15		8	1			11	2				
10:30		9	2			11	1				
10:45		5	0	26	4	10	2	38	9	64	13
11:00		2	1			8	0				
11:15		8	1			10	4				
11:30		3	0			9	0				
11:45		7	2	20	4	3	1	30	5	50	9
Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
Grand Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
ADT		ADT 1,416		AADT 1,416							

Appendix B

Intersection Analysis Methodology

Intersection Analysis Methodology

The methodology used for evaluating traffic operations at intersections is presented in the Transportation Research Board's *Highway Capacity Manual*, 2016 edition (HCM 6). Synchro 10 software, which emulates the HCM 6 methodology, was used for all analyses. The following is an overview of the methodology employed for the analysis of signalized intersections and roundabouts and stop-sign controlled (unsignalized) intersections. Levels of service (LOS) are assigned letters A through F. LOS A indicates operations with very low control delay while LOS F describes operations with high control delay. LOS F is considered to be unacceptable by most drivers, while LOS E is typically considered to be the limit of acceptable delay.

Signalized Intersections and Roundabouts – Level of service for a signalized intersection and a roundabout is defined in terms of control delay per vehicle. For signalized intersections and roundabouts, a composite intersection level of service is determined. The thresholds for each level of service are higher for signalized intersections and roundabouts than for unsignalized intersections. This is attributable to a variety of factors including expectation and acceptance of higher delays at signals/roundabouts, and the fact that drivers can relax when waiting at a signal as opposed to having to remain attentive as they proceed through the unsignalized intersection. The level of service criteria for signalized intersections and roundabouts are shown in Table A.

Table A – Level of Service Criteria for Signalized Intersections and Roundabouts

Control Delay (s/veh)	LOS
≤ 10	A
> 10 and ≤ 20	B
> 20 and ≤ 35	C
> 35 and ≤ 55	D
> 55 and ≤ 80	E
> 80	F

Source: Highway Capacity Manual 6

Unsignalized Intersections – Level of service for an unsignalized intersection is defined in terms of control delay per vehicle. Control delay is that portion of delay attributable to the control device and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delays at unsignalized intersections are based on gap acceptance theory, factoring in availability of gaps, usefulness of the gaps, and the priority of right-of-way given to each traffic stream. The level of service criteria for unsignalized intersections are presented in Table B.

Table B – Level of Service Criteria for Unsignalized Intersections

Control Delay (s/veh)	LOS
0 – 10	A
> 10 and ≤ 15	B
> 15 and ≤ 25	C
> 25 and ≤ 35	D
> 35 and ≤ 50	E
> 50	F

Source: Highway Capacity Manual 6

Appendix C

Existing Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	7.3
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	507	195	542
Demand Flow Rate, veh/h	523	201	558
Vehicles Circulating, veh/h	174	451	22
Vehicles Exiting, veh/h	478	129	675
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.1	6.7	6.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	523	201	558
Cap Entry Lane, veh/h	1155	871	1349
Entry HV Adj Factor	0.969	0.970	0.971
Flow Entry, veh/h	507	195	542
Cap Entry, veh/h	1120	845	1310
V/C Ratio	0.453	0.231	0.414
Control Delay, s/veh	8.1	6.7	6.7
LOS	A	A	A
95th %tile Queue, veh	2	1	2

Intersection	
Int Delay, s/veh	3.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	78	6	3	86	48	28
Future Vol, veh/h	78	6	3	86	48	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	100	8	4	108	63	37

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	179	63	100	0	-	0
Stage 1	63	-	-	-	-	-
Stage 2	116	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	811	1002	1493	-	-	-
Stage 1	960	-	-	-	-	-
Stage 2	909	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	809	1002	1493	-	-	-
Mov Cap-2 Maneuver	809	-	-	-	-	-
Stage 1	957	-	-	-	-	-
Stage 2	909	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.1	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1493	-	820	-	-
HCM Lane V/C Ratio	0.003	-	0.131	-	-
HCM Control Delay (s)	7.4	0	10.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	149	189	38	31	2
Future Vol, veh/h	3	149	189	38	31	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	191	233	47	56	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	280	0	-	0	456	257
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	199	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1277	-	-	-	561	779
Stage 1	-	-	-	-	784	-
Stage 2	-	-	-	-	832	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1277	-	-	-	559	779
Mov Cap-2 Maneuver	-	-	-	-	559	-
Stage 1	-	-	-	-	781	-
Stage 2	-	-	-	-	832	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	12.1
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1277	-	-	-	569
HCM Lane V/C Ratio	0.003	-	-	-	0.105
HCM Control Delay (s)	7.8	0	-	-	12.1
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Intersection Delay, s/veh	6.8
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	365	176	585
Demand Flow Rate, veh/h	376	181	603
Vehicles Circulating, veh/h	144	466	38
Vehicles Exiting, veh/h	503	175	482
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.1	6.5	7.4
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	376	181	603
Cap Entry Lane, veh/h	1191	858	1327
Entry HV Adj Factor	0.971	0.971	0.970
Flow Entry, veh/h	365	176	585
Cap Entry, veh/h	1157	833	1288
V/C Ratio	0.316	0.211	0.454
Control Delay, s/veh	6.1	6.5	7.4
LOS	A	A	A
95th %tile Queue, veh	1	1	2

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	74	10	15	43	65	84
Future Vol, veh/h	74	10	15	43	65	84
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	99	13	18	51	73	94

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	160	73	167	0	-	0
Stage 1	73	-	-	-	-	-
Stage 2	87	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	831	989	1411	-	-	-
Stage 1	950	-	-	-	-	-
Stage 2	936	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	820	989	1411	-	-	-
Mov Cap-2 Maneuver	820	-	-	-	-	-
Stage 1	938	-	-	-	-	-
Stage 2	936	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1411	-	837	-	-
HCM Lane V/C Ratio	0.013	-	0.134	-	-
HCM Control Delay (s)	7.6	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	111	117	25	28	9
Future Vol, veh/h	1	111	117	25	28	9
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	142	152	32	33	11

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	184	0	-	0	312	168
Stage 1	-	-	-	-	168	-
Stage 2	-	-	-	-	144	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1385	-	-	-	679	874
Stage 1	-	-	-	-	859	-
Stage 2	-	-	-	-	881	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1385	-	-	-	678	874
Mov Cap-2 Maneuver	-	-	-	-	678	-
Stage 1	-	-	-	-	858	-
Stage 2	-	-	-	-	881	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1385	-	-	-	717
HCM Lane V/C Ratio	0.001	-	-	-	0.061
HCM Control Delay (s)	7.6	0	-	-	10.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix D

No-Build Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	8.6
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	587	228	629
Demand Flow Rate, veh/h	605	235	648
Vehicles Circulating, veh/h	203	523	25
Vehicles Exiting, veh/h	555	150	783
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	9.8	7.9	7.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	605	235	648
Cap Entry Lane, veh/h	1122	809	1345
Entry HV Adj Factor	0.970	0.971	0.971
Flow Entry, veh/h	587	228	629
Cap Entry, veh/h	1088	786	1306
V/C Ratio	0.539	0.290	0.482
Control Delay, s/veh	9.8	7.9	7.7
LOS	A	A	A
95th %tile Queue, veh	3	1	3

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	100	56	32
Future Vol, veh/h	90	7	3	100	56	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	125	74	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	207	74	116	0	-	0
Stage 1	74	-	-	-	-	-
Stage 2	133	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	781	988	1473	-	-	-
Stage 1	949	-	-	-	-	-
Stage 2	893	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	779	988	1473	-	-	-
Mov Cap-2 Maneuver	779	-	-	-	-	-
Stage 1	946	-	-	-	-	-
Stage 2	893	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.4	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1473	-	791	-	-
HCM Lane V/C Ratio	0.003	-	0.157	-	-
HCM Control Delay (s)	7.5	0	10.4	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	173	219	44	36	2
Future Vol, veh/h	3	173	219	44	36	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	222	270	54	65	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	324	0	-	0	527	297
Stage 1	-	-	-	-	297	-
Stage 2	-	-	-	-	230	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1230	-	-	-	510	740
Stage 1	-	-	-	-	752	-
Stage 2	-	-	-	-	806	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1230	-	-	-	508	740
Mov Cap-2 Maneuver	-	-	-	-	508	-
Stage 1	-	-	-	-	749	-
Stage 2	-	-	-	-	806	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	13
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1230	-	-	-	517
HCM Lane V/C Ratio	0.003	-	-	-	0.134
HCM Control Delay (s)	7.9	0	-	-	13
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

Intersection	
Intersection Delay, s/veh	7.9
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	424	203	677
Demand Flow Rate, veh/h	436	209	698
Vehicles Circulating, veh/h	167	539	45
Vehicles Exiting, veh/h	581	204	558
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.9	7.6	8.6
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	436	209	698
Cap Entry Lane, veh/h	1164	796	1318
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	424	203	677
Cap Entry, veh/h	1132	774	1279
V/C Ratio	0.375	0.262	0.530
Control Delay, s/veh	6.9	7.6	8.6
LOS	A	A	A
95th %tile Queue, veh	2	1	3

Intersection	
Int Delay, s/veh	3.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	50	74	97
Future Vol, veh/h	86	12	17	50	74	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	59	83	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	182	83	192	0	-	0
Stage 1	83	-	-	-	-	-
Stage 2	99	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	807	976	1381	-	-	-
Stage 1	940	-	-	-	-	-
Stage 2	925	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	795	976	1381	-	-	-
Mov Cap-2 Maneuver	795	-	-	-	-	-
Stage 1	926	-	-	-	-	-
Stage 2	925	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	1.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1381	-	813	-	-
HCM Lane V/C Ratio	0.014	-	0.161	-	-
HCM Control Delay (s)	7.6	0	10.3	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	129	136	29	32	10
Future Vol, veh/h	1	129	136	29	32	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	165	177	38	38	12

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	215	0	-	0	363	196
Stage 1	-	-	-	-	196	-
Stage 2	-	-	-	-	167	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1349	-	-	-	634	843
Stage 1	-	-	-	-	835	-
Stage 2	-	-	-	-	860	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1349	-	-	-	633	843
Mov Cap-2 Maneuver	-	-	-	-	633	-
Stage 1	-	-	-	-	834	-
Stage 2	-	-	-	-	860	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.8
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1349	-	-	-	673
HCM Lane V/C Ratio	0.001	-	-	-	0.074
HCM Control Delay (s)	7.7	0	-	-	10.8
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix E

Future Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	10.3
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	604	369	664
Demand Flow Rate, veh/h	622	381	684
Vehicles Circulating, veh/h	294	523	42
Vehicles Exiting, veh/h	610	203	874
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	12.1	11.0	8.4
Approach LOS	B	B	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	622	381	684
Cap Entry Lane, veh/h	1022	809	1322
Entry HV Adj Factor	0.971	0.970	0.971
Flow Entry, veh/h	604	369	664
Cap Entry, veh/h	993	785	1284
V/C Ratio	0.608	0.471	0.517
Control Delay, s/veh	12.1	11.0	8.4
LOS	B	B	A
95th %tile Queue, veh	4	3	3

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	225	98	32
Future Vol, veh/h	90	7	3	225	98	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	281	129	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	418	129	171	0	-	0
Stage 1	129	-	-	-	-	-
Stage 2	289	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	591	921	1406	-	-	-
Stage 1	897	-	-	-	-	-
Stage 2	760	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	589	921	1406	-	-	-
Mov Cap-2 Maneuver	589	-	-	-	-	-
Stage 1	894	-	-	-	-	-
Stage 2	760	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.5	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1406	-	605	-	-
HCM Lane V/C Ratio	0.003	-	0.206	-	-
HCM Control Delay (s)	7.6	0	12.5	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.8	-	-

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	4	173	219	54	64	5
Future Vol, veh/h	4	173	219	54	64	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	5	222	270	67	116	9

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	337	0	-	0	536	304
Stage 1	-	-	-	-	304	-
Stage 2	-	-	-	-	232	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1217	-	-	-	504	733
Stage 1	-	-	-	-	746	-
Stage 2	-	-	-	-	804	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1217	-	-	-	501	733
Mov Cap-2 Maneuver	-	-	-	-	501	-
Stage 1	-	-	-	-	742	-
Stage 2	-	-	-	-	804	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	14.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1217	-	-	-	513
HCM Lane V/C Ratio	0.004	-	-	-	0.245
HCM Control Delay (s)	8	0	-	-	14.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	1

Intersection	
Int Delay, s/veh	5.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	31	125	105	11	42	58
Future Vol, veh/h	31	125	105	11	42	58
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	80	80	76	76
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	44	179	131	14	55	76

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	317	131	0	0	145	0
Stage 1	131	-	-	-	-	-
Stage 2	186	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	676	919	-	-	1437	-
Stage 1	895	-	-	-	-	-
Stage 2	846	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	650	919	-	-	1437	-
Mov Cap-2 Maneuver	650	-	-	-	-	-
Stage 1	861	-	-	-	-	-
Stage 2	846	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.7	0	3.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	849	1437	-
HCM Lane V/C Ratio	-	-	0.262	0.038	-
HCM Control Delay (s)	-	-	10.7	7.6	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.1	-

Intersection	
Intersection Delay, s/veh	10.0
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	478	310	764
Demand Flow Rate, veh/h	492	319	787
Vehicles Circulating, veh/h	235	539	101
Vehicles Exiting, veh/h	623	349	626
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.5	9.7	11.1
Approach LOS	A	A	B

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	492	319	787
Cap Entry Lane, veh/h	1086	796	1245
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	478	310	764
Cap Entry, veh/h	1055	774	1208
V/C Ratio	0.453	0.401	0.632
Control Delay, s/veh	8.5	9.7	11.1
LOS	A	A	B
95th %tile Queue, veh	2	2	5

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	134	210	97
Future Vol, veh/h	86	12	17	134	210	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	158	236	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	434	236	345	0	-	0
Stage 1	236	-	-	-	-	-
Stage 2	198	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	579	803	1214	-	-	-
Stage 1	803	-	-	-	-	-
Stage 2	835	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	569	803	1214	-	-	-
Mov Cap-2 Maneuver	569	-	-	-	-	-
Stage 1	789	-	-	-	-	-
Stage 2	835	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.8	0.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1214	-	590	-	-
HCM Lane V/C Ratio	0.016	-	0.221	-	-
HCM Control Delay (s)	8	0	12.8	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.8	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	5	129	136	60	50	13
Future Vol, veh/h	5	129	136	60	50	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	6	165	177	78	60	15

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	255	0	-	0	393	216
Stage 1	-	-	-	-	216	-
Stage 2	-	-	-	-	177	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1304	-	-	-	610	821
Stage 1	-	-	-	-	818	-
Stage 2	-	-	-	-	851	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1304	-	-	-	607	821
Mov Cap-2 Maneuver	-	-	-	-	607	-
Stage 1	-	-	-	-	814	-
Stage 2	-	-	-	-	851	-

Approach	EB	WB	SB
HCM Control Delay, s	0.3	0	11.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1304	-	-	-	642
HCM Lane V/C Ratio	0.005	-	-	-	0.117
HCM Control Delay (s)	7.8	0	-	-	11.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Int Delay, s/veh	5.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	21	84	67	35	136	89
Future Vol, veh/h	21	84	67	35	136	89
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	85	85	89	89
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	30	120	79	41	153	100

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	485	79	0	0	120	0
Stage 1	79	-	-	-	-	-
Stage 2	406	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	541	981	-	-	1468	-
Stage 1	944	-	-	-	-	-
Stage 2	673	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	485	981	-	-	1468	-
Mov Cap-2 Maneuver	485	-	-	-	-	-
Stage 1	846	-	-	-	-	-
Stage 2	673	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.4	0	4.7
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	814	1468	-
HCM Lane V/C Ratio	-	-	0.184	0.104	-
HCM Control Delay (s)	-	-	10.4	7.7	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.7	0.3	-

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

May 23, 2023



MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

study prepared for:

Mr. Bret Clark

May 23, 2023



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Introduction

This study assesses the traffic impact of a proposed residential subdivision in Hall County, Georgia. The site is located along the east side of JM Turk Road at Stanley Road, as shown in Figure 1. The development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only.

The purpose of this traffic impact study is to determine existing traffic operating conditions in the vicinity of the proposed subdivision, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project.



Figure 1 – Site Location Map

Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed subdivision were assessed. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Roadways

JM Turk Road is a two lane north-south road classified by the Georgia DOT as an urban major collector. The road begins at a roundabout at Martin Road, passes the subject site, and terminates at a side street stop sign controlled T-intersection at Cash Road. The road is winding, the terrain is gently rolling, and the posted speed limit is 45 mph. The cross section is rural with no shoulders, curb-and-gutter, or sidewalks. The road primarily serves accesses to homes and undeveloped land, with a community center and a winery a short distance north of the subject development site. A 24-hour bi-directional traffic volume count collected for this study on JM Turk Road at the project frontage revealed a northbound volume of 692 vehicles, a southbound volume of 724 vehicles, for a two-way volume of 1,416 vehicles.

Pedestrian, Bicycle, and Transit Accessibility

There are no sidewalks or dedicated bicycle lanes along the adjacent roadway and there is no regularly scheduled mass transit in the area.

Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

1. Martin Road at JM Turk Road
2. JM Turk Road at Grandview Parkway
3. Cash Road at JM Turk Road

In addition to the intersection counts, a 24-hour bi-directional count was collected on JM Turk Road adjacent to the site.

The counts were collected on Tuesday, May 16, 2023, from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in session on the day on which the counts were recorded. The locations of the traffic counts are presented in Figure 2.

From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the existing weekday a.m. and p.m. peak hour traffic volumes at each intersection and are shown in Figure 3. The raw count data is found in Appendix A.



Figure 2 – Traffic Volume Count Locations

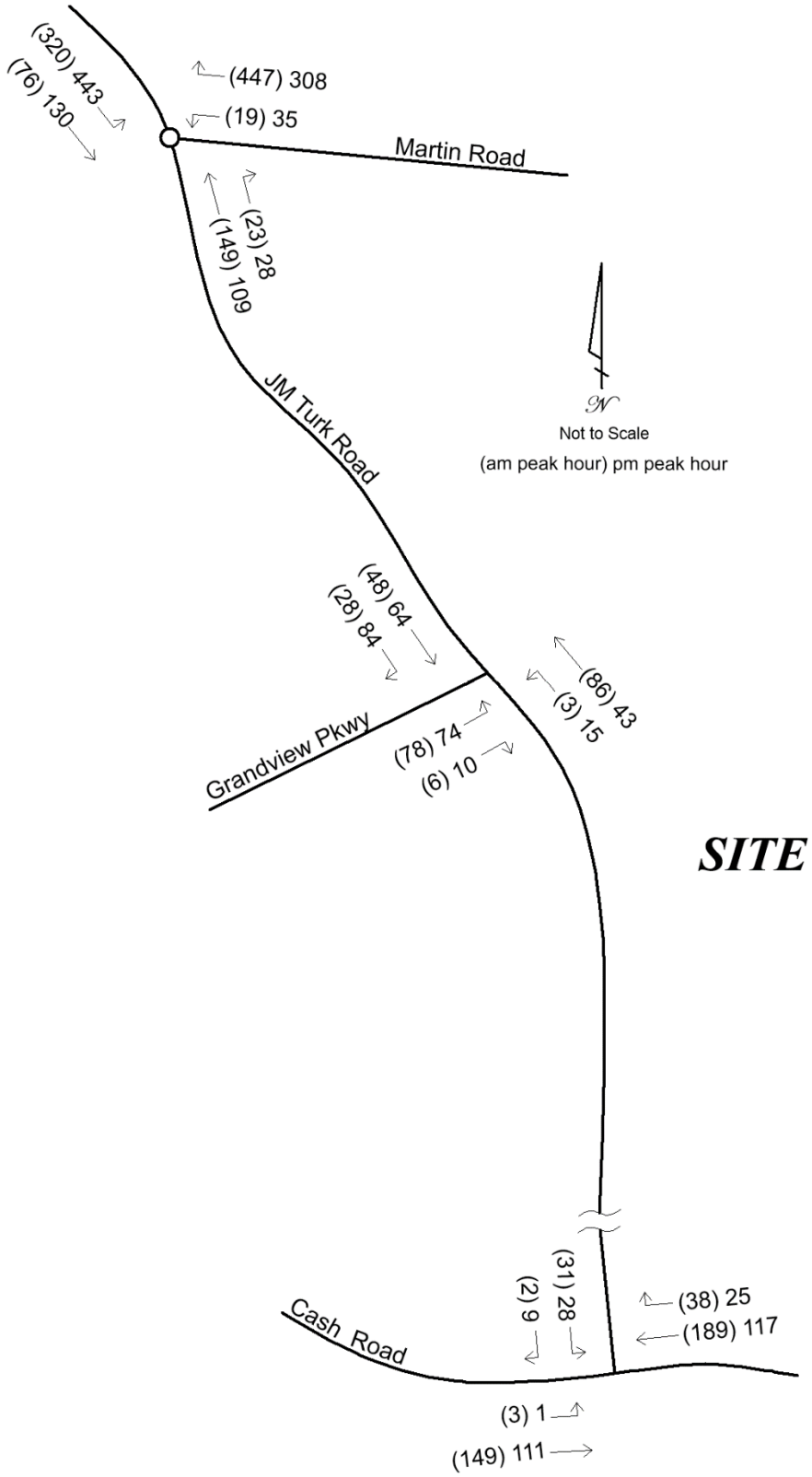

Figure 3 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 10, in accordance with the methodology presented in the Transportation Research Board's 2016 *Highway Capacity Manual* (*HCM 6*). This methodology is presented in Appendix B. The results of the analysis are shown in Table 1. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 1 – Existing Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	7.3	A	6.8
northbound approach	A	6.7	A	6.5
southbound approach	A	6.7	A	7.4
westbound approach	A	8.1	A	6.1
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.5	A	3.6
northbound left turn	A	7.4	A	7.6
eastbound approach	B	10.1	A	10.0
3. Cash Road at JM Turk Road (side street stop sign)	A	1.4	A	1.3
southbound approach	B	12.1	B	10.3
eastbound left turn	A	7.8	A	7.6

The existing analysis reveals acceptable operating conditions at the three study intersections. No mitigation is identified for the existing condition.

No-Build Traffic Conditions

A 2028 no-build condition was developed. This represents the traffic conditions that will exist in the future at the anticipated date of the build-out of the subdivision, but not including the subdivision's trips. The purpose of the analysis of this condition is to isolate the traffic impacts of the proposed development from background growth in volumes that are expected to occur in the area while the subdivision is under construction.

In order to develop no-build volumes, background growth factors were developed using historic Georgia DOT 24-hour traffic counts that were collected in this area for the years 2017 through 2021 (the latest year for which data was available at the time of this study), as shown in Table 2.

Table 2 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Cash W of JM Turk	Annual Growth	Union Church S of Winder Hwy	Annual Growth	Winder Hwy S of Martin	Annual Growth
Station ID	139-0779		139-7386		139-0287	
2017	2,420		3,420		25,200	
2018	2,810	16.1%	3,470	1.5%	25,000	-0.8%
2019	2,870	2.1%	4,410	27.1%	31,600	26.4%
2020	2,660	-7.3%	4,100	-7.0%	28,600	-9.5%
2021	2,830	6.4%	4,360	6.3%	30,100	5.2%
avg growth		*3.2%*		*5.0%*		*3.6%*

Growth in the area has been moderately positive. Each intersection experienced a decrease in volumes from 2019 to 2020. This is attributable to the COVID-19 pandemic. The latest year saw solid positive growth. However, most of that is attributable to a return to pre-pandemic levels. Based on the growth trends identified in Table 2, and taking the pandemic into consideration, a modest 3.0% annual growth factor was applied to the existing volumes when projecting the future no-build volumes. The growth factor was applied for five years, for a total of 15.9% growth that will occur while the proposed subdivision is under construction. The existing traffic volumes were increased by the 15.9% growth factor. The results are the 2028 no-build traffic volumes that will be on the roadway network in the future when the proposed subdivision is completely developed, but excluding the subdivision's trips.

Programmed Transportation Infrastructure Improvements

The Gainesville-Hall Regional Transportation Plan 2020 and the Georgia DOT projects website were reviewed for programmed (scheduled and funded) and planned (anticipated) transportation infrastructure projects in the vicinity of the proposed development. No projects were identified.

No-Build Intersection Operations

The no-build condition includes the no-build traffic volumes, as described above. These were entered into the Synchro model and the 2028 no-build traffic operations were analyzed at the study intersections using Synchro 10 software in accordance with the HCM 6 methodology. The results of the no-build analysis are shown in Table 3. Computer printouts containing detailed results of the no-build analysis are located in Appendix D. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 3 – No-Build Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	8.6	A	7.9
northbound approach	A	7.9	A	7.6
southbound approach	A	7.7	A	8.6
westbound approach	A	9.8	A	6.9
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.6	A	3.7
northbound left turn	A	7.5	A	7.6
eastbound approach	B	10.4	B	10.3
3. Cash Road at JM Turk Road (side street stop sign)	A	1.5	A	1.3
southbound approach	B	13.0	B	10.8
eastbound left turn	A	7.9	A	7.7

The no-build analysis shows a slight deterioration in operations due to anticipated growth in this area. However, operations and delays will continue to be acceptable and no mitigation is necessary for the no-build condition.

Project Traffic Characteristics

This section describes the anticipated traffic characteristics of the proposed subdivision, including a site description, how much traffic the project will generate, and where that traffic will travel.

Project Description

The proposed development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The site plan is presented in Figure 4.

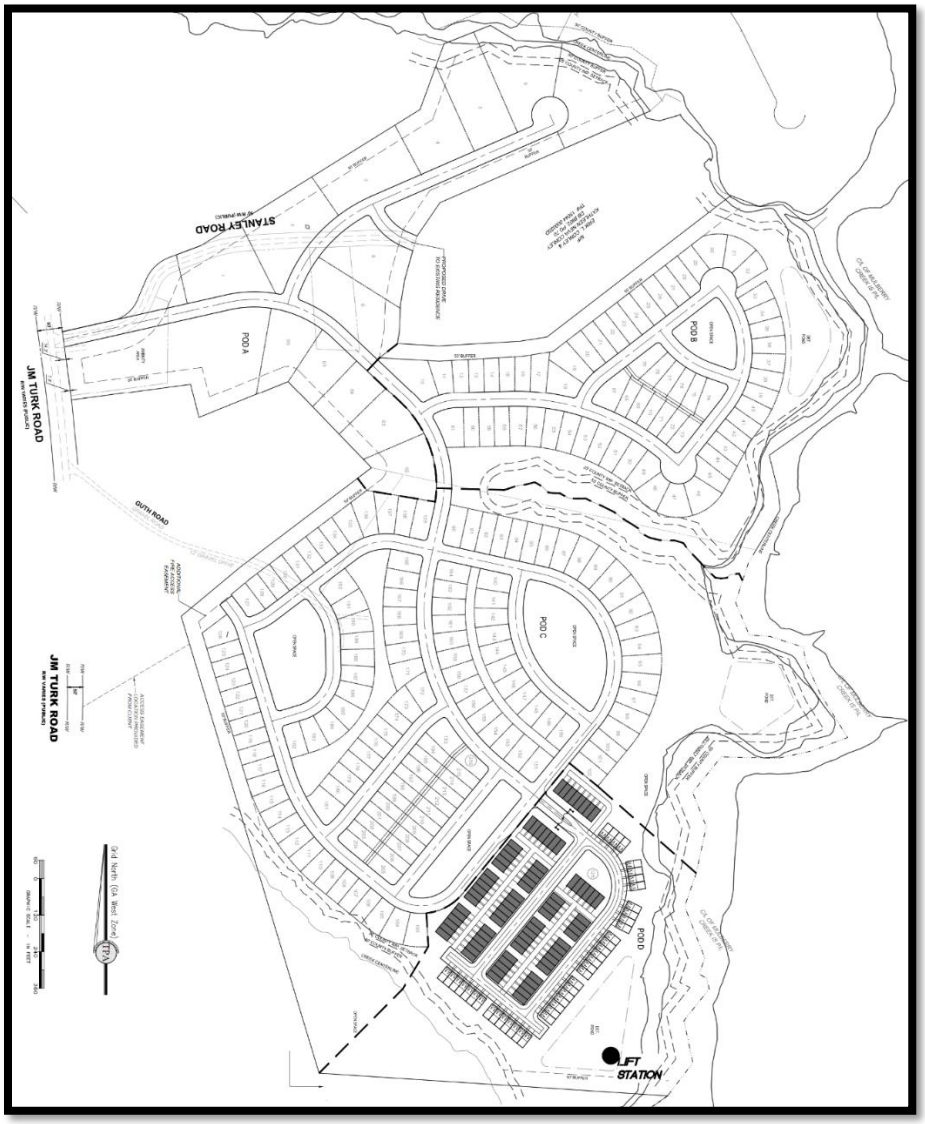

Figure 4 – Site Plan for Proposed Subdivision

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed development. The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* (the current edition). ITE Land Use 210 – Single Family Detached Housing was chosen as representative of the detached houses and ITE Land Use 215 – Single Family Attached Housing was chosen for the townhomes. The trip generation is summarized in Table 4.

Table 4 – Proposed Subdivision Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
Detached Houses	210	216 homes	38	112	150	129	76	205	1,025	1,025	2,050
Townhomes	215	125 homes	15	44	59	42	29	71	451	451	902
Total		*341 homes*	*53*	*156*	*209*	*171*	*105*	*276*	*1,476*	*1,476*	*2,952*

The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the subdivision were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area, notably Interstate 985, Spout Springs Road, and SR 53. The new project trips, shown in Table 4, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed subdivision are shown in Figure 5.

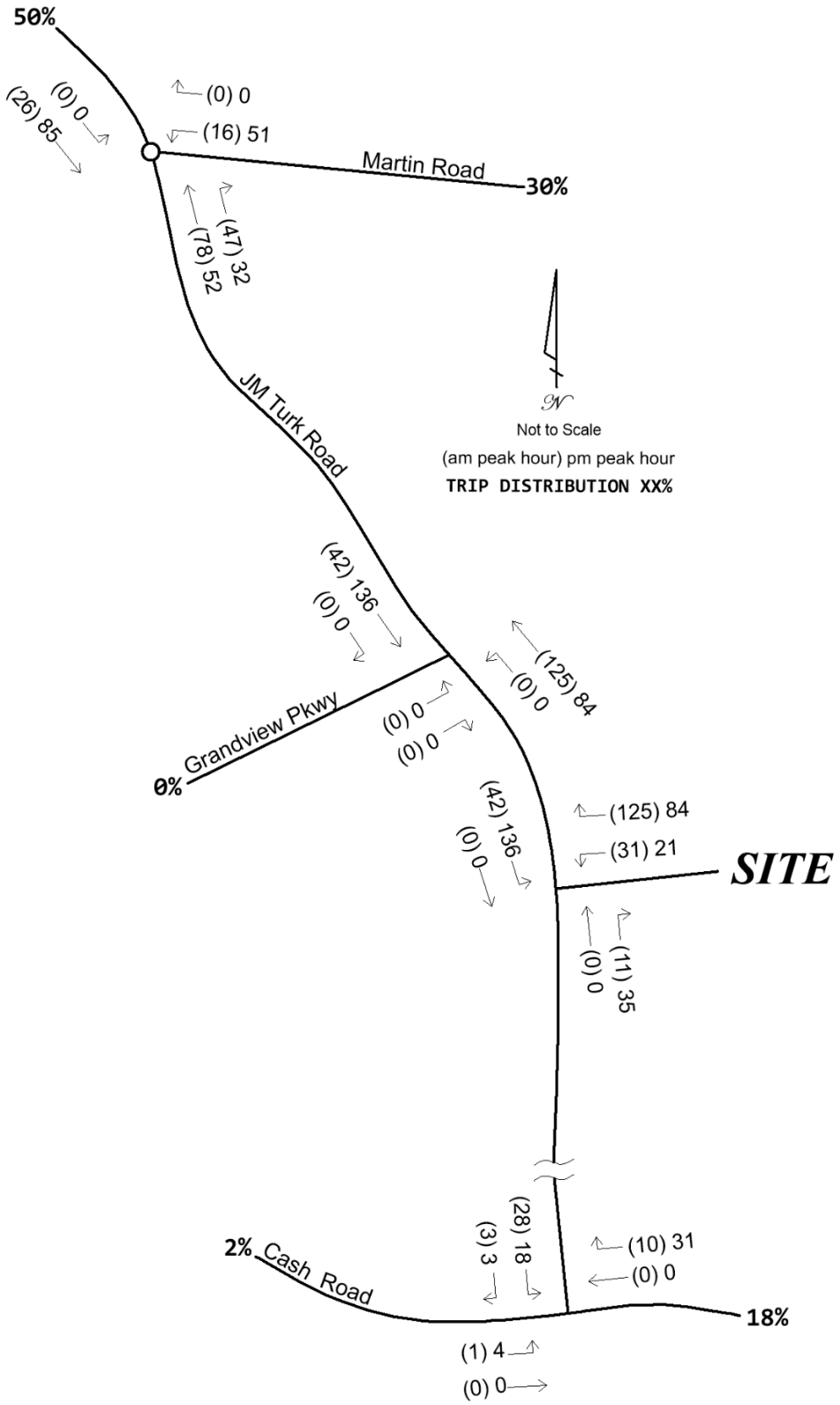

Figure 5 – Weekday A.M. and P.M. Peak Hour Project Trips and Distribution Percentages

Future Traffic Conditions

The future volumes consist of the no-build volumes plus the trips that will be generated by the proposed subdivision. The future volumes are shown in Figure 6.

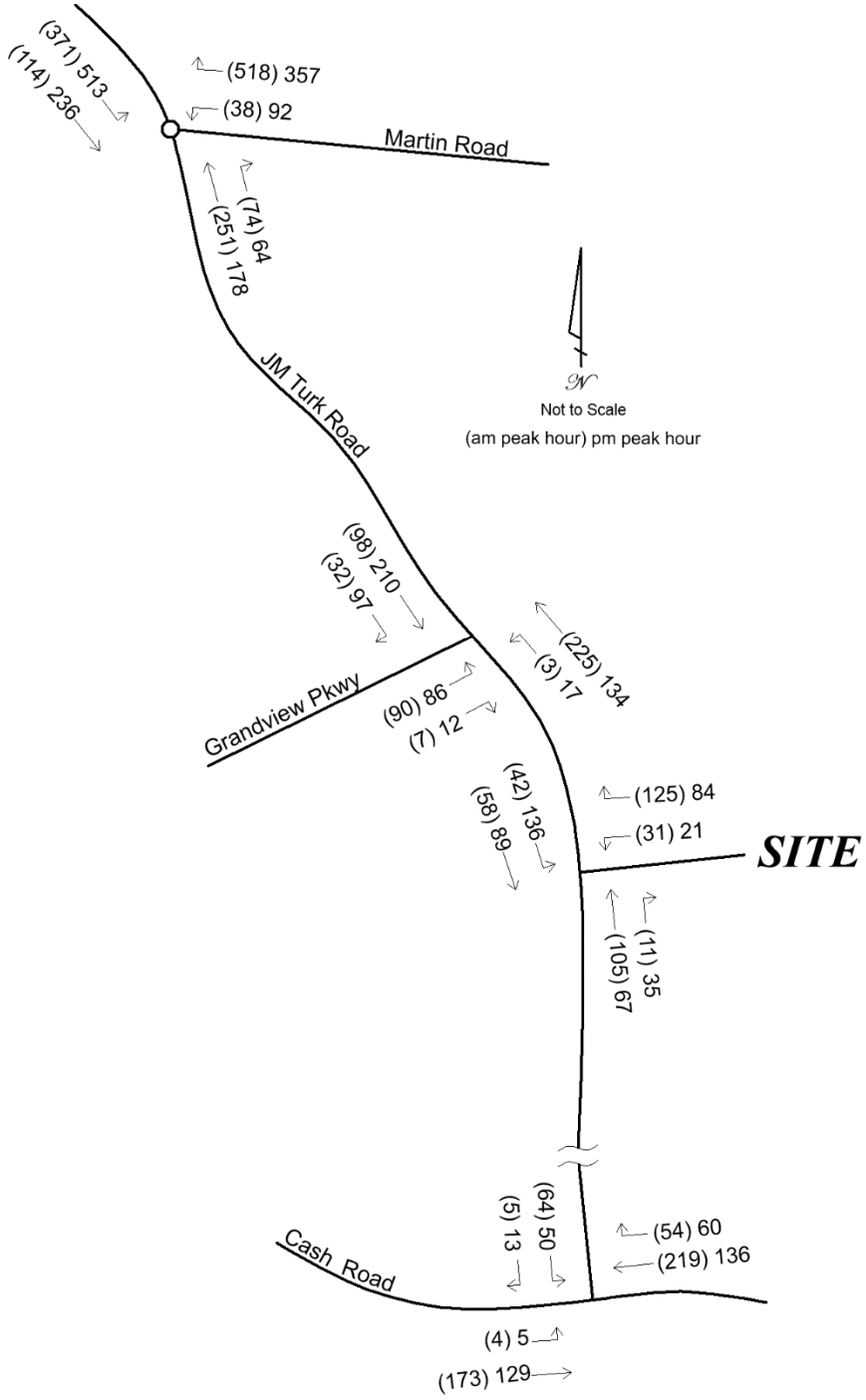

Figure 6 – Future Weekday A.M. and P.M. Peak Hour Volumes

Auxiliary Lane Requirements at Project Access

The Hall County Code was reviewed to determine auxiliary turn lane requirements at the project access on JM Turk Road. Code Section 16.60.290. – Deceleration lanes and left-turn lanes states:

A. Subdivisions with greater than 24 lots will be required to have a deceleration lane constructed in accordance with current Hall County Engineering and Traffic Engineering specifications. The Hall County Traffic Engineer may waive or require the installation of a deceleration lane for subdivisions regardless of lot number based upon traffic and safety considerations.

B. Left-turn lanes will be constructed in accordance with current Hall County Engineering and Traffic Engineering when warranted by the following table:

Table 5 – Hall County Turn Lane Thresholds

Average Daily Traffic (ADT)	Number of Lots (equal to or greater than the following)
>6,000	100
4,001—6,000	125
2,001—4,000	150
1,000—2,000	175
<1,000	200

C. The Hall County Traffic Engineer may waive or require the installation of a left-turn lane, regardless of average daily traffic (ADT) or number of lots, based upon traffic and safety considerations.

D. For those developments that a turn lane is required and the development is proposed in phases, construction of the turn lane is required prior to platting 100 lots or more.

E. Additional right-of-way and/or easements necessary for the installation of decel and/or left-turn lanes will be acquired by and will be the financial responsibility of the developer.

F. A signed and recorded frontage and/or radius encroachment agreement with applicable property owners will be required if any portion of the access extends beyond the development's road frontage.

Based on 341 proposed homes, a northbound right turn lane is required on JM Turk Road at the project access and this study agrees with that requirement.

The counted 24-hour volume on JM Turk Road is 1,416 vehicles, so the number of lots above which a left turn lane is required is 175 lots. The proposed subdivision will include 341 homes with one access. Therefore, a southbound left turn lane will be required at the project access and this study agrees with that requirement.

One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

Future Intersection Operations

An operational analysis was performed for the anticipated future project build-out at the study intersections and the project access. Table 6 presents the results of the future analysis. Computer printouts containing detailed results of the future analysis are located in Appendix E. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 6 – Future Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	B	10.3	A	10.0
northbound approach	B	11.0	A	9.7
southbound approach	A	8.4	B	11.1
westbound approach	B	12.1	A	8.5
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	2.7	A	2.8
northbound left turn	A	7.6	A	8.0
eastbound approach	B	12.5	B	12.8
3. Cash Road at JM Turk Road (side street stop sign)	A	2.7	A	1.8
southbound approach	B	14.3	B	11.3
eastbound left turn	A	8.0	A	7.8
4. JM Turk Road at Project Access (side street stop sign)	A	5.6	A	5.3
southbound left turn (entering project)	A	7.6	A	7.7
westbound approach (exiting project)	B	10.7	B	10.4

The future analysis with the addition of the proposed subdivision's trips reveals continued acceptable traffic operations and delays at the three study intersections, as well as the project access.

The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Hall County. The site is located along the east side of JM Turk Road at Stanley Road and the development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The following are the findings and recommendations of this study:

1. Existing traffic operations and delays are acceptable at the three study intersections. No mitigation is identified for the existing condition.

2. Traffic volume growth in this area has been positive and modest and this is expected to continue into the future.

3. No programmed or planned roadway improvement projects were identified in this vicinity.

4. With the growth in background traffic volumes, delays will increase moderately in the no-build condition. However, all delays will continue to be acceptable and no mitigation is identified for the no-build condition.

5. The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

6. The future analysis with the addition of the proposed subdivision's trips reveals modest increases in delays at the study intersections. The three study intersections will continue to operate acceptably. Therefore, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision.

7. A northbound right turn lane and a southbound left turn lane are required on JM Turk Road at the project access and this study agrees with those requirements.

8. One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

9. The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Appendix A

Traffic Count Data and Volume Worksheets

JM Turk Road Subdivision Traffic Impact Study

Hall County, Georgia

May 2023

Intersection: 1. Martin Road at JM Turk Road

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**149**	**23**	**172**	**320**	**76**	**396**		**19**	**447**	**466**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**173**	**27**	**199**	**371**	**88**	**459**		**22**	**518**	**540**
Proposed JM Turk Road Subdivision Trips	**78**	**47**	**125**	**0**	**26**	**26**		**16**	**0**	**16**
Build Volumes	**251**	**74**	**324**	**371**	**114**	**485**		**38**	**518**	**556**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**109**	**28**	**137**	**443**	**130**	**573**		**35**	**308**	**343**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**126**	**32**	**159**	**513**	**151**	**664**		**41**	**357**	**398**
Proposed JM Turk Road Subdivision Trips	**52**	**32**	**84**	**0**	**85**	**85**		**51**	**0**	**51**
Build Volumes	**178**	**64**	**243**	**513**	**236**	**749**		**92**	**357**	**449**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 2. JM Turk Road at Grandview Parkway

Weekday A.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**3**	**86**	**89**	**48**	**28**	**76**	**78**	**6**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**3**	**100**	**103**	**56**	**32**	**88**	**90**	**7**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**125**	**125**	**42**	**0**	**42**	**0**	**0**	**0**	
Build Volumes	**3**	**225**	**228**	**98**	**32**	**130**	**90**	**7**	**97**	

Weekday P.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**15**	**43**	**58**	**64**	**84**	**148**	**74**	**10**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**17**	**50**	**67**	**74**	**97**	**172**	**86**	**12**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**84**	**84**	**136**	**0**	**136**	**0**	**0**	**0**	
Build Volumes	**17**	**134**	**151**	**210**	**97**	**308**	**86**	**12**	**97**	

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 3. Cash Road at JM Turk Road

Weekday A.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)		**31**	**2**	**33**	**3**	**149**	**152**	**189**	**38**	**227**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**36**	**2**	**38**	**3**	**173**	**176**	**219**	**44**	**263**
Proposed JM Turk Road Subdivision Trips		**28**	**3**	**31**	**1**	**0**	**1**	**0**	**10**	**10**
Build Volumes		**64**	**5**	**69**	**4**	**173**	**177**	**219**	**54**	**273**

Weekday P.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 5:00-6:00)		**28**	**9**	**37**	**1**	**111**	**112**	**117**	**25**	**142**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**32**	**10**	**43**	**1**	**129**	**130**	**136**	**29**	**165**
Proposed JM Turk Road Subdivision Trips		**18**	**3**	**21**	**4**	**0**	**4**	**0**	**31**	**31**
Build Volumes		**50**	**13**	**64**	**5**	**129**	**134**	**136**	**60**	**196**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 4. JM Turk Road at Project Access

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:00-8:00)	**91**		**91**		**50**	**50**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**105**		**105**		**58**	**58**				
Proposed JM Turk Road Subdivision Trips	**0**	**11**	**11**	**42**	**0**	**42**		**31**	**125**	**156**
Build Volumes	**105**	**11**	**116**	**42**	**58**	**100**		**31**	**125**	**156**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**58**		**58**		**77**	**77**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**67**		**67**		**89**	**89**				
Proposed JM Turk Road Subdivision Trips	**0**	**35**	**35**	**136**	**0**	**136**		**21**	**84**	**105**
Build Volumes	**67**	**35**	**102**	**136**	**89**	**225**		**21**	**84**	**105**

JM Turk Road at project access location **Tuesday, May 16, 2023**
Peak Hour Calculation

	NB		SB		2-Way	
Begin Time	**15 min**	**Hourly**	**15 min**	**Hourly**	**15 min**	**Hourly**
7:00 AM	21		10		31	
7:15 AM	21		13		34	
7:30 AM	20		16		36	
7:45 AM	***29***	***91***	***11***	***50***	***40***	***141***
8:00 AM	14	84	15	55	29	139
8:15 AM	24	87	5	47	29	134
8:30 AM	8	75	6	37	14	112
8:45 AM	13	59	8	34	21	93
4:00 PM	13		25		38	
4:15 PM	12		22		34	
4:30 PM	14		13		27	
4:45 PM	11	50	19	79	30	129
5:00 PM	9	46	20	74	29	120
5:15 PM	18	52	19	71	37	123
5:30 PM	***20***	***58***	***19***	***77***	***39***	***135***
5:45 PM	8	55	16	74	24	129
6:00 PM	7	53	22	76	29	129
6:15 PM	14	49	17	74	31	123
24-Hour	**692**		**724**		**1416**	

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TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	33	2	0	35	58	7	0	0	65	0	0	0	0	0	5	0	94	0	99	199
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	110	25	0	0	135	0	0	0	0	0	4	0	109	0	113	287
07:45 AM	0	40	9	0	49	59	17	0	0	76	0	0	0	0	0	7	0	120	0	127	252
Total	0	148	18	0	166	322	66	0	0	388	0	0	0	0	0	22	0	416	0	438	992
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	125	0	127	241
08:15 AM	0	28	6	0	34	54	15	0	0	69	0	0	0	0	0	3	0	75	0	78	181
08:30 AM	0	15	7	0	22	61	17	0	0	78	0	0	0	0	0	6	0	77	0	83	183
08:45 AM	0	18	2	0	20	35	27	0	0	62	0	0	0	0	0	7	0	72	0	79	161
Total	0	95	22	0	117	206	76	0	0	282	0	0	0	0	0	18	0	349	0	367	766
*** BREAK ***																					
04:00 PM	0	16	5	0	21	116	33	0	0	149	0	0	0	0	0	6	0	55	0	61	231
04:15 PM	0	13	5	0	18	125	35	0	0	160	0	0	0	0	0	3	0	82	0	85	263
04:30 PM	0	16	2	0	18	114	29	0	0	143	0	0	0	0	0	13	0	72	0	85	246
04:45 PM	0	20	8	0	28	115	28	0	0	143	0	0	0	0	0	10	0	77	0	87	258
Total	0	65	20	0	85	470	125	0	0	595	0	0	0	0	0	32	0	286	0	318	998
05:00 PM	0	27	6	0	33	112	34	0	0	146	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	36	8	0	44	101	37	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	83	0	91	269
05:45 PM	0	16	2	0	18	107	34	0	0	141	0	0	0	0	0	6	0	75	0	81	240
Total	0	105	22	0	127	435	136	0	0	571	0	0	0	0	0	31	0	306	0	337	1035
Grand Total	0	413	82	0	495	1433	403	0	0	1836	0	0	0	0	0	103	0	1357	0	1460	3791
Apprch %	0	83.4	16.6	0		78.1	21.9	0	0		0	0	0	0		7.1	0	92.9	0		
Total %	0	10.9	2.2	0	13.1	37.8	10.6	0	0	48.4	0	0	0	0	0	2.7	0	35.8	0	38.5	

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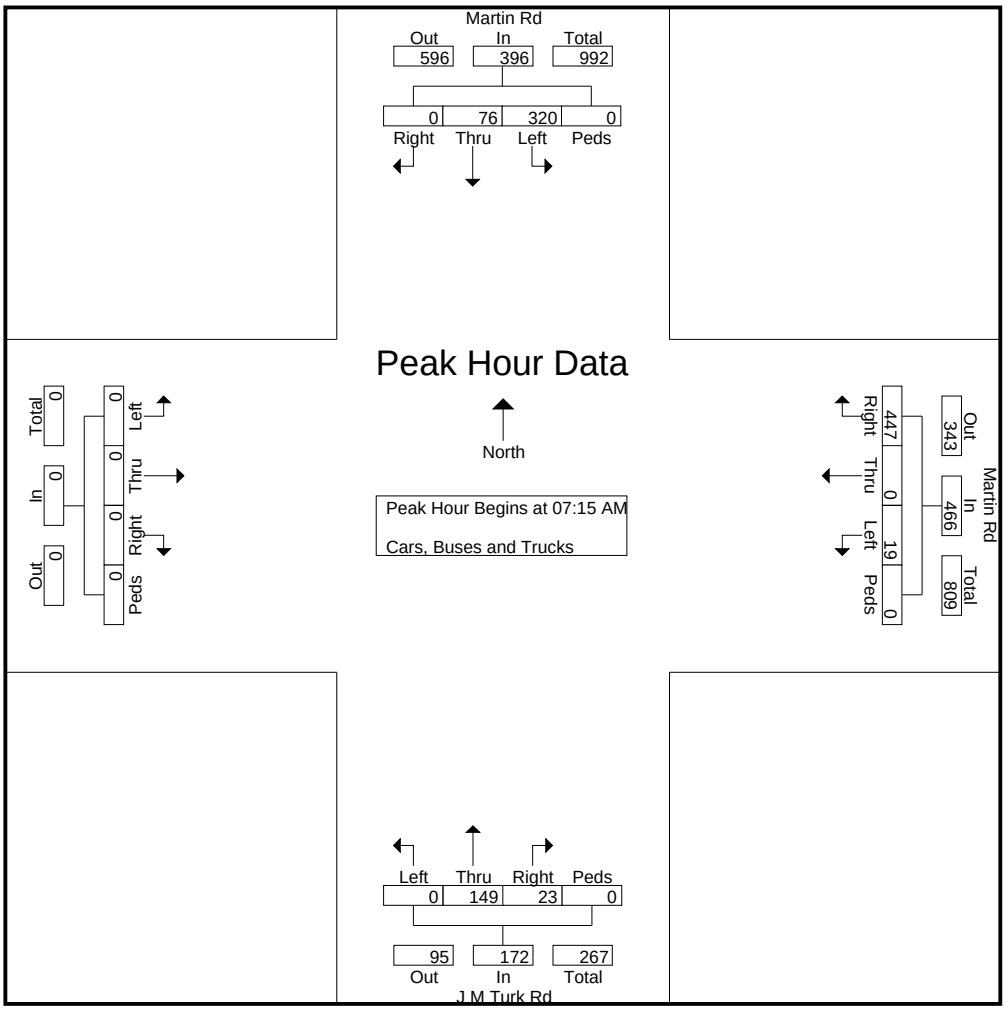
TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	**110**	**25**	0	0	**135**	0	0	0	0	0	4	0	109	0	113	**287**
07:45 AM	0	**40**	**9**	0	**49**	59	17	0	0	76	0	0	0	0	0	**7**	0	120	0	**127**	252
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	**125**	0	127	241
Total Volume	0	149	23	0	172	320	76	0	0	396	0	0	0	0	0	19	0	447	0	466	1034
% App. Total		86.6	13.4			80.8	19.2											95.9			
PHF	.000	.931	.639	.000	.878	.727	.760	.000	.000	.733	.000	.000	.000	.000	.000	.679	.000	.894	.000	.917	.901



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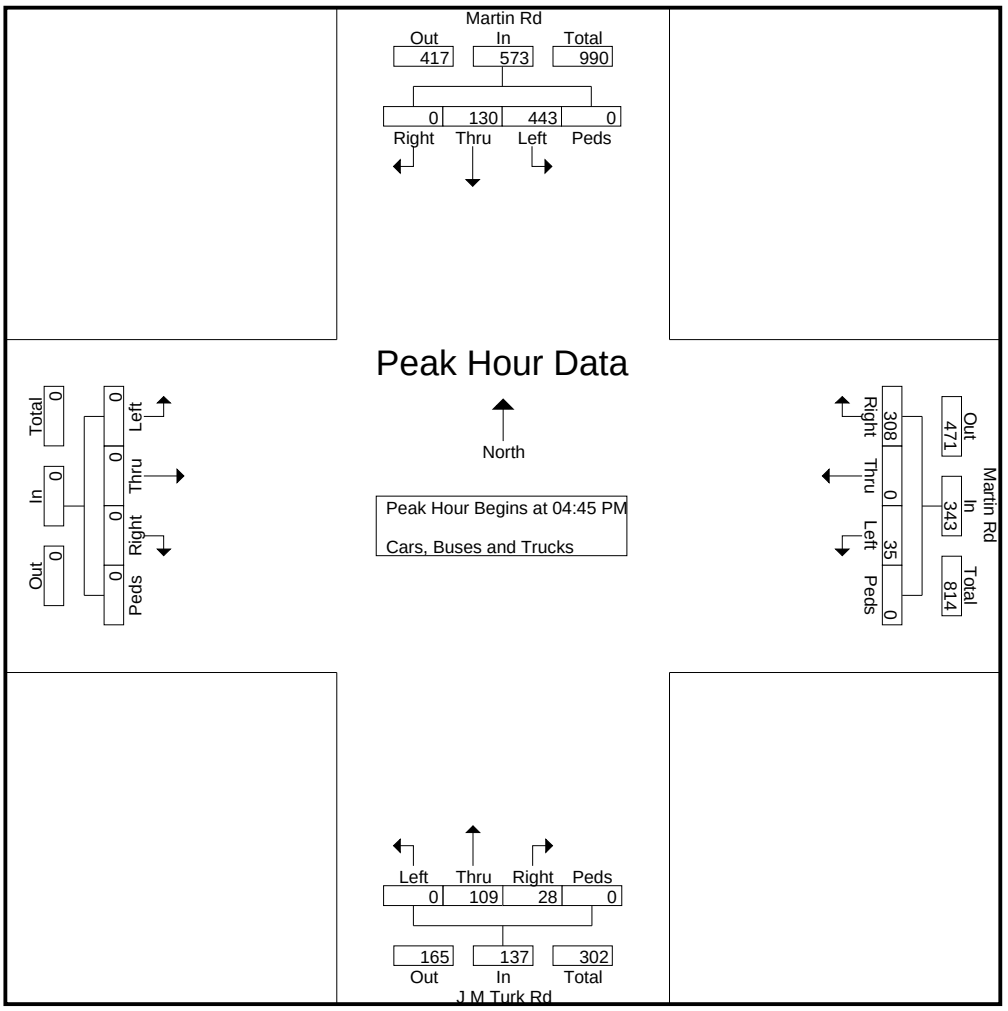
TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 3

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	0	20	**8**	0	28	**115**	28	0	0	143	0	0	0	0	0	**10**	0	77	0	87	258
05:00 PM	0	27	6	0	33	112	34	0	0	**146**	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	**36**	8	0	**44**	101	**37**	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	**83**	0	**91**	**269**
Total Volume	0	109	28	0	137	443	130	0	0	573	0	0	0	0	0	35	0	308	0	343	1053
% App. Total		79.6	20.4			77.3	22.7									10.2		89.8			
PHF	.000	.757	.875	.000	.778	.963	.878	.000	.000	.981	.000	.000	.000	.000	.000	.875	.000	.928	.000	.942	.979



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TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	18	0	0	18	0	6	3	0	9	17	0	5	0	22	0	0	0	0	0	49
07:15 AM	2	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	15	10	0	25	23	0	4	0	27	0	0	0	0	0	74
07:45 AM	0	28	0	0	28	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
Total	3	88	0	0	91	0	40	25	0	65	75	0	10	0	85	0	0	0	0	0	241
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
08:15 AM	4	21	0	0	25	0	3	7	0	10	11	0	2	0	13	0	0	0	0	0	48
08:30 AM	0	8	0	0	8	0	5	9	0	14	8	0	2	0	10	0	0	0	0	0	32
08:45 AM	1	13	0	0	14	0	6	5	0	11	7	0	1	0	8	0	0	1	0	1	34
Total	5	58	0	0	63	0	28	27	0	55	46	0	6	0	52	0	0	1	0	1	171
*** BREAK ***																					
04:00 PM	2	12	0	0	14	0	22	17	0	39	9	0	2	0	11	0	0	0	0	0	64
04:15 PM	2	7	0	0	9	0	18	17	0	35	8	0	4	0	12	1	0	0	0	1	57
04:30 PM	6	9	0	0	15	0	14	18	0	32	9	0	1	0	10	0	0	0	0	0	57
04:45 PM	1	10	0	0	11	0	13	27	0	40	14	0	2	0	16	0	0	0	0	0	67
Total	11	38	0	0	49	0	67	79	0	146	40	0	9	0	49	1	0	0	0	1	245
05:00 PM	5	8	0	0	13	0	21	21	0	42	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	14	0	0	17	0	17	20	0	37	26	0	2	0	28	0	0	0	0	0	82
05:30 PM	6	11	0	0	17	1	13	16	0	30	15	0	4	0	19	0	0	0	0	0	66
05:45 PM	0	6	0	0	6	0	12	15	0	27	14	0	4	0	18	0	0	0	0	0	51
Total	14	39	0	0	53	1	63	72	0	136	74	0	12	0	86	0	0	0	0	0	275
Grand Total	33	223	0	0	256	1	198	203	0	402	235	0	37	0	272	1	0	1	0	2	932
Apprch %	12.9	87.1	0	0		0.2	49.3	50.5	0		86.4	0	13.6	0		50	0	50	0		
Total %	3.5	23.9	0	0	27.5	0.1	21.2	21.8	0	43.1	25.2	0	4	0	29.2	0.1	0	0.1	0	0.2	

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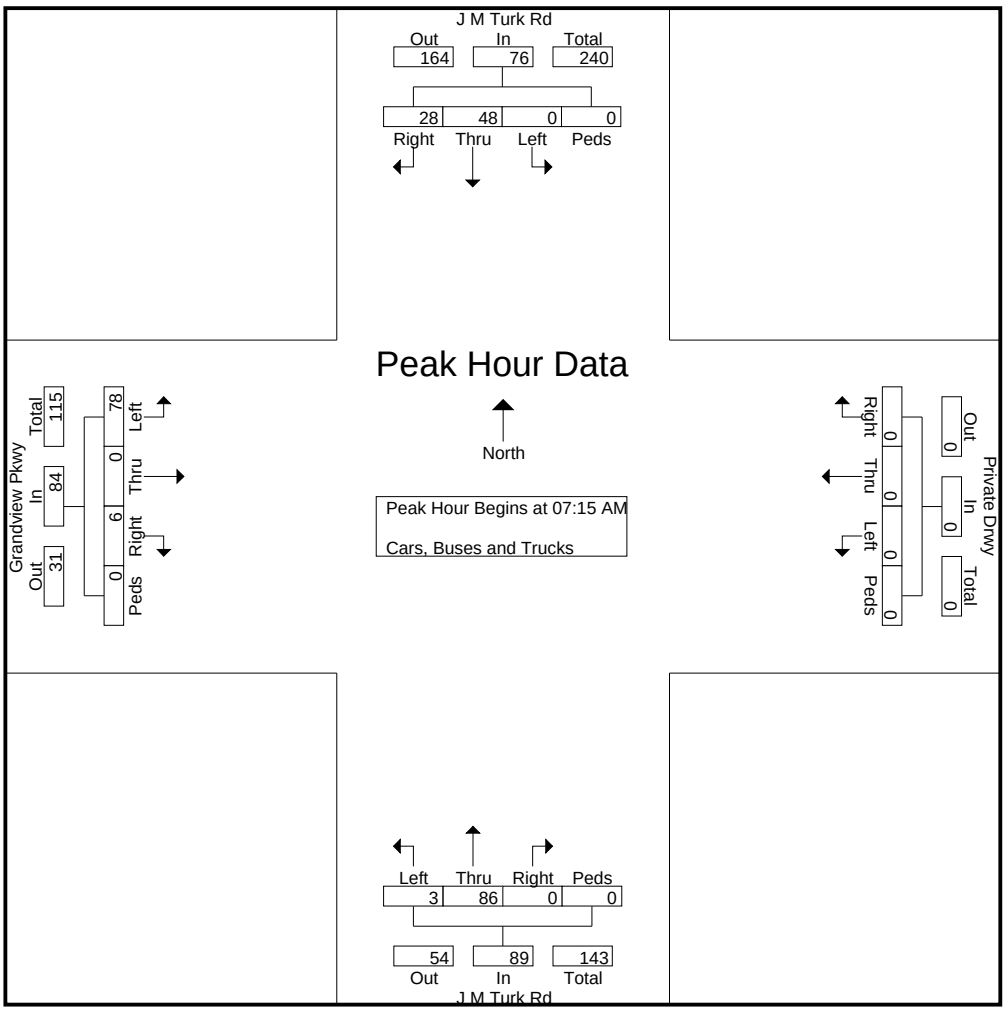
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	**2**	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	**15**	**10**	0	**25**	**23**	0	**4**	0	**27**	0	0	0	0	0	**74**
07:45 AM	0	**28**	0	0	**28**	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
Total Volume	3	86	0	0	89	0	48	28	0	76	78	0	6	0	84	0	0	0	0	0	249
% App. Total		96.6					63.2	36.8			92.9										
PHF	.375	.768	.000	.000	.795	.000	.800	.700	.000	.760	.848	.000	.375	.000	.778	.000	.000	.000	.000	.000	.841



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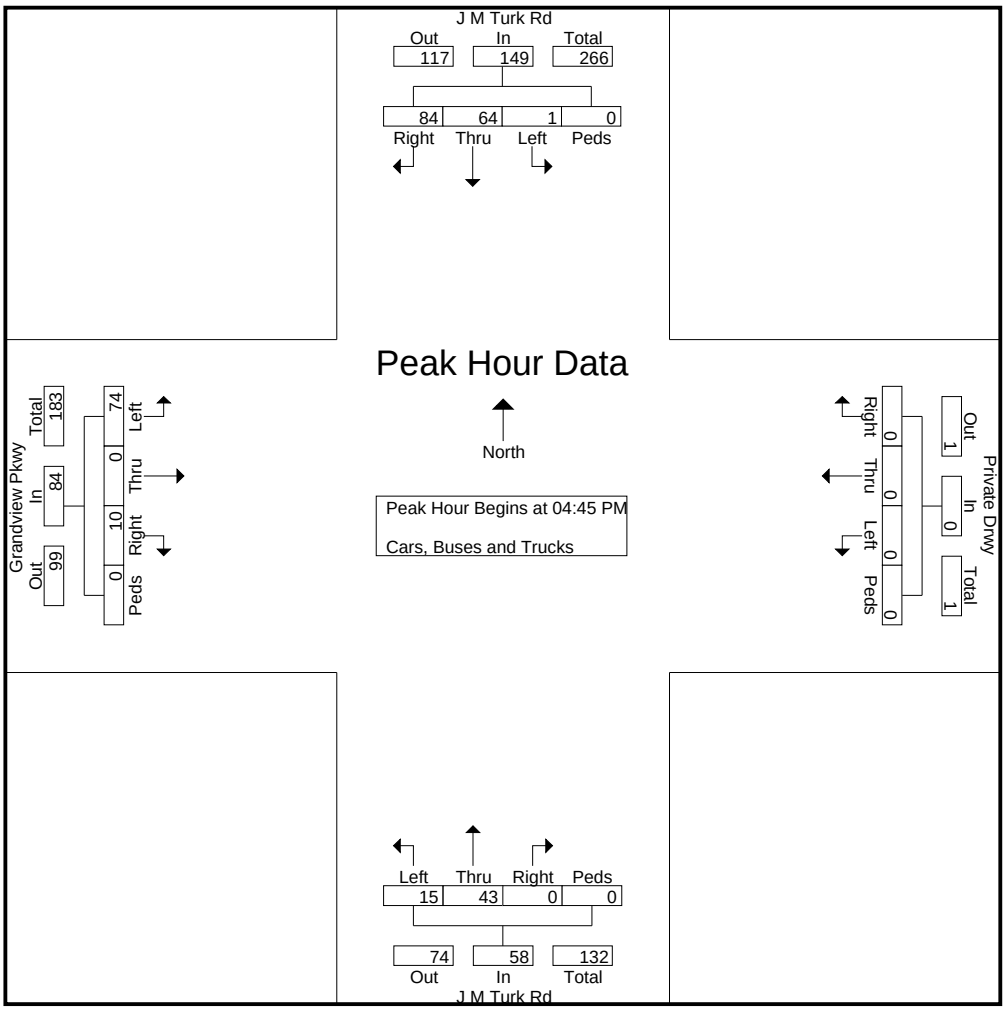
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023
Page No : 3

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	1	10	0	0	11	0	13	**27**	0	40	14	0	2	0	16	0	0	0	0	0	67
05:00 PM	5	8	0	0	13	0	**21**	21	0	**42**	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	**14**	0	0	**17**	0	17	20	0	37	**26**	0	2	0	**28**	0	0	0	0	0	**82**
05:30 PM	**6**	11	0	0	17	**1**	13	16	0	30	15	0	**4**	0	19	0	0	0	0	0	66
Total Volume	15	43	0	0	58	1	64	84	0	149	74	0	10	0	84	0	0	0	0	0	291
% App. Total	25.9	74.1						56.4			88.1		11.9								
PHF	.625	.768	.000	.000	.853	.250	.762	.778	.000	.887	.712	.000	.625	.000	.750	.000	.000	.000	.000	.000	.887



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TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	0	0	0	0	4	0	0	0	4	1	22	0	0	23	0	15	9	0	24	51
07:15 AM	0	0	0	0	0	5	0	1	0	6	1	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	14	0	1	0	15	1	48	0	0	49	0	56	14	0	70	134
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
Total	0	0	0	0	0	31	0	2	0	33	4	144	0	0	148	0	150	43	0	193	374
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
08:15 AM	0	0	0	0	0	5	0	0	0	5	1	34	0	0	35	0	32	11	0	43	83
08:30 AM	0	0	0	0	0	1	0	0	0	1	0	15	0	0	15	0	12	0	0	12	28
08:45 AM	0	0	0	0	0	5	0	1	0	6	4	14	0	0	18	0	17	6	0	23	47
Total	0	0	0	0	0	15	0	1	0	16	5	90	0	0	95	0	115	21	0	136	247
*** BREAK ***																					
04:00 PM	0	0	0	0	0	15	0	0	0	15	2	27	0	0	29	0	34	5	0	39	83
04:15 PM	0	0	0	0	0	9	0	1	0	10	0	23	0	0	23	0	25	5	0	30	63
04:30 PM	0	0	0	0	0	5	0	1	0	6	2	24	0	0	26	0	16	7	0	23	55
04:45 PM	0	0	0	0	0	7	0	4	0	11	0	17	0	0	17	0	26	9	0	35	63
Total	0	0	0	0	0	36	0	6	0	42	4	91	0	0	95	0	101	26	0	127	264
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	8	0	3	0	11	0	36	0	0	36	0	28	5	0	33	80
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	37	9	0	46	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	1	22	0	0	23	0	27	6	0	33	65
Total	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
Grand Total	0	0	0	0	0	110	0	18	0	128	14	436	0	0	450	0	483	115	0	598	1176
Apprch %	0	0	0	0		85.9	0	14.1	0		3.1	96.9	0	0		0	80.8	19.2	0		
Total %	0	0	0	0	0	9.4	0	1.5	0	10.9	1.2	37.1	0	0	38.3	0	41.1	9.8	0	50.9	

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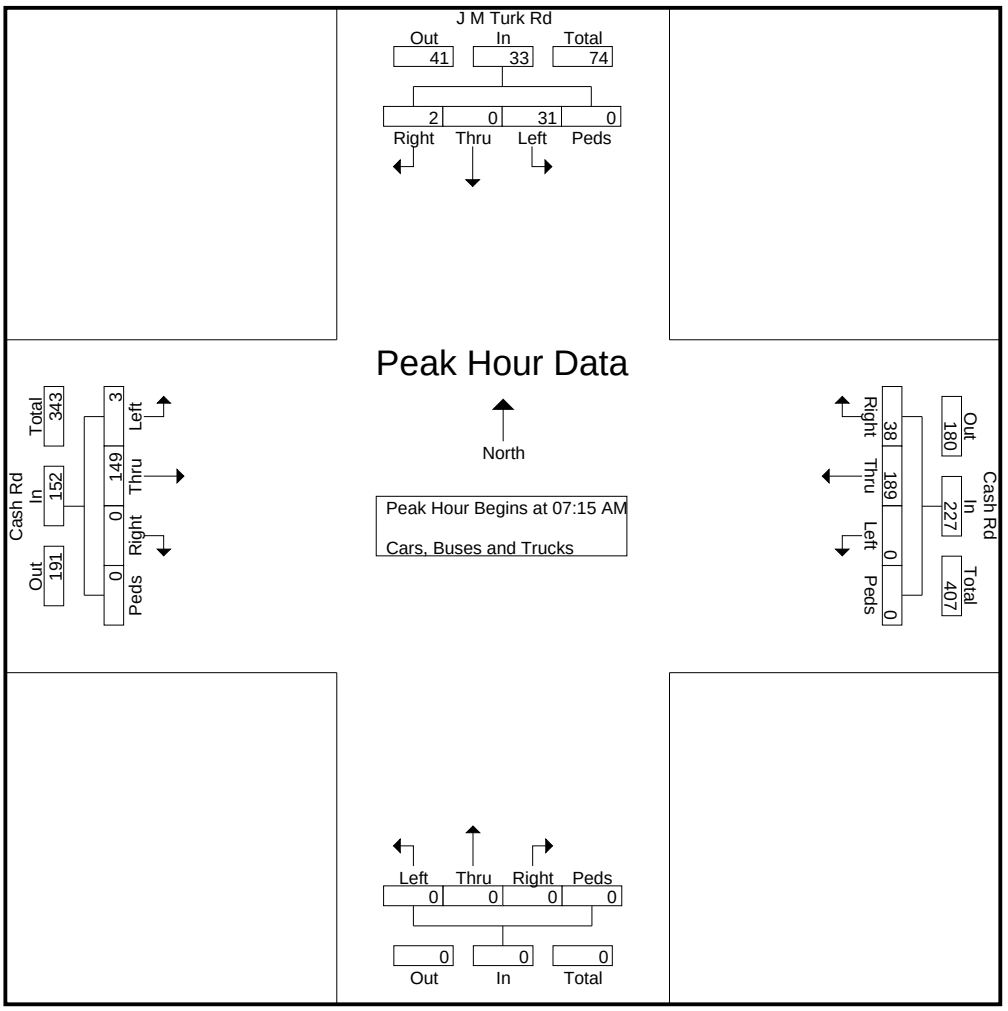
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	0	0	0	0	5	0	**1**	0	6	**1**	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	**14**	0	1	0	**15**	1	**48**	0	0	**49**	0	**56**	**14**	0	**70**	**134**
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
Total Volume	0	0	0	0	0	31	0	2	0	33	3	149	0	0	152	0	189	38	0	227	412
% App. Total						93.9											83.3	16.7			
PHF	.000	.000	.000	.000	.000	.554	.000	.500	.000	.550	.750	.776	.000	.000	.776	.000	.844	.679	.000	.811	.769



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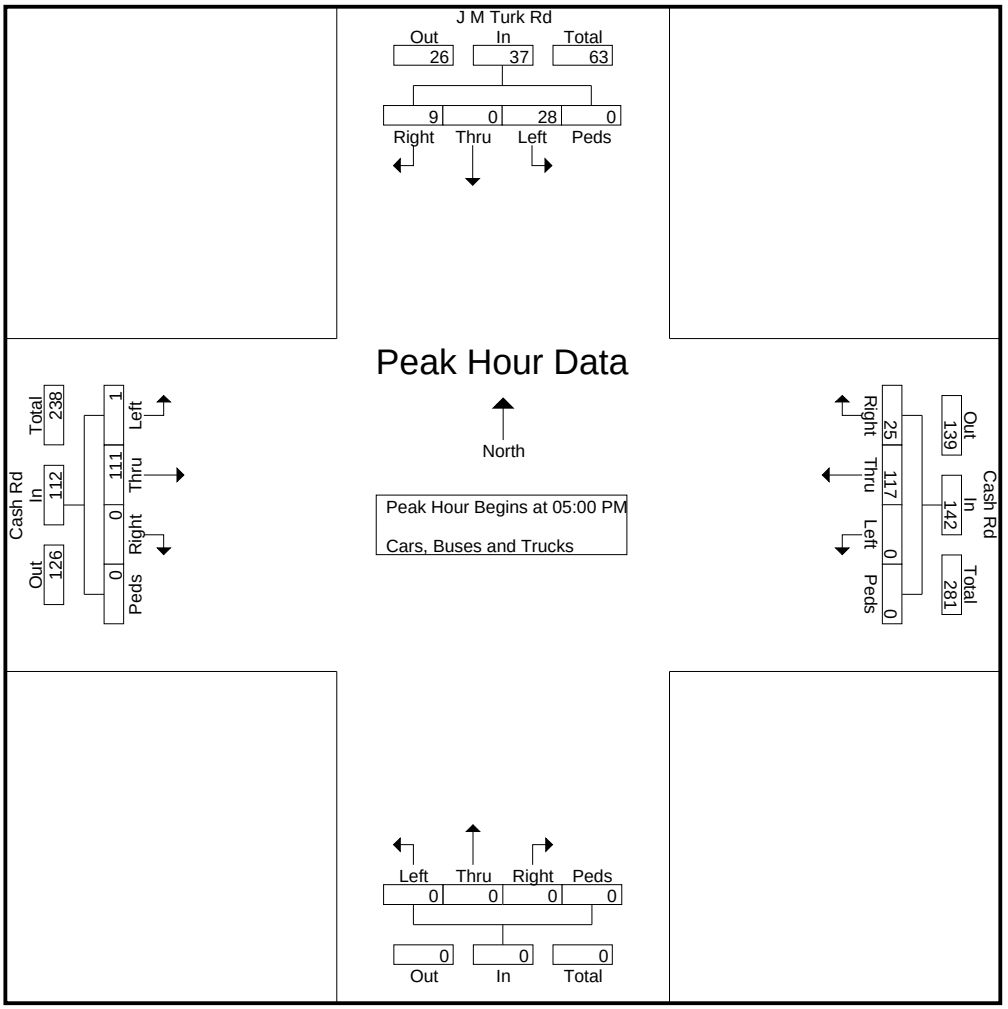
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023
Page No : 3

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	**8**	0	**3**	0	**11**	0	**36**	0	0	**36**	0	28	5	0	33	**80**
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	**37**	**9**	0	**46**	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	**1**	22	0	0	23	0	27	6	0	33	65
Total Volume	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
% App. Total						75.7		24.3				99.1					82.4	17.6			
PHF	.000	.000	.000	.000	.000	.875	.000	.750	.000	.841	.250	.771	.000	.000	.778	.000	.791	.694	.000	.772	.909



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ADT Data

Site Code: 47830101
J M Turk Rd south of Grandview Pkwy
Flowery Branch, GA

Start Time	16-May-23 Tue	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		0	6			0	11				
12:15		1	9			0	14				
12:30		0	10			0	6				
12:45		0	10	1	35	0	7	0	38	1	73
01:00		0	14			2	16				
01:15		0	12			0	6				
01:30		0	7			0	5				
01:45		0	9	0	42	0	8	2	35	2	77
02:00		0	7			0	16				
02:15		0	10			0	16				
02:30		0	17			2	16				
02:45		1	14	1	48	1	12	3	60	4	108
03:00		0	6			0	17				
03:15		0	10			0	14				
03:30		0	19			0	18				
03:45		2	16	2	51	0	26	0	75	2	126
04:00		0	13			0	25				
04:15		1	12			0	22				
04:30		2	14			1	13				
04:45		1	11	4	50	2	19	3	79	7	129
05:00		3	9			1	20				
05:15		2	18			0	19				
05:30		2	20			2	19				
05:45		8	8	15	55	1	16	4	74	19	129
06:00		2	7			3	22				
06:15		4	14			1	17				
06:30		10	6			2	14				
06:45		22	7	38	34	1	8	7	61	45	95
07:00		21	11			10	16				
07:15		21	11			13	8				
07:30		20	10			16	4				
07:45		29	6	91	38	11	7	50	35	141	73
08:00		14	3			15	7				
08:15		24	2			5	10				
08:30		8	4			6	5				
08:45		13	5	59	14	8	7	34	29	93	43
09:00		9	5			10	7				
09:15		15	2			6	5				
09:30		11	3			9	4				
09:45		13	2	48	12	9	3	34	19	82	31
10:00		4	1			6	4				
10:15		8	1			11	2				
10:30		9	2			11	1				
10:45		5	0	26	4	10	2	38	9	64	13
11:00		2	1			8	0				
11:15		8	1			10	4				
11:30		3	0			9	0				
11:45		7	2	20	4	3	1	30	5	50	9
Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
Grand Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
ADT		ADT 1,416		AADT 1,416							

Appendix B

Intersection Analysis Methodology

Intersection Analysis Methodology

The methodology used for evaluating traffic operations at intersections is presented in the Transportation Research Board's *Highway Capacity Manual*, 2016 edition (HCM 6). Synchro 10 software, which emulates the HCM 6 methodology, was used for all analyses. The following is an overview of the methodology employed for the analysis of signalized intersections and roundabouts and stop-sign controlled (unsignalized) intersections. Levels of service (LOS) are assigned letters A through F. LOS A indicates operations with very low control delay while LOS F describes operations with high control delay. LOS F is considered to be unacceptable by most drivers, while LOS E is typically considered to be the limit of acceptable delay.

Signalized Intersections and Roundabouts – Level of service for a signalized intersection and a roundabout is defined in terms of control delay per vehicle. For signalized intersections and roundabouts, a composite intersection level of service is determined. The thresholds for each level of service are higher for signalized intersections and roundabouts than for unsignalized intersections. This is attributable to a variety of factors including expectation and acceptance of higher delays at signals/roundabouts, and the fact that drivers can relax when waiting at a signal as opposed to having to remain attentive as they proceed through the unsignalized intersection. The level of service criteria for signalized intersections and roundabouts are shown in Table A.

Table A – Level of Service Criteria for Signalized Intersections and Roundabouts

Control Delay (s/veh)	LOS
≤ 10	A
> 10 and ≤ 20	B
> 20 and ≤ 35	C
> 35 and ≤ 55	D
> 55 and ≤ 80	E
> 80	F

Source: Highway Capacity Manual 6

Unsignalized Intersections – Level of service for an unsignalized intersection is defined in terms of control delay per vehicle. Control delay is that portion of delay attributable to the control device and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delays at unsignalized intersections are based on gap acceptance theory, factoring in availability of gaps, usefulness of the gaps, and the priority of right-of-way given to each traffic stream. The level of service criteria for unsignalized intersections are presented in Table B.

Table B – Level of Service Criteria for Unsignalized Intersections

Control Delay (s/veh)	LOS
0 – 10	A
> 10 and ≤ 15	B
> 15 and ≤ 25	C
> 25 and ≤ 35	D
> 35 and ≤ 50	E
> 50	F

Source: Highway Capacity Manual 6

Appendix C

Existing Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	7.3
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	507	195	542
Demand Flow Rate, veh/h	523	201	558
Vehicles Circulating, veh/h	174	451	22
Vehicles Exiting, veh/h	478	129	675
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.1	6.7	6.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	523	201	558
Cap Entry Lane, veh/h	1155	871	1349
Entry HV Adj Factor	0.969	0.970	0.971
Flow Entry, veh/h	507	195	542
Cap Entry, veh/h	1120	845	1310
V/C Ratio	0.453	0.231	0.414
Control Delay, s/veh	8.1	6.7	6.7
LOS	A	A	A
95th %tile Queue, veh	2	1	2

Intersection	
Int Delay, s/veh	3.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	78	6	3	86	48	28
Future Vol, veh/h	78	6	3	86	48	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	100	8	4	108	63	37

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	179	63	100	0	-	0
Stage 1	63	-	-	-	-	-
Stage 2	116	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	811	1002	1493	-	-	-
Stage 1	960	-	-	-	-	-
Stage 2	909	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	809	1002	1493	-	-	-
Mov Cap-2 Maneuver	809	-	-	-	-	-
Stage 1	957	-	-	-	-	-
Stage 2	909	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.1	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1493	-	820	-	-
HCM Lane V/C Ratio	0.003	-	0.131	-	-
HCM Control Delay (s)	7.4	0	10.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	149	189	38	31	2
Future Vol, veh/h	3	149	189	38	31	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	191	233	47	56	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	280	0	-	0	456	257
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	199	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1277	-	-	-	561	779
Stage 1	-	-	-	-	784	-
Stage 2	-	-	-	-	832	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1277	-	-	-	559	779
Mov Cap-2 Maneuver	-	-	-	-	559	-
Stage 1	-	-	-	-	781	-
Stage 2	-	-	-	-	832	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	12.1
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1277	-	-	-	569
HCM Lane V/C Ratio	0.003	-	-	-	0.105
HCM Control Delay (s)	7.8	0	-	-	12.1
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Intersection Delay, s/veh	6.8
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	365	176	585
Demand Flow Rate, veh/h	376	181	603
Vehicles Circulating, veh/h	144	466	38
Vehicles Exiting, veh/h	503	175	482
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.1	6.5	7.4
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	376	181	603
Cap Entry Lane, veh/h	1191	858	1327
Entry HV Adj Factor	0.971	0.971	0.970
Flow Entry, veh/h	365	176	585
Cap Entry, veh/h	1157	833	1288
V/C Ratio	0.316	0.211	0.454
Control Delay, s/veh	6.1	6.5	7.4
LOS	A	A	A
95th %tile Queue, veh	1	1	2

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	74	10	15	43	65	84
Future Vol, veh/h	74	10	15	43	65	84
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	99	13	18	51	73	94

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	160	73	167	0	-	0
Stage 1	73	-	-	-	-	-
Stage 2	87	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	831	989	1411	-	-	-
Stage 1	950	-	-	-	-	-
Stage 2	936	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	820	989	1411	-	-	-
Mov Cap-2 Maneuver	820	-	-	-	-	-
Stage 1	938	-	-	-	-	-
Stage 2	936	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1411	-	837	-	-
HCM Lane V/C Ratio	0.013	-	0.134	-	-
HCM Control Delay (s)	7.6	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	111	117	25	28	9
Future Vol, veh/h	1	111	117	25	28	9
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	142	152	32	33	11

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	184	0	-	0	312	168
Stage 1	-	-	-	-	168	-
Stage 2	-	-	-	-	144	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1385	-	-	-	679	874
Stage 1	-	-	-	-	859	-
Stage 2	-	-	-	-	881	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1385	-	-	-	678	874
Mov Cap-2 Maneuver	-	-	-	-	678	-
Stage 1	-	-	-	-	858	-
Stage 2	-	-	-	-	881	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1385	-	-	-	717
HCM Lane V/C Ratio	0.001	-	-	-	0.061
HCM Control Delay (s)	7.6	0	-	-	10.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix D

No-Build Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	8.6
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	587	228	629
Demand Flow Rate, veh/h	605	235	648
Vehicles Circulating, veh/h	203	523	25
Vehicles Exiting, veh/h	555	150	783
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	9.8	7.9	7.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	605	235	648
Cap Entry Lane, veh/h	1122	809	1345
Entry HV Adj Factor	0.970	0.971	0.971
Flow Entry, veh/h	587	228	629
Cap Entry, veh/h	1088	786	1306
V/C Ratio	0.539	0.290	0.482
Control Delay, s/veh	9.8	7.9	7.7
LOS	A	A	A
95th %tile Queue, veh	3	1	3

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	100	56	32
Future Vol, veh/h	90	7	3	100	56	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	125	74	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	207	74	116	0	-	0
Stage 1	74	-	-	-	-	-
Stage 2	133	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	781	988	1473	-	-	-
Stage 1	949	-	-	-	-	-
Stage 2	893	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	779	988	1473	-	-	-
Mov Cap-2 Maneuver	779	-	-	-	-	-
Stage 1	946	-	-	-	-	-
Stage 2	893	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.4	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1473	-	791	-	-
HCM Lane V/C Ratio	0.003	-	0.157	-	-
HCM Control Delay (s)	7.5	0	10.4	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	173	219	44	36	2
Future Vol, veh/h	3	173	219	44	36	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	222	270	54	65	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	324	0	-	0	527	297
Stage 1	-	-	-	-	297	-
Stage 2	-	-	-	-	230	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1230	-	-	-	510	740
Stage 1	-	-	-	-	752	-
Stage 2	-	-	-	-	806	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1230	-	-	-	508	740
Mov Cap-2 Maneuver	-	-	-	-	508	-
Stage 1	-	-	-	-	749	-
Stage 2	-	-	-	-	806	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	13
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1230	-	-	-	517
HCM Lane V/C Ratio	0.003	-	-	-	0.134
HCM Control Delay (s)	7.9	0	-	-	13
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

Intersection	
Intersection Delay, s/veh	7.9
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	424	203	677
Demand Flow Rate, veh/h	436	209	698
Vehicles Circulating, veh/h	167	539	45
Vehicles Exiting, veh/h	581	204	558
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.9	7.6	8.6
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	436	209	698
Cap Entry Lane, veh/h	1164	796	1318
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	424	203	677
Cap Entry, veh/h	1132	774	1279
V/C Ratio	0.375	0.262	0.530
Control Delay, s/veh	6.9	7.6	8.6
LOS	A	A	A
95th %tile Queue, veh	2	1	3

Intersection	
Int Delay, s/veh	3.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	50	74	97
Future Vol, veh/h	86	12	17	50	74	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	59	83	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	182	83	192	0	-	0
Stage 1	83	-	-	-	-	-
Stage 2	99	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	807	976	1381	-	-	-
Stage 1	940	-	-	-	-	-
Stage 2	925	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	795	976	1381	-	-	-
Mov Cap-2 Maneuver	795	-	-	-	-	-
Stage 1	926	-	-	-	-	-
Stage 2	925	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	1.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1381	-	813	-	-
HCM Lane V/C Ratio	0.014	-	0.161	-	-
HCM Control Delay (s)	7.6	0	10.3	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	129	136	29	32	10
Future Vol, veh/h	1	129	136	29	32	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	165	177	38	38	12

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	215	0	-	0	363	196
Stage 1	-	-	-	-	196	-
Stage 2	-	-	-	-	167	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1349	-	-	-	634	843
Stage 1	-	-	-	-	835	-
Stage 2	-	-	-	-	860	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1349	-	-	-	633	843
Mov Cap-2 Maneuver	-	-	-	-	633	-
Stage 1	-	-	-	-	834	-
Stage 2	-	-	-	-	860	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.8
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1349	-	-	-	673
HCM Lane V/C Ratio	0.001	-	-	-	0.074
HCM Control Delay (s)	7.7	0	-	-	10.8
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix E

Future Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	10.3
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	604	369	664
Demand Flow Rate, veh/h	622	381	684
Vehicles Circulating, veh/h	294	523	42
Vehicles Exiting, veh/h	610	203	874
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	12.1	11.0	8.4
Approach LOS	B	B	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	622	381	684
Cap Entry Lane, veh/h	1022	809	1322
Entry HV Adj Factor	0.971	0.970	0.971
Flow Entry, veh/h	604	369	664
Cap Entry, veh/h	993	785	1284
V/C Ratio	0.608	0.471	0.517
Control Delay, s/veh	12.1	11.0	8.4
LOS	B	B	A
95th %tile Queue, veh	4	3	3

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	225	98	32
Future Vol, veh/h	90	7	3	225	98	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	281	129	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	418	129	171	0	-	0
Stage 1	129	-	-	-	-	-
Stage 2	289	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	591	921	1406	-	-	-
Stage 1	897	-	-	-	-	-
Stage 2	760	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	589	921	1406	-	-	-
Mov Cap-2 Maneuver	589	-	-	-	-	-
Stage 1	894	-	-	-	-	-
Stage 2	760	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.5	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1406	-	605	-	-
HCM Lane V/C Ratio	0.003	-	0.206	-	-
HCM Control Delay (s)	7.6	0	12.5	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.8	-	-

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	4	173	219	54	64	5
Future Vol, veh/h	4	173	219	54	64	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	5	222	270	67	116	9

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	337	0	-	0	536	304
Stage 1	-	-	-	-	304	-
Stage 2	-	-	-	-	232	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1217	-	-	-	504	733
Stage 1	-	-	-	-	746	-
Stage 2	-	-	-	-	804	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1217	-	-	-	501	733
Mov Cap-2 Maneuver	-	-	-	-	501	-
Stage 1	-	-	-	-	742	-
Stage 2	-	-	-	-	804	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	14.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1217	-	-	-	513
HCM Lane V/C Ratio	0.004	-	-	-	0.245
HCM Control Delay (s)	8	0	-	-	14.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	1

Intersection	
Int Delay, s/veh	5.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	31	125	105	11	42	58
Future Vol, veh/h	31	125	105	11	42	58
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	80	80	76	76
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	44	179	131	14	55	76

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	317	131	0	0	145	0
Stage 1	131	-	-	-	-	-
Stage 2	186	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	676	919	-	-	1437	-
Stage 1	895	-	-	-	-	-
Stage 2	846	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	650	919	-	-	1437	-
Mov Cap-2 Maneuver	650	-	-	-	-	-
Stage 1	861	-	-	-	-	-
Stage 2	846	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.7	0	3.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	849	1437	-
HCM Lane V/C Ratio	-	-	0.262	0.038	-
HCM Control Delay (s)	-	-	10.7	7.6	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.1	-

Intersection	
Intersection Delay, s/veh	10.0
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	478	310	764
Demand Flow Rate, veh/h	492	319	787
Vehicles Circulating, veh/h	235	539	101
Vehicles Exiting, veh/h	623	349	626
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.5	9.7	11.1
Approach LOS	A	A	B

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	492	319	787
Cap Entry Lane, veh/h	1086	796	1245
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	478	310	764
Cap Entry, veh/h	1055	774	1208
V/C Ratio	0.453	0.401	0.632
Control Delay, s/veh	8.5	9.7	11.1
LOS	A	A	B
95th %tile Queue, veh	2	2	5

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	134	210	97
Future Vol, veh/h	86	12	17	134	210	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	158	236	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	434	236	345	0	-	0
Stage 1	236	-	-	-	-	-
Stage 2	198	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	579	803	1214	-	-	-
Stage 1	803	-	-	-	-	-
Stage 2	835	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	569	803	1214	-	-	-
Mov Cap-2 Maneuver	569	-	-	-	-	-
Stage 1	789	-	-	-	-	-
Stage 2	835	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.8	0.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1214	-	590	-	-
HCM Lane V/C Ratio	0.016	-	0.221	-	-
HCM Control Delay (s)	8	0	12.8	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.8	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	5	129	136	60	50	13
Future Vol, veh/h	5	129	136	60	50	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	6	165	177	78	60	15

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	255	0	-	0	393	216
Stage 1	-	-	-	-	216	-
Stage 2	-	-	-	-	177	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1304	-	-	-	610	821
Stage 1	-	-	-	-	818	-
Stage 2	-	-	-	-	851	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1304	-	-	-	607	821
Mov Cap-2 Maneuver	-	-	-	-	607	-
Stage 1	-	-	-	-	814	-
Stage 2	-	-	-	-	851	-

Approach	EB	WB	SB
HCM Control Delay, s	0.3	0	11.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1304	-	-	-	642
HCM Lane V/C Ratio	0.005	-	-	-	0.117
HCM Control Delay (s)	7.8	0	-	-	11.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Int Delay, s/veh	5.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	21	84	67	35	136	89
Future Vol, veh/h	21	84	67	35	136	89
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	85	85	89	89
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	30	120	79	41	153	100

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	485	79	0	0	120	0
Stage 1	79	-	-	-	-	-
Stage 2	406	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	541	981	-	-	1468	-
Stage 1	944	-	-	-	-	-
Stage 2	673	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	485	981	-	-	1468	-
Mov Cap-2 Maneuver	485	-	-	-	-	-
Stage 1	846	-	-	-	-	-
Stage 2	673	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.4	0	4.7
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	814	1468	-
HCM Lane V/C Ratio	-	-	0.184	0.104	-
HCM Control Delay (s)	-	-	10.4	7.7	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.7	0.3	-

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, January 4, 2024 10:59 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 2.5.24

Please find Environmental Health comments below:

Item 1, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. 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 2, 6545 Misty Harbor Court: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. This plat is currently under review by the Hall County Plat Review Team and Environmental Health contacted the applicant/surveyor on September 20, 2023 concerning requirements to further process the plat for review.

Item 3A/3B, 3675 Jewell Circle, Guhde: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 4, 3310 Friendship Road, Reichwaldt: All proposed structures must meet all residential and/or commercial permitting requirements and required setbacks to existing septic system. Further determination will be made during the permit review process.

Item 5, 2696 Cleveland Hwy, Carrillo: 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 6, 17/20/21/24 Spring Street, Petry: No comment. Public sewer.

Item 7, 4899 Browns Bridge Road, Advantage Investment: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 8, 3655 Friendship Road, 3655 Friendship Rd LLC: No comment. Public sewer.

Item 9A/B, 0 Cornelia Hwy, Double E Properties: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 10, 4141 Old Cornelia Hwy, Lewis Holdings: All proposed improvements must meet all Environmental Health commercial septic system permitting requirements.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

http://dph.georgia.gov/environmental-health (State Website)
http://www.phdistrict2.org/HallCounty.htm (District Website)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No GDOT coordination required**

*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 5, 2023

Subject: February 5, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 5, 2024 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 | **Proposed Use: 324 lot residential development** | ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant**

   a. **Engineering:** No dead end streets
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream
   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
   b. **Traffic:** A left turn lane and decel lane will be required for the entrance.
   Any required roadway improvements will be the financial responsibility of the developer
   A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance
   c. **Utilities:** No sanitary sewer in area.

2. **6545 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.41± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000171 | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, applicant**.

   a. **Engineering:** This 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 buffer and impervious setback from wrested vegetation not centerline of stream.

b. **Traffic:** No Comment
c. **Utilities:** Flowery Branch sewer district

NEW BUSINESS

3. **(A) 3675 Jewell Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 20 feet from centerline of road | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Carport** | * Commission District 2 | **David and Lynn Guhde, applicant**
(B) 3675 Jewell Circle | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Car Port** | * Commission District 2 | **David and Lynn Guhde, applicant**

   a. **Engineering:** Any work in the public right-of-way will need to be permitted by Hall County Public Works Department.
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

4. **3310 Friendship Road | Use Subject to Planning Commission Approval** | on a 3.02± acre tract located on the south side of Friendship Road, approximately 1,347 feet from its intersection with Puckett Road | Zoned AR-III, Tax Parcel 15048 000004 | **Proposed Use: Rural business** | * Commission District 1 | **Steve Reichwaldt, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** Charge of use may require GDOT permit for driveway connection.
   c. **Utilities:** Hall County district- No connection within feasible distance.

5. **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**

   a. **Engineering:** This 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. (over 5,000 SF added impervious area)
   b. **Traffic:** Charge of use may require GDOT permit for driveway access.
   c. **Utilities:** Hall County sewer district- No sewer connection within feasible distance.

6. **17, 20, 21 & 24 Spring Street | Rezone |** from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcel 00063 008022, 23, & 24 | **Proposed Use: 10-Unit residential development** | ** Commission District 4 | **Alex Petry, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** Parking spaces that require vehicles to back out into the roadway not permitted.
      Driveways will need to meet Hall County Code 12.40.
   c. **Utilities:** City of Gainesville sewer district.

7. **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | ** Commission District 2 | **Advantage Investment Properties, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** driveway access to Browns Bridge Rd. will need to be permitted through GDOT.
      Ponderosa Drive is a narrow residential roadway, therefore, we recommend that site access be on Browns Bridge Road only and no access be permitted along Ponderosa Drive.
   c. **Utilities:** Hall County/ Gainesville sewer district- No connection within feasible distance.

8. **3655 Friendship Road | Rezone** | from Agricultural Residential (AR-III) to Planned Residential Development (PRD) | on a 10.76± acre tract located on the northeast side of Friendship Road, approximately 230 feet from its intersection with Maple Valley Drive | Zoned AR-III, Tax Parcel 15048 000025 | **Proposed Use: 22-lot single-family development** | ** Commission District 1 | **3655 Friendship Rd., 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 surfaces and/or disturbed acreage
   b. **Traffic:** GODT permit will be required for driveway access to Friendship Road
   c. **Utilities:** Hall County sewer district- Sewer connection within feasible distance (future Friendship Road sewer project)

9. **(A) 0 Cornelia Highway | Rezone** | from Agricultural Residential IV (AR-IV) and Planned Commercial Development (PCD) to Light Industrial (I-I) | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350± feet north of Cornelia Highway | Zoned AR-IV and PCD (GCOD), Tax

Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

(B) 0 Cornelia Highway | Variance | 17.420.050.C.2.c. to reduce the required transitional buffer from 50 feet to 25 feet | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Hwy | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   This 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
b. **Traffic:** Driveway will need to meet county commercial standards
c. **Utilities:** City of Lula sewer district

10. **4141 Old Cornelia Highway | Amend Conditions of a PRD |** on a 56.42± acre tract located on the north side of Old Cornelia Highway, approximately 636 feet from its intersection with Arthur Miller Road | Zoned PRD, Tax Parcel 15019 000023 | **Proposed Use: Drug and Alcohol Residential Treatment Facility | *** Commission District 3 | Lewis Holdings, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   This 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
b. **Traffic:** No comment
c. **Utilities:** Hall County sewer district- No connection within feasible distance

Anael Dominguez (CDI: Planning)

From: Nicole Griffin (Tax Assessors)
Sent: Thursday, August 24, 2023 12:46 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Cc: Steve Watson (Real Property); Susan Taylor (Tax Assessors); Lisa Niles (Tax Assessors)
Subject: RE: Tentative Planning Agenda for October 2, 2023

Good afternoon,

On item # 7 parcels

15043 000027- CUVA- starting 2022
15043 000128- CUVA starting 2022
15044 000035- CUVA starting in 2019

The re-zoning application itself would not cause a breach but if the property is sold or developed with the proposed 324 lot residential development after the re-zoning then the conservation covenant could/would be breached and result in a penalty on each parcel.

Please let us know if you have any questions.

Thank you,

Nicole Griffin
Appraisal Systems Coordinator
Hall County Tax Assessors Office
Hall County Government
(Office) 770-718-5712
Nicole.Griffin@Hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023

NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant**

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, August 31, 2023 4:52 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, October 2, 2023 Hall County Planning Commission Meeting.

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 | **Proposed Use: 324 lot residential development |** ** Commission District 1 | **Thompson O'Brien Kappler & Nasuti PC, applicant.**

   Hall County Fire Marshal's comments: Current concept plan will need to be modified to meet the below fire code requirements.

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition
Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility. This code requirement applies to the townhome buildings.

7. **Add a new section, Appendix D 107.1, as follows:**

   Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

   Exceptions:

   1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

   2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official**.**

   3. **Add a new section, Appendix D 107.2, as follows:**

      Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

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

COMMUNITY MEETING REPORT

TO: Hall County Planning Department
FROM: William J. Diehl, Smith, Gambrell & Russell, LLP
DATE: January 16, 2024

Applicant held two community meetings in connection with the rezoning requests, those being on December 18 and 21, 2023. The meetings were held at the Mulberry Creek Community Center, which is less than a half of a mile from the subject property. About thirty to forty people were in attendance at each meeting.

At the meeting, the applicant displayed revised site plans showing Stanley Road being reconfigured to better preserve its existing location. The site plan showed Guth Road being an emergency exit only.

The following concerns were commonly raised by the community:

- Density of homes in the development;
- Impact the development will have on traffic on JM Turk Road;
- Secondary entrance to the development on Guth Road;
- Stanley Road reconfiguration and access;
- Compatibility with existing architectural styles;
- Site lines from the Quail Wood neighborhood;
- Stormwater runoff to the surrounding creek; and
- Sewer connectivity and capacities;

The Applicant described connectivity plans and the use of Guth Road as an emergency exit, or, alternatively, as an improved road providing a second entrance. The Applicant committed to providing an updated traffic study and discussed how those studies are made. The Applicant discussed improving landscaping where the property abuts Quail Wood. The Applicant discussed designed standards and the pattern of development in the area.

Dear Neighbor.

This letter is being sent to inform you of a community meeting regarding the development project on JM Turk and Guth Roads. We are holding this meeting to discuss concerns and solicit community feedback. Please let this serve as an invitation to one of the meetings discussed below.

We will host two meetings at the **Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542).**

We have scheduled meeting rooms on

December 18 at 6:00 PM to 7:30 PM
December 21 at 6:00 PM to 7:30 PM

Please come at your convenience. Should you have any questions about this rezoning proposal, please feel free to contact me at wdiehl@sgrlaw.com or by phone at (404) 815-3627.

William J. Diehl
Smith, Gambrell & Russell, LLP

Community Meeting Sign-In Sheet

Name	Date	Phone Number	Email
Janet Myers	11-18-23	661-[illegible]-8783	[illegible]@hotmail.com
Steve Myers	11-18-23	661-[illegible]-6841	[illegible]@hotmail.com
Steven Clark	11-18-23		
William Walker	12-18-23		
Bob League	12-18-23	770-826-3803	
Albert Guth	12-18-23	770-654-7135	
Carole Branum	12-18-23	770-289-2140	[illegible]@icloud.com
Kim Walker	12-18-23	404-308-6470	[illegible]@gmail.com
Erik Conley	12-18-23	678-[illegible]	[illegible]@gmail.com
Rodee Dente	12-18-23	678-[illegible]	[illegible]@gmail.com
Peggy Matos	12-18-23	706-536-0878	proctor12@hotmail.com
James Graff	12-18-23	770-287-4800	[illegible]@gmail.com
Greg Everett	12-18-23		
Kathy Everett	12-18-23		
Jennings Bryan	12-18-23		
Neah Bryan	12-18-23		
Buddy Secor	12-18-23		
Deanie Secor	12-18-23		
Maureen Davis	12-18-23		
Pam Swift	12-18-23	NO!	
Walt Swift	12-18-23	NO!	
[illegible]	12-18-23	NO	
[illegible]	12-18-23		
Jerry Bond	12-18-23		
Steve Adams	12-118-23		
Vani Pino	12-18-23		
Enjoli Pino	12-18-23		
[illegible]	12-18-23		
Bill [illegible]	12-18-23		
Lindsay Parks	12-18-23		
Dorothy Nieto	12/18/23		
Darlene [illegible]	12/18/23		
Meredith Williams	12.18.2023		
Cathy LeBlanc	12.18.2023		

Community Meeting Sign-In Sheet

Name	Date	Email
Tracy + Tommy Barnette	12.21.23	traceybarnettelle@gmail.com
Susan Miller	12-21-23	
Carole Braunum	12-21-23	
William Lacroix	12-21-23	
Albert + Tina Guth	12-21-23	guthhorses@bellsouth.net
DORIS McClung	12-21-23	[redacted]@yahoo.com
NEAL BRYANT	12-21-23	NKW-woodward@Hotmail.com
JENNIFER BRYANT	12-21-23	Jbryan2890@AOL.com
VALE CASTC	12-21-23	GACPL30542@YAHOO.COM

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3.		~~KIOSA, SERGEY~~ ~~KIOSA, NADEZHDA~~ ~~4387 J M TURK RD~~ ~~FLOWERY BRANCH, GA 30542~~													
4.		FAUL, MARK D. 4567 STANLEY ROAD FLOWERY BRANCH, GA 30542													
5.		~~PHILLIPS, JAMIE DIANE~~ ~~4607 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~													
6.		~~LAGROW, WILLIAM LEE~~ LAGROW LINDA ANN 4458 JM TURK RD FLOWERY BRANCH, GA 30542													
7.		MELENDEZ, JARED ~~MEEHAN, KATIE MAUREEN~~ ~~4543 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~													
8.		ROUSE, JAMES E. ROUSE, ERIN 4540 J.M. TURK ROAD FLOWERY BRANCH, GA 30542													

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2.		MILLER, LARRY W BEVERLY ANN MILLER 4809 J M TURK ROAD FLOWERY BRANCH, GA 30542	63¢												
3.		GREGG, ANN 6604 ASCOT DRIVE ANTIOCH, TN 37013	63¢												
4.		GREGG, JAMES ELBERTON III GREGG EDITH ANN 6604 ASCOT DRIVE ANTIOCH, TN 37013	63¢												
5.		LEWIS, GARY MASON 4929 J M TURK ROAD FLOWERY BRANCH, GA 30542	63¢												
6.		MAYHUE, AMANDA DALE 680 GROVE LEVEL ROAD COMMERCE, GA 30529	63¢												
7.		CORREA PEREZ, ARMANDO 4876 J M TURK ROAD FLOWERY BRANCH, GA 30542	63¢												
8.		PEAVY, RODNEY LEE PEAVY BEVERLY JURELLE 4902 J.M. TURK ROAD FLOWERY BRANCH, GA 30542	63¢												

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2.		MARTIN, TONY R MARTIN RENA E 4533 JM TURK ROAD FLOWERY BRANCH, GA 30542													
3.		~~WITTKE, DAVID A.~~ ~~WITTKE, LANIKA H.~~ ~~4544 DEER CREEK CT.~~ ~~FLOWERY BRANCH, GA 305423556~~													
4.		STAIGER, MICHAEL A GUTIERREZ NEREIDA COLON 4616 DEER CREEK COURT FLOWERY BRANCH, GA 30542													
5.		HERFORD, III, LLOYD L WHITCOMB BLAIRE LARIMORE ~~4622 DEER CREEK COURT~~ ~~FLOWERY BRANCH, GA 30542~~													
6.		DEMETER, JANOS 4714 DEER CREEK COURT FLOWERY BRANCH, GA 30542													
7.		MEEK, ALFRED B MEEK PILAR K ~~4806 DEER CREEK COURT~~ ~~FLOWERY BRANCH, GA 30542~~													
8.		RAATJES, DAN RAATJES WENDI 28773 SHIRLEY COURT MAGNOLIA, TX 77355													

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2.		WEBER, THOMAS A WEBER NANCY M 4920 JM TURK RD FLOWERY BRANCH, GA 30542													
3.		PEAVY, ERICA H GETRUM RICHARD E 4932 J M TURK ROAD FLOWERY BRANCH, GA 30542													
4.		TURK, MILTON G TURK VICTORIA R 4726 J M TURK ROAD FLOWERY BRANCH, GA 30542													
5.		PETERSON, STEVEN G PETERSON JILL M 4830 J M TURK ROAD FLOWERY BRANCH, GA 30542													
6.		GREENWAY, ELIZABETH F 4820 J M TURK RD FLOWERY BRANCH, GA 30542													
7.		GRAFF, JAMES E GRAFF LAURA A 4733 J M TURK RD FLOWERY BRANCH, GA 30542													
8.		JONES, WILLIAM J JONES JENNIFER L 4745 J M TURK RD FLOWERY BRANCH, GA 305423526													

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3.	~~ANABA, MBAUKWU UBA~~ ~~ANABA, UCHENNA ANNE~~ ~~4738 QUAILWOOD DRIVE~~ ~~FLOWERY BRANCH, GA 30542~~	63¢												
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6.	~~PINO, VANI & ENJOLI~~ ~~4850 J M TURK ROAD~~ FLOWERY BRANCH, GA 30542	63¢												
7.	CHANNELL III, JAMES T CHANNELL LESLIE G ~~4737 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~	63¢												
8.	~~CESAK, BRET~~ ~~CESAK AMBER~~ 4777 JM TURK ROAD FLOWERY BRANCH, GA 30542	63¢												

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Anael Dominguez (CDI: Planning)

From: Randi Doveton (CDI: Planning)
Sent: Sunday, October 15, 2023 9:52 PM
To: Anael Dominguez (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Beth Garmon (CDI: Planning)
Subject: Fwd: Elah Valley Subdivision Concerns re Guth Development proposed new subdivision

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Bill Doucher <bdoucher@att.net>
> **Date:** October 15, 2023 at 7:41:53 PM EDT
> **To:** "Randi Doveton (CDI: Planning)" <rdoveton@hallcounty.org>
> **Cc:** Jim & Laura Graff <jgraff@aelevator.com>
> **Subject: Elah Valley Subdivision Concerns re Guth Development proposed new subdivision**

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.

Hi Randi,

I spoke with Kathy Cooper, our district Commissioner, about this proposed Guth development and the process for our subdivision to provide our concerns about this proposed development. Kathy directed me to you to document our concerns and to describe the process for how we can present our concerns at the Planning Commission meeting tomorrow evening Oct 16. As the subdivision immediately adjacent to the proposed new subdivision, our concerns should be presented and considered by the Planning Commission.

Is there a list of presenters that we need to be added to for tomorrow's meeting?

Below I have documented and summarized the concerns provided by all of the homeowners in the Elah Valley subdivision that are unanimously against this proposed subdivision. Please provide these concerns to the Planning Commssion to review as part of their research about this proposed development.

I have copied Jim Graff from our subdivision who was appointed to represent the Elah Valley subdivision at the Planning Commission meeting tomorrow evening.

Response from the Elah Valley Subdivision against the proposed Guth Development – 324 homes on 117 acres

- Application to rezone the property from AR-111 to PRD for the purpose of building the proposed new subdivision.

This proposal should be denied. This development will be immediately adjacent to the Elah Valley subdivision, so it has a direct impact to our homeowners.

It is difficult to understand why such a development would even be proposed to the Hall County Planning Commission and the Board of Commissioners. This proposed development does not meet the Hall County comprehensive land use and development policies. It appears that the developer has a strategy to present such a development because they believe that the Planning Commission will not enforce the existing land use policies, or that by presenting this obvious out-of-line development, they can negotiate a revised development that still exceeds the current land use policies. This proposal should be denied.

This subdivision violates the Hall County Comprehensive Land Use Plan for this area.
The Hall County Comprehensive Land Use plan for our area is moderate density - 2 homes per acre. The current subdivision plan has 1.99 homes per acre for the free standing homes and over 8 homes per acre for the 129 town homes. The average taken in total is .36 acres per home lot. At 8 homes per acre the townhomes drastically violate the land use plan for this area. The 1.99 homes per acre for the free standing home lots is not an accurate portrayal of the lot size for free standing homes. The lot size for the free standing homes is much less than ½ acre. Flood plan areas, steep non buildable areas, retention ponds, and common areas are added to the total of actual lot sizes in order to build up to the 1.99 homes per acre metric computation. This development clearly does not meet the land use standards for this area. Why develop and document a land use plan if the county does not enforce it?

This proposed subdivision is not consistent with current and future land use for this area and is counter to the quality of life for current and future homeowners for this area.

As a subdivision itself, the Elah Vally homeowners are not against new subdivisions. We gladly share the ambiance and quality of life that we enjoy in this area. As this area continues to grow, the current homeowners and future homeowners make decision to move to this area specifically because of the nature of the area and the lower density of the homes.

We have already had recent subdivisions developed in this area: Grand View Estates and Quailwood. These subdivisions complement and align with the quality of life that attract people to this area. Allowing such a dense subdivision would be a negative contrast to the rest of the homes in the area, detracts from the quality of life of this area and is counter to the reason so many new people have moved to this area. It would also cause harm to the existing homeowners depressing the value of many homes – especially those adjacent to the proposed development, impacting recent homeowners and long time homeowners who bought into this area based on the nature of the area. There are other areas in Hall County that allow higher density subdivisions and the proposed subdivision should be reposition to those areas. This subdivision does not fit this area at all.

Guth Development - Additional water run-off into Mulberry Creek – Increased risk of flooding.

This issue, if not properly addressed, would have this new subdivision cause harm to existing homes in the area – specifically Elah Valley subdivision homes. A new subdivision development should not cause harm to existing homeowners. Any new proposed subdivision should not be allowed any additional rainwater run-off into the Mulberry Creek. Due to growing rainwater runoff from new developments, Elah Valley had to replace both bridges in our subdivision at a cost well over $100,000. If additional run-off was allowed, we would incur damage to our bridges and roads. The DNR evaluation of increased risk of flooding only looks at issues that impact the stream bed and not necessarily the man-made structures such as our subdivision road bridges. I have attached pictures of the past flooding over our road and bridges.

Thank you for your consideration of our concerns about the proposed Guth Development.

We respectfully request that this application be denied.

Bill Doucher

Elah Valley HOA President

770-329-7723







<1697412760876blob.jpg>
<1697412807343blob.jpg>
<1697412872045blob.jpg>

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 6, 2023 10:38 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Subject: Opposition to Rezoning Application HZON23-0041

Ana,

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Bob League <hux2bul@gmail.com>
Sent: Monday, November 6, 2023 9:18 AM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Cc: Bob League <hux2bul@gmail.com>
Subject: Subject: Opposition to Rezoning Application HZON23-0041

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.

Dear Members of the Hall County Planning Commission, I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons. First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems. Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area. In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's

character and the environment when making your decision. I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations. Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Harry R League
5115 Deer Creek Ct
Flowery Branch, Ga 3052

Print

Planning Commission Comments - October 2, 2023 - Submission #80062

Date Submitted: 10/1/2023

Comments completed in the form below will be submitted into the record for the October 2, 2023 meeting of the Hall County Planning Commission.

First Name*

Brian

Last Name*

Bright

Address1*

4305 Laurel Oaks Drive

Address2

City*

Flowery Branch

State*

GA

Zip*

30542

Zoning Item for Comment*

9. 0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road

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*

This proposal should be denied. This area cannot support this many homes. Our infrastructure and schools are not equipped for the number of homes proposed in this request. The building of all these new apartments in this area has filled our roads and schools which make this development very unattractive to current residents. Leave our community alone.

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?

Fb.6.pack@att.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

October 16, 2023, Meeting of the Hall County Planning Commission

Re: Proposed Rezoning to allow a development of 324 homes on J. M. Turk Road.

When I moved to J. M. Turk Road in 2003, it was a two-lane road filled with pastures of cattle and horses. The road was only paved from Martin Road to the 4700 block, where there is a sharp right turn leading to multiple hairpin turns, ending at Cash Road. When the road paving was completed, development began, including the Jehovah Witness Kingdom Hall, Grandview Estates, Mulberry Creek Community Center, The Farmhouse Wedding Venue, Mulberry Springs Vineyard & Winery and more single family homes. With regard to Grandview Estates, familes with cattle sold them to avoid the liability of familes living just over the fence from their herds.

Mulberry Creek Community Center offers a wide range of exercise programs, a children's playground and dog park. It is also a Hall County Voting location. It stays extremely busy, especially some evenings and weekends. At times, their parking lot is filled to capacity and cars are parked on both sides of the road out front. If each of the 324 proposed, high density homes has just a minimum of two cars, that would be nearly 650 additional cars traveling this narrow, two-lane road every day. According to the Hall County Sheriff's Office, there have already been 12 traffic crashes on the road since January of 2023.

There are facts about Mulberry Creek that should be noted. Water runoff from all properties on the road spills into the creek and flows downstream toward Cash Road. At times, the creek is partially dry and only a small amount of water flows downstream. However, in heavy rains, water runoff flows like a torrent, through our Elah Valley Subdivision, passing under our two bridges. It brings with it large logs and other debris, causing damage and erosion. In recent years, we have had to replace both bridges at a homeowners cost close to $100,000. As the amount of water peaks, water flows over the bridges, making it risky to drive through it to access our homes. A car could easily be swept into the creek. Also, since both sides of the creek are eroding, multiple trees have fallen across the creek, creating a hazard for our children and animals. Additional water runoff from the proposed 324 homes would have a devastating effect on our subdivision, and, perhaps, other properties south of us.

Hopefully, this additional information will be helpful to you in making your rezoning decision.

Carole Branum
4793 J. M. Turk Road
Telephone: 770-289-2140

SilverSneakers

Mulberry Creek Daily Events

Sunday	CLOSED	CLOSED	CLOSED	CLOSED
7am – 9pm Monday	Silver Sneakers Classic 10am – 11am Christine		Pickleball 9am – 12noon	Pickleball 6pm-845pm Except during basketball season
7am – 9pm Tuesday	Silver Sneakers Yoga 10am – 11am Christine		Pickleball 9am – 12noon	Cards Arts/Crafts Room 9am – 12noon
7am – 9pm Wednesday	Silver Sneakers Fit4Gold 10am – 11am Cat		Pickleball 9am – 12noon	
7am – 9pm Thursday	Silver Sneakers Yoga 10am – 11am Eileen	Tai Chi 10:30 am Ruth Persails	Pickleball 9am – 12noon	
7am – 9pm Friday	Silver Sneakers Classic 10am – 11am Christine		Pickleball 9am – 12noon	
8am – 5pm Saturday				

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SilverSneakers®

SilverSneakers® Classic. Have fun and move to the music through a variety of exercises designed to increase muscle strength, range of movement and activities for daily living. Hand-held weights, elastic tubing with handles and a Silver Sneakers ball are offered for resistance. A chair is used for seated exercises and standing support. This class can be adapted by the student depending on their fitness level and abilities. It is suitable for beginning to intermediate skill levels.

SilverSneakers® Yoga. Move through seated and standing yoga poses designed to increase flexibility, balance, and range of movement. Finish with restorative breathing exercises and final relaxation to promote reduced stress and mental clarity.

Fit4Gold: Perfect starter cardio class. Sweat to the oldies and some new ones, too! Aerobic/Dance combo class will get you movin' and shakin'.

Tai Chi uses gentle movements to help you gain balance, strength and flexibility. It is one of the many alternatives to help older people find pain relief.

PICKLEBALL – Come join this fun activity. Indoor racket/paddle sport where two or four players hit a perforated hollow ball over a 36-inch-high net. The manner of play resembles tennis or badminton but the court size and rules are different. Players are beginners to advanced and all are welcome.

CARDS – Active Generation - Cards are played in the Arts & Crafts Room. Game played, at this time, is "Hand & Foot", similar to Canasta. Everyone is welcome.

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to me

Listed below are the results of looking up the Traffic Crash Data for JM Turk Road from 01/01/23-09/27/23. Also, below is my contact information in case I can help you further.

During the time period of 01/01/23-09/27/23 there have been 6867 crashes in Hall County. During this same time period, there have b 12 crashes on JM Turk Road. Listed are the dates and times of the crashes.

01/02/23 8:06am
01/03/23 4:01pm
01/10/23 3:24pm
01/11/23 7:25am
01/25/23 7:54pm
01/28/23 6:30am
03/29/23 6:45am
05/19/23 12:55pm
06/18/23 12:40pm
06/29/23 6:25pm
07/16/23 11:59am
07/19/23 9:14pm

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Wednesday, November 8, 2023 8:07 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Opposition to Rezoning Application HZON23-0041

Ana,

Please add this to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: chris linkowski <clinkowski@gmail.com>
Sent: Tuesday, November 7, 2023 5:48 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; contactus@silverleafmanagement.com
Subject: Opposition to Rezoning Application HZON23-0041

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.

Dear Members of the Hall County Planning Commission, (Kathy Greenway)

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre, which leads to many problems. Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff.

Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area. In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application.

It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision. I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations. Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Christopher and Charlene Linkowski
4578 Wingfield Way
Flowery Branch, GA 30542
404-405-5797

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 6, 2023 8:36 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Opposition to Rezoning Application HZON23-0041

Please add to public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Janet Myers <jmm_cmc@hotmail.com>
Sent: Friday, November 3, 2023 7:12 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to Rezoning Application HZON23-0041

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Dear Members of the Hall County Planning Commission,

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems.

Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,

Dr. Janet M. Myers, DNP, APRN, FNP/GNP-BC, ADM-BC, CDCES, NEA-BC (ret.)
4859 Wildlife Way
Flowery Branch, GA 30542

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Thursday, December 21, 2023 9:00 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Proposed Rezoning and High Density Housing Development, JM Turk Road

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Janet Myers <jmm_cmc@hotmail.com>
Sent: Thursday, December 21, 2023 8:12 AM
To: Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Cc: dtimmscott@yahoo.com; DQNieto@aol.com; billcul2023@gmail.com; proctor12@hotmail.com; Darlene <Darlelong@bellsouth.net>
Subject: Proposed Rezoning and High Density Housing Development, JM Turk Road

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.

Dear Mr. Diehl,

As a homeowner, I again want to thank you and your firm for providing opportunities for community members to voice concerns regarding the proposed rezoning and housing development adjacent to JM Turk Road, Flowery Branch, Georgia.

As I previously shared with you, I am confident that you will accurately relay to your client the many concerns that were resolutely expressed during the December 18th, meeting at the Mulberry Creek Community Center. Below is a summary of those concerns and potential sequelae articulated by individuals and families whose properties proximate to this high-density housing development.

Concerns are as follows:

- Devaluation of surrounding properties as proposed town-, traditional, and estate homes are not at all comparable in value.
- Marked degeneration of quality of life due to:
    - Congestion related to increased traffic estimated at an additional >600 cars on a currently designated, sub-standard county road.
    - Threats to personal safety due to potential for increased vehicular crashes and pedestrian injuries and/or death.
    - Irreparable ecological disruption due to radical change in topography resulting in destruction of current, fragile ecosystems.
    - Potential demographic shifts previously seen as a pattern due to the transient population affiliated with similar developments.
- Substantial increase in housing density when compared to surrounding communities that are located on notably larger lots when compared to the proposed 2.6 homes per acre.
- Inadequate access for emergency vehicles endangering the well-being and safety of inhabitants while potentially exposing the county to liability.
- Due to heightened risk of erosion and run-off resulting from proposed development, the integrity and structure of current bridges would be threatened. Residents are adamant about this potential threat as bridges in the area were recently re-constructed at a significant cost.
- Overcrowding of currently maximized schools and inability to accommodate anticipated expansion of student influx.

As was clearly evident from community feedback, opinions and perspectives are deeply entrenched that this development would inflict degradation, harm, and risk.

Best regards,
Dr. Janet M. Myers, DNP, APRN, FNP/GNP-BC, ADM-BC, CDCES, NEA-BC (ret.)

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Friday, September 8, 2023 2:51 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Opposition to HZON23-0041

Ana,

Please add for public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(office) 770-297-2649
(direct) 470-978-8272
klgreenway@hallcounty.org

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From: jayglez@bellsouth.net <jayglez@bellsouth.net>
Sent: Friday, September 8, 2023 2:12 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to HZON23-0041

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.

September 8, 2023

Dear Council,

As a resident of Quailwood subdivision, and in agreement with the majority in our community, I am writing to register strong opposition to the HZON23-0041 - rezoning for a Single-Family Subdivision located on the east side of JM Turk Road intersection with Guth and Stanley Roads. We understand the need for affordable housing in our city, however, we believe that this high-density development would have a detrimental impact on our community and the surrounding communities.

We believe that the lot size, home size, and location of this residential development may negatively result in economic, environmental, and social impacts on Quailwood, Grandview Estates, Martin Crossing, Laurel Oaks, and countless stand-alone homes along Martin, JM Turk, and Stanley Roads. We think these communities

would be better served alongside new residential homes and developments that a comparable in price, lot size, and home size.

The type and square footage of these proposed single-family residences and townhomes might drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with a high-density housing complex. A development of this magnitude may also reduce environmental amenities causing significant environmental damage, destroying and displacing natural wildlife habitats, and increasing wildlife migration into residential communities.

We also think the proposed high-density development might be too large for this area. The increase in population density may place a strain on the existing infrastructure, possibly leading to increased traffic, congestion, pollution, road safety issues, and stress on our public & local services. High-density developments, like this one, may be better suited in areas where the infrastructure, schools, and public and local services can effectively support population growth.

Additionally, this development may harm property values in and around the surrounding areas. The influx of 300+ moderate-priced homes could lead to an increase in crime rate, diminution of property values, and generate lower home prices, making it difficult for current residents to sell their homes and move elsewhere.

On the other hand, given the desirability of our neighborhood and surrounding communities, this development may garner large profit margins for their stakeholders.
For years, South Hall has been growing at an all-time high. Rezoning and open lots have been filled with apartments, townhomes, and warehouses which impact the existing road network and public infrastructure. In our immediate area, we have personally experienced massive growth (as listed below) without enough infrastructure upgrades. We have experienced various tax increases, as shown in the substantial increases in property assessment taxes, without the new economic growth shouldering their share of the tax burden.

Justo (“Jay”) Gonzalez
4656 Quailwood Drive
Flowery Branch, GA 30542
Home: 770-965-1815
Cell: 770-540-5011
jayglez@bellsouth.net

To: Planning Commission 10/13/2023

From: Randy and Tammy Jones and Gloria Stanley

Addresses: 4590, 4601 and 4610 Stanley Rd.

Subject: Approval of rezoning package

Dear planning Commission,

Our family has lived on this property since 1963 and have seen a lot of changes as the county has grown. My mother-in-law's father, Buddy Martin owned the property much earlier than this and provided a place for his family to live. It is now time to sell; my mother-in-law is now in her 80's and the property is too much for her to maintain anymore. Her husband passed a little over seven years ago and she now lives alone. The house is deteriorating, and very costly to maintain on her low fixed income. The house is just too large for one elderly person to maintain. After serving over 30 years in the military my wife and I will no longer move back either. Therefore, we made a family decision about three years ago to put the property up for sale. This would provide her with financial security and the ability to purchase or rent a smaller place that is maintained by a management company.

If anyone opposes this rezoning, I would like to point out a few facts:

Before Grandview subdivision was built, we were approached, and my family was unable to purchase the property. We understood at the time growth and development in our area was booming. We were approached at this time as well and offered a really good offer for our lands. We declined and understood change was inevitable and watched the development happen. If Grandview subdivision opposes the rezoning, Grandview had the same opportunity to purchase our property if they choose and they did not. When they developed the subdivision and traffic increased on the road just above us, we dealt with it.

We had the chance to purchase the property that Quailwood subdivision now sits on before the subdivision was built so we would not have to view all the houses from our property. However, we could not and did not purchase the property. We now see all the houses if we walk the back half of our properties. If the neighborhood behind us, (Quailwood) opposes this rezoning they could have purchased our property when it was on the market. This is the same subdivision that did not like the traffic on Martin Rd. When the county developed a plan to help with the traffic, this subdivision opposed the county's plan. The county changed the plan from additional lanes and instead added, a roundabout and some stop signs. If traffic comes up as a reason, they should not have fought with the county's plan and instead did what the county planned. Also, the additional exit has opened on Interstate 985 and this is where most of the traffic will transit anyway. Martin Rd will not see the traffic they were not worried about years ago.

A few years back the eleven plus acres that sits almost in the middle of our property went up for sale. Jerry Phillips, the owner at that time asked if we wanted to buy it. However, with the passing of my father-in-law a few years earlier we were not financially able too. Again, we understood the potential it might be developed and nothing we could do about it. Before putting our property up on the

market, we approached the new owners and provided them with the opportunity to purchase our property. However, they chose not too as well.

The other property owner that adjoins ours, owned by Mark Faul, approached us when the property was put on the market. However, he only wanted the property on the left side of Stanley Rd. This is the most desirable part of our property. He only offered enough to pay for the land, which did not take into account the valve of my mother-laws primary recidence. He has sense built a winery business directly behind us and therefore really has no standing.

To address the concern about number of residents per acre that I read in the paper. The extremely large apartment complex at the corner of Martin Rd and Atlanta Hwy well exceeds the number of units per acre and they are still building more.

In closing, we have lived at this location for over 60 years. We were here before any of the residents above that might oppose this rezoning. It is our right to sale our property, any of them could have purchased the property before we went under contract with the developer. My mother-in law should not be concerned she will not have enough money to support herself, deal with the difficulties of maintaining a house that is over sixty years old and become a burden on the family. Thank you for your time and consideration.

Subject: Protecting the Heart of Hall County: No to Rezoning Application HZON23-0041

Dear Hall County Planning Commission,

I hope this letter finds you dedicated, as ever, to the well-being of our cherished Hall County. It is with a sense of urgency and a heavy heart that I pen this letter. The proposal for rezoning agricultural land to a Planned Residential Development (PRD) has many of us in the community worried, and I must voice my **strong opposition to application HZON23-0041**.

Our neighborhood's charm is in its tranquility and green spaces, something a PRD could significantly disrupt. The proposed density and design do not reflect the character of our existing homes and, frankly, it feels out of place. It's not just about how things look; it's about preserving the community feel we've all invested in.

I'm also troubled by the potential environmental impacts. More hard surfaces mean more runoff and more strain on our waterways. We already face challenges with water quality, and this development could make it worse, affecting everything from our backyards to the local wildlife we're so proud of.

I understand the need for growth, but it should not come at the expense of what makes Hall County special. I urge you to consider the long-term effects and to look for options that keep in line with our community's values and the natural beauty that surrounds us.

I respectfully appeal to the Hall County Planning Commission to reject this application and seek pathways that honor our established community character and uphold our commitment to environmental stewardship. We must wield our foresight and collective responsibility to ensure a legacy of a verdant and harmonious Hall County for our progeny.

Let's find a way to grow responsibly, in harmony with our environment and without losing what makes our area unique. Thank you for listening and for everything you do for our county.

Sincerely,



Jose Serres
4665 Windswept Way
Flowery Branch, GA 30542

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 20, 2023 8:33 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Opposition to zoning Application HZON23-0041

Ana,

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: Cindy Cobb <cindyfcobb@icloud.com>
Sent: Sunday, November 19, 2023 4:46 AM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to zoning Application HZON23-0041

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.

Dear Members of the Hall County Planning Commission,

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the

current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Mark & Cynthia Cobb
Quailwood subdivision
4707 Deer Creek Court
Flowery Branch, GA 30542

Sent from my iPhone

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, October 30, 2023 2:45 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: FW: Stanley Road Development Letters and Powerpoint

Please make this a part of public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
770-531-6809 | www.hallcounty.org

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From: Mark Faul <arrowquest@gmail.com>
Sent: Monday, October 30, 2023 9:57 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Re: Stanley Road Development Letters and Powerpoint

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.

Thank you. However, extending my driveway to meet the new proposed Stanley Road and having homes on both sides of my driveway may also be a possibility and will cause considerable harm to my property value. It would be like driving through a subdivision to get to my house. Would the County ever allow such an action, like this?

This proposal is highly aggressive on all issues (ie, density, 4 variances, setbacks ...); thus, I do not think I am being paranoid. How do I protect myself from the possibility of this action?

I know Eric Conoly at 4690 Stanley Road is also deeply concerned about this potential development and its impacts on Stanley Road.

Thanks: Mark Faul, 678-472-6327

Virus-free.www.avg.com

On Fri, Oct 27, 2023 at 4:22 PM Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org> wrote:

> Good afternoon, Mark.
>
> Thank you for following up. Your concerns have been brought to the applicant, and your presentation added to the public comments for the request.
>
> I can assure you that construction plans would not be approved that landlocks your property, even if the project were approved by the board. A condition could be added to that effect to ensure that the issue is addressed if they choose to approve.
>
> Please let me know if you have any other questions.
>
> Thank you,
>
> Beth Garmon
>
> **Beth Garmon**
>
> Zoning Director
>
> Hall County Community Development and Infrastructure
>
> (office) 770-531-6809
>
> (direct) 770-297-2626
>
> bgarmon@hallcounty.org
>
> All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

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From: Mark Faul <arrowquest@gmail.com>
Sent: Friday, October 27, 2023 4:12 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Re: Stanley Road Development Letters and Powerpoint

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.

Just wondering. Was this letter from the attorney indicating that my property will be landlocked forwarded to the applicant for resolution?

It's so hard to believe that my property is threatened like this.

Thanks: Mark Faul

On Mon, Oct 16, 2023, 3:45 PM Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org> wrote:

> Mark,
>
> Thank you for your email. Please be aware that the applicant has requested to table to the 11/20 Planning Commission meeting.
>
> Thank you,
>
> Beth

From: Mark Faul <arrowquest@gmail.com>
Sent: Monday, October 16, 2023 3:44 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Cc: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Stanley Road Development Letters and Powerpoint

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Hello. Please see the attached pdf file which transmits my concerns over the Stanley Road Development.

Also included is:

- a powerpoint for tonight's presentation - I will be brief if I can even speak.

- a letter from an attorney indicating that landlocked is illegal.

Thank you:

Mark Faul

678-472-6327

Proposed Guth Development – Opposition Mark Faul, PhD

- Strongly opposed to the proposed development of 324 homes in a 117 acre area.
- The proposed development harms the local property owners and the community.

These concerns follow:

1. Personal Impact to property owners – including landlocking access to buildings
2. Ethical Issues with Real Estate company, attorneys and review process
3. Mosquito problem from the numerous water detention ponds
4. Rural Area - proposed lot density exceeds what is reasonable for the area
5. Traffic Analysis is flawed
6. Sewer access and capacity is not clear
7. Summary

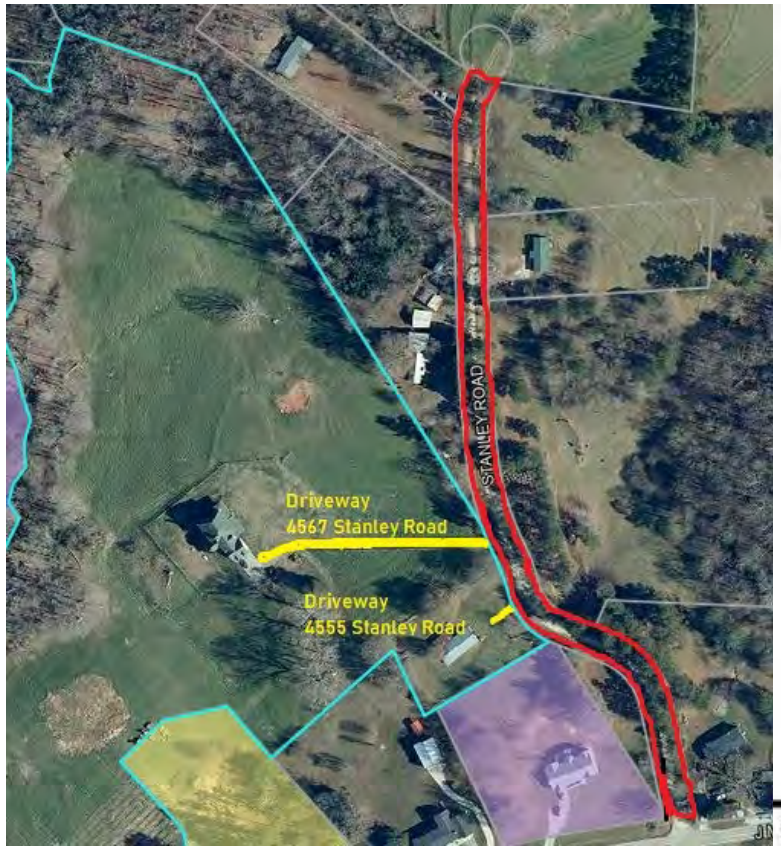
- Grateful for public comment opportunity

Proposed Guth Development – Issue #1 – Landlocks access to two Buildings

- Proposed Subdivision moves Stanley Road and landlocks access to two buildings:

- Personal residence – 4567 Stanley Road
- Barn – 4555 Stanley Road
- Unaddressed by the Hall County Planning Department Comments
- Such action is highly unethical and probably illegal. It is currently being reviewed by an attorney.
- Greenspace blocks access to 4555 Stanley Road.
- Lot 1 cuts off access to personal residence.
- Improper setbacks on Lot 2.
- Not a mistake – other parts of the site plan show driveways (page 27)

Current Road and property boundaries:
Source: Hall County GIS System



Proposed Guth Subdivision
Source:
https://www.hallcounty.org/DocumentCenter/View/11561/Guth-JM-Turk-Stanley-Rd---Thompson-OBrien-Kappler---Final



Proposed Guth Development – Issue #2 – General Unethical Practice

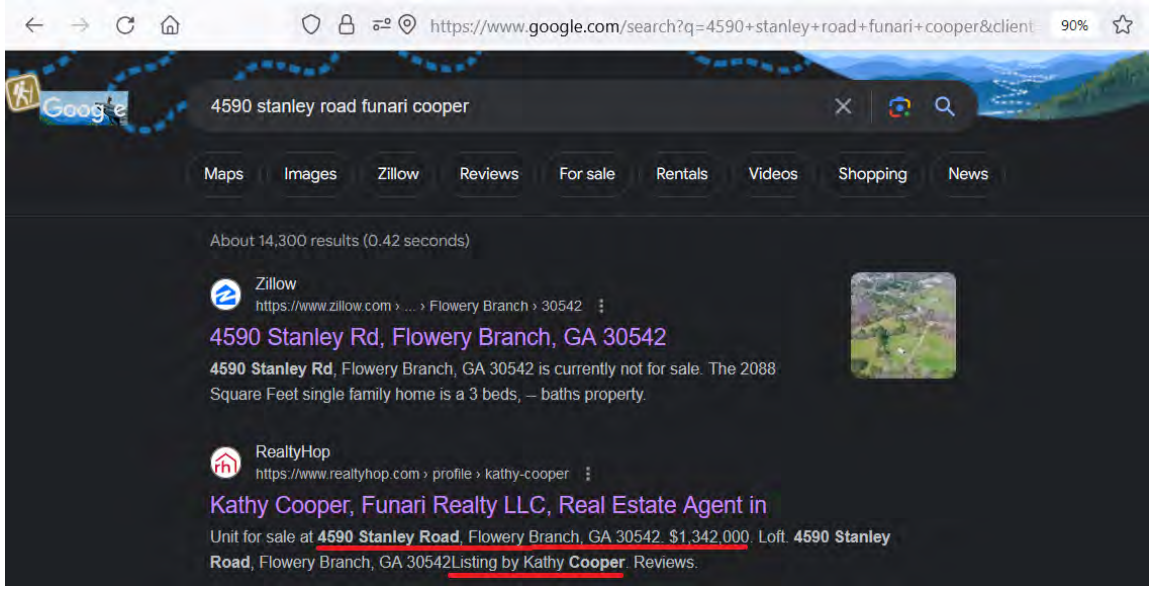
Some Ethical Considerations for the Hall County Commissioners

- Moving a Public Road (Stanley Road) without approval of the people who bought and live on that Road – unethical
- What kind of developers, real estate professionals and Hall County reviewers support land locking properties?
- Real Estate Agent on Property is a Hall County Commissioner:
  - Recusal from Commissioner votes on development is not enough
  - Kathy Cooper talked seller out of my offer in during January 2021
  - A real Estate Agent should never be a Commissioner – too many conflicts that can't be reviewed.
- Developers are attorneys – they will not have the needs of the community at heart (see linkedin site) and may not have the necessary skills to do a development like this.
- Real Estate Company is Funari - Engaged in questionable ethical violations
  - No MLS number in the system, yet the Funari sign has been up for years and is still up today.
  - Used photos of other land (up to 60%) in the flyers to try to sell the 4590 Stanley Road property
  - Talking sellers out of valid offers and no counter-proposals.

Proposed Guth Development – Issue #1 – General Unethical Practice

Some Ethical Considerations for the Hall County Commissioners

- How can a Commissioner be a real estate Agent on a property that impacts the community?
- Listed MLS pictures show 60% of other people's property without disclosure.
- Kathy Cooper's communications with the seller shaped and hampered my ability to purchase this property.
- Zillow says value of 4590 Stanley Road is $496,200. Listed price was $1,342,000







Mark Faul <arrowquest@gmail.com> Jan 13, 2021, 11:51 AM
to jkcooperfarms

Hello Kathy Cooper. Here is the last offer. I would like to submit something similar.

Thanks: Mark Faul, 678-472-6327

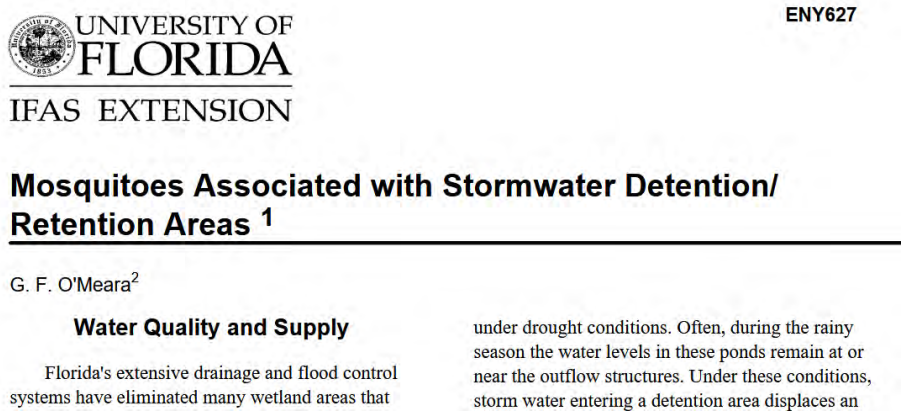
---------- Forwarded message ---------
From: **Mark Faul** <arrowquest@gmail.com>
Date: Tue, Feb 18, 2020 at 7:30 PM
Subject: Contract - 4590 Stanley Road
To: <tony@funarirealty.com>, <info@funarirealty.com>

Proposed Guth Development – Issue #3 – Mosquito and Disease



- Proposed Subdivision creates a giant mosquito problem for the area:
  - The Steep topography of the area creates quick water runoff during storms.
  - This excess water will rapidly fill the planned multiple planned detention ponds in an area of excessive housing density.
  - Mosquitos will result. Increased chance of disease (i.e., West Nile virus) and significantly harm the quality of life.
  - Winery on JM Turk Road will likely be harmed by increase of mosquito population – Direct threat.
  - Community Public Health Problem created. Public will be harmed - Direct threat.
  - Problem will prohibit substantial development of Stanley/Guth Road properties, unless underground detention ponds are created.
  - Sample of Research highlighting the mosquito problems associated with open detention ponds:

- Gingrich, Jack B., et al. "Stormwater ponds, constructed wetlands, and other best management practices as potential breeding sites for West Nile virus vectors in Delaware during 2004." *Journal of the American Mosquito Control Association* 22.2 (2006): 282-291.
- Irwin, Patrick, et al. "Urban wet environment as mosquito habitat in the upper midwest." *EcoHealth* 5 (2008): 49-57.
- Harbison, Justin E., et al. "The need for collaboration among government agencies to reduce mosquito production in mandated stormwater treatment structures." *Journal of the American Mosquito Control Association* 26.2 (2010): 198-204.



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Mosquitoes Associated with Stormwater Detention/ Retention Areas [1]

G. F. O'Meara[2]

Water Quality and Supply

Florida's extensive drainage and flood control systems have eliminated many wetland areas that

under drought conditions. Often, during the rainy season the water levels in these ponds remain at or near the outflow structures. Under these conditions, storm water entering a detention area displaces an

Proposed Guth Development – Issue #4 – Rural Area Imbalance

- Proposed Subdivision home density exceeds what is allowable:
  - Dept of Transportation tractor caution sign about 100 feet from Stanley Rd
  - 324 lots on a 117 acre parcel excessive.
  - Each lot, on average is less than 0.36 of an acre.
    - Smaller lots when you consider roads and detention ponds
  - Large tracks of land in the area. Active farmers. Wrecks between farm vehicles and autos will occur.
  - Largest vineyard in Hall County located about 400 feet from the proposed dense development.
  - Excessive development conflicts with agricultural vehicles.
  - Winery selected as an "agrotourism spot" by Georgia Grown Division within the State of Georgia
    - Development will hurt the local winery



The State works hard to push Georgia Grown Agriculture. This development is counter to that future effort.

GEORGIA grown®



Please vote no to the rezoning request.
This development proposal does not fit this area at all.

Proposed Guth Development – Issue #5 – Flawed Traffic Analysis

- Traffic Analysis flawed.
  - Traffic counts taken for one day (16 May 2023)
    - About half of the entire submitted proposal is a traffic analysis.
    - Inadequate representativeness. May not be representative of any flow patterns
    - Need analysis of multiple days. One day is inappropriate.
    - Statistical power for representativeness not done:
      - **Sampling ratio (sample size to population size):** Generally speaking, the smaller the population, the larger the sampling ratio needed. For populations under 1,000, a minimum ratio of 30 percent (300 individuals) is advisable to ensure representativeness of the sample. For larger populations, such as a population of 10,000, a comparatively small minimum ratio of 10 percent (1,000) of individuals is required to ensure representativeness of the sample. Source: https://wp.stolaf.edu/iea/sample-size/

  - Traffic Analysis not done on Stanley or Guth Roads
    - This is where most of the traffic will likely increase – about 300-1200 fold (estimate)
    - Analysis not performed, yet very relevant to the proposal

Proposed Guth Development – Issue #6 – Sewer Access and Capacity

- Sewer access is unclear
  - Very little in the proposal discusses sewer access
  - No Sewer service is available on JM Turk Road within a mile
  - This super high density is not even allowed with full sewer access.
  - Proposal is not consistent with the Hall County Development plan.
  - Traffic analysis of one day is flawed. No traffic analysis of Stanley or Guth Roads
  - The excessive above ground detention ponds will create a breeding ground for mosquitos.

Proposed Guth Development – Summary

- This hyper development does not belong in this area of Hall County.
    - Unethical actions (land locking)
    - Violates Hall County Development Rules (density, future growth plan)
    - Doesn’t make Sense
    - Doesn’t fit Agricultural feel
    - Poor and steep topography will cause detention ponds to stay full and create a Public Health Threat from Mosquito

Please vote no to the rezoning request.
This development proposal does not fit this area at all.

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

October 16, 2023
VIA ELECTRONIC DELIVERY

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542

RE: Effects of Proposed Development Adjacent to 4567 and 4555 Stanley Road

Dear Dr. Faul,

At your request I have conducted a limited search of the property records of your properties commonly known as 4567 and 4555 Stanley Road which are collectively identified as Hall County Tax Parcel No. 15044 000034 (collectively referred to herein as the "Property"). I have also reviewed the information you provided to me pertaining to the proposed development of the adjacent property, which proposal I understand is scheduled be presented to the Hall County Board of Commissioners for consideration.

The purpose of this letter is to provide to you my conclusions as to the potential effects of the proposed development on access to the Property based upon the above information. The development as presented would result in a complete loss of access to the Property from Stanley Road. Further, no other existing roads or driveways provide a means of access to the Property. Accordingly, the proposed development, if approved, will essentially landlock the Property as there are no other present or practical means of access.

If the proposed development is approved as presented to me, you will have potential legal and equitable claims including, but not necessarily limited to, claims of inverse condemnation, claims to reestablish access to and from the Property, and claims to recover your legal damages.

Sincerely,

Keith J. Whitaker

Street Address:
Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501

In Your Community. In Your Corner.

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

15 October 2023

Hall County Planning and Development
2875 Browns Bridge Road
(attn: Randi Doveton, Director of Planning and Development)
Gainesville, GA 30504

Dear Randi Doveton:

This letter is in regard to my opposition to the proposed 324 lot development on Stanley Road in Flowery Branch GA. The proposed development harms the local property owners and the community. I am strongly opposed to this development for the following reasons:

1. The proposed plan landlocks my property from Stanley Road. The developers want to move Stanley Road and put houses in from of my driveway, thus, blocking me from my personal residence (4567 Stanley Road) and my Barn (4555 Stanley Road). I found out about this only by reviewing the proposal. I have sought legal counsel and confirmed that landlocking is illegal and I would have a legal case against the anyone involved in depriving me access, or damaging the appearance to my property. Please see attached letter.

2. It is unethical for a County Commissioner to be a Real Estate Agent on this matter. Various actions, such as talking the landowner out of an attempt to purchase the property is unethical. Please see the presentation for additional details.

3. Large portions of this property have steep topography. There are 4 large detention ponds that would fill up very quickly and drain very slowly. This would create a mosquito haven for the area. Given the exemptions for personal residences in the water detention calculations, the water not be properly captured and will cause flooding downstream and mosquitos, which is a direct threat winery business located nearby and to all of the surrounding residents. The increase in mosquito population will introduce mosquito vector based diseases such as (West Nile Virus and the Zika Virus).

4. The proposed lot density exceeds what is reasonable for the area and what is legally permissible. There is no known local sewer access. Tractors run on these roads! Hall County's largest vineyard is about 400 feet from Stanley Road.

5. This area is a breeding area for the Barred Owl. We hear them almost every night. This friendly form of wildlife helps maintain the rodent population. If the proposal goes through, it will ruin the natural habitat for the Barred Owl and the quality of life will suffer.

6. The Traffic Analysis is deeply flawed. It is not a representative sample of traffic, as it includes counts from a one-day total. Also, the traffic increase will be on Stanley Road (estimated 300-1,200 fold). Stanley Road was not included in the analysis.

7. The proposed development is not consistent with existing growth plans for Hall County.

8. The proposed development has one way in and one way out. This is very dangerous for high density housing. An "emergency exit" is someone's driveway that is an unrecorded "handshake" easement in Hall County.

I am deeply opposed to this development and will be negatively impacted by the plan is approved. Powerpoint slides are also attached. Please feel free to call me if you have any questions, Mark Faul (678-472-6327).

Sincerely:

Mark Faul, PhD
678-472-6327

Proposed Stanley Rd Development – Opposition: Mark Faul, PhD

- Strongly opposed to the proposed development of 324 homes in a 117 acre area.
- The proposed development harms the local property owners and the community.

These concerns follow:

1. Personal Impact to property owners – including landlocking access to buildings
   - Letter from an attorney indicating proposal is illegal.
2. Ethical Issues with Real Estate company, developers and the review process
3. Mosquito problem from the numerous water detention ponds
4. Rural Area - proposed lot density exceeds what is reasonable for the area
5. Displacement of the Barred Owl – friendly wildlife
6. Traffic Analysis is flawed
7. Not consistent with Hall County development plans
8. One way in and one way out – dangerous for high density housing
9. Summary

- Grateful for public comment opportunity

Proposed Stanley Rd Development – Issue #1 – Landlocks access to two Buildings

- Proposed Subdivision moves Stanley Road and landlocks access to two buildings:

- Personal residence – 4567 Stanley Road
- Barn – 4555 Stanley Road
- Unaddressed by the Hall County Planning Department Comments
- Such action is highly unethical and probably illegal. It is currently being reviewed by an attorney.
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- Improper setbacks on Lot 2.
- Not a mistake – other parts of the site plan show driveways (page 27)

Current Road and property boundaries:
Source: Hall County GIS System



Proposed Guth Subdivision
Source:
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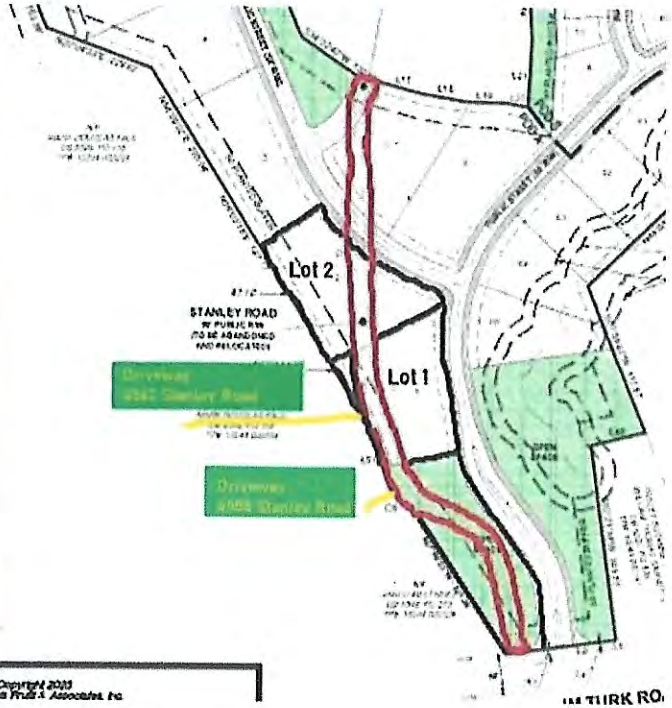

Proposed Stanley Rd Development – Issue #2 – General Unethical Practice

Some Ethical Considerations for the Hall County Commissioners

- Moving a Public Road (Stanley Road) without approval of the people who bought and live on that Road – unethical
- What kind of developers, real estate professionals support land locking properties?
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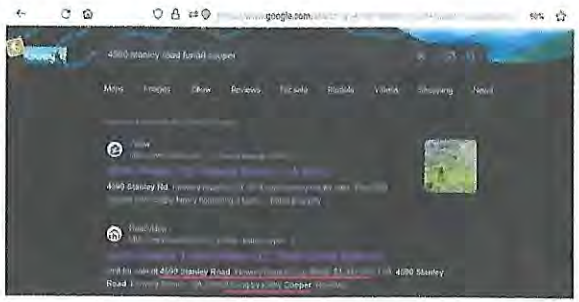

Proposed Stanley Rd Development – Issue #3 – Mosquito and Disea



- Proposed Subdivision creates a giant mosquito problem for the area:
  - The Steep topography of the area creates quick water runoff during storms.
  - This excess water will rapidly fill the planned multiple planned detention ponds in an area of excessive housing density.
  - Flooding possibilities down stream – Eli Valley already floods.
  - Mosquitos will result. Increased chance of disease (i.e., West Nile virus, Zika) and significantly harm the quality of life.
  - Winery on JM Turk Road will likely be harmed by increase of mosquito population – Direct threat.
  - Community Public Health Problem created. Public will be harmed - Direct threat.
  - Problem will prohibit substantial development of Stanley/Guth Road properties, unless underground detention ponds are created.
  - Sample of Research highlighting the mosquito problems associated with open detention ponds:

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G. F. O'Meara[2]

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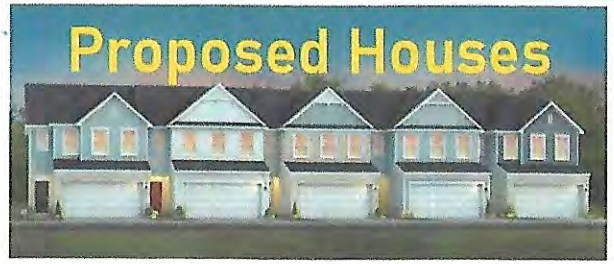


  - Large tracks of land in the area. Active farmers. Wrecks between farm vehicles and autos will occur.
  - Largest vineyard in Hall County located about 400 feet from the proposed dense development.
  - Excessive development conflicts with agricultural vehicles.
  - Winery selected as an "agrotourism spot" by Georgia Grown Division within the State of Georgia
    - Development will hurt the local winery

The State works hard to push Georgia Grown Agriculture. This development is counter to that future effort.

GEORGIA grown®



Please vote no to the rezoning request. This development proposal does not fit this area at all.

Proposed Stanley Rd Development – Issue #5 – Barred Owl Nesting grounds

- Proposed Subdivision will hurt friendly wildlife in the area:

- Common Nesting ground for the barred owl.
  - Can hear them at night.
  - Owls keep rodent population in check.
  - Proposal will displace the Barred Owl nesting grounds.



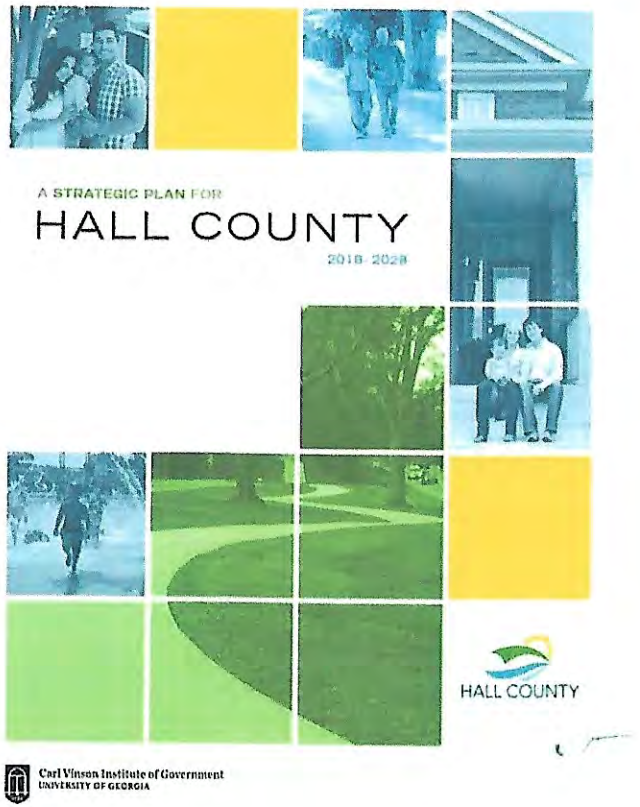
Proposed Stanley Rd Development – Issue #6 – Flawed Traffic Analysis

- Traffic Analysis flawed.
  - Traffic counts taken for one day (16 May 2023)
    - About half of the entire submitted proposal is a traffic analysis.
    - Inadequate representativeness. May not be representative of any flow patterns
    - Need analysis of multiple days. One day is inappropriate.
    - Statistical power for representativeness not done:
      - **Sampling ratio (sample size to population size):** Generally speaking, the smaller the population, the larger the sampling ratio needed. For populations under 1,000, a minimum ratio of 30 percent (300 individuals) is advisable to ensure representativeness of the sample. For larger populations, such as a population of 10,000, a comparatively small minimum ratio of 10 percent (1,000) of individuals is required to ensure representativeness of the sample. Source: https://wp.stolaf.edu/iea/sample-size/

  - Traffic Analysis not done on Stanley or Guth Roads
    - This is where most of the traffic will likely increase – about 300-1200 fold (estimate)
    - Analysis not performed, yet very relevant to the proposal

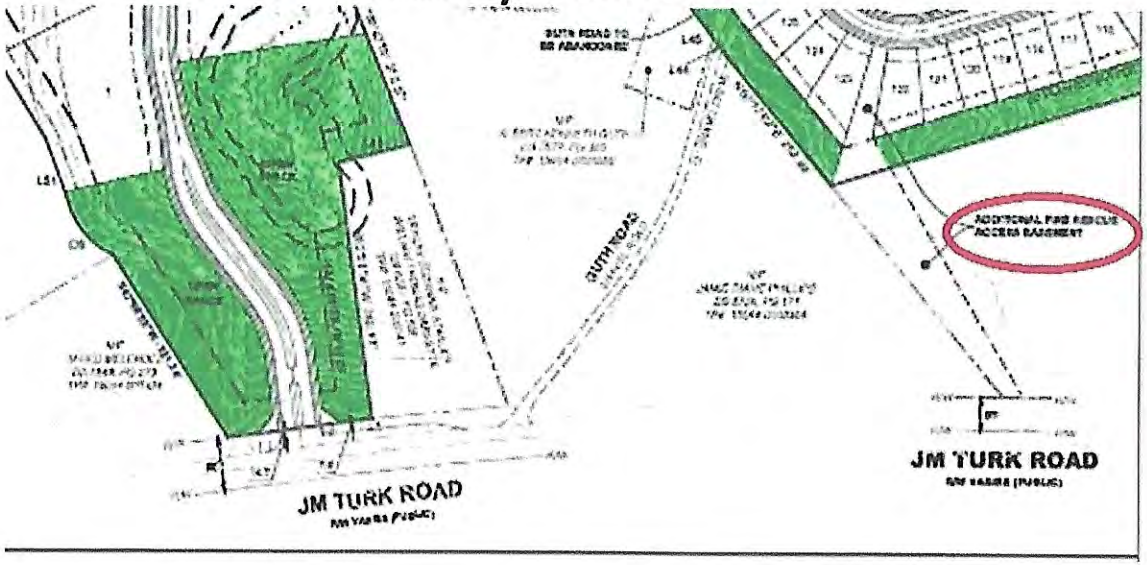
Proposed Stanley Rd Development – Issue #7 – Not consistent with Hall County growth pla

- Development is not consistent with the future growth plans already approved by Hall County Commissioners.



Proposed Stanley Rd Development – Issue #8 – No emergency exit from subdivision

- One way in and one way out – dangerous for EMS and Fire management.
- Proposed emergency exit is someone's driveway
  - Not a public Road
  - Handshake easement
  - Unrecorded in Hall County Records



Exit for emergency vehicles is a driveway, not a public road.

Proposed Stanley Rd Development – Summary

- This hyper development does not belong in this area of Hall County.
  - Unethical actions (land locking)
  - Violates Hall County Development Rules (density, future growth plan)
  - Doesn't make Sense
  - Doesn't fit Agricultural feel
  - Displaces friendly wildlife (Barred Owl)
  - Poor and steep topography will cause detention ponds to stay full
  - Creates a Public Health Threat from Mosquitos (Wet Nile Virus and Zika)
  - Proposal is not consistent with the Hall County Development plan
  - Dangerous – one way in and one way out.

Please vote no to the rezoning request. This development proposal does not fit this area at all.

Anael Dominguez (CDI: Planning)

From: Beth Garmon (CDI: Planning)
Sent: Monday, November 20, 2023 8:54 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Mulberry Springs Winery concerns over the proposed rezoning and dense Subdivision Stanley/Guth Road
Attachments: mulberry_springs_opposition_112023.pdf

Beth Garmon
Zoning Director
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
GEORGIA
We have it all in Hall

From: Mark Faul <mark@mulberrysprings.com>
Sent: Monday, November 20, 2023 8:50 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Cc: derrick.mccollum@house.ga.gov
Subject: Mulberry Springs Winery concerns over the proposed rezoning and dense Subdivision Stanley/Guth Road

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Please note that 4567 and 4555 Stanley Road are active farm properties that support the Mulberry Spring Vineyard and Winery. The creation of a high density subdivision off of Guth and Stanley Road will severely hurt Winery activities.

This is a rural area with active farm operations, which is incompatible with farm activities. Please see the attached letter outlining the opposition. Request denial of any rezoning effort and any attempt to landlock properties on Stanley or moving the Road in any way.

Given the seriousness of this matter, a copy of this letter is going to the State Representative Office of Derrick McCollum.

Thank you for your consideration.

Mark Faul, PhD
Mulberry Springs Winery
https://www.mulberrysprings.com/
678-472-6327



Mulberry Springs Vineyard and Winery

Arrowquest Services Inc.
4567 Stanley Road, Flowery Branch, Georgia 30542

17 November 2023

Hall County Planning and Development
2875 Browns Bridge Road
(attn: Randi Doveton, Director of Planning and Development)
Gainesville, GA 30504

Dear Randi Doveton:

Arrowquest Services Incorporated is the organization that operates Mulberry Springs Vineyard and Winery, which is a Farm House winery located at 4527 JM Turk Road, Flowery Branch GA 30542. These wineries are allowed on AGRICULTURAL- RESIDENTIAL III (AR-3) zoning and are very popular with the public. Farm Wineries were also encouraged by the State of Georgia to promote Georgia Agriculture and employment. Hall County Commissioners granted approval of Mulberry Springs Vineyard and Winery on 5 May 2021. Arrowquest Services Inc. manages Mulberry Springs Vineyard and Winery and has a role in providing the following positive attributes to the Hall County Community:

- The Largest Vineyard in Hall County.
- A google 5-star out of 5-star average review and 23,215 views on Google Maps (image 1).
- Overwhelming support on Facebook with thousands of likes, followers and support from the Community.
- Member of Georgia Agrotourism Group – supported by Road signs.
- Employs people and helps the economy.
- Provides a fantastic view for guests and helps create a positive image of Hall County.

Unfortunately, the proposed subdivision and rezoning request on Stanley Road in Flowery Branch GA will directly hurt winery operations and may result in the closure of the winery. The proposed subdivision, is actually an urban island in an established rural area, requesting 4 variances against existing Hall County rules. The rezoning application is located here: http://img1.wsimg.com/blobby/go/bdc3f054-bab6-4e84-8c37-25a3d969ad87/downloads/Guth%20JM%20Turk%20Stanley%20Rd%20-%20Thompson%20OBrien%20Kapp.pdf?ver=1696435243243).

This request is overly aggressive and is asking to put 324 homes on 117 acres, and will negatively impact the Mulberry Springs Vineyard and Winery in numerous ways. We encourage you to deny the rezoning request of PRD from AR-3 Stanley Road for the following reasons:

The plan Landlocks Winery Operations at 4555 Stanley Road. The proposal, if approved, moves Stanley Road and landlocks property at 4555 Stanley Road where some winery operations occur (image 2). Implementation of this plan will severely damage the winery operations. Stanley Road is currently a small gravel road that handles farm equipment to allow winery trucks and machine access. If not landlocked a reconfigured Stanley Road will have farm equipment competing with subdivision traffic of about 1,000 cars (image 3).

Views of Mulberry Springs are amazing – rezoning will destroy the views. People come to the winery to relax and get something they can't get at home, which is beautiful vistas and peacefulness.

The winery location was specifically chosen for its views and the limited growth possibility on Stanley Road due to its odd triangular shape the impossibility of building houses on the Road, given setback rules. However, the proposed plan is to move Stanley Road and will allow many houses to be seen from the winery. This will hurt the views of the largest Vineyard in Hall County and help destroy a valuable asset to the community. Further, the State of Georgia has declared Mulberry Springs Vineyard and Winery an official "Georgia Grown Agritourism site". This high-density subdivision proposal is inconsistent the State of Georgia agritourism designation (image 4).

The plan has excessive housing density, beyond allowable rules, which may result in noise complaints. Part of the vineyard lies 400 feet from Stanley Road. The current plan is to move Stanley Road and have houses backup to 4567 Stanley Road, with limited setbacks. Thus, people may hear wine drinkers have conversations and wine drinkers may be bothered by dense subdivision noise. It goes both ways. The excessive density and movement of Stanley Road puts winery operations at risk of receiving noise complaints and diminished winery patronage. Please note, the current AR-3 density is manageable and consistent with the entire rural area and is normal zoning for Wineries throughout the State of Georgia. However, PDR zoning is incompatible with winery operations and is setting up the winery for noise complaints. The decision to allow anything other than AR-3 zoning will severely injure the winery sales.

Retention Ponds will create a breeding ground for mosquitos. Mulberry Springs winery built an underground water detention pond that costs about $50,000. This was to avoid the mosquito problems in an area where there are outdoor activities. The proposed high-density subdivision has 4 detention above ground detention ponds. These ponds will be a breeding ground for disease (ie, West Nile virus, Zika...) and will likely severely hamper winery operations. If the proposed subdivision is approved, request the detention ponds be placed underground to protect the winery.

Please deny the zoning request. Homes could be built on the existing AR-3 zoning. No one rejects development on the current zoning of AR-3. This proposed plan is grossly overly aggressive and hurts the look and feel of this valued rural area. It will also severely injure the Winery Operations and activities. According to a study done by the University of Georgia, the number one reason people visit wineries to for the views and to connect with nature (Economic Contribution of Georgia Wineries and Vineyards, Prepared by: Kent Wolfe, Sharon P. Kane, and Karen Stubbs, University of Georgia, Center for Agribusiness and Economic Development, Center Report: CR-13-06, dated Sept 13th 2013 - https://caed.uga.edu/content/dam/caes-subsite/caed/publications/center-reports/economic-contribution-wineries-georgia.pdf). Specifically, "scenery" is listed as the number 1 reason people go to wineries (table #1.6). Further, in 2013, it was documented that the impact of Georgia Wineries on the State economy was "sectors, along with visitor spending contributes up to $81.6 million in output, 655.6 jobs throughout the state's economy, and $4.1 million in state and local tax revenue". It is probably double that now due to the winery growth in the North Georgia Mountains and due to inflation within the last 10 years since the report was written. This very dense subdivision proposal will undoubtedly hurt the winery due to a loss of "scenery". It will severely hamper winery operations and promote future noise complaints all for the purpose maximizing lots of land on a proposed future movement of Stanley Road. Many people like the winery location because it saves them from driving long distances to

visit other wineries. This proposal is so aggressive and inappropriate for a rural area, I have been in communication with my State Representative's office (Representative Derrick McCollum).

For these reasons (harm to an established winery with good community support, hampered winery operations, destruction of valuable scenery, loss of rural area that helps people's well being, increase of noise complaints, possible economic loss to Hall County and an increase in mosquitos) this rezoning request must be denied. Also, the proposal is inconsistent with the Hall County comprehensive Land Use Plan for this area and is counter to the quality of life for current and future homeowners and agri-businesses in the area, I urge the denial of the proposal of moving Stanley road and any rezoning change to an established rural area within Hall County. A non AR-3 zoning request would substantially hurt Mulberry Springs Vineyard and Winery.

Mark Faul, PhD

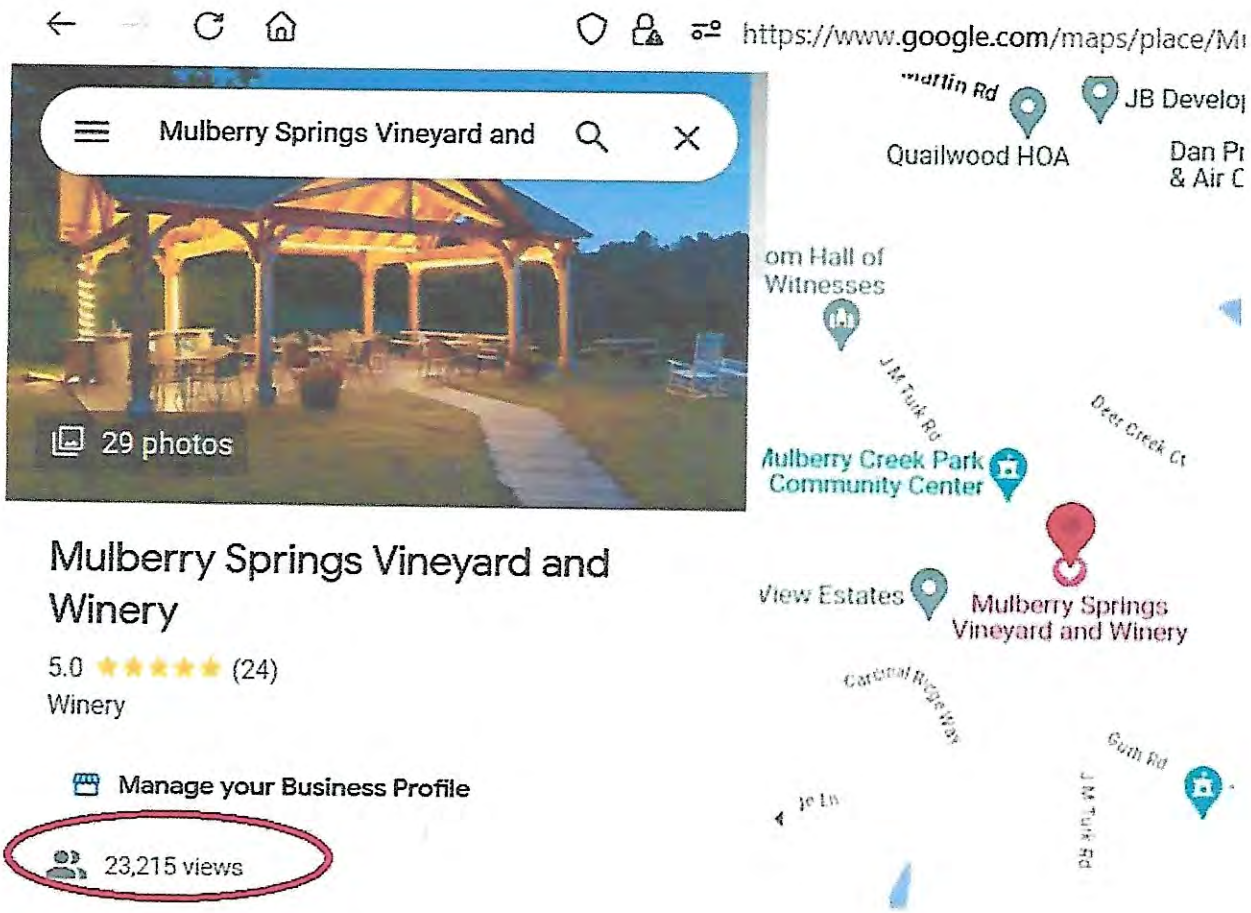
Arrowquest Services Inc, CEO

678-472-6327

4 images

Copy Furnished: Representative Derrick McCollum, 30th District 612-E Coverdell, Legislative Office Building, Gainesville, GA 30503

Image 1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Mulberry Springs Vineyard and
29 photos
Mulberry Springs Vineyard and Winery
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Quailwood HOA
JB Develo
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& Air C
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Witnesses
Deer Creek Ct
Mulberry Creek Park
Community Center
View Estates
Mulberry Springs
Vineyard and Winery
Guth Rd

Image 2

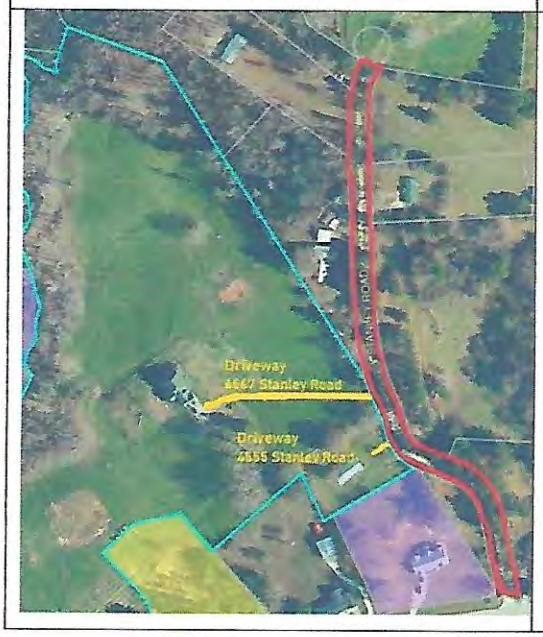
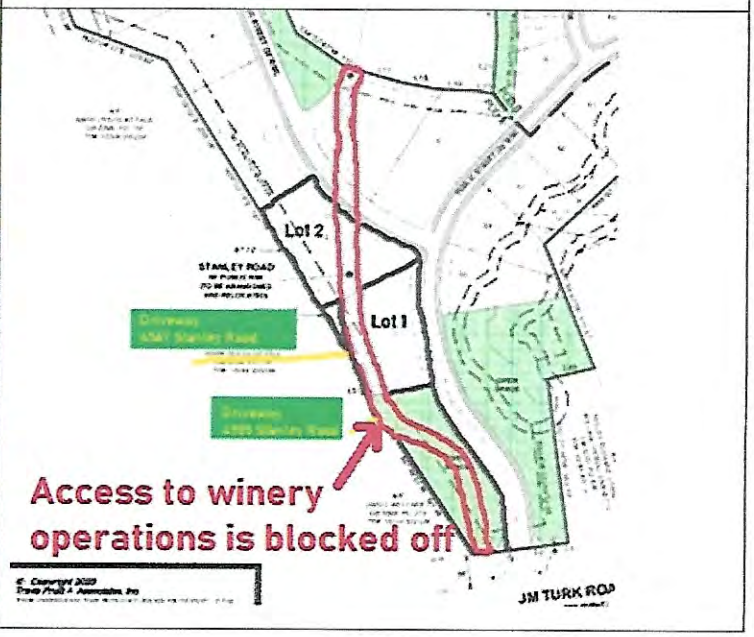
Current Road and property boundaries: Source: Hall County GIS System	**Proposed Stanley Road Subdivision** Source: https://www.hallcounty.org/DocumentCenter/View/11561/Guth-JM-Turk-Stanley-Rd---Thompson-OBrien-Kappler---Final
	

Image 3




GEORGIA grown
GEORGIA AGRITOURISM
Mulberry Springs Vineyard & Winery
For Sale
AVISON YOUNG
12 +/- Acres
770-532-9911
avisonyoung.com
Frank N. Simpson, CCIM, SIOR
Sam B. Simpson

Impact of Proposed subdivision on Stanley Road on the Mulberry Springs Vineyard and Winery

MULBERRY SPRINGS
VINEYARD & WINERY
FLOWERY BRANCH, GEORGIA

11/20/23, Arrowquest Services Inc.

Winery Attributes

- Arrowquest Services Inc. manages Mulberry Springs Vineyard and Winery and has a role in providing the following positive attributes to the Hall County Community:

- The Largest Vineyard in Hall County.
- A google 5-star out of 5-star average review and 23,215 views on Google Maps (image 1).
- Overwhelming support on Facebook with thousands of likes, followers and support from the Community.
- Member of Georgia Agrotourism Group – supported by Road signs.
- Employs people and helps the economy.
- Provides a fantastic view for guests and helps create a positive image of Hall County.

- Please vote to deny this rezoning request

Problem #1: **The plan Landlocks Winery Operations at 4555 Stanley Road**.

- The current plan proposes to landlock 455 Stanley Road and put houses in front of the current properties there.
- Stanley Road is currently a small gravel road that handles farm equipment to allow winery trucks and machine access.
- If not landlocked a reconfigured Stanley Road will have farm equipment competing with subdivision traffic of about 1,000 cars
- An objective legal analysis informed the winery that if the proposed subdivision damages the property value at 4555 & 4567 Stanley Road, damages could be collected from the County and others.





Please vote to deny this rezoning request

Problem #2: **Views of Mulberry Springs are amazing – rezoning will destroy the views.**

- According to a study done by the University of Georgia, the number one reason people visit wineries to for the views and to connect with nature (Economic Contribution of Georgia Wineries and Vineyards, Prepared by: Kent Wolfe, Sharon P. Kane, and Karen Stubbs, University of Georgia, Center for Agribusiness and Economic Development, Center Report: CR-13-06, dated Sept 13th 2013 - https://caed.uga.edu/content/dam/caes-subsite/caed/publications/center-reports/economic-contribution-wineries-georgia.pdf). Specifically, "scenery" is listed as the number 1 reason people go to wineries (table #1.6).





Please vote to deny this rezoning request

Problem #3: **The plan has excessive housing density, beyond allowable rules, which may result in noise complaints**

- The new homes will be 400 feet from the vineyard and 600 feet from the tasting room
- The movement of Stanley Road will put houses facing the winery
- Could be noise complaints from:
  - Winery participants
  - New people in the Subdivision
- Most Wineries in Georgia are in a agricultural zoning.
- This proposal is requesting:
  - Very Dense Housing 2.8 houses per acre and 8 plus houses with the townhomes
  - Aggressive exceptions to setbacks
  - Putting homes on the property lines of the winery, where there should only be a road
- Approval of the Rezoning will severely hurt the winery due to the proximity of homes and no planned buffers to address possible noise from both directions
- Mulberry springs Winery has been selected as an Agritourism Spot by the State of Georgia, This proposal is inconsistent with an established agribusiness.

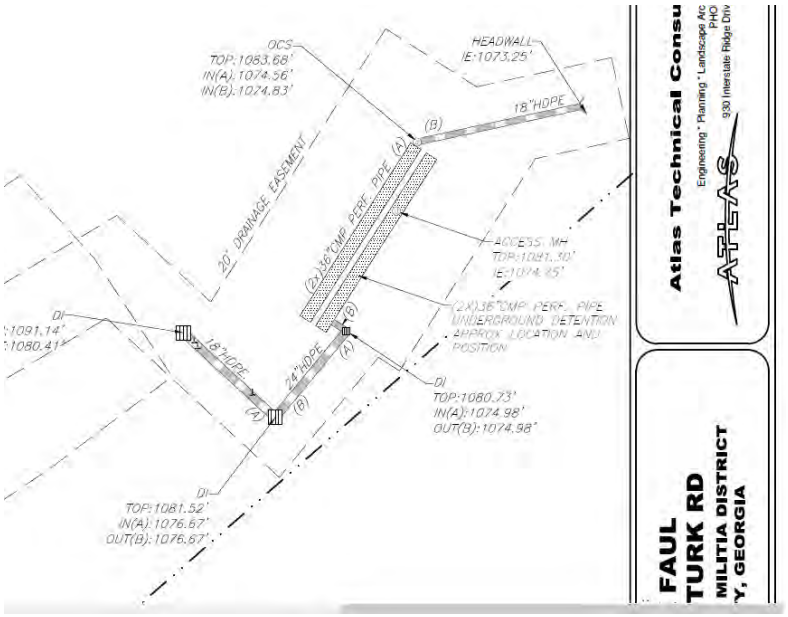


Please vote to deny this rezoning request

Problem #4: **Retention Ponds will create a breeding ground for mosquitos.**

- The topography in the area is steep. Fast runoff of storm water will rapidly fill the ponds and there will be slow drain.
- Mulberry Springs put in a $50,000 underwater detention pond to stop mosquitos
- The proposed high-density subdivision has 4 detention above ground detention ponds.
- These ponds will be a breeding ground for disease (i.e., West Nile virus, Zika…) and will likely severely hamper winery operations.
- If the proposed subdivision is approved, <u>request the detention ponds be placed underground to protect the winery and the people</u>.

Mosquito Protection: Underground Water Detention Pond at Mulberry Springs Winery



Please vote to deny this rezoning request

Anael Dominguez (CDI: Planning)

From: Beth Garmon (CDI: Planning)
Sent: Friday, February 2, 2024 10:58 PM
To: Anael Dominguez (CDI: Planning)
Subject: Fwd: Ethical Issues - Proposed High Density Subdivision on Stanley Road (application HZ023-0041)
Attachments: ethics_memo_stanley_road_020224.pdf

From: Mark Faul <arrowquest@gmail.com>
Sent: Friday, February 2, 2024 8:24 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; fsosebee@hallcounty.org <fsosebee@hallcounty.org>
Subject: Ethical Issues - Proposed High Density Subdivision on Stanley Road (application HZ023-0041)

Some people who received this message don't often get email from arrowquest@gmail.com. Learn why this is important

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Hello. Some of the ethical issues associated with this proposed subdivision are so extreme, I decided to put my concerns in writing.

Also, please note that Gwinnett County uses the RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE SAFETY STANDARDS (a Georgia Law) for subdivision planning. In applying this law to the proposed subdivision, it appears as this should not go forward due to the close location of the proposed entrances.

Thank you for considering these important issues.

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542
678-472-6327

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

2 February 2024

Hall County Planning and Development
2875 Browns Bridge Road
(attn: Randi Doveton, Director of Planning and Development)
Gainesville, GA 30504

Hall County planning Commissioners (via email)

Chris Braswell- District 2	cbraswell@hallcounty.org
Stan Hunt- District 3	shunt@hallcounty.org
Johnny Varner- District 4	jvarner@hallcounty.org
Gina Pilcher- Chairman appt	gpilcher@hallcounty.org
Frank Sosebee- District 1	fsosebee@hallcounty.org

This is in regard to the planned 324 living units off of Stanley Road and Guth Road in South Hall County (application HZ023-0041). The public has had a chance to speak on the project and there is strong opposition in the records. Issues like density, traffic, flooding, school capacity, harm to neighboring farms and one business have been raised. The only one person in favor of the project benefits from the pending sale. Approximately 150 people have signed a petition and gone on record in opposition. From the meetings, what has been has not been clearly mentioned are the ethical issues underlying this proposal. The ethical issues are so extreme, that documentation is needed to augment the record. Known ethical issues follow:

Landlocking property: To even suggest this action was illegal and unethical. During the fall of 2023, Hall County government staff reviewed the application and found many objections with the rezoning request and recommended denial to the Hall County Planning Commission; however, the issue of landlocking my personal property was not one of the reasons for the denial recommendation. The applicant's map showed a different configuration of Stanley road, where I had no road access to my properties (4555 and 4567 Stanley Road) and new homes were placed blocking my driveways. Being faced with the threat of not being able to enter my properties, I contacted Hall County about the landlocking issue and they said I can state my case to Hall County Planning Board Commission. This initial answer was insufficient compared to the threat to the greatly diminished value of my personal property due to non-entry. Thus, I hired an attorney to examine the rezoning request with respect to the landlocking issue. Keith Whittiker's letter (an attorney) indicated that I was indeed landlocked and would be eligible for compensatory damages and attorney fees if the rezoning request was approved (enclosure 1). This letter shows the seemingly illegal and unethical actions of Mr. William Deihl. It was provided to Hall County on 16 October 2023 along with a letter of overall opposition to the subdivision that boarders about 1,300 feet of my land. A specific diagram of the landlocking issue is available as of that letter, which is provided as enclosure 2. I recontacted Hall County to ensure that the letter had been forwarded to the applicant for action and the opportunity to change or withdraw their rezoning plans to allow me access to my personal property on 16 October (enclosure 3) and was told that all

concerns were forwarded to the applicant and Mr. William Deihl (email dated 27 October). They had 3-5 weeks to reverse an illegal action and chose not to.

On 21 November 2023, Mr. William Deihl presented the proposed subdivision map showing me being landlocked was presented during this meeting (enclosure 4). No visual change was made on the map. On this landlocking issue, the Chairman of the Planning Commission, Chris Blackwell, questioned why the applicant would submit such a proposal and why Hall County government staff would allow the application to progress to the Planning process.

Mr. William Deihl had ample time (about one month) to change the rezoning presentation map and details but did not. At no time did Mr. William Deihl or anyone from the law firm representing an "unknown client" ever discuss any easements with me. They used the time to barter with Hall County to determine what they could get away with. On 18 December 2023, I asked Mr. William Deihl who the developer was and was told he could not share this due to "attorney client privilege". I did get verbal and written requests to purchase my property. This action may have been designed to scare me into selling. All of this is highly unethical and illegal.

Applicant mismatch on the public meetings on 18 December and 21 December 2023: Unethical switch of law firms results in non-binding actions for the original applicant. Mr. William Deihl, a representative from a new law firm (**Smith Gambrell and Russell**) was there to talk about the project. Please see enclosure 5. It is noted that the original applicant on the subdivision was from **THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.** which was not the official applicant of the subdivision. This fact suggests the planning commission's requests were not adhered to and the answers to any questions cannot be effectively linked to the official subdivision application in front of Hall County for decision.

Emergency Road on land NOT owned: The applicant attempted to show the design of an emergency access location on a parcel they didn't own or have any current or future rights. This was illegal and highly deceptive. A map of the proposed subdivision shows an emergency access road from Rodge Little's property to join to Guth Road (enclosure 4). The pending sale of Mr. Rodger Littles's property does not include a usable roadway or driveway to Guth Road (enclosure 6). A check of the property records confirmed that the current driveway is actually owned by another property owner and there is no recorded easement for access to Mr. Little's property from Guth road, as shown on the presented map from the applicant. They knew this and were likely deceptive.

Request for 5-7 variances: Depending on which version is being discussed, the applicant asks for at least 5 variances that deviate from Hall County Code and Ordinances. We all have to follow ordinances and laws. Why is it acceptable for an organization who has no commitment to the community be allowed to skirt those rules that everyone else follows? Exceptions to the rules are exceptions, not the norm as stated during the meeting on 21 December 2023. How is granting this many exceptions to laws and ordinances be fair or ethical?

Mr. Deihl incorrectly stated that the proposed subdivision was similar to nearby established subdivisions: The applicant has stated that the proposed subdivision is consistent with subdivisions

with large homes (Grandview, Quail wood and Royal Lakes). As noted during the planning group, a Commissioner said this was not true. Some of the proposed homes are 1/4th the size of the stated comparable subdivisions. None are size comparable. This was dishonest or grossly misinformed.

Implied growth inconsistent with the area: It is unethical to have extreme growth inconsistent within the area. People purchase their homes with an expectation of future development around them, but that development should be consistent with the area. Hall county has an obligation to not harm people's property value by putting townhomes near large acreage tracks. To approve this project as presented, it would be injudicious to the surrounding residents. For example, Mr. Eric Conoly, who lives on 11 acres will be faced with 22 homes surrounding his 11 acre property. For my property, Stanley Road currently has about 10 cars on the road today, that is anticipated to increase to about 2,500 cars at mostly daylight hours. That is hundreds of cars an hour during the day compared to 10 cars a day on Stanley Road. This type of congestion is not typical for the area and is inconsistent with the buyer's original expectation of future growth. This applies to all land owners in the area, but disproportionately negatively impacts property value for the large land owners. This is a quiet rural area. Approval of any rezoning and this high density housing is a breach of implied promise of reasonable growth for all owners in the area.

County Commissioner is the real estate agent on the property (enclosure 7). This is highly unethical. Ms. Kathy Cooper may make hundreds of thousands of dollars from real estate commissions on this deal. Ms. Cooper has approached many land owners in the area to help create the assemblage and has worked to reject offers for part of the property. All of this is unethical and a commissioner deciding to recuse themselves from voting does not exonerate themselves from the ethical conflicts of representing his/her constituents. Specifically in Montgomery v. Atlanta the following was noted:

> A city councilmember was also a large stockholder in a paving company that was awarded a contract by the City of Atlanta. Ultimately, the contract was ruled to be contrary to public policy and therefore illegal, even though (1) the councilmember in question did not participate in the vote to award the contract and (2) the councilmember resigned from council and the remaining councilmembers voted again to ratify the contract after his departure.97 Self-recusal from a vote does not remove the conflict of interest where financial matters and personal gain are involved.

Please see enclosure 8 and 9 from the "ABUSE OF OFFICE, CONFLICTS OF INTEREST, AND ETHICAL STANDARDS, 2022 Association County Commissioners of Georgia (ACCG)", page 20 (https://www.accg.org/docs/handbook/Abuse%20of%20Power.pdf).

New emergency access road on Guth road. Mr. Deihl said during the 21 December 2023 meeting that the Commissioner's statement on the requirement for 2 ways in and 2 ways out of a subdivision over 150 homes could not be found. Yet, the Georgia State law if very clear (enclosure 10 and Enclosure 11). Georgia Counties may not over-ride Georgia Law (minimum fire safety standards). A different map presented on 18 and 21 December 2023 clearly violates the Georgia law by not complying with the distances in the two right of ways needed for a proposed subdivision of 120 or more homes. Gwinnett County uses this code during their development review process. The first part of the law states:

7. Add a new section, Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

The second relevant part of the law states:

Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

This proposed subdivision is 324 homes and thus 2 separate fire access roads are required. Also, the two roads must be indicated that the two entrances need to be ½ the length of the maximum overall diagonal dimension. The overall diagonal dimension is about 3,675 and ½ that distance is about 1,838 feet. Thus, the entrances need to be at least 1,838 feet from one another (enclosure 12). Mr. Deihl, an attorney, was either mistaken or deceptive in his identification of the proper applicable law.

Please see the following full reference regarding Minimum Fire Safety Standards:

Ga. Comp. R. & Regs. r. 120-3-3-.04 State Minimum Fire Safety Standards with Modifications
Georgia Administrative Code
Department 120. OFFICE OF COMMISSIONER OF INSURANCE, SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN COMMISSIONER
Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER
Subject 120-3-3. RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE SAFETY STANDARDS

Agricultural area inconsistent with high density automobile traffic. Many people own tractors in the area and occasionally those tractors are in operation on JM Turk Road and the surrounding area. Geogia Department of Transportation placed a tractor cautionary sign about 70 feet from the entrance of Stanley Road many years ago due to the farming activity in the area (enclosure 13). Excessive automobile traffic and tractors do not mix well together. The zoning change from Agricultural Residential to PRD will hurt farmers in the area. For example, the largest vineyard in Hall County is about 400 feet from Stanley Road and the road is used by farm equipment to process the tonnage of grapes produced by the property. Stanley Road will have 2,500 or so car traffic trips a day. It is imprudent to push a farmer out of business so a developer can make money. The farmer in this case is using his property in accordance with the current and appropriate zoning.

Downstream flooding of Elah Valley: During the December 21st meeting, Elah Valley area, which is prone to flooding, will suffer from this highly dense development. Over time, residents reported more flooding each time a new development was put in (enclosure 14). Mr. Deihl said that detention ponds will catch all of the water. This is not true. Detention ponds do not solve current ongoing flooding issues. Detention ponds capture some water and allow the silt and pollution to settle to the bottom.

There is an overflow valve in each pond that allows excessive water to drain downstream during rainfall. Despite providing the required detention and water quality infrastructure the runoff from the property will be impacted given the massive increase of impervious surfaces and the steep slopes of the site. It will be unethical to cause flooding downstream. No variances should be approved as it will inevitably harm downstream homes and property.

This summary of unethical actions in this proposal is not complete. Nonetheless, it is disturbing. This applicant cannot be trusted to do the right thing and adhere to rules during a planning review process. What will happen when no one is looking if the development goes in? The rezoning request should be denied on the ethics alone.

Please feel free to call me if you have any questions (678-472-6327). I am grateful for your attention.

Concerned Resident:



Mark Faul, PhD
4567 Stanley Road
Flowery Branch GA 30542

Enclosure 1

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

October 16, 2023
VIA ELECTRONIC DELIVERY

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542

RE: Effects of Proposed Development Adjacent to 4567 and 4555 Stanley Road

Dear Dr. Faul,

At your request I have conducted a limited search of the property records of your properties commonly known as 4567 and 4555 Stanley Road which are collectively identified as Hall County Tax Parcel No. 15044 000034 (collectively referred to herein as the "Property"). I have also reviewed the information you provided to me pertaining to the proposed development of the adjacent property, which proposal I understand is scheduled be presented to the Hall County Board of Commissioners for consideration.

The purpose of this letter is to provide to you my conclusions as to the potential effects of the proposed development on access to the Property based upon the above information. The development as presented would result in a complete loss of access to the Property from Stanley Road. Further, no other existing roads or driveways provide a means of access to the Property. Accordingly, the proposed development, if approved, will essentially landlock the Property as there are no other present or practical means of access.

If the proposed development is approved as presented to me, you will have potential legal and equitable claims including, but not necessarily limited to, claims of inverse condemnation, claims to reestablish access to and from the Property, and claims to recover your legal damages.

Sincerely,

Keith J. Whitaker

Four Corner

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 2

Proposed Development – Issue #1 – Landlocks access to two Buildings

- Proposed Subdivision moves Stanley Road and landlocks access to two buildings:
  - Personal residence – 4567 Stanley Road
  - Barn – 4555 Stanley Road
  - Unaddressed by the Hall County Planning Department Comments
  - Such action is highly unethical and probably illegal. It is currently being reviewed by an attorney.
  - Greenspace blocks access to 4555 Stanley Road.
  - Lot 1 cuts off access to personal residence.
  - Improper setbacks on Lot 2.
  - Not a mistake – other parts of the site plan show driveways (page 27)

Current Road and property boundaries:
Source: Hall County GIS System



Proposed Guth Subdivision
Source:
https://www.hallcounty.org/DocumentCenter/View/11561/Guth-JM-Turk-Stanley-Rd---Thompson-OBrien-Kappler---Final



Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 3

Gmail

Mark Faul <arrowquest@gmail.com>

Stanley Road Development Letters and Powerpoint

Mark Faul <arrowquest@gmail.com> Mon. Oct 16. 2023 at 3:43 PM
To: "Katie L. Greenway (CDI: Planning)" <klgreenway@hallcounty.org>
Cc: "Beth Garmon (CDI: Planning)" <bgarmon@hallcounty.org>

Hello. Please see the attached pdf file which transmits my concerns over the Stanley Road Development.

Also included is:
- a powerpoint for tonight's presentation - I will be brief if I can even speak.
- a letter from an attorney indicating that landlocked is illegal

Thank you
Mark Faul
678-472-6327

3 attachments

Keith_Whitaker_20231016135643749[13700].pdf
349K

stanleyroadoppo-2023-10-16_033256.pdf
6362K

Stanley_Road_Dev_Issues_101623.pptx
8400K

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 4



Enclosure 5

Community Meeting // JM Turk and Guth Road Development Inbox ×

Diehl, William <wdiehl@sgrlaw.com> Dec 11, 2023, 12:14 PM
to William

Dear Neighbor,

You are receiving this communication because you expressed concerns to the planning department about the proposed development off of JM Turk Road. I represent the developer in this rezoning process.

Please let this serve as an invitation to one of the meetings discussed below. We have sent post card invitations to neighbors in the surrounding area, inviting them to the meeting. However, we encourage you to share this email with others that might also have concerns or questions about this project.

Understanding that the holidays are approaching and that scheduling can be difficult during this time, we will host two meetings at the Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542). We have scheduled meeting rooms on **December 18 & 21** at 6:00 PM to 7:30 PM. Please come at your convenience.

I have also attached a conceptual plan regarding road improvements on Stanley Road and Guth Roads. *Please note, these designs are conceptual only and will require additional county approval even if this zoning is approved.* Designs elements may be required to change as we move through the permitting process.

Should you have any questions about this rezoning proposal, please feel free to contact me at this email address or by phone at (404) 815-3627.

Thank you,

William (Bill) Diehl
Associate

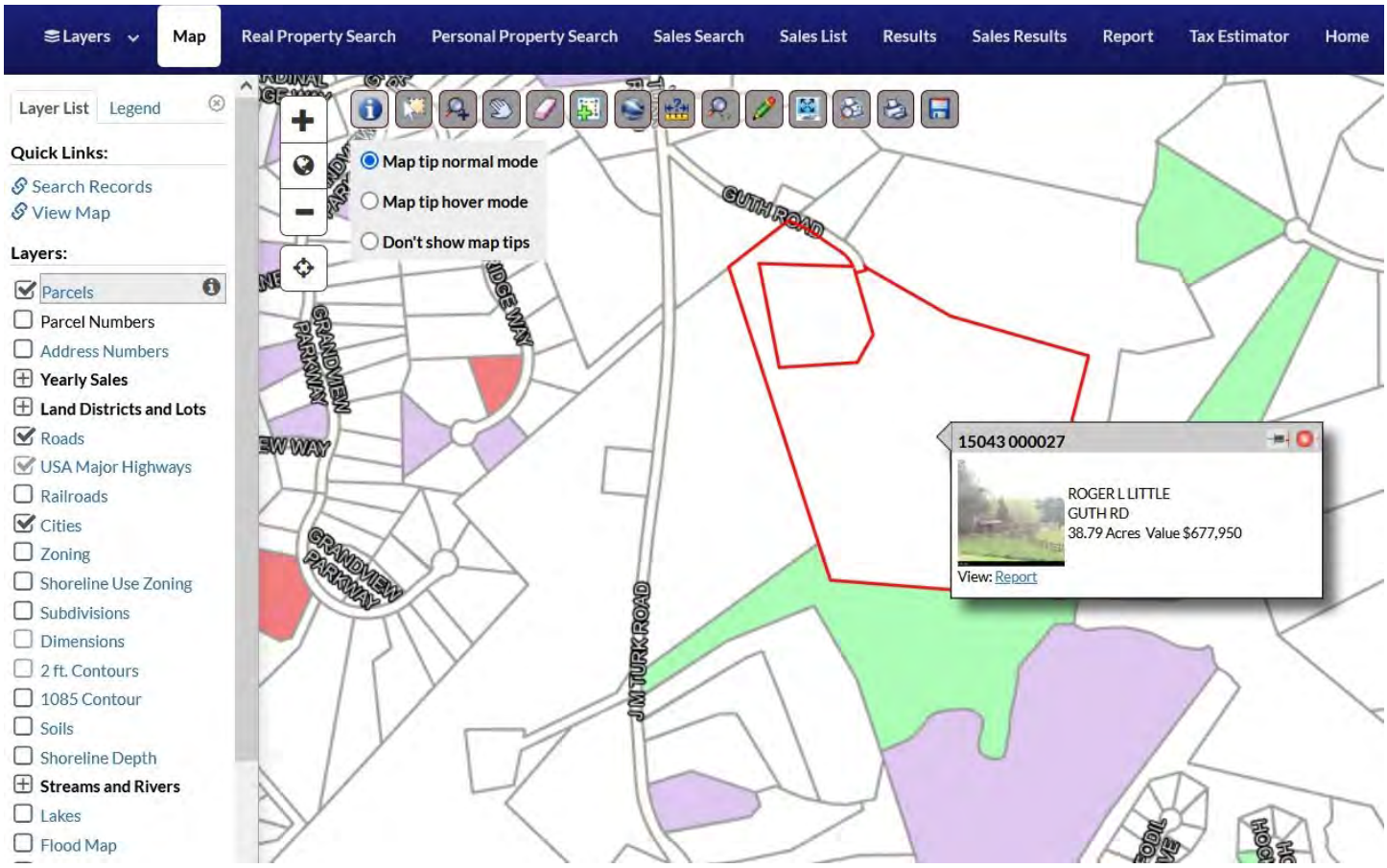
p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

Smith Gambrell Russell

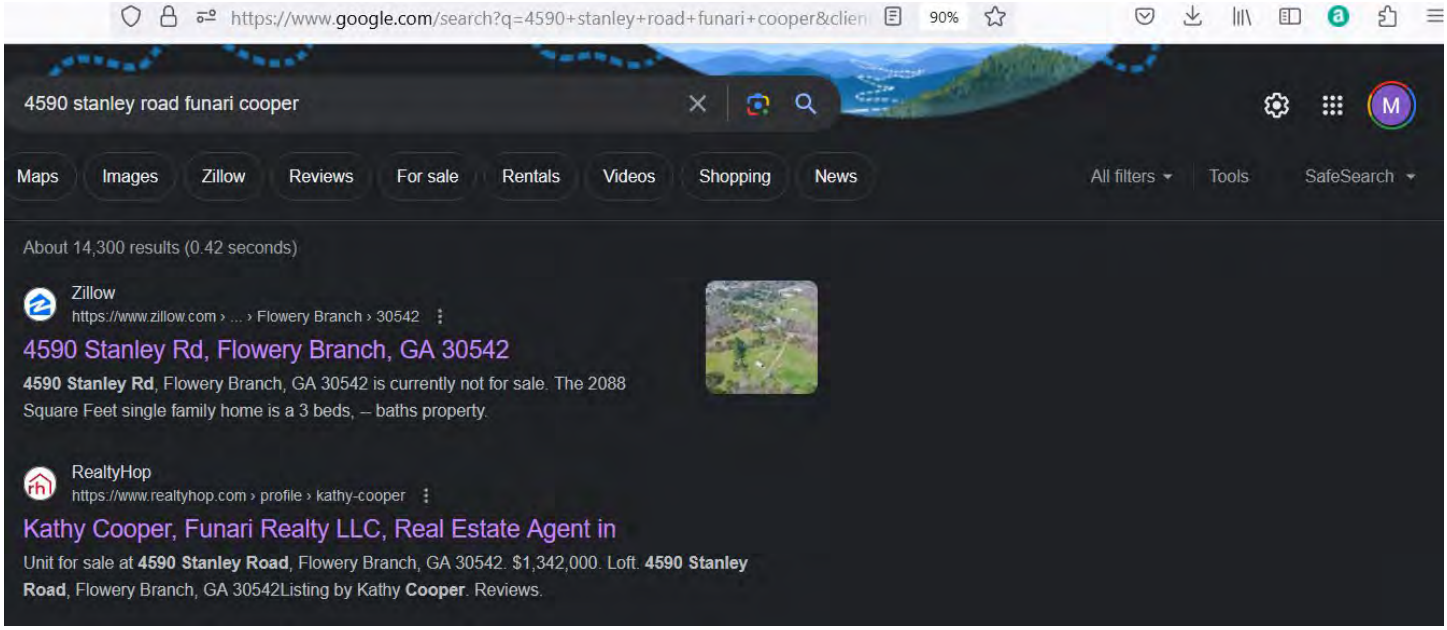
Not the original applicant so nothing said was binding to the applicant (THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.)

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 6



Enclosure 7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4590 stanley road funari cooper
Maps
Images
Zillow
Reviews
For sale
Rentals
Videos
Shopping
News
All filters
Tools
SafeSearch
About 14,300 results (0.42 seconds)
Zillow
https://www.zillow.com › ... › Flowery Branch › 30542
4590 Stanley Rd, Flowery Branch, GA 30542
4590 Stanley Rd, Flowery Branch, GA 30542 is currently not for sale. The 2088 Square Feet single family home is a 3 beds, -- baths property.
RealtyHop
https://www.realtyhop.com › profile › kathy-cooper
Kathy Cooper, Funari Realty LLC, Real Estate Agent in
Unit for sale at 4590 Stanley Road, Flowery Branch, GA 30542. $1,342,000. Loft. 4590 Stanley Road, Flowery Branch, GA 30542Listing by Kathy Cooper. Reviews.

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 8

ABUSE OF OFFICE, CONFLICTS OF INTEREST, AND ETHICAL STANDARDS

This chapter contains general information for the use of the members of ACCG and the public. This information is not and should not be considered legal advice. Readers should consult with legal counsel before taking action based on the information contained in this chapter.

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Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 9

Conflicts Related to Business Transactions with the County: An Application of the Law

Board of Commissioners of Miller County v. Callan[94]
In this 2012 case, the court upheld a local home rule amendment that authorized the county to transact business with a commissioner. The board of commissioners, upon a majority vote, determined that the goods, services, or property could not be obtained for less and that the taxpayers' best interests would be served through the transaction. As such, the court ruled this local provision did not impair O.C.G.A. § 16-10-6 and, in fact, provided more protection against conflicts of interest.[95]

Having a Financial Interest in Matters Coming Before the Board

A conflict of interest can also arise if a commissioner stands to realize a financial gain from a transaction between the county and other entities. For instance, this scenario may occur when the county awards contracts for goods and services. The courts have also ruled that conflicts of interest can exist if a commissioner stands to suffer a financial loss.

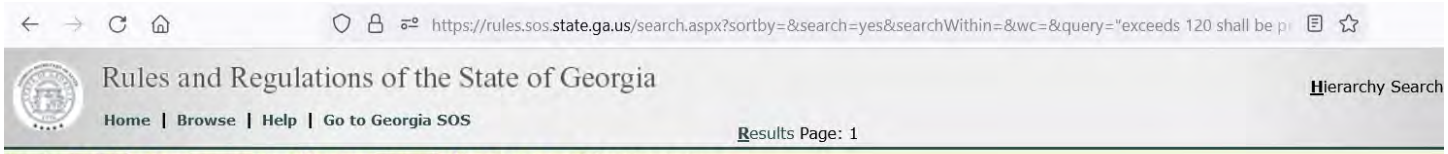
Potential Personal Financial Gain in Matters Coming before the Board: An Application of the Law

Montgomery v. Atlanta[96]
A city councilmember was also a large stockholder in a paving company that was awarded a contract by the City of Atlanta. Ultimately, the contract was ruled to be contrary to public policy and therefore illegal, even though (1) the councilmember in question did not participate in the vote to award the contract and (2) the councilmember resigned from council and the remaining councilmembers voted again to ratify the contract after his departure.[97] Self-recusal from a vote does not remove the conflict of interest where financial matters and personal gain are involved.

The courts have also invalidated paving contracts and related land acquisitions where the general contractor used a subcontractor owned in part by the city council president. Again, the fact the president abstained from the vote to award the contract was insufficient to eliminate the conflict of interest.[98] County commissioners must bear in mind that the courts will invalidate such transactions even if no monetary loss to the public is demonstrated, based on the very existence of the conflict of interest.[99]

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 10



Ga. Comp. R. & Regs. r. 120-3-3-.04 State Minimum Fire Safety Standards with Modifications

Georgia Administrative Code
Department 120. OFFICE OF COMMISSIONER OF INSURANCE, SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN COMMISSIONER
Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER
Subject 120-3-3. RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE SAFETY STANDARDS

Current through Rules and Regulations filed through January 17, 2024

Rule 120-3-3-.04. State Minimum Fire Safety Standards with Modifications

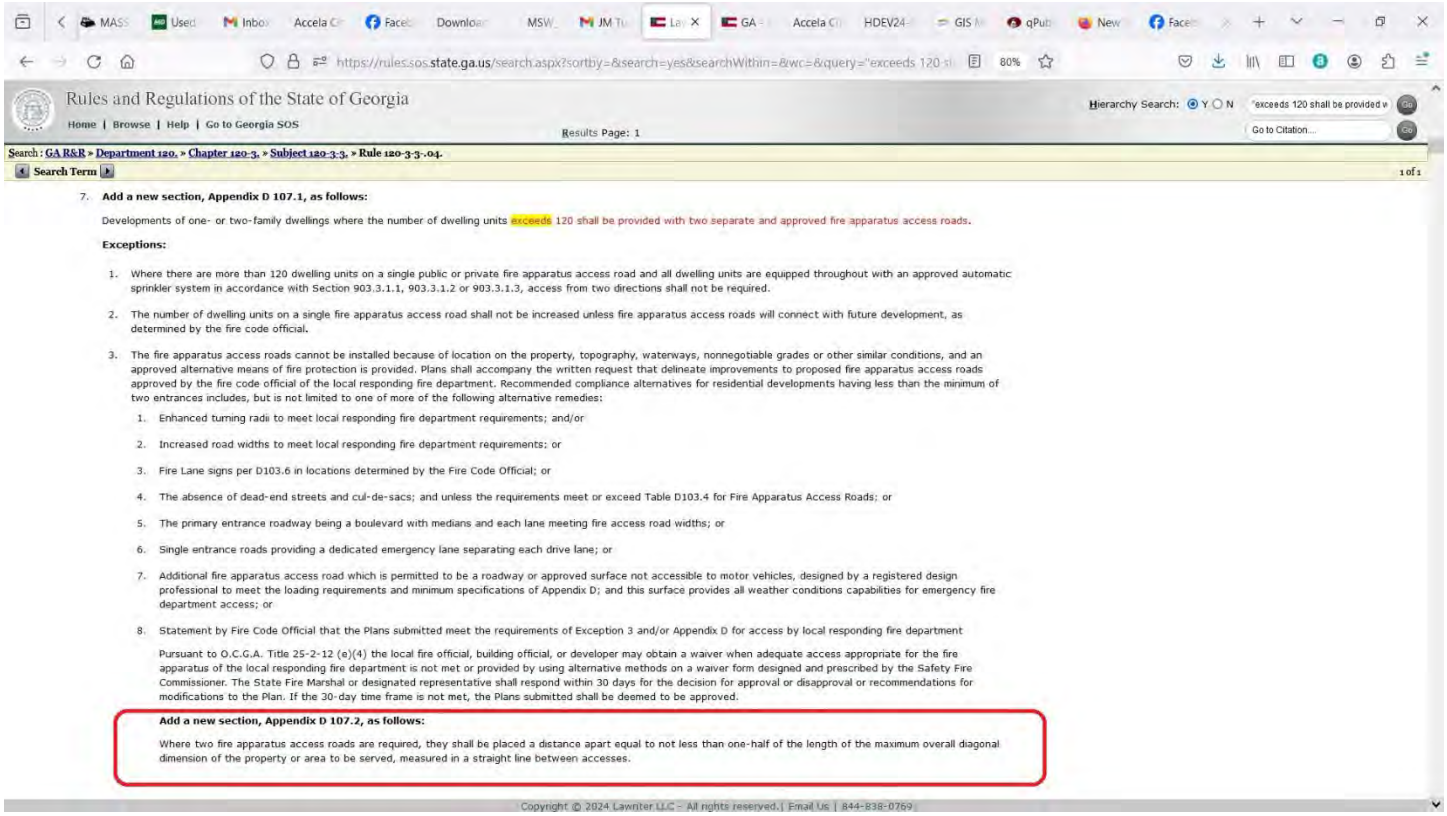
(1) Unless otherwise stated in this chapter, the edition of the *International Fire Code (IFC)*, and the following editions of the codes, standards, recommended practices, guides and methods, as published in the *National Fire Codes (NFC)* by the National Fire Protection Association (NFPA), as adopted and modified in this Chapter, shall be the state minimum fire safety standards. Where any of the adopted publications of the NFPA references NFPA 1 or NFPA 5000, or any fire code or building code, it shall be construed that such references apply to the *International Fire Code (IFC)* or the *International Building Code* (*IBC*) respectively, as adopted by this Chapter 120-3-3, and the Georgia Department of Community Affairs. Where the *IFC* or *IBC* does not specifically address the referenced issue, NFPA 1 or NFPA 5000 may be applied subject to the approval of the authority having jurisdiction.

(2) Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities, assisted living homes, memory care units or other health care type occupancies or facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though the codes and standards or the editions of codes and standards adopted by that agency may not be specifically addressed or included in this chapter. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations.

(3) ***International Fire Code (IFC)*, 2018 Edition**

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 11



Rules and Regulations of the State of Georgia

Home | Browse | Help | Go to Georgia SOS

Hierarchy Search: Y N "exceeds 120 shall be provided w

Go to Citation...

Results Page: 1

Search : GA R&R » Department 120. » Chapter 120-3. » Subject 120-3-3. » Rule 120-3-3-.04.

Search Term 1 of 1

7. **Add a new section, Appendix D 107.1, as follows:**

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:
   1. Enhanced turning radii to meet local responding fire department requirements; and/or
   2. Increased road widths to meet local responding fire department requirements; or
   3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
   4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
   5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
   6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
   7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
   8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

   Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

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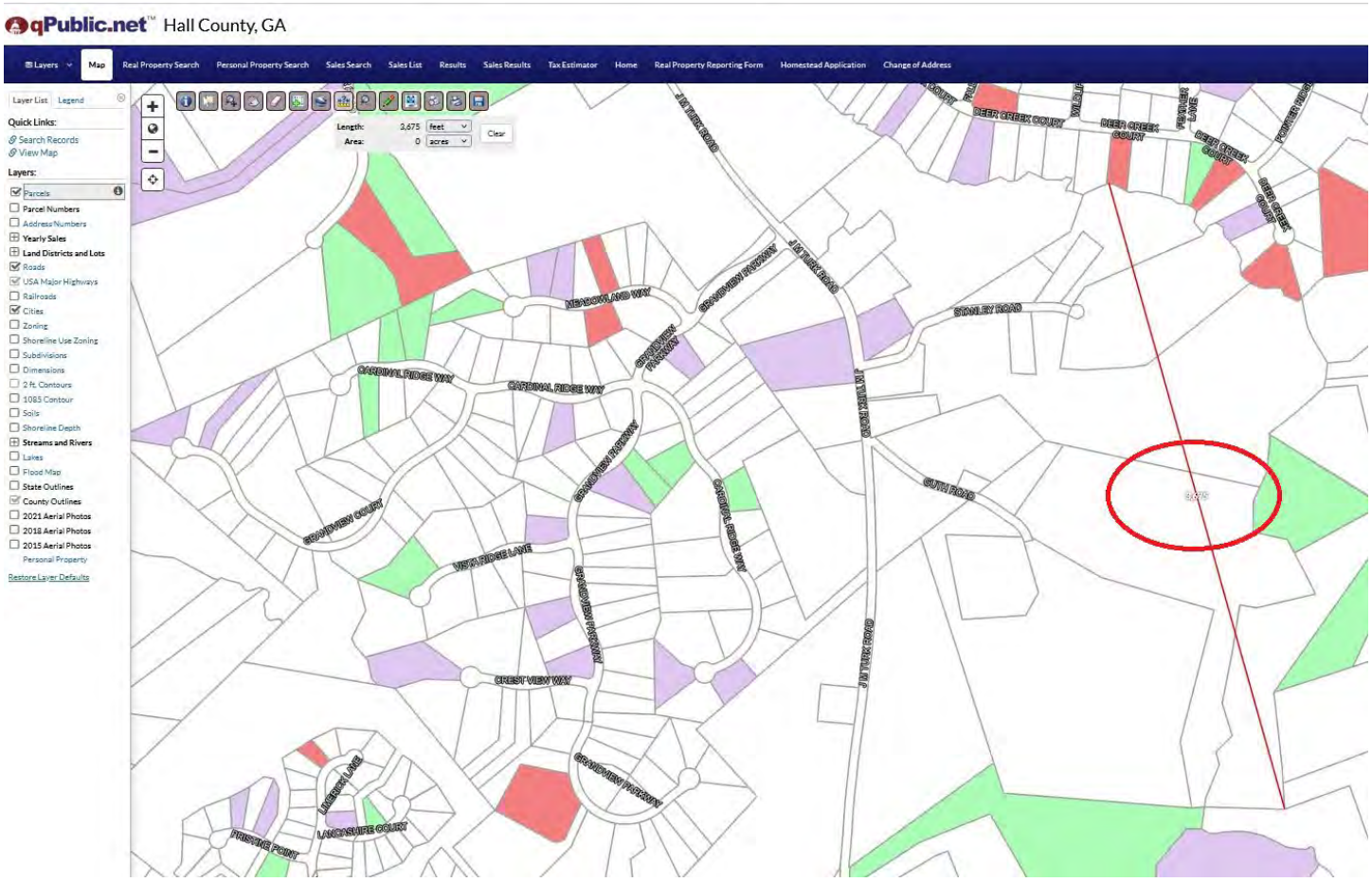
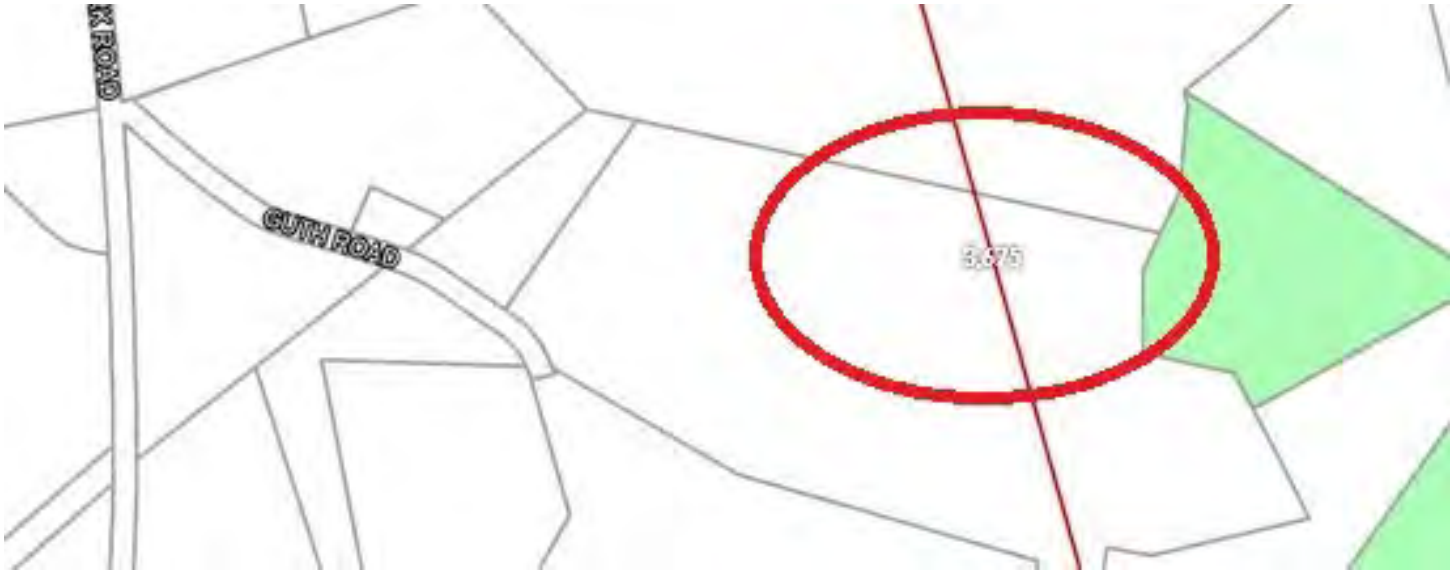
Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 12





Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 13



Enclosure 14

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

21 December 2023

Memorandum for Record – 21 Dec Meeting, Mulberry Creek Community Center, Flowery Branch GA, 6:30-7:30

This is in regard to the planned 324 living units off of Stanley Road. Please note after the November 20th meeting between the public, the planning commission and the applicant, the planning commission suggested that the applicant have a public meeting to answer any outstanding questions. The purpose of the memorandum is to transmit the information shared with the public by this new law firm, not associated with the original subdivision application.

On 21 December 2023, Mr. William Deihl, a representative from a new law firm (**Smith Gambrell and Russell**) was there to talk about the project. Please see attached. It is noted that the original applicant on the subdivision was from **THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.** which was not the formal applicant of the subdivision. This fact suggests the planning commission's requests were not adhered to and the answers to any questions cannot be effectively linked to the formal subdivision application in front of Hall County for decision.

Residents brought up many issues such as:

1) The residents were concerned about density and how this project does not match anything around the area. Many references were made to homes on Martin Road, Grandview and Quail Wood
2) Traffic Concerns and the location of the Traffic Study.
3) Residents were vocal about the loss of property value due to small homes going in around large acreage with large homes. The was no balance to the plan.
4) Flooding concerns of Elah valley (it historically floods). It had been noted that new development in the area resulted in more flooding down river.
5) Specific questions about set back footage were asked.
6) Variations of density concerns were raised.
7) Guth road widening and service to the subdivision was mentioned.
8) Road competition with tractor traffic would lead to anger and car crashes.
9) Residents said that there were a lot of farm vehicles that would be competing with automobile traffic.
10) One entrance only would create huge congestion on Stanley Rd and it was unfair to people who lived on the road now. Traffic on Stanley Rd is 2-6 cars a day. Future traffic will be about 2,500 cars a day.

The representative from new law firm (not the original applicant) responded with:

1) No clear or concise answers.
2) Mr. Deihl only said that the area needed new housing.
3) Mr. Deihl said he was unclear on the setback footage requests.
4) Mr. Deihl said that the law saying there was a need for 2 ways in and out of the subdivision was not found.

A hand vote showing favor and opposition to the project was taken at the end of the session. No one was in favor of the project and all 40 residents at the meeting were opposed to the project. The opinions were vocal and generally unanimous. No County official was present.

Please feel free to call me if you have any questions (678-472-6327).

Record Keeper:

Mark Faul

Print

Planning Commission Comments - October 2, 2023 - Submission #79852

Date Submitted: 9/29/2023

Comments completed in the form below will be submitted into the record for the October 2, 2023 meeting of the Hall County Planning Commission.

First Name*

Melissa

Last Name*

Hurley

Address1*

4641 quailwood drive

Address2

City*

Flowery branch

State*

Ga

Zip*

30542

Zoning Item for Comment*

9. 0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road

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*

Strongly oppose type of products(town home etc.) and density. It is an unreasonable request for a small country back road with no development to the area to support such drastically different products.

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?

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (CDI: Planning)

From: Randi Doveton (CDI: Planning)
Sent: Thursday, November 16, 2023 2:06 PM
To: Anael Dominguez (CDI: Planning)
Cc: Beth Garmon (CDI: Planning)
Subject: FW: 11.20.2023 Planning Meeting Regarding Proposed PRD on JM Turk Road

Ana,
Please add to the records for JM Turk.

Thanks,

Randi Doveton
Director of Planning and Development
Hall County Community Development and Infrastructure
(770) 297-5544 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Please ***participate*** in our **Comprehensive Plan update** and development of a **Unified Development Code (UDC)** by visiting our **project website**.

All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Thursday, November 16, 2023 1:43 PM
To: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Cc: Gina Pilcher <gpilcher@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>
Subject: FW: 11.20.2023 Planning Meeting Regarding Proposed PRD on JM Turk Road

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.

Dear Director Doveton,

Please see the attached application package scheduled for the November 20, 2023 Commission Meeting.

In particular, please note page 29 describing "Sanitary Sewer Option 1" and page 30 which depicts the existing Plat of the "Little" property,
et al.

This sewer option described on page 29, crosses 100 feet, more or less, of my property. The Littles have "unstipulated" use
of this easement for vehicle traffic across my property. I have no issue with this or with the PRD proposal to use the easement for emergency vehicle access only, if they wish to proceed in that manner and if stipulated by the Commission. However, I do not consent to a sewer easement which crosses my property.

I also object to their proposed density, which exceeds 2 units per acre.

With kindest regards,
Milton Turk
770 375 6800

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Tuesday, November 14, 2023 8:32 AM
To: turkfam1@bellsouth.net
Subject: RE: Plans Request For JM Turk Road PRD Rezoning Request

Please see the link below to the 11-20-2023 packet for this application. It looks like the only new information provided for the packet is the sewer application provided by Public Works (pg. 23).

0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Monday, November 13, 2023 12:52 PM
To: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Subject: RE: Plans Request For JM Turk Road PRD Rezoning Request

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.

Anael,

Have any amended plans been filed by the applicants since those filed in the link you sent me on 9.18.23? If so, would you please forward a link to me so that I may review prior to the applicants scheduled meeting on the 11. 20.2023?

Milton Turk

With kindest regards,

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Monday, September 18, 2023 8:37 AM
To: turkfam1@bellsouth.net
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Subject: RE: Plans Request For JM Turk Road PRD Rezoning Request

Please see the link below.

0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

From: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Sent: Monday, September 18, 2023 8:30 AM
To: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: FW: Plans Request For JM Turk Road PRD Rezoning Request

Ana,
Please see below.

Randi Doveton
Director of Planning and Development
Hall County Community Development and Infrastructure
(770) 297-5544 | www.hallcounty.org

HALL COUNTY
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*We have it **all** in Hall*

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All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Monday, September 18, 2023 7:24 AM
To: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Subject: Plans Request For JM Turk Road PRD Rezoning Request

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.

Dear Director Doveton,

Would you please provide me with a link to access the plans from applicants, Thompson O'Brien Kappler & Nasuti PC, for rezoning several properties on JM Turk to a PRD?

With kindest regards,

Milton G Turk
4702/26 JM Turk Rd
Flowery Branch, Ga 30542

Anael Dominguez (CDI: Planning)

From: turkfam1@bellsouth.net
Sent: Sunday, November 19, 2023 2:26 PM
To: gpilcher@hallcounty.org
Subject: June 2018 Flood Photos of Berry Creek

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.

Dear Planning Commissioner Pilcher,

Please see the following link of three photos showing damage from a June, 2018 flood on the Berry Creek at J M Turk Rd, Flowery Branch.

This flood inundated one half of my 9 acre field along the Berry Creek just a few hundred yards from it's confluence with the Mulberry Creek. It caused considerable damage to my stream banks and quickly overwhelmed the two barrel road culvert as shown by the flotsam left behind. We incurred several thousand dollars in expenses in restoring the worst of the streambank damage. My adjacent neighbors on the Mulberry Creek suffered much worse damage to their culverts on the Mulberry.

It is my hope that the Planning Commission and County Commission would weigh heavily the potential flood damage to us and our immediate neighbors on the Mulberry Creek, before approving large scale development above us.

I appreciate your work of the Planning Commission.

With kindest regards,
Milton Turk

https://vault.myvzw.com/webcs/lnwuvx6QcW







Anael Dominguez (CDI: Planning)

From: Randi Doveton (CDI: Planning)
Sent: Friday, February 2, 2024 11:12 AM
To: Anael Dominguez (CDI: Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Subject: FW: JM Turk Road Rezoning Application of Thompson, O'Brien, Kepler, & Nasuti

Please see below.

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Friday, February 2, 2024 10:29 AM
To: Chris Braswell (Planning) <cbraswell@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>
Cc: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Subject: JM Turk Road Rezoning Application of Thompson, O'Brien, Kepler, & Nasuti

You don't often get email from turkfam1@bellsouth.net. Learn why this is important

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.

Dear Planning Commissioners,

It's my continued recommendation that the Planning Commission deny the applicants in their request based upon the high density proposed. The Commission's Planning Staff has rightly concluded that the applicants plan is not consistent with the Hall County Comprehensive Plan for future land use designation, in that it exceeds the maximum density of 2 dwelling units per acre, for Residential future land use classification.

I am not opposed to my neighbors desire to sell their property for development. However, I continue to be opposed to their plan for the above reason.

Thank you Commissioners for your hard work.

With kindest regards,
Milton Turk

Print

Planning Commission Comments - October 2, 2023 - Submission #79746

Date Submitted: 9/26/2023

Comments completed in the form below will be submitted into the record for the October 2, 2023 meeting of the Hall County Planning Commission.

First Name*

Nathan

Last Name*

Goss

Address1*

4710 Crestview Way

Address2

City*

Flowery Branch

State*

GA

Zip*

30542

Zoning Item for Comment*

9. 0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road

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*

We are vehemently opposed to the proposed single family homes and townhomes that are under consideration off of JM Turk Road for several important reasons:
1. The impact of these smaller homes and townhomes on our homes value in the Grandview Estates subdivision.
2. Increased traffic on infrastructure that is barely able to keep up with existing volumes.
3. The proliferation of high-density housing has to come to an end in Hall County. We are sick of seeing these townhomes and apartment complexes that decrease home values, increase traffic and the subsequent safety issues associated with the volume of population. Having teen aged drivers in our family is our concern and high volume populations in our area are not welcome. Go find your tax dollars elsewhere.

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?

ncgoss@att.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Wednesday, November 8, 2023 4:22 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Opposition to Rezoning Application HZON23-0041

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: Peter walczuk <ppw65@yahoo.com>
Sent: Wednesday, November 8, 2023 4:17 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to Rezoning Application HZON23-0041

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.

Dear Members of the Hall County Planning Commission,

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the

current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,

Peter and Jana Walczuk
4614 Quail Court
Flowery Branch, Georgia 30542

Sent from my iPad

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83998

Date Submitted: 11/7/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Christopher and Charlene

Last Name*

Linkowski

Address1*

4578 Wingfield Way

Address2

City*

Flowery Branch

State*

GA

Zip*

30542

Item for Comment*

General Public Comments/Other Business

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Dear Members of the Hall County Planning Commission,
I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.
First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.
Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long□term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.
I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.
Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.
My Best,
Chris and Charlene Linkowski
4578 Wingfield Way
Flowery Branch, GA 30542
404-405-5797

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

clinkowski@gmail.com

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.

September 29, 2023

Dear Council,

We are writing to express our strong opposition to the HZON23-0041 - rezoning for a Single-Family Subdivision located on the east side of JM Turk Road intersection with Guth and Stanley Roads. We understand the need for affordable housing in our city, however, we believe that this high-density development would have a detrimental impact on our community and the surrounding communities.

We believe that the lot size, home size, and location of this residential development may negatively result in economic, environmental, and social impacts on Quailwood, Grandview Estates, Martin Crossing, Laurel Oaks, and countless stand-alone homes along Martin, JM Turk, and Stanley Roads. We think these communities would be better served alongside new residential homes and developments that a comparable in price, lot size, and home size.

The type and square footage of these proposed single-family residences and townhomes might drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with a high-density housing complex. A development of this magnitude may also reduce environmental amenities causing significant environmental damage, destroying and displacing natural wildlife habitats, and increasing wildlife migration into residential communities.

We also think the proposed high-density development might be too large for this area. The increase in population density may place a strain on the existing infrastructure, possibly leading to increased traffic, congestion, pollution, road safety issues, and stress on our public & local services. High-density developments, like this one, may be better suited in areas where the infrastructure, schools, and public and local services can effectively support population growth.

Additionally, this development may harm property values in and around the surrounding areas. The influx of 300+ moderate-priced homes could lead to an increase in crime rate, diminution of property values, and generate lower home prices, making it difficult for current residents to sell their homes and move elsewhere.

On the other hand, given the desirability of our neighborhood and surrounding communities, this development may garner large profit margins for their stakeholders.

For years, South Hall has been growing at an all-time high. Rezoning and open lots have been filled with apartments, townhomes, and warehouses which impact the existing road network and public infrastructure. In our immediate area, we have personally experienced massive growth (as listed below) without enough infrastructure upgrades. We have experienced various tax increases, as shown in the substantial increases in property assessment taxes, without the new economic growth shouldering their share of the tax burden.

- ***Apartment Complexes**:
  - Folksong consists of 342 apartments.
  - Advenir at Flowery Branch consists of 312 apartments.

- ***New Housing Community**:
  - Falls Creek by Taylor Morrison consists of 188 single-family homes. Schools: Martin Elementary, C.W. Davis Middle School, and Flowery Branch High School.
- ***Distribution Centers**:
  - Makita (600,000 sq ft)
  - GXO (*unknown sq ft*)
  - Falcon Parkway Logistic Center (640,000 sq ft)
  - Thurmon Tanner Logistics, Bldg. A (445,00 sq ft), Bldg. B (265,000+ sq ft), Bldg. C (110,000+ sq ft), totaling 825,000+ sq ft. **The above information was gathered from public websites.*
- ***Self-Storage Facility**:
  - Boxville Storage (*unknown sq ft*)

Furthermore, the Northeast Georgia Inland Port (a $170M truck terminal) is expected to be fully operational by 2026 may also increase truck traffic, congestion, pollution, and road safety on the existing one or two-lane roads.

In conclusion, we strongly urge you to reconsider this proposed development. We believe that the scale and composition of this development do not fit into our community, surrounding communities, and stand-alone homes.

Sincerely,

//original signed//
The QW Community

CC:
Attached Community Petition

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Ownership
Michael Agee	4744 Quailwood Drive	4744 Quailwood Drive Flowery Branch, GA 30542	☐
Oladimeji Akiode	5037 Pointer Ridge	5037 Pointer Ridge Flowery Branch, GA 30542	☐
Mbaukwu Uba Anaba & Uchenna Anne Anaba	4738 Quailwood Drive	4738 Quailwood Drive Flowery Branch, GA 30542	☐
Lee & Kimberly Anderson	4741 Quailwood Drive	4741 Quailwood Drive Flowery Branch, GA 30542	☑
David Keith Anglin & Terrie Anne Jackson	4764 Falling Brook Drive	4764 Falling Brook Drive Flowery Branch, GA 30542	☐
Christopher R. Autry	4538 Deer Creek Court	4538 Deer Creek Court Flowery Branch, GA 30542	☑
Robin D. Bailey, Jr. & Tina Bailey	4704 Quailwood Drive	4704 Quailwood Drive Flowery Branch, GA 30542	☐
Joe & Gena Bajjani	4684 Quailwood Drive	4684 Quailwood Drive Flowery Branch, GA 30542	☑
Daniel Baquet & Lauren Baquet	4744 Falling Brook Drive	4744 Falling Brook Drive Flowery Branch, GA 30542	☑
Glennis Barnes & Tamika Barnes	4659 Windswept Way	4659 Windswept Way Flowery Branch, GA 30542	☐
Michael Barnes & Amy Durfee	4856 Wildlife Way	4856 Wildlife Way Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Douglas Baum	4564 Wingfield Way	4564 Wingfield Way	
Brendon & Gina Blake	4625 Quail Court	4625 Quail Court Flowery Branch, GA 30542	☑
Jerry R. & Pebbles L. Bond	4662 Quailwood Drive	4662 Quailwood Drive Flowery Branch, GA 30542	☑
Richard Boring	4628 Quailwood Drive	4628 Quailwood Drive Flowery Branch, GA 30542	☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet - HZON23-0041

Owner	Property	Mailing Address	Ownership
Jason & Deana Brooks	4605 Quailwood Drive	4605 Quailwood Drive Flowery Branch, GA 30542	☐
Craig M. Brown & Jennifer Brown	4662 Windswept Way	4662 Windswept Way Flowery Branch, GA 30542	☐
Douglas & Kimberly Byron	4818 Deer Creek Court	4818 Deer Creek Court Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Daniel Capel	4583 Wingfield Way	4583 Wingfield Way	
Robert Carlson	4904 Deer Creek Court	4904 Deer Creek Court Flowery Branch, GA 30542	☐
Robert & Pamela Carmical	4573 Wingfield Way	4573 Wingfield Way Flowery Branch, GA 30542	☐
Alan R. Chapman & Anne Chapman	4683 Quailwood Drive	4683 Quailwood Drive Flowery Branch, GA 30542	☐
Christopher L. Clement & Haley H. Clement	5064 Pointer Ridge	5064 Pointer Ridge Flowery Branch, GA 30542	☐
Mark G. Cobb & Cynthia F. Cobb	4707 Deer Creek Court	4707 Deer Creek Court Flowery Branch, GA 30542	☐
Donald J. Conklin & Theresa A. Conklin	4602 Deer Creek Court	4602 Deer Creek Court Flowery Branch, GA 30542	☐
John F. Cook & Janet D. Cook	4843 Wildlife Way	4843 Wildlife Way Flowery Branch, GA 30542	☐
Steven A. Cornelison	5104 Deer Creek Court	5104 Deer Creek Court Flowery Branch, GA 30542	☐
Stephen R. Marie G. Crocker	5118 Deer Creek Court	5118 Deer Creek Court Flowery Branch, GA 30542	☑
Yvonne Culpepper & William Culpepper	4777 Falling Brook Drive	4777 Falling Brook Drive Flowery Branch, GA 30542	☑

Quailwood Homeowners Association, Inc.

Opposition Petition, Sign-In Sheet - HZON23-0041

Owner	Property	Mailing Address	Ownership
James E. Daresta & Laurie Daresta	4669 Quailwood Drive	4669 Quailwood Drive Flowery Branch, GA 30542	☐
Janos & Rachel Demeter	4714 Deer Creek Court	4714 Deer Creek Court Flowery Branch, GA 30542	☐
Sherry Dubose	4617 Quailwood Drive	4617 Quailwood Drive Flowery Branch, GA 30542	☐
Angie Dudley	4913 Deer Creek Court	4913 Deer Creek Court Flowery Branch, GA 30542	☐
Jon & Tammy Duke	4702 Deer Creek Court	4702 Deer Creek Court Flowery Branch, GA 30542	☐
Jon & Tammy Duke	4630 Deer Creek Court	4702 Deer Creek Court Flowery Branch, GA 30542	☐
John & Stephanie Edmondson	4609 Quailwood Drive	4609 Quailwood Drive Flowery Branch, GA 30542	☐
Andrew Wayne Farr	4641 Quailwood Drive	4641 Quailwood Drive Flowery Branch, GA 30542	☐
Dena Furlow & Scott Furlow	4534 Deer Creek Court	4534 Deer Creek Court Flowery Branch, GA 30542	☐
Craig Gates & Suzanne Daymude	4781 Falling Brook Drive	4781 Falling Brook Drive Flowery Branch, GA 30542	☐
Andrew G. & Tara R. Goetz	4650 Windswept Way	4650 Windswept Way Flowery Branch, GA 30542	☐
Justo & Tammy Gonzalez	4656 Quailwood Drive	4656 Quailwood Drive Flowery Branch, GA 30542	☐
Francis & Diane Graham	4525 Deer Creek Court	4525 Deer Creek Court Flowery Branch, GA 30542	☐
James Harris, IV & Christine Harris	4579 Wingfield Way	4579 Wingfield Way Flowery Branch, GA 30542	☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet - HZON23-0041

Owner	Property	Mailing Address	Ownership	
Eric D. Hasley & Sarah A. Hasley	5055 Pointer Ridge	5055 Pointer Ridge Flowery Branch, GA 30542		☐
Wesley R. Heine	4617 Deer Creek Court	4617 Deer Creek Court Flowery Branch, GA 30542		☐
Lloyd Herford, III & Blaire Whitcomb	4622 Deer Creek Court	4622 Deer Creek Court Flowery Branch, GA 30542		☐
		Flowery Branch, GA 30542		☐
William E. Hickman	4708 Deer Creek Court	4708 Deer Creek Court		
Charles & Gayle Hipple	4763 Falling Brook Drive	4763 Falling Brook Drive Flowery Branch, GA 30542		☐
Douglas Horsley & Diane Horsley	5123 Deer Creek Court	5123 Deer Creek Court Flowery Branch, GA 30542		☐
Sheraj & Sithara Jacob	4526 Deer Creek Court	4526 Deer Creek Court Flowery Branch, GA 30542	Sithara	☐
Robert Jernigan & Karen Jernigan	4620 Quail Court	4620 Quail Court Flowery Branch, GA 30542		☐
		Flowery Branch, GA 30542	Karen Jernigan	☐
Kevin & Sally Johnson	4729 Deer Creek Court	4729 Deer Creek Court		
Frank & Neicia Kahlert	4837 Wildlife Way	4837 Wildlife Way Flowery Branch, GA 30542		
Devendar Katkoori	4920 Deer Creek Court	4920 Deer Creek Court Flowery Branch, GA 30542		☐
David Albert & Rosario Keller	4727 Quailwood Drive	4727 Quailwood Drive Flowery Branch, GA 30542		☐
Bruce Kelly & Donna Kelly	4515 Deer Creek Court	4515 Deer Creek Court Flowery Branch, GA 30542	RAY LEACH	☐
Ova F & Cherie B Kelly	4627 Quailwood Drive	4627 Quailwood Drive Flowery Branch, GA 30542		☑
				☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Ownership	
Donald J. Kennedy & Debra L. Kennedy	4850 Wildlife Way	4850 Wildlife Way Flowery Branch, GA 30542	Debra Kennedy	☑
Michael J. Kenny	5029 Pointer Ridge	5029 Pointer Ridge Flowery Branch, GA 30542		☐
Jenny L. Kidd	4672 Windswept Way	4672 Windswept Way Flowery Branch, GA 30542		☐
Michelle Kitzrow	4935 Feather Lane	4935 Feather Lane Flowery Branch, GA 30542		☑
Ellis Kopp & Dennice Kopp	4771 Falling Brook Drive	4771 Falling Brook Drive Flowery Branch, GA 30542		☐
		Flowery Branch, GA 30542		☐
Ronald E. Kowalski	4613 Quailwood Drive	4613 Quailwood Drive		
Bryan Kruger	4553 Deer Creek Court	4553 Deer Creek Court Flowery Branch, GA 30542		☑
Scott Krupa	4726 Quailwood Drive	4726 Quailwood Drive Flowery Branch, GA 30542		☑
Derby Lamptey-Mills & Ishmael Lamptey-Mills	4539 Deer Creek Court	4539 Deer Creek Court Flowery Branch, GA 30542		☑
		Flowery Branch, GA 30542		☑
Rufus & Lacrisia Larkin	4726 Deer Creek Court	4726 Deer Creek Court		
Justin T. Le & Julie Le	4697 Quailwood Drive	4697 Quailwood Drive Flowery Branch, GA 30542		☐
Robert & Jeanne League	5115 Deer Creek Court	5115 Deer Creek Court Flowery Branch, GA 30542		☑
Oliver LeBlanc	4750 Falling Brook Drive	4750 Falling Brook Drive Flowery Branch, GA 30542	Jessica LeBlanc	☑
Michael Lederer & Jennifer Lederer	4722 Deer Creek Court	4722 Deer Creek Court Flowery Branch, GA 30542		☐
Joseph M. Leonardo & Deborah A. Leonardo	4849 Wildlife Way	4849 Wildlife Way Flowery Branch, GA 30542		☑ ☑

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet - HZON23-0042

Owner	Property	Mailing Address	Ownership
Meghan Lifsey & William Lifsey	4912 Deer Creek Court	4912 Deer Creek Court Flowery Branch, GA 30542	☐
Christopher E. Linkowski	4578 Wingfield Way	4578 Wingfield Way Flowery Branch, GA 30542	☐
Donald S. Lomax	4632 Quailwood Drive	4632 Quailwood Drive Flowery Branch, GA 30542	☐
Gary & J Darlene Long	4655 Quailwood Drive	4655 Quailwood Drive Flowery Branch, GA 30542	☒ X
Arthur D. & ~~Teresa Z. Marlow~~	4656 Windswept Way	4656 Windswept Way Flowery Branch, GA 30542	☐
Edwin Matos & Peggy Proctor-Matos	4751 Falling Brook Drive	4751 Falling Brook Drive Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Justin M & Fran McCain	5024 Pointer Ridge	5024 Pointer Ridge	
Gary & Doris McClung	4936 Feather Lane	4936 Feather Lane Flowery Branch, GA 30542	☐
John P. McGarvey	4572 Wingfield Way	4572 Wingfield Way Flowery Branch, GA 30542	☐
Kenneth L. McKinney	4821 Deer Creek Court	4821 Deer Creek Court Flowery Branch, GA 30542	☐
Kelly D. & Keith McLane	4732 Deer Creek Court	4732 Deer Creek Court Flowery Branch, GA 30542	☐
Alfred Meek & Pilar Meek	4806 Deer Creek Court	4806 Deer Creek Court Flowery Branch, GA 30542	☒
Randall Peter Miller	4650 Quailwood Drive	4650 Quailwood Drive Flowery Branch, GA 30542	☐
Mark Misner & Linda Farris	4615 Quail Court	4615 Quail Court Flowery Branch, GA 30542	☐
			☐
Tara Mitchell & Caleb Mitchell	5061 Pointer Ridge	2834 Birdsall Ave Oakland, CA 94619-3302	☐

Quailwood Homeowners Association, Inc.

Opposition Petition | Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Phone	Email	Ownership
Anshul Mittal & Prachi Mittal	4507 Quailwood Drive	4507 Quailwood Drive Flowery Branch, GA 30542	(678) 895-8718	Anshul1234@gmail.com	☐
		Flowery Branch, GA 30542			☑
Dave & Laly Moorthy	4626 Deer Creek Court	4626 Deer Creek Court	(770) 402-0180	lalydevan@gmail.com	
Joan Moretz	4645 Windswept Way	4645 Windswept Way Flowery Branch, GA 30542		thmoretz@aol.com	☑
Gregory D. Myer & Tiann R. Myer	4653 Windswept Way	4653 Windswept Way Flowery Branch, GA 30542	(513) 404-5382	greg@c3innova.com	☐
Stephen Myers & Janet Myers	4859 Wildlife Way	4859 Wildlife Way Flowery Branch, GA 30542	(661) 805-8783	mastertroopersteve@hotmail.com, jmm_cmc@hotmail.com	☐
Dennis Nash	4747 Quailwood Drive	4747 Quailwood Drive Flowery Branch, GA 30542	(404) 867-6894	dennis@nashproperties.net	☑
Cuong D. & Christina N. Nguyen	4824 Deer Creek Court	4824 Deer Creek Court Flowery Branch, GA 30542		cntnguyen77@gmail.com	☑
Michael & Dorothy Nieto	4604 Quail Court	4604 Quail Court Flowery Branch, GA 30542	(678) 428-9116	dqnieto@aol.com	☐
		Flowery Branch, GA 30542			☐
Holly R. Norman	4842 Wildlife Way	4842 Wildlife Way		hollynorman@remax.net	
Ifeyinwa Nwabueze	5112 Deer Creek Court	5112 Deer Creek Court Flowery Branch, GA 30542	(678) 860-1628	biblimousine1@gmail.com	☐
Theodore J. Pasternak & Marie B. Pasternak	4642 Quailwood Drive	4642 Quailwood Drive Flowery Branch, GA 30542			☐
Paresh & Nimisha Patel	4757 Falling Brook Drive	4757 Falling Brook Drive Flowery Branch, GA 30542	(404) 422-6477	nimishapatel1117@gmail.com	☐
Nicholas Peters	4621 Quail Court	14802 Lake Magdalene Circle Tampa, FL 33613	(706) 977-7182	admin@theborder.com	☐
Elizabeth Phommachack & Tan Phommachack	4780 Falling Brook Drive	4780 Falling Brook Drive Flowery Branch, GA 30542	(404) 345-4876	bethphom@gmail.com	☐
Walter Pimentel & Whitney Pimentel	4928 Deer Creek Court	4928 Deer Creek Court Flowery Branch, GA 30542	(480) 570-9588	wwpimentel@gmail.com	☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Ownership
Earl & Sherry Pirkle	4668 Quailwood Drive	4668 Quailwood Drive Flowery Branch, GA 30542	Sherry Pirkle ☐
Barney Purvis, III	4944 Feather Lane	4944 Feather Lane Flowery Branch, GA 30542	Byron Purvis ☑
David Quirk & Michelle Quirk	4671 Windswept Way	4671 Windswept Way Flowery Branch, GA 30542	☐
Dan Raatjes & Wendi Raatjes	4812 Deer Creek Court	4812 Deer Creek Court Flowery Branch, GA 30542	☐
Allen & Veronica Read	4756 Falling Brook Drive	4756 Falling Brook Drive Flowery Branch, GA 30542	☐
Michael Rhee & Eun Rhee	4550 Deer Creek Court	4550 Deer Creek Court Flowery Branch, GA 30542	X Michael J. Rhee ☑
John & Ruby Roberts	4834 Wildlife Way	4834 Wildlife Way Flowery Branch, GA 30542	John D. Roberts / Ruby Roberts ☑
Gregory Roller & Merrie Roller	4556 Deer Creek Court	4556 Deer Creek Court Flowery Branch, GA 30542	Merrie Roller ☐
Jeffrey P. Rosbach & Mavis I. Rosbach	4416 Quailwood Drive	4416 Quailwood Drive Flowery Branch, GA 30542	Mavis Rosbach ☑
			Jeffrey Rosbach ☑
Bruce Schneider	4860 Wildlife Way	6734 Great Water Drive	☐
Daniel T. & Amy Scott	4608 Deer Creek Court	4608 Deer Creek Court Flowery Branch, GA 30542	☑
Meredith Secor, Jr. & Harreldean Secor	4711 Quailwood Drive	4711 Quailwood Drive Flowery Branch, GA 30542	☑
Jose L. Serres	4665 Windswept Way	4665 Windswept Way Flowery Branch, GA 30542	☑
Patricia Shockley	4943 Feather Lane	4943 Feather Lane Flowery Branch, GA 30542	☐
Jason Skaggs & Jennifer Skaggs	5047 Pointer Ridge	5047 Pointer Ridge Flowery Branch, GA 30542	☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Ownership
Nereida C. & Michael A. Staiger	4616 Deer Creek Court	4616 Deer Creek Court Flowery Branch, GA 30542	☐
Timothy Stevens & Melanie Disco	4668 Windswept Way	4668 Windswept Way Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Bobby W. Stone Jr	4802 Deer Creek Court	4802 Deer Creek Court	☐
Walter & Pamela Swift	5038 Pointer Ridge	5038 Pointer Ridge Flowery Branch, GA 30542	☑ Pam Swift Walter Swift
Ronald Terrell & Heather Terrell	5016 Deer Creek Court	5016 Deer Creek Court Flowery Branch, GA 30542	☑ Ronald Terrell Heather
Michelle Thompson & Andrew Thompson	4947 Feather Lane	4948 Feather Lane Flowery Branch, GA 30542	☐
Michelle Thompson & Andrew Thompson	4948 Feather Lane	4948 Feather Lane Flowery Branch, GA 30542	☐
Jimmy & Dianne Trotman	4674 Quailwood Drive	4674 Quailwood Drive Flowery Branch, GA 30542	☐
Benjamin Tule & Trinh Pham	5122 Deer Creek Court	5122 Deer Creek Court Flowery Branch, GA 30542	☑
Marlin E. Turner	4518 Deer Creek Court	4518 Deer Creek Court Flowery Branch, GA 30542	☐
Peter P. Walczuk & Delinda C. Brunatti	4614 Quail Court	4614 Quail Court Flowery Branch, GA 30542	☑ Peter P Walczuk
Chioe Ying & Wen Liang Wang	4505 Deer Creek Court	4505 Deer Creek Court Flowery Branch, GA 30542	☐ Shirley Washington
Ira & Shirley Washington	4772 Falling Brook Drive	4772 Falling Brook Drive Flowery Branch, GA 30542	☐ Ira Washington
Kimberly M. & Brett Whitaker	5015 Deer Creek Court	5015 Deer Creek Court Flowery Branch, GA 30542	☑ Both
Brian & Stephanie Wilker	4855 Wildlife Way	4855 Wildlife Way Flowery Branch, GA 30542	☐
chioe ying & wen Liang Wang	4505 Deer Creek ct		

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0047

Owner	Property	Mailing Address	Ownership	
Martin Williams & Shelby Williams	4603 Quail Court	4603 Quail Court Flowery Branch, GA 30542	S Williams	☑
Beverly & Rod Wilson	5107 Deer Creek Court	5107 Deer Creek Court Flowery Branch, GA 30542		☐
Carolyn Q. Wilson	4582 Wingfield Way	4582 Wingfield Way Flowery Branch, GA 30542		☐
David A. Wittke & Lanika H. Wittke	4544 Deer Creek Court	4544 Deer Creek Court Flowery Branch, GA 30542	D Wittke	☑
Michael Wunder & Patricia Wunder	5060 Pointer Ridge	5060 Pointer Ridge Flowery Branch, GA 30542		☐
Michael Wunder & Patricia Wunder	5052 Pointer Ridge	5060 Pointer Ridge Flowery Branch, GA 30542		☐ ☐
Linda Youtz	5006 Deer Creek Court	Flowery Branch, GA 30542 5006 Deer Creek Court		
John & Debra Zwald	4718 Deer Creek Court	4718 Deer Creek Court Flowery Branch, GA 30542	Debra H Zwald	☐
[redacted]				
Megan and Bryan Kruger	4553 Deer Creek Ct	Flowery Branch, GA 30542	Megan Kruger	☑

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 6, 2023 8:15 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: JM Turk Rd

Ana,

Please add this to the public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: shelby davis <p76g72@yahoo.com>
Sent: Monday, November 6, 2023 7:56 AM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: JM Turk Rd

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.

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co

Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Micaiah Williams
4603 Quail Ct
Flowery Branch, Ga 30542
Sent from my iPhone

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 20, 2023 1:07 PM
To: Anael Dominguez (CDI: Planning)
Subject: FW: J M Turk Road Subdivision Project
Attachments: 1697412872045blob.jpg; 1697412807343blob.jpg; 1697412760876blob.jpg

Please add this to public comment

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
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From: Tommy Channell <tommy.channell@outlook.com>
Sent: Monday, November 20, 2023 1:04 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: J M Turk Road Subdivision Project

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.

Dear Hall County Planning Commissioners:

I would like to stand in opposition to the proposed development on J M Turk Road and I hope you will vote "NO" based upon the following reasons.

1. For the last 20 years, every new home that has been constructed on J M Turk Road has been an executive style in square footage and design. The proposed development will break from this trend and will adversely impact the ambience of the area. The townhomes and home density plans will not add to our community. I am not opposed to development; however, any development should add to the community and not detract from it and should follow the county guidelines. I feel as if the development should resemble Grandview and / or Quailwood. A subdivision modeled after those two would benefit and add value to our community.
2. Since the area has been "built up" recently, the Elah Valley subdivision has had to deal with major flooding in our development from the Mulberry River. When the Ingles shopping center, Grandview Subdivision, and the community center were completed the rain water from these developments has

caused major erosion and flooding for us. Our HOA has had to rebuild 2 community bridges because of flooding damage which has personally cost the homeowners thousands of dollars. If this development proceeds, I am concerned that even more erosion and damage will occur in our development as a result of rainwater mis-management and the Elah Valley homeowners again will be forced to pay out-of-pocket for road and bridge repairs. For your review, I have attached recent pictures of the flooding that has happened in our community.

3. I feel as if a more recent traffic study will need to be done on J M Turk Road. I am not confident the road can safely handle additional traffic. One end of J M Turk is extremely curvy and dangerous. Over the years I have witnessed many accidents in this section and some accidents have resulted in fatalities. If the development proceeds, major road rework will need to be done on J M Turk so that safety can be increased.

Please vote "NO" to this development. Thank you in advance for your attention to this matter.

Regards,
Tommy Channell
770-364-8087



Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Wednesday, December 20, 2023 4:56 PM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Zoning Project: Guth, JM Turk and Stanley roads - Kathy Cooper

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
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From: Ashley Anderson <ashes00@gmail.com>
Sent: Wednesday, December 20, 2023 4:49 PM
To: Planning <planning@hallcounty.org>
Subject: Zoning Project: Guth, JM Turk and Stanley roads - Kathy Cooper

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.

Dear elected officials,

I am here by voicing my opposition to the project that proposes 200 single-family detached homes and 124 townhomes along Guth, JM Turk and Stanley roads on 117 acres in Flowery Branch. I am strongly voicing my complete objection to District 1 Commissioner Kathy Cooper role in the sales agreement as well as her vote on the issue that will come before the planning commissioners at 5:15 p.m. Monday, February 5, at the Hall County Government Center. I object for the following reasons.

A. Ethics Violation - Commissioner Kathy Cooper has a direct conflict of interest as she is the listing agent on the $1.3 million deal. This is completely against all County and State ethics standards. She should resign from her position immediately .
B. Recusal hurts District 1 - Commissioner Kathy Cooper states that she would recuse herself from a vote. In doing so District 1 loses their representation on this very serious matter. She fails to complete her duty as an elected official, and should resign immediately.

The only way we see this as a community working is for A. Commissioner Kathy Cooper to resign from her role prior to this hearing. Or, B. The zoning request is to be denied 100% at the hearing due to the Districts failure of representation,and extreme conflict of interest.

PLEASE add these comments to the docket for the Planning board & Commissioners to review. Thank you!

--

Best Regards,

Ashley Anderson
ashes00@gmail.com

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: THOMPSON O'BRIEN KAPPLER & NASUTI PC

REQUEST: REZONE FROM AR-III TO PRD FOR 324 LOT SINGLE-FAMILY DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: FEB 6, 2024 Time: 5:15 P.M.

&

COUNTY COMMISSION Date: MAR 19, 2024 Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) [illegible]809

Dec 21, 2023 10:35:38
4590 Stanley Road
Flowery Branch
Hall County
Georgia



Dec 21, 2023 10:38:01
4590 Stanley Road
Flowery Branch
Hall County
Georgia



Dec 21, 2023 10:41:21
4543 J M Turk Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date Oct. 16, 2023
Time: 5:15 p.m.
&
COUNTY COMMISSION
Date: MAR 28, 2024
Time: 6:00 p.m.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 10:55:18
4601 Stanley Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
Mar 18, 2024 11:02:56
4574 J M Turk Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-N TO PRD FOR 324 LOT SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
Date: FEB 6 2024
Time: 5:30 P.M.
&
Date: MAR 5 2024
Time: 6:00 p.m.
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 10:59:32
4561 J M Turk Road
Flowery Branch
Hall County
Georgia



Mar 18, 2024 11:06:04
4627 Guth Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
Mar 18, 2024 10:58:20
4543 J M Turk Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT
SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: FEB 5 2024
Time: 5:15 P.M.
&
COUNTY COMMISSION
Date: MAR 28 2024
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 11:15:44
4702 J M Turk Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT
SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date:
Time:
&
COUNTY COMMISSION
Date:
Time:
FOR MORE INFORMATION CALL (770) 531-6899
Mar 18, 2024 11:07:23
4627 Guth Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REZONE FROM AR-III TO PRD FOR 324-LOT
SINGLE-FAMILY DEVELOPMENT
Date:
Time:
&
Date:
Time:
Mar 18, 2024 11:12:16
4611 Guth Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
Date: FEB 5, 2024
Time: 5:15 P.M.
&
Date: MAR 19 2024
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER 2875 BROWNSBRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 10:48:24
4621 Stanley Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-111 TO PRD FOR 324-LOT
SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
Date: FEB 5, 2024
Time: 5:15 p.m.
&
Date MAR 25 2024
Time: 6:00 p.m.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 10:49:43
4601 Stanley Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
APPLICANT:
REQUEST:
SINGLE-FAMILY DEVELOPMENT
Date:
Time:
Date:
Time:
Mar 18, 2024 11:11:34
4611 Guth Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
SINGLE - FAMILY DEVELOPMENT
Mar 18, 2024 11:00:08
4561 J M Turk Road
Flowery Branch
Hall County
Georgia


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.
APPLICANT:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324 LOT
SINGLE FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
Date: FEB 5, 2024
Time:
&
Date: MAR 28 2024
Time:
FOR MORE INFORMATION CALL
Mar 18, 2024 10:57:14
4567 Stanley Road
Flowery Branch
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 133/2024

SUBJECT: **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions** | of a Planned Residential Development (PRD) on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | Commission District 1 | **Steven P. Gilliam, applicant**

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BG

Recommendation:
Approve Withdrawal.

Purpose of Request:
4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions | of a Planned Residential Development (PRD) on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | Commission District 1 | **Steven P. Gilliam, 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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Application
Narrative
Site Plan
Maps
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: March 11, 2024

Subject: **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions |** of a Planned Residential Development (PRD) on a combined 31.64± acre tract | **Proposed Use: 54-lot single-family residential development** | **Steven P. Gilliam, applicant**

The request before you is the request of Steven P. Gilliam to Amend Conditions of a Planned Residential Development (PRD) to allow a 54-lot single-family residential development. This item is located within Commission District 1.

On January 18, 2024 the applicant requested withdrawal of this application.

At their February 19, 2024 meeting, the Hall County Planning Commission voted to recommend withdrawal **(5-0)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Steven P. Gilliam, Attorney
P.O. Box 1098
Gainesville, GA 30503
Phone 770-536-3381
Email Address sgilliam@sgwmfirm.com

Property Owner (Name & Mailing Address)

B.H. Enterprises & Susan Strickland
B.H. Enterprises: 4757 River Bottom Drive Gainesville, GA 30507
Susan Strickland: 3940 Ellison Farm Road Braselton, GA 30517
Phone B.H. Enterprises: 770-654-1329 Susan Strickland: 770-540-6948
Email Address mab3649@gmail.com lmsstrickland@bellsouth.net

Proposed Use PRD - single family residential

Contact Person (Name & Mailing Address)

Cameron Henderson
554 West Main Street Suite 700
Buford, GA 30518
Phone 678-978-6782
Email Address cameron@atlaslanddev.com

Status of Applicant

- ☐ Owner
- ☒ Option to Purchase
- ☐ Area Resident
- ☐ Other

Requested Action

Permissive Use:
☐ HCPC ☒ HCC
Fee:$ 1,500.00
Receipt #:
Check #:

Zoning: PRD
Acreage 30.32

Tax Parcel Number B.H. Enterprises: 15037A000001 Susan Strickland: 15037A000070
Location Address 4616 Winder Hwy & 4610 Winder Hwy, Flowery Branch, GA 30542

I hereby certify that the above information and all attached information are true and correct.

Sign _____ Date: 12/21/2023

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: 1/18/2024

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative County Commission Date: _____

County Commission District: _____

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

Project Narrative for

Cameron Henderson, Atlas Land Development

LOCATION – 4610 Winder Hwy and 4616 Winder Highway,
Flowery Branch, GA 30542

ACERAGE – 31.64 +/- acres

APPLICANT- Steven P. Gilliam, Attorney

Application of Steven P. Gilliam to rezone from Agricultural Residential-III (AR-III) and Residential-I (R-I) to Planned Residential Development (PRD) on a 31.64-acre tract located on the west side of Winder Highway at its intersection with Plantation Drive, a.k.a. 4610 and 4616 Winder Highway; zoned AR-III and R-I; tax parcel 15037A000070 and 000001. Proposed use: single family development. Commission District 1.

Attached is a letter, dated August 15, 2022, from Jennifer Rivera, Hall County Commission Clerk, to Ponderosa Land Holding, LLC regarding the Conditions of rezoning approval by the Hall County Board of Commission on August 11, 2022, on the application of Ponderosa Land Holdings, LLC to rezone the above location.

The Applicant is seeking to change three of the Conditions.

Condition 3 is amended by changing 52 total units to 54 total units, by adding lots 53 and 54 as shown on the attached Site Plan.

Condition 4.f. is amended by removing the fence and landscaped buffer requirement.

Condition 14 is amended by removing the amenity area, including parking, swimming pool, and restrooms on lots 53 and 54, and the requirement that they be built and completed by 50% of build-out.

The mail kiosk will be located as shown on the updated Site Plan. A variance is requested not to require parking spaces due to a limited number of mailboxes and lack of parking area.

SITE SUMMARY

PARCEL ID = 15037A000070 & 15037A000001

PARCEL ADDRESS = 4610 & 4616 WINDER HWY

TOTAL SITE AREA = 31.77 AC.

PROPOSED ZONING = PRD

USE = SINGLE FAMILY RESIDENTIAL S/D

TOTAL UNITS = 53 LOTS

SITE DENSITY = 1.67 UNITS/ACRE

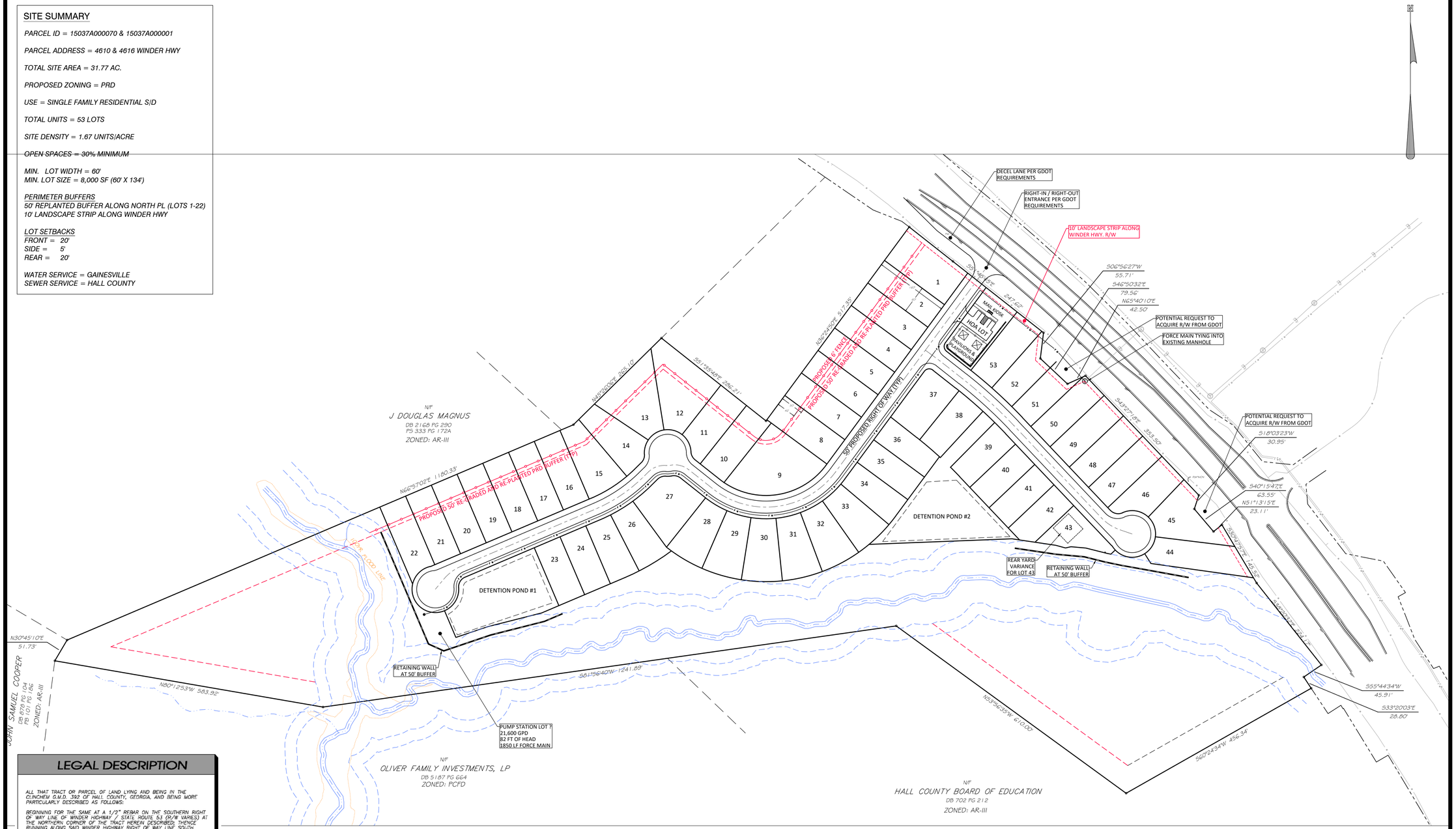
~~OPEN SPACES = 30% MINIMUM~~

MIN. LOT WIDTH = 60'
MIN. LOT SIZE = 8,000 SF (60' X 134')

PERIMETER BUFFERS
50' REPLANTED BUFFER ALONG NORTH PL (LOTS 1-22)
10' LANDSCAPE STRIP ALONG WINDER HWY

LOT SETBACKS
FRONT = 20'
SIDE = 5'
REAR = 20'

WATER SERVICE = GAINESVILLE
SEWER SERVICE = HALL COUNTY



LEGAL DESCRIPTION

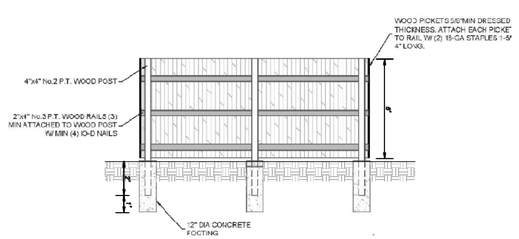
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CLINCHEM G.M.D. 392 OF HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A 1/2" REBAR ON THE SOUTHERN RIGHT OF WAY LINE OF WINDER HIGHWAY / STATE ROUTE 53 (R/W VARIES) AT THE NORTHERN CORNER OF THE TRACT HEREIN DESCRIBED; THENCE RUNNING ALONG SAID WINDER HIGHWAY RIGHT OF WAY LINE SOUTH 51°44'23" EAST, A DISTANCE OF 119.20 FEET TO A 1/2" REBAR; THENCE SOUTH 51°45'45" EAST, A DISTANCE OF 247.62 FEET TO A 3/8" REBAR; THENCE SOUTH 06°56'27" WEST, A DISTANCE OF 55.71 FEET TO A 1/2" REBAR; THENCE SOUTH 46°50'32" EAST, A DISTANCE OF 79.56 FEET TO A POINT; THENCE NORTH 65°40'10" EAST, A DISTANCE OF 42.50 FEET TO A 1/2" REBAR; THENCE SOUTH 43°27'18" EAST, A DISTANCE OF 353.50 FEET TO A 1/2" REBAR; THENCE SOUTH 18°03'23" WEST, A DISTANCE OF 30.95 FEET TO A 1/2" REBAR; THENCE SOUTH 40°15'47" EAST, A DISTANCE OF 63.55 FEET TO A 1/2" REBAR; THENCE NORTH 51°13'15" EAST, A DISTANCE OF 23.11 FEET TO A 1/2" REBAR; THENCE SOUTH 30°47'57" EAST, A DISTANCE OF 145.52 FEET TO A 1/2" REBAR(DIST); THENCE SOUTH 38°20'32" EAST, A DISTANCE OF 224.17 FEET TO A 1/2" REBAR; THENCE SOUTH 53°44'34" WEST, A DISTANCE OF 45.91 FEET TO A 1/2" REBAR AT CONCRETE MONUMENT; THENCE SOUTH 33°20'03" EAST, A DISTANCE OF 28.80 FEET TO A CONCRETE MONUMENT; THENCE LEAVING SAID WINDER HIGHWAY RIGHT OF WAY LINE AND ALONG LAND NOW OR FORMERLY OF HALL COUNTY BOARD OF EDUCATION WORLD LANGUAGE ACADEMY SOUTH 60°24'34" WEST, A DISTANCE OF 456.34 FEET TO A POINT; THENCE NORTH 53°58'35" WEST, A DISTANCE OF 610.00 FEET TO A 4" CONCRETE MONUMENT WITH NAIL; THENCE ALONG LAND NOW OR FORMERLY OF HALL COUNTY BOARD OF EDUCATION WORLD LANGUAGE ACADEMY & OLIVER FAMILY INVESTMENTS, LP SOUTH 81°56'40" WEST, A DISTANCE OF 1241.89 FEET TO A POINT; THENCE NORTH 80°12'53" WEST, A DISTANCE OF 583.92 FEET TO A POINT; THENCE ALONG LAND NOW OR FORMERLY OF JOHN SAMUEL COOPER NORTH 30°45'10" EAST, A DISTANCE OF 51.73 FEET TO A POINT; THENCE ALONG LAND NOW OR FORMERLY J DOUGLAS MAGNUS NORTH 68°57'02" EAST, A DISTANCE OF 1180.33 FEET TO A POINT; THENCE ALONG LAND NOW OR FORMERLY J DOUGLAS MAGNUS AND REGIONS BANK, AS TRUSTEES U/A WITH MATTHEW LOYD STRICKLAND NORTH 49°26'06" EAST, A DISTANCE OF 265.10 FEET TO A POINT; THENCE ALONG LAND NOW OR FORMERLY OF REGIONS BANK, AS TRUSTEES U/A WITH MATTHEW LOYD STRICKLAND SOUTH 51°35'48" EAST, A DISTANCE OF 206.21 FEET TO A POINT; THENCE ALONG LAND NOW OR FORMERLY OF REGIONS BANK, AS TRUSTEES U/A WITH MATTHEW LOYD STRICKLAND AND J DOUGLAS MAGNUS SOUTH 38°24'50" EAST, A DISTANCE OF 317.35 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 31.777 ACRES MORE OR LESS.

NOTES

1) *ALL PROPOSED ITEMS DEPICTED ON THIS SITE PLAN ARE CONCEPTUAL IN NATURE AND ALL ITEMS MUST MEET THE CURRENT STANDARDS OF THE OFFICIAL CODE OF HALL COUNTY AT THE TIME OF PERMITTING AND CONSTRUCTION.*
2) *THE BASIS OF BEARING FOR THIS PLAT IS THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE GROUND (NOT GRID) DISTANCES. THE VERTICAL DATUM IS NAVD 88.*
3) *NO PORTION OF THE PROPERTY DEPICTED HEREON LIES WITHIN A FLOOD HAZARD ZONE PER FEMA FIRM MAP NUMBER 13139C0311F, EFFECTIVE DATE 09/29/2006.*
4) *THIS PLAT DOES NOT REPRESENT A THOROUGH INSPECTION OF THE INTERIOR OF THE PROPERTY SHOWN HEREON. IMPROVEMENTS, WETLANDS, DUMP SITES AND OTHER SIGNIFICANT FEATURES NOT SHOWN HEREON MAY EXIST.*
5) *IF THIS PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE SECTION 17.225.040)*



6' WOOD FENCE DETAIL

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

OWNER/DEVELOPER	CIVIL ENGINEER
ATLAS DEVELOPMENT, INC	REED PLANNING & DESIGN, INC.
218 S. HILL STREET	100 OLD DAWSON VILLAGE RD, STE 110
BUFORD, GA 30518	DAWSONVILLE, GA 30534
CAMERON HENDERSON	CONTACT: KEVIN REED
PHONE: 678-978-6782	PHONE: 706-531-8428

REED
PLANNING & DESIGN

100 Old Dawson Village Rd
Suite 110
Dawsonville, GA 30534

Phone: 706-531-8428

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ALL RIGHTS RESERVED

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STAMP

GSWCC LEVEL 2
CERTIFIED DESIGN
PROFEESIONAL

CERTIFICATION NO. 1639
EXPIRES 10/27/2026

WINDER HIGHWAY S/D
ATLAS DEVELOPMENT, INC.
HALL COUNTY, GA

PARCEL	-
LAND LOT	-
DISTRICT	GMD-392
CITY	-
COUNTY	HALL
STATE	GEORGIA

CONCEPTUAL SITE PLAN

JOB NUMBER	DATE
24102	1-08-2024

DATE	NO	REVISION

C-1

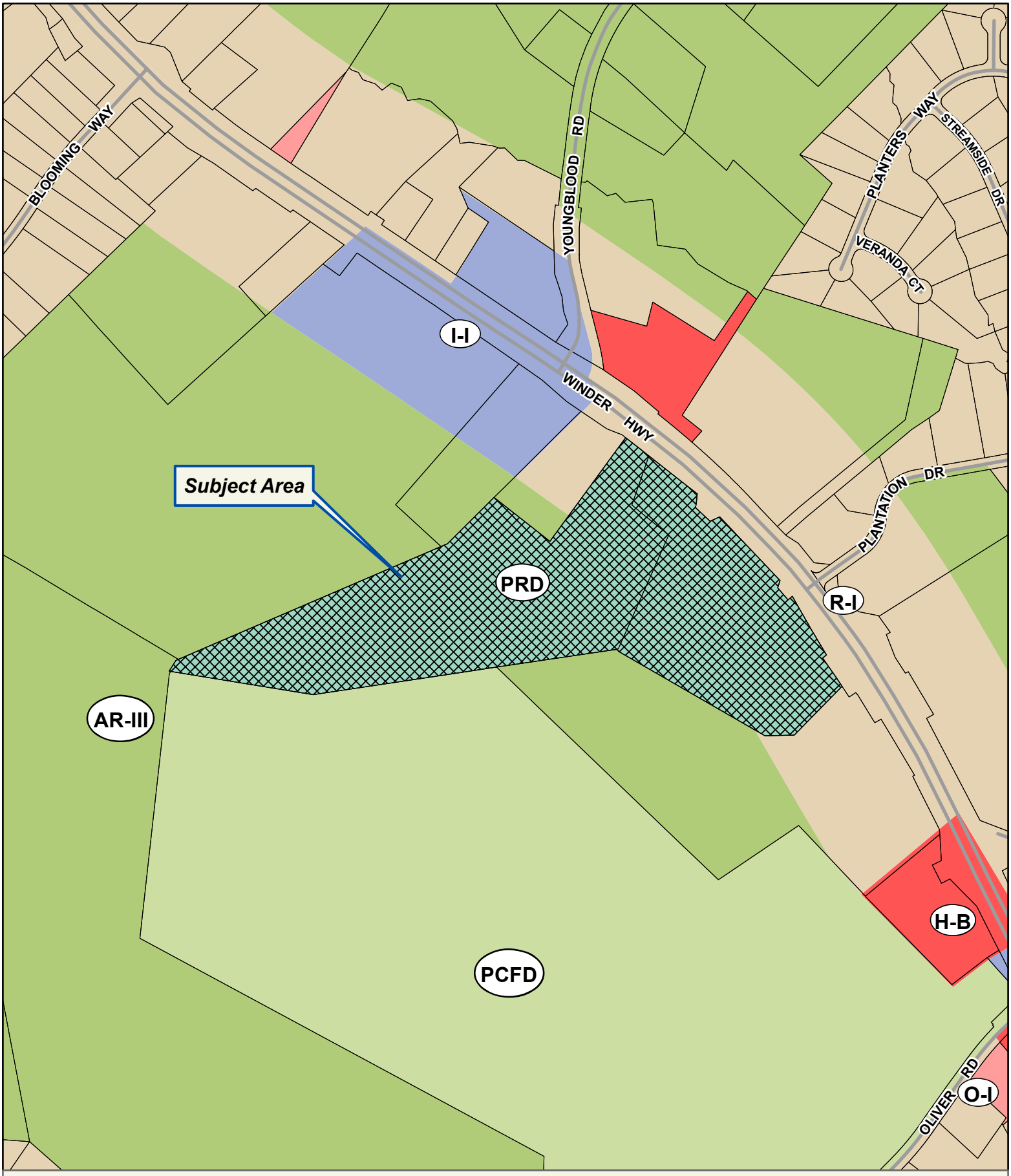


Applicant: STEVEN P. GILLIAM
Tax Parcel #: 15037A000001 & 15037A000070
Location: 4610, 4616, 4630 & 4636 WINDER HIGHWAY, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 02/19/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area

N



Applicant: STEVEN P. GILLIAM
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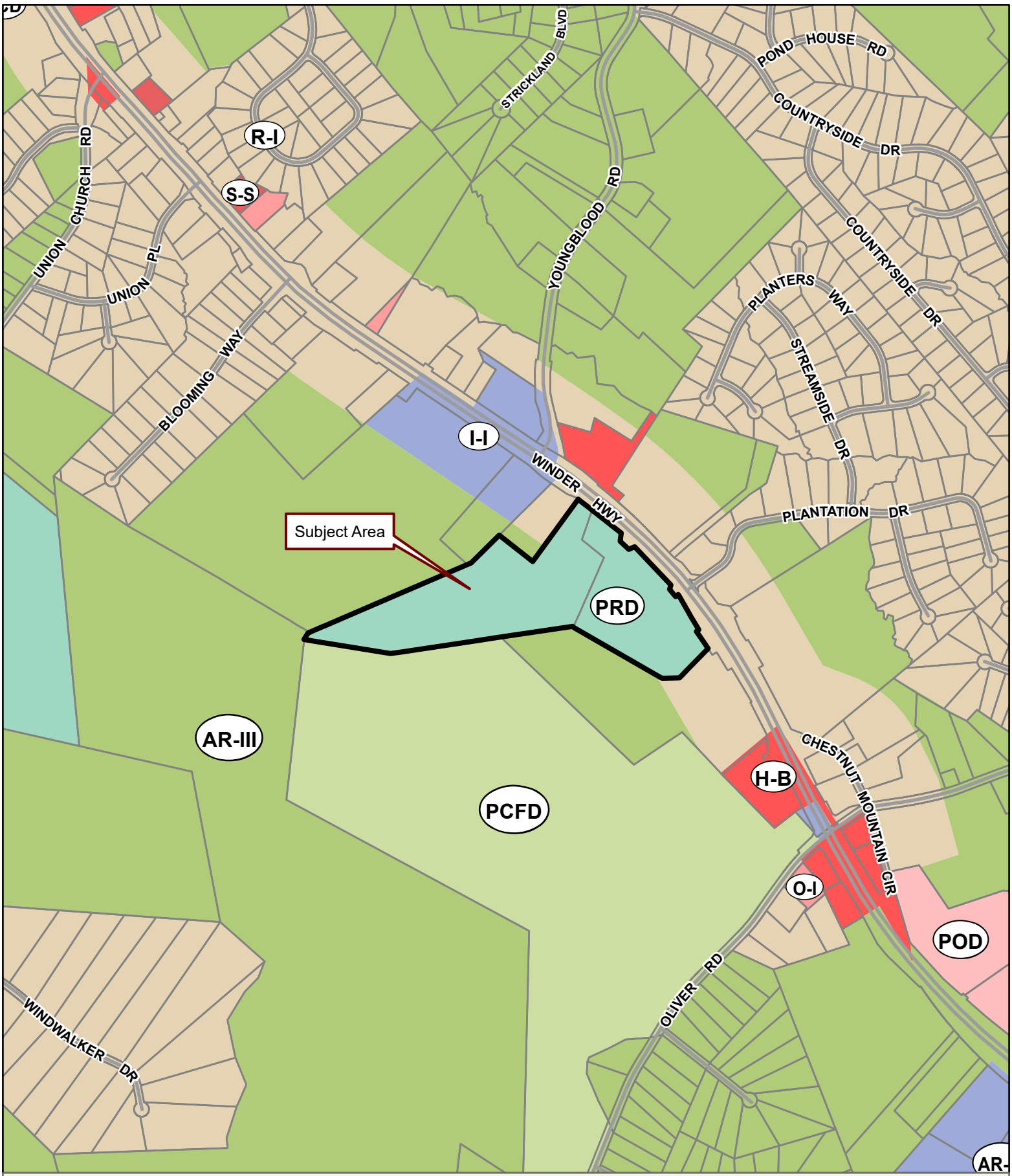
Commission District 1 **PC Mtg. Date: 02/19/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: STEVEN P. GILLIAM
Tax Parcel #: 15037A000001 & 15037A000070
Location: 4610, 4616, 4630 & 4636 WINDER HIGHWAY, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 02/19/24**

0 250 500 1,000
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, January 16, 2024 12:05 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 2.19.24

Please find Environmental Health comments below:

Items 1A-C, 6294 Windward Lane, Burke: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 2, 6585 Johnson Circle, Wilkerson: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, all well buffers, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 3, 6384 Yellow Creek Road, Hathaway: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 4, 4610/4616/4630/4636 Winder Hwy, Gilliam: 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.

Item 5, 2030/2034/2036/2038/2040 Spring Road, Ferguson: 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.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road

RE: Tentative Planning Agenda for February 19, 2024

Chavers, Veronica E <VChavers@dot.ga.gov>
Mon 1/22/2024 9:53 AM
To:Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>;Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>

Some people who received this message don't often get email from vchavers@dot.ga.gov. Learn why this is important

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Responses are in red below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, January 11, 2024 10:33 AM
Subject: Tentative Planning Agenda for February 19, 2024

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.

Good morning–

Here is the Tentative Agenda and Maps for the **Monday, February 19, 2024** 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, January 18th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – February 5, 2024

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its

intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

(C) 6294 Windward Lane | Variance | 17.240.010. to reduce the rear yard setback from 20 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

GDOT coordination not required

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   GDOT coordination not required

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   GDOT coordination not required

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   GDOT coordination for driveway access on Hwy 53

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   GDOT coordination not required

*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 28, 2024, at 6:00 p.m. at the Hall County Government Center, 2nd 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 28, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 18, 2024

Subject: February 19, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 19, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (C) 6294 Windward Lane | Variance | 17.240.010. to reduce the rear yard setback from 20 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** No Comment
   c. **Utilities:** Hall County sewer district – No connection within feasible distance available.

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   a. **Engineering:** This 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 buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** GDOT access permit required
      Site plan shows an eyebrow cal-de-sac which is not permitted in code. Applicant will need to request receive a variance.
   c. **Utilities:** Hall County sewer – Connection within feasible distance.

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** No Comment
   c. **Utilities:** City of Gainesville sewer district

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, January 18, 2024 9:16 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comment

Monday, February 19, 2024 Hall County Planning Commission Meeting.

1. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD** | on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   The Hall County Fire Marshal's Office considers the plan as proposed conceptual in nature and if approved may require modifications during the development review process.

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

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 134/2024

SUBJECT: **2554 White Sulphur Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 11.94± acre tract on the east side of White Sulphur Road, approximately 230 feet from its intersection with Ramsey Circle | Zoned AR-III; Tax Parcel 15020C000005 | **Proposed Use: 53-unit townhome development**| Commission District 3 | **CMWB Company, LLC, applicant**

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BG

Recommendation:
Approve the withdrawal.

Purpose of Request:
2554 White Sulphur Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 11.94± acre tract on the east side of White Sulphur Road, approximately 230 feet from its intersection with Ramsey Circle | Zoned AR-III; Tax Parcel 15020C000005 | **Proposed Use: 53-unit townhome development**| Commission District 3 | **CMWB Company, 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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Request to Withdraw
Application
Narrative
Site Plan
Maps
Renderings
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photo

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: March 11, 2024

Subject: **2554 White Sulphur Road** | **Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 11.94± acre tract | **Proposed Use: 53-unit townhome development** | **CMWB Company, LLC, applicant**.

The request before you is the request of CMWB Company, LLC to Rezone from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) to allow a 53-unit townhome development. This item is located within Commission District 3.

On February 14, 2024 the applicant emailed planning staff their request for withdrawal of this application.

At their February 19, 2024 meeting, the Hall County Planning Commission voted to recommend withdrawal **(5-0)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Wednesday, February 14, 2024 4:56 PM
To: Chris Braswell; Chris Braswell (Planning); Johnny Varner; Frank Sosebee (Planning); Gina Pilcher; Stan Hunt
Cc: Beth Garmon (CDI: Planning); Anael Dominguez (CDI: Planning); Kristie Turner (Planning)
Subject: 2554 White Sulphur Road - HZON23-0058 - Request to Withdrawal

Good afternoon,

Please find below the request to withdrawal the application at 2554 White Sulphur Road for a 53-unit townhomes development.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: CGROGAN@WILLIAMSBROTHERSDEV.COM <CGROGAN@WILLIAMSBROTHERSDEV.COM>
Sent: Wednesday, February 14, 2024 12:45 PM
To: Kristie Turner (Planning) <kturner@hallcounty.org>
Subject: Re: 2554 White Sulphur Road

You don't often get email from cgrogan@williamsbrothersdev.com. Learn why this is important

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.

Kristie, we have decided to pull this application from the agenda and not pursue any further.

Thank you

Cameron Grogan
404-548-7128

On 02/07/2024 2:04 PM EST Kristie Turner (Planning) <kturner@hallcounty.org> wrote:

Cameron,

Hi, my name is Kristie Turner, and I am the new Senior Planner here at Hall County. I am following up on your project at 2554 White Sulfur Road that was tabled from the January 16, 2024, meeting to the February 19, 2024, meeting.

Do you have any updates that should be included for this project? Are there any questions or concerns we need to discuss prior to the meeting?

I look forward to hearing back from you and working with you on your project.

Kristie Turner

Senior Planner

Hall County Community Development and Infrastructure

(direct office) 770-297-6853

kturner@hallcounty.org

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

Hall County P&Z
Received
December 6, 2023

HALL COUNTY
GEORGIA
We have it all in Hall

ZONING APPLICATION

Applicant (Name & Mailing Address)

CMWB COMPANY, LLC
ATLANTA FINANCIAL CENTER
3343 PEACHTREE RD, SUITE 145-835, ATLANTA, GA 30326
Phone 404-548-7128
Email Address CGROGAN@WILLIAMSBROTHERSDEV.COM

Property Owner (Name & Mailing Address)

PENNY EVANS
2554 WHITE SULPHUR RD
GAINESVILLE, GA 30501
Phone (404) 501-0221
Email Address natashabrown878@gmail.com (Broker)

Proposed Use TOWNHOME RESIDENTIAL NEIGHBORHOOD

Contact Person (Name & Mailing Address)

CAMERON GROGAN
5875 PINE BROOK RD
ATLANTA, GA 30328
Phone 404-548-7128
Email Address CGROGAN@WILLIAMSBROTHERSDEV.COM

Status of Applicant

- ☐ Owner
- ☒ Option to Purchase
- ☐ Area Resident
- ☐ Other

Requested Action

Existing Zoning: AR-III
Rezone to: PRD
Fee:$_____
Receipt #: _____
Check #: _____

Tax Parcel Number 15020C000005 Acreage 12
Location Address 2554 WHITE SULPHUR RD

I hereby certify that the above information and all attached information are true and correct.

Sign _____ Date: 11/03/2023

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, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Penny Evans

Address 2554 White Sulphur Rd
Gainesville GA, 30501

Phone Number (404) 510-0221

Name of applicant(s) CMWB COMPANY, LLC

Address 3343 PEACHTREE RD, SUITE 145-835
ATLANTA, GA 30326

Phone Number 404-548-7128

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)

Personally appeared before me

Carter Tenney

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

10/30/23
Date

C A TENNEY NOTARY PUBLIC DEKALB COUNTY GA MY COMMISSION EXPIRES MAY 24 2026

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

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: _____ **Date:** 9/07/2023

Applicant's/Owner's Name (Printed): CAMERON GROGAN

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
We have it all in Hall

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:

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(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.

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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: Penny Evans **Date:** 10.30.23

Applicant's/Owner's Name (Printed): Penny Evans

Hall County P&Z
Received
December 6, 2023

WHITE SULPHUR TOWNHOME COMMUNITY

NARRATIVE

Applicant, CMWB Company, located in Atlanta, Georgia, is proposing the development of a townhome community located on White Sulphur Road. There will be one property entrance located on White Sulphur Road.

Project Description: The subject parcel is 12+/- acres and currently has one home on the property occupied by the Seller. The subject site is in District 3, Hall County, Georgia, and borders J.A Walters Family YMCA to the south and east, vacant land to the north, and White Sulphur Road to the west. Per Hall County code, the development will comprise less than 150 residential units, and therefore, only require one point of access.

The community will contain no more than 53 townhomes, or 4.5 units per acre. The site will be professionally maintained and managed, and on-street parking will be prohibited. In addition to visitor parking spaces located throughout the development, the units will have either a 1-car or 2-car garage and driveway for off-street parking. Market demand at the time of development will indicate whether the development will be for rent or for sale. If for sale, the lots will be individually platted and will follow the table comparison included in the Application. If the development is for rent, the parcel will be one plat with no setbacks. In either scenario, individual buildings will be spaced as allowed by fire regulations, and the fire department's approval of engineered plans. The units will be a minimum of 22' wide and have 20' of driveway from the front of the garage to the back of curb.

The property buffers will be a 50' transitional buffer along all property lines not fronting White Sulphur Road. Along White Sulphur Road, the buffer will be 30' from the property line or 55' from the existing center line of the road, whichever is greater. A 10' landscape buffer will be provided within this property buffer from the property line along White Sulphur Road.

Architectural elevations and floorplans are provided as supplemental guidelines for exterior roofing surfaces, building materials, and garage placement and width. Roof pitch may be shallower than 4:12 on dormers and porches. Building height may not exceed 38 feet from finish floor elevation to top of roof pitch. Developer may amend the internal layout and elevations from what is provided in this application so long as any changes are in compliance with Hall County building code and zoning conditions.

The development will not have an amenity building or feature such as pool or playground, but will have ample open space for the residence use and be utilized for storm water detention. A mailbox kiosk area and associated parking per code are provided. Due to the descending grade and the large buffer along White Sulphur Road, there will not be a

requirement for the units along White Sulphur Road to be rear-loaded. Garages may be more than 50 percent of the width of an individual townhome unit.

Landscaping: Will be in compliance with Hall County buffer, tree, and other landscaping requirements. If the units are not individually platted, the requirement for 2 trees per lot will not be required, but ornamental shrubbery and plantings will be provided.

Street Lighting: Will be provided by Georgia Power and in compliance with Hall County code

Architectural Standard and Building: The exterior construction of the buildings will be architectural asphalt shingles, and quality finishes including, but not limited, to lap-siding, board and batten, brick, and shake siding. The architectural finishes will be in compliance with Hall County code.

Signage: Signage for the property will meet the sign Standards for Specific Zoned districts in all County Ordinance 17.270.070.

Water and Sewer: Gainesville Water and Sewer lines are provided along White Sulphur Road. An annexation waiver has been received from the City of Gainesville. A pump station will be required to tap into the 12" sewer line along White Sulphur Rd. The applicant will try to get an easement from GA Mountain YMCA to access the 8" line by gravity located at the intersection of Cornelia Hwy and YMCA Dr.

Requested Zoning: Planned Residential Development 4.5 townhomes per acre.

I:\2023\2023221\0 Preliminary\2023221 Z1b.dwg, ARCH FULL BLEED D (24.00 X 36.00 INCHES), SOUARE PW.STB, DWG TO PDF.PC3, SKYLAR WILLARD, November 3, 2023 4:23:17 PM





VICINITY MAP
SCALE: NTS

BUILDING SETBACKS (IF INDIVIDUALLY PLATTED)

FRONT:	20'
SIDE:	0'
REAR:	20'

PRELIMINARY SITE PLAN DISCLAIMER:

SITE PLAN IS BASED ON CLIENT PROVIDED INFORMATION POSSIBLY INCLUDING BUT NOT LIMITED TO THE FOLLOWING: TAX MAPS, USGS MAPS, GIS INFORMATION, SCANNED/DIGITAL BOUNDARY SURVEY, SCANNED/DIGITAL TOPOGRAPHICAL SURVEY, SCANNED/DIGITAL AS-BUILT PLAN, SCANNED/DIGITAL ALTA SURVEY, AND/OR PREVIOUS CONSTRUCTION PLANS BY PMI/OTHERS. ALL ZONING INFORMATION SHOWN IN THE TITLEBLOCK TO THE RIGHT HAS BEEN RESEARCHED BUT NOT VERIFIED WITH THE JURISDICTION.

SITE PLAN BOUNDARY AND EXISTING CONDITIONS ARE ONLY AS ACCURATE AS THE INFORMATION PROVIDED.

TOWNHOME LEGEND
24' FT WIDE x 50' DEEP UNITS
53 UNITS PROPOSED

16 TOTAL AUTO SPACES

ZONING PLAN

0 20 40 80 160
SCALE: 1 = 40

LAND PLANNERS
ENGINEERS • SURVEYORS
TRANSPORTATION
LANDSCAPE ARCHITECTS
85-A MILL STREET
SUITE 200
ROSWELL, GEORGIA 30075
VOICE 770.650.7685
FAX 770.650.7684
www.paulsonmitchell.com

PAULSON MITCHELL INCORPORATED

PROJECT:

WHITE SULPHUR ROAD MODEL

2554 WHITE SULPHUR ROAD
UNINCORPORATED HALL COUNTY, GEORGIA

FOR:

WILLIAMS BROTHERS DEVELOPMENT

ZONING INFORMATION

ZONING CLASSIFICATION

JURISDICTION:	UNINCORPORATED HALL COUNTY
EX. ZONING:	AR-III (AGRICULTURAL-RESIDENTIAL-III)
OVERLAY DISTRICT:	NORTH OCONEE RESERVOIR WATERSHED PROTECTION DISTRICT
PROPOSED ZONING:	PRD

BUILDING SETBACKS

FRONT:	65' FROM CL OF RD/40' FROM P/L THE GREATER OF THE TWO
MAJOR SIDE:	10'
MINOR SIDE:	10'
REAR:	20'

BUFFERS

LANDSCAPE STRIP:	10'
ZONING BUFFER:	30' ABUT. RES. NO OUTSIDE ACTIVITY/ 50' ABUT. RES WITH OUTSIDE ACTIVITY
STATE STREAM BUFFER:	25'
COUNTY STREAM BUFFER:	50' (UNDISTURBED)
CITY STREAM BUFFER:	75'

PARKING SUMMARY

STALL:	9'X18'
LANDSCAPE ISLAND SPACING:	1 PER 10 SPACES

LANDSCAPE REG'S.

MAXIMUM IMPERVIOUS ALLOWED:	__%
MAXIMUM BUILDING COVERAGE:	__%
OPEN SPACE:	73.3%

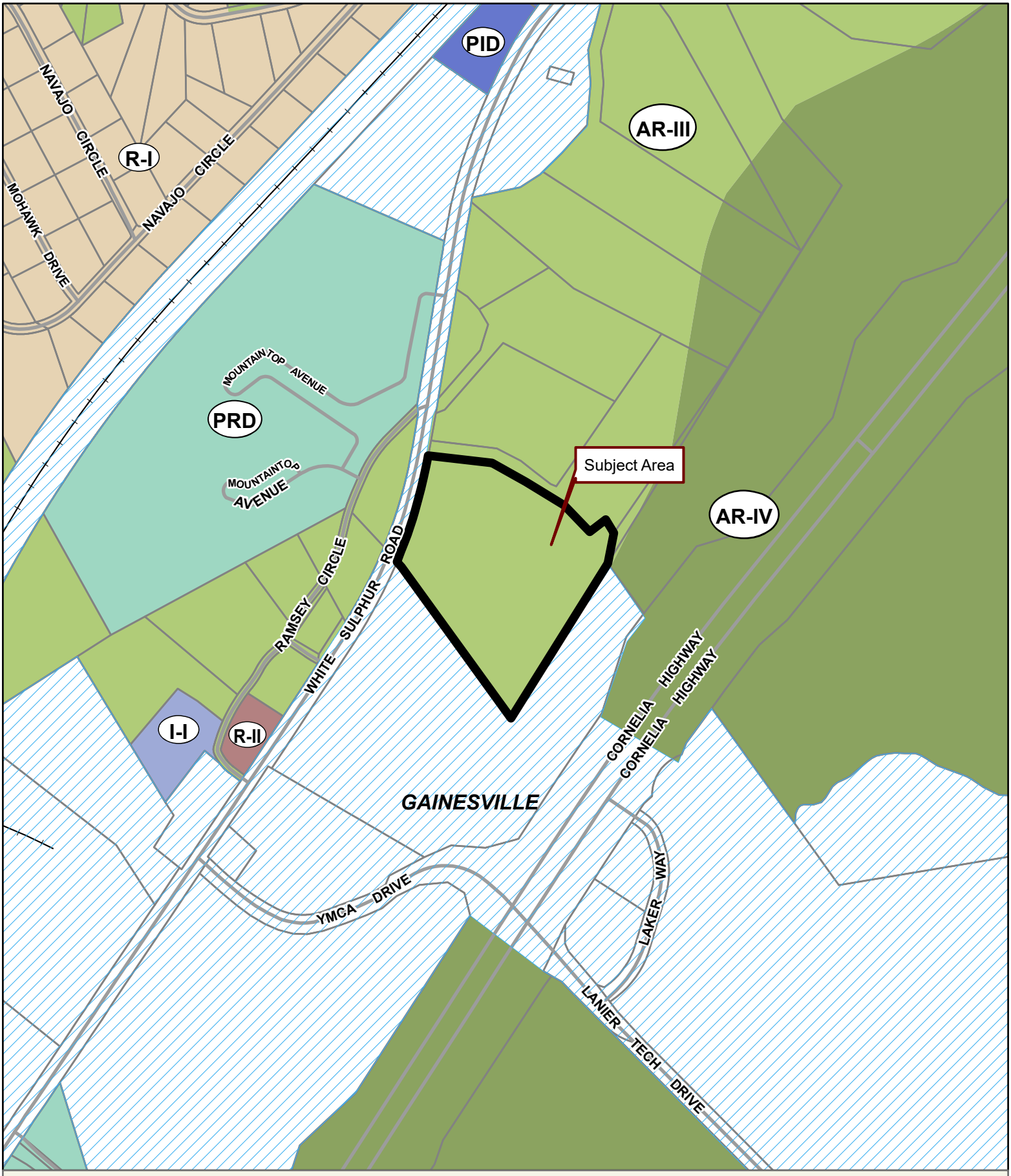
ENVIRONMENTAL

FLOOD PLAIN PRESENT (NO):	FEMA/HALL GIS
STREAMS PRESENT (YES):	NWI/HALL GIS
WETLANDS PRESENT (NO):	NWI/HALL GIS
TOPOGRAPHY DATA:	HALL COUNTY GIS

2023221 Z1b.dwg 11.03.2023

CONCEPTUAL PLAN

SHEET **Z-1**

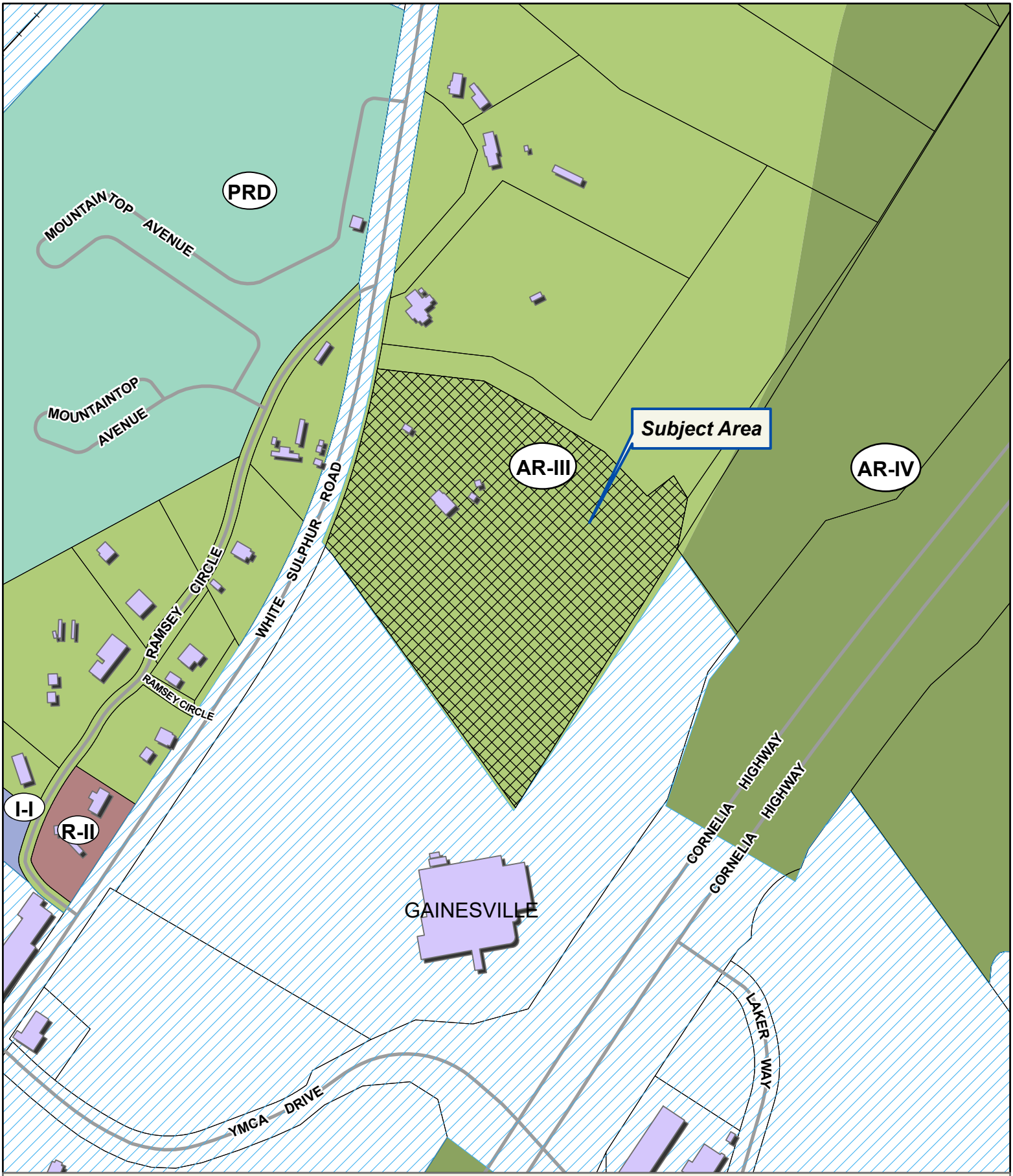


Applicant: CMWB COMPANY, LLC

Tax Parcel #: 15020C000005

Location: 2554 WHITE SULPHUR ROAD, GAINESVILLE, GA 30501

Commission District 3 **PC Mtg. Date: 01/16/24**



Applicant: CMWB COMPANY, LLC
Tax Parcel #: 15020C000005
Location: 2554 WHITE SULPHUR ROAD, GAINESVILLE, GA 30501
Commission District 3 **PC Mtg. Date: 01/16/24**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: CMWB COMPANY, LLC
Tax Parcel #: 15020C000005
Location: 2554 WHITE SULPHUR ROAD, GAINESVILLE, GA 30501
Commission District 3 **PC Mtg. Date: 01/16/24**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area

N





Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Monday, December 11, 2023 9:49 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 1.16.23

Please find Environmental Health comments below:

Item 1, 1047 Jordan Drive, Williams: No comment, public sewer.

Item 2, 9 Mike Drive, Romero: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 3, 3580/3526 Poplar Springs Rd, 3601 Pierce, Clayton Properties: No comment, public sewer.

Item 4, 4363 Sardis Road, Grace of Georgia: No comment, public sewer.

Item 5, 4670 Union Church, Ridgeline: No comment, public sewer.

Item 6, 2554 White Sulphur, CMWB Company: No comment, public sewer.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

http://dph.georgia.gov/environmental-health (State Website)
http://www.phdistrict2.org/HallCounty.htm (District Website)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Anael Dominguez (CDI: Planning)

Subject: FW: Tentative Planning Agenda for January 16, 2024

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Thursday, December 14, 2023 2:45 PM
To: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Subject: RE: Tentative Planning Agenda for January 16, 2024

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.

See comments in red below

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, December 7, 2023 3:11 PM
Subject: Tentative Planning Agenda for January 16, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Tuesday, January 16, 2024** 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 14th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – January 2, 2023

NEW BUSINESS

1. **1047 Jordan Drive | Variance** | 17.240.010 to reduce the front yard setback requirement from 55 feet to 31 feet from centerline of road | on a 0.25± acre tract located on the south side of Jordan Drive, approximately 232 feet from its intersection with Cooley Drive | Zoned R-II, Tax Parcel 00140A000023 & 22 | **Proposed Use: bring an existing deck into compliance** | * Commission District 4 | **Ricky Williams, applicant.** **No GDOT coordination required**

2. **9 Mike Drive | Variance** | 17.240.010 to reduce the rear yard setback requirement from 20 feet to 10 feet from property line | on a 0.56± acre tract located at the corner of Mike Drive and Ophelia Drive | Zoned R-I, Tax Parcel 08014 003011 | **Proposed Use: being an existing accessory building into compliance** | * Commission District 4 | **Efrain Romero, applicant.** **No GDOT coordination required**

3. **3580 and 3526 Poplar Springs Road and 3601 Pierce Drive | Amend Conditions of a PRD** | on a combined 97.48± acre tract located on the south side of the Poplar Springs Road at its intersection with Poplar Springs Church Road | Zoned PRD; Tax Parcel 15036A000001, 000003 & 000011 | **Proposed Use: 192-lot single-family development** | ** Commission District 1 | **Clint Dixon for Clayton Properties Group, Inc, applicant.** **GDOT coordination required for driveway access on Poplar Springs Rd**

4. **4363 Sardis Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on a on a 41.71± acre parcel located on the west side of Sardis Road, approximately 361 feet from its intersection with Short Road | Zoned AR-III; Tax Parcel 10075 000004 **| Proposed use: 125-lot single-family development |** ** Commission District 2 **| Grace of Georgia Developments, LLC, applicant.** **No GDOT coordination required**

5. **4670 Union Church Road | Amend Conditions of a PRD |** on a 50.75± acre tract located on the east side of Union Church Road, approximately 166 feet from its intersection with Steeple Chase Lane | Zoned PRD; Tax Parcel 15043 000001 | **Proposed Use: 100-lot single-family development** | ** Commission District 1 | **Ridgeline Land Planning, Inc. applicant.** **No GDOT coordination required**

6. **2554 White Sulphur Road** | **Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 11.94± acre tract on the east side of White Sulphur Road, approximately 230 feet from its intersection with Ramsey Circle | Zoned AR-III; Tax Parcel 15020C000005 | **Proposed Use: 53-unit townhome development** | ** Commission District 3 | **CMWB Company, LLC, applicant**. **No GDOT coordination required**

*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, February 22, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd 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 22, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: December 15, 2023

Subject: January 16, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the January 16, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **1047 Jordan Drive | Variance** | 17.240.010 to reduce the front yard setback requirement from 55 feet to 31 feet from centerline of road | on a 0.25± acre tract located on the south side of Jordan Drive, approximately 232 feet from its intersection with Cooley Drive | Zoned R-II, Tax Parcel 00140A000023 & 22 | **Proposed Use: bring an existing deck into compliance** | * Commission District 4 **| Ricky Williams, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

2. **9 Mike Drive | Variance** | 17.240.010 to reduce the rear yard setback requirement from 20 feet to 10 feet from property line | on a 0.56± acre tract located at the corner of Mike Drive and Ophelia Drive | Zoned R-I, Tax Parcel 08014 003011 | **Proposed Use: being an existing accessory building into compliance** | * Commission District 4 **| Efrain Romero, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **3580 and 3526 Poplar Springs Road and 3601 Pierce Drive | Amend Conditions of a PRD** | on a combined 97.48± acre tract located on the south side of the Poplar Springs Road at its intersection with Poplar Springs Church Road | Zoned PRD; Tax Parcel 15036A000001, 000003 & 000011 | **Proposed Use: 192-lot single-family development** | ** Commission District 1 **| Clint Dixon for Clayton Properties Group, Inc, applicant.**

   a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   This 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 buffer and impervious setback from wrested vegetation not centerline of stream.

b. **Traffic:** GDOT permit for access off Poplar Spring Rd.
c. **Utilities:** City of Oakwood

4. **4363 Sardis Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on a on a 41.71± acre parcel located on the west side of Sardis Road, approximately 361 feet from its intersection with Short Road | Zoned AR-III; Tax Parcel 10075 000004 | **Proposed use: 125-lot single-family development |** ** Commission District 2 **| Grace of Georgia Developments, 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 surfaces and/or disturbed acreage
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream
   b. **Traffic:** Per Hall County code 16.60.290, a left turn lane (in addition to a decel lane) is required.
   Roadways depicted in the site do not meet Hall County subdivision regulations (Hall County Code Title 16). Any variances to these regulations will need to specific, justified and considered/approved during the rezoning process.
   Dual cul-de-sacs depicted on one roadway is not permitted.
   No parking spaces along roadways permitted. Mail kiosk site will need to be modified per our typical.
   c. **Utilities:** Hall County/ Gainesville sewer district- no connection within feasible distance.

5. **4670 Union Church Road | Amend Conditions of a PRD |** on a 50.75± acre tract located on the east side of Union Church Road, approximately 166 feet from its intersection with Steeple Chase Lane | Zoned PRD; Tax Parcel 15043 000001 **| Proposed Use: 100-lot single-family development** | ** Commission District 1 **| Ridgeline Land Planning, 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 surfaces and/or disturbed acreage
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

6. **2554 White Sulphur Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 11.94± acre tract on the east side of White Sulphur Road, approximately 230 feet from its intersection with Ramsey Circle | Zoned AR-III; Tax Parcel 15020C000005 | **Proposed Use: 53-unit townhome development** | ** Commission District 3 | **CMWB Company, 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 surfaces and/or disturbed acreage
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream.

b. **Traffic:** Access along White Sulphur Road must be reviewed/approved/permitted through the City of Gainesville.
Internal roadways depicted in the site plan do not meet Hall County regulations (hall County Code Title 16). Any variance will need to be specific, justified and considered/approved during the rezoning process. This would include, but not be limited to, curve radius, no dead end roads, etc.
On street parking spaces are not permitted by Hall County code.
Mail kiosk design does not meet county requirements.

c. **Utilities:** City of Gainesville sewer district

Anael Dominguez (CDI: Planning)

From: John Tucker (Fire Services)
Sent: Tuesday, December 12, 2023 4:18 PM
To: John Hornick (Fire Services); Michael Vieira (Fire Services); Jeff Suggs (Fire Services); Cacey B. Henderson (Fire Services)
Cc: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for January 16, 2024

1. **4670 Union Church Road | Amend Conditions of a PRD |** on a 50.75± acre tract located on the east side of Union Church Road, approximately 166 feet from its intersection with Steeple Chase Lane | Zoned PRD; Tax Parcel 15043 000001 | **Proposed Use: 100-lot single-family development** | ** Commission District 1 | **Ridgeline Land Planning, Inc. applicant.**

Fire department comments. There are too many sites for a single access road. 120-3-3 appendix D. There are no proposed hydrants in the subdivision.

1. **2554 White Sulphur Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 11.94± acre tract on the east side of White Sulphur Road, approximately 230 feet from its intersection with Ramsey Circle | Zoned AR-III; Tax Parcel 15020C000005 | **Proposed Use: 53-unit townhome development** | ** Commission District 3 | **CMWB Company, LLC, applicant**.

Fire department comments. There are no proposed hydrants. There are no road widths listed on the plans to see if they meet IFC 2018 requirements. There is no scale to measure distances. Plans are not stamped by architect.

1. **4363 Sardis Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on a on a 41.71± acre parcel located on the west side of Sardis Road, approximately 361 feet from its intersection with Short Road | Zoned AR-III; Tax Parcel 10075 000004 **| Proposed use: 125-lot single-family development |** ** Commission District 2 **| Grace of Georgia Developments, LLC, applicant.**

Fire department comments, There are no proposed hydrants in the subdivision.

3580 and 3526 Poplar Springs Road and 3601 Pierce Drive | Amend Conditions of a PRD | on a combined 97.48± acre tract located on the south side of the Poplar Springs Road at its intersection with Poplar Springs Church Road | Zoned PRD; Tax Parcel 15036A000001, 000003 & 000011 | **Proposed Use: 192-lot single-family development** | ** Commission District 1 **| Clint Dixon for Clayton Properties Group, Inc, applicant.**

Fire department comments, There are too many sites for a single access road. 120-3-3 appendix D. There are no proposed hydrants in the subdivision.

1. **9 Mike Drive | Variance** | 17.240.010 to reduce the rear yard setback requirement from 20 feet to 10 feet from property line | on a 0.56± acre tract located at the corner of Mike Drive and Ophelia Drive | Zoned R-I, Tax Parcel 08014 003011 | **Proposed Use: being an existing accessory building into compliance** | * Commission District 4 **| Efrain Romero, applicant.**

Fire department has no comments on this proposal.

1. **1047 Jordan Drive | Variance** | 17.240.010 to reduce the front yard setback requirement from 55 feet to 31 feet from centerline of road | on a 0.25± acre tract located on the south side of Jordan Drive, approximately 232 feet from its intersection with Cooley Drive | Zoned R-II, Tax Parcel 00140A000023 & 22 | **Proposed Use: bring an existing deck into compliance** | * Commission District 4 **| Ricky Williams, applicant.**

Fire department has no comments on this proposal.

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: CMWB COMPANY LLC

REQUEST: REZONE FROM AR-III TO PRD FOR A 53-UNIT TOWNHOME DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB 19, 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: MAR 28, 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Jan 17, 2024 15:11:44
3305 Old Cornelia Highway
Gainesville
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 132/2024

SUBJECT: **6384 Yellow Creek Road | Use Subject to County Commission Approval** | on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | Commission District 2 | **Sara Hathaway, applicant**

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BG

Recommendation:

Approval.

Conditions:

1. The property shall be developed in accordance with the site plan dated December 18, 2023, and as described in the project narrative submitted on December 28, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The structure designated on the site plan as the Rehabilitation Barn or any other structures closer than 200 feet to the property lines shall not be used for consistent and regular boarding of horses. Use of these buildings shall be restricted to the information provided in the application's narrative.
3. Further development of the property beyond what is delineated on the site plan is permitted provided any improvements comply with all county standards and ordinances, supplemental regulations, and all other requirements as established by the Official Code of Hall County enforced at the time of development.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
5. Interior padlock fences shall be moved as needed.

Purpose of Request: **History:**

6384 Yellow Creek Road | Use Subject to County Commission Approval | on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | Commission District 2 | **Sara Hathaway, 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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Application
Narrative
Site Plan
Maps
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photo

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: March 11, 2024

Subject: **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract | **Proposed Use: Equestrian center | Sara Hathaway, applicant**

The request before you is the request of Sara Hathaway for a Use Subject to County Commission Approval to allow an Equestrian center. This item is located within Commission District 2.

At their February 19, 2024 meeting, the Hall County Planning Commission voted to recommend approval with five (5) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions**, as the proposed use is consistent with adjacent land uses and the current zoning district.

There were **no comments submitted** in advance of the Planning Commission meeting and **two (2) people spoke in favor during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated December 18, 2023, and as described in the project narrative submitted on December 28, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The structure designated on the site plan as the Rehabilitation Barn or any other structures closer than 200 feet to the property lines shall not be used for consistent and regular boarding of horses. Use of these buildings shall be restricted to the information provided in the application's narrative.

3. Further development of the property beyond what is delineated on the site plan is permitted provided any improvements comply with all county standards and ordinances, supplemental regulations, and all other requirements as established by the Official Code of Hall County enforced at the time of development.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
5. Interior padlock fences shall be moved as needed.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Sara Hathaway

Request ..... Use Subject to County Commission Approval | 17.110.040(J) Equestrian Center

Proposed Use ..... Equestrian center

Size ..... 53.13 ± acres

Zoning ..... Agricultural Residential III (AR-III, 17.110)

Location ..... **6384 Yellow Creek Road |** Tax Parcel 11129 000028

Commission District ..... Two

Planning Commission Date ..... February 19, 2024

Staff Recommendation ..... **Approval, with conditions,** as the proposed use is consistent with adjacent land uses and the current zoning district.

Planning Commission Recommendation……Approval, with conditions
Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated December 18, 2023, and as described in the project narrative submitted on December 28, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The structure designated on the site plan as the Rehabilitation Barn or any other structures closer than 200 feet to the property lines shall not be used for consistent and regular boarding of horses. Use of these buildings shall be restricted to the information provided in the application's narrative.
3. Further development of the property beyond what is delineated on the site plan is permitted provided any improvements comply with all county standards and ordinances, supplemental regulations, and all other requirements as established by the Official Code of Hall County enforced at the time of development.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
5. Interior padlocks shall be moved as needed.

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated December 18, 2023, and as described in the project narrative submitted on December 28, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The structure designated on the site plan as the Rehabilitation Barn or any other structures closer than 200 feet to the property lines shall not be used for consistent and regular boarding of horses. Use of these buildings shall be restricted to the information provided in the application's narrative.
3. Further development of the property beyond what is delineated on the site plan is permitted provided any improvements comply with all county standards and ordinances, supplemental regulations, and all other requirements as established by the Official Code of Hall County enforced at the time of development.
4. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Public Forum:

Mark Ellis, 6776 Ach Road, Murrayville, spoke in favor. Stated it should be approved.

Rhonda Cantrell, 6392 Yellow Creek Road, Murrayville, spoke in favor. Stated she was pleased with the proposal.

Summary Analysis

The applicant is requesting a conditional use subject to county commission approval for the establishment of an equestrian center on a 53.13± acre parcel zoned Agricultural Residential III (AR-III, 17.110). An Equestrian center is defined as a tract of land measuring no less than five acres on which more than four adult horses, mules, or burros are kept for the purpose of training, boarding, riding, sales, or breeding, or where instruction pertaining to the same is given for a fee (17.20.410). Within the Agricultural Residential III (AR-III, 17.110) zoning district, equestrian centers are a use subject to the approval of the county commission.

The narrative describes the requested use as an equestrian center, which will provide boarding, rehabilitation, veterinary care, and pastures for the horses. A riding arena, classroom, storage buildings, and a single-family residence (to be occupied by the applicant) will be constructed on the site. According to the site plan, the facility will include an estimated 33.6 acres of pasture space, shared among seven pastures and the riding arena. An existing network of fences along the property lines will be used to contain the horses within each pasture. All horses kept at the site will be kept outside in the pastures, and will not be housed within shelters on a regular basis. There are two proposed lean-tos on the site to provide horses with shelter from inclement weather.

The applicant intends to construct a horse rehabilitation barn in the northwest section of the property, near the home site. The proposed setback for the rehabilitation barn on the northwestern property line (located adjacent to parcel 11112 000004) is 75 feet which is deficient of the 200-foot minimum required setback for any structure used for the keeping of horses. However, it should be noted that the applicant has specified that the barn is not to be used for housing horses on a long-term bases. All other proposed improvements to the property meet this requirement.

The table below summarizes the improvements proposed on the property:

Structure	Area	Distance from Property Line (per narrative, unless otherwise stated)
Single-family House	4,366 square feet	75 feet
Rehabilitation Barn	3,900 square feet	75 feet
Garage	3,750 square feet	15 feet
Lean-to Shelter	1,500 square feet	90 feet
Lean-to Shelter	1,500 square feet	90 feet
Riding Arena	7,500 square feet	250 feet

Based on the future land-use plan, staff finds the requested zoning designation is *consistent* with the Hall County Comprehensive Plan. The Comprehensive Plan's future land use designation for the subject parcel is "Lake Area Residential." The intent of this character area is to preserve established neighborhoods and create permanent and vacation residences. Future development will continue to be detached, single-family houses and low-intensity agricultural uses. The development proposes one single-family house and seven pastures for the keeping of horses.

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 character of the surrounding area is rural, consisting of agricultural tracts and large lots with single-family residences. As such, the proposal is consistent with the use, development, and zoning of adjacent and nearby property.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The current request is for the approval of a conditional use for an equestrian center. It is not anticipated that the proposed equestrian center will have an impact on nearby property beyond what is reasonably expected of an agricultural function within the Agricultural Residential III (AR-III, 17.110) district.**

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, Agricultural Residential III (AR-III, 17.110).**

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; **Staff does not anticipate an excessive or burdensome use of the existing streets, utilities, or public services due to the requested use.**

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 an equestrian center is consistent with the Comprehensive Plan's future land use classification of Lake Area Residential. In this land use classification, development is envisioned to consist of low-density residential and agricultural uses, as proposed by the applicant.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Absent a market study, staff is unable to determine whether property values are diminished by the existing zoning restrictions.**

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 subject property is currently developed with a shed and several pastures.**

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; **There are no known changing conditions affecting the use or development of the property; however, existing stream buffers limit the development slightly.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is for a conditional use of an equestrian center within the Agricultural Residential III district (AR-III, 17.110). This zoning designation is consistent with adjacent parcels, most of which measure greater than 10 acres.**

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 boundaries are illogically drawn.**

13. 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. The proposed use is consistent with the rural nature of northern Hall County.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Equestrian centers are not a use permitted by right within any Hall County zoning district. Therefore, the establishment of any new equestrian center is subject to approval by the Hall County Commission.**

15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **No, the request could not be handled instead by a variance.**

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 are no anticipated ecological or pollution impacts 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.**

17.350.040. - Submission requirements

An application shall be submitted to the planning department at least 30 working days prior to the date of the planning commission meeting or zoning board of adjustment meeting at which the application is to be considered. The completed application shall be accompanied by payment of such fee prescribed in chapter 17.30 hereof to cover administrative and advertising costs. The following items of information shall be supplied by the applicant as set forth in chapter 17.350. **The applicant submitted to the planning department more than 30 days prior to the meeting date and has paid the application fee.**

17.380.050. - Submission requirements

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

    1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **A narrative statement has been provided, outlining the proposed use of the property; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**

    2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site

improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district**. The applicant has submitted a conceptual site plan; however, information provided about adjacent parcels is limited.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable, as the site development does not include a slow rate land treatment system.**

D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This standard is not applicable to the request, as only one residential unit has been proposed.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 16, 2024, Emily McGahee stated "Must meet all Environmental Health commercial septic system permitting requirements. 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."

Hall County Fire Marshal

In an email dated January 18, 2024, from John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, "The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated January 18, 2024, Director Bill Nash stated the following:

Engineering:

Show stream buffer and impervious setback from wrested vegetation no centerline of stream.

Show FEMA and Hall County studied Flood plains that are present on site.

Traffic:

No comment.

Utilities:

Hall County sewer district – No connection within feasible distance available.

Georgia Department of Transportation

In an email dated January 22, 2024, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination would not be required.

- **Excerpts from the minutes of the February 19, 2024 meeting**

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

Sara Hathaway, 241 Sundown Way, Dawsonville, presented the request.

Public Forum:

Mark Ellis, 6776 Ach Road, Murrayville, spoke in favor. Stated it should be approved.

Rhonda Cantrell, 6392 Yellow Creek Road, Murrayville, spoke in favor. Stated she was pleased with the proposal.

Planning Commission Comments:

Mr. Braswell questioned if the solid lines on the site plan represent fences. The applicant stated that was correct.

***Motion:* A motion to approve, with conditions was made by Ms. Pilcher and seconded by Mr. Hunt. Vote: 5-0**

Conditions:

1. The property shall be developed in accordance with the site plan dated December 18, 2023, and as described in the project narrative submitted on December 28, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
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5. Interior padlocks shall be moved as needed.

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Erik & Sara Hamaray
6384 Yellow Creek Rd.
Murrayville, GA 30564

Phone 404.295.5353

Email Address Erikhamaray@yahoo.com

Property Owner (Name & Mailing Address)

SAME

Phone

Email Address

Proposed Use Equestrian Center

Contact Person (Name & Mailing Address)

Erik Hamaray & Sara Hamaray (owner)

Phone

Email Address

Status of Applicant

☐ Option to Purchase
☐ Area Resident
☐ Other

Requested Action

Permissive Use:
☐ HCPC ☒ HCC
Fee:$ 1,000
Receipt #:
Check #:

Zoning: AR3

Tax Parcel Number 11129000028

Acreage 54.37

Location Address 6384 Yellow Creek Rd. Murrayville, GA 30564

I hereby certify that the above information and all attached information are true and correct.

Sign

Date:

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, 30504
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HALL COUNTY
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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** ~~SH~~ 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: S. Hathaway **Date:** 12/15/23

Applicant's/Owner's Name (Printed): Sara Hathaway

Revised December 2019

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
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HALL COUNTY
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(3) The name and official position of the local government official to whom the campaign contribution was made; and

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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: E. Hath **Date:** 12/15/23

Applicant's/Owner's Name (Printed): Erik Hathaway

NARRATIVE

We are applying for rezoning of our 54.37 acres from agricultural (AR3) to Equestrian Center.

We intend to use the property for self-care pasture horse boarding and equine rehabilitation.
Horses will live outside in the designated paddocks 24/7 and will not be housed inside a barn.
The "barn" on site with include a classroom and will only be used for feed preparation and veterinary & practitioner appointments for the horses on site for rehab.

Other structures on the property include paddock fencing, a storage building for tractors and trailers, an arena for riding horses, and feed storage buildings for boarders.

A perimeter fence is already in place, installed by the previous owner and surveyor, we will repair or replace as needed to make it suitable for horses.

6384 Yellow Creek Rd.
Murrayville, GA 30564

owners: Erik & Sara Hathaway

Date of Drawing: 12/18/23

Hall County, Georgia, Clerk Superior Court
filed in office this 17 day of April
20 07 at 10:48am Recorded in Plat
Book 854 Page 89
Dwight S. Wood
Dwight S. Wood, Clerk

LEGEND

ASP	ASPHALT
BL	BUILDING LINE
BWF	BARB WIRE FENCE
C.	CENTERLINE
CLF	CHAIN LINK FENCE
CMF	CONCRETE MONUMENT FOUND
CMP	CORRUGATED METAL PIPE
CONC	CONCRETE
CTP	CRIMPED TOP PIPE
DP	DROP INLET
EP	EDGE OF PAVEMENT
FH	FIRE HYDRANT
GP	GUY WIRE
HWF	HOG WIRE FENCE
IPF	IRON PIN FOUND
IPS	IRON PIN SET (1/2" REBAR)
LL	LAND LOT
LLL	LAND LOT LINE
MH	MANHOLE
N/F	NOW OR FORMERLY
OTP	OPEN TOP PIPE
PL	PROPERTY LINE
PP	POWER POLE
P-TP	POWER & TELEPHONE POLE
RB	REBAR
R/W	RIGHT OF WAY
SP	SERVICE POLE
TB	TELEPHONE BOX
WM	WATER METER
WV	WATER VALVE

A TOPCON GTS-305 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET AND AN ANGULAR ERROR OF 00-00-00 PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 30,000+ FEET.

FLOOD NOTE:
THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAP OF HALL COUNTY, GEORGIA.
COMMUNITY PANEL NUMBER: 13139A 0070 F
EFFECTIVE DATE: MARCH 21, 2000
REVISION DATE: SEPTEMBER 29, 2006

COURSE	BEARING	DISTANCE
1	S57°23'36"W	53.45'
2	S33°09'20"W	70.01'
3	S45°13'04"W	68.87'
4	S42°50'28"W	98.57'
5	S41°38'14"W	104.82'
6	N10°33'23"E	29.35'
7	N03°26'26"E	31.36'
8	N07°04'41"W	24.24'
9	N17°21'38"E	20.95'
10	N02°00'30"E	46.35'
11	N38°29'48"E	18.30'
12	N40°42'46"W	16.58'
13	N84°43'46"W	18.82'
14	N11°50'49"E	54.77'
15	N18°03'25"W	28.06'
16	N05°04'50"E	30.38'
17	N41°47'43"W	23.56'
18	N13°26'42"W	30.82'
19	S70°10'19"E	14.01'
20	N69°00'33"E	18.10'
21	N32°43'28"W	46.55'
22	S44°51'31"W	18.33'
23	N68°35'18"W	14.76'
24	N03°39'57"E	22.95'
25	N41°35'34"W	49.65'
26	N01°52'13"E	24.18'
27	N36°18'28"W	47.28'
28	N23°24'21"W	20.34'
29	N04°32'07"W	33.95'

COURSE	BEARING	DISTANCE
30	N09°34'35"E	58.08'
31	N08°28'18"E	19.18'
32	N06°51'39"E	49.08'
33	N17°17'32"E	13.87'
34	N11°46'18"W	15.24'
35	N41°00'38"E	24.94'
36	N08°36'39"W	32.08'
37	N32°43'26"E	17.72'
38	N17°18'29"E	27.87'
39	N00°24'23"E	29.83'
40	N18°14'41"E	33.31'
41	N06°04'19"E	23.80'
42	N58°08'07"E	21.17'
43	N19°43'45"W	24.92'
44	N14°36'37"W	24.47'
45	N22°27'33"E	11.28'
46	N15°45'51"W	28.01'
47	N21°30'26"E	15.15'
48	N04°47'24"W	40.54'
49	N25°21'01"E	7.54'
50	N25°00'39"W	4.81'
51	N16°00'34"E	8.50'
52	N06°13'44"E	18.83'
53	N20°25'13"E	35.41'
54	N22°13'44"W	38.09'
55	N03°01'45"W	17.35'
56	N23°30'05"W	23.13'
57	N06°09'02"E	16.44'
58	N09°11'38"W	28.78'
59	N42°32'44"W	19.23'
60	N21°36'40"E	33.61'
61	N83°09'32"W	5.46'
62	N28°02'59"E	24.26'
63	N04°33'40"W	36.87'
64	N44°16'23"E	17.32'
65	N03°46'47"W	16.88'
66	N43°38'15"W	13.78'
67	N11°06'13"W	18.98'
68	N65°05'23"W	14.60'
69	N02°34'21"E	20.26'
70	N04°36'35"W	28.52'
71	N11°07'30"W	15.60'
72	N16°03'52"W	15.70'
73	N31°53'58"W	28.31'

COURSE	BEARING	DISTANCE
74	N10°05'18"E	28.45'
75	N61°05'40"W	28.82'
76	N08°31'12"W	29.80'
77	N36°14'05"W	15.20'
78	N15°30'09"E	23.74'
79	N17°13'03"W	55.88'
80	S19°31'16"W	14.16'
81	S82°34'01"W	28.49'
82	N74°18'26"W	16.23'
83	N42°23'30"W	38.21'
84	N10°41'46"E	15.87'
85	N28°48'34"W	24.32'
86	N10°51'31"W	20.23'
87	N37°42'14"W	31.68'
88	N28°02'45"E	23.70'
89	N14°32'16"E	17.12'
90	N33°28'16"E	21.22'
91	N18°13'38"W	16.38'
92	N46°42'18"E	11.62'
93	N03°07'08"E	30.98'
94	N49°55'17"W	12.13'
95	N28°42'38"E	28.58'
96	N11°00'10"E	18.52'
97	N05°27'03"E	7.23'
98	N88°24'34"E	18.84'
99	N14°16'36"E	50.96'
100	N15°03'36"W	20.64'
101	N49°38'51"W	34.01'
102	N51°13'52"E	43.43'
103	N60°20'40"E	19.06'
104	N13°41'01"W	18.36'
105	N80°56'37"W	29.23'
106	N48°21'00"W	29.67'
107	N09°36'02"E	22.05'
108	N66°12'02"E	21.88'
109	N54°45'48"W	14.92'
110	N17°16'05"W	19.25'
111	N56°04'11"W	16.97'
112	N06°08'17"E	20.61'
113	N43°44'01"E	5.74'
114	N05°28'23"W	10.85'
115	S81°23'03"W	19.46'
116	N63°32'15"W	27.86'
117	N07°36'27"E	13.09'

COURSE	BEARING	DISTANCE
118	N54°36'23"W	18.14'
119	N77°25'37"W	20.84'
120	N89°11'30"W	18.78'
121	N46°09'21"E	13.56'
122	N25°28'24"E	16.80'
123	N50°28'49"W	16.27'
124	N00°45'16"E	14.22'
125	N79°32'39"W	20.76'
126	N54°08'31"W	13.98'
127	N37°29'24"W	34.88'
128	N83°32'33"E	13.04'
129	N38°40'08"E	28.36'
130	N10°41'27"E	12.80'
131	N40°08'08"E	6.16'
132	N45°58'23"E	6.71'
133	N04°11'07"W	88.51'

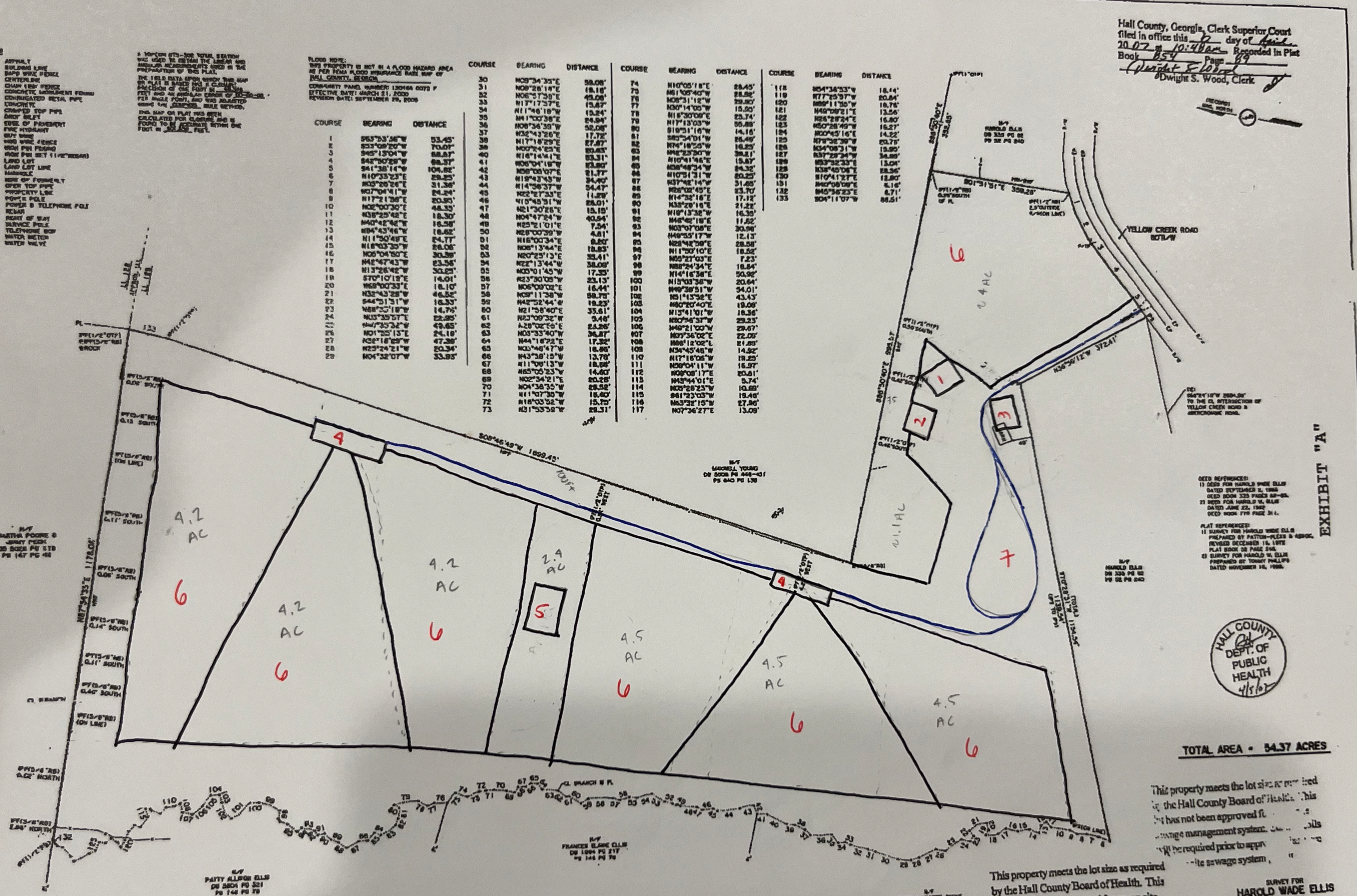


EXHIBIT "A"

DEED REFERENCES:
1) DEED FOR HAROLD WADE ELLIS DATED SEPTEMBER 2, 1998 DEED BOOK 335 PAGES 82-85.
2) DEED FOR HAROLD W. ELLIS DATED JUNE 22, 1982 DEED BOOK 270 PAGE 314.

PLAT REFERENCES:
1) SURVEY FOR HAROLD WADE ELLIS PREPARED BY PATTON-PLESS & ASSOC. REVISED DECEMBER 15, 1972 PLAT BOOK 28 PAGE 248.
2) SURVEY FOR HAROLD W. ELLIS PREPARED BY TOMMY PHILLIPS DATED NOVEMBER 28, 1988.

HALL COUNTY DEPT. OF PUBLIC HEALTH 4/5/07

TOTAL AREA = 54.37 ACRES

This property meets the lot size as required by the Hall County Board of Health. This lot has not been approved for an on site sewage management system. Suitable soils will be required prior to approval or issuance of an on site sewage system permit.

RECORDING PERMIT
By Ellis C. Talley
HALL COUNTY PLANNING COMMISSION
4/6/07

NOTE:
THIS PLAT HAS BEEN REDUCED FOR RECORDING PURPOSES.

LONDON LAND SURVEYING
167 EAST JARRARD STREET
CLEVELAND, GA. 30528
(706) 865-3418

GEORGIA REGISTERED LAND SURVEYOR
3-27-07

SURVEY FOR
HAROLD WADE ELLIS
LOCATED IN
LAND LOT 128 11th DISTRICT
HALL COUNTY, GEORGIA
SCALE: 1" = 100' MARCH 27, 2007
GRAPHIC SCALE
0 100 200 300 400
SCALE IN FEET

FIELD WORK COMPLETED MARCH 27, 2007.

6384 Yellow Creek Rd.
Murrayville, GA 30564

Sara & Erik
Hathaway

Dec. 18, 2024

KEY

① Home - 74 x 59, 75ft from prop. line
② Garage / Rehab Barn - 65 x 60, 75ft from prop line
- Rehab Barn intended for teaching equine practitioners, prepparing horse feed, and application of various rehabilitation modalities on horses on the property for rehab. Not to be used for housing horses.
③ storage Garage - 75 x 50, 15ft from prop. line
- 4 sided structure for housing tractor, implements, and trailers
④ Lean-TO with Feed Rooms - 75 x 20, 90ft from prop. line
- lean-to shelter for horses with attached storage rooms for tack & feed not accessible by horses
⑤ Riding Arena - 100 x 75, 250ft from prop line
⑥ Fenced in Paddock
- occupied by horses 24/7
⑦ trailer turn-around

▨ = Driveway area

Hall County, Georgia, Clerk Superior Court
filed in office this 6 day of April
2007 at 10:48am Recorded in Plat
Book 854 Page 89
Dwight S. Wood, Clerk

EXHIBIT "A"

LEGEND

ASPH	ASPHALT
BL	BUILDING LINE
BWF	BARB WIRE FENCE
CL	CENTERLINE
CLF	CHAIN LINK FENCE
CM	CONCRETE MONUMENT FOUND
CMP	CORRUGATED METAL PIPE
CONC	CONCRETE
CTP	CRIMPED TOP PIPE
DI	DROP INLET
EP	EDGE OF PAVEMENT
FH	FIRE HYDRANT
GW	GUY WIRE
HWF	HOG WIRE FENCE
IPF	IRON PIN FOUND
IPS	IRON PIN SET 1/2"REBAR
LL	LAND LOT
LLL	LAND LOT LINE
MH	MANHOLE
NWF	NEW WIRE FENCE
OTP	OPEN TOP PIPE
PL	PROPERTY LINE
PP	POWER POLE
PP/TP	POWER & TELEPHONE POLE
RB	REBAR
R/W	RIGHT OF WAY
SP	SERVICE POLE
TP	TELEPHONE POLE
WM	WATER METER
WV	WATER VALVE

A TOPCON GTS-303 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN ____ FEET AND AN ANGULAR ERROR OF ____ PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN ____ FEET.

FLOOD NOTE:
THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAP OF HALL COUNTY, GEORGIA

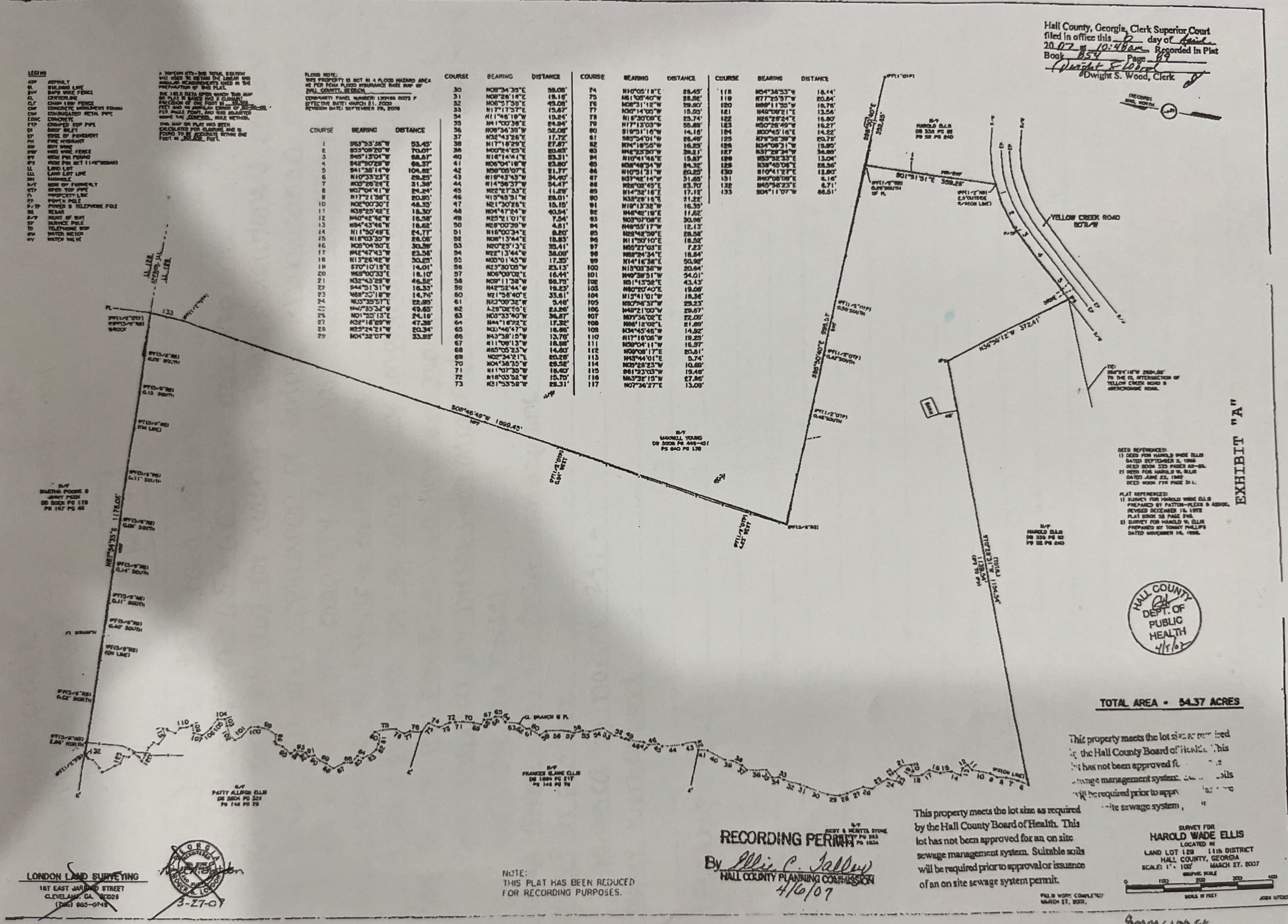
COMMUNITY PANEL NUMBER: 130466 0075 F
EFFECTIVE DATE: MARCH 21, 2000
REVISION DATE: SEPTEMBER 29, 2006

COURSE	BEARING	DISTANCE
1	S53°33'36"W	53.45'
2	S53°09'20"W	70.09'
3	S45°13'04"W	88.87'
4	S42°50'28"W	88.37'
5	S41°38'14"W	104.62'
6	N10°33'23"E	29.85'
7	N09°28'26"E	31.36'
8	N07°04'41"W	24.24'
9	N17°21'38"E	20.90'
10	N02°00'30"E	48.35'
11	N38°25'42"E	18.30'
12	N40°42'48"W	18.58'
13	N84°43'46"W	18.62'
14	N11°50'49"E	24.77'
15	N18°03'39"W	28.06'
16	N06°04'50"E	30.38'
17	N42°47'43"W	23.56'
18	N13°26'42"W	30.89'
19	S70°10'19"E	14.01'
20	N69°00'33"E	18.10'
21	N32°43'29"W	46.52'
22	S44°31'31"W	16.33'
23	N88°32'18"W	14.76'
24	N33°35'51"E	12.95'
25	N41°35'32"W	49.65'
26	N01°25'13"E	24.18'
27	N32°18'29"W	47.38'
28	N25°24'21"W	20.34'
29	N04°32'07"W	33.95'

COURSE	BEARING	DISTANCE
30	N08°34'33"E	58.08'
31	N08°26'16"E	19.16'
32	N06°57'59"E	49.08'
33	N17°17'37"E	13.87'
34	N11°46'19"W	19.24'
35	N41°00'38"E	24.84'
36	N08°36'39"W	52.08'
37	N32°43'26"E	17.72'
38	N17°18'29"E	27.87'
39	N00°24'25"E	20.65'
40	N16°14'41"E	23.31'
41	N06°04'19"W	23.80'
42	N59°05'07"E	21.77'
43	N10°43'43"W	34.40'
44	N14°58'37"W	24.47'
45	N22°27'35"E	11.29'
46	N15°45'31"W	28.01'
47	N21°30'26"E	15.15'
48	N04°47'24"W	40.54'
49	N23°21'01"E	7.34'
50	N28°00'39"W	4.81'
51	N16°00'34"E	8.20'
52	N08°13'44"E	18.83'
53	N20°25'13"E	32.41'
54	N22°13'44"W	38.08'
55	N03°01'45"W	17.35'
56	N23°30'05"W	23.13'
57	N06°09'02"E	16.44'
58	N09°11'38"W	98.78'
59	N42°52'44"W	19.23'
60	N21°56'40"E	33.61'
61	N23°09'32"W	9.46'
62	N28°02'56"E	24.26'
63	N03°33'40"W	36.87'
64	N44°18'22"E	17.32'
65	N33°46'47"W	16.86'
66	N43°38'15"W	13.76'
67	N11°08'13"W	18.68'
68	N65°05'23"W	14.60'
69	N02°34'21"E	20.26'
70	N04°38'35"W	28.58'
71	N11°07'30"W	15.40'
72	N16°03'52"W	15.70'
73	N31°53'58"W	29.31'

COURSE	BEARING	DISTANCE
74	N10°05'18"E	28.45'
75	N61°05'40"W	28.56'
76	N08°31'12"W	29.80'
77	N00°14'05"W	15.20'
78	N16°30'08"E	23.74'
79	N17°13'03"W	58.88'
80	S19°51'16"W	14.16'
81	S83°54'01"W	28.49'
82	N14°16'26"W	16.25'
83	N46°23'30"W	38.21'
84	N10°41'46"E	15.87'
85	N38°48'34"W	24.32'
86	N10°51'31"W	20.25'
87	N37°48'14"W	31.68'
88	N28°08'45"E	23.70'
89	N14°38'16"E	17.18'
90	N33°29'18"E	21.22'
91	N18°13'38"W	16.39'
92	N46°42'18"E	11.62'
93	N03°07'08"E	30.98'
94	N48°55'17"W	12.13'
95	N28°48'39"E	28.58'
96	N11°50'10"E	18.52'
97	N66°27'03"E	7.23'
98	N88°24'34"E	18.84'
99	N14°16'38"E	50.92'
100	N18°03'36"W	20.64'
101	N49°39'51"W	24.01'
102	N51°45'38"E	43.43'
103	N65°20'40"E	19.06'
104	N13°41'01"W	18.36'
105	N80°56'37"W	29.23'
106	N48°21'00"W	29.67'
107	N07°36'02"E	22.05'
108	N88°12'02"E	21.89'
109	N34°45'46"W	14.92'
110	N17°16'05"W	19.25'
111	N58°04'11"W	16.97'
112	N09°08'17"E	20.61'
113	N43°44'01"E	5.74'
114	N05°28'23"W	10.69'
115	S81°23'03"W	19.48'
116	N63°32'15"W	27.86'
117	N07°36'27"E	13.09'

COURSE	BEARING	DISTANCE
118	N54°36'33"W	18.14'
119	N77°25'37"W	20.84'
120	N89°11'35"W	18.76'
121	N49°09'21"E	13.56'
122	N26°28'24"E	16.80'
123	N50°28'49"W	16.27'
124	N00°45'16"E	14.22'
125	N78°32'39"W	20.75'
126	N34°09'21"W	19.90'
127	N37°28'34"W	34.88'
128	N83°32'33"E	13.04'
129	N38°40'06"E	28.36'
130	N10°41'27"E	12.80'
131	N40°08'08"E	6.16'
132	N40°58'23"E	8.71'
133	N04°11'07"W	88.51'



DEED REFERENCES:
1) DEED FOR HAROLD WADE ELLIS DATED SEPTEMBER 3, 1998 DEED BOOK 333 PAGES 92-93.
2) DEED FOR HAROLD W. ELLIS DATED JUNE 22, 1992 DEED BOOK 770 PAGE 314.

PLAT REFERENCES:
1) SURVEY FOR HAROLD WADE ELLIS PREPARED BY PATTON-PLEES & ASSOC. REVISED DECEMBER 16, 1978 PLAT BOOK 38 PAGE 246.
2) SURVEY FOR HAROLD W. ELLIS PREPARED BY TOMMY PHILLIPS DATED NOVEMBER 26, 1998.

HALL COUNTY DEPT. OF PUBLIC HEALTH 4/5/07

TOTAL AREA = 54.37 ACRES

This property meets the lot size as required by the Hall County Board of Health. This lot has not been approved for an on site sewage management system. Suitable soils will be required prior to approval or issuance of an on site sewage system permit.

RECORDING PERMIT
By Ellie C. Talley
HALL COUNTY PLANNING COMMISSION
4/6/07

NOTE:
THIS PLAT HAS BEEN REDUCED FOR RECORDING PURPOSES.

LONDON LAND SURVEYING
167 EAST JARRARD STREET
CLEVELAND, GA. 30528
(706) 865-0748

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR
3-27-07

FIELD WORK COMPLETED MARCH 27, 2007.

SURVEY FOR
HAROLD WADE ELLIS
LOCATED IN
LAND LOT 129 11th DISTRICT
HALL COUNTY, GEORGIA
SCALE: 1" = 100' MARCH 27, 2007
GRAPHIC SCALE
0 100 200 300 400
SCALE IN FEET
JOB# 07093

8mm = 100 ft

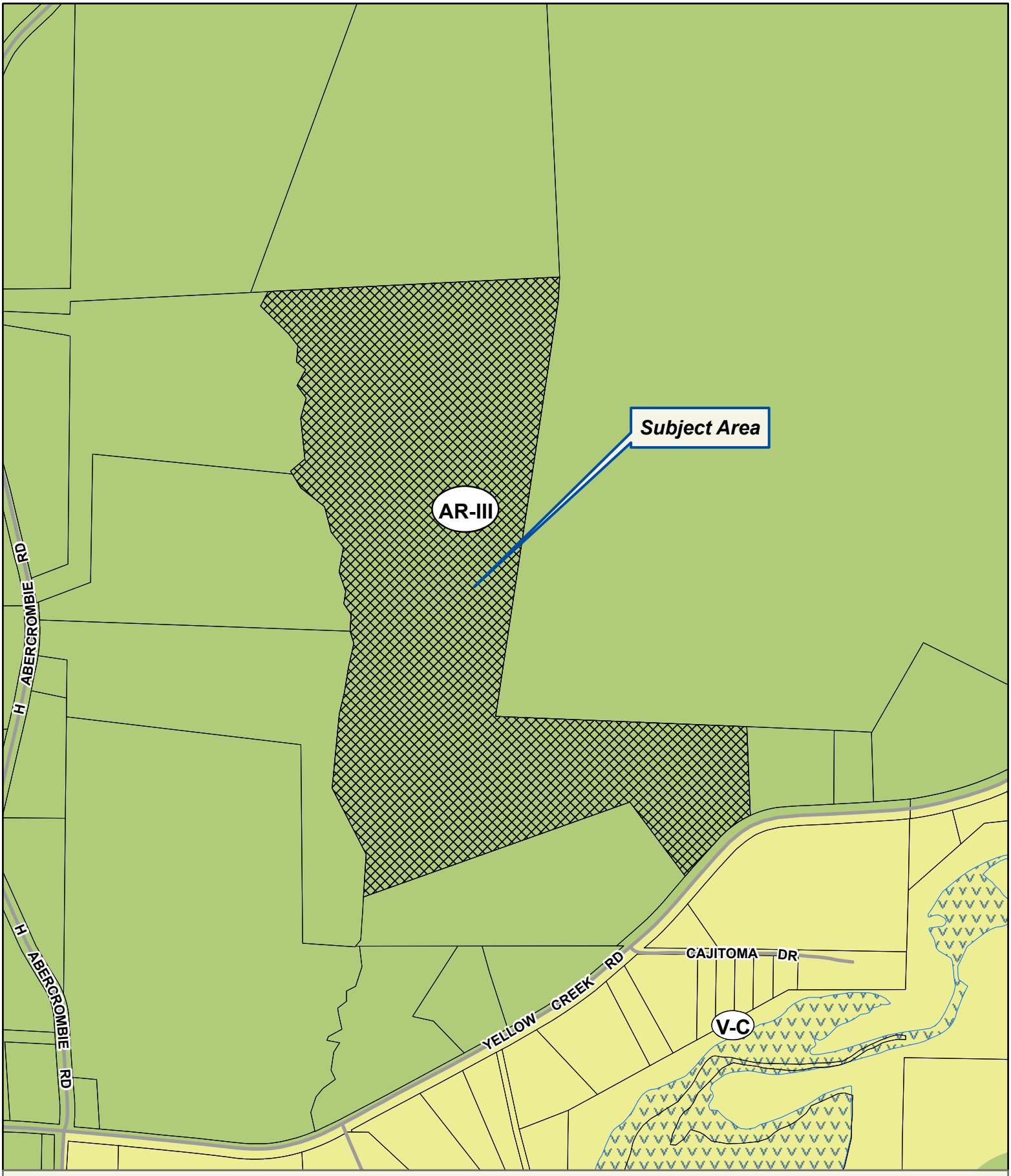


Applicant: SARA HATHAWAY
Tax Parcel #: 11129 000028
Location: 6384 YELLOW CREEK ROAD, MURRAYVILLE, GA 30564
Commission District 2 **PC Mtg. Date: 02/19/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area

N



Applicant: SARA HATHAWAY
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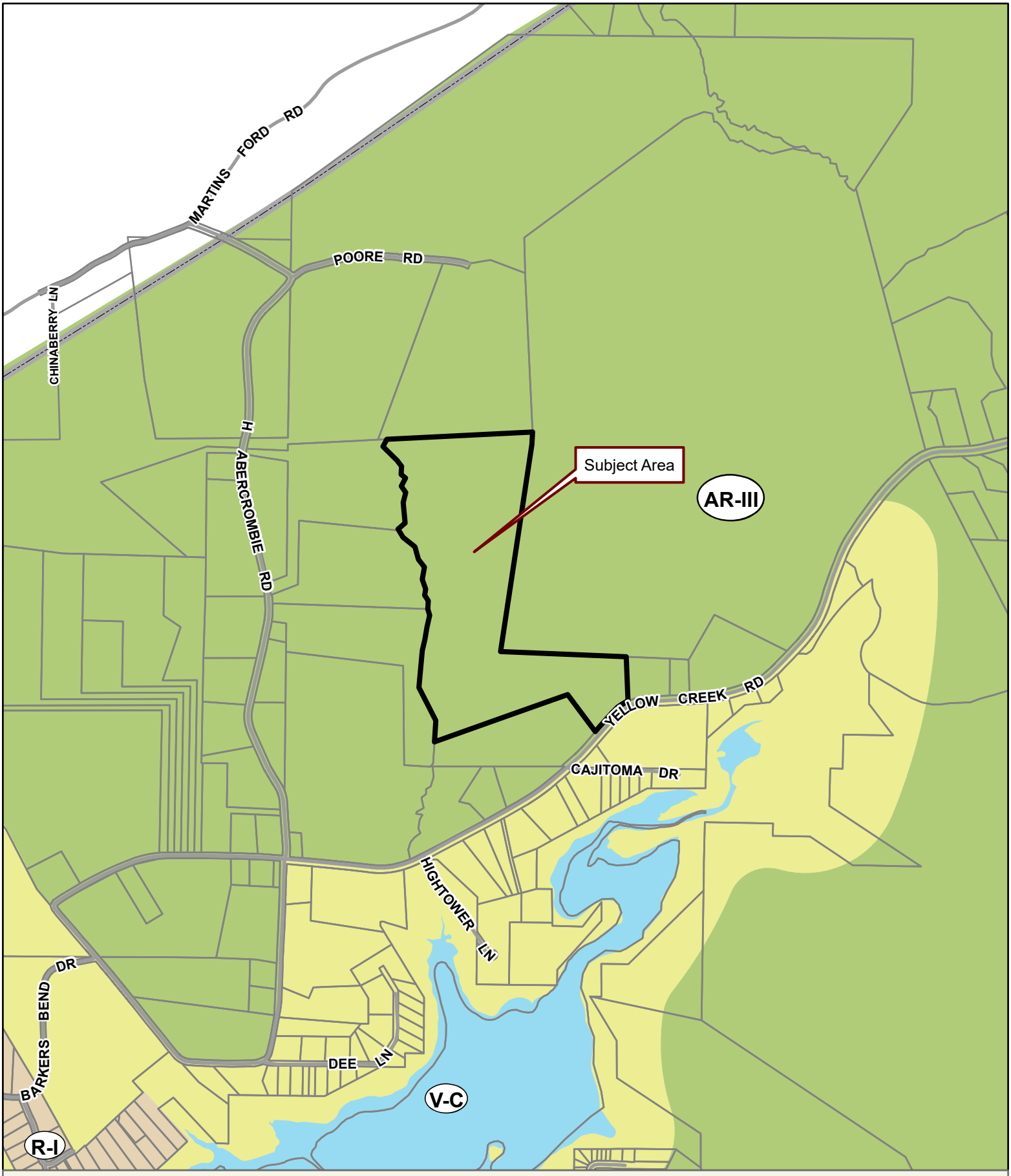
Location: 6384 YELLOW CREEK ROAD, MURRAYVILLE, GA 30564
Commission District 2 **PC Mtg. Date: 02/19/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: SARA HATHAWAY
Tax Parcel #: 11129 000028
Location: 6384 YELLOW CREEK ROAD, MURRAYVILLE, GA 30564
Commission District 2 **PC Mtg. Date: 02/19/24**

0 250 500 1,000
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, January 16, 2024 12:05 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 2.19.24

Please find Environmental Health comments below:

Items 1A-C, 6294 Windward Lane, Burke: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 2, 6585 Johnson Circle, Wilkerson: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, all well buffers, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 3, 6384 Yellow Creek Road, Hathaway: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 4, 4610/4616/4630/4636 Winder Hwy, Gilliam: 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.

Item 5, 2030/2034/2036/2038/2040 Spring Road, Ferguson: 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.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road

RE: Tentative Planning Agenda for February 19, 2024

Chavers, Veronica E <VChavers@dot.ga.gov>
Mon 1/22/2024 9:53 AM
To:Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>;Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>

Some people who received this message don't often get email from vchavers@dot.ga.gov. Learn why this is important

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.

Responses are in red below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, January 11, 2024 10:33 AM
Subject: Tentative Planning Agenda for February 19, 2024

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.

Good morning–

Here is the Tentative Agenda and Maps for the **Monday, February 19, 2024** 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, January 18th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – February 5, 2024

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its

intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

(C) 6294 Windward Lane | Variance | 17.240.010. to reduce the rear yard setback from 20 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

GDOT coordination not required

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   GDOT coordination not required

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   GDOT coordination not required

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   GDOT coordination for driveway access on Hwy 53

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   GDOT coordination not required

*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 28, 2024, at 6:00 p.m. at the Hall County Government Center, 2nd 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 28, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 18, 2024

Subject: February 19, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 19, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (C) 6294 Windward Lane | Variance | 17.240.010. to reduce the rear yard setback from 20 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** No Comment
   c. **Utilities:** Hall County sewer district – No connection within feasible distance available.

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   a. **Engineering:** This 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 buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** GDOT access permit required
      Site plan shows an eyebrow cal-de-sac which is not permitted in code. Applicant will need to request receive a variance.
   c. **Utilities:** Hall County sewer – Connection within feasible distance.

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** No Comment
   c. **Utilities:** City of Gainesville sewer district

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, January 18, 2024 9:09 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comment

Monday, February 19, 2024 Hall County Planning Commission Meeting.

1. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   The Hall County Fire Marshal's Office has no comments 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


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: SARA HATHAWAY
REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR AN EQUESTRIAN CENTER
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: FEB 19, 2024
Time: 5:15 PM
&
COUNTY COMMISSION
Date: MAR 28, 2024
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

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 136/2024

SUBJECT: **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone** | from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | Commission District 4 | **Tim Ferguson, applicant**

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BG
Recommendation:

Approval.

Conditions:

1. The property shall be developed in accordance with the site plan dated January 4, 2024, and as described in the project narrative submitted on January 2, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to 13 townhome units.
3. A variance shall be granted relieving the developer from including sidewalks within the development.
4. Building elevations shall substantially adhere to the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
5. All units shall include a minimum one-car garage.
6. Guest vehicle parking shall be provided at a ratio of 1 parking space per 2 units. These parking spaces may also serve the cluster mailbox unit. All roadway design and parking configurations shall meet Hall County Traffic standards.
7. All residential driveways shall measure no less than 20 feet from the internal drive aisle of the development to the garage door.
8. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
9. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
11. A 6-foot opaque fence shall be installed along all external boundaries of the development, excluding where adjacent to Spring Road Right of Way.
12. Detention pond design shall incorporate a bioswale style or similar aesthetic and function if located adjacent to the Spring Road right-of-way. Final review and approval is subject to the Planning and Zoning Administrator, or their designee.
13. The development shall be one owner and all rental.

Purpose of Request:

2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone | from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | Commission District 4 | **Tim Ferguson, 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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site Plan
Maps
Renderings
Deed
Legal Descriptions
Environmental Health Comments
GDOT Comments
Public Works Comments
Notice Sign Photo
Fire Comments

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: March 11, 2024

Subject: **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract | **Proposed Use: 13-unit townhome development | Tim Ferguson, applicant**

The request before you is the request of Tim Ferguson to Rezone from Highway Business (H-B) to Planned Residential Development (PRD) to allow a 13-unit townhome development. This item is located within Commission District 4.

At their February 19, 2024 meeting, the Hall County Planning Commission voted to recommend approval with thirteen (13) conditions **(5-0)**.

Staff recommendation: **Denial**, as the proposed use is inconsistent with surrounding zoning districts and the Comprehensive Plan.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated January 4, 2024, and as described in the project narrative submitted on January 2, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to 13 townhome units.
3. A variance shall be granted relieving the developer from including sidewalks within the development.

4. Building elevations shall substantially adhere to the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
5. All units shall include a minimum one-car garage.
6. Guest vehicle parking shall be provided at a ratio of 1 parking space per 2 units. These parking spaces may also serve the cluster mailbox unit. All roadway design and parking configurations shall meet Hall County Traffic standards.
7. All residential driveways shall measure no less than 20 feet from the internal drive aisle of the development to the garage door.
8. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
9. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
11. A 6-foot opaque fence shall be installed along all external boundaries of the development, excluding where adjacent to Spring Road Right of Way.
12. Detention pond design shall incorporate a bioswale style or similar aesthetic and function if located adjacent to the Spring Road right-of-way. Final review and approval is subject to the Planning and Zoning Administrator, or their designee.
13. The development shall be one owner and all rental.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Tim Ferguson

Request ..... Rezone from Highway Business (H-B, 17.150) to Planned Residential Development (PRD, 17.180.060)

Proposed Use ..... 13-unit townhome development

Size ..... 1.99± acres

Zoning ..... Current Highway Business (H-B, 17.150) | Proposed Planned Residential Development (PRD, 17.180.060)

Location ..... **2030, 2034, 2036, 2038, and 2040 Spring Road |** Tax Parcels 00122 002013, 14, 15 & 16

Commission District ..... Four

Planning Commission Date ..... February 19, 2024

Staff Recommendation ..... **Denial,** as the proposed use is inconsistent with surrounding zoning districts and the Comprehensive Plan.

Planning Commission Recommendation.....Approval, with conditions
Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated January 4, 2024, and as described in the project narrative submitted on January 2, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to 13 townhome units.
3. A variance shall be granted relieving the developer from including sidewalks within the development.
4. Building elevations shall substantially adhere to the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
5. All units shall include a minimum one-car garage.

6. Guest vehicle parking shall be provided at a ratio of 1 parking space per 2 units. These parking spaces may also serve the cluster mailbox unit. All roadway design and parking configurations shall meet Hall County Traffic standards.
7. All residential driveways shall measure no less than 20 feet from the internal drive aisle of the development to the garage door.
8. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
9. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
11. A 6-foot opaque fence shall be installed along all external boundaries of the development, excluding where adjacent to Spring Road Right of Way.
12. Detention pond design shall incorporate a bioswale style or similar aesthetic and function if located adjacent to the Spring Road right-of-way. Final review and approval is subject to the Planning and Zoning Administrator, or their designee.
13. The development shall be one owner and all rental.

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated December 20, 2023, and as described in the project narrative submitted on January 2, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to 13 townhome units.
3. Sidewalks within the development shall be no less than five (5) feet in width and connect to the right-of-way of Spring Road. Sidewalks shall be constructed on both sides of all internal streets of the development.
4. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee
5. All units shall include a two-car garage.
6. Guest vehicle parking shall be provided at a ratio of 1 parking spaces per 2 units. These parking spaces may also serve the cluster mailbox unit. All roadway design and parking configurations shall meet Hall County Traffic standards.
7. All residential driveways shall measure no less than 20 feet from the back of sidewalk to the garage door.
8. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.

9. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

- 17.180.030.A Special Requirements
  - With the exception of the Planning Commercial Farm District classification (PCFD, 17.180.100.A), the site proposed for planned development district classification must contain an area of five acres or more unless specifically approved by the county commission due to special and unusual circumstances.
    - Applicant has proposed a Planned Residential Development (PRD, 17.180.060) development consisting of four existing parcels (00122 002013, 14, 15 & 16) with a total area of 1.99± acres, deficient of the five-acre requirement.
- 17.180.060.B.4.a. Lot Area
  - For a one-story multi-family residence and/or townhouse with the minimum three attached single-family units, the minimum lot area standard of 35,000 square feet will apply.
  - For each additional unit in a one-story multi-family residence and/or townhouse over three units, the minimum additional lot area standard of 5,000 square feet will apply.
    - The applicant has proposed 13 townhomes; 6 attached units and 7 attached units, which would require a total of 105,000 square feet. The applicant has proposed this development on a total of 82,360 square feet.

- 17.180.060.B.5 Buffers
  - A minimum 50 foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened.
    - Applicant has requested relief from this requirement and proposes a buffer width of 20 feet along the side and rear property lines. Additionally, the applicant has proposed to encroach into the 20-foot buffer to install a retaining wall on the north portion of the property.

- 17.180.060.B.7.b Sidewalks
  - In addition to the sidewalk requirements that shall be met per chapter 16.70, street construction requirements, all planned residential developments shall construct sidewalks on both sides of the streets that are a minimum of five feet wide.
    - Applicant has not proposed the construction of any sidewalks.

- 17.180.060.B.9.a Building materials.
  - All facades of all residences, including single-family, two-family, and/or multi-family, and any non-residential buildings 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.

- The sample elevations of the townhome styles provided in the application indicate that the townhome design does not incorporate changes in building material, texture, and/or color, which deviates from the standard.

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting to rezone 1.99± acres of property zoned Highway Business (H-B, 17.150) to Planned Residential Development (PRD, 17.180.060) for the purpose of constructing a 13-unit townhome development with a gross density of 6.53± units per acre. The development site consists of four parcels, two of which are developed with a total of three single-family residences. The remaining two parcels are vacant. All existing improvements on the site will be removed if the development, as proposed, is constructed.

Per the submitted site plan, the dimensions of each townhome will be 22 feet wide and 50 feet in depth, with a footprint of 1,100 square feet per unit. Each townhome will provide two stories of living space, a front-entry one-car garage, and a rear patio. Two-car driveways will front each residence, measuring 17 feet wide. These specifications meet architectural standards within a Planned Residential Development (17.180.060.B.9). Per the submitted renderings, the townhomes appear to feature cementitious siding with wooden accents. The elevations do not incorporate changes in building material, texture, and/or color, which does not meet the architectural standards within a Planned Residential Development (17.180.060.B.9).

The site plan provided by the applicant shows two separate access points to serve the development from Spring Road, along which the subject parcels have a combined 337 feet of frontage. The access points will measure 24 feet in pavement width. No sidewalks have been proposed within the development which is deficient of the requirement to construct five-foot wide sidewalks along all internal roadways (17.180.060(B)(7)).

The site plan depicts open space to be accessible to the rear or side of all townhomes within the development. The applicant intends to dedicate 40% of the total site area to open space, some of which will make up the planted buffer along the side and rear property lines. The applicant has requested exceptions from buffering requirements (17.180.060(B)(5)) to reduce the buffer width from 50 feet to 20 feet along all property lines and may encroach up to 10 feet into the planted buffer to install a retaining wall at the north portion of the property.

The development standards for the project are described in the table below and are compared with the PRD requirements, (17.180.060):

Standard	PRD Requirement (17.180.060)	Proposed Development
Site Area	5 acre minimum	1.99± acres*
Number of Units	See Density and Min. Lot Area	13 attached townhouse units
Density	5.39 units per acre	6.53 units per acre*
Min. Lot Area (Townhomes) *35,000 sqft per 3 attached + 5,000 sqft for each additional unit	105,000 sq. ft.	82,360 sq. ft.*
Max. Building Height	–	Two stories
Min. Open Space	30%	40%
Exterior Buffer	50 feet	20 feet*
Front Setback	25 feet	40 feet
Side Setback	5 feet	24 feet
Rear Setback	20 feet	22 feet
Parking	2 spaces for each dwelling unit (17.250.020)	3.31 spaces per each dwelling unit
Garage – % of front façade	50% of the width of the townhome unit	41% of the width of the townhome unit
Minimum Sidewalk Width	5 feet	No sidewalks proposed*
Cluster Mailbox Unit (CBU)	CBU with 3 short-term parking spaces	CBU with 7 short-term parking spaces
Note: Items marked with an asterisk (*) do not conform to PRD standards (17.180.060).		

The applicant has not proposed any amenities for the development. Open space will be designated and accessible, but it is unclear if it will be landscaped or otherwise developed for residents' use. A cluster mailbox unit (CBU) will be installed near the center of the development, next to which seven parking spaces are proposed. Parking standards require at least three short-term parking spaces be designated for CBU users (17.180.060(B)(11)). This parking area is intended to accommodate "overflow," per the narrative statement, and appears to meet the requirements for CBU parking as proposed.

Per the submitted narrative, water and sanitary sewer will be provided by the City of Gainesville. The availability of these services was confirmed in a Gainesville Water Resources letter dated January 4, 2024, with the contingency that the property shall obtain an annexation agreement in order to connect to these utilities. Additionally, the Hall County Engineering Department has provided comments regarding the potential need for a stormwater management report to be conducted.

Based on the future land-use plan, staff finds the requested zoning designation *inconsistent* with the Hall County Comprehensive Plan future land use designation of "Lake Area Residential." The intent of this

character area is to preserve established neighborhoods and create opportunities for permanent and vacation residences similar in land use patterns to Residential Areas but at lower residential densities than the maximum permitted within a Planned Residential Development (PRD, 17.180.060) of 5.39 dwelling units per acre as regulated by minimum lot area.. The development has a proposed density of 6.53 units per acre.

Zoning Analysis

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 zoning proposal appears to be unsuitable given the context of the surrounding area; which consists mostly of detached, single-family residences and commercial and industrial enterprises. However, at a proposed 6.53 units per acre, the development is not significantly denser than the 4 to 5 unit per acre density that prevails in the greater surrounding area.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed residential use will adversely affect adjacent properties.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property has reasonable economic use as currently zoned, Highway Business (H-B, 17.150) and is developed with 3 single-family homes currently.**

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; **It is not anticipated that the proposed zoning use will result in an excessive or burdensome use of existing infrastructure. The proposal includes the installation of updated infrastructure and represents a net increase of 10 residential units upon the subject parcels, which will be served by City of Gainesville sewer.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is not consistent with the Comprehensive Plan and the "Lake Area Residential" land use designation, which envisions a maximum density of one dwelling unit per acre. The proposed development has an overall density of 6.53± units per acre. However, the subject property is in a commercialized and dense neighborhood in which residential densities average 4 to 5 units per acre.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 eastern portion of the property is currently developed with three single-family residences, the newest of which was constructed in 2020, according to property tax records. The western two parcels are currently vacant.**

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 zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. The proposed density is somewhat higher than that found on immediate surrounding properties.**

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 boundaries are 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 proposed density is somewhat higher than that found on immediately surrounding properties. In general, the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and varied housing. Within the immediate neighborhood, the proposal represents a shift away from historically commercial uses towards residential uses.**

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 an attached, single-family residential use based on the Future Land Use Map, though the development as proposed cannot be developed in any of the existing residential or multi-family districts without a rezone to PRD.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

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. 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.**

A Planned Residential Development (PRD, 17.180.080) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.

17.380.050. - Submission requirements

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

   1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**

   2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement. The applicant has provided a site plan and included much of the necessary information to properly assess the development. However, information about adjacent parcels is limited.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development will utilize public water and sewer; as such, this is not applicable.**

D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **As there are not 100 or more residential dwelling units proposed, this criterion is not applicable.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 16, 2024, Emily McGahee stated "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."

Hall County Fire Marshal

In an email dated January 18, 2024, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, "The Hall County Fire Marshal's Office considers the plan as proposed conceptual in nature and if approved may require modifications during the development review process."

Hall County Public Works and Utilities
In a memorandum from Public Works and Utilities dated January 18, 2024, Bill Nash, Director, stated the following:

Engineering:
This 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.

Traffic:
No comment

Utilities:
City of Gainesville Sewer District.

Georgia Department of Transportation
In an email dated January 22, 2024, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination would not be required.

- **Excerpts from the minutes of the February 19, 2024 meeting**

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

Carla Walker, 340 Jesse Jewell Parkway, Gainesville, presented the request. The applicant stated that the owners of the property are locals and they live in the surrounding area. The applicant stated that the drainage pond was placed in the front of the property due to the topography. The applicant requested a variance for a 20 foot buffer, mixed façades, no sidewalks, and one-car garages.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell stated it would be important to know if the homes would be rented or sold. Mr. Hunt stated that there was no space for sidewalks. Mr. Varner agreed.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 5-0

Conditions:

1. The property shall be developed in accordance with the site plan dated January 2, 2024, and as described in the project narrative submitted on January 2, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to 13 townhome units.
3. A variance shall be granted relieving the developer from including sidewalks within the development.
4. Building elevations shall substantially adhere to the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
5. All units shall include a minimum one-car garage.
6. Guest vehicle parking shall be provided at a ratio of 1 parking space per 2 units. These parking spaces may also serve the cluster mailbox unit. All roadway design and parking configurations shall meet Hall County Traffic standards.
7. All residential driveways shall measure no less than 20 feet from the internal drive aisle of the development to the garage door.
8. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
9. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
11. A 6-foot opaque fence shall be installed along all external boundaries of the development, excluding where adjacent to Spring Road Right of Way.
12. Detention pond design shall incorporate a bioswale style or similar aesthetic and function if located adjacent to the Spring Road right-of-way. Final review and approval is subject to the Planning and Zoning Administrator, or their designee.
13. The development shall be one owner and all rental.

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

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ZONING APPLICATION

Applicant (Name & Mailing Address)

Tim Ferguson
PO Box 597
Dahlonega, Georgia 30533

Phone 706-265-5270

Email Address timcferguson@yahoo.com

Property Owner (Name & Mailing Address)

Ashley Xitaly Ruelas
2529 HOLLOW DRIVE
GAINESVILLE, GA 30504

Phone 706-265-5270

Email Address timcferguson@yahoo.com

Proposed Use residential development with thirteen townhomes and parking

Contact Person (Name & Mailing Address)

Madison Winship

Phone 706-926-0316

Email Address Submittals@davisengineers.com

Status of Applicant

- ☐ Owner
- ☐ Option to Purchase
- ☐ Area Resident
- ☒ Other-Owners Agent

Requested Action

Existing Zoning: H-B
Rezone to: PRD
Fee:$ 450.00
Receipt #:
Check #:

Tax Parcel Number 00122 002013 & 00122 002014 & 00122 002015 & 00122 002016 Acreage 2

Location Address 2030, 2036, 2038 & 2040 Spring Road, Gainesville GA 30504

I hereby certify that the above information and all attached information are true and correct.

Sign _____ Date: December 15, 2023

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: _____

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Ashley Xitaly Ruelas

Address 2030, 2036, 2038 & 2040 Spring Road, Gainesville GA 30504

Phone Number (770) 878-7920

Name of applicant(s) Tim Ferguson

Address

Phone Number 706-265-5270

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)

Personally appeared before me

Jennifer Reyes

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

JENNIFER REYES
NOTARY PUBLIC
MY COMMISSION EXPIRES
OCTOBER 16, 2026
HALL COUNTY, GEORGIA

12/18/2023
Date

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 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: _____ **Date:** 1/1/24

Applicant's/Owner's Name (Printed): Tim Ferguson

PLANNING AND DEVELOPMENT DEPARTMENT
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I hereby certify that I have read the above and that:

I have**____ I have not__LG_

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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: _____ **Date:** 12/28/23

Applicant's/Owner's Name (Printed): Ludivina Gallardo

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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I hereby certify that I have read the above and that:

I have**____ I have not DS AR

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: DocuSigned by: ASHLEY RUELAS A7CA85F6EEBD4A4... **Date:** 12/29/2023

Applicant's/Owner's Name (Printed): ASHLEY RUELAS

DES | DAVIS ENGINEERING & SURVEYING
Est. 2009
CIVIL ENGINEERING | LAND SURVEYING | CONSTRUCTION LAYOUT

January 2, 2024

RE: Rezoning Application for Parcels 00122 002013, 00122 002014, 00122 002015 & 00122 002016

To Whom It May Concern:

Currently, the property in question contains four parcels, two of which contain existing structures, and the other two of which are vacant and partially padded out. All four parcels are zoned Highway Business (H-B) with a mixture of Highway Business (H-B) and Residential (R-II) uses surrounding the same. Parcels in the vicinity that are zoned residential are generally 0.25 acre lots with less than 2,000 square foot homes.

Applicant's proposed use is a planned residential development with thirteen townhomes, parking, open space, and a stormwater management area. Each townhome will contain a garage with a nine foot door and two driveway spaces for parking. Seven additional spaces will also be provided for any overflow creating 46 parking spaces total with all parking being internal to the site. The proposed zoning is more accordant with the county's comprehensive plan in a shift towards residential use for this area. Moreover, the thirteen-townhome residential development will provide a higher density than would single family residences in an area in need of more housing. To provide spacing between adjoining properties, a 20' buffer and building setback line is proposed. The townhomes will also act as a buffer between vehicle traffic and adjoining residences. A 40' front setback will be provided, which is in line with current Hall County requirements. All townhomes will connect to both public water and sewer. Stormwater detention will be provided in the front of the property due to topography constraints. Open space will exceed the required 30% to account for 40% of the overall site. Some of the units will be sold, and a portion of them will be retained by the owner to rent out with the number of each to be determined at a later date.

Variations to current required standards will include a reduction of the 50' buffer to a 20' buffer, a variance to the buffer in one section where topography is a concern, and front facing garages on six of the units. The buffer reduction is needed to create the necessary area required for this development to be feasible. This will also require a variance to that buffer to allow for driveway access to Unit 7 and Unit 8. The retaining wall used in this area will provide an elevation change significant enough to provide privacy for the adjoining property being that it will sit roughly ten feet above the parking below acting as both a visual and auditory buffer. The garage doors will meet the

maximum width requirement, but are unable to be set back 5’ from the front of the structure.

In summary, the Applicant believes this proposed development is suitable in view of the use and development of the nearby properties, that it will not adversely affect the existing use or usability of nearby properties, and that it will add value to the underlying and surrounding properties.

Sincerely,

Nick Pesola, EIT

PROJECT INFORMATION:

THE INTENT OF THE CONCEPT IS TO PROVIDE A DEPICTION FOR THE PURPOSE OF REZONING. CURRENTLY, TWO OF THE PARCELS FOR THIS PROJECT ARE PARTIALLY CLEARED AND GRADED. THE OTHER TWO PARCELS CONTAIN EXISTING BUILDINGS. THE PROPOSED DEVELOPMENT INCLUDES THE COMBINATION OF THESE LOTS TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT (PRD) THAT WILL CONTAIN 13 TOWNHOUSES WITH NECESSARY PARKING AND IMPROVEMENTS.

MUNICIPALITY: HALL COUNTY:
ADDRESS: 2030 SPRING ROAD GAINESVILLE, GA 30504
PARCELS: 00122 002013, 00122 002014, 00122 002015, & 00122 002016

TOTAL AREA= 1.89 ACRES

SEWER: CITY OF GAINESVILLE
WATER: CITY OF GAINESVILLE

BOUNDARY INFORMATION FROM PLAT OF SURVEY FOR ASHLEY XITALY RUELAS BY DAVIS ENGINEERING AND SURVEYING LLC DATED 11/30/2023.

UTILITIES SHOWN HEREON ARE FROM EXISTING STRUCTURES AND ABOVE GROUND MARKS FOUND. DAVIS ENGINEERING AND SURVEYING, LLC IS NOT RESPONSIBLE FOR THE LOCATION OF UNDERGROUND UTILITIES.

CONTOUR INTERVAL = 2'

CURRENT ZONING: HIGHWAY BUSINESS (H-B)
EXISTING BUILDING SETBACKS:
FRONT: 55 FROM C/L ROAD
SIDE: 20'
REAR: 10'
10' SIDE & REAR LANDSCAPE BUFFER

PROPOSED ZONING: PLANNED RESIDENTIAL DEVELOPMENT (PRD)
BUILDING SETBACKS:
FRONT: 40'
SIDE: 20'
REAR: 20'

LOT DENSITY REQUIREMENTS: 3 UNITS ON 40,000 S.F. + EACH ADDITIONAL UNIT 4,000 S.F.

TOTAL LOT SIZE= 82,360 S.F.
REQUIRED SIZE= 40,000 S.F. (3 UNITS) + 10 ADDITIONAL UNITS (x 4,000 S.F.) = 64,000 S.F

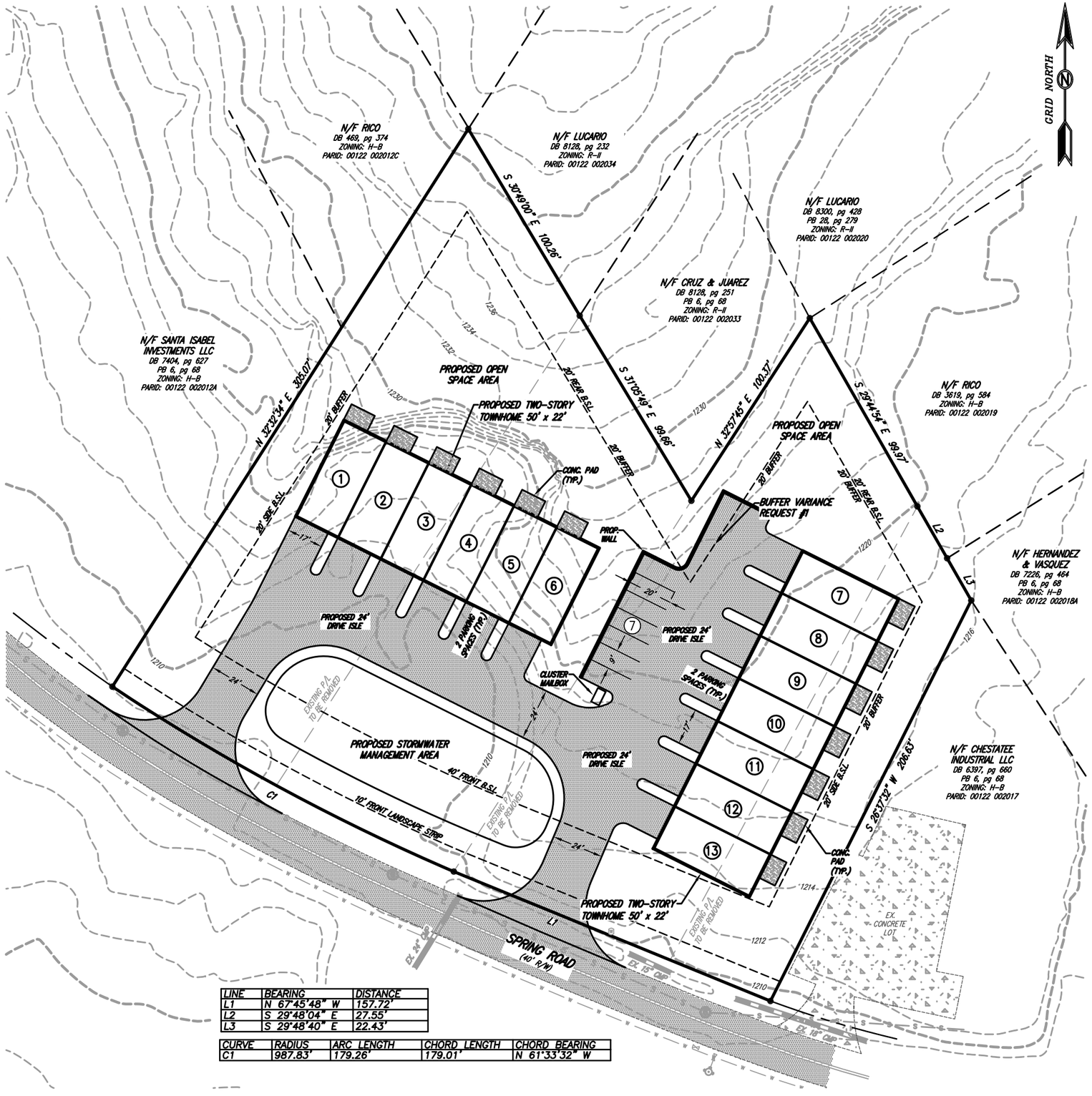
VARIANCE REQUEST: 10.1' ENCROACHMENT INTO BUFFER FOR DRIVEWAY

PARKING CALCULATIONS:

REQUIRED PARKING: 1.5 SPACES PER UNIT= 13 x 1.5 = 19.5 SPACES
PROVIDED PARKING: 13 GARAGE SPACES + 26 DRIVEWAY SPACES + 7 OVERFLOW SPACES= 46 TOTAL SPACES

OPEN SPACE CALCULATIONS:

STORMWATER MANAGEMENT AREA= 0.14± ACRE= 7.2%
IMPERVIOUS AREA= 0.75± ACRE= 40%
OPEN SPACE AREA= 1.0± ACRE= 52.8%



LINE	BEARING	DISTANCE
L1	N 67°45'48" W	157.72'
L2	S 29°48'04" E	27.55'
L3	S 29°48'40" E	22.43'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	987.83'	179.26'	179.01'	N 61°33'32" W

DES DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REZONING CONCEPT
ASHLEY XITALY RUELAS
LAND LOT 170
9th DISTRICT
HALL COUNTY

DRAWN BY:	NAP
CHECKED BY:	JKD
LANDLOT:	170
DISTRICT:	9TH
SECTION:	–
CITY:	–
COUNTY:	HALL
DATE:	1/4/2024

SHEET NO.
1 OF 1

PROJECT NO.
23-457

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THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

~LEGEND~

O	CALCULATED POSITION	RB	REBAR
●	IRON PIN FOUND/SET (IPF/IPS)	SR	SOLID ROD
⊠	MONUMENT	OCS	OUTLET CONTROL STRUCTURE
C/L	CENTERLINE	CPP	CORRUGATED PLASTIC PIPE
CTP	CRIMPED TOP PIPE	GI	GRATE INLET
DB	DEED BOOK	DI	DROP INLET
N/F	NOW OR FORMERLY		SANITARY SEWER MANHOLE (SSMH)
OTP	OPEN TOP PIPE		LIGHTPOLE
PB	PLAT BOOK		CLEANOUT
PG	PAGE		
P/L	PROPERTY LINE		

(ALL IPS ARE 1/2" RB "CAPPED" UNLESS OTHERWISE LABELED)

- ⊠ TELEPHONE PED. (T.P.)
- FIRE HYDRANT (FH)
- WATER METER (WM)
- WATER VALVE (WV)
- POWER BOX (PBX)
- POWER POLE (PP)
- — — — ADJOINER
- ——— LAND LOT LINE (L.L.L.)
- ——— RIGHT OF WAY (R/W)
- -x-x-x- FENCE
- ——OHP—— OVERHEAD POWER

~SURVEY NOTES~

FIELD MEASUREMENTS WERE TAKEN WITH A LEICA TS16 ROBOTIC INSTRUMENT.

FIELD MEASUREMENTS WERE TAKEN WITH A LEICA GS18 DUAL FREQUENCY GNSS RECEIVER, USING AN RTK CONNECTION TO AN ON SITE LEICA GS18 BASE STATION. FIELD DATA HAS A RELATIVE POSITIONAL ACCURACY OF 0.06'.

FIELD DATA ADJUSTED USING THE LEAST SQUARES METHOD.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO HAVE A PRECISION OF 1 FOOT IN 787,354 FEET.

THIS PLAT DOES NOT CONSTITUTE AND SHALL NOT BE CONSTRUED AS A TITLE SEARCH OR REPORT, AND THUS MAY BE SUBJECT TO ANY EASEMENTS, RIGHT OF WAY OR RESTRICTIONS ONE MAY FIND.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED ON THIS PLAT.

THIS DOES NOT EXTEND TO ANY UNNAMED THIRD PARTY WITHOUT AN EXPRESSED RESTATEMENT BY THE SURVEYOR.

TYPE OF SURVEY: COMBINATION

SOURCE OF TITLE DESCRIPTION FOR PROPERTY SHOWN HEREON:
DB 8212, pg 794 & DB 8425, pg 306

PROPERTY OWNERS AS OF SURVEY DATE:
ASHLEY RUELAS & LUDIVINIA GALLARDO

PARCEL NUMBER: 00122 002013, 00122 002014, 00122 002015, 00122 002016

~SURVEYOR CERTIFICATION~

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

DUSTY L. LOWMAN PLS# 3216

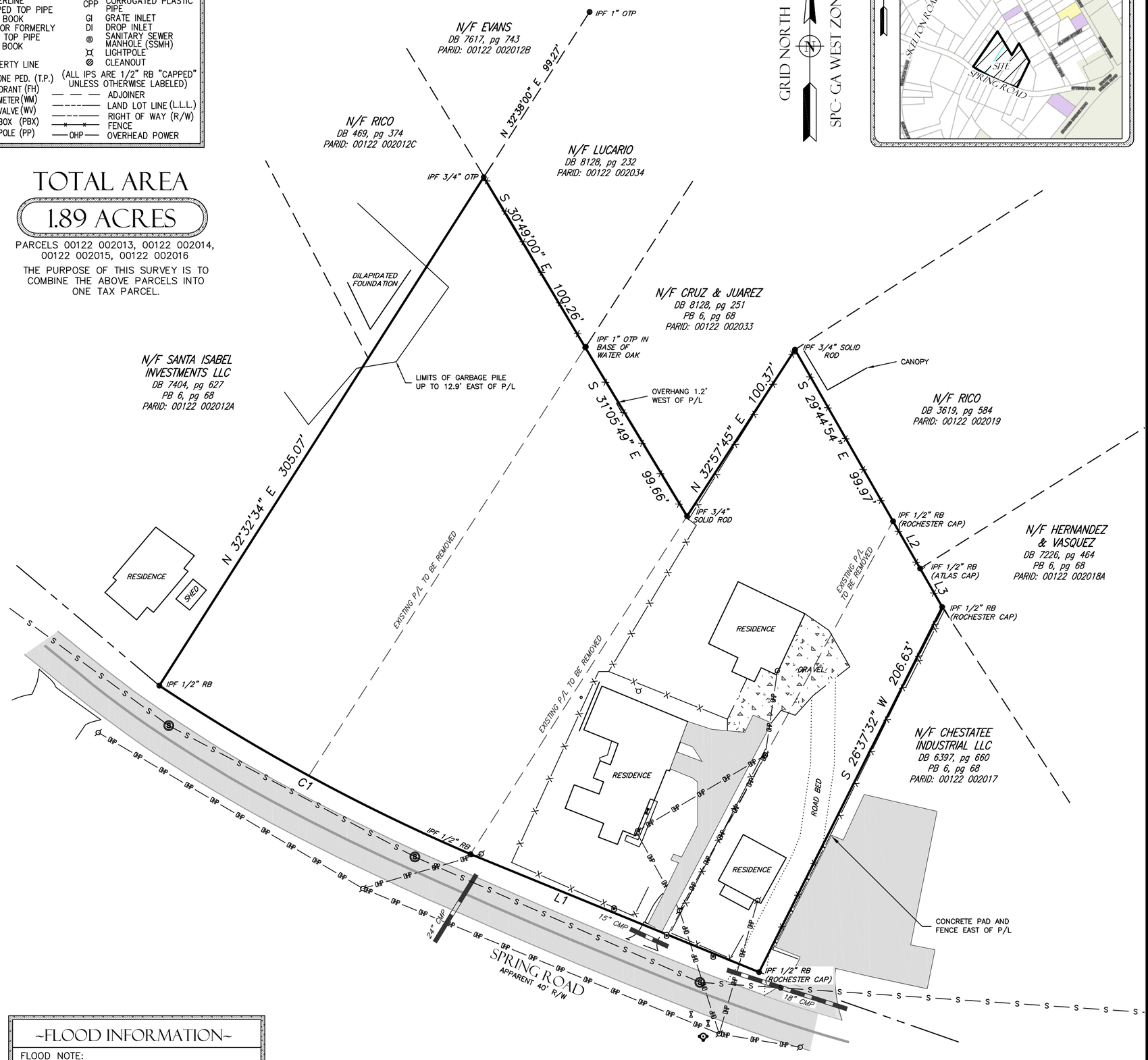
GEORGIA PROFESSIONAL NO. 3216 LAND SURVEYOR DUSTY L. LOWMAN

TOTAL AREA

1.89 ACRES

PARCELS 00122 002013, 00122 002014, 00122 002015, 00122 002016

THE PURPOSE OF THIS SURVEY IS TO COMBINE THE ABOVE PARCELS INTO ONE TAX PARCEL.



GRID NORTH

SPC- GA WEST ZONE

LOCATION MAP
(NOT TO SCALE)

~FLOOD INFORMATION~

FLOOD NOTE:
BASED ON AN INTERPRETATION OF FLOOD INSURANCE RATE MAP NO. 13139C0186G, EFFECTIVE DATE 4/4/2018, NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA. IF THE ACCURATE LOCATION AND/OR ELEVATION OF THE FLOOD HAZARD IS REQUIRED A DETAILED STUDY MAY BE NECESSARY.

LINE	BEARING	DISTANCE
L1	N 67°45'48" W	157.72'
L2	S 29°48'04" E	27.55'
L3	S 29°48'40" E	22.43'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	987.83'	179.26'	179.01'	N 61°33'32" W

GRAPHIC SCALE

0 40 80 120

(IN FEET)
1 inch = 40 ft.

PREPARED BY

DES DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234

DAVISENGINEERS.COM

CERTIFICATE OF AUTHORIZATION NUMBER: LSF 001057

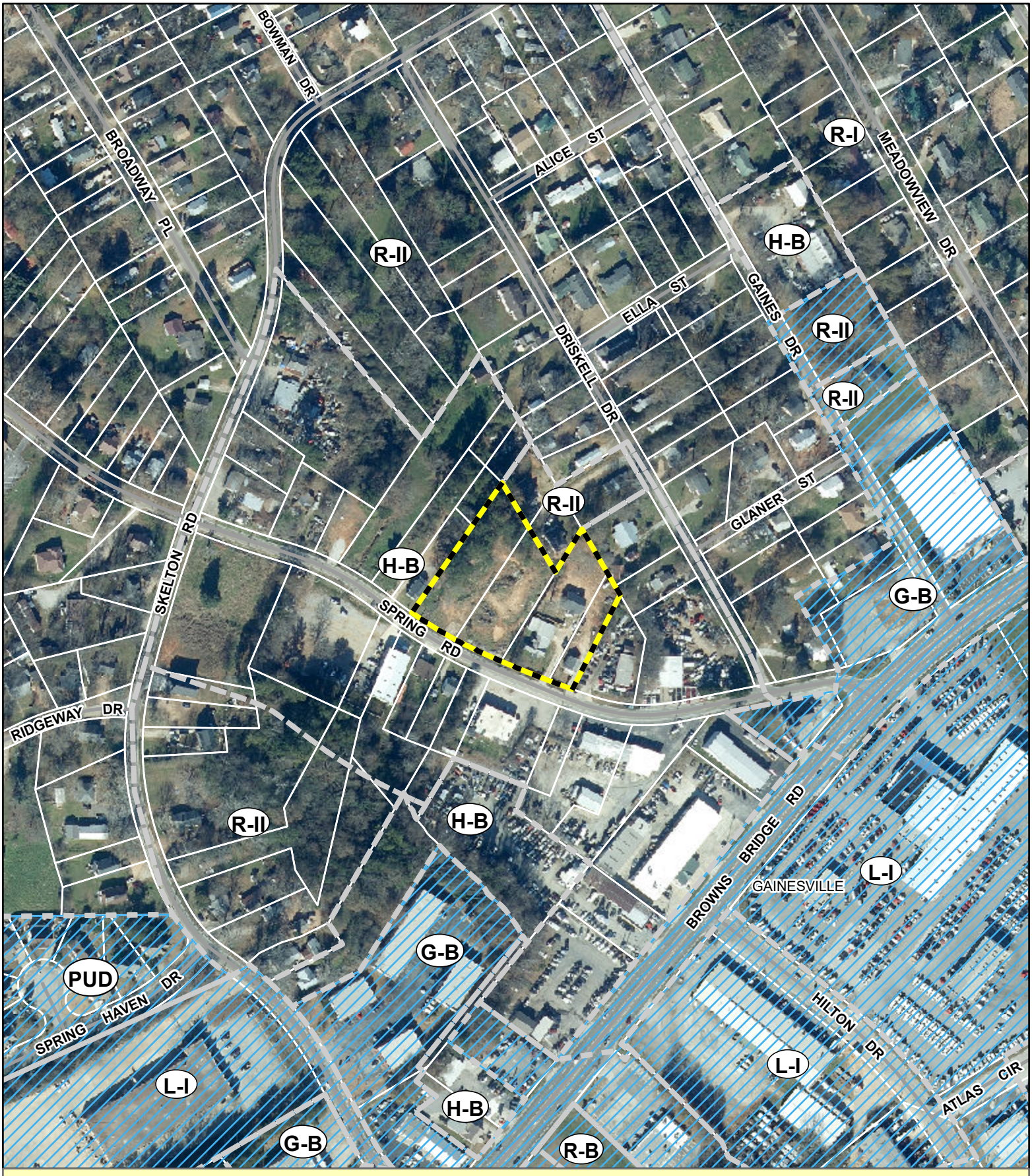
SURVEY FOR:

ASHLEY XITALY RUELAS
LAND LOT 170
9th DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

DRAWN BY:	MS
PLAT DATE:	11/30/2023
FIELD CREW:	JM
FIELD DATE:	11/29/2023

SHEET NO.
1 OF 1

PROJECT NO.
23-457

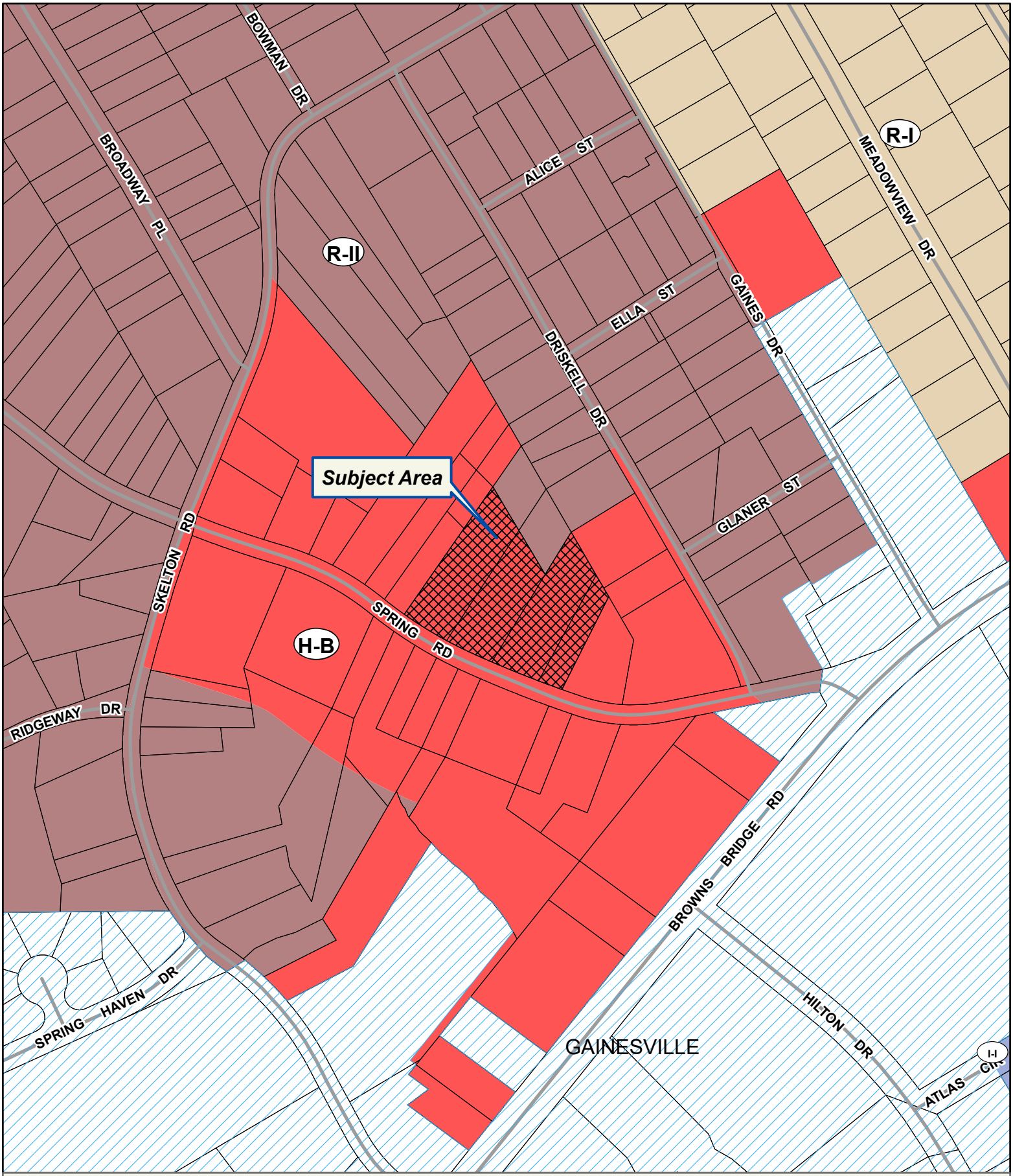


Applicant: TIM FERGUSON
Tax Parcel #: 00122 002013, 14, 15 & 16
Location: 2030, 2034, 2036, 2038 & 2040 SPRING ROAD, GAINESVILLE, GA 30504
Commission District 4 **PC Mtg. Date: 02/19/24**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area

N



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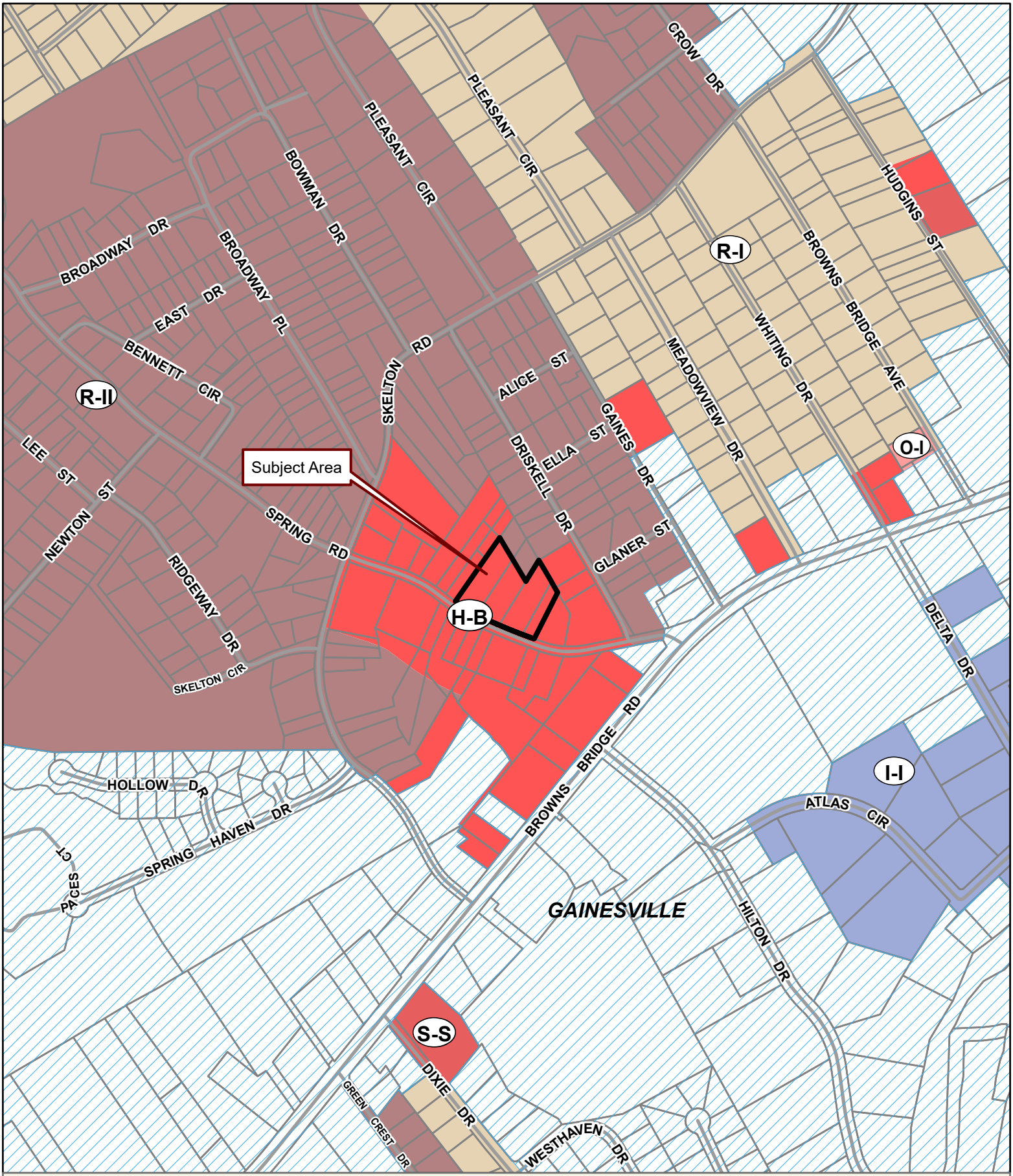
0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: TIM FERGUSON
Tax Parcel #: 00122 002013, 14, 15 & 16
Location: 2030, 2034, 2036, 2038 & 2040 SPRING ROAD, GAINESVILLE, GA 30504
Commission District 4 **PC Mtg. Date: 02/19/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



FILED & RECORDED
DATE: 1/30/2019
TIME: 3:52PM
DEED BOOK: 8212
PAGES: 794-795
FILING FEES: $12.00
PT61: 0692019000579
TRANSFER TAX: $75.00
Recorded By: MT
Charles Baker, C.S.C.
Hall County, GA

Return to:
Kim and Bagwell, LLC
311 Green Street, Suite 409
Gainesville, GA 30501
#5002.01

STATE OF GEORGIA,
COUNTY OF HALL

LIMITED WARRANTY DEED
Joint Tenancy With Rights of Survivorship

This **INDENTURE**, made this **29th** day of **January, 2019**, between **Tommy Holloway, as sole heir of Lester Holloway**, of the State of Georgia and County of Hall of the first part, **Ashley Ruelas and Ludivina Gallardo, as Joint Tenants with the Right of Survivorship,** of the State of Georgia and County of Hall of the second part;

WITNESSETH:

WITNESSETH: That the said Party(ies) of the first part, 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 of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said parties of the second part, not as tenants in common, but as joint tenants with full rights of survivorship, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

> Property identified Tax Parcel Numbers: 00122 002013 and 00122 002014, and as 2038 and 2040 Spring Road, Gainesville, GA 30504, according to the present system of numbering properties in Hall County, Georgia, and being more fully described on Exhibit "A" attached hereto and incorporated herein by reference.

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

AND THE SAID Grantor shall warrant and forever defend the right and title to said Property unto the Grantee against the lawful claims of all persons claiming by, through or under Grantor but not otherwise.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Limited Warranty Deed the day and year first above written.
Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

Susan A. Kim
Notary Public
Jackson County, Georgia
My Commission Expires October 11, 2021

Tommy Holloway, individually and as sole Heir of Lester Holloway

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=73091476&key1=8212&key2=794&county=69&countyname=HALL&userid=799576&appid=4 1/1

After Recording Return To:
Kim and Bagwell, LLC
311 Green Street, Suite 409
Gainesville, GA 30501

Order No.: 5837.01

eFiled & eRecorded
DATE: 2/12/2020
TIME: 2:11 PM
DEED BOOK: 08425
PAGE: 00306 - 00307
RECORDING FEES: $25.00
TRANSFER TAX: $160.00
PARTICIPANT ID: 9171275233
CLERK: Charles Baker
Hall County, GA
PT61: 069-2020-000888
NOTE: by ch

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF HALL

THIS INDENTURE, made this 10th day of February, 2020, between **Kinz Properties, LLC**, of the County of Hall, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Ashley Xitlaly Ruelas**, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH that: Grantor, for and in consideration of the sum of One Hundred Sixty Thousand And No/100 Dollars ($160,000.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

TRACT 1:
ALL THAT TRACT or parcel of land, together with improvements thereon, located 1 mile west of the City of Gainesville, Hall County, Georgia, being all of Lot 31 of the S. C. Moon and Fred Stringer Subdivision, and being more particularly described on a plat of survey prepared by S. C. Moon, GRLS, recorded in Plat Book 6, page 68, of the Hall County Plat Records, said plat being incorporated herein by reference and made a part hereof. Subject to easements, covenants and/or restrictions of record, if any.

Property known as 2030 Spring Road, Gainesville, GA 30504, and as Tax Parcel No. 00122-002016.

TRACT 2:
All that tract or parcel of land, situated, lying and being in the County and State aforesaid and being about 1 mile West of the city limits of Gainesville, in Hall County, Georgia, and being all of lots 32 and 33 of S.C. Moon and Fred Stringer Subdivision as shown by plat made by S.C. Moon, Said plat is a true descrription of said land and is made the legal description of same. A copy of said plat is recorded in Hall County Plat Records 6, Page 68.

Said property is known as 2036 Spring Road, Gainesville GA and as Tax Parcel ID# 00122-002015.

SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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 all persons owning, holding or claiming by, through or under the said Grantor.

eFiled & eRecorded
DATE: 2/12/2020
TIME: 2:11 PM
DEED BOOK: 08425
PAGE: 00307

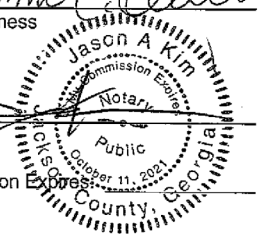
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 10th day of February, 2020.

Kinz Properties, LLC

BY:_____
Randy Kinsey, Member/Manager

Signed, sealed and delivered in the presence of:

_____
Unofficial Witness



_____
Notary Public

My Commission Expires: _____

All that tract or parcel of land lying and being in Land Lot 170, 9th District, City of Gainesville, Hall County Georgia and being more particularly described as follows:

COMMENCING at a ½" rebar on the northerly right of way of Spring Road (40' R/W); said point being THE POINT OF BEGINNING;

Thence, N 32°32'34" E a distance of 305.07' to a ¾" open top pipe;
Thence, S 30°49'00" E a distance of 100.26' to a 1" open top pipe in the base of a water oak;
Thence, S 31°05'49" E a distance of 99.66' to a ¾" solid rod;
Thence, N 32°57'45" E a distance of 100.37' to a ¾" solid rod;
Thence, S 29°44'54" E a distance of 99.97' to a ½" rebar (Rochester cap);
Thence, S 29°48'04" E a distance of 27.55' to a ½" rebar (Atlas cap);
Thence, S 29°48'40" E a distance of 22.43' to a ½" rebar (Rochester cap);
Thence, S 26°37'32" W a distance of 206.63' to a ½" rebar (Rochester cap) at the northerly right of way of Spring Road (40' R/W);
Thence, continuing along aforementioned right of way, N 67°45'48" W a distance of 157.72' to a ½" rebar;
Thence, with a curve turning to the right with an arc length of 179.26', with a radius of 987.83', with a chord bearing of N 61°33'32" W, with a chord length of 179.01',to a ½" rebar on the northerly right of way of Spring Road (40' R/W); said point being THE POINT OF BEGINNING;

Said property contains 1.89 acres.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, January 16, 2024 12:05 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 2.19.24

Please find Environmental Health comments below:

Items 1A-C, 6294 Windward Lane, Burke: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 2, 6585 Johnson Circle, Wilkerson: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, all well buffers, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 3, 6384 Yellow Creek Road, Hathaway: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 4, 4610/4616/4630/4636 Winder Hwy, Gilliam: 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.

Item 5, 2030/2034/2036/2038/2040 Spring Road, Ferguson: 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.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road

RE: Tentative Planning Agenda for February 19, 2024

Chavers, Veronica E <VChavers@dot.ga.gov>
Mon 1/22/2024 9:53 AM
To:Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>;Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>

Some people who received this message don't often get email from vchavers@dot.ga.gov. Learn why this is important

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.

Responses are in red below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, January 11, 2024 10:33 AM
Subject: Tentative Planning Agenda for February 19, 2024

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.

Good morning–

Here is the Tentative Agenda and Maps for the **Monday, February 19, 2024** 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, January 18th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – February 5, 2024

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its

intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

(C) 6294 Windward Lane | Variance | 17.240.010. to reduce the rear yard setback from 20 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

GDOT coordination not required

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   GDOT coordination not required

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   GDOT coordination not required

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   GDOT coordination for driveway access on Hwy 53

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   GDOT coordination not required

*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 28, 2024, at 6:00 p.m. at the Hall County Government Center, 2nd 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 28, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 18, 2024

Subject: February 19, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 19, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (C) 6294 Windward Lane | Variance | 17.240.010. to reduce the rear yard setback from 20 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** No Comment
   c. **Utilities:** Hall County sewer district – No connection within feasible distance available.

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   a. **Engineering:** This 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 buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** GDOT access permit required
      Site plan shows an eyebrow cal-de-sac which is not permitted in code. Applicant will need to request receive a variance.
   c. **Utilities:** Hall County sewer – Connection within feasible distance.

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** No Comment
   c. **Utilities:** City of Gainesville sewer district

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: TIM FERGUSON

REQUEST: REZONE FROM H-B TO PRD FOR A 13-UNIT TOWNHOME DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION		COUNTY COMMISSION
Date: FEB. 19, 2024	&	**Date:** MAR. 28, 2024
Time: 5:15 PM		**Time:** 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, January 18, 2024 9:27 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comment

Monday, February 19, 2024 Hall County Planning Commission Meeting.

1. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   The Hall County Fire Marshal's Office considers the plan as proposed conceptual in nature and if approved may require modifications during the development review process.

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

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 135/2024

SUBJECT: **17, 20, 21 & 24 Spring Street | Rezone** | from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcels 00063 008022, 23, & 24 | **Proposed Use: 10-unit residential development** | Commission District 4 | **Alex Petry, applicant**

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BG

Recommendation:

Approval.

Conditions:

1. The property shall be developed in accordance with the site plan submitted on November 17, 2023 and as described in the project narrative submitted on December 11, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The encroachment of the existing carport which crosses over the southwestern property line shall be resolved by either removal or modification of the structure, or the property line shall be modified in such a way to eliminate the encroachment. Any changes to property boundaries shall be reviewed and approved by the county's standard plat review process.
3. The development shall be limited to a total of 10 dwelling units.
4. The minimum heated floor area (HFA) shall be 512 square feet.
5. There shall be no more than five (5) parking spaces along Spring Street as noted on the site plan dated November 17, 2023, and there shall be no less than eighteen (18) parking spaces total provided for the development.
6. Architectural style and materials shall be consistent with the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
7. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
8. All conditions of zoning shall be made part of any plats created for the subdivision.

Purpose of Request: **History:**

17, 20, 21 & 24 Spring Street | Rezone | from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcels 00063 008022, 23, & 24 | **Proposed Use: 10-unit residential development** | Commission District 4 | **Alex Petry, 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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Application
Narrative
Site Plan
Maps
Rendering
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: March 11, 2024

Subject: **17, 20, 21 & 24 Spring Street | Rezone |** from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract | **Proposed Use: 10-Unit residential development** | **Alex Petry, applicant**

The request before you is the request of Alex Petry to Rezone from Residential II (R-II) to Planned Residential Development (PRD) to allow a 10-Unit residential development. This item is located within Commission District 4.

At their February 19, 2024 meeting, the Hall County Planning Commission voted to recommend approval with eight (8) conditions **(4-1, Pilcher opposed)**.

Staff recommendation: **Denial**, as the development exceeds the one dwelling unit per acre recommended for the Lake Area Residential future land use classification in the Comprehensive Plan and substantially deviates from the standards of the PRD code listed in section 17.180.060.

There were **two (2) comments submitted** in advance of the Planning Commission meeting and **four (4) people spoke in opposition during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan submitted on November 17, 2023 and as described in the project narrative submitted on December 11, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The encroachment of the existing carport which crosses over the southwestern property line shall be resolved by either removal or modification of the structure, or the property line shall be modified in such a way to eliminate the encroachment. Any changes to property boundaries shall be reviewed and approved by the county's standard plat review process.
3. The development shall be limited to a total of 10 dwelling units.
4. The minimum heated floor area (HFA) shall be 512 square feet.
5. There shall be no more than five (5) parking spaces along Spring Street as noted on the site plan dated November 17, 2023, and there shall be no less than eighteen (18) parking spaces total provided for the development.
6. Architectural style and materials shall be consistent with the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
7. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
8. All conditions of zoning shall be made part of any plats created for the subdivision.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Alex Petry

Request ..... Rezone from Residential-II (R-II, 17.80) to Planned Residential Development (PRD, 17.180.060)

Proposed Use ..... 10-unit residential development

Size ..... 1.08± acres

Zoning ..... Current Residential-II (R-II, 17.80) | Proposed Planned Residential Development (PRD, 17.180.060)

Location ..... **17, 20, 21 and 24 Spring Street |** Tax Parcels 00063 008022, 008023, and 008024

Commission District ..... Four

Planning Commission Date ..... February 19, 2024

Staff Recommendation ..... **Denial,** as the development exceeds the one dwelling unit per acre recommended for the Lake Area Residential future land use classification in the Comprehensive Plan and substantially deviates from the standards of the PRD code listed in section 17.180.060.

Planning Commission Recommendation.....Approval, with conditions
Vote: 4-1 (Pilcher opposed)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan submitted on November 17, 2023 and as described in the project narrative submitted on December 11, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The encroachment of the existing carport which crosses over the southwestern property line shall be resolved by either removal or modification of the structure, or the property line shall be modified in such a way to eliminate the encroachment. Any changes to property boundaries shall be reviewed and approved by the county's standard plat review process.
3. The development shall be limited to a total of 10 dwelling units.
4. The minimum heated floor area (HFA) shall be 512 square feet.

5. There shall be no more than five (5) parking spaces along Spring Street as noted on the site plan dated November 17, 2023, and there shall be no less than eighteen (18) parking spaces total provided for the development.
6. Architectural style and materials shall be consistent with the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
7. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
8. All conditions of zoning shall be made part of any plats created for the subdivision.

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan submitted on 11/17/2023 and as described in the project narrative submitted on 12/11/2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The encroachment of the existing carport which crosses over the southwestern property line shall be resolved by either removal or modification of the structure, or the property line shall be modified in such a way to eliminate the encroachment. Any changes to property boundaries shall be reviewed and approved by the county's standard plat review process.

3. The development shall be limited to a total of 10 dwelling units.

4. The minimum heated floor area (HFA) shall be 512 square feet.

5. All parking areas shall be accessed via internal drives and roads only. On-street parking is prohibited and no parking shall be accessed directly from Spring Street. There shall be no less than 20 spaces total provided for the development.

6. Architectural style and materials shall be consistent with the submitted renderings. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.

7. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.

8. All conditions of zoning shall be made part of any plats created for the subdivision.

The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

- 17.180.030.A Special Requirements

- With the exception of the PCFD classification (see 17.180.060.A [17.180.100.A] for PCFD area requirements), the site proposed for planned development district classification must contain an area of five acres or more unless specifically approved by the county commission due to special and unusual circumstances. No tract of land shall be considered for a planned development classification which has an area less than one acre except when such tract abuts a nonresidential zoning district or abuts a district with the same zoning classification as that for which the application is filed. In no case shall the minimum tract size be less than the minimum lot area requirements for the comparable conventional district (see 17.240.010 for area requirements) as specified for each planned development classification in this chapter. (Note: The comparable conventional zoning districts listed in the regulations are R-I for a PRD, O-I for a POD, S-S for a PCD and I-I for a PID.)
  - The proposed site area is 1.04± acres.

- 17.180.060.B.2.A Lot area.
  - The minimum lot area for lots with access to sanitary sewer shall be 8,000 square feet. The overall gross density is not to exceed 2 units per acre. The minimum lot area for lots without access to sanitary sewer shall be determined by the requirements of the county environmental health department.
    - The applicant has proposed a gross density of 9.62 units per acre, which exceeds the recommended 2 units per acre.

- 17.180.060.B.2.C Setbacks
  - Minimum front yard setback from the property line of 25 feet.
    - The applicant has proposed a 15-foot front yard setback for new structures; the existing structures to remain on the property appear to be located as close as 10 feet from the front property line.

  - Minimum side yard setback from the property line of 5 feet.
    - The applicant has proposed a 15-foot side yard setback for new structures; however, an existing carport encroaches 1.3 feet over the southwestern property line.

  - Minimum rear yard setback from the property line of 20 feet.
    - The applicant has proposed a 15-foot rear yard setback.

- 17.180.060.B.5 Buffers.
  - A minimum 50-foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened. The planted buffers shall conform to the requirements as described in section 17.260.020 titled vegetation buffers and vision clearance. In conditions where required stream buffers exist along a perimeter property boundary, the planning director may grant exemptions from the 50 foot planted buffer if a stream buffer meets or exceeds the 50 foot planted buffer width.
    - The applicant is proposing that a 15-foot vegetative buffer is to be maintained at the rear property line only.

- 17.180.060.B.8 Open Space
  - The development shall conform to all open space requirements of sections 17.430.100 through 17.430.150, as shown under the conservation subdivision design option chapter. The only open space requirement that may differ from those standards set forth in section 17.430.110 is the open space shall comprise at least 30 percent of the gross tract area.
    - The applicant does not specifically label any open space on the submitted site plan, but lists the open space to be 15% in a development chart included with the application.

- 17.180.060.B.9.A Building materials.
  - All facades of all residences, including single-family, two-family, and/or multi-family, and any non-residential buildings 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.
    - The sample elevation provided in the application indicates that the townhomes and bungalows will not incorporate changes in building material, texture, and/or color, which deviates from the standard.

- 17.250.020 Off-Street Parking
  - All off-street parking areas that make it necessary for vehicles to back out directly into a public road, street or highway are prohibited except for single-family residential units and, if approved by the Hall County engineering department, duplexes and multi-family units.
    - The submitted site plan shows five off-street parking spaces that will make it necessary for vehicles to back out directly into Spring Street.
    - The existing gravel drive and carport may require cars to back directly into Spring Street. The applicant intends to maintain this parking area.
  - Single-family and duplexes must have 2 spaces for each dwelling unit.
    - The development has proposed 1.8 spaces per dwelling unit.

Public Forum:

Allen Reynolds, 18 Spring Street, Gainesville, spoke in opposition. Concerns were excessive development and stormwater.

Sharon Vandiver, 39 Spring Street, Gainesville, spoke in opposition. Concerns were wildlife, destruction of green space, and spot zoning.

Jeff Archer, 1693 Fairview Drive, Gainesville, spoke in opposition. Concerns were increased density, character, traffic, and inconsistency with comprehensive plan.

Henry Edge, 22 Spring Street, Gainesville, spoke in opposition. Concerns were narrow streets and pond.

Summary Analysis

The applicant is requesting to rezone 1.04± acres of property zoned Residential-II (R-II, 17.80) to Planned Residential Development (PRD, 17.180.060) for the purpose of constructing a 10-unit residential development with a gross density of 9.62± units per acre. The proposed development includes combining three existing parcels into a single parcel. The property is currently developed with two residences. The project narrative states that the proposed residences will utilize the two existing structures as part of the development. The whole development would consist of two residences currently utilized as duplexes, two new detached townhomes, and four new detached bungalows. The proposed townhomes have a minimum size of 700 square feet and the proposed bungalows have a minimum size of 512 square feet for each unit.

The applicant has provided renderings to illustrate the proposed structures as well as a description of building materials. The residences will feature Hardi plank siding, architectural shingle roof, and LVT flooring throughout. It should be noted that Section 17.180.060(B)(9) of the PRD code requires that all homes have accents of brick or stone on the front of the homes, at a minimum; the proposed renderings do not meet this requirement. The applicant has not identified this as a variance request from the PRD standards; however, a variance must be granted or the homes must comply with 17.180.060(B)(9) at the time of permitting. The proposed bungalows and townhome units will each feature a front porch, but do not include garages. The townhomes will also feature a rear porch. The number of bedrooms for each unit has not been provided. The narrative states that this development would specifically exclude short term rentals of less than 30 days.

The circulation shown on the site plan includes a main access point off Spring Street located between the two existing duplexes, a separate parking area directly off Spring Street to serve the two townhomes at the north of the property, and an existing gravel drive, which provides access to a carport located at the southwestern most portion of the property. Per the submitted survey, the detached carport crosses over the southwest property line approximately 1.3 feet into the neighboring property. The applicant has not provided any comments addressing the encroachment such as through a property line adjustment, or by relocation or removal of the structure, but did state their plan to retain the carport as a parking area. Additionally, the Hall County Traffic Department has commented that parking that requires vehicles to back out into an active roadway is prohibited. This parking design would require approval of a variance.

The submitted site plan also depicts an enclosed trash bin, a mail kiosk, eighteen parking spaces with one being an ADA parking space, and a proposed chipped slate walkway in front of each of the proposed bungalows. There are no proposed amenities, signage, or a landscape plan included in the application.

The development standards for the project are described in the table below and are compared with the PRD requirements, (17.180.060):

Standard	PRD Requirement (17.180.060)	Proposed Development
Site Area	5 acre minimum	1.04± acres*
Number of Units	–	10 residential units
Density	2 units per acre maximum	9.62 units per acre*
Max. Building Height	-	32 feet
Min. Lot Area	8,000 sq. ft.	1.04± acres
Min. Open Space	30%	15%*

Exterior Buffer	50 feet	15 feet*
Front Setback (Internal)	25 feet	15 feet*
Side Setback	5 feet	15 feet
Rear Setback (Internal)	20 feet	15 feet*
Parking	2 spaces for each dwelling unit (17.250.020)	1.8 spaces per each dwelling unit*
Min. Heated Floor Space	–	512 square feet
Minimum Sidewalk Width	5 feet	-*
Cluster Mailbox Unit (CBU)	CBU with 3 short-term parking spaces	CBU without designated parking spaces*
Note: Items marked with an asterisk (*) do not conform to 17.180.060.		

Water and sanitary sewer will be provided by the City of Gainesville, with a letter dated December 12, 2023 confirming the availability of these services. Additionally, the Hall County Engineering Department has provided comments regarding the need for a stormwater management report to be prepared and submitted for review. The narrative states that the development will include required management of stormwater runoff and water quality to meet the requirements of Hall County.

Several variances have been identified as part of this request. Any deficiencies identified as part of the plan will be required to comply with the requirements of the PRD unless specially granted by the board in the conditions of approval.

Based on the future land-use plan, staff finds the requested zoning designation is *not consistent* with the Hall County Comprehensive Plan future land use designation of "Lake Area Residential". This future land use category is characterized by low-density single-family residences and agricultural uses. The intent of the land use category is to preserve established neighborhoods and create new permanent and vacation residential development. Future development will continue to be detached, single family homes at low densities. The Lake Area Residential designation envisions a maximum density of 1 dwelling unit per acre, lower than the maximum density requirement within a Planned Residential Development (PRD, 17.180.060) of 2 dwelling units per acre. The development has proposed a density of 9.62 units per acre.

Zoning Analysis

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 zoning proposal may be suitable given the context of the surrounding area, though the proposed development is denser than the surrounding development with an overall density of 9.62± units per acre. The surrounding area consists primarily of low- and**

medium-density residential uses. However, located approximately 400 feet away from the parcel is a Planned Residential Development district which includes a multi-family building and several detached cottage-style homes.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed residential use will adversely affect adjacent properties.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to have reasonable economic use as currently zoned, Residential-II (R-II, 17.80), and is developed with two residences which would be classified as duplexes.**

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; **No, it is not anticipated that the proposed zoning use will result in an excessive or burdensome use of local infrastructure. The proposal states that the development will be served by City of Gainesville sewer.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is not consistent with the Comprehensive Plan and the "Lake Area Residential" land use designation. Density is envisioned to be a maximum of one dwelling unit per 1 acre. The proposed development has an overall density of 9.62± units per acre.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 developed with two duplexes.**

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 zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment.**

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 boundaries are 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 proposed density is higher than that found on immediately surrounding properties, but in general the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and varied housing.**

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 high-density single-family residential uses based on the Future Land Use Map, though the development as proposed cannot be developed in any of the existing residential or multi-family districts.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

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.**

A Planned Residential Development (PRD, 17.180.080) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.

17.380.050. - Submission requirements for a rezoning request

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **Proposal provides a narrative outlining the intent of the development, however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**

2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a

plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal does meet the requirement. The applicant has provided a site plan and included much of the necessary information to properly assess the development. However, information about adjacent parcels is limited.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development will utilize public sewer and water; as such, this is not applicable.**

D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **The proposed development contains less than 100 residential dwelling units, and as such is exempt from this requirement.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 4, 2024, Emily McGahee stated, “No comment. Public sewer.”

Hall County Fire Marshal

In an email dated January 5, 2024, from John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, “The Hall County Fire Marshal’s Office has no comments as proposed.”

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated January 5, 2024, Bill Nash, Director, stated the following:

Engineering:

This 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.

Traffic:

Parking spaces that require vehicles to back out into the roadway not permitted.
Driveways will need to meet Hall County Code 12.40.

Utilities:

City of Gainesville Sewer District.

Georgia Department of Transportation

In an email dated January 5, 2024, Veronica Chavers, D1TO Civil Engineer 3, stated “No GDOT coordination required.”

- **Excerpts from the minutes of the February 19, 2024 meeting**

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

Alex Petry, 434 Green Street, Gainesville, presented the request. The applicant stated that there are two existing duplexes, and they wish to add two townhouses and four bungalows which will have front porches, stainless steel appliances, granite countertops, and LVT flooring.

Frank Norton, 434 Green Street, Gainesville, presented the request.

Rebuttal

Mr. Norton stated that they have restored various homes in the area to help maintain the character. Mr. Norton stated that the pond abutting Mr. Reynolds property was placed in that specific area by the City of Gainesville but he is trying to landscape it. Mr. Norton stated that there won't be much traffic added to the area since there were existing duplexes in its spot.

Public Forum:

Allen Reynolds, 18 Spring Street, Gainesville, spoke in opposition. Concerns were excessive development and stormwater.

Sharon Vandiver, 39 Spring Street, Gainesville, spoke in opposition. Concerns were wildlife, destruction of green space, and spot zoning.

Jeff Archer, 1693 Fairview Drive, Gainesville, spoke in opposition. Concerns were increased density, character, traffic, and inconsistency with comprehensive plan.

Henry Edge, 22 Spring Street, Gainesville, spoke in opposition. Concerns were narrow streets and pond.

Planning Commission Comments:

Ms. Pilcher questioned the number of parking spaces for the development. The applicant stated he would like to reduce it from 20 to 16. Ms. Pilcher stated residents could have company visit and not enough parking. Mr. Petry stated the homes are not built for entertaining.

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)**

Conditions:

1. The property shall be developed in accordance with the site plan submitted on November 17, 2023 and as described in the project narrative submitted on December 11, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The encroachment of the existing carport which crosses over the southwestern property line shall be resolved by either removal or modification of the structure, or the property line shall be

modified in such a way to eliminate the encroachment. Any changes to property boundaries shall be reviewed and approved by the county's standard plat review process.

3. The development shall be limited to a total of 10 dwelling units.
4. The minimum heated floor area (HFA) shall be 512 square feet.
5. There shall be no more than five (5) parking spaces along Spring Street as noted on the site plan dated November 17, 2023, and there shall be no less than eighteen (18) parking spaces total provided for the development.
6. Architectural style and materials shall be consistent with the submitted renderings. Final review and approval of building elevations is subject to the Planning and Zoning Administrator, or their designee.
7. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
8. All conditions of zoning shall be made part of any plats created for the subdivision.

PLANNING AND DEVELOPMENT DEPARTMENT 2875
BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504 MAILING
ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503 t: 770-531-6809 I
f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

ZONING APPLICATION

Applicant (Name & Mailing Address)

Alex Petry
434 Green St NE
Gainesville GA 30501
Phone 678-382-2645
Email Address apetry@gonorton.com

Property Owner (Name & Mailing Address)

Norton Patch New Holland
434 Green St NE
Gainesville GA 30501
Phone 770-503-4618
Email Address fknjr@gonorton.com

Proposed Use PRD

Contact Person (Name & Mailing Address)

Alex Petry
434 Green St NE
Gainesville GA 30501
Phone 678-382-2645
Email Address apetry@gonorton.com

Status of Applicant

Y Owner
Y Option to Purchase
Y Area Resident
Y Other

Requested Action

Existing Zoning: R-II
Rezone to: PRD
Fee:$ $450
Receipt #:
Check #:

Tax Parcel Number 00063 008024 | 0063 008023 | 00063 008022
Acreage 1.04
Location Address 17,19,24 Spring St

I hereby certify that the above information and all attached information are true and correct.

Sign _____ Date: 12/6/2023

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: _____

HALL COUNTY
GEORGIA
We have it all in Hall

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): Frank K Norton Jr

Address: 17/ 20/ 24 Spring Street
Gainesville, Georgia 30501

Phone Number: 678-382-2645

Name of applicant(s): Becky Martin, Davis Engineering & Surveying, LLC

Address: 24 Dawson Village Way South
Dawsonville, Georgia 30534

Phone Number: 706-926-0306

Purpose of Permit: Combination of Parcels : 00063 008024 & 00063 008023 & 00063 008022

Site Address: 17/20/24 Spring Street Gainesville, GA 30501

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)

Personally appeared before me Deborah L. Hood

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

DEBORAH L HOOD NOTARY PUBLIC EXP. AUGUST 7, 2026 HALL COUNTY, GA

11-20-2023
Date

HALL COUNTY
GEORGIA
We have it all in Hall

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): Norton Paten New Holland

Address: 434 Green St NE
Gainesville GA 30501

Phone Number: 770-297-4896

Name of applicant(s): Alex Petry - Ncredible Properties

Address: 434 Green St NE
Gainesville GA 30501

Phone Number: 678-382-2045

Purpose of Permit: Rezoning

Site Address: 17 Spring St 120 Spring St 124 Spring St

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): Michael B Westbrook CFO WL Norton Agency Inc. General Partner

Personally appeared before me

Michael Westbrook

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Deborah L. Hood
Notary Public

DEBORAH L HOOD NOTARY PUBLIC EXP. AUGUST 7, 2026 HALL COUNTY, GA

11-17-2023
Date

July 2019

PLANNING AND DEVELOPMENT DEPARTMENT 2875
BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504 MAILING
ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503 t: 770-531-6809 I
f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

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: _____ **Date:** 12/6/2023

Applicant's/Owner's Name (Printed): Alex Petry

PLANNING AND DEVELOPMENT DEPARTMENT 2875
BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504 MAILING
ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503 t: 770-531-6809 I
f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

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(3) The name and official position of the local government official to whom the campaign contribution was made; and

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I hereby certify that I have read the above and that:

I have**_____ I have not X

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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: _____ **Date:** 12/6/2023

Applicant's/Owner's Name (Printed): Frank K Norton Jr

APPLICATION NARRATIVE
REZONING AMENDMENT:

RESIDENTIAL-II
TO
PLANNED RESIDENTIAL DEVELOPMENT

ADDRESS: 17 Spring St | 20 Spring St | 24 Spring

TAX PARCEL: 00063 006002 | 00063 008023 | 00063 008022

ACREAGE: 1.04 +/-

APPLICANT: Alex Petry; Ncredible Properties

PROPERTY OWNER: Norton Patch New Holland

COMMISSION DISTRICT: 4

Project's Description

This rezoning application requests to amend the current zoning of the above referenced 1.04 +/- acre parcel(s) (the "Property") from Residential II (R-II) to Planned Residential Development (PRD). This Application, along with the development and use standards as described in the Narrative for the PRD contained herein, proposes that the highest and best use for the Property is suited for Planned Residential Development.

Property Description

The 1.04 acre site includes two (2) existing Duplex homes and an accessory parking structure that currently functions as a carport.

The property is in a neighborhood that contains numerous residentially zoned sites located within the immediate vicinity of the Property. The Property is located within the City of Gainesville's Water Service Delivery Area and currently has existing water, sewer, & power service. Other parcels in the immediate area have PRD zonings.

Comprehensive Plan

This Rezoning Amendment is consistent with Comprehensive Plan, as the Property is designated "Residential" (as shown on the attached Future Development Map), which encourages the preservation of established neighborhoods and new development consistent with surrounding densities and dictates that future development will continue to be detached single-family homes.

Project's PRD Permitted Uses

The proposed uses of the Rezoning Amendment are based upon the Permitted Uses of the Residential Zoning District (R-II) classification, other than the exclusions noted below. In addition, the following uses are specifically included:

- Existing Site-built two-family dwelling units
- Class A single-family detached dwelling units

Property Improvements

The proposed development will include required management of stormwater runoff and water quality as required by Hall County based on the Georgia Water Resources Stormwater Management Plan. Newly constructed units will be served sewer via grinder pumps and sewer taps. Also included in the proposed development scope are parking improvements and additions to accommodate residents of the property. Electric service will be provided to the constructed units underground.

Project's PRD Specific Use Exclusions

- Short-Term Rental – lease terms less than 30 Days

Project's PRD Building and Site Development Standards

- Minimum Lot Area: Minimum lot area will remain at least 1.04 acres and will not be subdivided at a future date.
- Maximum Impervious Area: 4,984 SF
- Minimum Building SF: 512
- Front Building Setback: 15'
- Side Building Setbacks: 15'
- Rear Building Setbacks: 15'
- Parking Ratio: 1.8 spaces per dwelling unit
- Vegetative buffer along rear property line

- Building Materials
    - HardiPlank Siding, Architectural Shingle Roof, LVT flooring throughout.

Project's PRD Conceptual Site Plan

The attached site plan is a conceptual design, i.e., the number of buildings, building dimensions, building & street layout. The Permitted Uses, Use Exclusions and Development Standards will not change from those noted herein. However, adjustments to accommodate for required stormwater detention, parking considerations, & other factors associated with infill development of this nature may be necessary to receive permitting approval for this project.

Attachments

- EXHIBIT "A": Site Location Map
- EXHIBIT "B": Vicinity Zoning
- EXHIBIT "C": Conceptual Site Plan
- EXHIBIT "D": Hall County Commission District Map
- EXHIBIT "E": Water Service Delivery Area Map
- EXHIBIT "F": Conceptual Building View

Standard	PRD Requirement (17.180.060)	Proposed
Site Area	5 acre minimum	1.04
Number of Units	–	8
Density	2 units per acre	7.69
Min. Lot Area	8,000 sq. ft.	
Max. Building Height	–	32
Min. Open Space	30%	15%
Exterior Buffer	50 feet	15 Feet
Front Setback (Internal)	25 feet	15
Side Setback (Internal)	5 feet	15
Rear Setback (Internal)	20 feet	15
Parking	2 spaces for each dwelling unit (17.250.020)	1.8
Min. Heated Floor Space	–	512
Garage – % of front façade	50% of the width of the townhome unit	N/A
Minimum Sidewalk Width	5 feet	N/A
Standard	**PRD Requirement (17.180.060)**	
Site Area	5 acre minimum	1.04

PARCELS:
17 SPRING ST - 00063 008024
20 SPRING ST - 00063 008023
24 SPRING ST - 00063 008022

CURRENT ZONING:
CITY OF GAINESVILLE
R-II

TOTAL AREA:
1.04 AC

PROPOSED DEVELOPMENT:
PUD REZONING REQUEST
2 EXISTING HOUSES
2 32'X20' TOWNHOMES
4 32X16' BUNGALOWS

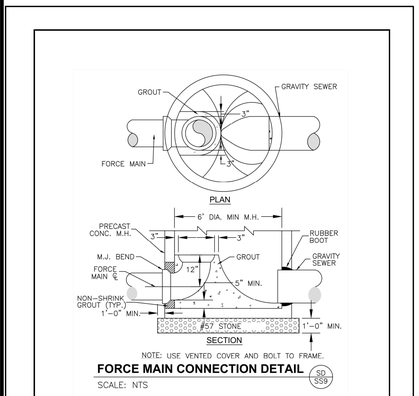
PROPOSED DENSITY: 8 UNITS/1.04 AC = 7.69 UNITS/AC

PARKING PROVIDED:
2 EXISTING + 16 PROPOSED = 18 SPACES

PROPOSED IMPERVIOUS AREA:
BUNGALOW: 656 SF X 4=2,624 SF
TOWNHOMES: 916 SF X 2= 1,832 SF
HC CONC.: 351 SF
TRASH/MAIL CONC: 177 SF
TOTAL IMPERVIOUS: 4,984 SF

PROPOSED PERVIOUS AREA:
PERMEABLE PAVER PARKING AREA: 6,161 SF
PERVIOUS WALKWAY: 367 SF
TOTAL PERVIOUS: 6,528 SF

DEVELOPMENT GUIDELINES:
15' REAR BSL
15' SIDE BSL
15' FRONT BSL

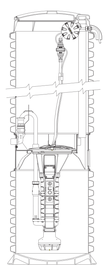


FORCE MAIN CONNECTION DETAIL (SD SS9)
SCALE: NTS

CITY OF GAINESVILLE DEPARTMENT OF WATER RESOURCES	
FORCE MAIN CONNECTION DETAIL	
DATE: JAN 2013	SD - SS9

E/ONE EXTREME

DH071/DR071



General Features

The model DH071 or DR071 grinder pump station is a complete unit that includes: the grinder pump, check valve, HDPE (high density polyethylene) tank, controls, and alarm panel. A single DH071 or DR071 is a popular choice for one, average single-family home and can also be used for up to two average single-family homes where codes allow and with consent of the factory.

- Rated for flows of 700 gpd (2650 lpd)
- 70 gallons (265 liters) of capacity
- Indoor or outdoor installation
- Standard outdoor heights range from 61 inches to 160 inches

The DH071 is the "hardwired," or "wired," model where a cable connects the motor controls to the level controls through watertight penetrations.

The DR071 is the "radio frequency identification" (RFID), or "wireless," model that uses wireless technology to communicate between the level controls and the motor controls.

Operational Information

Motor
1 hp, 1,725 rpm, high torque, capacitor start, thermally protected, 120/240V, 60 Hz, 1 phase

Inlet Connections
4-inch inlet grommet standard for DWV pipe. Other inlet configurations available from the factory.

Discharge Connections
Pump discharge terminates in 1.25-inch NPT female thread. Can easily be adapted to 1.25-inch PVC pipe or any other material required by local codes.

Discharge
15 gpm at 0 psig (0.95 lps at 0 m)
11 gpm at 40 psig (0.69 lps at 28 m)
7.8 gpm at 80 psig (0.49 lps at 56 m)

Accessories

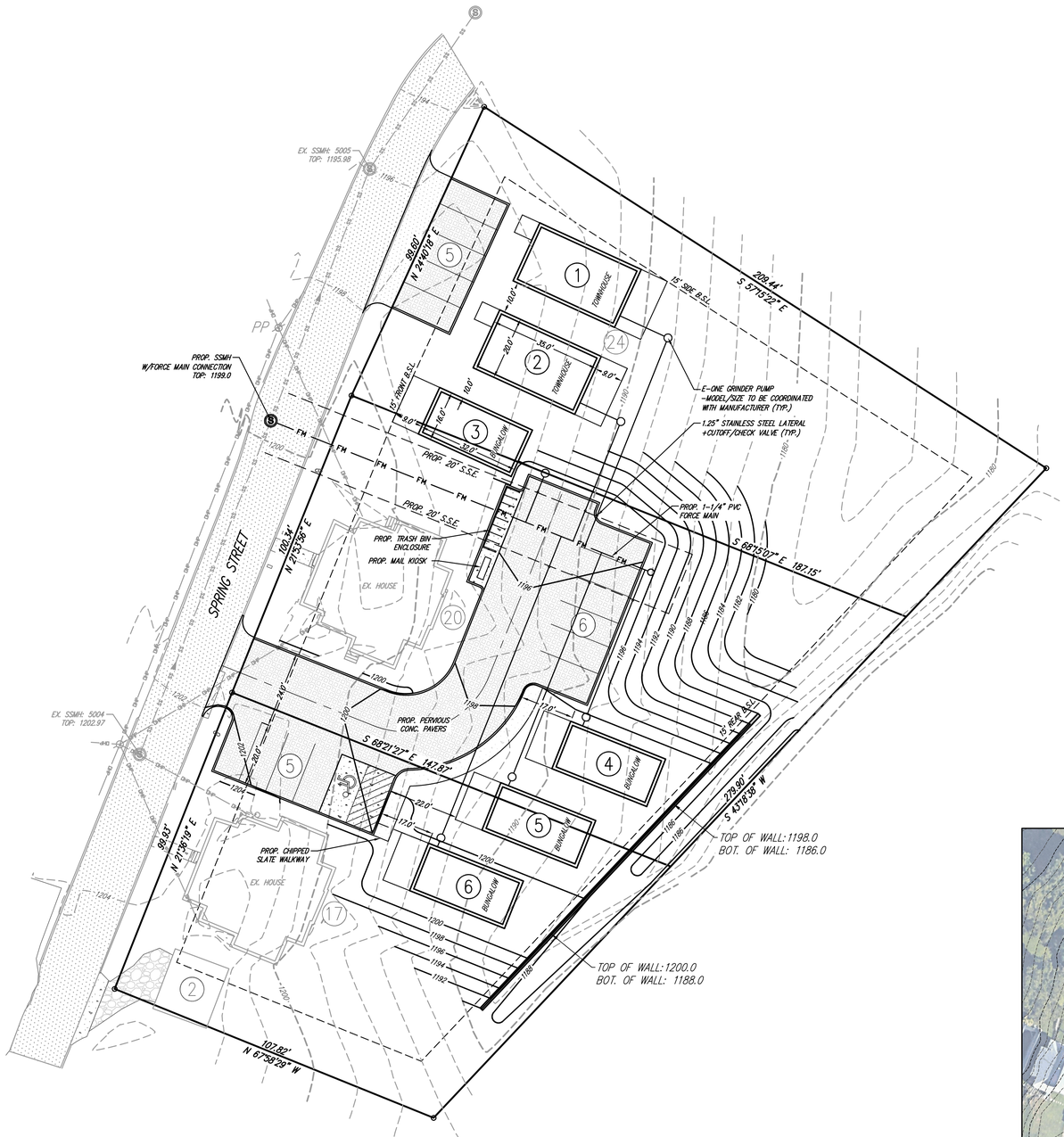
E/One requires that the Uni-Lateral, E/One's own stainless steel check valve, be installed between the grinder pump station and the street main for added protection against backflow.

Alarm panels are available with a variety of options, from basic monitoring to advanced notice of service requirements.

The Remote Sentry is ideal for installations where the alarm panel may be hidden from view.

Patent Numbers: 5,752,315
5,562,254 5,439,180

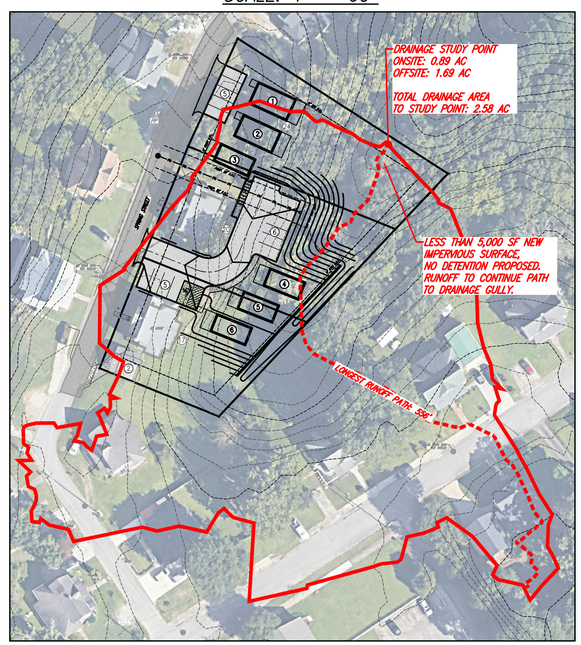
NA0050P01 Rev C



SITE ADDRESS
SPRING STREET
GAINESVILLE, GA 30501

GRID NORTH (GA WEST ZONE)
('PER RBF, SURVEY')

DRAINAGE AREA INSET
SCALE: 1" = 60'



GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

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DES DAVIS
ENGINEERING & SURVEYING
133 PROMINENCE COURT
SUITE 210
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	-	-

CONCEPT PLAN

LIBERTY NEW HOLLAND
BARN STREET
CITY OF GAINESVILLE, GA

DRAWN BY:	GRJ
CHECKED BY:	JKD
LAND LOT:	–
DISTRICT:	–
SECTION:	–
CITY:	GAINESVILLE
COUNTY:	HALL
DATE:	10/4/2023

SHEET NO.
1 OF 1

PROJECT NO.
2023-231

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

~LEGEND~

○	CALCULATED POSITION	RB	REBAR
●	IRON PIN FOUND/SET (IPF/IPS)	SR	SOLID ROD
⊠	MONUMENT	OCS	OUTLET CONTROL STRUCTURE
C/L	CENTERLINE	CPP	CORRUGATED PLASTIC PIPE
CTP	CRIMPED TOP PIPE	GI	GRATE INLET
DB	DEED BOOK	DI	DROP INLET
N/F	NOW OR FORMERLY	Ⓢ	SANITARY SEWER MANHOLE (SSMH)
OTP	OPEN TOP PIPE	☼	LIGHTPOLE
PB	PLAT BOOK	⊘	CLEANOUT
PG	PAGE		
P/L	PROPERTY LINE		

(ALL IPS ARE 1/2" RB "CAPPED" UNLESS OTHERWISE LABELED)

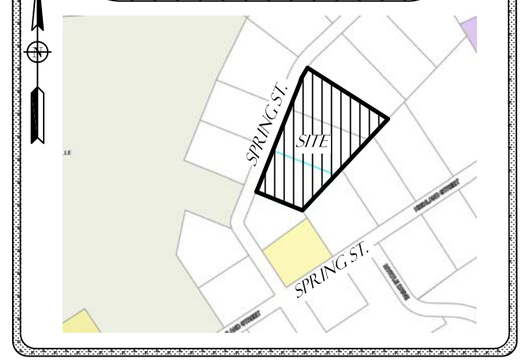
- ⊠ TELEPHONE PED. (T.P.)
- FIRE HYDRANT (FH)
- WATER METER (WM)
- WATER VALVE (WV)
- ☐ POWER BOX (PBX)
- POWER POLE (PP)
- — — — ADJOINER
- ——— LAND LOT LINE (L.L.L.)
- ——— RIGHT OF WAY (R/W)
- —x—x— FENCE
- —OHP— OVERHEAD POWER

~ZONING INFORMATION~

COUNTY: HALL
ZONE: R-II
SETBACK REQUIREMENTS:
MINIMUM LOT FRONTAGE: 50'
FRONT: 30'
REAR: 20'
SIDE: 10'

GRID NORTH
SPC-GA WEST

LOCATION MAP
(NOT TO SCALE)



~FEMA NOTE~

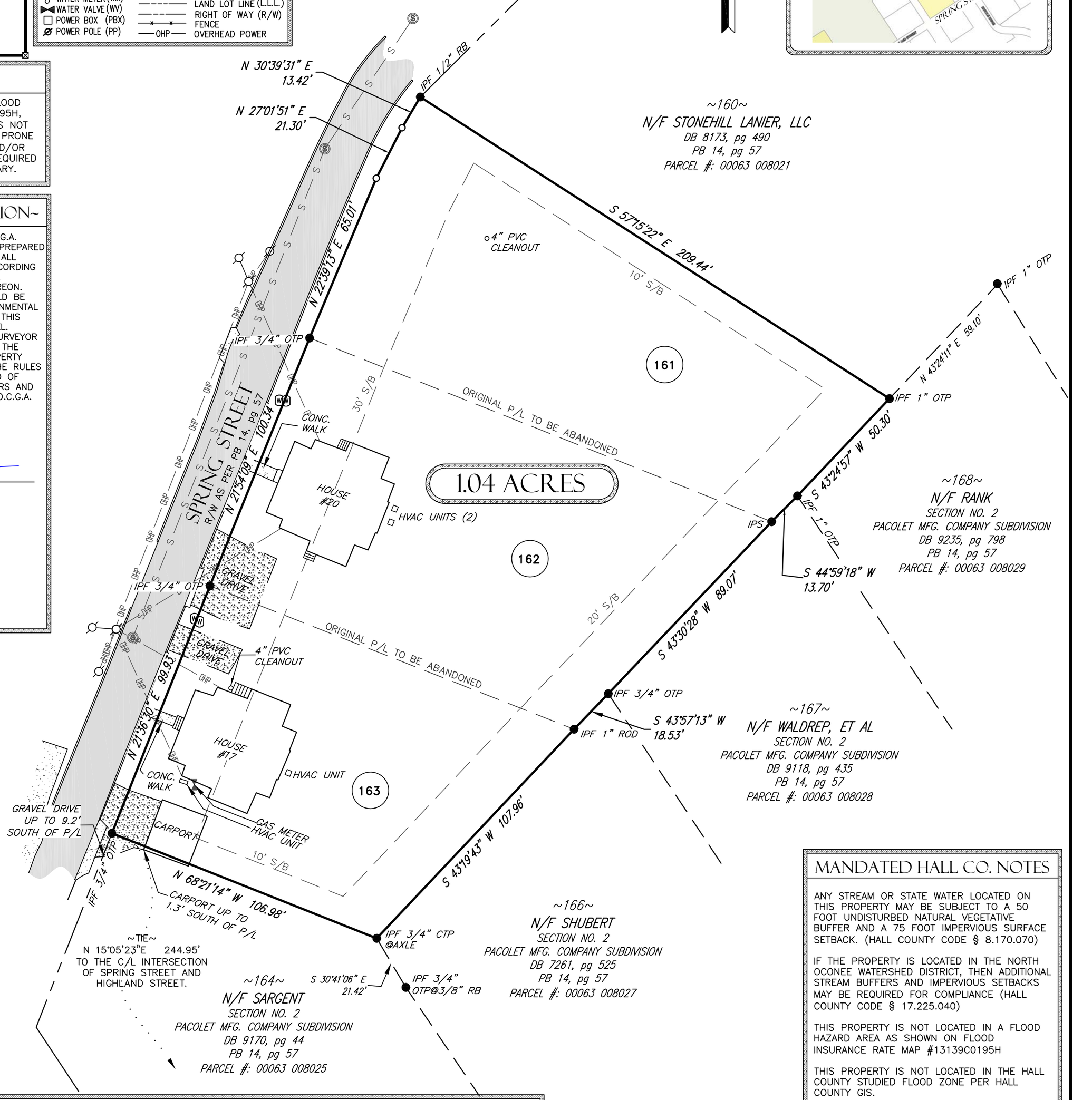
BASED ON AN INTERPRETATION OF FLOOD INSURANCE RATE MAP NO. 13139C0195H, EFFECTIVE DATE 12/1/22, THIS SITE IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA. IF THE ACCURATE LOCATION AND/OR ELEVATION OF THE FLOOD HAZARD IS REQUIRED A DETAILED STUDY MAY BE NECESSARY.

~SURVEYOR CERTIFICATION~

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

DUSTY L. LOWMAN PLS# 3216

GEORGIA PROFESSIONAL NO. 3216 LAND SURVEYOR DUSTY L. LOWMAN



MANDATED HALL CO. NOTES

ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FOOT UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FOOT IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE § 8.170.070)

IF THE 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 #13139C0195H

THIS PROPERTY IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

IF THE RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40

ALL LAND DISTURBANCES OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

FIELD MEASUREMENTS WERE TAKEN WITH A LEICA TS16 ROBOTIC INSTRUMENT.

FIELD DATA FOUND TO HAVE A CLOSURE PRECISION OF 1 FOOT IN 86,984 FEET, AND AN ANGULAR ERROR OF 11 SECONDS PER ANGLE.

FIELD DATA ADJUSTED USING THE LEAST SQUARES METHOD

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO HAVE A PRECISION OF 1 FOOT IN 174,194 FEET.

THIS PLAT DOES NOT CONSTITUTE AND SHALL NOT BE CONSTRUED AS A TITLE SEARCH OR REPORT, AND THUS MAY BE SUBJECT TO ANY EASEMENTS, RIGHT OF WAY OR RESTRICTIONS ONE MAY FIND.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED ON THIS PLAT.

THIS DOES NOT EXTEND TO ANY UNNAMED THIRD PARTY WITHOUT AN EXPRESSED RESTATEMENT BY THE SURVEYOR.

TYPE OF SURVEY: COMBINATION

SOURCE OF TITLE DESCRIPTION FOR PROPERTY SHOWN HEREON: DB 8993, pg 79. DB 8993, pg & DB 8993, pg 291

PROPERTY OWNERS AS OF SURVEY DATE:
NORTON PATCH NEW HOLLAND

PARCEL NUMBER: 00063 008022, 0063 008023, 0063 008024

~SURVEY NOTES~

GRAPHIC SCALE

0 30 60 90

(IN FEET)
1 inch = 30 ft.

CERTIFICATE OF AUTHORIZATION NUMBER: LSF 001057

SHEET NO.
1 OF 1

PROJECT NO.
23-231

DRAWN BY:	AM
FIELD CREW:	JJ
PLAT DATE:	10/5/23
FIELD DATE:	7/14/23
FIELD DATE:	23-231 R

SURVEY FOR:

ALEX PETRY
LOTS 161-163, SECTION 2
PACOLET MFG. COMPANY SUBDIVISION
LAND LOT 133
9TH DISTRICT
HALL COUNTY, GEORGIA

PREPARED BY
DES DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

Site Vicinity Map_Exhibit A



11/16/2023, 11:22:42 AM

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Hall County GIS

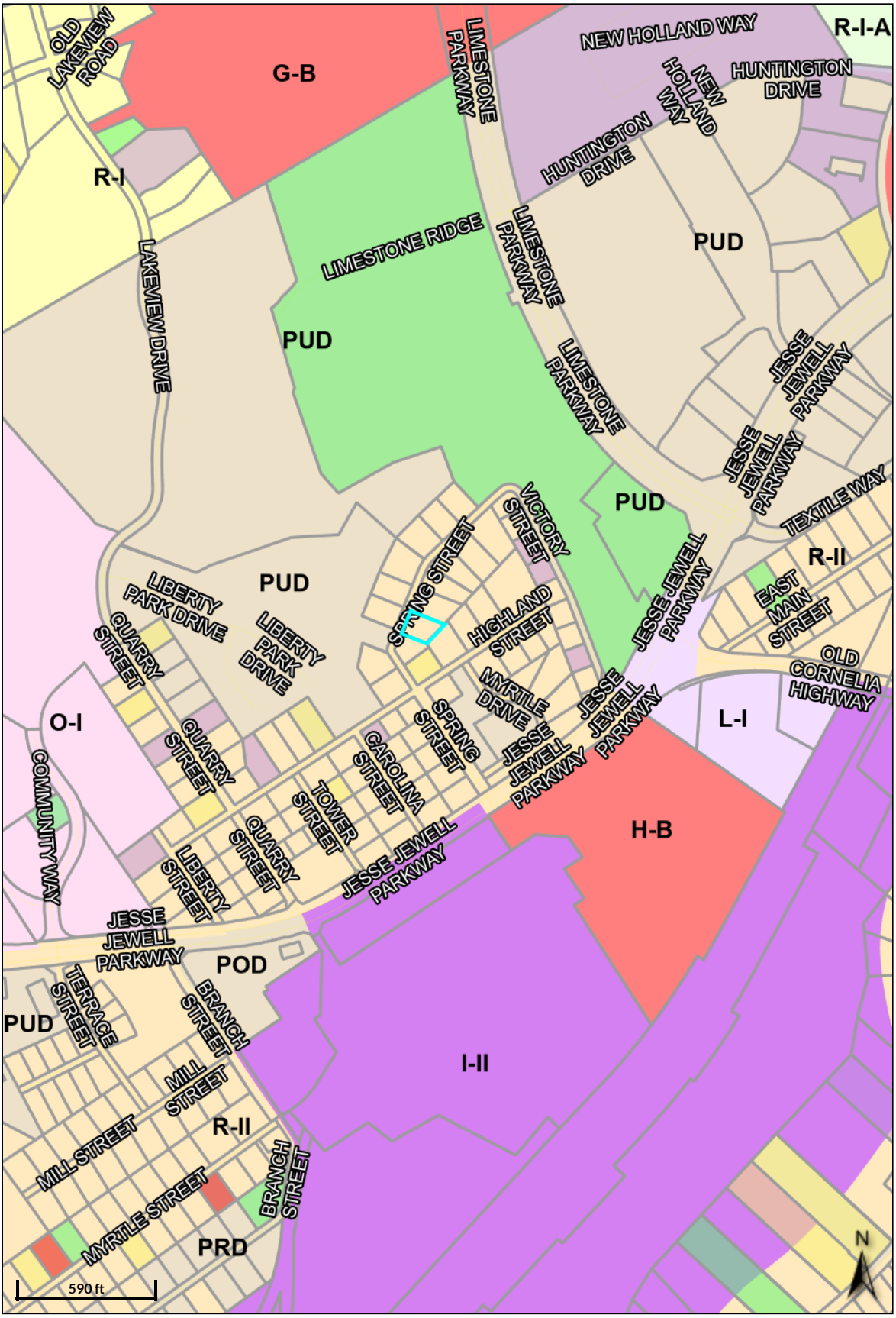
Counties
GA_MajorWater
CedarCreekRes
LakeLanier

Citylimits
BRASELTON
BUFORD
CLERMONT
FLOWERY BRANCH
GAINESVILLE
GILLSVILLE
LULA
OAKWOOD
RESTHAVEN

Roads
Local
Arterial-Collector
Interstate
Railway
GA_Interstate_Shlds
GA_Hwy_Shlds
Parcel Boundary

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Hall County GIS | Gainesville-Hall County GIS | Earthstar Geographics | Acknowledgment of the Federal Railroad Administration (FRA) and the Bureau of Transportation Statistics (BTS) [distributor]. |

2-5-2024 | Item 6



Legend

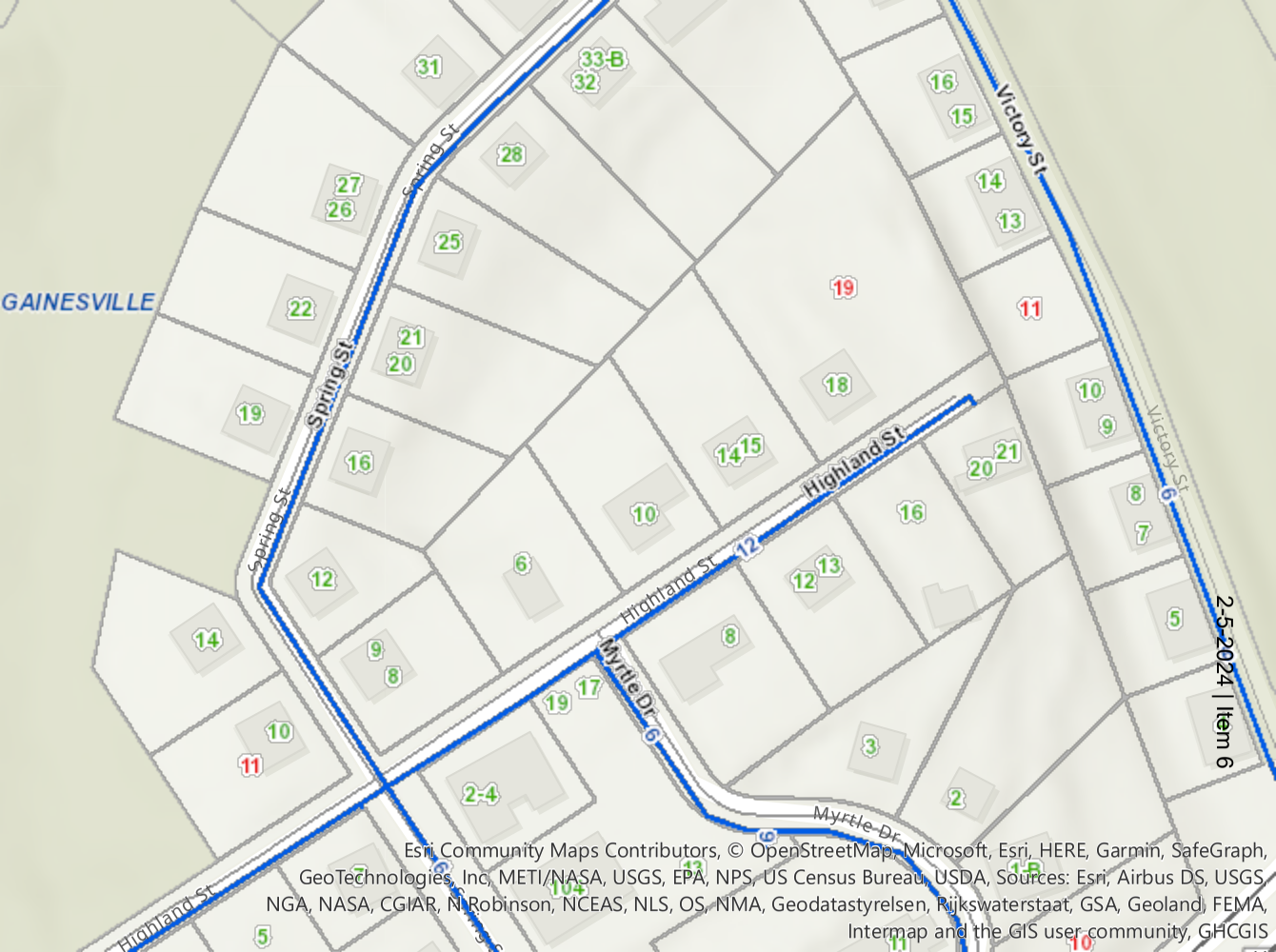
- Parcels

Qualified Sales

- 2020
- 2021
- 2022
- 2023
- Roads

Zoning

- A, FLOWERY BRANCH; A-1, OAKWOOD; AR-III, HALL COUNTY; R-I-A, GAINESVILLE
- AR-IV, HALL COUNTY
- C-1, OAKWOOD; N-B, GAINESVILLE; NS, FLOWERY BRANCH; S-S, HALL COUNTY
- C-2, OAKWOOD; G-B, GAINESVILLE; H-B, HALL COUNTY; HB, FLOWERY BRANCH
- C-B, GAINESVILLE; CBD, FLOWERY BRANCH
- H-I, GAINESVILLE; I-II, HALL COUNTY; M-2, FLOWERY BRANCH; M-2, OAKWOOD
- I-I, HALL COUNTY; L-I, GAINESVILLE; M-1, FLOWERY BRANCH; M-1, OAKWOOD
- INST, FLOWERY BRANCH; O-I, GAINESVILLE; O-I, HALL COUNTY; O-P, OAKWOOD
- MHP, FLOWERY BRANCH; MHP, HALL COUNTY
- MUNI, BRASELTON; MUNI, BUFORD; MUNI, CLERMONT; MUNI, GILLSVILLE; MUNI, LULA;



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Applicant: ALEX PETRY

Tax Parcel #: 00063 008022, 23, & 24

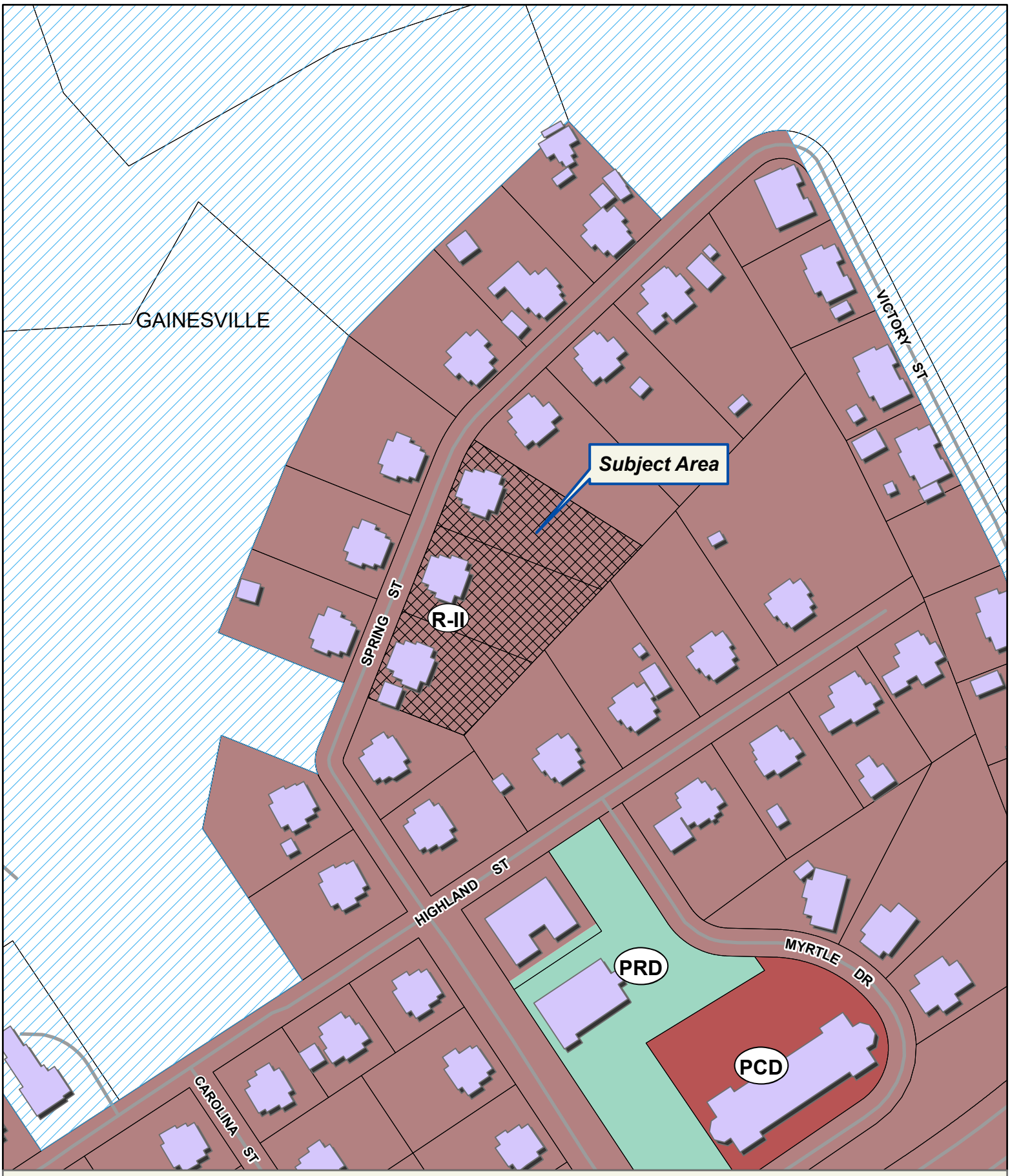
Location: 17, 20, & 24 SPRING STREET, GAINESVILLE, GA 30501

Commission District 4 **PC Mtg. Date: 02/05/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area

N

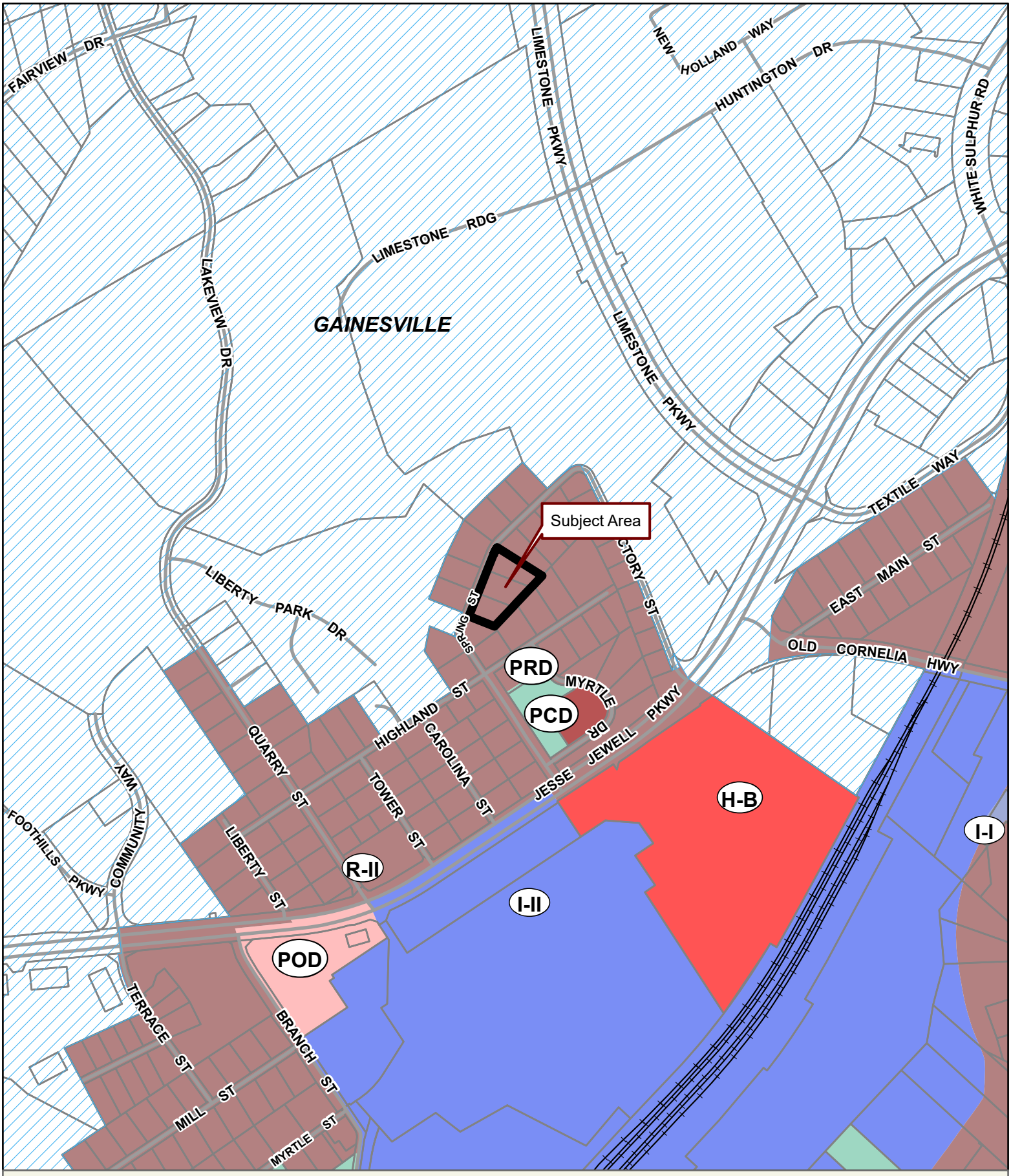


Applicant: ALEX PETRY
Tax Parcel #: 00063 008022, 23, & 24
Location: 17, 20, & 24 SPRING STREET, GAINESVILLE, GA 30501
Commission District 4 **PC Mtg. Date: 02/05/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: ALEX PETRY

Tax Parcel #: 00063 008022, 23, & 24

Location: 17, 20, & 24 SPRING STREET, GAINESVILLE, GA 30501

Commission District 4 **PC Mtg. Date: 02/05/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



eFiled and eRecorded
DATE: 11/22/2021
TIME: 9:30 AM
DEED BOOK: 8993
PAGE: 291 - 292
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 6515028652
PT61: 069-2021-011750
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

AFTER RECORDING, PLEASE RETURN TO:
Hulsey, Oliver & Mahar
P. O. Box 1457
Gainesville, GA 30503
ATTENTION: T. Wesley Robinson

QUIT-CLAIM DEED

STATE OF GEORGIA,
COUNTY OF HALL.

THIS INDENTURE, made this 18 day of November, 2021, between Norton Capital, Inc. a Georgia corporation, of the first part, and Norton Patch New Holland, a Georgia General Partnership, consisting of Norton Capital, Inc. and Patch Family Investments, LLC, of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One and 00/100 Dollars ($1.00) in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever QUIT-CLAIM to the said party of the second part, her heirs and assigns,

> All that tract or parcel of land lying and being in the unincorporated New Holland Village, Hall County, Georgia, as shown and designated as Lot No. 161, Section 2, as per plat prepared by Piedmont Engineering Service, Greenville, South Carolina, and recorded in Plat Book 14, Pages 57-61, of the Hall County Records in the Office of the Clerk of Superior Court of Hall County, which plat is incorporated herein by reference as part of this description.
>
> Commonly known as 24 Spring Street, Gainesville, GA 30501.

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor his heirs, nor any other person or persons claiming under him shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

eFiled and eRecorded
DATE: 11/19/2021
TIME: 4:55 PM
DEED BOOK: 8993
PAGE: 79 - 80
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 6515028652
PT61: 069-2021-011738
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

AFTER RECORDING, PLEASE RETURN TO:
Hulsey, Oliver & Mahar
P. O. Box 1457
Gainesville, GA 30503
ATTENTION: T. Wesley Robinson

QUIT-CLAIM DEED

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COUNTY OF HALL.

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WITNESSETH: That the said party of the first part, for and in consideration of the sum of One and 00/100 Dollars ($1.00) in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever QUIT-CLAIM to the said party of the second part, her heirs and assigns,

> All that tract or parcel of land, together with all improvements which may be located thereon, situate, lying and being in the unincorporated New Holland Village, Hall County, Georgia, as shown and designated as Lot No. 163, Section 2, as per plat of survey prepared by Piedmont Engineering Service, Greenville, South Carolina, and recorded in Plat Book 14, Pages 57-61, Hall County Records in the Office of the Clerk of Hall Superior Court.
>
> Commonly known as 17 Spring Street, Gainesville, GA 30501.

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor his heirs, nor any other person or persons claiming under him shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

eFiled and eRecorded
DATE: 11/19/2021
TIME: 3:36 PM
DEED BOOK: 8993
PAGE: 1 - 2
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 6515028652
PT61: 069-2021-011732
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

AFTER RECORDING, PLEASE RETURN TO:
Hulsey, Oliver & Mahar
P. O. Box 1457
Gainesville, GA 30503
ATTENTION: T. Wesley Robinson

QUIT-CLAIM DEED

STATE OF GEORGIA,
COUNTY OF HALL.

THIS INDENTURE, made this 18 day of November, 2021, between Norton Capital, Inc. a Georgia corporation, of the first part, and Norton Patch New Holland, a Georgia General Partnership, consisting of Norton Capital, Inc. and Patch Family Investments, LLC, of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One and 00/100 Dollars ($1.00) in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever QUIT-CLAIM to the said party of the second part, her heirs and assigns,

> All that tract or parcel of land, together with all improvements which may be located thereon, situate, lying and being in the unincorporated New Holland Village, Hall County, Georgia, as shown and designated as Lot No. 162, Section 2, as per plat of survey prepared by the Piedmont Engineering Service, Greenville, South Carolina, and recorded in Plat Book 14, Pages 57-61, Hall County Records, in the Office of the Clerk of Hall Superior Court. Said plat is incorporated herein by reference and made a part hereof.
>
> Commonly known as 20 Spring Street, Gainesville, GA 30501.

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor his heirs, nor any other person or persons claiming under him shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, January 4, 2024 10:59 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 2.5.24

Please find Environmental Health comments below:

Item 1, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. 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 2, 6545 Misty Harbor Court: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. This plat is currently under review by the Hall County Plat Review Team and Environmental Health contacted the applicant/surveyor on September 20, 2023 concerning requirements to further process the plat for review.

Item 3A/3B, 3675 Jewell Circle, Guhde: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 4, 3310 Friendship Road, Reichwaldt: All proposed structures must meet all residential and/or commercial permitting requirements and required setbacks to existing septic system. Further determination will be made during the permit review process.

Item 5, 2696 Cleveland Hwy, Carrillo: 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 6, 17/20/21/24 Spring Street, Petry: No comment. Public sewer.

Item 7, 4899 Browns Bridge Road, Advantage Investment: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 8, 3655 Friendship Road, 3655 Friendship Rd LLC: No comment. Public sewer.

Item 9A/B, 0 Cornelia Hwy, Double E Properties: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 10, 4141 Old Cornelia Hwy, Lewis Holdings: All proposed improvements must meet all Environmental Health commercial septic system permitting requirements.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

http://dph.georgia.gov/environmental-health (State Website)
http://www.phdistrict2.org/HallCounty.htm (District Website)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, January 5, 2024 9:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for February 5, 2024

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.

Comments are below in red.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, December 28, 2023 12:51 PM
Subject: Tentative Planning Agenda for February 5, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, February 5, 2024** 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 **Friday, January 5th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – January 16, 2024

OLD BUSINESS

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant**

2. **6545 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.41± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000171 | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, applicant**.

NEW BUSINESS

3. **(A) 3675 Jewell Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 20 feet from centerline of road | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Carport** | * Commission District 2 | **David and Lynn Guhde, applicant**
   (B) 3675 Jewell Circle | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Car Port** | * Commission District 2 | **David and Lynn Guhde, applicant**

4. **3310 Friendship Road | Use Subject to Planning Commission Approval** | on a 3.02± acre tract located on the south side of Friendship Road, approximately 1,347 feet from its intersection with Puckett Road | Zoned AR-III, Tax Parcel 15048 000004 | **Proposed Use: Rural business** | * Commission District 1 | **Steve Reichwaldt, applicant** **Requires GDOT coordination**

5. **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** **Requires GDOT coordination**

6. **17, 20, 21 & 24 Spring Street | Rezone |** from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcel 00063 008022, 23, & 24 | **Proposed Use: 10-Unit residential development** | ** Commission District 4 | **Alex Petry, applicant**

7. **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | ** Commission District 2 | **Advantage Investment Properties, applicant** **Requires GDOT coordination**

8. **3655 Friendship Road | Rezone** | from Agricultural Residential (AR-III) to Planned Residential Development (PRD) | on a 10.76± acre tract located on the northeast side of Friendship Road, approximately 230 feet from its intersection with Maple Valley Drive | Zoned AR-III, Tax Parcel 15048 000025 | **Proposed Use: 22-lot single-family development** | ** Commission District 1 | **3655 Friendship Rd., LLC, applicant** **Requires GDOT coordination**

9. **(A) 0 Cornelia Highway | Rezone** | from Agricultural Residential IV (AR-IV) and Planned Commercial Development (PCD) to Light Industrial (I-I) | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Highway | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**
   (B) 0 Cornelia Highway | Variance | 17.420.050.C.2.c. to reduce the required transitional buffer from 50 feet to 25 feet | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Hwy | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

10. **4141 Old Cornelia Highway | Amend Conditions of a PRD |** on a 56.42± acre tract located on the north side of Old Cornelia Highway, approximately 636 feet from its intersection with Arthur Miller Road | Zoned PRD, Tax Parcel 15019 000023 **| Proposed Use: Drug and Alcohol Residential Treatment Facility | *** Commission District 3 **| Lewis Holdings, 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, March 14, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd 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 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd 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, August 8, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 5, 2023

Subject: February 5, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 5, 2024 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 | **Proposed Use: 324 lot residential development** | ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant**

   a. **Engineering:** No dead end streets
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream
   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
   b. **Traffic:** A left turn lane and decel lane will be required for the entrance.
   Any required roadway improvements will be the financial responsibility of the developer
   A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance
   c. **Utilities:** No sanitary sewer in area.

2. **6545 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.41± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000171 | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, applicant**.

   a. **Engineering:** This 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 buffer and impervious setback from wrested vegetation not centerline of stream.

b. **Traffic:** No Comment
c. **Utilities:** Flowery Branch sewer district

NEW BUSINESS

3. **(A) 3675 Jewell Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 20 feet from centerline of road | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Carport** | * Commission District 2 | **David and Lynn Guhde, applicant**
(B) 3675 Jewell Circle | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Car Port** | * Commission District 2 | **David and Lynn Guhde, applicant**

   a. **Engineering:** Any work in the public right-of-way will need to be permitted by Hall County Public Works Department.
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

4. **3310 Friendship Road | Use Subject to Planning Commission Approval** | on a 3.02± acre tract located on the south side of Friendship Road, approximately 1,347 feet from its intersection with Puckett Road | Zoned AR-III, Tax Parcel 15048 000004 | **Proposed Use: Rural business** | * Commission District 1 | **Steve Reichwaldt, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** Charge of use may require GDOT permit for driveway connection.
   c. **Utilities:** Hall County district- No connection within feasible distance.

5. **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**

   a. **Engineering:** This 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. (over 5,000 SF added impervious area)
   b. **Traffic:** Charge of use may require GDOT permit for driveway access.
   c. **Utilities:** Hall County sewer district- No sewer connection within feasible distance.

6. **17, 20, 21 & 24 Spring Street | Rezone |** from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcel 00063 008022, 23, & 24 | **Proposed Use: 10-Unit residential development** | ** Commission District 4 | **Alex Petry, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** Parking spaces that require vehicles to back out into the roadway not permitted.
      Driveways will need to meet Hall County Code 12.40.
   c. **Utilities:** City of Gainesville sewer district.

7. **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | ** Commission District 2 | **Advantage Investment Properties, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** driveway access to Browns Bridge Rd. will need to be permitted through GDOT.
      Ponderosa Drive is a narrow residential roadway, therefore, we recommend that site access be on Browns Bridge Road only and no access be permitted along Ponderosa Drive.
   c. **Utilities:** Hall County/ Gainesville sewer district- No connection within feasible distance.

8. **3655 Friendship Road | Rezone** | from Agricultural Residential (AR-III) to Planned Residential Development (PRD) | on a 10.76± acre tract located on the northeast side of Friendship Road, approximately 230 feet from its intersection with Maple Valley Drive | Zoned AR-III, Tax Parcel 15048 000025 | **Proposed Use: 22-lot single-family development** | ** Commission District 1 | **3655 Friendship Rd., 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 surfaces and/or disturbed acreage
   b. **Traffic:** GODT permit will be required for driveway access to Friendship Road
   c. **Utilities:** Hall County sewer district- Sewer connection within feasible distance (future Friendship Road sewer project)

9. **(A) 0 Cornelia Highway | Rezone** | from Agricultural Residential IV (AR-IV) and Planned Commercial Development (PCD) to Light Industrial (I-I) | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350± feet north of Cornelia Highway | Zoned AR-IV and PCD (GCOD), Tax

Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

(B) 0 Cornelia Highway | Variance | 17.420.050.C.2.c. to reduce the required transitional buffer from 50 feet to 25 feet | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Hwy | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   This 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
b. **Traffic:** Driveway will need to meet county commercial standards
c. **Utilities:** City of Lula sewer district

10. **4141 Old Cornelia Highway | Amend Conditions of a PRD |** on a 56.42± acre tract located on the north side of Old Cornelia Highway, approximately 636 feet from its intersection with Arthur Miller Road | Zoned PRD, Tax Parcel 15019 000023 | **Proposed Use: Drug and Alcohol Residential Treatment Facility | *** Commission District 3 | Lewis Holdings, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   This 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
b. **Traffic:** No comment
c. **Utilities:** Hall County sewer district- No connection within feasible distance

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Friday, January 5, 2024 2:06 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, February 5, 2024 Hall County Planning Commission Meeting.

17, 20, 21 & 24 Spring Street | Rezone | from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcel 00063 008022, 23, & 24 | **Proposed Use: 10-Unit residential development** | ** Commission District 4 | **Alex Petry, applicant**

The Hall County Fire Marshal's Office has no comments 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

Jeffrey D. Archer
PO Box 907083
Gainesville, GA 30501

January 30, 2024

Hall County Planning Commission
Hall County Government Center
2875 Browns Bridge Rd
Gainesville, GA 30504

Re: Rezoning Request / February 5, 2024 Planning Meeting
17, 20, 21 & 24 Spring Street

Dear Planning Commission:

I am writing to you regarding the captioned proposal to Hall County for a rezoning request in New Holland on Spring Street. We oppose this rezoning in this historic neighborhood on both subjective grounds, as well as objective grounds based on Hall County's zoning guidelines. A number of our neighbors also oppose this rezoning which would allow the developer to construct tiny homes in this historic neighborhood resulting in significantly increased housing density.

My family and I are long-term owners of property on Spring Street in New Holland. Our family has owned property in New Holland since the 1950's. Our interest is in maintaining the historical character and integrity of the New Holland neighborhood. The community is improving and houses are being upgraded and renovated by many owners. We don't want to see the neighborhood potentially move in a negative direction from rezoning that would allow for significantly more dense housing (i.e. 8 residential structures on 1.08 acres per the developer's plan).

Considerations why we oppose this rezoning request:

- Housing Density
- Hall County Comprehensive Plan
- Traffic / Street Considerations – traffic study request
- Water run-off management
- PRD Zoning – developer's proposal does not meet requirements of PRD Code in Hall County (17.180.060)

Housing Density:
The proposed rezoning to PRD would allow for substantially more dense housing concentration than what is currently in this neighborhood (current zoning is R-II). This rezoning is proposed on 1.08 acres in the middle of the neighborhood and this neighborhood has been zoned R-II for many decades. Why would a developer be allowed to increase density on 9.62 units per acre, when this is entirely different than the density that has existed in this historic neighborhood for over 100 years? This seems like "spot-zoning" and is inconsistent with this neighborhood.

Jeffrey D. Archer
PO Box 907083
Gainesville, GA 30501

Hall County Comprehensive Plan:
As confirmed by the Hall County Planning Department, this proposed rezoning and development in not consistent with the Hall County Comprehensive Plan future land use designation for this area. Specifically, the Hall County Comprehensive Plan for this area calls for "low density single family residences" for future development. Importantly, the Hall County Comprehensive Plan also clearly references the *"intent of the (subject) land use category is to preserve established neighborhoods and create new permanent and vacation residential development."* The proposed rezoning to PRD is substantially inconsistent with this objective of the Hall County Comprehensive Plan.

Street / Traffic Considerations at site:
The area of Spring Street at the location of this proposed rezoning is very narrow and does not meet current Hall County guidelines for street width for residential streets (per Hall County Engineering diagrams). At the site, Spring St is 19.5 ft wide (gutter to gutter) per a plat prepared for one of the subject lots in 2018 by Patton Surveying. Current Hall County guidelines for residential streets (per Hall County Engineering diagrams) are 23 ft wide (gutter to gutter). Currently, It is difficult for two full sized vehicles (SUV or pickup) to pass on Spring Street at this site without almost having to go over the curb (too narrow).

In addition to the narrow nature of Spring Street, the Planning Commission should also consider the likely impact of street construction at the end of Spring Street (400 ft from site) where Spring Street meets Victory Street. An entrance to the new Publix Shopping center is being created at the end of Spring Street (at intersection with Victory Street). This entrance into the Publix Shopping Center will undoubtedly increase traffic counts on Spring Street (from neighborhood traffic to Publix and 'cut-through' traffic that will pass through New Holland to Cleveland Hwy and Enota Drive). We would ask that an appropriate Traffic Study be undertaken by Hall County Engineering so as to ascertain the traffic impact on this very narrow part of Spring Street.

Water Run-off Management:
Water run-off management should be carefully reviewed as part of the request for rezoning the subject property. Significant run-off from heavy rains already results in pooling of water below the subject lots, and should be evaluated. There is a water drainage structure on the subject property (24 Spring St) that appears to be neglected and possibly not functioning already. Water run-off could be a significant problem for adjacent owners if this situation is not corrected (regardless of rezoning decision).

PRD Zoning Request (from current R-II zoning):
The plan submitted by the developer is noted as "substantially deviating" from the PRD code (17.180.060) per review by the Hall County Planning Department Staff. Specific observations include the following as how the developer's plan deviates from the PRD code in Hall County:

- Hall County Comprehensive Plan: As outlined above the proposed rezoning deviates substantially to the land use indicated by the Hall County Comprehensive Plan (which clearly references the intent to preserve established neighborhoods).
- Pattern and Development of Surrounding Area: Per PRD 17.180.080, a rezoning to PRD *should "conform to the existing character and development of*

the surrounding area." This is not the case with this proposal – New Holland is a historic neighborhood of 1800 square ft residences, not densely placed tiny homes of 512 square feet. This proposal, if approved, would change the character of this historic neighborhood in a negative way.

- Special Requirements of PRD zoning (17.180.030): The PRD zoning code includes reference in 17.180.030 that "*the planned development district classification must contain an area of five acres or more unless specifically approved by the county commission due to special and unusual circumstances.*" There are no "special or unusual" circumstances with this rezoning request and the subject property does not meet the 5 acre minimum threshold.
- Additional requirements of PRD Code (17.180.060) that are not met by Rezoning request:
    - *Density*: PRD Code requires density of 2 units per acre maximum. Rezoning proposal contains density of 9.62 units per acre
    - *Minimum Open Space*: PRD Code requires minimum open space of 30%. Rezoning proposal contains 15% open space.
    - *Exterior Buffer (perimeter):* PRD Code requires 50 ft buffer on all sides of development. Rezoning proposal includes a 15 ft buffer on rear property line only.
    - *Front Setback*: PRD Code requires 25 feet front setback. Rezoning proposal includes front setback of 15 feet.
    - *Rear Setback*: PRD Code requires 20 feet rear setback. Rezoning proposal includes front setback of 15 feet.
    - *Parking*: PRD Codes requires 2 parking spaces per unit. Rezoning request includes only 1.8 spaces per unit. The proposal also does not include the required three temporary parking spaces for a Cluster Mailbox Unit. Importantly 5 of the proposed parking spaces are designed to back-up into Spring Street which has been also noted by Hall County as being unacceptable.
    - *Sidewalk*: PRD Code requires sidewalk with minimum 5 ft width. No sidewalk is provided with the plan from developer.

This proposed rezoning does not adhere to the Hall County Code for PRD Zoning, and this rezoning would substantially change the character of this historic neighborhood.

This rezoning request for PRD should be denied in favor of maintaining the existing zoning of R-II which is consistent with the surrounding neighborhood which has been consistently zoned as R-II for many decades.

Thank you for your consideration, and importantly your recognition of the importance of maintaining the character and integrity of this historic neighborhood which has long been part of the fabric of our community in Hall County.

Sincerely,

Jeffrey D. Archer

Jeffrey D. Archer

Print

Planning Commission Comments - February 19, 2024 - Submission #90409

Date Submitted: 2/18/2024

Comments completed in the form below will be submitted into the record for the February 19, 2024 meeting of the Hall County Planning Commission.

First Name*

Sharon

Last Name*

Vandiver

Address1*

39 Spring St

Address2

City*

Gainesville

State*

GA

Zip*

30501

Zoning Item for Comment*

17, 20, 21 & 24 Spring Street

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*

R-11 to PRD I am a resident/owner of property on Spring Street. I strongly object to this spot zoning. This plan is not consistent with the comprehensive plan for this area. Additional housing & parking would have a negative impact on this 125 year old neighborhood. I urge & ask you to vote NO on this spot zoning.

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?

sharonvandiver@att.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ALEX PETRY

REQUEST: REZONE FROM R-11 TO PRD FOR A 10 UNIT RESIDENTIAL DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB 06, 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: MAR 28 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Feb 6, 2024 10:48:26
19 Spring Street
Gainesville
Hall County
Georgia

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ALEX PETRY

REQUEST: REZONE FROM R-II TO PRD FOR A 10 UNIT RESIDENTIAL DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB 19 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: MAR 28 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

RED OAK
SANITATION
678-455-7810

Feb 6, 2024 10:51:08
20 Spring Street
Gainesville
Hall County
Georgia

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ALEX PETRY

REQUEST: REZONE FROM R-11 TO PRD FOR A 10 UNIT RESIDENTIAL DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB. 19, 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: MAR. 28, 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Feb 6, 2024 10:52:17
26 Spring Street
Gainesville
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 137/2024

SUBJECT: **6585 Johnson Circle | Appeal a Planning Commission Decision for a Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | Commission District 2 |**Kristy Wilkerson – Brown Haven Homes, applicant; Gail Hunter, appellant**

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BG

Recommendation:

Uphold Planning Commission Approval, with conditions:

1. The property shall be developed in accordance with the site plan dated January 5, 2024, with the front yard setback being reduced from 55 feet to 36 feet from centerline of Johnson Circle.
2. Foundation to be staked by surveyor prior to issuance of building permit.
3. All conditions of zoning shall be made part of any plats created for the property.
4. Pursuant to 2.60.060, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

Purpose of Request: **History:**

6585 Johnson Circle | Appeal a Planning Commission Decision for a Variance | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | Commission District 2 |**Kristy Wilkerson – Brown Haven Homes, applicant; Gail Hunter, appellant**

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	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Appeal Application
Research
Application
Updated Site Plan
Original Site Plan
Maps
Renderings
Deed
Septic System Site Review Report
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Assistant Director of Planning & Development

Date: March 11, 2024

Subject: **6585 Johnson Circle | Appeal a Planning Commission Decision for a variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract | **Proposed Use: Construction of a single-family residence** | **Kristy Wilkerson – Brown Haven Homes, applicant; Gail Hunter, appellant.**

The request before you is the **appeal of Gail Hunter** of the February 19, 2024 Hall County Planning Commission decision to vary the front setback from 55 feet to 36 feet from centerline of road to allow the construction of a single-family residence. This item is located within Commission District 2.

At their February 19, 2024 meeting, the Hall County Planning Commission voted to recommend approval with four (4) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions,** as hardship exists pursuant to the criteria of 2.60.030.

There were **no comments submitted** in advance of the Planning Commission meeting and **five (5) people spoke in opposition during the public hearing.**

Had the Planning Commission **not been appealed,** their decision would have been the **final action**.

- **Approving** the appeal **overturns** the Planning Commission decision and **denies** the variance requests.
- **Denying** the appeal **upholds** the Planning Commission decision and **approves** the variance requests.

Planning Commission Approval Conditions are listed below:

1. The property shall be developed in accordance with the site plan dated January 5, 2024, with the front yard setback being reduced from 55 feet to 36 feet from centerline of Johnson Circle.
2. Foundation to be staked by surveyor prior to issuance of building permit.
3. All conditions of zoning shall be made part of any plats created for the property.
4. Pursuant to 2.60.060, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Kristy Wilkerson – Brown Haven Homes

Request ..... Variance | 17.240.010 to reduce the front yard setback from 55 feet to 36 feet from centerline of road

Proposed Use ..... Construction of a single-family residence

Size ..... 0.34± acres

Zoning ..... Planned Residential Development (PRD, 17.180.060)

Location ..... **6585 Johnson Circle |** Tax Parcel 08161 004005

Commission District ..... Two

Planning Commission Date ..... February 19, 2024

Staff Recommendation ..... **Approval, with conditions,** as hardship exists pursuant to the criteria of 2.60.030.

Planning Commission Recommendation........Approval, with conditions
Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated January 5, 2024, with the front yard setback being reduced from 55 feet to 36 feet from centerline of Johnson Circle.
2. Foundation to be staked by surveyor prior to issuance of building permit.
3. All conditions of zoning shall be made part of any plats created for the property.
4. Pursuant to 2.60.060, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated January 5, 2024, with the front yard setback being reduced from 55 feet to 36 feet from centerline of Johnson Circle.
2. Foundation to be staked by surveyor prior to issuance of building permit.
3. All conditions of zoning shall be made part of any plats created for the property.
4. Pursuant to 2.60.060, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

Public Forum:

Anthony Fraser, 6622 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were inconsistency with the neighborhood.

Jason Day, 6582 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were safety of the road and well.

Linda Land, 6607 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were setbacks, acreage, trees, and safety.

Michael Hunter, 6599 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were setbacks, topography, safety and size of property.

Abbie Day, 6582 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were visibility, safety, roads, and out of character.

Summary Analysis

The applicant is requesting a variance of the front yard setback from 55 feet to 36 feet from the centerline of Johnson Circle for the construction of a single-family residence. The property measures 0.34± acres and is located within the Planned Residential Development (PRD, 17.180.060) zoning district. The property is currently vacant and wooded.

Per the submitted site plan, the applicant intends to build a single-family residence measuring approximately 40 feet by 38 feet and located in the northeast corner of the property. The site plan indicates that the total heated floor area (HFA) of the proposed home will measure 1,940 square feet. In the statement of hardship, the applicant indicates that the small lot size and double frontage requirement of a corner lot restrict the availability of space to construct the proposed residence.

One (1) **variance** related to the front yard setback requirements will be required if the site plan, as presented, is approved because the proposal does not meet the requirements.

- Front yard setback requirement of 55 feet from centerline of road as found in Table 17.240.010 for the Residential-I District as described in section 17.180.060.B.2.
    - The applicant is proposing a front yard setback of 36 feet from centerline of Johnson Circle

Zoning Analysis

Per 2.60.030.J, the Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence provided that the request meets the criteria set forth in 2.60.030.K.

1. There are extraordinary and exceptional conditions pertaining to the 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 requirement of an additional road frontage setback for a corner lot and the size of the lot significantly limit the buildable area of the subject parcel.**

2. The application of the requirements of Title 17 to this particular piece of property would create an unusual hardship; **The lot's buildable area prevents the applicant's ability to construct the single-family residence as proposed.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **The subject parcel is smaller in size compared to surrounding lots and is subject to two front yard setbacks due to being a corner lot.**

4. Such conditions are not the result of any actions of the property owner; **The property owner purchased the lot in 2023. The proposed development of the lot would be a direct action of the property owner.**

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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Title 17.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 16, 2024, Emily McGahee stated "Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, all well buffers, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application

does not guarantee permit approval or approval for the number of bedrooms requested at time of application."

Hall County Fire Marshal
In an email dated January 18, 2024, from John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, "The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Public Works and Utilities
In a memorandum from Public Works and Utilities dated January 18, 2024, Director Bill Nash stated the following:

Engineering:
No comment.

Traffic:
No comment.

Utilities:
No comment.

Georgia Department of Transportation
In an email dated January 22, 2024, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination would not be required for this request.

- **Excerpts from the minutes of the February 19, 2024 meeting**

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

Titan Trimble, 837 GA-400 S, Dawsonville, presented the request. The applicant stated that in order to place the home on the property, the proposed septic tank needs to meet the 100 feet distance from the well across the street.

Brian Bell, 837 GA-400 S, Dawsonville, presented the request. The applicant stated that the dimensions of the proposed home are 28 feet by 40 feet.

Public Forum:

Anthony Fraser, 6622 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were inconsistency with the neighborhood.

Jason Day, 6582 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were safety of the road and well.

Linda Land, 6607 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were setbacks, acreage, trees, and safety.

Michael Hunter, 6599 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were setbacks, topography, safety and size of property.

Abbie Day, 6582 Johnson Circle, Flowery Branch, spoke in opposition. Concerns were visibility, safety, roads, and out of character.

Planning Commission Comments:

Ms. Pilcher stated that the variance is really only for 6 feet since that is how much of the home will be built outside of the building line since it's a small lot and on the corner. Mr. Braswell stated that according to the soil study, the septic tank location is already set.

***Motion:* A motion to approve, with conditions was made by Ms. Pilcher and seconded by Mr. Hunt. Vote: 5-0**

Conditions:

1. The property shall be developed in accordance with the site plan dated January 5, 2024, with the front yard setback being reduced from 55 feet to 36 feet from centerline of Johnson Circle.
2. Foundation to be staked by surveyor prior to issuance of building permit.
3. All conditions of zoning shall be made part of any plats created for the property.
4. Pursuant to 2.60.060, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

HALL COUNTY
GEORGIA
We have it all in Hall

Hall County Government
Planning Department

Application for Appeal

Per §17.370.010, the public shall have the right to appeal a decision made by the Planning Commission before the Board of Commissioners.

In order to file an appeal, the appellant must submit a written notice of appeal within five working days of the Planning Commission decision to the Planning Department. The appellant must submit justification and reasons for the appeal along with a $200 appeal fee (cash or check).

Please fill out the following information:

Name	GAIL HUNTER
Address	6599 JOHNSON CIRCLE, FLOWERY BRANCH, GA. 30542
Phone Number	678-650-3354
Email	GAIL HUNTER @ KW.COM

Name of original application and date of meeting for which appeal is requested.

6585 JOHNSON CIRCLE VARIANCE Date 2-19-24

Type of application for which appeal is requested:

__x__ Variance ____ Sign Variance ____ Use Subject to Planning Commission

____ Use Subject to County Commission ____ Rezoning

Justification and reason(s) for filing this appeal (attach additional sheets if necessary):

See ATTACHED.

Signature Gail Hunter Date 2-26-24

For staff use only:

Action _____ Date _____ Tax Parcel Number _____

Conditions: _____

REASON FOR APPEAL:

THE HOUSE PLANNED IS TOO BIG FOR THE LOT. I HAVE BEEN TOLD BY SEVERAL OF THE ORIGINAL PEOPLE WHO HELPED PLAN THE SUBDIVISION THAT THIS LOT WAS PLANNED FOR A SMALL COTTAGE OR MOBILE HOME. THERE ARE NO SEWERS IN THIS NEIGHBORHOOD. THERE ARE RECENT RECORDS IN HALL COUNTY ENVIRONMENTAL HEALTH DEPARTMENT THAT STATE THAT THE LOT WILL ONLY SUPPORT A ONE BEDROOM HOME, SINCE A NEIGHBOR HAS AN ACTIVE WELL IN VIEW OF 100'. THERE ARE ACTUALLY 3 NEIGHBORS THAT HAVE AN ACTIVE WELL (6593, 6578 and 6590 JOHNSON CIR)

THE OTHER ISSUE IS, THERE ARE SEVERAL OF US IN THE NEIGHBORHOOD THAT HAVE PAID FINES TO HALL COUNTY BECAUSE THE SET BACK HAD BEEN ENCROACHED. BRENDA LEE AT 6571 JOHNSON CIRCLE, THE PROPERTY SHARING THE PROPERTY LINE THAT YOU WANT TO IGNORE, HAD A LARGE PORTABLE SHED INSTALLED ON HER LAND. SHE WAS FINED FOR HAVING A PORTABLE SHED TOO CLOSE TO THE PROPERTY LINE... AS I SAID, IT WAS NOT OVER THE PROPERTY LINE... IT WAS 4' ON ONE END AND 7" ON THE OTHER

END. SHE PAID THE FINE (THAT IS ON RECORD) AND HAD TO MOVE THE SHED OVER.

ANOTHER NEIGHBOR (6607 JOHNSON CIRCLE) HAD POURED HER FOUNDATION FOR HER NEW HOME. THE FOUNDATION WAS TOO CLOSE TO THE PROPERTY LINE... SHE HAD TO MOVE HER POURED FOUNDATION. IT COST LINDA LAND $10,000.00 TO DO THIS! THIS HAPPENED IN 2005.

ANOTHER REASON FOR THIS APPEAL.

THE LOT IS NOT FLAT. ON PAPER ALL THESE PLANS TO BUILD A BIG HOUSE DON'T SHOW... THE SLOPE OF THE LAND. THERE IS A HUGE DRAINAGE ISSUE. WHEN 6574 JOHNSON CIRCLE BUILT, THE DRAINAGE DITCH WAS FILLED IN. THE WATER STILL FLOWS DOWN THE DITCH AND CAUSES MAJOR DRAINAGE ISSUES. BUILDING THIS HOUSE ON THIS LOT IS GOING TO CAUSE DAMAGE TO AT LEAST 2 IF NOT 3 OF THE DOWN HILL HOMES, ESPECIALLY IF THERE IS A GRAVEL DRIVE INSTALLED AS I HEAR IS PLANNED.

ANOTHER REASON FOR THIS APPEAL:

JOHNSON CIRCLE is NOT A CIRCLE. THERE is ONLY ONE WAY IN AND ONE WAY OUT FOR 19 FAMILIES. JOHNSON CIRCLE is NOT A ROAD THAT HALL COUNTY MAINTAINS. JOHNSON CIRCLE is A SMALL ONE LANE, DRIVEWAY THAT THE NEIGHBORS GOT TOGETHER AND PAVED. THE DRAINAGE WAS NOT PLANNED AND THE ROAD is IN VERY POOR SHAPE. IT is A MAJOR PROBLEM to GET EVERYONE to CONTRIBUTE to REPAIR THE ROAD. IT is A FINANCIAL BURDEN to HAVE to TRY to REPAIR THIS ROAD THAT is to BE MAINTAINED BY US, ON TOP OF PAYING THE HUGE PROPERTY TAX THAT HALL COUNTY CHARGES.

WHEN 6574 JOHNSON CIRCLE RECENTLY BUILT THEIR Home, it WAS A STRESS ON THE WHOLE NEIGHBORHOOD Because THEY HAD to BLOCK OUR SMALL ROAD to GET THE CONSTRUCTION EQUIPMENT IN. THEY WERE ABLE to USE LOT 6585 SINCE it WAS A VACANT LOT.

THERE WILL BE NO ROOM TO DO THAT WHILE DOING CONSTRUCTION ON 6585. ALSO, WHEN 6574 WAS BUILT THEY (JIM and JANINE HOFFMAN) WERE NICE ENOUGH TO REPAIR THE ROAD THAT WAS DAMAGED DURRING THEIR CONSTRUCTION.

I WANT TO KNOW WHO WILL BE RESPOSIBLE FOR THE ROAD REPAIR FROM THIS BUILD?

NOT SHOWN ON THE PLANND PLAT ARE THE POWER LINES ON 2 SIDES OF THIS CORNER LOT.

IN RESPONSE TO THE REQUEST TO CHANGE THE SET BACKS, IN ORDER TO BUILD THIS HUGE HOUSE ON THIS SMALL LOT. I OBJECT.

[signature]

Gail Hunter 6599 JOHNSON CIRCLE, FLOWERY BRANCH

Anthony Fram 6622 Johnson Circle Flowery Branch Ga

Linda Land 6607 Johnson Circle Flowery Branch, Ga

Kenneth W Burst 6615 Johnson Cir Flowery Branch GA

Abbie Day 6582 Johnson Cir Flowery Branch

Elizabeth Bragg 6590 Johnson Circle, Flowery Branch GA

Rudi Ebb 6564 Johnson Circle, Flowery Branch, GA

Joe Myles

HALL COUNTY ENVIRONMENTAL HEALTH

Located at: 2875 Browns Bridge Rd Gainesville, Georgia 30504
Mailing Address: P.O. Box 5901 Gainesville, Georgia 30504
Phone: (770) 531-3973 Fax: (770) 531-6767

Pre-Purchase Site Review Report

The following information will be required in order to evaluate the lot for building suitability. Failure to submit any of the required information will result in a limited evaluation. Please attach a copy of a current plat.

Application Date: 06/27/2023	Receipt Number:

Applicant Contact Information

Applicant / Contact Name: GWINNETT DEVELOPMENT CORP, BILL AUSTIN	
Mailing Address: 3276 BUFORD DR STE 104-102 BUFORD, GA 30519	
Main Phone #	Alternate Ph #:
Fax #:	Email

Property Information

Soil information will be required prior to any on-site sewage permit application.

Subdivision: H. M. JOHNSON	Lot #: 50
Street Address: 6585 JOHNSON CIR FLOWERY BRANCH, GA 30542	
Directions to Site: NEAR UNIVERSITY YACHT CLUB	

Intended Use

Water Supply: ☒Public or ☐Well		Building Size 29 Ft. by 47 Ft.
Number of Bedrooms: 4	Percolation Rate:55	Soil Type: MADISON & CECIL, 0.34 ACRE
Mark one:	☒**Specific Use**- *Attach site plan showing house size and location, driveway, deck, pool or other amenities, and septic system location*	
	☐**Recommend Use**- *Indicate desired house location- See inspector recommendations for best situation*	

Inspector: Yvonne Mattern	Date Inspected: 07/07/2023

This is not a permit. A preliminary site inspection is performed on the basis of information provided by the applicant, the current site conditions, and on current regulations and policies. If the information, site conditions, regulations, and/or policies, etc. change after the date inspected, these recommendations/comments will be invalidated. The comments provided are not considered an approval or guarantee of permit issuance.

Recommendations:

Based on the proposed layout and in view of a 100' well buffer limiting the space available for a septic system, it appears that this property may accommodate a 1 bedroom home.
A to-scale site plan must be submitted at time of permit application, which must include (but not be limited to): septic tank and drain line locations (primary and repair), type of onsite sewage management system(s), exact house dimensions (including all decks, porches, etc.) and location, proposed drives, and proposed grading.
The exact house footprint and property lines must be marked at time of permit application. Please be aware that these items are required for the permit application and their submittal does not guarantee approval from our office.

Each additional review of plans beyond this initial request requires a plan review re-submission fee of $100.00 or a permit application.

#968337

17.240.010. - Minimum lot area, setback and height requirements.

Minimum lot area, setback and height requirements are as listed in table 17.240.010. Exceptions to the requirements in the table are described below.

TABLE 17.240.010 [a]

Zoning Districts	Minimum Lot Area	Minimum Lot Frontage [c]	Minimum Setback [g] (feet)		
			Front Yard	Side Yard;sup\sup;	Rear Yard;sup\sup;
Vacation-Cottage (V-C)	35,000 sq. ft. [d, j]	50 ft.	55 feet from center line of road or 30 feet from property line, whichever is greater.	10	20
Residential-I (R-I)	35,000 sq. ft. [d, j]	50 ft.		10	20
Residential-II (R-II)	35,000 sq. ft. [d, j]	50 ft.		10	20
Residential Two-Family (RTF)	35,000 sq. ft. [e]	50 ft.	65 feet from center line of road or 40 feet from property line, whichever is greater.	10	20
Residential Multi-Family (RMF)	35,000 sq. ft. [h]	50 ft.		10	20
Residential-I-Low-Dens (R-I-L)	43,560 sq. ft. 65,340 sq. ft.;sup\sup;	50 ft.		15	25
Agricultural-Residential (AR-III)	43,560 sq. ft. 63,340 sq. ft. [i, j]	50 ft.		15	25
Agricultural-Residential (AR-IV)	43,560 sq. ft. 63,340 sq. ft. [i, j]	50 ft.		15	25
Mobile Home Park MHP	5 acres	50 ft.		40	40
Office and Institutional (O-I)	15,000 sq. ft.	100 ft.	55 feet from center line of road or 30 feet from property line, whichever is greater.	20	10
Suburban Shopping (S-S)	15,000 sq. ft.	100 ft. [k]		20	10
Highway Business (H-B)	15,000 sq. ft.	100 ft. [k]		20	10
Parkway Commercial (P-C)	15,000 sq. ft.	100 ft.		20	10
Light Industrial (I-I)	15,000 sq. ft.	100 ft.	75 feet from center line of road or 50 feet from property line, whichever is greater.	20	20
Heavy Industrial (I-II)	15,000 sq. ft.	100 ft.		30	30
Planned Development Districts (PRD, POD, PCD, PID and PCFD)	See chapter 17.180.				

PLANNED Home to Be Built

BrownHaven
HOMES



Chancey

BASEMENT AVAILABLE

SEE PRICING IN YOUR AREA

BEDS	BATHS	SQ FT
3	2.5	1,938

Elevations B and C require additional investment

BUILDER HAS TOLD me. House is 40' wide AND 41' deep including Decks



Elizabeth & Gabi
706-514-4447

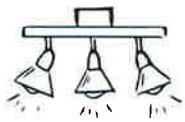
CALL EMAIL

1 new

AT

- **First Floor:** 1120 Sq. Ft.
- **Second Floor:** 820 Sq. Ft.
- **Total Heated:** 1940 Sq. Ft.
- **Front Covered Porch:** 240 Sq. Ft.
- **Optional Back Deck:** 160 Sq. Ft.
- **Optional Terrace Level:** 1130 Sq. Ft.

VISIT OUR GALLERIES





Elizabeth & Gabi
706-514-4447

CALL

CHAT

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Thursday, February 29, 2024 10:18 AM
To: Beth Garmon (CDI: Planning); Kristie Turner (Planning); Anael Dominguez (CDI: Planning)
Subject: RE: Appeal for 6585 Johnson Circle HVAR23-0076
Attachments: 6571 Johnson Circle - Packet.pdf

Beth,

The neighboring property at 6571 Johnson Circle got a retroactive building permit for a storage building that was encroaching on the property line of 6585 Johnson Circle. The approval from planning was to relocate the structure to meet setbacks (site plan attached). It appears the structure showed up between 2018 and 2020. I have also attached an image showing that it was later removed between 2021 and 2023. No variance was applied for.

One variance was applied for in 2006 located at 6620 Johnson Circle. However, this variance was denied. The property does appear to have structures located close to the front and side property lines that appeared between 2005 and 2010. I do not see any permits for these structures and no primary residence exists on the lot.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
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From: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Sent: Wednesday, February 28, 2024 8:24 AM
To: Kristie Turner (Planning) <kturner@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Subject: RE: Appeal for 6585 Johnson Circle HVAR23-0076

Thanks, Kristie. Could you and Katie please set aside some time in the next couple of weeks to research the addresses mentioned in the appeal documents to see if we have any records of the fines and encroachments referenced? I did a quick Tidemark check and found nothing associated with Johnson Circle – no encroachments, no variances, etc.

Ana, I will need to prepare a memo for this one to go into HCAM with the other March 28th items – will you please help me remember to do that before the last minute?

Thanks,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
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From: Kristie Turner (Planning) <kturner@hallcounty.org>
Sent: Tuesday, February 27, 2024 5:11 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Subject: Appeal for 6585 Johnson Circle HVAR23-0076

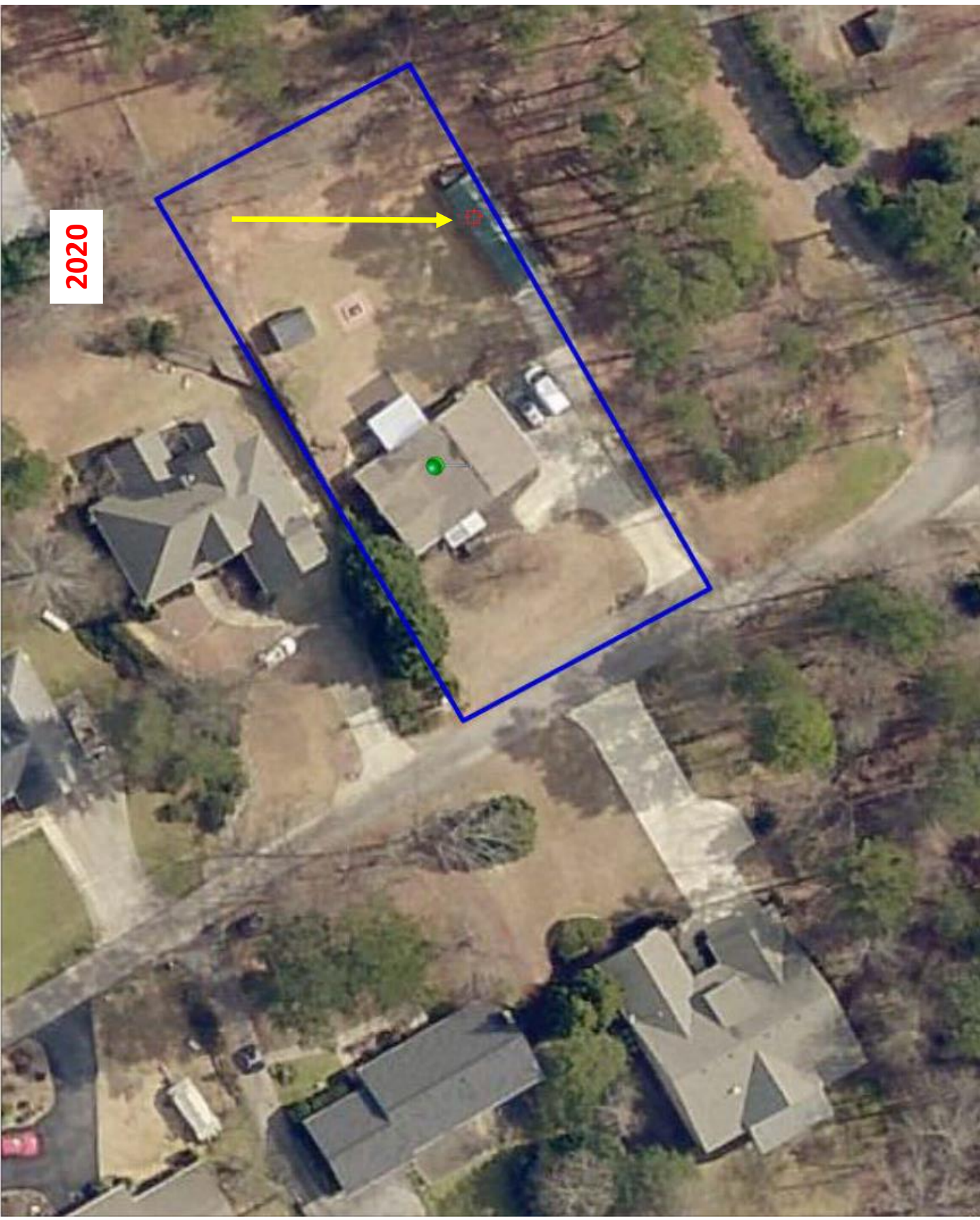
Hello All,

Please find the attached appeal submitted on February 26, 2024, by Gail Hunter. The status in Acella has been changed to "Appealed" and the documents have been uploaded to the case.

Regards,

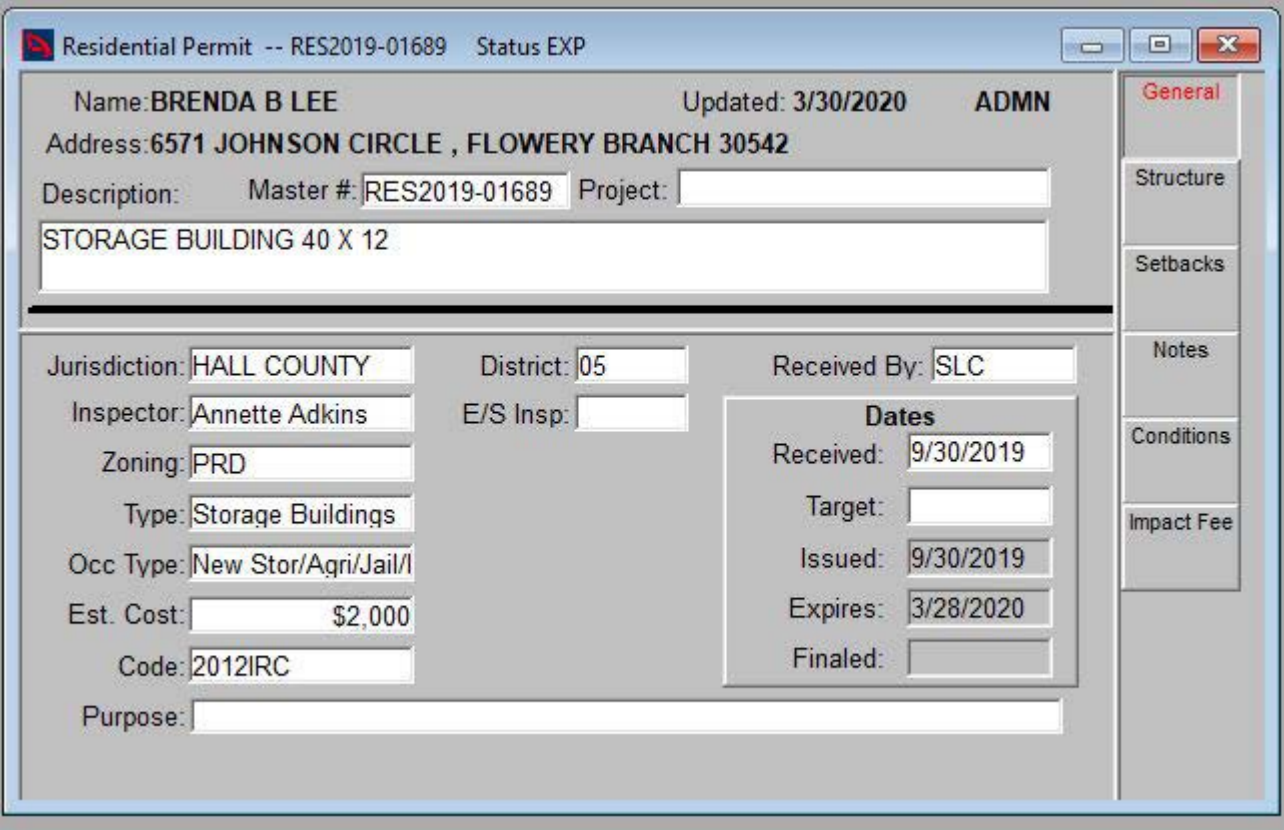
Kristie Turner
Senior Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-6853
kturner@hallcounty.org


2018
6567
6571
6593
1


2020

2021
6593
6571
6567

2023


Residential Permit -- RES2019-01689 Status EXP
Name:BRENDA B LEE
Updated: 3/30/2020
ADMN
Address:6571 JOHNSON CIRCLE , FLOWERY BRANCH 30542
Description:
Master #: RES2019-01689
Project:
STORAGE BUILDING 40 X 12
General
Structure
Setbacks
Notes
Conditions
Impact Fee
Jurisdiction: HALL COUNTY
District: 05
Received By: SLC
Inspector: Annette Adkins
E/S Insp:
Zoning: PRD
Type: Storage Buildings
Occ Type: New Stor/Agri/Jail/I
Est. Cost: $2,000
Code: 2012IRC
Dates
Received: 9/30/2019
Target:
Issued: 9/30/2019
Expires: 3/28/2020
Finaled:
Purpose:

Gainesville - Hall County GIS



Map Printed On 2019-09-19 11:46

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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

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VARIANCE APPLICATION

Applicant (Name and Mailing Address)

Kristy Wilkerson - Brown Haven Homes
837 Highway 400 S, Suite 105
Dawsonville, GA 30534
Phone 678-436-8540
Email Address kwilkerson@brownhavenhomes.com

Property Owner (Name and Mailing Address)

Jose and Astrid Cruz
4356 Findley Drive
Flowery Branch, GA 30542
Phone 787-503-2208
Email Address ppecruz@gmail.com

Location of Property 6585 Johnson Circle, Flowery Branch, GA 30542

Present Zoning PRD Existing Structures N/A

Type of Appeal:

___	Setback Variance	___ Front Yard	From ___ ft. to ___ ft.
		___ Right Side Yard	From ___ ft. to ___ ft.
		___ Left Side Yard	From ___ ft. to ___ ft.
		___ Rear Yard	From ___ ft. to ___ ft.
✓	Road Frontage Variance	✓ Road Frontage	From 55' ft. to 36 ft.
___	Sign Variance	___ Sign Area	From ___ ft. to ___ ft.
		___ Sign Height	From ___ ft. to ___ ft.
___	Hardship Mobile Home	___ Doctor's Letter	___ Terms Agreement

---

Supporting Documents: ✓ Plat of Property ✓ Site Plan
✓ Deed of Property ✓ Floor Plans
✓ Hardship Statement ___ Other

Fee (Must be paid for application to be complete): $ _____

Hardship Mobile Home:

I understand that, if granted, the mobile home must be removed from the property when my hardship ceases to exist.

_____
(Signature)

I hereby certify that the above information is true & correct to the best of my knowledge.

Sign Kristy L. Wilkerson Date 12/19/2023

I hereby withdraw this application.

Sign _____ Date _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ If Appealed County Commission Date: _____

County Commission District: _____

DocuSign Envelope ID: 35EE5ECA-AC3A-49E7-8AC4-B2AB575F69FC

DocuSign Envelope ID: 0482ECAA-27E4-4D59-B581-E4658E5928FF

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s): Jose and Astrid Cruz

Address: 4356 Findley Drive
Flowery Branch, GA 30542

Phone Number: 787-503-2208

Name of applicant(s): Kristy Wilkerson - Brown Haven Homes

Address: 837 Highway 400 S, Suite 105
Dawsonville, GA 30534

Phone Number: 678-436-8540

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)

Jose Cruz 12/11/2023
439AE6E893C9492...

Personally appeared before me

Cindy Deal

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

12-11-2023
Date

CINDY DEAL NOTARY PUBLIC GILMER COUNTY, GEORGIA MY COMMISSION EXPIRES JULY 07, 2026

Revised December 2019

DocuSign Envelope ID: 35EE5ECA-AC3A-49E7-8AC4-B2AB575F69FC

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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: Kristy Wilkerson **Date:** 12/20/2023

Applicant's/Owner's Name (Printed): Kristy Wilkerson

DocuSign Envelope ID: 35EE5ECA-AC3A-49E7-8AC4-B2AB575F69FC

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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: DocuSigned by: Jose Cruz 439AE6F893C9492... DocuSigned by: Astrid Cruz 5D2197C7478E463... **Date:** 12/20/2023 12/20/2023

Applicant's/Owner's Name (Printed): Jose and Astrid Cruz

DocuSign Envelope ID: 35EE5ECA-AC3A-49E7-8AC4-B2AB575F69FC

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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).

Due to the size of this .344 acre corner lot, the existing road frontage setbacks of 55' to the center line of the road leaves little room for the placement of a house. The house will fit if a variance is approved for one of the two road frontages.

2. The application of the requirements of this resolution to this particular property would create an unusual hardship.

N/A

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.

In keeping with the sizes of the surrounding houses, an approved variance would allow for the construction of a 2,348 square foot house.

4. Such conditions are not the result of any actions of the property owner.

N/A

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.

N/A

I hereby certify that the above information and all attached information is true and correct.

Applicant Kristina S. Wilkerson **Date** 12/19/2023

TAX MAP PARCEL # 08161 004005

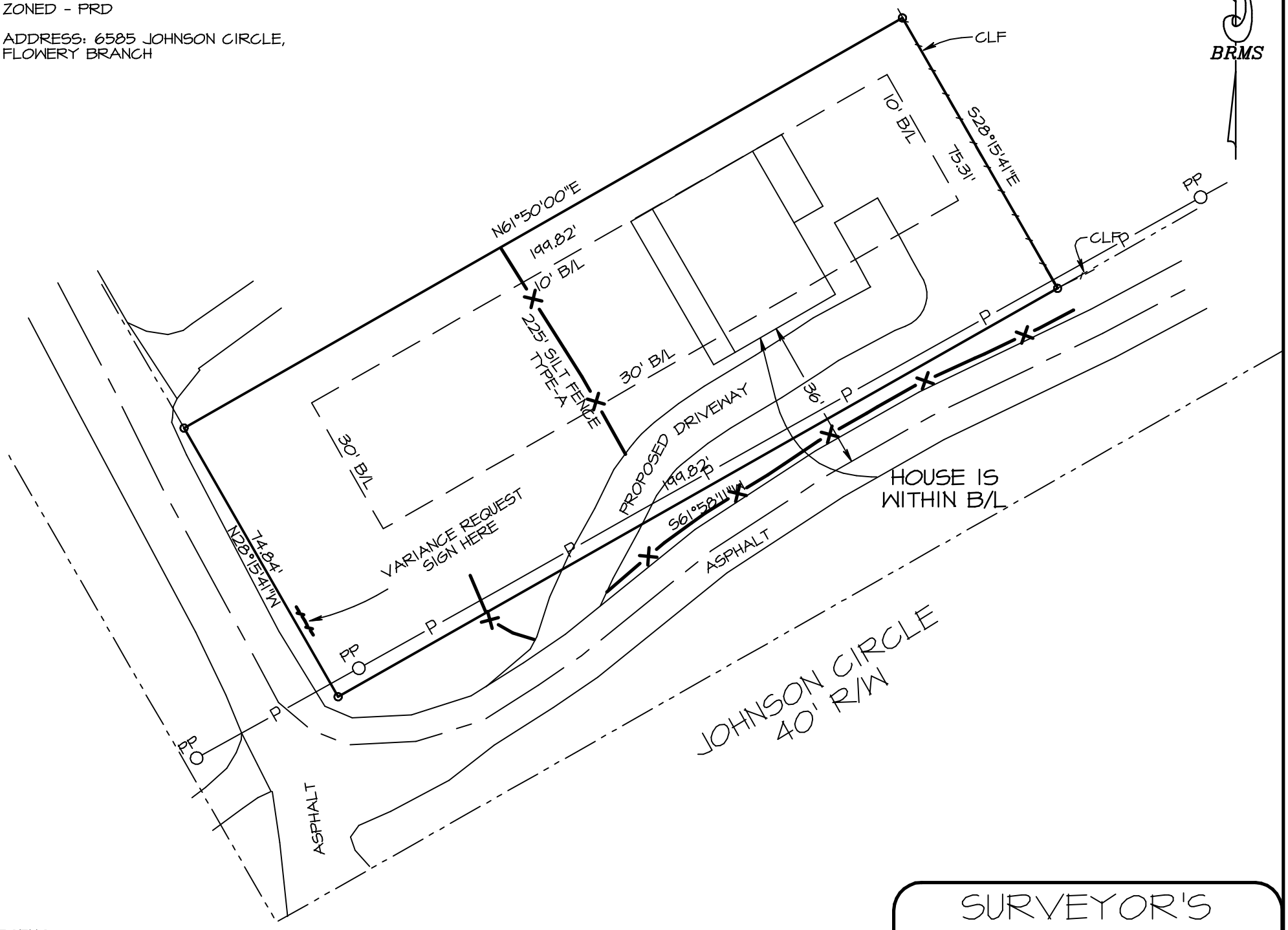
BUILDING HEIGHT : 36'

AREA TABULATION:
TOTAL HEATED - 1,940 SF
PORCHES - 240 SF
DECKS - 160 SF
LANDING/STAIRS - 15 SF
FRONT SETBACK - 25'
SIDE SETBACK - 20'
REAR - 5'
R/W - 40'

ZONED - PRD

ADDRESS: 6585 JOHNSON CIRCLE,
FLOWERY BRANCH

BRMS



LEGEND

BL	-	BUILDING LINE
BWF	-	BARBED WIRE FENCE
CBX	-	CABLE TV BOX
CB	-	CATCH BASIN
C/G	-	CURB & GUTTER
CMP	-	CORRUGATED METAL PIPE
℄	-	CENTER LINE
CLF	-	CHAIN LINK FENCE
CPP	-	CORRUGATED PLASTIC PIPE
CC	-	CONCRETE
DB,PG	-	DEED BOOK, PAGE
DI	-	DROP INLET
EP	-	EDGE OF PAVEMENT
FH	-	FIRE HYDRANT
GW	-	GUY WIRE
HW	-	HEAD WALL
HWF	-	HOG WIRE FENCE
IPF	-	IRON PIN FOUND
IPS	-	IRON PIN SET-1/2"REBAR
LP	-	PROPANE TANK
LL	-	LAND LOT
LLC	-	LAND LOT CORNER
LLL	-	LAND LOT LINE
MH	-	MAN HOLE
N/F	-	NOW OR FORMERLY
OTP	-	OPEN TOP PIPE
PB, PG	-	PLAT BOOK, PAGE
POB	-	POINT OF BEGINNING
POC	-	POINT OF COMMENCEMENT
PBX	-	POWER TRANSFORMER BOX
-P-	-	OVER HEAD POWER
PL	-	PROPERTY LINE
PP	-	POWER POLE
PTP	-	POWER & TELEPHONE POLE
RBF	-	REBAR FOUND
RCF	-	ROCK CORNER FOUND
RCP	-	REINFORCED CONCRETE PIPE
R/W	-	RIGHT-OF-WAY
TBX	-	TELEPHONE PEDALSTEL
-T-	-	OVER HEAD TELEPHONE
TP	-	TELEPHONE POLE
WM	-	WATER METER
WV	-	WATER VALVE
UGT	-	UNDERGROUND TELEPHONE
UGP	-	UNDERGROUND POWER

GRAPHIC SCALE 1"=30'

30 0 30 60 90

SURVEYOR'S CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

GEORGIA REGISTERED NO. 3007 LAND SURVEYOR J. JASON HENSON

1-5-24

J. JASON HENSON GA. RLS #3007 | DATE

SHEET 1 of 1

PROJ NAME:
BHH CRUZ

DATE: 1/5/24
SCALE: 1" = 30'
SURVEYED: TL/AS

DRAWN: BRB
CHECKED: JJH
APPROVED: JJH

HOUSE LOCATION PLAN FOR:

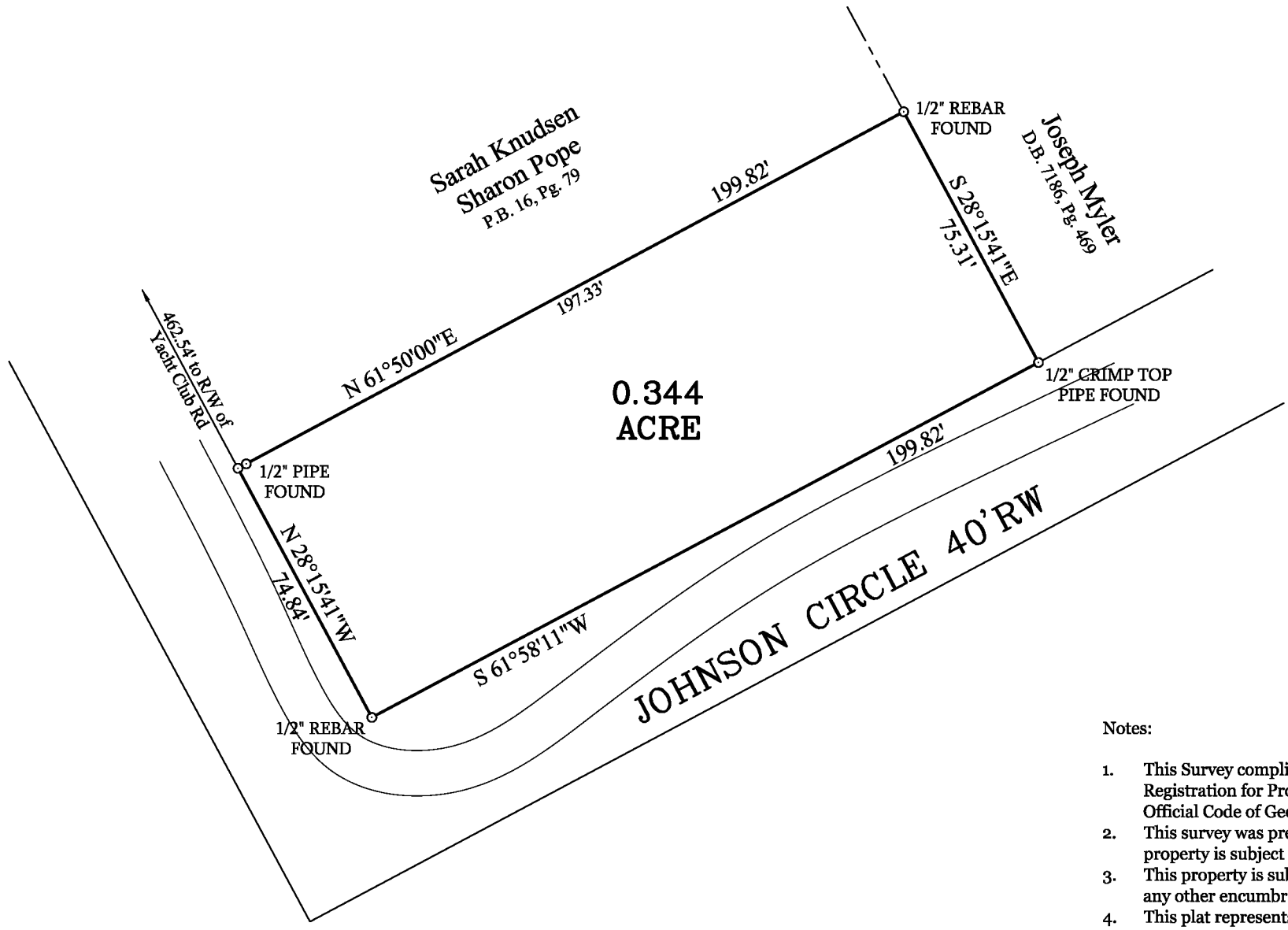
JOSE CRUZ

**BEING LOT 50 OF H.M JOHNSON SUBDIVISION
LOCATED IN LAND LOT 161,
8th DISTRICT 1st SECTION
HALL COUNTY, GEORGIA**

Blue Ridge Mountain Surveying
PO BOX 893
BLAIRSVILLE, GA 30514
706.897.7900
BRMS

eFiled and eRecorded
DATE: 09/07/2023
TIME: 11:10 AM
PLAT BOOK: 884
PAGE: 3 - 3
FILING FEES: $10.00
PART ID: 7402370769
RECORDED BY: MB
Charles Baker, C.S.C
Hall County, GA

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

Christopher J. Carlan Ga RLS #3003

Notes:

1. This Survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67 .
2. This survey was prepared without the benefit of a title search. This property is subject to any concerns of which a title search would reveal.
3. This property is subject to any easements, restrictions, right-of-ways, or any other encumbrances, both public and private.
4. This plat represents that tract of land designated as Map & Parcel 08161 004005, according to Hall County Tax Assessors.
5. Reference for subject tract is Plat Book 16, Page 79.

BOUNDARY SURVEY
FOR
JOSE CRUZ
ASTRID CRUZ
LOCATED WITHIN
Land Lot 161, 8th District
Hall County, Georgia
Scale: 1" = 40' September 7, 2023

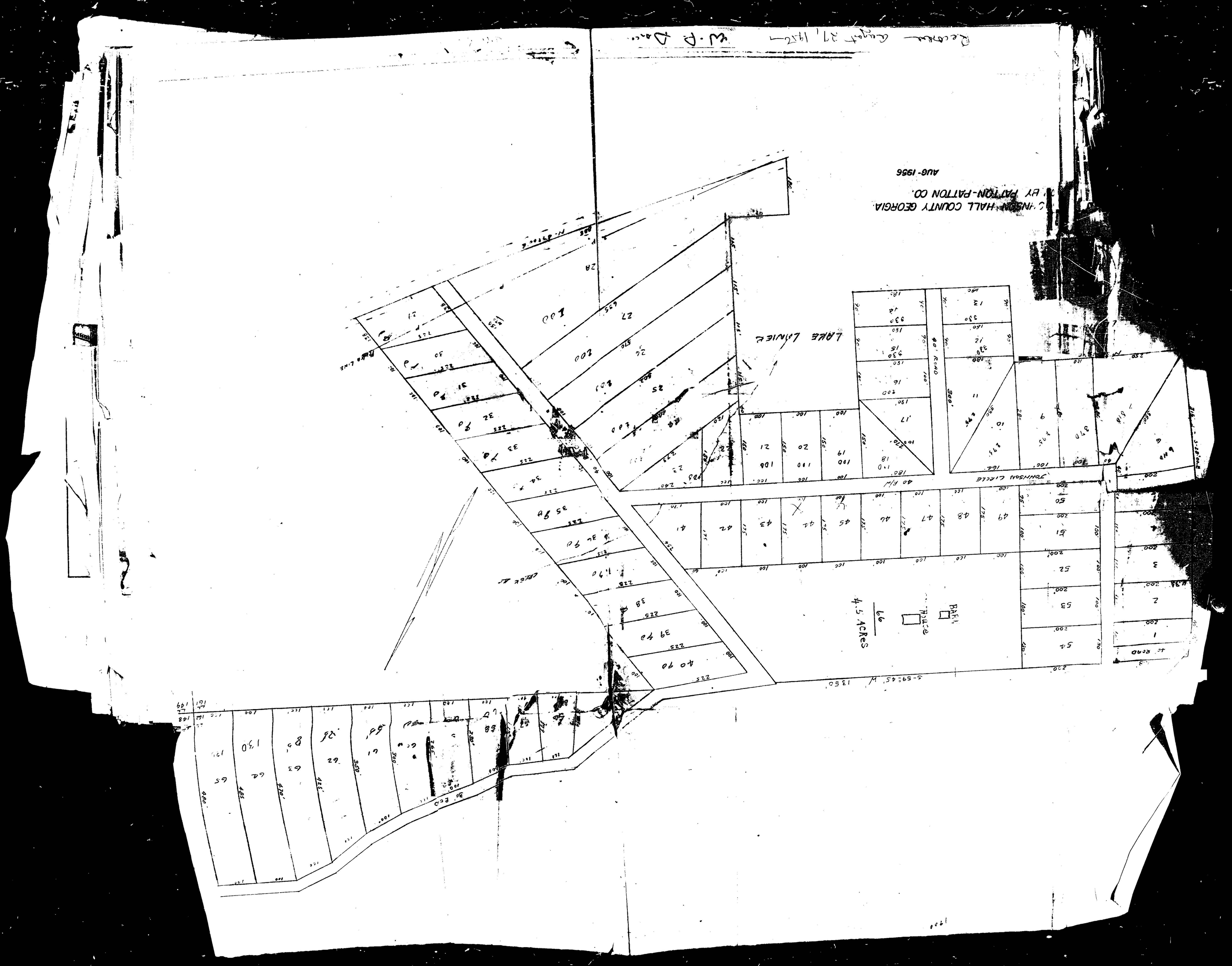
1. The field data upon which this plat is based has a closure precision of one foot in 17,640 foot and an angular error of 02" per angle point and was adjusted using the Compass Rule.
2. This plat has been calculated for closure and is found to be accurate within one foot in 94,531 feet.
3. The field equipment used in this survey was a Leica TS12-P Robotic Total Station.
4. The Field Work was completed 9/6/23.

40 0 40 80 120
GRAPHIC SCALE – FEET

CARLAN
LAND SURVEYORS
970 SOUTH BROAD STREET
COMMERCE, GA 30529
(706)336-5959

GEORGIA REGISTERED No. 3003 LAND SURVEYOR CHRISTOPHER J. CARLAN

JOB NO. 23-241 P.B. A-792



AUG-1956
HALL COUNTY GEORGIA
BY PATTON-PATTON CO.
LAKE LANIER
JOHNSON CIRCLE
40' ROAD
40 R/W
66
4.5 ACRES
BARN
HOUSE

TAX MAP PARCEL # 08161 004005

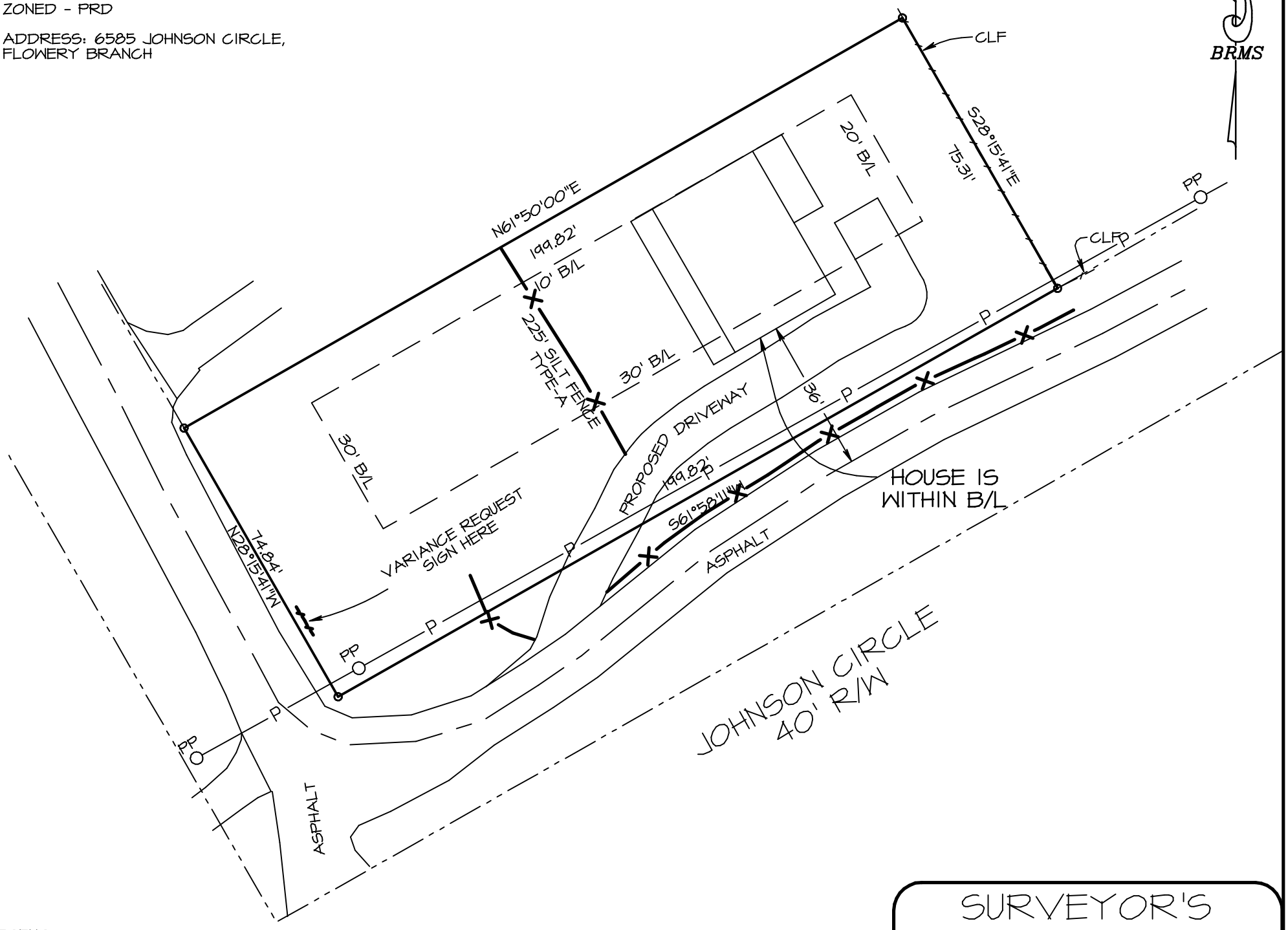
BUILDING HEIGHT : 36'

AREA TABULATION:
TOTAL HEATED - 1,940 SF
PORCHES - 240 SF
DECKS - 160 SF
LANDING/STAIRS - 15 SF
FRONT SETBACK - 25'
SIDE SETBACK - 20'
REAR - 5'
R/W - 40'

ZONED - PRD

ADDRESS: 6585 JOHNSON CIRCLE,
FLOWERY BRANCH

BRMS



LEGEND

BL	-	BUILDING LINE
BWF	-	BARBED WIRE FENCE
CBX	-	CABLE TV BOX
CB	-	CATCH BASIN
C/G	-	CURB & GUTTER
CMP	-	CORRUGATED METAL PIPE
℄	-	CENTER LINE
CLF	-	CHAIN LINK FENCE
CPP	-	CORRUGATED PLASTIC PIPE
CC	-	CONCRETE
DB,PG	-	DEED BOOK, PAGE
DI	-	DROP INLET
EP	-	EDGE OF PAVEMENT
FH	-	FIRE HYDRANT
GW	-	GUY WIRE
HW	-	HEAD WALL
HWF	-	HOG WIRE FENCE
IPF	-	IRON PIN FOUND
IPS	-	IRON PIN SET-1/2"REBAR
LP	-	PROPANE TANK
LL	-	LAND LOT
LLC	-	LAND LOT CORNER
LLL	-	LAND LOT LINE
MH	-	MAN HOLE
N/F	-	NOW OR FORMERLY
OTP	-	OPEN TOP PIPE
PB, PG	-	PLAT BOOK, PAGE
POB	-	POINT OF BEGINNING
POC	-	POINT OF COMMENCEMENT
PBX	-	POWER TRANSFORMER BOX
-P-	-	OVER HEAD POWER
PL	-	PROPERTY LINE
PP	-	POWER POLE
PTP	-	POWER & TELEPHONE POLE
RBF	-	REBAR FOUND
RCF	-	ROCK CORNER FOUND
RCP	-	REINFORCED CONCRETE PIPE
R/W	-	RIGHT-OF-WAY
TBX	-	TELEPHONE PEDALSTEL
-T-	-	OVER HEAD TELEPHONE
TP	-	TELEPHONE POLE
WM	-	WATER METER
WV	-	WATER VALVE
UGT	-	UNDERGROUND TELEPHONE
UGP	-	UNDERGROUND POWER

GRAPHIC SCALE 1"=30'

30 0 30 60 90

SURVEYOR'S CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

GEORGIA REGISTERED NO. 3007 LAND SURVEYOR J. JASON HENSON

12-28-23

J. JASON HENSON GA. RLS #3007 | DATE

SHEET 1 of 1

PROJ NAME:
BHH CRUZ

DATE: 12/28/23
SCALE: 1" = 30'
SURVEYED: TL/AS

DRAWN: BRB
CHECKED: JJH
APPROVED: JJH

HOUSE LOCATION PLAN FOR:

JOSE CRUZ

BEING LOT 50 OF H.M JOHNSON SUBDIVISION
LOCATED IN LAND LOT 161,
8th DISTRICT 1st SECTION
HALL COUNTY, GEORGIA

Blue Ridge Mountain Surveying
PO BOX 893
BLAIRSVILLE, GA 30514
706.897.7900
BRMS

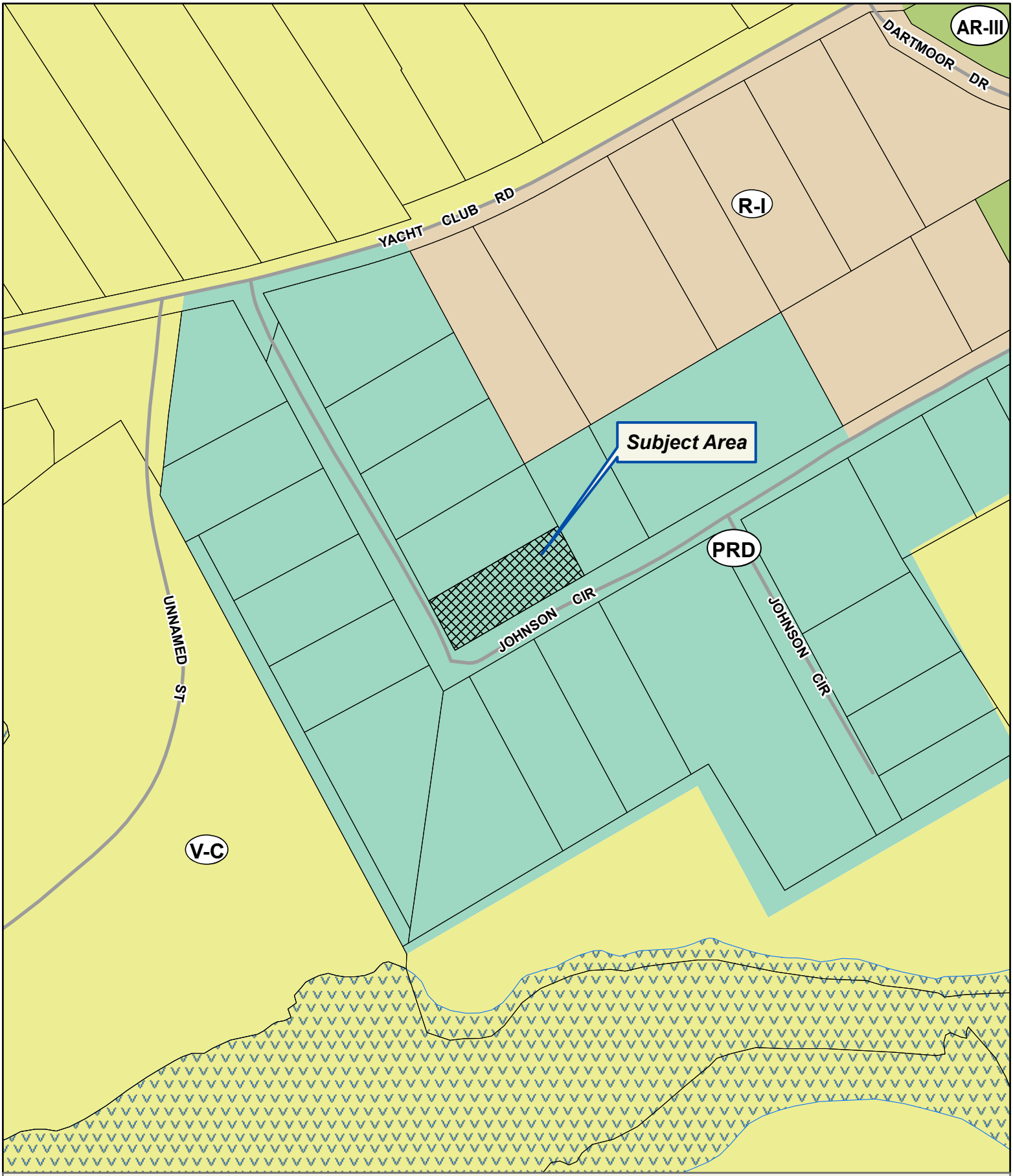


Applicant: KRISTY WILKERSON – BROWN HAVEN HOMES
Tax Parcel #: 08161 004005
Location: 6585 JOHNSON CIRCLE, FLOWERY BRANCH, GA 30542
Commission District 2 **PC Mtg. Date: 02/19/24**

0 50 100 200
Feet

Zoning Boundary
City Limits
Subject Area

N



Applicant: KRISTY WILKERSON – BROWN HAVEN HOMES
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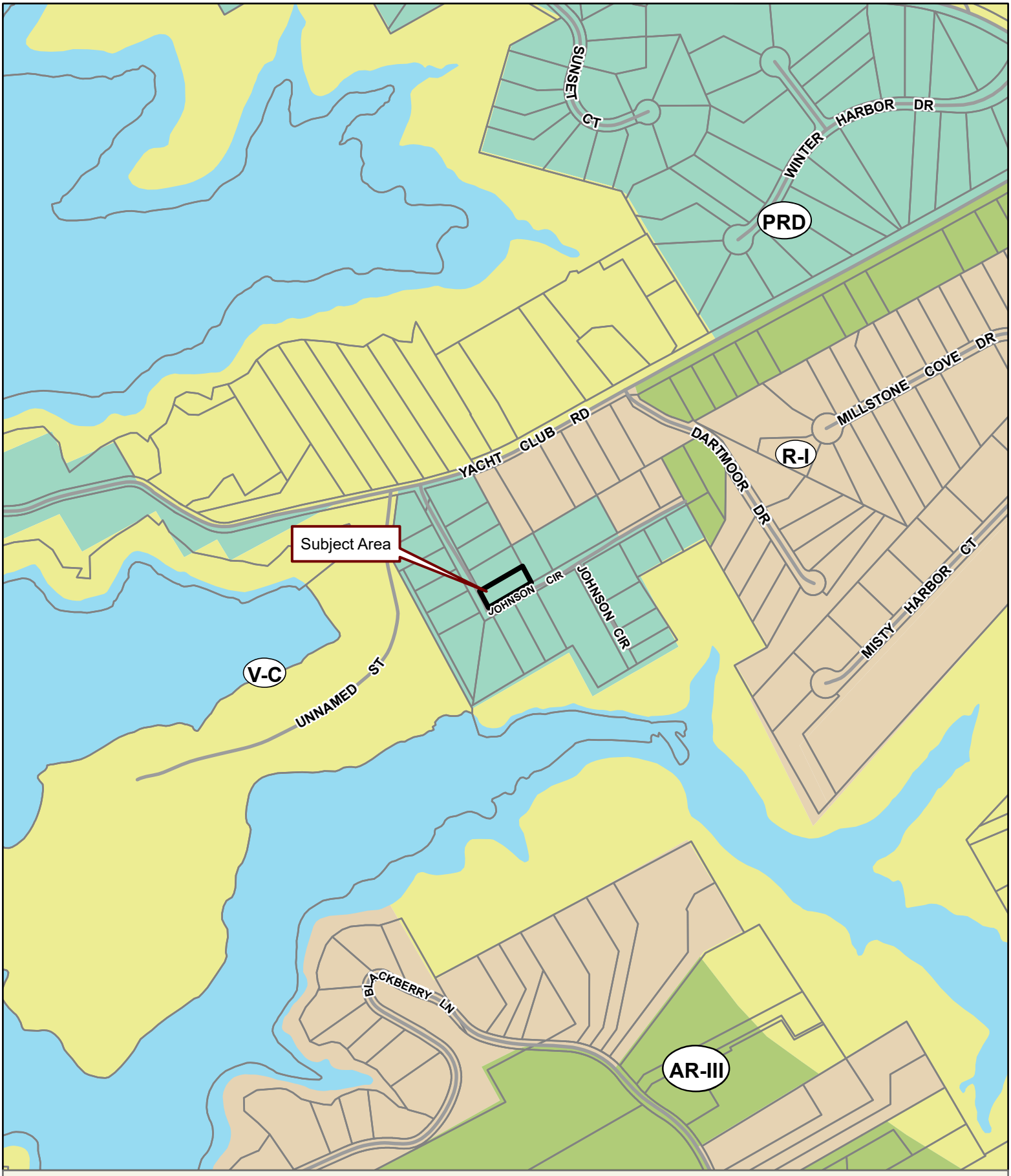
Commission District 2 **PC Mtg. Date: 02/19/24**

0 50 100 200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: KRISTY WILKERSON – BROWN HAVEN HOMES
Tax Parcel #: 08161 004005
Location: 6585 JOHNSON CIRCLE, FLOWERY BRANCH, GA 30542
Commission District 2 **PC Mtg. Date: 02/19/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

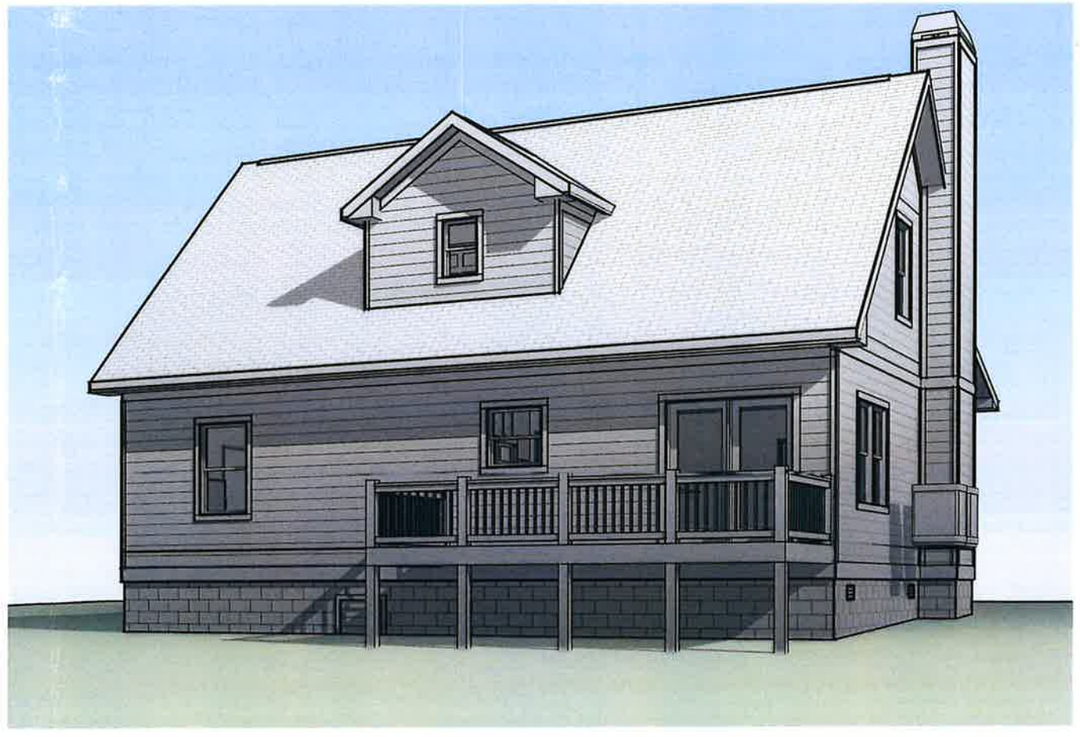
Submitted at the 2-19-2024 HCPC Meeting

SQUARE FOOTAGES	
Area of 1st Floor	1130 SF
Area of 2nd Floor	818 SF
Conditioned Area	1948 SF
Area of Deck	160 SF
Area of Front Porch	240 SF
Porches & Decks	400 SF



FRONT PERSPECTIVE VIEW

SITE CONDITIONS MAY VARY



REAR PERSPECTIVE VIEW

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BrownHaven HOMES
THE RIGHT CHOICE
102 Town Square,
Blairsville, GA 30512
Phone: 706-896-0891
brownhavenhomes.com

CHANCEY
JOSE CRUZ

CREATED:	10/06/2023
REV. DATE:	11/14/2023 11:57:27 AM
JOB NUMBER:	10350025
SELECTIONS SET:	T. JARRETT
PRE-CON SET:	CHRIS KRAFT
FINAL SET:	TK DESIGN

01

COVER SHEET

Submitted at the 2-19-2024 HCPC Meeting

SQUARE FOOTAGES	
Area of 1st Floor	1130 SF
Area of 2nd Floor	818 SF
Conditioned Area	1948 SF
Area of Deck	160 SF
Area of Front Porch	240 SF
Porches & Decks	400 SF



FRONT ELEVATION

SCALE: 1/8" = 1'-0"

SITE CONDITIONS MAY VARY



RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

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CHANCEY
JOSE CRUZ

CREATED:	10/06/2023
REV. DATE:	11/14/2023 11:57:28 AM
JOB NUMBER:	10350025
SELECTIONS SET:	T. JARRETT
PRE-CON SET:	CHRIS KRAFT
FINAL SET:	TK DESIGN

02

FRONT & RIGHT

Submitted at the 2-19-2024 HCPC Meeting

SQUARE FOOTAGES	
Area of 1st Floor	1130 SF
Area of 2nd Floor	818 SF
Conditioned Area	1948 SF
Area of Deck	160 SF
Area of Front Porch	240 SF
Porches & Decks	400 SF



REAR ELEVATION

SCALE: 1/8" = 1'-0"

SITE CONDITIONS MAY VARY



LEFT ELEVATION

SCALE: 1/8" = 1'-0"

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CHANCEY
JOSE CRUZ

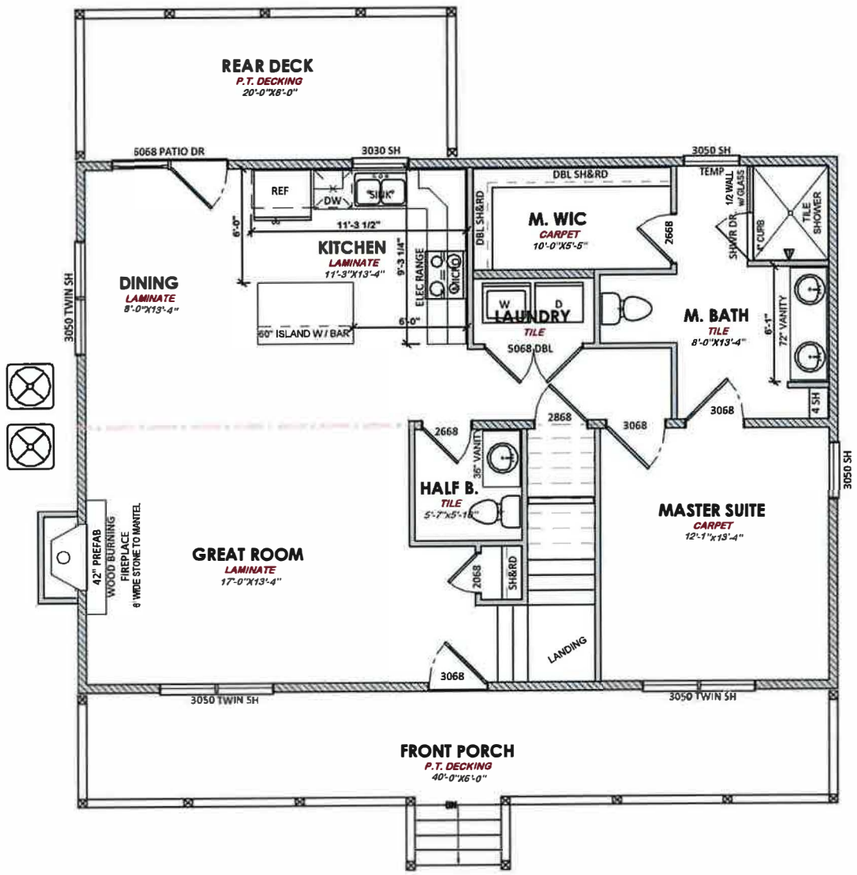
CREATED:	10/06/2023
REV. DATE:	11/14/2023 11:57:29 AM
JOB NUMBER:	10350025
SELECTIONS SET:	T. JARRETT
PRE-CON SET:	CHRIS KRAFT
FINAL SET:	TK DESIGN

03

REAR & LEFT

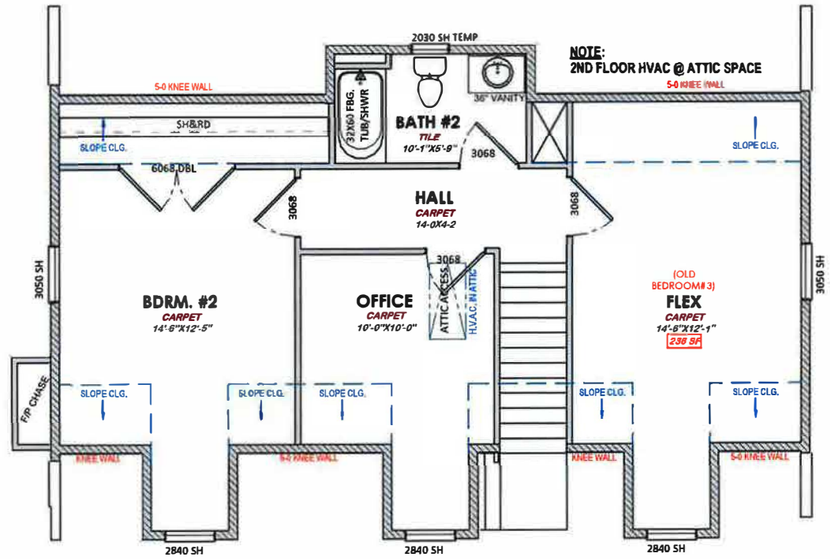
Submitted at the 2-19-2024 HCPC Meeting

SQUARE FOOTAGES	
Area of 1st Floor	1130 SF
Area of 2nd Floor	818 SF
Conditioned Area	1948 SF
Area of Deck	160 SF
Area of Front Porch	240 SF
Porches & Decks	400 SF



1ST FLOOR PLAN

SCALE: 1/8" = 1'-0"



2ND FLOOR PLAN

SCALE: 1/8" = 1'-0"

WALL LEGEND
2X6 WALL
2X4 WALL
2X4 FUTURE WALL

PRE-CON PLANS

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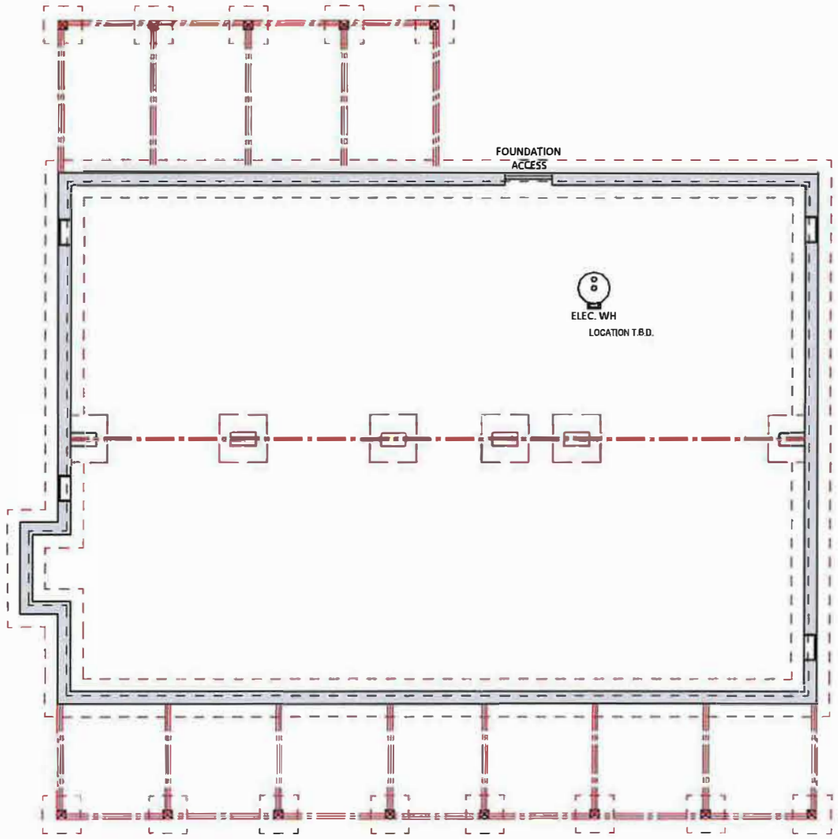
CHANCEY
JOSE CRUZ

CREATED:	10/06/2023
REV. DATE:	11/14/2023 11:57:30 AM
JOB NUMBER:	10350025
SELECTIONS SET:	T. JARRETT
PRE-CON SET:	CHRIS KRAFT
FINAL SET:	TK DESIGN

04

1ST & 2ND FLOOR PLANS



CRAWL FOUNDATION LAYOUT

SCALE: 1/8" = 1'-0"

SQUARE FOOTAGES

Area of 1st Floor	1130 SF
Area of 2nd Floor	818 SF
Conditioned Area	1948 SF
Area of Deck	160 SF
Area of Front Porch	240 SF
Porches & Decks	400 SF

FOUNDATION VENTS

Description	Area	Vent Sq.Ft.	Vents Req.
Area of 1st Floor	1130 SF	0.75	0.8

Area of Crawl Space = Area of 1st Floor
IRC 408.2
Total ventalation openings shall be reduced to 1/1,500 when a Class 1 vapor retarder material is used.
16"x8" vent = 0.89 sq.ft.

WALL LEGEND

2X6 WALL

2X4 WALL

2X4 FUTURE WALL

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JOSE CRUZ

CREATED:	10/06/2023
REV. DATE:	11/14/2023 11:57:31 AM
JOB NUMBER:	10350025
SELECTIONS SET:	T. JARRETT
PRE-CON SET:	CHRIS KRAFT
FINAL SET:	TK DESIGN

05

FOUNDATION

Submitted at the 2-19-2024 HCPC Meeting

SQUARE FOOTAGES	
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Area of 2nd Floor	818 SF
Conditioned Area	1948 SF
Area of Deck	160 SF
Area of Front Porch	240 SF
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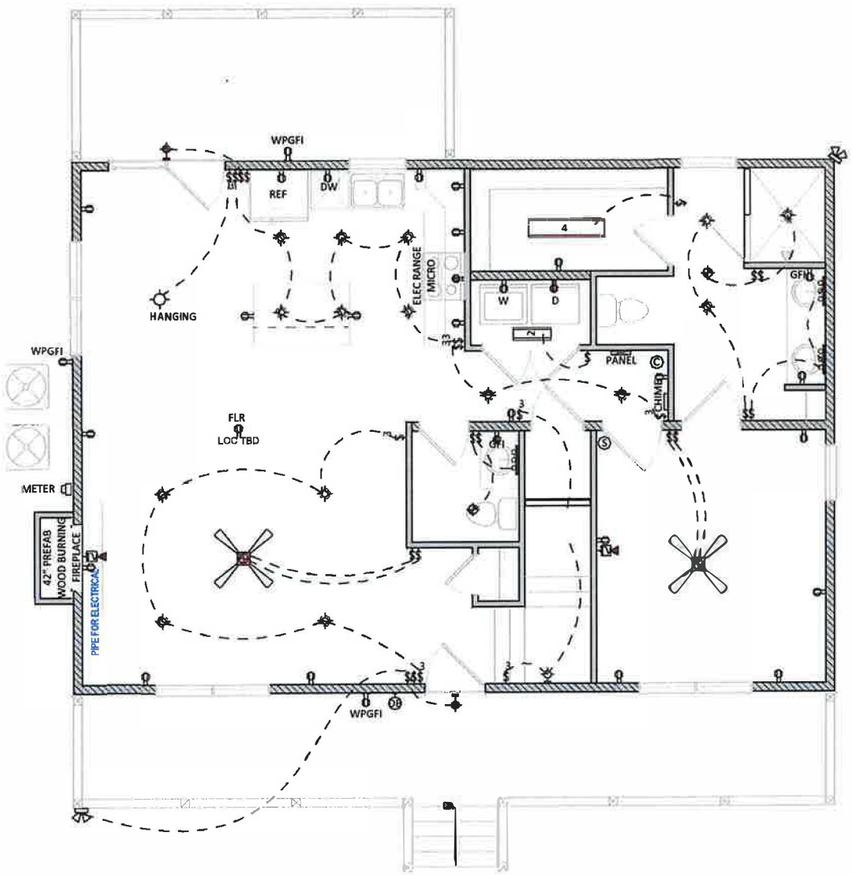


1ST FLOOR ELECTRICAL

SCALE: 1/8" = 1'-0"

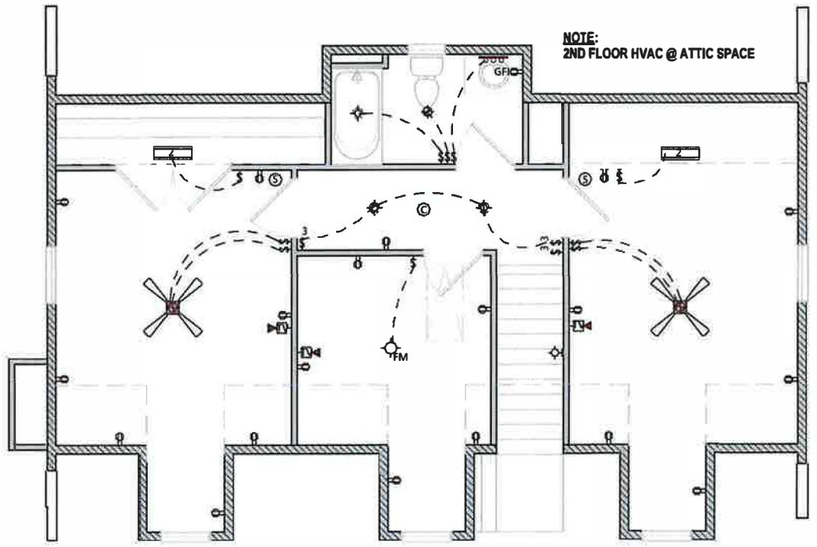
ELECTRICAL LEGEND

	SINGLE POLE SWITCH	DB	DOOR BELL BUTTON
3	3-WAY SWITCH	CHIME	DOOR BELL CHIME
4	4-WAY SWITCH	GD	GARAGE DR BUTTON
D	DIMMER SWITCH	GDO	GARAGE DR OPENER
220	220 VOLT OUTLET	WPGFI	WEATHERPROOF OUTLET
	DUPLEX OUTLET	CLG	CEILING OUTLET
GFI	GROUND FAULT OUTLET	FLR	FLOOR OUTLET
S	SMOKE DETECTOR	DATA	NETWORK OUTLET
C	CARBON MONOXIDE DETECTOR	PH	TELEPHONE OUTLET
TV	TELEVISION OUTLET		GARBAGE DISPOSAL
PANEL	SERVICE PANEL	ACCENT	ACCENT LIGHT
M	SERVICE METER		SINGLE SCONCE
	WALL MOUNT LIGHT	STR	STAIR RISER LIGHT
FLOOD	FLOOD LIGHT		BATH FAN ONLY
VANITY	VANITY LIGHT (PER SELECTIONS)		BATH FAN & LIGHT COMBO
UC	UNDER CAB. LIGHT		KEYLESS LIGHT
	FLUSH MOUNT LIGHT	HANGING	HANGING LIGHT
PNDT	HANGING PENDANT LIGHT	MINI	MINIATURE PUCK LIGHT
	RECESSED 5" LED CAN LIGHT	ER	RECESSED EYEBALL LIGHT
	2' OR 4' WRAP LED	FR	7" ROUND LED
CF	CEILING FAN		LIGHT w/ FAN ROUGH
LCF	LIGHTED CEILINGFAN	LCF ROUGH	LIGHT & FAN ROUGH

- TO BE INSTALLED PER CODE BY ELECTRICIAN -

INSTALL IN CRAWL SPACE PER CODE BY ELECTRICIAN	
	KEYLESS LIGHT
WP	OUTLET

INSTALL @ ATTIC SPACE PER CODE BY ELECTRICIAN	
	KEYLESS LIGHT
WP	OUTLET



2ND FLOOR ELECTRICAL

SCALE: 1/8" = 1'-0"

WALL LEGEND
2X6 WALL
2X4 WALL
2X4 FUTURE WALL

PRE-CON PLANS

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Phone: 706-896-0891
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CHANCEY
JOSE CRUZ

CREATED:	10/06/2023
REV. DATE:	11/14/2023 11:57:32 AM
JOB NUMBER:	10350025
SELECTIONS SET:	T. JARRETT
PRE-CON SET:	CHRIS KRAFT
FINAL SET:	TK DESIGN

07

1ST & 2ND FLOOR ELECTRICAL

Prepared By:
Weissman PC
3500 Lenox Road, 4th Floor
Atlanta, GA 30326

File No.: W-R-13419-23-CU

Parcel ID: 08161 004005

eFiled and eRecorded
DATE: 08/24/2023
TIME: 11:03 PM
DEED BOOK: 9357
PAGE: 757 - 759
FILING FEES: $25.00
TRANSFER TAX: $54.90
PARTICIPANT ID: 2979894615
PARTICIPANT ID: 7067927936
PT61: 069-2023-005836
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FORSYTH

THIS INDENTURE, made this 24th day of August, 2023 by and between **Anne Palmer Collier, as Trustee of the Hal Collier and Anne Collier Living Trust u/a dated 11/19/2020**, as party or parties of the first part, hereinafter called Grantor, and **Jose Francisco Cruz and Astrid Del Carmen Cruz**, as JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP and not as tenants in common, 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 NO/100 ($10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to-wit:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE HERETO

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said described property.

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, only to the proper use, benefit and behoof of the said Grantee, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

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 all persons claiming by, through, or under Grantor herein.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and is the intention of the parties hereto to hereby create in Grantee a joint tenancy estate with right of survivorship and not as tenants in common.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, on the date and year above written.

Signed, sealed and delivered
in the presence of:

Unofficial Witness

BY: Anne Palmer Collier
Anne Palmer Collier, as Trusteee, as aforesaid

Notary Public

My Commission Expires:

Karlene Yamamoto
NOTARY PUBLIC
Dekalb County
State of Georgia
My Comm. Expires 07/18/2026

EXHIBIT "A"

File No.: W-R-13419-23-CU

All that tract or parcel of land lying and being in Land Lot 161 of the 8th District , Hall County, Georgia and being Lot -50- as shown on plat of survey of a part of H.M. Johnson Subdivision by Bealle-Munday & Associates, Inc. dated August 19, 1977, which plat is incorporated herein and by reference made a part hereof, and being wore particularly described as follows:

To find the true point of beginning, begin at a point on the Southerly right-of-way line of Yacht Club Road (paved) where same intersects the Easterly right-of-way line of Johnson Circle (graded), now or formerly marked by an iron pin, said point being in Land Lot 162, said District and County; and running thence South 28 degrees 00 minutes East for a distance of 460.20 feet to a point on the Easterly right-of-way line of Johnson Circle now or formerly marked by an iron pin, same being the true point of beginning; running thence North 61 degrees 50 minutes East for a distance of 200 feet to a point now or formerly marked by an iron pin; running thence South 28 degrees 00 minutes East for a distance of 75 feet to a point now or formerly marked by an iron pin; running thence South 61 degrees 50 minutes West for a distance of 200 feet to a point on the Easterly right-of-way line of Johnson Circle now or formerly marked by an iron pin; running thence North 28 degrees 00 minutes West along the Easterly right-of-way line of Johnson Circle for a distance of 75 feet to a point, same being the point of beginning.

Also being shown as Lot 50 of the H.M. Johnson Subdivision, as shown on plat of survey by Patton-Patton Co., dated August, 1956, recorded August 27, 1956, in Plat Book 16, Page 79-80, which plat is also incorporated herein and by reference made a part hereof.

FOR INFORMATIONAL PURPOSES ONLY: Said property is known by address as 6585 Johnson Circle, according to the present system of numbering property in Hall County, Georgia.

HALL COUNTY ENVIRONMENTAL HEALTH

Located at: 2875 Browns Bridge Rd Gainesville, Georgia 30504
Mailing Address: P.O. Box 5901 Gainesville, Georgia 30504
Phone: (770) 531-3973 Fax: (770) 531-6767

Pre-Purchase Site Review Report

The following information will be required in order to evaluate the lot for building suitability. Failure to submit any of the required information will result in a limited evaluation. Please attach a copy of a current plat.

Application Date: 06/27/2023	Receipt Number:

Applicant Contact Information

Applicant / Contact Name: GWINNETT DEVELOPMENT CORP, BILL AUSTIN	
Mailing Address: 3276 BUFORD DR STE 104-102 BUFORD, GA 30519	
Main Phone #: [redacted]	Alternate Ph #:
Fax #:	Email: [redacted]

Property Information

Soil information will be required prior to any on-site sewage permit application.

Subdivision: H. M. JOHNSON	Lot #: 50
Street Address: 6585 JOHNSON CIR FLOWERY BRANCH, GA 30542	
Directions to Site: NEAR UNIVERSITY YACHT CLUB	

Intended Use

Water Supply: ☒Public or ☐Well		Building Size 29 Ft. by 47 Ft.
Number of Bedrooms: 4	Percolation Rate:55	Soil Type: MADISON & CECIL, 0.34 ACRE
Mark one:	☒**Specific Use**- *Attach site plan showing house size and location, driveway, deck, pool or other amenities, and septic system location*	
	☐**Recommend Use**- *Indicate desired house location- See inspector recommendations for best situation*	

Inspector: Yvonne Mattern	Date Inspected: 07/07/2023

This is not a permit. A preliminary site inspection is performed on the basis of information provided by the applicant, the current site conditions, and on current regulations and policies. If the information, site conditions, regulations, and/or policies, etc. change after the date inspected, these recommendations/comments will be invalidated. The comments provided are not considered an approval or guarantee of permit issuance.

Recommendations:

Based on the proposed layout and in view of a 100' well buffer limiting the space available for a septic system, it appears that this property may accommodate a 1 bedroom home.
A to-scale site plan must be submitted at time of permit application, which must include (but not be limited to): septic tank and drain line locations (primary and repair), type of onsite sewage management system(s), exact house dimensions (including all decks, porches, etc.) and location, proposed drives, and proposed grading.
The exact house footprint and property lines must be marked at time of permit application. Please be aware that these items are required for the permit application and their submittal does not guarantee approval from our office.

Each additional review of plans beyond this initial request requires a plan review re-submission fee of $100.00 or a permit application.

#968337

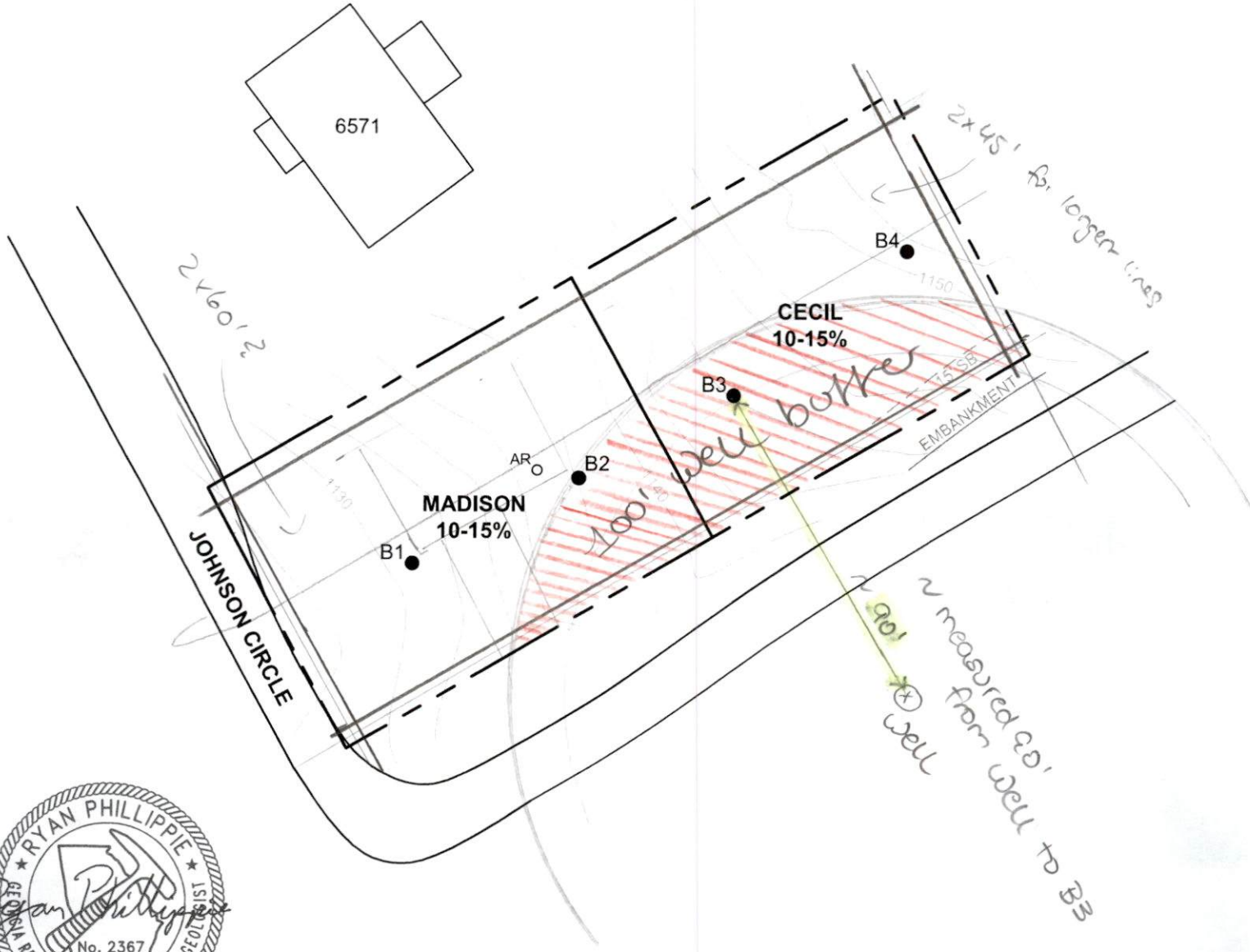
- COPY -

0 20 40 80

1 IN = 40 FT

LEGEND

- B1 ● SOIL BORING
- SOIL BOUNDARY
- PROPERTY BOUNDARY
- 1150 2-FT CONTOUR
- AR○ AUGER REFUSAL
- SB DRAINFIELD SETBACK

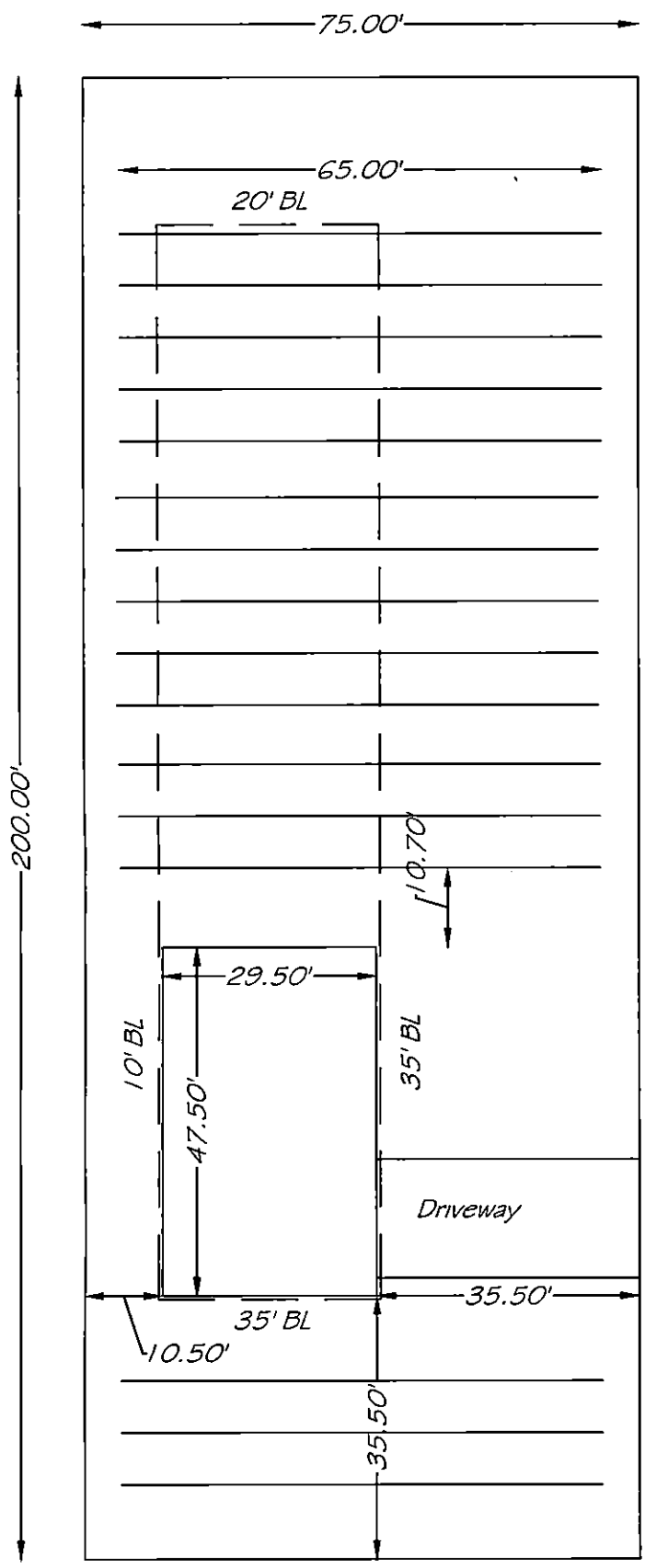


RYAN PHILLIPPIE
GEORGIA REGISTERED PROFESSIONAL GEOLOGIST
No. 2367

LEVEL 3 SOIL MAP
REPORT DATE: 6/13/2023
ADDRESS: 6585 JOHNSON CIRCLE
PARCEL ID: 08161 004005
CITY, COUNTY: FLOWERY BRANCH, HALL
CLIENT: ANNE COLLIER
CLIENT PHONE: [redacted]
TOTAL SURVEY AREA: 0.34 AC

RSP ENVIRONMENTAL

RSP ENVIRONMENTAL, LLC
8475 LANIERLAND FARMS DRIVE
GAINESVILLE, GA 30506
470-590-1967
ryan@rspenv.com



Lot 50 HW Johnson Subdivions
PB 16 Pages 79-80

7 Lines at 65 ' = 455 LF Available Primary
9 Lines at 65' = 585 LF Available Repari

Scale 1":25"

4 Bedroom House 2110 SF

RSP Environmental, LLC
8475 Lanierland Farms Drive
Gainesville, GA 30506
470-590-1967
ryan@rspenv.com

LEVEL 3 SOIL REPORT

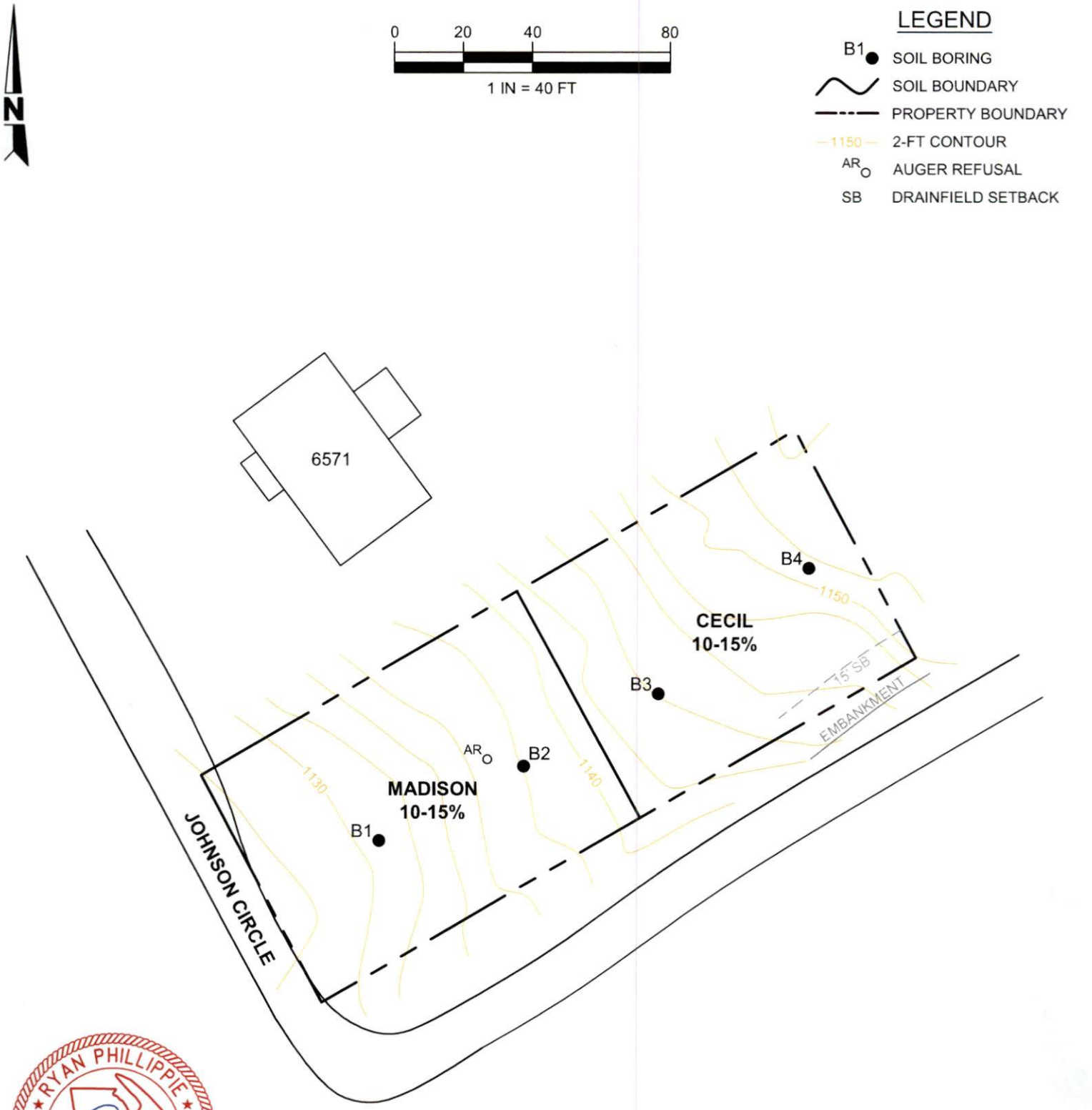
Property Information	
Report Date: 6/13/2023	Field Work Date: 6/13/2023
Address: 6585 Johnson Circle	Client: Anne Collier
Parcel ID: 08161 004005	Client Phone [redacted]
City, County: Flowery Branch, Hall	Map Scale: 1:40

Map Unit Properties						
SOIL SERIES	SLOPE %	DEPTH TO REFUSAL/ BEDROCK *(INCHES)*	DEPTH TO SEASONAL HIGH WATER TABLE *(INCHES)*	ABSORBTION RATE AT RECOMMENDED TRENCH DEPTH *(MIN/IN)*	RECOMMENDED TRECH DEPTH *(INCHES)*	SUITABILITY CODE
Madison	10-15	>72	>72	45	30-42	A
Cecil	10-15	>72	>72	55	30-42	A

Map Unit Suitability Codes	
A	These soils are suitable for installation of on-site systems with proper system design, installation, and maintenance. Position of the site or other soil and landscape considerations may require the drainfield area to be greater than the minimum and/or the drainfield design to require equal distribution or level field installation.

Notes

- Disturbance of soil by cutting or filling prior to drainfield installation may void the suitability of the soil.
- Soil boring locations, soil boundaries, and site features are shown on the attached Level 3 Soil Map.
- Property boundaries and topographic contours were obtained from Hall County GIS.
- Soil borings were located with a ublox ZED-F9P GNSS.



RYAN PHILLIPPIE
GEORGIA REGISTERED PROFESSIONAL GEOLOGIST
No. 2367

LEVEL 3 SOIL MAP

REPORT DATE: 6/13/2023
ADDRESS: 6585 JOHNSON CIRCLE
PARCEL ID: 08161 004005
CITY, COUNTY: FLOWERY BRANCH, HALL
CLIENT: ANNE COLLIER
CLIENT PHONE [redacted]
TOTAL SURVEY AREA: 0.34 AC

RSP ENVIRONMENTAL

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8475 LANIERLAND FARMS DRIVE
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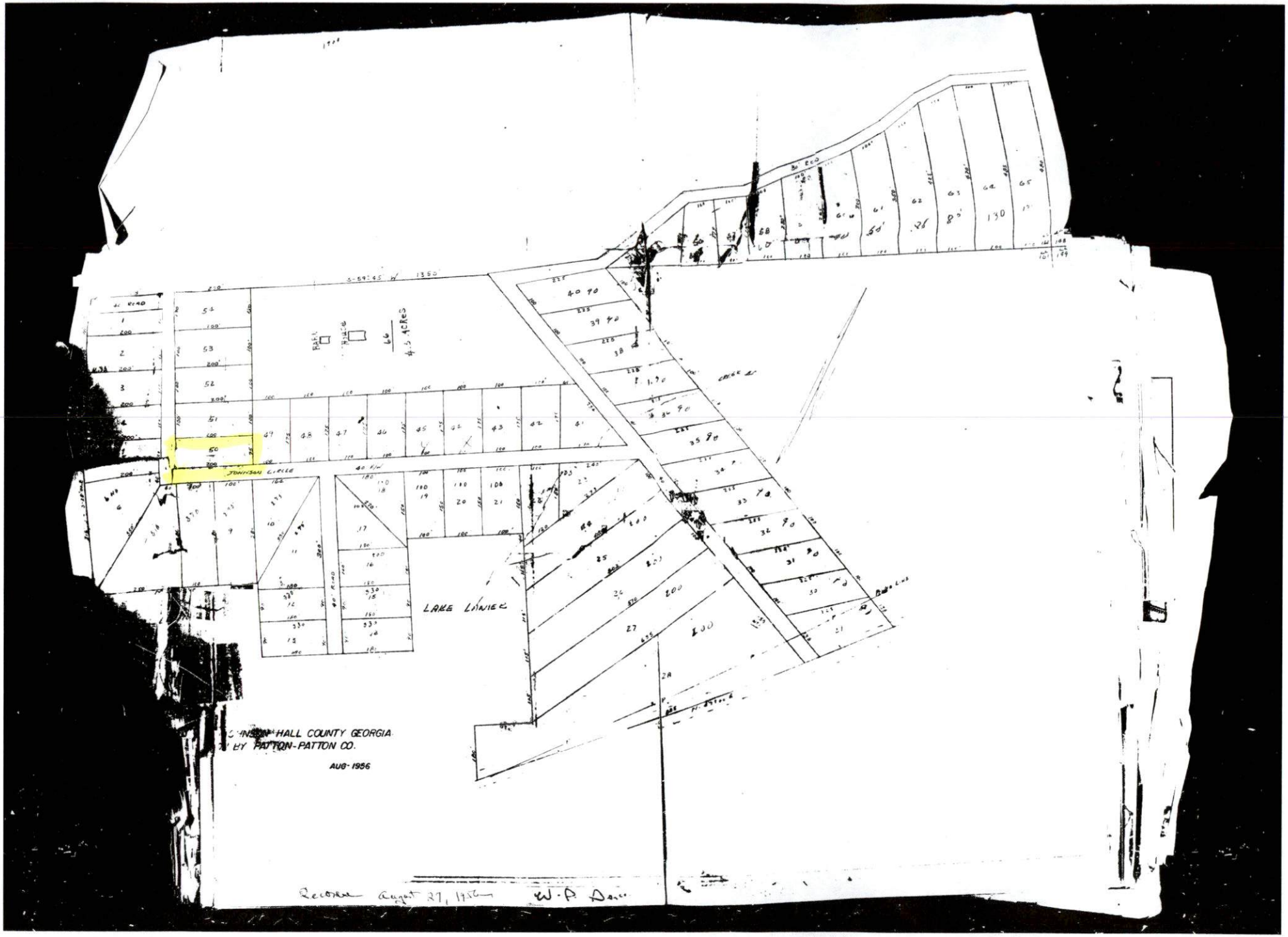
JOHNSON CIRCLE
LAKE LANIER
HALL COUNTY GEORGIA
BY PATTON-PATTON CO.
AUG· 1956
Recorded August 27, 1956 W.P. Davis



In-use well on prop.
next to 6582,
90' from well to
boring #3.



Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, January 16, 2024 12:05 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 2.19.24

Please find Environmental Health comments below:

Items 1A-C, 6294 Windward Lane, Burke: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 2, 6585 Johnson Circle, Wilkerson: Must meet all residential permitting requirements. Must submit to-scale site plan at time of septic permit application. The site plan must be to-scale and must include (but not be limited to) the following: septic tank location, location and type of onsite sewage management systems (primary and repair) on contour, house size and location, proposed drives, proposed grading, any proposed amenities, soil boundaries, all well buffers, and any calculations used to size the septic system. If an alternative primary system is proposed (Class I effluent system), a design must be submitted by someone certified by that company to provide design plans. Submittal of a site plan/application does not guarantee permit approval or approval for the number of bedrooms requested at time of application.

Item 3, 6384 Yellow Creek Road, Hathaway: Must meet all Environmental Health commercial septic system permitting requirements. 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.

Item 4, 4610/4616/4630/4636 Winder Hwy, Gilliam: 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.

Item 5, 2030/2034/2036/2038/2040 Spring Road, Ferguson: 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.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road

RE: Tentative Planning Agenda for February 19, 2024

Chavers, Veronica E <VChavers@dot.ga.gov>
Mon 1/22/2024 9:53 AM
To:Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>;Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>

Some people who received this message don't often get email from vchavers@dot.ga.gov. Learn why this is important

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.

Responses are in red below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, January 11, 2024 10:33 AM
Subject: Tentative Planning Agenda for February 19, 2024

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.

Good morning–

Here is the Tentative Agenda and Maps for the **Monday, February 19, 2024** 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, January 18th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – February 5, 2024

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its

intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

(C) 6294 Windward Lane | Variance | 17.240.010. to reduce the rear yard setback from 20 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**

GDOT coordination not required

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   GDOT coordination not required

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   GDOT coordination not required

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   GDOT coordination for driveway access on Hwy 53

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   GDOT coordination not required

*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 28, 2024, at 6:00 p.m. at the Hall County Government Center, 2nd 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 28, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 18, 2024

Subject: February 19, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 19, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **(A) 6294 Windward Lane | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 30 feet from centerline of road | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
   (B) 6294 Windward Lane | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.23± acre tract located at the terminus of Windward Lane, approximately 300 feet from its intersection with Cruiser Court | Zoned V-C, Tax Parcel 08108 000021 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Robert Burke, applicant**
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   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

2. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **6384 Yellow Creek Road | Use Subject to County Commission Approval |** on a 53.13± acre tract located on the northwest side of Yellow Creek Road, approximately 350 feet from its intersection with Cajitoma Drive | Zoned AR-III; Tax Parcel 11129 000028 | **Proposed Use: Equestrian center** | ** Commission District 2 | **Sara Hathaway, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** No Comment
   c. **Utilities:** Hall County sewer district – No connection within feasible distance available.

4. **4610, 4616, 4630 & 4636 Winder Highway | Amend Conditions of PRD |** on a combined 31.64± acre tract located on the southwest side of Winder Highway, at the intersection with Plantation Drive | Zoned PRD; Tax Parcel 15037A000001 & 15037A000070 | **Proposed Use: 54-lot single-family residential development** | ** Commission District 1 | **Steven P. Gilliam, applicant**

   a. **Engineering:** This 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 buffer and impervious setback from wrested vegetation not centerline of stream.
      Show FEMA and Hall County studied Flood plains that are present on site
   b. **Traffic:** GDOT access permit required
      Site plan shows an eyebrow cal-de-sac which is not permitted in code. Applicant will need to request receive a variance.
   c. **Utilities:** Hall County sewer – Connection within feasible distance.

5. **2030, 2034, 2036, 2038 & 2040 Spring Road | Rezone |** from Highway Business (H-B) to Planned Residential Development (PRD) | on a combined 1.99± acre tract located on the north side of Spring Road, approximately 475 feet from its intersection with Skelton Road | Zoned H-B; Tax Parcel 00122 002013, 14, 15 & 16 | **Proposed Use: 13-unit townhome development** | ** Commission District 4 | **Tim Ferguson, applicant**

   a. **Engineering:** This 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
   b. **Traffic:** No Comment
   c. **Utilities:** City of Gainesville sewer district

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, January 18, 2024 9:01 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, February 19, 2024 Hall County Planning Commission Meeting.

1. **6585 Johnson Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract located on the north side of Johnson Circle, approximately 517 feet from its intersection with Yacht Club Road | Zoned PRD; Tax Parcel 08161 004005 | **Proposed Use: Construction of a single-family residence** | * Commission District 2 | **Kristy Wilkerson – Brown Haven Homes, applicant**

   The Hall County Fire Marshal's Office has no comments 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


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: KRISTY WILKERSON - BROWN HAVEN HOMES
REQUEST: VARY THE FRONT YARD SETBACK FROM 55 FT TO 36 FT FROM CENTERLINE FOR A SINGLE FAMILY RESIDENCE
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: FEB. 19, 2024 Time: 5:15 PM
IF APPEALED
COUNTY COMMISSION Date: MAR 28, 2024 Time: 6:00 PM
HALL COUNTY GOVERNMENT CENTER, 2875 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: KRISTY WILKERSON - BROWN HAVEN HOMES
REQUEST: VARY THE FRONT YARD SETBACK FROM 55 FT TO 36 FT FROM CENTERLINE FOR A SINGLE-FAMILY RESIDENCE
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: FEB. 19, 2024
Time: 5:15 PM
IF APPEALED
COUNTY COMMISSION
Date: MAR. 28, 2024
Time: 6:00 PM
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 141/2024

SUBJECT: Approve the Agreement for Reservation of Sewerage Service between Hall County and Clayton Properties Group, Inc. for the capacity of 46,000 gallons per day for Ponderosa Farms Subdivision, in the amount of $1,775,968.00. Commission District 2.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:
Approve the Agreement for Reservation of Sewerage Service between Hall County and Clayton Properties Group, Inc. for the capacity of 46,000 gallons per day for Ponderosa Farms Subdivision, in the amount of $1,775,968.00. Commission District 2.

History:

Facts and Issues:
This sewer service agreement reserves the capacity of 46,000 gallons per day for 24 months at which time the capacity would return to the county and 20% of the payment forfeited with the balance refunded to the developer if no work is performed.

Options:

Funding Requested	$ 0.00
Are funds within current budget?	No
Source of Funds	
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
WS	BN	EW	WG

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Sewer Connection Fee Calculation
Agreement for Reservation of Sewerage Service

HALL COUNTY
GEORGIA

*We have it **all** in Hall*

INVOICE

2875 Browns Bridge Road, Gainesville, Georgia 30504
Phone: (770) 531-6800 Fax: (770) 531-3945

Case #
HSUB23-0007

BILL TO

Attn:
Ponderosa Farms, LLC
4596 Winder Highway
Flowery Branch, Georgia 30542

DATE
March 1, 2024

Confirmation/Check #:
Receipt #: -------

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
Sewer Connection fee - based on 3/4" meter	230	$ 8,400.00	$ 1,932,000.00
3% Administrative Fee	230	$ 252.00	$ 57,960.00
Tapping Fee - 6" service lateral	230	$ 800.00	$ 184,000.00
		$ -	$ -
		$ -	$ -
		$ -	$ -
		$ -	$ -
		$ -	$ -
		$ -	$ -
		$ -	$ -
		$ -	$ -
		$ -	$ -
20% discount (discount applies only to sewer connection fee and administrative fee if developer purchases entire development connection fees and is greater than 100 units and executes Agreement for Reservation of Seweage Service)		$ -	$ (397,992.00)

Thank you for your business!

SUBTOTAL	$ 1,775,968.00
**Credit card fee 2.49%	$ -
TOTAL	**$ 1,775,968.00**

Make checks payable to:
Hall County Board of Commissioners (BOC)

If you have any questions about this invoice, please contact
Wanda Sutton - (770) 531-6800
*** If paying with Credit/Debit Card, a 2.49% fee will be added to invoice*

AGREEMENT FOR RESERVATION OF SEWERAGE SERVICE

THIS AGREEMENT FOR RESERVATION OF SEWERAGE SERVICE, as of the 12TH day of MARCH, 2024, by and between HALL COUNTY, GEORGIA, a political subdivision of the State of Georgia (herein called "Hall County"), and

CLAYTON PROPERTIES GROUP, INC. DBA CHAFIN LAND DEVELOPMENT, (herein called "Developer").

WITNESSETH:

WHEREAS, Developer owns certain property (hereinafter called the "Developer Property") which is shown on Exhibit "A" attached hereto and which is located so as to be serviceable by sewer capacity to be supplied by Hall County; and

WHEREAS, Developer and Hall County intend and agree that the sewer capacity and infrastructure contemplated hereby shall be provided at no cost to Hall County; and

WHEREAS, Hall County has authority to enter into this Agreement under the provisions of Paragraph III of Section II of Article IX of the Constitution of Georgia;

NOW THEREFORE, in consideration of the terms set forth herein, the mutual covenants contained herein, and other good and valuable consideration, the receipt and adequacy of which is hereby expressly acknowledged, the parties do hereby agree as follows:

1. Capacity Reservation Requirements:

   Developer has requested a capacity of 46,000 Gallons per Day (GPD) for the Property on an average daily basis. Using an average daily figure of 200 GPD of wastewater generation per Equivalent Dwelling Units (EDU), this capacity equates to anticipated flows from 230 EDU's. In consideration of Developer's contemporaneous delivery to Hall County of $ 1,775,968.00 (Connection Fee Charges) for Developer's Reserved Capacity, Hall County has granted, bargained sold, transferred, conveyed and reserved and does hereby grant, bargain, sell, transfer, convey and reserved to Developer 46,000 gallons per day of sewage treatment capacity (herein called the "Developer Reserved Capacity") for the purpose of providing sewage treatment for Developer and subsequent owners and users of the Developer Property.

   The County agrees to provide sewerage service and reserve the requested treatment capacity upon receipt of the Connection Fee Charges. This charge is calculated by multiplying the above EDU figure by the connection fee charges in effect at the time of this agreement. However, both parties acknowledge that the final connection fees s be recalculated once the final water meter sized for the development have been established and purchased. At that time, the difference owned by either party will be settled.

Developer acknowledges further that said reservation will become null and void and connection fees reimbursed by the County after a period of three years from date of this agreement unless all development permits have been issued for the construction to begin at the property.

2. Monthly Sewer Use Charges:

   The monthly sewer use charges are adopted by an Ordinance and Resolution and shall be consistent with the operation, maintenance and debt requirements of the sewerage system. Developer shall pay all appropriate fees associated with its usage of the sewerage system in accordance with the Ordinance, which may be amended from time to time.

3. Sewer Surcharges:
   This agreement shall adopt, and incorporate herein; the Industrial Pre-Treatment standards provided Hall County Ordinance should the Property have sewage with excessive contaminated wastes.

4. Upon payment by Developer of the then prevailing tap-on fees for the daily sewage capacity (connection fees, availability charges, surcharges, and other tap-on fees), Developer shall be entitled to tap on and connect to and Hall County shall permit Developer's connection to the Hall County sewage collection and treatment system.

5. Hall County will maintain records showing utilization of the Developer Reserved Capacity and the remaining capacity held for Developer. Hall County will furnish copies of such records to Developer upon written request.

6. Developer shall pay, or cause to be paid, all cost associated with the extension of sewage treatment service from the connection point approved by hall County (and/or the affected treatment facility provider) on the existing sewer lines shown on Exhibit "B" attached hereto to the points within the Developer Property which Developer desires to serve. Any public sanitary sewer systems installed or caused to be installed by Developer shall be constructed in accordance with all applicable state and local laws, ordinances, regulations and rules and shall be subject to the review and approval of the plans and specifications by Hall County (and the affected treatment facility provider) and subject to inspection and approval by Hall County of the installation of said systems. Upon completion by Developer and approval by Hall County of said sanitary sewer systems and easements according to Hall County requirements, such sewer systems and easements shall within six months after approval, be submitted to hall County for dedication and, upon acceptance by Hall County (which shall not be unreasonably withheld), shall become part of the Hall County sewer system.

7. Developer may, from time to time, assign all or any portion of the Developer Reserved Capacity, together with rights to connect with and tap-on any connecting systems to any successors in title, lender, users or occupants of all or any portion of the Developer Property and, subject to approval of the Hall County Board of Commissioners, any additional property which Developer may acquire which is contiguous to the Developer Property. For the purpose of this Agreement, the term "contiguous" shall include any property that is adjacent to or across the road from the Developer Property. Subject to the provisions relating to contiguous property, use of Developer reserved Capacity by Developer and other entities is restricted to the property shown on Exhibit "A" attached hereto.

8. Developer agrees to use its good faith, reasonable efforts to attract users to its Developer Property. This agreement shall remain in effect as long as Developer continues to make such a good faith effort and until Developer has utilized all of the Developer Reserved Capacity. However, the Developer shall prepare and submit all necessary and required plans and drawings of infrastructure and initiate grading and construction of Developer Property on or before the expiration of 24 months from the date of this agreement. If the Developer fails to comply with any of the previous stipulations, the "reserved capacity" shall revert to Hall County and 20% of the Payment shall be forfeited with the balance refunded to the Developer. An extension may be considered upon written documentation of a legitimate cause for such extension upon payment of the aforementioned Payment in full. Failure to initiate substantial construction within 12 months from the date of the extension of this agreement shall result in the "reserved capacity" reverting to Hall County and 20% of the extension Payment shall be forfeited with the balance refunded to the Developer.

9. If an adjoining property owner desires to connect to any sanitary sewer approved by Hall County prior to the time Developer requires such connection, Developer will grant to Hall County an easement running from the designated sewer line connection point location or from any sewer connecting systems already located within the Developer property to the boundary of the Developer property line at a location approved by Developer and at no cost to either Hall County or the adjoining property owner, provided that the adjoining land owner (i) agrees in writing to repair and restore Developer Property to its prior condition, (ii) carries builder's risk insurance with a company and in an amount reasonable satisfactory to developer which names Developer as an additional insured and provides Developer with a copy of the same prior to commencement of construction, and (iii agrees in writing to indemnify and hold Developer harmless from and against any and all loss, cost damage or expense with that Developer may suffer or incur (including, without limitation, attorney's fees and court costs) arising out of or related to the easement. Solely the requesting adjoining property owner with no financial obligation or participation by Developer shall pay the cost of constructing the connecting sewer system within the easement area of the Developer Property. Such sewer line connection systems shall be

sized at the time of installation and built according to Hall County regulations. The temporary and permanent easement required for such lines shall be non-exclusive and Developer shall be entitled to connect with and tap onto any such lines according to the applicable Hall County Rules and Regulations at no charge except for the then applicable tap-on fees.

10. Upon the full utilization of the Developer Capacity, Hall County shall certify in writing that Developer has received its entire Developer Reserved Capacity and that Developer shall purchase any additional capacity required by Developer on a capacity available basis at the Hall County sewer capacity reservation rates in effect at the time of purchase. Developer agrees to adhere to the Hall County sewer ordinance, rules, and regulations in the utilization of sewer service as well as any applicable state statutes, rules and regulations.

11. Developer acknowledges and agrees that hall County shall have no liability to Developer for the failure of any third party to do or perform any act including, without limitation, any failure by a third party to pay the cost of installing all or any part of a sewage collection system upon which Developer may be dependent in order to connect Developer's sewage collection system to the Hall County Sewerage System.

12. Each notice required or permitted to be given hereunder shall be delivered in person or by courier or sent by depositing it with the United States Postal Service by certified mail, return receipt requested, with adequate postage prepaid addressed to the appropriate party as hereinafter provided. Each such notice that is delivered in person or by courier shall be effective when delivered to the address specified herein and each such notice that is sent by certified mail shall be effective upon being so deposited with the United states Postal Service. The addresses of the parties to which notices are to be sent shall be those set forth on the signature pages of this Agreement. Either party shall have the right from time to time to change the address to which notices to it shall be sent by giving to the other party at least 30 days prior notice of the changed address.

13. Time is of the essence of this Agreement.

14. If any phrase, clause, sentence, paragraph or section of this Agreement shall be declared or judged invalid or unconstitutional, such adjudication shall in no manner affect the other phrases, clauses, sentences, paragraphs, or sections of this Agreement which shall remain of full force and effect as if the phrase, clause, sentence, paragraph of section of the Agreement so declared or adjudicated invalid or unconstitutional was not originally a part hereof.

15. This Agreement may be modified only by the mutual written agreement by the parties. No waiver, modification or amendment of any term, condition or provision of this Agreement will be valid or of any force of effect unless made in writing and signed by the parties hereto.

IN WITNESS WHEREOF, the fully authorized officials of Hall County and the fully authorized officers of Developer have respectively caused this Agreement to be entered into on behalf of Hall County and Developer and the seals of Hall County and Developer to be affixed hereto on the date and year first above written.

COUNTY:

HALL COUNTY, GEORGIA
A political subdivision of the State of Georgia

By: _____

Name: _____

Title: _____

Date Signed: _____

OWNER:

CLAYTON PROPERTIES GROUP, INC.
Ponderosa Farms

By: _____

Name: ERIC CHAFIN

Title: VICE PRESIDENT

Date Signed: 3-12-2024

CLAYTON PROPERTIES GROUP, INC. CORPORATE SEAL 1988 TENNESSEE

(SEAL)

Tax Parcel No: 15038 000087

EXHIBIT A

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN GEORGIA MILITIA DISTRICT 385, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERN RIGHT-OF-WAY INTERSECTION OF L. J. MARTIN DRIVE (80' R/W) AND THE SOUTHWESTERN RIGHT-OF-WAY OF PONDEROSA FARM ROAD (80' R/W); THENCE ALONG THE RIGHT-OF-WAY OF SAID PONDEROSA FARM ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTH 28°07'55" EAST, A DISTANCE OF 70.67 FEET TO A POINT; THENCE 185.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 472.07 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 41°17'09" EAST, 184.77 FEET TO A POINT; THENCE 157.44 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 530.14 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 61°04'20" EAST, 156.86 FEET TO A POINT; THENCE 173.31 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1715.23 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 73°00'22" EAST, 173.24 FEET TO A POINT; THENCE SOUTH 75°16'28" EAST, A DISTANCE OF 78.14 FEET TO A POINT; THENCE SOUTH 75°08'32" EAST, A DISTANCE OF 117.00 FEET TO A POINT; THENCE SOUTH 74°39'19" EAST, A DISTANCE OF 80.83 FEET TO A POINT; THENCE SOUTH 74°41'48" EAST, A DISTANCE OF 115.78 FEET TO A POINT; THENCE SOUTH 74°41'15" EAST, A DISTANCE OF 112.29 FEET TO A POINT; THENCE 80.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 639.36 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 71°35'02" EAST, 80.05 FEET TO A CONCRETE MONUMENT FOUND; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE PROPERTY NOW OR FORMERLY BELONGING TO KEVIN STURM AND THE PROPERTY NOW OR FORMERLY BELONGING TO JOSEPH FRANK COOPER AND WILLIAM JACKIE COOPER, SOUTH 33°44'08" WEST, A DISTANCE OF 1051.51 FEET TO A POINT ON THE CENTERLINE OF A CREEK; THENCE ALONG THE CENTER LINE OF SAID CREEK AND THE PROPERTY NOW OR FORMERLY BELONGING TO JOSEPH FRANK COOPER AND WILLIAM JACKIE COOPER SOUTH 44°54'46" EAST, A DISTANCE OF 24.02 FEET TO A POINT; THENCE SOUTH 81°52'20" EAST, A DISTANCE OF 35.44 FEET TO A POINT; THENCE SOUTH 33°23'59" EAST, A DISTANCE OF 20.26 FEET TO A POINT; THENCE SOUTH 78°24'48" EAST, A DISTANCE OF 28.03 FEET TO A POINT; THENCE SOUTH 49°22'37" EAST, A DISTANCE OF 45.68 FEET TO A POINT; THENCE SOUTH 84°19'22" EAST, A DISTANCE OF 34.07 FEET TO A POINT; THENCE SOUTH 57°30'59" EAST, A DISTANCE OF 31.88 FEET TO A POINT; THENCE SOUTH 74°31'20" EAST, A DISTANCE OF 35.00 FEET TO A POINT; THENCE SOUTH 65°36'48" EAST, A DISTANCE OF 57.88 FEET TO A POINT; THENCE SOUTH 73°57'33" EAST, A DISTANCE OF 33.01 FEET TO A POINT; THENCE SOUTH 69°17'08" EAST, A DISTANCE OF 11.85 FEET TO A POINT; THENCE NORTH 59°14'32" EAST, A DISTANCE OF 16.21 FEET TO A POINT; THENCE SOUTH 63°01'14" EAST, A DISTANCE OF 14.22 FEET TO A POINT; THENCE NORTH 84°41'23" EAST, A DISTANCE OF 27.34 FEET TO A POINT; THENCE SOUTH 74°28'05" EAST, A DISTANCE OF 31.78 FEET TO A POINT; THENCE NORTH 72°56'47" EAST, A DISTANCE OF 62.71 FEET TO A POINT; THENCE SOUTH 88°22'18" EAST, A DISTANCE OF 38.01 FEET TO A POINT; THENCE NORTH 73°33'13" EAST, A DISTANCE OF 32.99 FEET TO A POINT; THENCE SOUTH 71°05'19" EAST, A DISTANCE OF 24.71 FEET TO A POINT; THENCE NORTH 89°46'24" EAST, A DISTANCE OF 15.16 FEET TO A POINT; THENCE SOUTH 81°30'15" EAST, A DISTANCE OF 81.29 FEET TO A POINT; THENCE SOUTH 76°45'20" EAST, A DISTANCE OF 56.70 FEET TO A POINT AT THE INTERSECTION OF THE CENTERLINE OF A SECOND CREEK (CREEK 2); THENCE ALONG THE CENTERLINE OF SAID CREEK 2 AND ALONG THE PROPERTY NOW OR

FORMERLY BELONGING TO MICHAEL D. HARDIMAN AND LISA L. HARDIMAN, THE PROPERTY NOW OR FORMERLY BELONGING TO HUGH DONALD STALLWORTH, THE PROPERTY NOW OR FORMERLY BELONGING TO TUSCANY POINT SUBDIVISION, THE PROPERTY NOW OR FORMERLY BELONGING TO HENRY RAGAN MARTIN, JR. AND ANDREA MARIE MARTIN THE FOLLOWING COURSES AND DISTANCES: SOUTH 39°53'26" WEST, A DISTANCE OF 91.55 FEET TO A POINT; THENCE SOUTH 62°07'41" WEST, A DISTANCE OF 161.18 FEET TO A POINT; THENCE SOUTH 62°20'52" WEST, A DISTANCE OF 30.40 FEET TO A POINT; THENCE SOUTH 11°32'00" WEST, A DISTANCE OF 26.16 FEET TO A POINT; THENCE SOUTH 62°23'14" WEST, A DISTANCE OF 45.24 FEET TO A POINT; THENCE SOUTH 09°04'03" WEST, A DISTANCE OF 45.81 FEET TO A POINT; THENCE SOUTH 70°41'12" WEST, A DISTANCE OF 38.16 FEET TO A POINT; THENCE NORTH 75°43'45" WEST, A DISTANCE OF 33.18 FEET TO A POINT; THENCE SOUTH 62°23'24" WEST, A DISTANCE OF 28.20 FEET TO A POINT; THENCE SOUTH 25°49'16" EAST, A DISTANCE OF 21.01 FEET TO A POINT; THENCE SOUTH 68°04'22" WEST, A DISTANCE OF 35.51 FEET TO A POINT; THENCE SOUTH 46°21'42" WEST, A DISTANCE OF 24.40 FEET TO A POINT; THENCE NORTH 87°25'25" WEST, A DISTANCE OF 19.80 FEET TO A POINT; THENCE SOUTH 42°05'39" WEST, A DISTANCE OF 66.11 FEET TO A POINT; THENCE SOUTH 56°08'15" WEST, A DISTANCE OF 47.92 FEET TO A POINT; THENCE SOUTH 59°46'53" WEST, A DISTANCE OF 30.60 FEET TO A POINT; THENCE SOUTH 62°46'14" WEST, A DISTANCE OF 40.50 FEET TO A POINT; THENCE SOUTH 68°48'46" WEST, A DISTANCE OF 38.99 FEET TO A POINT; THENCE SOUTH 16°42'03" WEST, A DISTANCE OF 32.50 FEET TO A POINT; THENCE SOUTH 65°08'05" WEST, A DISTANCE OF 52.46 FEET TO A POINT; THENCE SOUTH 83°52'50" WEST, A DISTANCE OF 52.44 FEET TO A POINT; THENCE SOUTH 37°40'56" WEST, A DISTANCE OF 24.26 FEET TO A POINT; THENCE SOUTH 21°13'20" EAST, A DISTANCE OF 27.18 FEET TO A POINT; THENCE SOUTH 62°12'24" WEST, A DISTANCE OF 50.70 FEET TO A POINT; THENCE SOUTH 61°41'27" WEST, A DISTANCE OF 37.47 FEET TO A POINT; THENCE SOUTH 67°15'23" WEST, A DISTANCE OF 54.89 FEET TO A POINT; THENCE SOUTH 54°09'47" WEST, A DISTANCE OF 62.79 FEET TO A POINT; THENCE SOUTH 42°22'09" WEST, A DISTANCE OF 55.76 FEET TO A POINT; THENCE SOUTH 67°27'18" WEST, A DISTANCE OF 48.23 FEET TO A POINT; THENCE SOUTH 32°00'52" WEST, A DISTANCE OF 80.24 FEET TO A POINT; THENCE SOUTH 56°06'28" WEST, A DISTANCE OF 13.36 FEET TO A POINT; THENCE SOUTH 70°20'44" WEST, A DISTANCE OF 76.38 FEET TO A POINT; THENCE SOUTH 70°17'06" WEST, A DISTANCE OF 75.44 FEET TO A POINT; THENCE SOUTH 67°06'00" WEST, A DISTANCE OF 37.29 FEET TO A POINT; THENCE SOUTH 43°03'48" WEST, A DISTANCE OF 28.46 FEET TO A POINT; THENCE SOUTH 72°30'56" WEST, A DISTANCE OF 67.30 FEET TO A POINT; THENCE SOUTH 10°45'43" EAST, A DISTANCE OF 51.47 FEET TO A POINT; THENCE SOUTH 80°29'16" WEST, A DISTANCE OF 45.26 FEET TO A POINT; THENCE SOUTH 74°12'59" WEST, A DISTANCE OF 77.39 FEET TO A POINT; THENCE SOUTH 36°09'11" WEST, A DISTANCE OF 58.34 FEET TO A POINT; THENCE SOUTH 74°42'43" WEST, A DISTANCE OF 64.28 FEET TO A POINT; THENCE SOUTH 51°28'34" WEST, A DISTANCE OF 46.71 FEET TO A POINT; THENCE SOUTH 24°10'58" WEST, A DISTANCE OF 23.78 FEET TO A POINT; THENCE NORTH 83°39'53" WEST, A DISTANCE OF 62.62 FEET TO A POINT; THENCE SOUTH 67°56'31" WEST, A DISTANCE OF 14.51 FEET TO A POINT; THENCE SOUTH 28°39'57" EAST, A DISTANCE OF 17.32 FEET TO A POINT; THENCE SOUTH 85°03'16" EAST, A DISTANCE OF 19.60 FEET TO A POINT; THENCE SOUTH 15°24'12" EAST, A DISTANCE OF 15.25 FEET TO A POINT; THENCE SOUTH 47°18'01" WEST, A DISTANCE OF 20.26 FEET TO A POINT; THENCE SOUTH 55°06'33" WEST, A DISTANCE OF 12.05 FEET TO A POINT; THENCE NORTH 73°31'48" WEST, A DISTANCE OF 31.36 FEET TO A POINT; THENCE NORTH 61°51'09" WEST, A DISTANCE OF 13.93 FEET TO A POINT; THENCE NORTH 89°34'18" WEST, A DISTANCE OF 97.64 FEET TO A POINT; THENCE

SOUTH 85°18'02" WEST, A DISTANCE OF 27.46 FEET TO A POINT; THENCE SOUTH 38°38'18" WEST, A DISTANCE OF 62.48 FEET TO A POINT; THENCE SOUTH 29°01'01" WEST, A DISTANCE OF 13.28 FEET TO A POINT; THENCE SOUTH 11°19'47" WEST, A DISTANCE OF 17.00 FEET TO A POINT; THENCE SOUTH 37°05'22" WEST, A DISTANCE OF 13.05 FEET TO A POINT; THENCE SOUTH 13°31'19" EAST, A DISTANCE OF 38.11 FEET TO A POINT; THENCE SOUTH 20°14'25" EAST, A DISTANCE OF 46.28 FEET TO A POINT; THENCE SOUTH 15°23'49" WEST, A DISTANCE OF 21.96 FEET TO A POINT; THENCE SOUTH 28°42'31" WEST, A DISTANCE OF 27.50 FEET TO A POINT; THENCE SOUTH 03°24'23" WEST, A DISTANCE OF 46.28 FEET TO A POINT; THENCE SOUTH 11°56'27" WEST, A DISTANCE OF 22.62 FEET TO A POINT; THENCE SOUTH 35°35'55" WEST, A DISTANCE OF 33.89 FEET TO A POINT; THENCE SOUTH 60°37'55" WEST, A DISTANCE OF 27.53 FEET TO A POINT; THENCE SOUTH 40°02'46" WEST, A DISTANCE OF 31.12 FEET TO A POINT; THENCE SOUTH 72°49'41" WEST, A DISTANCE OF 9.75 FEET TO A POINT; THENCE SOUTH 02°57'09" WEST, A DISTANCE OF 33.98 FEET TO A POINT; THENCE SOUTH 10°57'26" WEST, A DISTANCE OF 50.03 FEET TO A POINT; THENCE SOUTH 08°39'05" EAST, A DISTANCE OF 34.50 FEET TO A POINT; THENCE SOUTH 24°06'46" WEST, A DISTANCE OF 11.60 FEET TO A POINT; THENCE SOUTH 04°25'18" WEST, A DISTANCE OF 22.96 FEET TO A POINT; THENCE SOUTH 02°32'12" WEST, A DISTANCE OF 15.35 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF SAID CREEK 2 AND ALONG THE PROPERTY NOW OR FORMERLY BELONGING TO J. ALAN HOWARD AND CHRISTIE J. HOWARD, NORTH 84°46'55" WEST, A DISTANCE OF 213.30 FEET TO A 38" BOLT FOUND AT THE BASE OF A ROCK; THENCE ALONG THE PROPERTY NOW OR FORMERLY BELONGING TO KAREN PARSON, NORTH 84°43'23" WEST, A DISTANCE OF 600.75 FEET TO AN IRON PIN FOUND (1" OPEN TOP PIPE AT A CONCRETE MONUMENT); THENCE ALONG THE PROPERTY NOW OR FORMERLY BELONGING TO DAVID ALLAN HAYNES, BETTY HAYNES AND REBECCA HAYNES, NORTH 85°28'40" WEST, A DISTANCE OF 299.82 FEET TO A CONCRETE MONUMENT FOUND ON THE GEORGIA POWER COMPANY RIGHT-OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 21°46'05" EAST, A DISTANCE OF 1799.63 FEET TO AN IRON PIN SET (1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER 000484"); THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 27°47'20" WEST, A DISTANCE OF 344.61 FEET TO A POINT; THENCE SOUTH 19°33'47" WEST, A DISTANCE OF 6.82 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE ALONG THE PROPERTY NOW OR FORMERLY BELONGING TO MATTHEW KENNEDY SMARTT, DANIEL ARNOLD SMARTT, ELLEN MARIA SMARTT MANNING AND ELIZABETH SMARTT CARTER, NORTH 28°38'49" WEST, A DISTANCE OF 289.19 FEET TO A CONCRETE MONUMENT FOUND; THENCE ALONG THE PROPORTIES NOW OR FORMERLY BELONGING TO JEFFREY L. JOHNSON & BRYAN M. HARRELL NORTH 48°57'10" EAST, A DISTANCE OF 489.81 FEET TO AN IRON PIN FOUND (1/4" REBAR); THENCE ALONG THE PROPERTY NOW OR FORMERLY BELONGING TO GEORGIA POWER COMPANY, NORTH 48°49'17" EAST, A DISTANCE OF 586.17 FEET TO AN IRON PIN FOUND (3/4" OPEN TOP PIPE) ON THE SOUTHERN RIGHT-OF-WAY OF SAID L. J. MARTIN DRIVE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES: SOUTH 85°37'21" EAST, A DISTANCE OF 8.88 FEET TO A POINT; THENCE SOUTH 85°37'19" EAST, A DISTANCE OF 69.72 FEET TO A POINT; THENCE 262.45 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1110.70 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 87°10'57" EAST, 261.84 FEET TO A POINT; THENCE 157.84 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1406.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 76°39'01" EAST, 157.75 FEET TO A POINT; THENCE NORTH 74°09'31" EAST, A DISTANCE OF 117.92 FEET TO A POINT; THENCE NORTH 73°35'24" EAST, A DISTANCE OF 132.10 FEET TO THE **POINT OF BEGINNING.**
SAID TRACT CONTAINS 121.234 ACRES.

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 148/2024

SUBJECT: Public hearing to request approval and authorization for the Chairman to execute a resolution for the expansion of a Special Tax District for street lights on Spring Road and Skelton Road in Hall County. Commission District 4.

Meetings:

Work Session Date: 03/25/24

Voting Meeting Date: 03/28/24

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:
Public hearing to request approval and authorization for the Chairman to execute a resolution for the expansion of a Special Tax District for street lights on Spring Road and Skelton Road in Hall County. Commission District 4.

History:

Spring Road and Skelton Road are County maintained. Hall County is focusing on improving pedestrian and motorist safety along these corridors.

Facts and Issues:
In order to increase pedestrian and motorist safety along Spring Road and Skelton Road, Hall County has proposed making an addition to the special tax district for streetlights encompassing these roadways.

Georgia Power has indicated that most, if not all, proposed street lights will utilize existing utility poles, and there will not be an installation cost for traditional lighting fixtures.

If approved, the County will pay the monthly utility costs, which will be divided among the properties fronting each roadway and added to the owner's property tax bills as a streetlight assessment. In addition, each property owner will be assessed an administrative fee of $12.00 per year.

Options:

Funding Requested	$ 0.00
Are funds within current budget?	No
Source of Funds	
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
WS	JR	JR	JR

Attorney	Administration	Clerk
JR	JR	JR

Attachments:

Resolution
Exhibit A (Map of Area)
Exhibit B (Parcel Listing)

STATE OF GEORGIA
COUNTY OF HALL

RESOLUTION EXPANDING THE SPECIAL TAX DISTRICT FOR STREETLIGHTS

WHEREAS, pursuant to Article 9, Section 2, Paragraph 6 of the Constitution of the State of Georgia, The Hall County Board of Commissioners is authorized to create, by ordinance, special districts for the provision of local government services within such districts and to levy and collect taxes within such districts to pay the costs of providing such services; and

WHEREAS, the Hall County Board of Commissioners has previously created a special tax district for the provision of street lights and has ratified the special tax district, per Section 16.90.010 (A) of the Code of Ordinances of Hall County and;

WHEREAS, the Hall County Board of Commissioners is empowered, under special circumstances, to make additions to the special tax district per Section 16.90.010 (E) of the Code of Ordinances of Hall County and;

WHEREAS, the Hall County Board of Commissioners finds that such qualifying special conditions, specifically the need to increase visibility to promote motorist and pedestrian safety, exist along a portion of Spring Road between Browns Bridge Road and McEver Road and along a portion of Skelton Road between Browns Bridge Road and Shallowford Road as shown in “Exhibit A” and further determines that the addition of the properties/parcels listed in “Exhibit B” to the special tax district for streetlights and the

installation and maintenance of streetlights along the above referenced corridors is in the best interest of the residents of the aforementioned properties and the citizens of Hall County generally and;

WHEREAS, the Hall County Board of Commissioner's has provided notice of this resolution and an opportunity to be heard on the resolution to the public in accordance with Section 16.90.010 (E) of the Code of Ordinances of Hall County and;

WHEREAS, the properties listed in "Exhibit B" exist in unincorporated Hall County and are eligible for addition to the existing special tax district for street lights in accordance with Chapter 16.90 of the Code of Ordinances of Hall County and for taxation as authorized by Article 9, Section 2, and Paragraph 6 of the Constitution of the State of Georgia;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HALL COUNTY DOES HEREBY RESOLVE in accordance with the Code of Ordinances of Hall County, to add the properties listed in "Exhibit B" to the special tax district for streetlights and to tax the owners of the properties listed in "Exhibit B" in accordance with the Code of Ordinances of Hall County Chapter 16.90 and the Constitution of the State of Georgia.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this the ____ day of _____, 2024

HALL COUNTY BOARD OF COMMISSIONERS

By: _____

Richard Higgins, Chairman

ATTEST:

_____ (SEAL)

Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

_____

William Linkous III, County Attorney

Skelton Road / Spring Road Street Light Project

Exhibit A

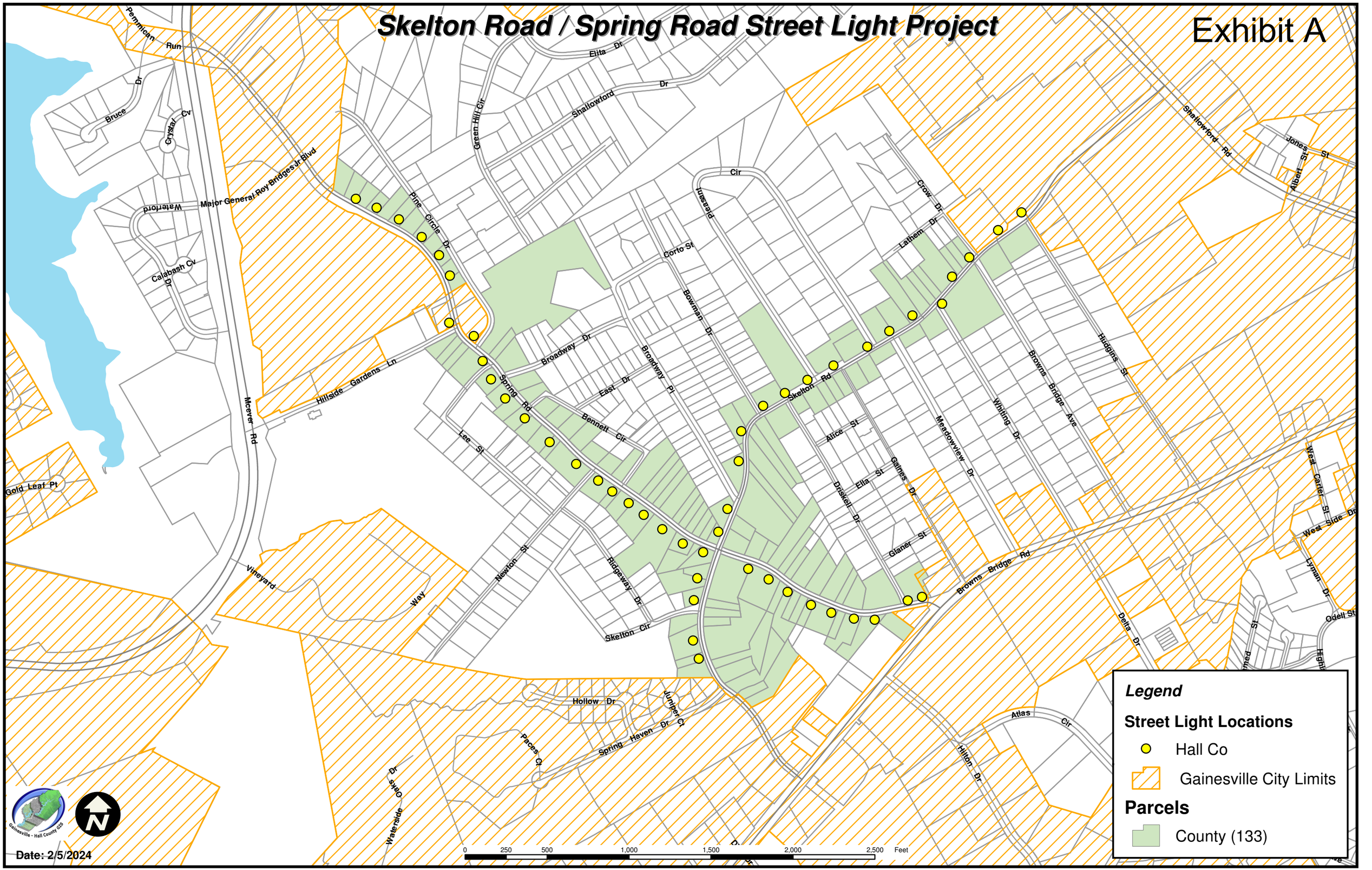

Exhibit B

PIN	SITE LOCATION	SITE UNIT	CITY	ZIP	OWNER
00120 003001A	0 SKELTON ROAD		GAINESVILLE	30504	NATE LLC,
00120 003007	1750 SKELTON ROAD		GAINESVILLE	30504	MENDEZ, MAGDA
00120 003006	1832 SKELTON ROAD		GAINESVILLE	30504	PEREZ, BRENDA SANDOVAL
00120 003008	1720 SKELTON ROAD		GAINESVILLE	30504	GANTT, GWEN
00120 003010	1866 SKELTON ROAD		GAINESVILLE	30504	CUEVAS, JOSE LUIS
00120 004009	1805 PLEASANT CIRCLE		GAINESVILLE	30504	RAMOS, ROBERTO M
00120 003005	1840 SKELTON ROAD		GAINESVILLE	30504	SALVADOR CUEVAS, MANUEL
00120 003009	1860 SKELTON ROAD		GAINESVILLE	30504	CORTEZ-MARTINEZ, FRANCISCO J
00120 004051	1908 PLEASANT CIRCLE		GAINESVILLE	30504	BARKER, MICHAEL NIX
00120 003012	1828 SKELTON ROAD		GAINESVILLE	30504	PEREZ, BRENDA SANDOVAL
00120 001014	2070 SKELTON ROAD		GAINESVILLE	30504	MOON, EDWARD EUGENE
00121 006032	2090 SKELTON ROAD		GAINESVILLE	30504	BLESSED BY THE BEACH LLC,
00121 002001	2154 SKELTON ROAD		GAINESVILLE	30504	SMITH, CURTIS GREGORY
00121 002033	2102 SPRING ROAD		GAINESVILLE	30504	LENAT, LLC,
00120 003001C	1706 SKELTON ROAD		GAINESVILLE	30504	VENTURA, JORGE
00120 003001D	1709 CROW DRIVE		GAINESVILLE	30504	VENTURA, BLANCA
00121 006001	2115 BOWMAN DRIVE		GAINESVILLE	30504	HALF GLASS FULL, LLC,
00121 006030	2110 BROADWAY PLACE		GAINESVILLE	30504	ROBLES, JOSE
08006 001001F	2248 SKELTON ROAD		GAINESVILLE	30504	LAM, AUDRY D
08006 001001D	2262 SKELTON ROAD		GAINESVILLE	30504	MOTES, ELAINE
08006 001001E	2266 SKELTON ROAD		GAINESVILLE	30504	MOTES, ELAINE
08006 001002	2254 SKELTON ROAD		GAINESVILLE	30504	MARTIN, TIMOTHY E
08006 003009	2208 SKELTON ROAD		GAINESVILLE	30504	LAM, AUDRY D
08006 003017	2103 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
08006 003010	2112 SKELTON ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
08006 003010A	2124 SKELTON ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00123 004001	1843 GAINES DRIVE		GAINESVILLE	30504	PANIAGUA, ELISEO
00123 004004	2013 SKELTON ROAD	1	GAINESVILLE	30504	JONES, JON W
00122 001001B	2237 SKELTON ROAD		GAINESVILLE	30504	CONTRERAS, J LUIS
00122 001006	2289 SKELTON ROAD		GAINESVILLE	30504	ROMERO, MARIA
00122 001001	2241 SKELTON ROAD		GAINESVILLE	30504	CONTRERAS, J LUIS
00122 001002	2261 SKELTON ROAD		GAINESVILLE	30504	NGUYEN, ANTHONY
00122 001003	2275 SKELTON ROAD		GAINESVILLE	30504	NGUYEN, ANTHONY
00122 001004	2281 SKELTON ROAD		GAINESVILLE	30504	NGUYEN, ANTHONY
00122 001005	2285 SKELTON ROAD		GAINESVILLE	30504	ROMERO, MARIA
00123 004005	1950 DRISKELL DRIVE		GAINESVILLE	30504	JONES, JON W
00123 005001	1949 SKELTON ROAD		GAINESVILLE	30504	NUNEZ, BRISEIDA G RIOS
00122 002001	1943 DRISKELL DRIVE		GAINESVILLE	30504	SIEVERT, GOTZ
00122 002003	2085 SKELTON ROAD		GAINESVILLE	30504	WALLACE, CLAUDIA V
00123 004002	2005 SKELTON ROAD		GAINESVILLE	30504	MCGEHEE, DAVID A
00123 005002	1963 SKELTON ROAD		GAINESVILLE	30504	B & S HALL PROPERTY LLC,
00123 006001	1754 MEADOWVIEW DRIVE		GAINESVILLE	30504	MENDEZ PORTILLO, OSCAR M.
00123 007001	1745 SKELTON ROAD		GAINESVILLE	30504	IGLESIA NUEVA VIDA A/D INC,
00123 005029	1749 MEADOWVIEW DRIVE		GAINESVILLE	30504	MUNOZ, VICTOR M
00123 008011	1615 SKELTON ROAD		GAINESVILLE	30504	CANTRELL, RANDY
00123 008012	1554 BROWNS BRIDGE AVENUE		GAINESVILLE	30504	VILLEDA, TOMAS J
00122 001001A	2245 SKELTON ROAD		GAINESVILLE	30504	CONTRERAS, YULIANA
00122 001003A	2271 SKELTON ROAD		GAINESVILLE	30504	NGUYEN, ANTHONY
00122 001042	2215 SKELTON ROAD		GAINESVILLE	30504	IGLESIA BAUTISTA LIBERTAD INC,
00122 002002	2081 SKELTON ROAD		GAINESVILLE	30504	WALLACE, CLAUDIA V
00122 002004	2095 SKELTON ROAD		GAINESVILLE	30504	WALLACE, CLAUDIA V
00122 002005	2099 SKELTON ROAD		GAINESVILLE	30504	SARGENT, GRACE
00122 002006	2149 SKELTON ROAD		GAINESVILLE	30504	CORADO, CHRIS
00122 002007	2157 SKELTON ROAD		GAINESVILLE	30504	SOTO, GUADALUPE M
00122 002008	2163 SKELTON ROAD		GAINESVILLE	30504	MOTES, ROSEMARY ELAINE
00123 004003	2013 SKELTON ROAD		GAINESVILLE	30504	JONES, JON W
00123 006027	1647 WHITING DRIVE		GAINESVILLE	30504	LE, TUAN M
00122 001030	2019 SPRING ROAD		GAINESVILLE	30504	MARTIN, KATHY JO

00122 001038	0 SPRING ROAD		GAINESVILLE	30504	QUINONES-MEDINA, JESUS S
00122 001027	2108 BROWNS BRIDGE ROAD		GAINESVILLE	30501	SHORT PROPERTY HOLDINGS, LLC,
00122 001032	2031 SPRING ROAD		GAINESVILLE	30504	MARTIN, KATHY JO
00122 001033	2033 SPRING ROAD		GAINESVILLE	30504	MARTIN, KATHY JO
00122 001034	2037 SPRING ROAD		GAINESVILLE	30504	MARTIN, KATHY JO
00122 001035	2041 SPRING ROAD		GAINESVILLE	30504	GRIFFIN, MAXINE SMITH
00122 001036	2043 SPRING ROAD		GAINESVILLE	30504	CALLEJAS, BYRON ALBERTO RAMOS
00122 001037	2045 SPRING ROAD		GAINESVILLE	30504	QUINONES-MEDINA, JESUS S
00122 001031A	2021 SPRING ROAD	A	GAINESVILLE	30504	MARTIN, KATHY JO
00122 001039	2047 SPRING ROAD		GAINESVILLE	30504	QUINONES-MEDINA, JESUS S
00122 002009	2054 SPRING ROAD		GAINESVILLE	30504	CORADO-NERIO, CHRIS
00122 002010	2052 SPRING ROAD		GAINESVILLE	30504	GALLARDO LOPEZ, LUDIVINA
00122 002011	2050 SPRING ROAD		GAINESVILLE	30504	B & S HALL PROPERTY LLC,
00123 001004	2008 SPRING ROAD		GAINESVILLE	30504	ARROW PROPERTIES, LLC,
00122 002012	2048 SPRING ROAD		GAINESVILLE	30504	EVANS, ROBERT
00122 002013	2040 SPRING ROAD		GAINESVILLE	30504	RUELAS, ASHLEY
00122 002014	2038 SPRING ROAD		GAINESVILLE	30504	RUELAS, ASHLEY
00122 002015	2036 SPRING ROAD		GAINESVILLE	30504	RUELAS, ASHLEY XITLALY
00122 002012A	2046 SPRING ROAD		GAINESVILLE	30504	SANTA ISABEL INVESTMENTS, LLC,
00122 002016	2030 SPRING ROAD		GAINESVILLE	30504	RUELAS, ASHLEY XITLALY
00122 002017	2024 SPRING ROAD		GAINESVILLE	30504	CHESTATEE INDUSTRIAL, LLC
00122 002018	2014 SPRING ROAD		GAINESVILLE	30504	WILLIAM KENNETH CRAIN, TTEE OF THE WILLI,
08006 003021	2143 SPRING ROAD		GAINESVILLE	30504	IGLESIA BAUTISTA LIBERTAD, INC.,
08006 001064	2275 SPRING ROAD		GAINESVILLE	30504	ALARACON, DEISY YARELY RAMIREZ
08006 001057	2263 SPRING ROAD		GAINESVILLE	30504	MNSB PROPERTIES LLC,
08006 002014	2195 SPRING ROAD		GAINESVILLE	30504	HARRIS, RICHARD N
08006 003012	2137 SPRING ROAD		GAINESVILLE	30504	IGLESIA DEL DIOS VIVO COLUMNA Y APOYO DE,
08006 003014	2147 SPRING ROAD		GAINESVILLE	30504	REBOLLAR SOLORZANO, JAVIER
08006 002007	2171 SPRING ROAD		GAINESVILLE	30504	VICENTE, JUAN
08006 002007A	2165 SPRING ROAD		GAINESVILLE	30504	WALLACE, DINAH
08006 002013	2189 SPRING ROAD		GAINESVILLE	30504	TRAN, LONG N
08006 003015	2153 SPRING ROAD		GAINESVILLE	30504	AVILA-GARCIA, MARIA A
08006 002001	2227 SPRING ROAD		GAINESVILLE	30504	BOUNDS, PRESTON K
08006 002008	2175 SPRING ROAD		GAINESVILLE	30504	VICENTE, JUAN
08006 002009	2209 SPRING ROAD		GAINESVILLE	30504	RAMIREZ, ALONZO
08006 002010	2221 SPRING ROAD		GAINESVILLE	30504	PANTOJA, BENITO
08006 001028A	2281 SPRING ROAD		GAINESVILLE	30504	SANCHEZ, MARITZA
08006 001028	2279 SPRING ROAD		GAINESVILLE	30504	MOULDER, ERIC DUSTIN
08006 003011	2113 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
08006 003018	2115 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
08006 003020	2151 SPRING ROAD		GAINESVILLE	30504	AVILA, MARIA
00121 002028	2132 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00121 002030	2120 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00121 001002	2158 SPRING ROAD		GAINESVILLE	30504	CISNEROS, JORGE
00121 001003	2174 SPRING ROAD		GAINESVILLE	30504	AYALA, MARIANO
00121 001003A	2164 SPRING ROAD		GAINESVILLE	30504	TORRES, EDUARDO
00121 001003B	2180 SPRING ROAD		GAINESVILLE	30504	SALGADO, FERNANDO
00121 001004	2184 SPRING ROAD		GAINESVILLE	30504	URIBE, JOSE FIDEL
00121 001001	2103 BENNETT CIRCLE		GAINESVILLE	30504	CASTRO, ROMERO JUAN
00121 002026A	2146 SPRING ROAD		GAINESVILLE	30504	WRIGHT, DIAN
00121 002027	2140 SPRING ROAD		GAINESVILLE	30504	WRIGHT, MARY DIAN
00121 002029	2126 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00121 002031	2114 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00121 002032	2108 SPRING ROAD		GAINESVILLE	30504	LENAT, LLC,
00121 002025	2148 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00121 002034	2144 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00121 001005	2145 BENNETT CIRCLE		GAINESVILLE	30504	WRIGHT, CHERYL
00121 002036	2138 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TOMMY
00121 004001	2491 BROADWAY PLACE		GAINESVILLE	30504	HANDRAN, KEITH

08005 000199	2347 PINE CIRCLE DRIVE		GAINESVILLE	30504	HERNANDEZ GASPAR, ISRAEL
08005 000200	2351 PINE CIRCLE DRIVE		GAINESVILLE	30504	BECCERRA CAUDILLO, ANA MARIA
08005 000003	2344 SPRING ROAD		GAINESVILLE	30504	LIMISCHUK, MARIA ISABEL MANASSI
08005 000002	2348 SPRING ROAD		GAINESVILLE	30504	WRIGHT, TIMOTHY ASHTON
08005 000004	2330 SPRING ROAD		GAINESVILLE	30504	MANASSI, NAHUEL
08005 000005	2326 SPRING ROAD		GAINESVILLE	30504	GBM HOLDINGS, LLC & HAZZELL, LLC,
08005 000196	2331 PINE CIRCLE DRIVE		GAINESVILLE	30504	WRIGHT, TIMOTHY SCOTT
08005 000197	2339 PINE CIRCLE DRIVE		GAINESVILLE	30504	WRIGHT, TIMOTHY SCOTT
08005 000001	2327 PINE CIRCLE DRIVE		GAINESVILLE	30504	WRIGHT, TIMOTHY SCOTT
08005 000013A	2335 PINE CIRCLE DRIVE		GAINESVILLE	30504	WRIGHT, TIMOTHY SCOTT
08005 000014	2355 PINE CIRCLE DRIVE		GAINESVILLE	30504	HUMPHRIES, HENRY B
08005 000198	2343 PINE CIRCLE DRIVE		GAINESVILLE	30504	WRIGHT, TIMOTHY SCOTT
08006 005001	2230 SPRING ROAD		GAINESVILLE	30504	QUINTANILLA- REYES, ROSA M
08006 005001A	2250 SPRING ROAD		GAINESVILLE	30504	TORRES, JESUS REYES
08006 005004	2220 SPRING ROAD		GAINESVILLE	30504	IBARRA, J APOLINAR
08006 005003	2210 SPRING ROAD		GAINESVILLE	30504	ZAMORA, EFRAIN

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 145/2024

SUBJECT: Approval and authorization for the Chairman to execute a Settlement Agreement for the purchase of 0.219 acres of real property and 0.137 acres for permanent and temporary easements for the purpose of constructing and maintaining slopes and relocating utilities, located at 3590 Thompson Bridge Road, Hall County, GA, tax parcel number 10104 000012, for the sum of $1,866,757.00, and authorization for the Chairman to execute any and all documents necessary to effectuate the transaction, subject to review and approval of the County Attorney.

Meetings:

Work Session Date: 03/25/24

Voting Meeting Date: 03/28/24

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Approval and authorization for the Chairman to execute a Settlement Agreement for the purchase of 0.219 acres of real property and 0.137 acres for permanent and temporary easements for the purpose of constructing and maintaining slopes and relocating utilities, located at 3590 Thompson Bridge Road, Hall County, GA, tax parcel number 10104 000012, for the sum of $1,866,757.00, including the demolition of the sanctuary building, and authorization for the Chairman to execute any and all documents necessary to effectuate the transaction, subject to review and approval of the County Attorney.

History:

The subject parcel is the final parcel being acquired for the Sardis Road Connector project.

Facts and Issues:

Options:

Funding Requested $ 1,866,757.00

Are funds within current budget? Yes

Source of Funds SPLOST VII / VIII

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
JG	BN	EW	WG

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Financial Supplement

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 145/2024

Funds Requested: $ 1,866,757.00

Request Budgeted: Yes

Proposed Source of Funding:

SPLOST VII / VIII

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	323-SPLOST VII	4971-ENGINEERING	541100-LAND	$1,425,000.00
2024	324-SPLOST VIII	4971-ENGINEERING	541100-LAND	$441,757.00

Budget Transfer Items:

Additional Information/Comments:

SPLOST VII project code: SARDROW2-4971-541100, SPLOST VIII Project Code: SARDROW-4971-541100

Contact for Questions:

Phone:

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 129/2024

SUBJECT: Approve the extension of $615,335.39 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Union Grove Phase II Subdivision. Commission District 1.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Approve the extension of $615,335.39 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Union Grove Phase II Subdivision.

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	BN	EW	WG

Attorney	Administration	Clerk

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:
Final Plat Information
Power of Attorney
Continuation Certificate

Final Plat Information

Consider Extension of $615,335.39 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Union Grove Phase 2 Subdivision

Subject Subdivision is located off Union Church Road

NAME OF SUBDIVISION:	Union Grove Phase 2
NAME OF OWNER/DEVELOPER:	Meritage Homes of Georgia, Inc.
ADDRESS:	3700 Mansell Road, Suite 550 Alpharetta, GA 30022
TYPE OF MAINTENANCE BOND:	Guaranty Performance
DATE OF BOND:	April 11, 2022
AMOUNT OF BOND:	$615,335.39
FINANCIAL INSTITUTION: AND ADDRESS:	Nationwide Mutual Insurance Company 7 World Trade Center, 37th Floor New York, NY 10007
Account No.:	7901088274

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
1	Union Grove Drive	50	894	20	P.M.	----
1	Green Ash Court	50	1123	20	P.M.	----
1	Hickory Creek Court	50	657	20	P.M.	----
1	White Sycamore Place	50	627	20	P.M.	----

NOTES:

NUMBER OF LOTS:	99
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	26.02AC

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:

JAMES I MOORE, STEPHEN T KAZMER, DAWN L MORGAN, MELISSA SCHMIDT, AMY WICKETT, KELLY A GARDNER, JENNIFER J MCCOMB, TARIESE M PISCIOTTO, DIANE M RUBRIGHT, MARTIN MOSS

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

UNLIMITED

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 20th day of August, 2021.

Antonio C. Albanese, **Vice President** of Nationwide Mutual Insurance Company

ACKNOWLEDGMENT

STATE OF NEW YORK COUNTY OF NEW YORK: ss
On this 20th day of August, 2021, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.

Stephanie Rubino McArthur
Notary Public, State of New York
No. 02MC6270117
Qualified in New York County
Commission Expires October 19, 2024

Notary Public
My Commission Expires
October 19, 2024

CERTIFICATE

I, Laura B. Guy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 1st day of March, 2024.

Assistant Secretary

BDJ 1(08-21)00

Continuation Certificate

To be attached to Bond described below, executed by Nationwide Mutual Insurance Company as Surety, Meritage Homes of Georgia, Inc. as Principal, Hall County, Georgia as Obligee on Bond No. 7901088274.

Said Principal and said Surety hereby acknowledge and agree that the term of the bond referenced above covers an indefinite term beginning the 11th day of April, 2024 through the 11th day of April, 2025 and shall remain in full force and effect until cancelled or otherwise legally terminated, subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability thereunder during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event exceed the sum of $615,335.39.

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused the Certificate to be duly signed and their respective seals to be hereto affixed this 1st day of March, 2024.

Nationwide Mutual Insurance Company
(Surety)

By: _____
James I Moore, Attorney-in-Fact

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 119/2024

SUBJECT: Approve the release of a $429,745.31 Guaranty Performance/Maintenance Agreement and acceptance of streets in Lancaster Subdivision Phase II into Hall County maintenance. Commission District 1.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:
Consider release of $429,745.31 Guaranty Performance/Maintenance Agreement and Acceptance of Streets in Lancaster Subdivision Phase II. All roads are in and sidewalks are complete.

Commission District 1

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?	No
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	WG

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Guaranty Performance/Maintenance Agreement
Final Plat Information

STATE OF GEORGIA,
COUNTY OF HALL

Bond No. 70NGP184975

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton Properties Group, Inc.(owner/principal, hereinafter referred to as "Principal"), and National Indemnity Company (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of Four Hundred Sixty-Five Thousand, Two Hundred Eighteen and 00/100 Dollars ($465,218)* (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Clayton Properties Group, Inc. (principal) is owner of the Subdivision known as Lancaster Phase 2 Subdivision, which subdivision is shown on a plat prepared by Development Planning & Engineering, Inc., Georgia Registered Surveyor Number 3121, and

WHEREAS, Clayton Properties Group, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Lancaster Phase 2 Subdivision for recording purposes, and

WHEREAS, Clayton Properties Group, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Lancaster Phase 2 Subdivision for public maintenance (not applicable to private developments).

Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Clayton Properties Group, Inc. (principal) agrees that all construction of the street system of Lancaster Phase 2 Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Clayton Properties Group, Inc. (principal), and National Indemnity Company (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "F" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in Lancaster Phase 2 Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County, National Indemnity Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by National Indemnity Company (surety) from Hall County authorizing release of Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on December 28, 2020 and expires on December 28, 2022 (minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals, this 28th day of December, 2020.

- **Clayton Properties Group, Inc.**
  PRINCIPAL

  By: _____
  (Corporate Officer or other authorized representative)

  Principal's Address:
  5230 Bellwood Court
  Buford, GA 30518

- **National Indemnity Company**
  SURETY

  By: _____
  Matthew G. Grantham, Attorney-in-Fact

  Surety's Address:
  1314 Douglas Street, Suite 1400
  Omaha, NE 68102

- Approved:
  Hall County

  By: _____
  (Chairman)

* The amount of the bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transportation (GADOT) Item Mean Summary, or the latest Hall County contract data, whichever is higher.

POWER-OF-ATTORNEY

70NGP184975

NATIONAL INDEMNITY COMPANY

1314 DOUGLAS STREET, SUITE 1400, OMAHA, NEBRASKA 68102-1944

(402) 916-3000

KNOW ALL MEN BY THESE PRESENTS: This Power-of-Attorney is not valid unless attached to the duly-executed bond that it authorizes. This Power-of-Attorney specifies THE AUTHORITY OF THE ATTORNEY-IN-FACT and THE LIABILITY OF NATIONAL INDEMNITY COMPANY, WHICH SHALL NOT EXCEED:

FOUR HUNDRED SIXTY-FIVE THOUSAND, TWO HUNDRED EIGHTEEN AND 00/100 DOLLARS ($ 465,218.00)

NATIONAL INDEMNITY COMPANY, a Nebraska corporation, having its principal office in the City of Omaha, State of Nebraska, does hereby make, constitute and appoint Matthew G. Grantham in the City of Omaha, County of Douglas, State of Nebraska, its true and lawful attorney-in-fact, at Omaha, in the State of Nebraska, to make, execute, seal and deliver for and on its behalf, and as its act and deed, any and all bonds and undertakings, provided that the liability of the Company as surety on any such bond executed under this authority shall not in any event exceed the sum shown above.

THIS POWER VOID IF ALTERED OR ERASED

The acknowledgement and execution of any such document by the said Attorney-In-Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly-elected officers of this Company.

This Power of Attorney is granted, and is signed and sealed by original signature, under and by the authority of the following Resolution adopted by the Executive Committee, as duly authorized by the Board of Directors of NATIONAL INDEMNITY COMPANY, at a meeting duly called and held on the 15th day of March, 2017:

RESOLVED, That the President, any Vice President or the Secretary shall have the power and authority to (1) appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

FURTHER RESOLVED, That any Surety Administrator or Surety Underwriter shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company any license bond with a limit of $10,000 or less.

FURTHER RESOLVED, That any Surety Administrator shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company (1) any bond, except an appeal bond, with a limit of $10,000 or less and (2) any license bond with a limit of $50,000 or less.

In Witness Whereof NATIONAL INDEMNITY COMPANY has caused its official seal to be hereunder affixed, and these presents to be signed by its Senior Vice President this 23rd day of December, 2020.

NATIONAL INDEMNITY COMPANY

NATIONAL INDEMNITY COMPANY INCORPORATED SURETY SEAL OMAHA, NEBRASKA

BY _____
(Name) Philip M. Wolf
(Title) Senior Vice President

STATE OF NEBRASKA }
COUNTY OF DOUGLAS } ss.:

On this 23rd day of December, 2020, before me, a Notary Public, personally appeared Philip M. Wolf, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as Senior Vice President of said NATIONAL INDEMNITY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

General Notary - State of Nebraska
QI LI
My Comm. Exp. Nov. 8, 2023.

_____
Notary Public, Nebraska

1. THIS POWER DOES NOT AUTHORIZE EXECUTION OF BONDS OF NE EXEAT OR ANY GUARANTEE FOR FAILURE TO PROVIDE PAYMENTS OF ALIMONY SUPPORT OR WAGE LAW CLAIMS, OR BONDS FOR CRIMINAL APPEARANCE.
2. THIS POWER DOES NOT AUTHORIZE THE EXECUTION OF BONDS FOR LOAN GUARANTEES.

NI-1180bb (08/18)

This Power Can Only Be Used in The State of: GEORGIA
This Power Can Only Be Used For The Following Obligee(s): FULL COUNTY
Bond Title / Description: GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT - LANCASTER PHASE 2 SUBDIVISION
Principal or case reference: CLAYTON PROPERTIES GROUP, INC.

Rider#1

To be attached to and form part of:

Bond Number: 70NGP184975

Effective Date: December 23, 2020

Issued by: National Indemnity Company

On behalf of: Clayton Properties Group, Inc.
(Principal)

And in favor of: Hall County, Georgia
(Obligee)

Now therefore, National Indemnity Company advises that the attached bond shall be amended as follows:

The Bond Amount shall be amended as follows:

FROM: Four Hundred Sixty Five Thousand Two Hundred Eighteen and 00/100 Dollars ($465,218.00)

TO: Four Hundred Twenty Nine Thousand Seven Hundred Forty Five and 31/100 Dollars ($429,745.31)

The Expiration Date shall be amended as follows:

FROM: 12/28/2022

TO: 12/28/2024

It is further understood and agreed that all others terms and conditions of this bond shall remain unchanged.

THIS Rider is effective December 5, 2022.

Signed, Sealed & Dated this 5th day of December 2022.

Clayton Properties Group, Inc.
(Principal)

BY: _____
Name/Title: Executive VP

National Indemnity Company (Surety)
BY: Cathy Gallup
Cathy Gallup, Attorney – in-Fact

70NGP184975

Berkshire Hathaway Specialty Insurance

Power Of Attorney

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY
NATIONAL INDEMNITY COMPANY / NATIONAL LIABILITY & FIRE INSURANCE COMPANY

Know all men by these presents, that BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at One Lincoln Street, 23rd Floor, Boston, Massachusetts 02111, NATIONAL INDEMNITY COMPANY, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at 3024 Harney Street, Omaha, Nebraska 68131 and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, a corporation existing under and by virtue of the laws of the State of Connecticut and having an office at 100 First Stamford Place, Stamford, Connecticut 06902 (hereinafter collectively the "Companies"), pursuant to and by the authority granted as set forth herein, do hereby name, constitute and appoint: Cathy Gallup, OneFederal Street, 23rd Floor of the city of Boston, State of Massachusetts their true and lawful attorney(s)-in-fact to make, execute, seal, acknowledge, and deliver, for and on their behalf as surety and as their act and deed, any and all undertakings, bonds, or other such writings obligatory in the nature thereof, in pursuance of these presents, the execution of which shall be as binding upon the Companies as if it has been duly signed and executed by their regularly elected officers in their own proper persons. This authority for the Attorney-In-Fact shall be limited to the execution of the attached bond(s) or other such writings obligatory in the nature thereof.

In witness whereof, this Power of Attorney has been subscribed by an authorized officer of the Companies, and the corporate seals of the Companies have been affixed hereto this date of December 20, 2018. This Power of Attorney is made and executed pursuant to and by authority of the Bylaws, Resolutions of the Board of Directors, and other Authorizations of BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, which are in full force and effect, each reading as appears on the back page of this Power of Attorney, respectively. The following signature by an authorized officer of the Company may be a facsimile, which shall be deemed the equivalent of and constitute the written signature of such officer of the Company for all purposes regarding this Power of Attorney, including satisfaction of any signature requirements on any and all undertakings, bonds, or other such writings obligatory in the nature thereof, to which this Power of Attorney applies.

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY,

By: _____
David Fields, Executive Vice President

NATIONAL INDEMNITY COMPANY,
NATIONAL LIABILITY & FIRE INSURANCE COMPANY,

By: _____
David Fields, Vice President

NOTARY
State of Massachusetts, County of Suffolk, ss:
On this 20th day of December, 2018, before me appeared David Fields, Executive Vice President of BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY and Vice President of NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, who being duly sworn, says that his capacity is as designated above for such Companies; that he knows the corporate seals of the Companies; that the seals affixed to the foregoing instrument are such corporate seals; that they were affixed by order of the board of directors or other governing body of said Companies pursuant to its Bylaws, Resolutions and other Authorizations, and that he signed said instrument in that capacity of said Companies.

[Notary Seal]

GEOFFERY A. DELISIO
Notary Public
Commonwealth of Massachusetts
My Comm. Expires November 29, 2024

_____
Notary Public

I, Ralph Tortorella, the undersigned, Officer of BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies which is in full force and effect and has not been revoked. IN TESTIMONY WHEREOF, see hereunto affixed the seals of said Companies this December 5, 2022.

_____
Officer

To verify the authenticity of this Power of Attorney please contact us at: BHSI Surety Department, Berkshire Hathaway Specialty Insurance Company, One Lincoln Street, 23rd Floor Boston, MA 02111 | (770) 625-2516 or by email at Jennifer.Porter@bhspecialty.com *THIS POWER OF ATTORNEY IS VOID IF ALTERED*

To notify us of a claim please contact us on our 24-hour toll free number at (855) 453-9675, via email at claimsnotice@bhspecialty.com, via fax to (617) 507-8259, or via mail.

ARTICLE V.

CORPORATE ACTIONS

. . . .

EXECUTION OF DOCUMENTS:

. . . .

Section 6.(b) The President, any Vice President or the Secretary, shall have the power and authority:

(1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company bonds and other undertakings, and

(2) To remove at any time any such Attorney-in-fact and revoke the authority given him.

NATIONAL INDEMNITY COMPANY (BY-LAWS)

Section 4. Officers, Agents, and Employees:

A. The officers shall be a President, one or more Vice Presidents, a Secretary, one or more Assistant Secretaries, a Treasurer, and one or more Assistant Treasurers none of whom shall be required to be shareholders or Directors and each of whom shall be elected annually by the Board of Directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the Board of Directors, and shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the Board of Directors; and the Board of Directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the corporation.

NATIONAL INDEMNITY COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

RESOLVED, That the President, any Vice President or the Secretary, shall have the power and authority to (1) appoint Attorneys-in-fact, and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BY-LAWS)

ARTICLE IV

Officers

Section 1. Officers, Agents and Employees:

A. The officers shall be a president, one or more vice presidents, one or more assistant vice presidents, a secretary, one or more assistant secretaries, a treasurer, and one or more assistant treasurers, none of whom shall be required to be shareholders or directors, and each of whom shall be elected annually by the board of directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the board of directors. The president and secretary shall be different individuals. Election or appointment of an officer or agent shall not create contract rights. The officers of the Corporation shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the board of directors; and the board of directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the Corporation.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

RESOLVED, That the President, any Vice President or the Secretary, shall have the power and authority to (1) appoint Attorneys-in-fact, and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

FINAL PLAT INFORMATION

Consider release of $429,745.31 Guaranty Performance/Maintenance Agreement and Acceptance of Streets in Lancaster Subdivision Phase 2. All sidewalks are in and roads are complete.

Subject Subdivision is location off of Spout Springs Road.

NAME OF SUBDIVISION:	Lancaster Phase 2
NAME OF OWNER/DEVELOPER:	Clayton Properties Group, Inc.
ADDRESS:	5230 Belle Wood Court Buford, Georgia 30518
TYPE OF MAINTENACE BOND:	Guaranty Agreement
DATE OF BOND:	December 28, 2020
AMOUNT OF BOND:	$429,745.31
FINANCIAL INSTITUTION:	National Indemnity Company
ADDRESS:	1314 Douglas Street Suite 1400 Omaha, Nebraska 68102-1944
ACCOUNT No:	70NGP184975

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
1	Lancaster Crossing	50	3,349	20	P.M.	----
1	Bridewell Place	50	3,231	20	P.M.	----
1	Branch Creek Cove	50	1,718	20	P.M.	----
1	Birch View Court	50	896	20	P.M.	----
1	Kempton Court	50	225	20	P.M.	----

NOTES:

NUMBER OF LOTS:	121
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	101.55 AC

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 154/2024

SUBJECT: Approve the release of a $516,275.00 Irrevocable Letter of Credit/Performance Agreement and acceptance of streets in Overlook at Marina Bay Subdivision. Commission District 2.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:
Approve the release of a $516,275.00 Irrevocable Letter of Credit/Performance Agreement and acceptance of streets in Overlook at Marina Bay Subdivision. Commission District 2.

History:

Facts and Issues:
All streets are complete.

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	Attorney	Administration

Submit	Approve	Attorney	Administration
WS	JG	WLI	CR
Clerk			
JR			

Attachments:

Final Plat Information
Irrevocable Letter of Credit

Final Plat Information

Consider release of $516,275.00 Irrevocable Letter of Credit/Performance Agreement and Acceptance of Streets in Overlook at Marina Bay Subdivision into Hall County maintenance. All streets are complete.

Subject Subdivision is located off of Cool Springs Road.

NAME OF SUBDIVISION:	Overlook at Marina Bay
NAME OF OWNER/DEVELOPER:	Pipes and Road, LLC
ADDRESS:	850 Holly Dr. Gainesville, GA 30501
TYPE OF MAINTENANCE BOND:	Irrevocable Letter of Credit/ Performance Agreement
DATE OF BOND:	April 8, 2022
AMOUNT OF BOND:	$516,275.00
FINANCIAL INSTITUTION: AND ADDRESS:	Peach State Bank & Trust 325 Washington Street P.O. Box 290 Gainesville, GA 30503
Account No.:	10112810

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
2	Belafonte Walk	50	1459.80	20	P.M.	----
2	Caldonia Court	50	198.73	20	P.M.	----
2	Morning Star Lane	50	1444.04	20	P.M.	----
2	Empress Court	50	301.65	20	P.M.	----
2	Black Pear Lane	50	741.95	20	P.M.	----

NOTES:

NUMBER OF LOTS:	99
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	42.89 AC

PEACH STATE
BANK & TRUST

IRREVOCABLE LETTER OF CREDIT

Hall County Board of Commissioners
P.O. Drawer 1435
Gainesville, GA 30503

RE: Overlook At Marina Bay
Pipes & Roads, LLC
850 Holly Dr.
Gainesville, GA 30501

Chairman Higgins :

The purpose of this Irrevocable Letter of Credit is one of the following:

- Public subdivisions/developments – To induce the Hall County Board of Commissioners to approve the street system as shown on the final plat, to induce the Hall County Board of Commissioners to accept the streets as shown on the final plat for public maintenance, and to ensure the completion of the project as per the approved plans and the regulations of Hall County, Georgia.

- Private subdivisions/developments – To induce the Hall County Board of Commissioners to approve the street system as shown on the final plat and to ensure the completion of the project as per the approved plans and the regulations of Hall County, Georgia.

Peach State Bank & Trust (Banking institution hereinafter referred to as "Issuer") hereby establishes its Irrevocable Letter of Credit No. 1001128100 in favor of Hall County, Georgia, for the account of Pipes & Roads, LLC (Owner/developer) up to the aggregate amount of Five Hundred Sixteen Thousand Two Hundred Seventy Five Dollars ($516, 275.00) effective immediately and available by your draft(s) drawn at sight on the Issuer when accompanied by this Irrevocable Letter of Credit. This Irrevocable Letter of Credit is to cover the value of materials and work associated with the construction of Overlook At Marina Bay (Name of project).

The owner/developer responsibilities are as follows:

All construction of the street system of Overlook At Marina Bay (Name of project) will be maintained for fifteen (15) months according to the terms and requirements as shown on the recorded final plat and of the Subdivision Regulations in force in Hall County, Georgia. Sidewalks will be completed throughout entire subdivision as shown on the recorded final plat within fifteen (15) months of the signing of said plat. The sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, and traffic signs in Overlook At Marina Bay (Name of project) must be properly maintained and free from faults in design, materials, and workmanship as shown on the recorded final plat and as set out in the Subdivision Regulations in force in Hall County, Georgia.

Hall County will pursue the collection of funds for deficiencies upon the elapsing of one (1) year from final platting ***and*** after the compliance date given in the 45-day written notice.

The condition of the obligation created hereunder is such that the Issuer hereby agrees that all drafts drawn under and in compliance with the terms of this Irrevocable Letter of Credit will be duly honored if drawn and presented for payment to the Issuer's office upon the failure of Owner/developer to meet the responsibilities as outlined in the preceding paragraph. Upon full compliance, this obligation shall be void; otherwise, it shall remain in force.

325 Washington Street – P.O. Box 290 – Gainesville, GA 30503 – 770-536-1100 – Fax 770-536-2525

PEACH STATE
BANK & TRUST

Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

This Irrevocable Letter of Credit is hereby issued on April 8, 2022 (Date) and expires on April 8, 2024 (Date, minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day.

IN WITNESS WHEREOF the Issuer has set its hand and affixed its seal on this day of April 8th, 20 22.

Amy Dockey
Witness

Jacinta Sain
Notary Public

My Commission Expires: _____

[Seal]

TABRINA NOTARY EXPIRES GEORGIA August 07, 2023 PUBLIC LUMPKIN COUNTY, GA

PEACH STATE BANK & TRUST
Issuer (Banking Institution Name)

By: _____
Gregory D. Barrett, Senior Vice President

325 Washington Street – P.O. Box 290 – Gainesville, GA 30503 – 770-536-1100 – Fax 770-536-2525

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 156/2024

SUBJECT: Approve the acceptance of $86,000.00 Irrevocable Letter of Credit/Performance Agreement for stormwater management facilities and sidewalks in Overlook at Marina Bay Subdivision. Commission District 2.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Approve the acceptance of $86,000.00 Irrevocable Letter of Credit/Performance Agreement for stormwater management facilities and sidewalks in Overlook at Marina Bay 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	Attorney	Administration
JG	JG	WLI	CR

Clerk
JR

Attachments:

Final Plat Information
Irrevocable Letter of Credit

Final Plat Information

Consider acceptance of $86,000.00 Irrevocable Letter of Credit/Performance Agreement for Stormwater and Sidewalks in Overlook at Marina Bay Subdivision.

Subject Subdivision is located off of Cool Springs Road.

NAME OF SUBDIVISION:	Overlook at Marina Bay
NAME OF OWNER/DEVELOPER:	Pipes and Road, LLC
ADDRESS:	P.O Box 978 Gainesville, GA 30503
TYPE OF MAINTENANCE BOND:	Irrevocable Letter of Credit/ Performance Agreement
DATE OF BOND:	March 21, 2024
AMOUNT OF BOND:	$86,000.00
FINANCIAL INSTITUTION: AND ADDRESS:	Peach State Bank & Trust 325 Washington Street P.O. Box 290 Gainesville, GA 30503
Account No.:	1001220700

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
2	Belafonte Walk	50	1459.80	20	P.M.	----
2	Caldonia Court	50	198.73	20	P.M.	----
2	Morning Star Lane	50	1444.04	20	P.M.	----
2	Empress Court	50	301.65	20	P.M.	----
2	Black Pear Lane	50	741.95	20	P.M.	----

NOTES:

NUMBER OF LOTS:	99
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	42.89 AC

PEACH STATE
BANK & TRUST

IRREVOCABLE LETTER OF CREDIT

HALL County Board of Commissioners
P.O. Drawer 1435
Gainesville, GA 30503

RE: Overlook At Marina Bay
Pipes & Roads, LLC
PO BOX 978
Gainesville, GA 30503

Chairman Higgins:

The purpose of this Irrevocable Letter of Credit is one of the following:

- Public subdivisions/developments – To induce the Hall County Board of Commissioners to approve the street system as shown on the final plat, to induce the Hall County Board of Commissioners to accept the streets as shown on the final plat for public maintenance, and to ensure the completion of the project as per the approved plans and the regulations of Hall County, Georgia.

- Private subdivisions/developments – To induce the Hall County Board of Commissioners to approve the street system as shown on the final plat and to ensure the completion of the project as per the approved plans and the regulations of Hall County, Georgia.

Peach State Bank & Trust (Banking institution hereinafter referred to as "Issuer") hereby establishes it's Irrevocable Letter of Credit No. 1001220700 in favor of Hall County, Georgia, for the account of Pipes & Roads, LLC up to the aggregate amount of Eighty-Six Thousand Dollars ($86,000.00) effective immediately and available by your draft(s) drawn at sight on the Issuer when accompanied by this Irrevocable Letter of Credit. This Irrevocable Letter of Credit is to cover the value of materials and work associated with the construction of Overlook At Marina Bay.

The owner/developer responsibilities are as follows:

Special Stipulations:

The above referenced Irrevocable Letter of Crdit number 1001220700 in the amount of Eighty-Six Thousand Dollars ($86,000.00) replaces the initial Irrevocable Letter of Credit number 1001128100 in the amount of Five Hundred Sixteen Thousand Two Hundred Seventy-Five Dollars ($516,275.00), which will expire on April 8, 2024, and will be released upon acceptance of the above referenced Irrevocable Letter of Credit number 1001220700.

The above referenced Irrevocable Letter of Credit number 1001220700 is subject ONLY to the following items which remain to be completed:

Walkways (approximately 700 feet remains to be installed $21,000.00).

Stormwater Manhole Catch Basins with "water quality inserts" and Four (4) Detention Ponds require cleaning ($65,000.00 for Manhole and Detention Ponds).

The above referenced Irrevocable Letter of Credit is subject to an earlier release date once the above referenced items are completed, inspected, and accepted.

Hall County will pursue the collection of funds for deficiencies upon the elapsing of one (1) year from the issuance of the Letter of Credit **and** after the compliance date given in the 45-day written notice.

The condition of the obligation created hereunder is such that the Issuer hereby agrees that all drafts drawn under and in compliance with the terms of this Irrevocable Letter of Credit will be duly honored if drawn and presented for payment to the Issuer's office upon the failure of Owner/developer to meet the responsibilities as outlined in the preceding paragraph. Upon full compliance, this obligation shall be void; otherwise, it shall remain in force. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

This Irrevocable Letter of Credit is hereby issued on March 21, 2024 and expires on March 21, 2025, and the Issuer will have no more liability after that date. When the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day.

IN WITNESS WHEREOF the Issuer has set its hand and affixed its seal on this day of

March 21, 20 24.

Witness

Peach State Bank & Trust
Issuer (Banking Institution Name)

Notary Public

By: SVP
Name and Title

My Commisson Expires: Sept. 22, 2027

[Seal]

JANA LOVELL NOTARY PUBLIC HALL COUNTY, GA EXPIRES GEORGIA September 22, 2027

The amount of bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transporation (GADOT) Item Mean Summary, or the lastest Hall County contract data, whichever is higher.

AGENDA ITEM

Tax Assessors

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 126/2024

SUBJECT: Approve the 2022 real property refund in the amount of $2,131.42 for overpayment of Hall County Taxes regarding 9.95 acres of property located at 0 Gainesville Street, Flowery Branch to the Summit Lake Homeowners Association, Inc.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: SW

Recommendation:
Approve.

Purpose of Request:
Approve the real property refund in the amount of $2,131.42 for overpayment of Hall County Taxes regarding 9.95 acres of property located at 0 Gainesville Street, Flowery Branch to the Summit Lake Homeowners Association, Inc.

History:

Facts and Issues:

Options:

The property taxes on property owned by Flowery Branch Partners, LLC was inadvertantly paid by the Summit Lake Homeowners Association, Inc in error. This occured as a result of the management company for the Summit Lake Homeowners Association, Inc failing to reconcile bills forwarded to them by the developer. The actual refund should be issued to the Summit Lake Homeowners Association, Inc and the Flowery Branch Partners, LLC should be re-billed.

The Board of Tax Assessors has forwarded the decision to the BOC as required.

The Summit Lake Homeowners Assocation paid the mentioned taxes on this parcel of land.

Parcel Number 08111 003002.

Funding Requested	$ 2,131.42
Are funds within current budget?	No
Source of Funds	General 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:

Submit	Approve	Budget	Finance
JS	RW	EW	WG

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Financial Supplement
Refund Request - Flowery Branch Partners 08111 003002

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 126/2024

Funds Requested: $ 2,131.42

Request Budgeted: No

Proposed Source of Funding:

General Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	100-GENERAL FUND		311100-REAL PROPERTYâ€CURRENT	$2,131.42

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: SW

Phone: 770-531-6733

2022 Property Tax Statement

Darla Eden
Hall County Tax Commissioner
P.O. Box 1579
Gainesville, GA 30503
propertytax@hallcounty.org

Bill No.	Due Date	TOTAL DUE
2022-24575		.00

Map : 08111 003002
Last payment made on: 03/02/2023
Printed: 03/05/2024
Location: GAINESVILLE ST

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Hall County Tax Commissioner

Complete info and return by mail, email or driveup drop box.
Amount: $ _____ Exp Date: _____
Credit Card # _____
Billing Zip Code: _____
Card Holder Printed Name: _____
Card Holder Signature: _____
Phone Number: _____
* Credit Card Fee: 2.49% Debit Card Fee: 1.5%

FLOWERY BRANCH PARTNERS, LLC
3840 WINDERMERE PARKWAY, SUITE 402
CUMMING, GA 30041

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Darla Eden
Hall County Tax Commissioner
P.O. Box 1579
Gainesville, GA 30503
propertytax@hallcounty.org

Tax Payer: FLOWERY BRANCH PARTNERS, LLC
Map Code: 08111 003002 REAL
Description: KAHAWI DRIVE
Location: GAINESVILLE ST
Bill No: 2022-24575
District: 016 FLOWERY BRANCH TAD

Phone: (770) 531-6950 Fax: (770) 297-2311

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date		Payment Good Through	Exemptions
0	203,800	9.9500	203,800					

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE	203,800	81,520	0.00	81,520	.0000			.00
GROSS COUNTY M&O	203,800	81,520	0.00	81,520	7.0720	576.51		337.57
SALES TAX CREDIT			0.00	81,520	-2.9310		-238.94	
SCHOOL M&O	203,800	81,520	0.00	81,520	15.9900	1,303.50		1,303.50
SCHOOL BOND	203,800	81,520	0.00	81,520	1.0000	81.52		81.52
GROSS INC FIRE	203,800	81,520	0.00	81,520	4.0800	332.60		332.60
EMERGENCY SERVICES	203,800	81,520	0.00	81,520	.5710	46.55		46.55
PARKS & LEISURE SERVICES	203,800	81,520	0.00	81,520	.3640	29.67		29.67
FLRY BR (CITY EXEMPTIONS)	203,800	81,520	0.00	81,520	.0000			.00
TOTALS					26.1460	2,370.35	-238.94	2,131.41

5 Easy Ways to Pay:
Mail: P.O. Box 1579 | Gainesville GA 30503
Online: www.hallcountytax.org
Phone: 770-531-6950 Fax: 770-531-7111
In Person: Hall County Government Center (HCGC) | 2875 Browns Bridge Rd
Drive Up Drop Box across from front doors under the breezeway

Current Due	2,131.41
	.
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payments	2,131.41
Back taxes	0.00
TOTAL DUE	.00

Printed: 03/05/2024

08111 003002	2023 HALL County Board of Assessors	3/5/2024 3:12:36 PM Acct # 18797 jtsmith

Owner Information	General Property Information					Values	
FLOWERY BRANCH PARTNERS, LLC 1630 MILITARY CUT OFF RD. STE. 218 WILMINGTON, NC 28403	SITUS	0 GAINESVILLE ST				Imp Val	0
	LEGAL	KAHAWI DRIVE				Acc Val	
	Tax District	FLOWERY BRANCH-TAD	GMD	Homestead	S0	Land Val	208,400
						Total Value	**208,400**
	Total Acres	9.95	LL	No Covenant	0	2022 : 203,800	2021 : 915,200
	Zoning	PUD	LD	Acc/Des	8C - 1.230675	2020 : 915,200	2019 : 1,079,396
	Unit		Return Value	0			

Topographical - .80	- 1.00	- 1.00	- 1.00	- 1.00	- 1.00	- 1.00	7th/8th Acreage 5 to 25 08000 - 1.15

2023 CHANGE ADDRESS PER SILVERLEAF MANAGEMENT GROUP SENT BY E-MAIL. 10-3-2022 KL; SCANNED 2022 APPEAL ON 06-14-2022 EM; TY2022 62.398 AC BEGINNING FOR TAX PARCEL 08111 003002 PER PRC; (-) 36.099 AC FROM TAX PARCEL 08111 003002 TO CREATE SUMMIT LAKE PHASE2 SUBDIVISION PER PB 879 PG 291-312. NOT SUBTRACTED FROM TY2021 PROPERTY RECORD CARD.; (-)

SALES INFORMATION

Grantee	Grantor	Date	Deed Book	Plat Book	Saleprice	CS	Mkt Value	Reason
FLOWERY BRANCH PARTNERS, LLC	CONNER C HANNIE	09/28/2018	8158 678		4,713,100	A1	0	50

LAND INFORMATION

CS	Land Use	Productivity	ACRES	Unit Value	UnAdj Value
A4	Small Tract	1	9.95	18,500	184,075

PERM NUM	PERM TYPE	PERM AMNT	WORKCOST	DATE ISSUE	DATE COMPL	YEAR	CODE	COMMENTS
00241	MISC	250	12,739	11/02/2018	05/01/2022	2018	FBD	RETAINING WALLS Still not complete. 1/8/21 DM Not sure if this is complete yet

ORIGINAL/CORRECT VALUE TAX YEAR 2022

PARCEL:	08111 C03002

				FAIR MARKET VALUE			EXEMPTIONS
0	0	0		203,800			
ENTITY	ADJUSTED FMV	NET ASSESSMENT	CUVA EXEMPT	EXEMPTIONS	TAXABLE VALUE	MILLAGE RATE	NET TAX
Gross county M&O	203,800	81,520	0		81,520	0.007072	576.51
School	203,800	81,520	0		81,520	0.01599	1,303.50
School Bond	203,800	81,520	0		81,520	0.001	81.52
GROSS FIRE	203,800	81,520	0		81,520	0.00408	332.60
EMS	203,800	81,520	0		81,520	0.000571	46.55
Parks & Leisure	203,800	81,520	0		81,520	0.000364	29.67
Sales Tax Credit	203,800	81,520	0		81,520	-0.002931	-238.94
						0.026146	**2,131.42**

2022 Billing and digest information was correct. HOA paid developer's tax bill in error and is now requesting a refund of what they paid. Refund is over $1,000 limit so Board of Commissioner's must approve. We can neither recommend or deny this refund since the billing information and ownership was correct on our records.

	2022	TOTAL
NET PAID	2,131.42	**2,131.42**
REFUND REQUESTED	2,131.42	**$2,131.42**

AGENDA ITEM

Treatment Services

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 122/2024

SUBJECT: Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding Program for Family Treatment Court for staffing, technical and professional services, supplies, and training in the amount of $280,509.00, 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 $42,076.00 is required.

Meetings:

Work Session Date: 03/25/24

Voting Meeting Date: 03/28/24

Executive Summary:

Presenter: HH

Recommendation:
Approve.

Purpose of Request:

Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding Program for Family Treatment Court for staffing, technical and professional services, supplies, and training in the amount of $280,509.00, 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 $42,076.00 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 five 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 600 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. Family Treatment Court continues to serve children and families and is a Model Court for other similar programs across the state.

Funding Requested	$ 42,076.00
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?	2024-03-11

Approvals:

Submit	Approve	Grants	Budget
HH	JS	SG	EW
Finance	**Attorney**	**Administration**	**Clerk**
WG	WLI	CR	JR

Attachments:

Financial Supplement
FY25 FTC Grant Application
FY25 Grant Solicitation
FTC Supplies
Grant Narrative

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 122/2024

Funds Requested: $ 42,076.00

Request Budgeted: No

Proposed Source of Funding:

General / Grant Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	2160-TREATMENT SERVICES	511100-SALARIES	$42,076.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	511100-SALARIES	$161,837.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	521000-PROFESSIONAL SERVICES	$23,720.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	531100-GENERAL SUPPLIES AND MATERIALS	$36,422.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	523500-TRAVEL	$1,241.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	512200-FICA	$11,937.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	512100-HEALTH INSURANCE	$35,187.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	512400-RETIREMENT	$8,707.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	512700-RISK MANAGEMENT ALLOCATION	$1,458.00
2025	250-MULTIPLE GRANT FUND	2165-FAMILY TREATMENT COURT	334110-STATEâ€OPERATING DIRECT	$-280,509.00

Budget Transfer Items:

Additional Information/Comments:

Staff salary will be used for the in-kind match.

Contact for Questions: HH

Phone: 6111

Intro Page

Person Name	Email	Phone Number	Committee Personnel	Committee Personnel Phonenumber
Heather Herrington	Heather.Herrington@hallcounty.org	770-536-3837	Heather Herrington	770-536-3837

Court Name	Judicial Circuit Court	Primary Program Accountability Court	Secondary Program Accountablity Court	Courtlevel	Implementation Court
Hall County Family Treatment Court	Northeastern	Family Dependency Treatment Court		Juvenile	

Total Requested Funds

Sources	Requested Funds	Matched Funds	Total Budget Amount
Personnel	219,125	42,076	261,201.68
Contract Services	23,720	0	23,720.00
Drug Testing Supplies	36,422	0	36,422.34
Other Costs	0	0	0.00
Equipment	0	0	0.00
Training and Travel	1,241	0	1,240.80
Transportation	0	0	0.00
Total CACJ funds	280,509	42,076	322,584.82

Budget Priority

Priority level	Budget Priority	Priority Reason
Personnel	First	The personnel positions we are asking for in this grant are vital to the continued operations of our program. Our existing clinical case manager positions and counselor position help ensure the continued functioning of the program and future sustainability.
Contract Services	Second	Regular surveillance visits by our community policing officers is an integral part of program success and effectiveness. Treatment Services shares a pool of officers who conduct home visits on a weekly basis for all programs in our county. We apply for funding for each program and share these resources to best maximize the number of visits conducted during each shift. We have utilized MAT grant funds to support a number of participants to receive the Vivitrol injection at our local MAT provider. MAT grant funds would allow us to continue to support our MAT participants financially as the rely on the Vivitrol injection to support their recovery.
Drug Testing Supplies	Third	Treatment Services operates an in-house drug testing lab which serves all of the programs in our judicial circuit. We divide our funding request for reagents among all of the programs in our county to better utilize funding and sharing of resources. Continued funding to purchase reagents is vital to the operation of all programs as this ensures compliance with program rules and treatment effectiveness.
Training and Travel	Fourth	We require all staff to attend the annual CACJ Conference along with various other trainings throughout the year. Grant funding to cover travel expenses directly related to the CACJ Conference will allow us to ease the financial burden to team members and further incentivize attendance.
Transportation	Fifth	No request made in this category.
Equipment	Sixth	No request made in this category.
Other Costs	Seventh	No request made in this category.

Current Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date
Byrne-JAG Funding	0			

Community Service Boards	0			
Date Fund	6145	Drug Testing Equipment Office Supplies Travel Training Treatment	Yes	1/1/2024
Financial Donations	0			
Governors Office of Highway Safety	0			
Independent 501(c)3	500	Other	Yes	1/1/2024
Juvenile Justice Incentive Grant	0			
Local Government (Municipal or County)	22437	Equipment Office Supplies Personnel Other	Yes	1/1/2024
Competitive BJA Grant	0			
Participants Fees	13916	Drug Testing Travel Training Treatment	Yes	1/1/2024
Private Foundation Grant	0			
Revenue from Lab	19350	Drug Testing Travel Training Other	Yes	1/1/2024
SAMHSA	0			
All other non-CACJ Funds	0			

Please use the provided space to provide any additional details regarding Curent Fiscal Year Other Funding Sources.
We anticipate a similar operating budget in FY25 as to our approved FY24 budget. The FY25 budget has not yet been reviewed or approved by our Board of Commissioners so all figures are based on FY24 budgets and are subject to reductions per Board review. Our local non-profit, Friends of Recovery (FOR), provides some financial assistance to our programs for such services as trainings but financial donations also experienced a decline over the past calendar and fiscal years. Our agency will experience a substantial restructure this summer which will consolidate agency resources, such as treatment groups, and stretch funds further with shared operations across multiple programs.

Next Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date	Status
Byrne-JAG Funding	0				
Community Service Boards	0				
Date Fund	5,927	Drug Testing Equipment Office Supplies Travel Training Treatment	Yes	1/1/2025	Pending
Financial Donations	0				
Governors Office of Highway Safety	0				
Independent 501(c)3	500	Other	Yes	1/1/2025	Pending
Juvenile Justice Incentive Grant	0				
Local Government (Municipal or County)	80,829	Equipment Office Supplies Personnel Other	Yes	1/1/2025	Pending
Competitive BJA Grant	0				
Participants Fees	14,400	Drug Testing Equipment Office Supplies Travel Training Treatment	Yes	1/1/2025	Pending
Private Foundation Grant	0				
Revenue from Lab	19,350	Drug Testing Equipment Travel Training Other	Yes	1/1/2025	Pending
SAMHSA	0				
All other non-CACJ Funds	0				

Please use the provided space to provide any additional details regarding Next Fiscal Year Other Funding Sources.
Treatment Services is the agency umbrella encompassing all accountability court programs in our judicial circuit including Hall County Family Treatment Court Program. Treatment Services utilizes various revenue streams to generate an operating budget which is shared among all programs under our umbrella. Our budget is generated from county funds, DATE funds, participant fees, lab revenue, and grant funding. By utilizing a combined operating budget, we are better able to share resources and provide services to program participants. Our agency experienced an increase in enrollments by 6% in 2023 with projections to continue such growth in 2024-25. This increase will require greater funding and continued financial collaboration amongst all our program budgets for optimal efficiency as an agency. For FTC, we anticipate a similar operating budget in FY25 as to our approved FY24 budget.

How many years of service does the coordinator position have as of March 31st of 2024? Please, use 0 (zero) if the coordinator has less of one year of service
13

Will the certified court coordinator program be completed by March 31st of 2024?
Yes

Sustainability Plan

How would your program maintain operations in the event state funds were lost and your state grant were reduced or eliminated?
Treatment Services is the agency umbrella encompassing all accountability court programs in our judicial circuit including Hall County Family Treatment Court. Treatment Services utilizes various revenue streams to generate an operating budget which is shared among all programs under our umbrella. Our budget is generated from county funds, DATE funds, participant fees, lab revenue, and grant funding. By utilizing a combined operating budget, we are better able to share resources and provide services to program participants. Hall County Family Treatment Court collects monthly participant fees at the rate of $30 to help offset operational costs. While these funds are helpful, they are not lucrative enough to sustain our program independently which is why operating from a shared budget is crucial to our agency operations.
How much funding have you requested from your county and how much have they approved?
Treatment Services requests funding annually to support salaries/fringe benefits, building maintenance costs, and operational costs. By sharing a combined operational budget, our agency is able to stretch funds further to provide needed services to participants and maintain staff necessary to operate the various programs. We consider program census to calculate overall percentage for each program's operational budget. No operating budget for FY25 has yet been approved by our local Board of Commissioners at the time of this application submission. We are hopeful to receive a similar budget as approved for FY24 but understand that revenue collections continue to fall short of pre-pandemic totals which affect the overall operating budget.

Have you experienced any barriers in obtaining local funds from the counties within your circuit? If so, what are they?
DATE fund collections continue to show decline from pre-pandemic collections which affect operating budgets. Date funds and lab revenue have historically been the largest contributors to our operational budget. We are making strides to increase lab revenue but have no control over local DATE fund collections as these are generated from legal cases which are not directly linked to our programs. Additionally, our local BOC has not been amendable to absorbing additional personnel positions at this time which is why continued grant funding is imperative.

Court Narrative

Please describe in detail how state grant funds are budgeted and this funding sources work together to create a comprehensive program.
We are requesting funding for 3 total personnel positions. All of which are existing positions and currently filled. These positions are vital to the operations of our program and cannot be supported in the county's current budget. These positions have allowed us to bring treatment in-house and collaborate with other programs for services. We are also requesting funding for community policing, drug testing supplies and services, and training. Requested grant funds will support field surveillance visits conducted by off-duty Sheriff's Department officers. Funding will also assist in purchasing drug testing reagents for our in-house lab and costs associated with confirmation and specialty testing.

If you are not using a CSB please explain why.
We currently utilize Avita Community Partners, which is the CSB for our region in a very limited capacity, only to maintain compliance for participants to access psychiatric services offered through their agency. Additionally, insurance restraints and lengthy intake wait period with the CSB cause barriers to treatment for our participants. We previously utilized the CSB exclusively but for years experienced struggles with staff turnover, not having counselors available for groups, and the quality of treatment being provided, which led to a request for an in-house counselor. Our current in-house counselor provides the vast majority of treatment (groups and individual therapy) offered through our program. Having a full-time counselor has afforded us great control of treatment fidelity and allows us to increase programming not just for FTC but share resources with other programs in our agency to increase groups available to all accountability court programs.

Please explain your court's current drug testing methods and why your court chose those methods.
We utilize our in-house lab which is shared among all accountability court programs in our circuit. We currently use Thermofisher reagents on our Mindray BA800 analyzer and test for the following assays: Amphetamine, Benzodiazepine, Cocaine, Heroin, Creatinine, THC, EtG, Methadone, Opiate, Fentanyl, Spice, and Tramadol. We have five lab technicians who work 40 hours each week for collections, analysis, and reporting of all tests. In 2023, we collected and analyzed over 50,600 urine drug screens for our programs and outside providers. Our lab is operational seven days per week with collections hours of 7 am - 6:30 pm on weekdays and 7 am - 12 pm on weekends/holidays. In addition to urine screens, we utilize sweat patch and oral fluid testing methods. We utilize Abbott/Redwood for all confirmation and specialty testing. We established our lab in 2007 and continue to find that it is the most efficient platform for drug testing, given our volume.

What Resources does your court share with other accountability court programs or agencies within your circuit
Drug Lab Drug Tests Surveillance Officer Time Treatment providers Office Space Lab Technicians Transportation/Vehicles for Participants

If your court is requesting an increase of 10% or more than the total amount of state funds awarded in the fiscal year 2024
Request is not greater than 10% of FY24 award.

If your court has de-obligated state funds within the past two fiscal years, please explain the circumstances and the plan to prevent a de-obligation from occurring in the future.
Any past de-obligation was in response to personnel/staffing issues. While we make every effort to stay fully staffed, this situation is sometimes out of our control and vacancies or changes in pay rate/benefits from old to new staff is not something that can projected exactly. In comparison to most programs, our staff has incredible longevity. Our Coordinator has been in her position for 13 years, our Clinical Case Manager for 8 years and our counselor was a case manager for 5 years before moving into the counselor role when that position was created. That longevity has also led to continued relationships with graduates and community partners who continue to support our participants. Since we are not allowed to move funds from Personnel to other areas in the grant, they are returned to CACJ if not utilized. We make concerted efforts to spend all funds as approved and awarded and will ensure that future grant funds are spent.

If your court received a note/comment from the CACJ Funding Committee on your fiscal year 2024 grant award, please describe how your court addressed the Committee’s note/comment.
No comment received.

Please provide any additional information below.
None

Participants Fees

How much did your court collect in participant fees in the previous fiscal year?	Please explain why your court does or does not collect participant fees.	How do those fees support the operations of the court?
16759	Our program collects monthly participant's fees at the rate of $30. We have found that this financial investment by participants helps foster more engagement in treatment and program requirements.	Participant fee collections for the the FTC Program are utilized to help offset costs associated with drug testing. Our lab collected over 50,600 urine drug screens in 2023 and operates 7 days per week. The operational costs of our lab include supplies, personnel time, and contract officers to collect screens during morning/evening hours and weekend shifts. Participants fees directly contribute to funds needed for purchasing reagents, drug testing collection supplies, breathalyzers, and other materials needed for daily lab operation. While these funds are helpful, they are not lucrative enough to adequately sustain program operations.

Personnel Request

Are you requesting funds for personnel?
Yes

Position Title	Hourly Rate	Hours Per Week	Weeks Requested	New Position	Total Salary Requested
Counselor	27.50	40	52		57,200
Clinical Case Manager	26.12	40	52		54,330
Clinical Case Manager	24.18	40	52		50,294
		Total Personnel Salary Requested			161,824

Please detail what the personnel funds requested will be used for in the box below.
The Clinical Case Manager positions maintain a collective caseload of over 40 participants for the Family Treatment Court program. They are responsible for tracking participant progress, data collection, data dissemination, and accurate and timely maintenance of all spreadsheets. While our current census is lower than in years past, our Clinical Case Manager Positions have consistently carried case loads of 30-35 participants each for the last ten years. This year we had an unusual number of terminations/discharges and working with DFCS to address barriers to entry. We still consistently have ten or more referrals pending at any time. These positions also provide direct services to participants and assist with case management plans, weekly case management sessions, and access to community services. The full-time counselor position provides individual and group counseling for all program participants and delivers approximately 18 hours of group treatment per week not including individual treatment hours.

Fringe Benefits

Position Title	Benefit Requested 1	Benefit Amount 1	Benefit Requested 2	Benefit Amount 2	Benefit Requested 3	Benefit Amount 3	Benefit Requested 4	Benefit Amount 4	Total Anticipated Cost
Counselor	FICA	4,219.80	Health Insurance	17,231.24	Worker's Compensation	514.80	401K/Pension	2,288.00	24,253.84
Clinical Case Manager	FICA	4,160.78	Health Insurance	502.58	Worker's Compensation	489.06	401K/Pension	4,346.42	9,498.84
Clinical Case Manager	FICA	3,556.80	Health Insurance	17,452.76	Worker's Compensation	466.44	401K/Pension	2,072.72	23,548.72
						Total Fringe Benefits Anticipated Cost			57,301.40

Please use the provided space to provide any additional details regarding fringe benefits requested.
Position 1 and Position 2 requested salary and benefits are based on current employee figures with no foreseeable changes for FY25. Fringe benefits for Position 3 is currently an estimate and based on previous benefits for this position since we have a new hire starting at the end of February.

Contracts & MOUs

Are you requesting funding for Contracts and MOUs?
Yes

Position Title	Rate Unit	Rateperunit	Total Units Requested	Anticipated Numbers	Provider Type	Total Requested Cost
Law Enforcement Surveillance Officer	Per hour	65.00	288	15.00	Sheriff's Department	18,720
Treatment Provider	Per Session	1,000.00	5	1.00	Non-CSB	5,000
			Total Contracts & MOUs Requested Cost			23,720

Please use the provided space below to describe how the contracts & MOUs requested will be work with your court program.
We wish to continue our surveillance presence by sending two Community Policing officers out into the field for at least 3 hours per week. Our current budget allows for the officers (who work in pairs and average three-hour shifts at $65/hour) to make visits for all five of Hall County's accountability court programs. Community policing funding is shared across all accountability court programs to best utilize services. We wish to provide continued medication assistance coverage for participants who are currently receiving the Vivitrol injection from our local MAT provider.

County Drug Labs

Do you have a fixed-rate, per test contract with a county drug lab for which you are requesting funds?
No

Rate Per Test	Number of Panels Tested per Rate	Number of Tests Requested	Total

Please describe how your contract with the county for drug lab services breaks down the cost per test in terms of personnel, testing supplies, and reagents.

Drug Testing Supplies Consummables

Are you requesting funds for Drug Testing supplies?
Yes

Consummables	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
		Total Consummables Amount Requested		0.00

Drug Testing Supplies Monitoring

Monitoring Equipment	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
	Total Monitoring Equipment Amount Requested			0.00

Drug Testing Supplies Confirmation or Lab Test

Confirmation Test or In-House Lab	Average Cost Per Test	Numberof Tests Requested	Total Amount Requested
Redwood	14.00	150	2,100.00
Redwood	50.00	125	6,250.00
Redwood	33.00	150	4,950.00
	Total Confirmation or Lab Amount Requested		13,300.00

Drug Testing Supplies Onsite Devices

Onsite Devices	Company Used	Panel Tested	Cost per Unit	Units	Total Unit Requested	Total Amount Requested
				Total Onsite Devices Amount Requested		0.00

Does Court utilize or Operate Local Lab?
County Run Lab

Please use the provided space to provide any additional details regarding drug testing supplies. If you selected 'other' as an option on this section of the grant, please indicate what 'other' is.
We operate an in-house lab utilizing Thermofisher reagents on our Mindray BA800 analyzer. We pay for consumable supplies such as latex gloves and cups from our county operating budget and are only requesting grant funds for confirmation and specialty testing with Abbott/Redwood and reagents (in the next section). Family Treatment Court sends off close to 200 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.

Reagents Drug Testing Supplies

Are you requesting funds for reagents?
Yes

Typical Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Barbiturates	ThermoFisher	0.29	9,027	2,617.83
Burprenorphine	ThermoFisher	0.29	9,027	2,617.83
Cocaine/Crack	ThermoFisher	0.29	9,027	2,617.83
ETG	ThermoFisher	0.29	9,027	2,617.83
Methadone	ThermoFisher	0.29	9,027	2,617.83
Methamphetamine	ThermoFisher	0.29	9,027	2,617.83
Optiates	ThermoFisher	0.29	9,027	2,617.83
THC	ThermoFisher	0.29	9,027	2,617.83
		Total Reagents Supplies Requested Amount		20,942.64

Synthetic Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Fentanyl	ThermoFisher	0.89	730	649.70
Synthetic Cannabinoids (K2/Spice)	ThermoFisher	0.95	1,000	950.00
Tramadol	ThermoFisher	0.29	2,000	580.00
		Total Reagents Supplies Requested Amount		2,179.70

Supplies

Are you requesting funds for supplies?
No

Cost Type	Cost Per Unit	Total Units Requested	Total Requested Amount
		Total Supplies Requested Amount	0.00

Please use the provided space to provide any additional details regarding the supplies and other costs you are requesting.

Equipment

Are you requesting funds for Equipment?
No

Equipment Type	Total Units Requested	Cost Per Unit	Total Requested Amount
	Equipments Total Requested Amount		0.00

Please use the provided space to provide any additional details regarding your equipment request.

Conference Training and Travel

Are you requesting funds to attend the CACJ Annual Training Conference?
Yes

Team Name	Mileage Total	Parking Request	Number Team Members	Total Hotel Nights Per Room	Number Hotel Rooms	Total Anticipated Cost
Hall County Family Treatment Court	240		10	0	0	
			Conference Training and Travel Total Anticipated Cost			0.00

Please use the provided space to provide any additional details regarding your court's request for funding to attend the CACJ Annual Conference
We are requesting funding for travel reimbursement to the annual CACJ conference scheduled for September 15- 18, 2024 in Athens. We are requesting funding for our 10 FTC team members. We are less than 51 miles from the conference center so would only be requesting RT mileage for each team member.

In-State Travel

Are you requesting additional training and travel funds for your court?
No

Court Staff/Contractor Name	Training Cost	Mileage(roundtrip)	Numberof Trips	Total Requested
		All Attendee Total Amount Requested		0.00

Please use the provided space to provide any additional details regarding mileage use. If you are requesting mileage between counties, please list the distance between those counties and how many participants were served in each of those counties

Transportation

Are you requesting funds to assist participants with transportation needs?

No

Mode of Transportation Cost Type	Rate Unit	Rate Unit Explanation	Rateper Unit	Total Units	Under Contract	Total
County Vehicle Mileage						
Driver time (County Vehicle)						
Public Transportation						
Private Transportation (Uber/Taxi)						
Bike Share						
Other						
				Total Transportation Cost		0.00

If you are applying for multiple courts, please list the courts.

How many participants do you anticipate will participate in your proposed transportation project (from July 1, 2024 - June 30, 2025)? If you are applying for multiple courts, please list the court name then the number of participants.

How many new participants will your court add if the proposed transportation project is funded? If you are applying for multiple courts, please list the court name and then the number of participants.

Please fully describe your proposed transportation project. Include why the project is needed and cannot be funded by other sources.

If there are additional items regarding your transportation program, please include them in the space below.

Which evidence-based curricula does your court offer?

Anger Management
- Celebrating Families
- Cognitive Behavioral Therapy (CBT)
- Cognitive-Behavioral Interventions for Substance Abuse (CBI-SA)
- Criminal and Addictive Thinking
- Dialectical Behavioral Therapy (DBT)
- Eye Movement Desensitization Reprocessing (EMDR)
- Hazelden Co-Occurring Disorders Program
- Hazelden Life Skills
- Individual Therapy/Counseling
- Individual-Trauma
- Integrated Dual Disorders Treatment
- Living in Balance (LIB)
- Matrix Early Recovery Skills and Relapse Prevention
- Moral Reconation Therapy (MRT)
- Motivational Enhancement Therapy (MET)
- Motivational Interviewing
- MRT - Staying Quit
- MRT - Untangling Relationships
- Peer Support Services
- Prime for Life
- Relapse Prevention Therapy (RPT)

Seeking Safety Strengthening Families Thinking for a Change (T4C) Trauma Recovery and Enhancement Model (TREM) Wellness Recovery Action Plan (WRAP)

Which ancillary services do you court provides?

Resume's Writing Assistance Job Interviewing Preparation Life Skills Course Accountability Court Mentor/Mentee Program Accountability Court Alumni Program

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'25 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 Thursday, February 29, 2024

Available Funding

The amount available for distribution will be determined by the legislature during the 2024 session. There is a 15% cash match requirement.

Award Period

July 1, 2024, through June 30, 2025

Release Date: February 1, 2024

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

104 MARIETTA STREET NW, SUITE 440 | ATLANTA, GEORGIA 30303
404.657.1956 | 877.231.6590 | 404.657.1957 FAX
CJCC.GEORGIA.GOV

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'25 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., February 29, 2024. **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 operating grant application instructional webinar on or about, February 1, 2024. Interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host virtual question and answer webinars on Monday, February 5, 2024 and Wednesday, February 7, 2024, at 11:00 a.m. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.**

Match Requirement (15 percent CASH match)

Applicants must identify the source of the 15 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 15% 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 15 = then divided by 85 will give you your total match

Required Match Example: 15 percent match requirement: for a state award amount of $100,000, match would be calculated as follows:

State Award x 15/85= Match Ex. $100,000 x 15/85 = $17,647

To verify take state award + match x 15% Ex. 117,647 x 15% = 17,647

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'25 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, 2024. The CACJ Funding Committee will assume your court rejects its FY'25 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, 2024. (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 for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

Reporting Requirements

Recipients of this FY'25 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'25. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2024.**

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.

Hall Co. FTC

Analyte	***# Annual T***	***# Annual K***	***Yield***	***Kit Price***	***Price/Test***	***# of Units***	***Total***
ETOH	*12,000*	*1.2*	*9,027*	*$2,618*	*0.29*	0	$0
Amphetam	*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
Benzodiaze	*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	$892
Ecstasy	*12,000*	*1.3*	*9,027*	*$2,618*	*0.29*	0	$0
EDDP (Met	*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 CJ	*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 Ox	*12,000*	*1.3*	*9,456*	*$946*	*0.1*	0	$0
Hydrocodo	*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
Propoxyphe	*12,000*	*1.3*	*9,027*	*$2,618*	*0.29*	0	$0
Specific Gra	*12,000*	*1.3*	*9,027*	*$908*	*0.1*	0	$0
THC	*30,000*	*3.3*	*9,027*	*$2,618*	*0.29*	0	$0
Heroine/6-A	*12,000*	*1.3*	*9,027*	*$2,618*	*0.29*	1	$2,618
Buprenorph	*12,000*	*10.7*	*1,118*	*$324*	*0.29*	0	$0
Kratom (M	*2,400*	*2.1*	*1,118*	*$1,288*	*1.15*	1	$1,288
Synthetic C	*2,400*	*2.1*	*1,118*	*$1,062*	*0.95*	0	$0
Synthetic C	*2,400*	*2.1*	*1,118*	*$1,062*	*0.95*	0	$0
Fentanyl II	~	~	~	*$132*	~	0	$0
Fentanyl II	~	~	~	*$132*	~	0	$0
Fentanyl II	~	~	~	*$176*	~	0	$0
						Total Req	***$23,122***

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 37 full-time and 3 part-time employees and serve over 600 participants annually. Our Dawson County office operates with 5 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 50,651 drug screens in 2023. In 2022, we provided over 6,000 hours of treatment and experienced a 6% increase in total program enrollments compared to 2022. We conduct on-going, onsite training for new and seasoned staff alike. 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 15% match required for each grant which is fulfilled through county-funded personnel positions assigned to each court program.

Deadline for grant submissions to CACJ: February 29, 2024

AGENDA ITEM

Treatment Services

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 121/2024

SUBJECT: Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding for the HELP Program to fund HELP staff, provide surveillance, counseling, drug testing, transportation and medication assistance in the amount of $506,613.00, 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 $75,992.00 is required.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: HH

Recommendation:
Approve.

Purpose of Request:

History:

Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding for the HELP Program to fund HELP staff, provide surveillance, counseling, drug testing, transportation and medication assistance in the amount of $506,613.00, 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 $75,992.00 is required.

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.

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 2023, the program experienced a 45% increase in active census numbers and is now boasts the largest census numbers to date. 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 (5) five 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 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. Our agency strives to stretch resources across all programs to best utilize each dollar awarded.

Options:

Funding Requested	$ 75,992.00
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?	2024-03-11

Approvals:

Submit	Approve	Grants	Budget
HH	JS	SG	EW
Finance	**Attorney**	**Administration**	**Clerk**
WG	WLI	CR	JR

Attachments:

Financial Supplement
FY25 HELP Program Grant Application
Grant Narrative
Supplies
FY25 Grant Solicitation

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 121/2024

Funds Requested: $ 75,992.00

Request Budgeted: No

Proposed Source of Funding:

General / Grant Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	2160-TREATMENT SERVICES	511100-SALARIES	$75,992.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	511100-SALARIES	$310,037.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	521000-PROFESSIONAL SERVICES	$51,200.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	531100-GENERAL SUPPLIES AND MATERIALS	$43,258.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	523500-TRAVEL	$2,050.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	512200-FICA	$22,674.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	512100-HEALTH INSURANCE	$61,246.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	512400-RETIREMENT	$13,412.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	512700-RISK MANAGEMENT ALLOCATION	$2,736.00
2025	250-MULTIPLE GRANT FUND	2163-MENTAL HEALTH COURT	334110-STATEâ€OPERATING DIRECT	$-506,613.00

Budget Transfer Items:

Additional Information/Comments:

Staff salary and benefits will be used as in-kind match.

Contact for Questions: HH

Phone: Ext. 6111

Intro Page

Person Name	Email	Phone Number	Committee Personnel	Committee Personnel Phonenumber
Heather Herrington	Heather.Herrington@hallcounty.org	770-536-3837	Heather Herrington	770-536-3837

Court Name	Judicial Circuit Court	Primary Program Accountability Court	Secondary Program Accountablity Court	Courtlevel	Implementation Court
Hall County H.E.L.P Program	Northeastern	Adult Mental Health Court		Superior	

Total Requested Funds

Sources	Requested Funds	Matched Funds	Total Budget Amount
Personnel	410,105	75,992	486,097.31
Contract Services	51,200	0	51,200.00
Drug Testing Supplies	42,058	0	42,057.64
Other Costs	1,200	0	1,200.00
Equipment	0	0	0.00
Training and Travel	2,050	0	2,049.60
Transportation	0	0	0.00
Total CACJ funds	506,613	75,992	582,604.55

Budget Priority

Priority level	Budget Priority	Priority Reason
Personnel	First	The personnel positions we are asking for in this grant are vital to the continued operation of our program. Our existing clinical case manager and counselor positions help ensure the continued functioning of the program and future sustainability. Our counselors facilitate over 18 hours of group treatment per week which does not include individual therapy hours. The two lab technician positions are vital to all of the programs in our circuit to continue operation of our drug testing lab. We received funding for a 2nd HELP Case Manager in the Enhancement and Innovation Grant and we are asking for this position to be picked up by the HELP Program grant moving forward.
Contract Services	Second	Regular surveillance visits by our community policing officers is an integral part of program success and effectiveness. Treatment services shares a pool of officers who conduct home visits on a weekly basis for all programs in our county. As our agency has grown, we require a part-time Clinical Supervisor to provide clinical supervision for our staff in order for them to maintain the necessary credentials for certification. We have utilized MAT grant funds to support a number of participants to receive the Vivitrol injection at our local MAT provider. MAT grant funds would allow us to continue to support our MAT participants financially as they rely on the Vivitrol injection to support their recovery.
Drug Testing Supplies	Third	Treatment Services operates an in-house drug testing lab which serves all of the programs in our judicial circuit. We divide our funding request for reagents among all of the programs in our county to better utilize funding and sharing of resources. Continued funding to purchase reagents is vital to the operation of all programs as this ensures compliance with program rules and treatment effectiveness.
Training and Travel	Fourth	We require all staff to attend the annual CACJ Conference along with various other trainings throughout the year. Grant funding to cover travel expenses directly related to the CACJ Conference will allow us to ease the financial burden to team members and further incentivize attendance.
Transportation	Fifth	No request made in this category.
Equipment	Sixth	No request made in this category.

Other Costs	Seventh	No request made in this category.

Current Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date
Byrne-JAG Funding	0			
Community Service Boards	0			
Date Fund	16387	Drug Testing Equipment Travel Training Treatment	Yes	1/1/2024
Financial Donations	0			
Governors Office of Highway Safety	0			
Independent 501(c)3	500	Other	Yes	1/1/2024
Juvenile Justice Incentive Grant	0			
Local Government (Municipal or County)	59831	Equipment Office Supplies Personnel Treatment	Yes	1/1/2024
Competitive BJA Grant	0			
Participants Fees	24650	Drug Testing Travel Training Treatment	Yes	1/1/2024
Private Foundation Grant	0			
Revenue from Lab	51601	Drug Testing Travel Training Other	Yes	1/1/2024
SAMHSA	0			
All other non-CACJ Funds	0			

Please use the provided space to provide any additional details regarding Curent Fiscal Year Other Funding Sources.
Our budget is generated from county funds, DATE funds, participant fees, lab revenue, and grant funding. Our local non-profit, Friends of Recovery (FOR), provides some financial assistance to our programs for such services as trainings but financial donations also experienced a decline over the past calendar and fiscal years. In 2023, the HELP Program experienced a 45% increase in program census and is currently serving nearly 100 participants. Our census cap will increase by 33% in FY25 following the finalized restructure of the HELP Program which adds the "Co-Occurring Track." This increase requires greater funding and continued financial collaboration amongst all of our program budgets for optimal efficiency as an agency.

Next Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date	Status
Byrne-JAG Funding	0				
Community Service Boards	0				
Date Fund	15,806	Drug Testing Equipment Travel Training Treatment	Yes	1/1/2025	Pending
Financial Donations	0				
Governors Office of Highway Safety	0				
Independent 501(c)3	500	Other	Yes	1/1/2025	Pending
Juvenile Justice Incentive Grant	0				
Local Government (Municipal or County)	82,211	Equipment Office Supplies Personnel Other	Yes	1/1/2025	Pending
Competitive BJA Grant	0				
Participants Fees	41,855	Drug Testing Travel Training Treatment	Yes	1/1/2025	Pending
Private Foundation Grant	0				
Revenue from Lab	53,751	Drug Testing Travel Training Other	Yes	1/1/2025	Pending
SAMHSA	0				
All other non-CACJ Funds	0				

Please use the provided space to provide any additional details regarding Next Fiscal Year Other Funding Sources.

We anticipate a similar operating budget in FY25 as to our approved FY24 budget. The FY25 budget has not yet been reviewed or approved by our Board of Commissioners so all figures are based on FY24 budgets and are subject to reductions. Treatment Services is the agency umbrella encompassing all accountability court programs in our circuit including Hall County HELP Program. Treatment Services utilizes various revenue streams to generate an operating budget which is shared among all programs. Our budget is generated from county funds, DATE funds, participant fees, lab revenue, and grant funding. By utilizing a combined operating budget, we are better able to share resources and provide services to program participants. Hall County HELP Program collects monthly participant fees at the rate of $40 to help offset operational costs. While these funds are helpful, they are not lucrative enough to sustain our program independently which is why operating from a shared budget is crucial to our agency operations.

How many years of service does the coordinator position have as of March 31st of 2024? Please, use 0 (zero) if the coordinator has less of one year of service
0

Will the certified court coordinator program be completed by March 31st of 2024?
Yes

Sustainability Plan

How would your program maintain operations in the event state funds were lost and your state grant were reduced or eliminated?
Treatment Services takes steps to consolidate and share resources to stretch grant and operating funds as much as possible. This summer, our agency will combine group treatment resources across multiple accountability courts to decrease redundancy in services. Groups will be classified based on risk-need level, mental health, substance use, and other specialized topics rather than being associated with a particular program. This allows for sharing of resources across programs and greatly increases our menu of services. 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 based on the over $3 million economic impact of our programs on the Hall County community. Program participants are charged a monthly fee of $40 to help offset some operational costs.
How much funding have you requested from your county and how much have they approved?
Treatment Services requests funding annually to support salaries/fringe benefits, building maintenance costs, and operational costs. By sharing a combined operational budget, our agency is able to stretch funds further to provide needed services to participants and maintain staff necessary to operate the various programs. We consider program census to calculate overall percentage for each program's operational budget. No operating budget for FY25 has yet been approved by our local Board of Commissioners at the time of this application submission.

Have you experienced any barriers in obtaining local funds from the counties within your circuit? If so, what are they?
Date funds and lab revenue have historically been the largest contributors to our operational budget. We have made strides to increase lab revenue but have no control over local DATE fund collections as these are generated from legal cases which are not directly linked to our programs. Additionally, our local BOC has not been amendable to absorbing additional personnel positions at this time which is why continued grant funding is imperative.

Court Narrative

Please describe in detail how state grant funds are budgeted and this funding sources work together to create a comprehensive program.
We are requesting funding for 6 total personnel positions. All six are existing positions and currently filled, with one being the newly added HELP Program Case Manager position through the Enhancement and Innovation funds (Drug Court grant). All positions are vital to the operations of our program and cannot be supported in the county's current budget. We are requesting funding for community policing, drug testing supplies and services, and training. Requested funds will support field surveillance visits conducted by off-duty Sheriff's Department officers. Funding will also assist in purchasing drug testing reagents for our in-house lab and costs associated with confirmation and specialty testing. We continue to share all resources across our agency to effectively manage costs. Treatment Services served over 800 participants in 2023, which is the largest amount to date. Based on statewide reporting, our circuit is the largest accountability court circuit in the state in terms of total participants served.

If you are not using a CSB please explain why.
The majority of our treatment is conducted in-house by our staff which allows us to provide more comprehensive and individualized treatment schedules for program participants. We utilize our CSB for some therapeutic and peer services as well as psychiatric services (i.e. medication). Due to billing and financial barriers experienced by some of our participants when working with our CSB, we have been able to partner with a local treatment provider to offer some additional groups each week. These groups are shared with other programs and afford program participants more flexibility with their schedules which has proven to be very beneficial.

Please explain your court's current drug testing methods and why your court chose those methods.
We utilize our in-house lab which is shared among all accountability court programs in our circuit. We use Thermofisher reagents on our Mindray BA800 analyzer and test for the following assays: Amphetamine, Benzodiazepine, Cocaine, Heroin, Creatinine, THC, EtG, Methadone, Opiate, Fentanyl, Spice, and Tramadol. We have five lab technicians who work 40 hours each week for collections, analysis, and reporting of all tests. In 2023, we collected and analyzed over 50,600 urine drug screens for our programs and outside providers. Our lab is operational seven days per week with collections hours of 7 am - 6:30 pm on weekdays and 7 am - 12 pm on weekends/holidays. In addition to urine screens, we utilize sweat patch and oral fluid testing methods. We utilize Abbott/Redwood for all confirmation and specialty testing. We established our lab in 2007 and continue to find that it is the most efficient platform for drug testing, given our volume.

What Resources does your court share with other accountability court programs or agencies within your circuit
Drug Lab Drug Tests Surveillance Officer Time Treatment providers Office Space Lab Technicians Transportation/Vehicles for Participants

If your court is requesting an increase of 10% or more than the total amount of state funds awarded in the fiscal year 2024
Our FY25 request reflects a 27% increase from our FY24 award. In 2023, the active census numbers in the HELP Program increased from 67 participants to nearly 100 participants. This is the highest number of participants served in the HELP Program since its inception in 2006. In FY24, we added a 2nd Case Manager position to be responsible for approx. 50 participants per caseload, which is well above the recommended 30 participants per caseload. This position was secured in our cumulative FY24 Enhancement and Innovation Grant (supplemental funding included in Drug Court grant) due to the simultaneous restructuring of Drug Court and the HELP Program this summer. This restructure will create a 14% census cap increase for Drug Court and a 33% census cap increase for HELP Court. Based on CACJ cost per participant calculations, our FY25 request of $506,600 is 2.6% less than the anticipated cost per participant based on our expected census growth this year, which would be approximately 120 participants or $519,960.

If your court has de-obligated state funds within the past two fiscal years, please explain the circumstances and the plan to prevent a de-obligation from occurring in the future.
Any past de-obligation was in response to personnel/staffing issues. While we make every effort to stay fully staffed, this situation is sometimes out of our control and vacancies or changes in pay rate/benefits from old to new staff is not something that can projected exactly. Since we are not allowed to move funds from Personnel to other areas in the grant, they are returned to CACJ if not utilized. We make concerted efforts to spend all funds as approved and awarded and will ensure that future grant funds are spent.

If your court received a note/comment from the CACJ Funding Committee on your fiscal year 2024 grant award, please describe how your court addressed the Committee’s note/comment.
No comment received.

Please provide any additional information below.
None.

Participants Fees

How much did your court collect in participant fees in the previous fiscal year?	Please explain why your court does or does not collect participant fees.	How do those fees support the operations of the court?
24650	Our program collects monthly participant's fees at the rate of $40. We have found that this financial investment by participants helps foster more engagement in treatment and program requirements.	Participant fee collections for the HELP Program are utilized to help offset costs associated with drug testing. Our lab collected over 50,600 urine drug screens in 2023 and operates 7 days per week. The operational costs of our lab include supplies, personnel time, and contract officers to collect screens during morning/evening hours and weekend shifts. Participants fees directly contribute to funds needed for purchasing reagents, drug testing collection supplies, breathalyzers, and other materials needed for daily lab operation. While these funds are helpful, they are not lucrative enough to adequately sustain program operations.

Personnel Request

Are you requesting funds for personnel?
Yes

Position Title	Hourly Rate	Hours Per Week	Weeks Requested	New Position	Total Salary Requested
Counselor	28.83	40	52		59,966
Counselor	26.70	40	52		55,536
Program Case Manager	25.52	40	52		53,082
Program Case Manager	24.18	40	52		50,294
Lab Technician/Drug Screen Collector	21.91	40	52		45,573
Lab Technician/Drug Screen Collector	21.91	40	52		45,573
		Total Personnel Salary Requested			310,024

Please detail what the personnel funds requested will be used for in the box below.
Counselor - Conduct group and individual therapeutic sessions for a case load of 30 participants minimum and deliver approximately 18 hours of group treatment per week in addition to meeting with clients for individual therapy sessions, treatment planning, and ancillary care resourcing. Case Managers - These positions focuses primarily on the administrative tasks, record-keeping, and basic case management needed to support nearly 100 HELP Program participants. 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 50,000 specimens in 2023, it is imperative to keep both full-time positions. HELP Court currently boasts the largest active census in the history of the program.

Fringe Benefits

Position Title	Benefit Requested 1	Benefit Amount 1	Benefit Requested 2	Benefit Amount 2	Benefit Requested 3	Benefit Amount 3	Benefit Requested 4	Benefit Amount 4	Total Anticipated Cost
Counselor	FICA	4,466.28	Health Insurance	10,285.08	Worker's Compensation	539.70	401K/Pension	3,598.14	18,889.20
Counselor	FICA	4,144.40	Health Insurance	9,969.70	Worker's Compensation	499.72	401K/Pension	2,221.44	16,835.26
Program Case Manager	FICA	3,592.42	Health Insurance	21,520.98	Worker's Compensation	477.62	401K/Pension	2,123.16	27,714.18
Program Case Manager	FICA	3,490.50	Health Insurance	9,633.78	Worker's Compensation	410.78	401K/Pension	1,823.12	15,358.18
Lab Technician/Drug Screen Collector	FICA	3,489.72	Health Insurance	203.32	Worker's Compensation	410.28	401K/Pension	1,823.12	5,926.44
Lab Technician/Drug Screen Collector	FICA	3,490.50	Health Insurance	9,633.78	Worker's Compensation	410.78	401K/Pension	1,823.10	15,358.16
						Total Fringe Benefits Anticipated Cost			100,081.42

Please use the provided space to provide any additional details regarding fringe benefits requested.
Requested salary and fringe benefits are based on current employee figures with no foreseeable changes for FY25, with the exception of the second Case Manager position which went into effect on January 1. We have recently hired for this position so fringe benefits are based on estimations as the onboarding process begins next week.

Contracts & MOUs

Are you requesting funding for Contracts and MOUs?
Yes

Position Title	Rate Unit	Rateperunit	Total Units Requested	Anticipated Numbers	Provider Type	Total Requested Cost
Law Enforcement Surveillance Officer	Per hour	65.00	288	15.00	Sheriff's Department	18,720
Treatment Provider	Per hour	65.00	192	550.00	Non-CSB	12,480
Treatment Provider	Per Session	1,000.00	20	2.00	Non-CSB	20,000
			Total Contracts & MOUs Requested Cost			51,200

Please use the provided space below to describe how the contracts & MOUs requested will be work with your court program.
We wish to continue our robust surveillance presence by sending two Community Policing officers out into the field for 3 hours per week (2 officers x 12 hours/month x 12 months). Our current budget allows for the officers (who work in pairs and average three-hour shifts at $65/hour) to make visits for all five of Hall County's accountability court programs. We wish to continue contract services with our agency-wide Clinical Supervisor at $65.00/hour x 32 hours per month x 6 months. This contracted service is currently funded via ARPA through 12/31/24. We wish to provide continued medication assistance coverage for participants who are currently receiving the $1000 per month Vivitrol injection from our local MAT provider.

County Drug Labs

Do you have a fixed-rate, per test contract with a county drug lab for which you are requesting funds?
No

Rate Per Test	Number of Panels Tested per Rate	Number of Tests Requested	Total

Please describe how your contract with the county for drug lab services breaks down the cost per test in terms of personnel, testing supplies, and reagents.

Drug Testing Supplies Consummables

Are you requesting funds for Drug Testing supplies?
Yes

Consummables	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
		Total Consummables Amount Requested		0.00

Drug Testing Supplies Monitoring

Monitoring Equipment	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
	Total Monitoring Equipment Amount Requested			0.00

Drug Testing Supplies Confirmation or Lab Test

Confirmation Test or In-House Lab	Average Cost Per Test	Numberof Tests Requested	Total Amount Requested
Redwood	14.00	250	3,500.00
Redwood	50.00	200	10,000.00
Redwood	33.00	200	6,600.00
	Total Confirmation or Lab Amount Requested		20,100.00

Drug Testing Supplies Onsite Devices

Onsite Devices	Company Used	Panel Tested	Cost per Unit	Units	Total Unit Requested	Total Amount Requested
				Total Onsite Devices Amount Requested		0.00

Does Court utilize or Operate Local Lab?
County Run Lab

Please use the provided space to provide any additional details regarding drug testing supplies. If you selected 'other' as an option on this section of the grant, please indicate what 'other' is.
We operate an in-house lab utilizing Thermofisher reagents on our Mindray BA800 analyzer. We pay for consumable supplies such as latex gloves and cups from our county operating budget and are only requesting grant funds for confirmation and specialty testing with Abbott/Redwood and reagents (in the next section). Hall County HELP Program sent off approximately 300 screens to Abbott Labs in 2023. Our lab collected over 50,000 drug screens in 2023, with nearly 7,000 off those screens belonging to the HELP Program. We wish to maintain or increase this pace to better monitor participant progress by testing for assays which we cannot detect in-house.

Reagents Drug Testing Supplies

Are you requesting funds for reagents?
Yes

Typical Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Burprenorphine	ThermoFisher	0.29	9,027	2,617.83
Cocaine/Crack	ThermoFisher	0.29	9,027	2,617.83
ETG	ThermoFisher	0.29	9,027	2,617.83
Methadone	ThermoFisher	0.29	9,027	2,617.83
Methamphetamine	ThermoFisher	0.29	9,027	2,617.83
Optiates	ThermoFisher	0.29	9,027	2,617.83
Oxycodone	ThermoFisher	0.29	9,027	2,617.83
THC	ThermoFisher	0.29	9,027	2,617.83
		Total Reagents Supplies Requested Amount		20,942.64

Synthetic Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Fentanyl	ThermoFisher	0.89	0	
Synthetic Cannabinoids (K2/Spice)	ThermoFisher	0.95	0	
Tramadol	ThermoFisher	0.29	3,500	1,015.00
		Total Reagents Supplies Requested Amount		1,015.00

Supplies

Are you requesting funds for supplies?
Yes

Cost Type	Cost Per Unit	Total Units Requested	Total Requested Amount
Medication Assistance	50.00	24	1,200.00
		Total Supplies Requested Amount	1,200.00

Please use the provided space to provide any additional details regarding the supplies and other costs you are requesting.
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 $50 per participant x 12 months = $600 x 2 participants = $1,200.

Equipment

Are you requesting funds for Equipment?
No

Equipment Type	Total Units Requested	Cost Per Unit	Total Requested Amount
	Equipments Total Requested Amount		0.00

Please use the provided space to provide any additional details regarding your equipment request.

Conference Training and Travel

Are you requesting funds to attend the CACJ Annual Training Conference?
Yes

Team Name	Mileage Total	Parking Request	Number Team Members	Total Hotel Nights Per Room	Number Hotel Rooms	Total Anticipated Cost
Team A (Co-Occurring Track)	240		8	0	0	
Team B (SPMI Track)	240		8	0	0	
			Conference Training and Travel Total Anticipated Cost			0.00

Please use the provided space to provide any additional details regarding your court's request for funding to attend the CACJ Annual Conference
We are requesting funding for travel reimbursement to the annual CACJ conference scheduled for September 15- 18, 2024 in Athens. We are requesting funding for our Co-Occurring Track team members (Team A) and our SPMI Track team members (Team B). We are less than 51 miles from the conference center so would only be requesting RT mileage for each team member.

In-State Travel

Are you requesting additional training and travel funds for your court?
No

Court Staff/Contractor Name	Training Cost	Mileage(roundtrip)	Numberof Trips	Total Requested
		All Attendee Total Amount Requested		0.00

Please use the provided space to provide any additional details regarding mileage use. If you are requesting mileage between counties, please list the distance between those counties and how many participants were served in each of those counties

Transportation

Are you requesting funds to assist participants with transportation needs?
No

Mode of Transportation Cost Type	Rate Unit	Rate Unit Explanation	Rateper Unit	Total Units	Under Contract	Total
County Vehicle Mileage						
Driver time (County Vehicle)						
Public Transportation						
Private Transportation (Uber/Taxi)						
Bike Share						
Other						
				Total Transportation Cost		0.00

If you are applying for multiple courts, please list the courts.

How many participants do you anticipate will participate in your proposed transportation project (from July 1, 2024 - June 30, 2025)? If you are applying for multiple courts, please list the court name then the number of participants.

How many new participants will your court add if the proposed transportation project is funded? If you are applying for multiple courts, please list the court name and then the number of participants.

Please fully describe your proposed transportation project. Include why the project is needed and cannot be funded by other sources.

If there are additional items regarding your transportation program, please include them in the space below.

Which evidence-based curricula does your court offer?
Anger Management Celebrating Families Cognitive Behavioral Therapy (CBT) Cognitive-Behavioral Interventions for Substance Abuse (CBI-SA) Criminal and Addictive Thinking Dialectical Behavioral Therapy (DBT) Eye Movement Desensitization Reprocessing (EMDR) Hazelden Co-Occurring Disorders Program Hazelden Life Skills Individual Therapy/Counseling Individual-Trauma Integrated Dual Disorders Treatment Living in Balance (LIB) Matrix Early Recovery Skills and Relapse Prevention Moral Reconation Therapy (MRT) Motivational Enhancement Therapy (MET) Motivational Interviewing MRT - Staying Quit MRT - Untangling Relationships MRT - Winning the Invisible War Peer Support Services Prime for Life

Relapse Prevention Therapy (RPT)
Seeking Safety
Strengthening Families
Trauma Recovery and Enhancement Model (TREM)
Wellness Recovery Action Plan (WRAP)

Which ancillary services do you court provides?

Resume's Writing Assistance
Job Interviewing Preparation
Vocational Training Program
Life Skills Course
Accountability Court Mentor/Mentee Program
Accountability Court Alumni Program

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 37 full-time and 3 part-time employees and serve over 600 participants annually. Our Dawson County office operates with 5 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 50,651 drug screens in 2023. In 2022, we provided over 6,000 hours of treatment and experienced a 6% increase in total program enrollments compared to 2022. We conduct on-going, onsite training for new and seasoned staff alike. 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 15% match required for each grant which is fulfilled through county-funded personnel positions assigned to each court program.

Deadline for grant submissions to CACJ: February 29, 2024

Supplies (4229) Breakdown

ThermoFisher Reagent Pricing List
Customer #C1002043
Effective 07/01/2022

Hall Co. HELP Program

Analyte	# Annual T	# Annual K	Yield	Kit Price	Price/Test	# of Units	Total
ETOH	12,000	1.2	9,027	$2,618	0.29	0	$0
Amphetam	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
Benzodiaze	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 (Met	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 CJ	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 Ox	12,000	1.3	9,456	$946	0.1	0	$0
Hydrocodo	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	20,000	3.3	9,027	$2,618	0.29	1	$1,443
PH Validity	12,000	1.5	7,960	$796	0.1	0	$0
Propoxyphe	12,000	1.3	9,027	$2,618	0.29	0	$0
Specific Gra	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
Heroine/6-A	12,000	1.3	9,027	$2,618	0.29	0	$0
Buprenorpl	12,000	10.7	1,118	$324	0.29	0	$0
Kratom (M	2,400	2.1	1,118	$1,288	1.15	1	$1,288
Synthetic C	2,400	2.1	1,118	$1,062	0.95	0	$0
Synthetic C	2,400	2.1	1,118	$1,062	0.95	0	$0
Fentanyl II	~	~	~	$132	~	0	$0
Fentanyl II	~	~	~	$132	~	0	$0
Fentanyl II	~	~	~	$176	~	0	$0
						Total Req	***$20,758***

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'25 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 Thursday, February 29, 2024

Available Funding

The amount available for distribution will be determined by the legislature during the 2024 session. There is a 15% cash match requirement.

Award Period

July 1, 2024, through June 30, 2025

Release Date: February 1, 2024

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

104 MARIETTA STREET NW, SUITE 440 | ATLANTA, GEORGIA 30303
404.657.1956 | 877.231.6590 | 404.657.1957 FAX
CJCC.GEORGIA.GOV

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'25 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., February 29, 2024. **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 operating grant application instructional webinar on or about, February 1, 2024. Interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host virtual question and answer webinars on Monday, February 5, 2024 and Wednesday, February 7, 2024, at 11:00 a.m. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.**

Match Requirement (15 percent CASH match)

Applicants must identify the source of the 15 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 15% 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 15 = then divided by 85 will give you your total match

Required Match Example: 15 percent match requirement: for a state award amount of $100,000, match would be calculated as follows:

State Award x 15/85= Match Ex. $100,000 x 15/85 = $17,647

To verify take state award + match x 15% Ex. 117,647 x 15% = 17,647

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'25 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, 2024. The CACJ Funding Committee will assume your court rejects its FY'25 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, 2024. (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 for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

Reporting Requirements

Recipients of this FY'25 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'25. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2024.**

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.

AGENDA ITEM

Treatment Services

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 123/2024

SUBJECT: Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of $119,568.00, 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 $17,935.00 is required.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: HH

Recommendation:
Approve.

Purpose of Request:

Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of $119,568.00, 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 $17,935.00 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 DUI Court under the General Fund budget in 2007 making the program a permanent fixture. Program participants are charged weekly drug testing fees to help offset some operational costs. The program has maintained a census of approximately 70 participants, which warrants maintaining consistent services, consumables, and staff time with 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 five 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	$ 17,935.00
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?	2024-03-11

Approvals:

Submit	Approve	Grants	Budget
HH	JS	SG	EW
Finance	**Attorney**	**Administration**	**Clerk**
WG	WLI	CR	JR

Attachments:

Financial Supplement
FY25 DUI Court Grant Application
Grant Narrative
DUI Supplies
FY25 Grant Solicitation Packet

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 123/2024

Funds Requested: $ 17,935.00

Request Budgeted: No

Proposed Source of Funding:

General / Grant Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	2162-DUI COURT	511100-SALARIES	$17,935.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	511100-SALARIES	$16,299.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	521000-PROFESSIONAL SERVICES	$33,360.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	531100-GENERAL SUPPLIES AND MATERIALS	$36,296.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	523500-TRAVEL	$1,025.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	512200-FICA	$3,636.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	512100-HEALTH INSURANCE	$25,312.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	512400-RETIREMENT	$2,173.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	512700-RISK MANAGEMENT ALLOCATION	$1,467.00
2025	250-MULTIPLE GRANT FUND	2162-DUI COURT	334110-STATEâ€OPERATING DIRECT	$-119,568.00

Budget Transfer Items:

Additional Information/Comments:

Staff salary will be used as in-kind match.

Contact for Questions: HH

Phone: 6111

Intro Page

Person Name	Email	Phone Number	Committee Personnel	Committee Personnel Phonenumber
Heather Herrington	Heather.Herrington@hallcounty.org	770-536-3837	Heather Herrington	770-536-3837

Court Name	Judicial Circuit Court	Primary Program Accountability Court	Secondary Program Accountablity Court	Courtlevel	Implementation Court
Hall County DUI Court	Northeastern	DUI Court		State	

Total Requested Funds

Sources	Requested Funds	Matched Funds	Total Budget Amount
Personnel	48,887	17,935	66,822.47
Contract Services	33,360	0	33,360.00
Drug Testing Supplies	36,296	0	36,295.89
Other Costs	0	0	0.00
Equipment	0	0	0.00
Training and Travel	1,025	0	1,024.80
Transportation	0	0	0.00
Total CACJ funds	119,568	17,935	137,503.16

Budget Priority

Priority level	Budget Priority	Priority Reason
Personnel	First	The personnel position we are asking for in this grant is vital to the continued operations and growth opportunities for the program. The case manager maintains the caseload of over 70 participants for the DUI Court program and is responsible for the tracking of participant progress.
Contract Services	Second	Regular surveillance visits by our community policing officers is an integral part of program success and effectiveness. Treatment Services shares a pool of officers who conduct home visits on a weekly basis for all programs in our county. We apply for funding for each program and share these resources to best maximize the number of visits conducted during each shift. We request funds to assist indigent DUI Court participants with treatment costs.
Drug Testing Supplies	Third	Treatment Services operates an in-house drug testing lab which serves all of the programs in our judicial circuit. Wedivide our funding request for reagents among all of the programs in our county to better utilize funding and sharing of resources. Continued funding to purchase reagents is vital to the operation of all programs as this ensures compliance with program rules and treatment effectiveness.
Training and Travel	Fourth	We require all staff to attend the annual CACJ Conference along with various other trainings throughout the year. grant funding to cover travel expenses directly related to the CACJ Conference will allow us to ease the financial burden to team members and further incentivize attendance.
Transportation	Fifth	N/A - No request made in this category.
Equipment	Sixth	N/A - No request made in this category.
Other Costs	Seventh	N/A - No request made in this category.

Current Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date
Byrne-JAG Funding	0			
Community Service Boards	0			
Date Fund	10242	Drug Testing Equipment Office Supplies Travel Training Treatment	Yes	1/1/2024

Financial Donations	0			
Governors Office of Highway Safety	0			
Independent 501(c)3	500	Other	Yes	1/1/2024
Juvenile Justice Incentive Grant	0			
Local Government (Municipal or County)	139917	Equipment Office Supplies Personnel Other	Yes	1/1/2024
Competitive BJA Grant	0			
Participants Fees	16424	Drug Testing Travel Training Treatment	Yes	1/1/2024
Private Foundation Grant	0			
Revenue from Lab	30750	Drug Testing Travel Training Other	Yes	1/1/2024
SAMHSA	0			
All other non-CACJ Funds	0			

Please use the provided space to provide any additional details regarding Curent Fiscal Year Other Funding Sources.
Treatment Services is the agency umbrella encompassing all accountability court programs in our judicial circuit including Hall County DUI Court Program. Treatment Services utilizes various revenue streams to generate an operating budget which is shared among all programs under our umbrella. Our budget is generated from county funds, DATE funds, participant fees, lab revenue, and grant funding. By utilizing a combined operating budget, we are better able to share resources and provide services to program participants. Our agency experienced an increase in enrollments by 6% in 2023 with projections to continue such growth in 2024-25. This increase will require greater funding and continued financial collaboration amongst all our program budgets for optimal efficiency as an agency.

Next Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date	Status
Byrne-JAG Funding	0				
Community Service Boards	0				
Date Fund	9,869	Drug Testing Equipment Office Supplies Travel Training Treatment	Yes	1/1/2025	Pending
Financial Donations	0				
Governors Office of Highway Safety	0				
Independent 501(c)3	500	Other	Yes	1/1/2025	Pending
Juvenile Justice Incentive Grant	0				
Local Government (Municipal or County)	153,905	Equipment Office Supplies Personnel Other	Yes	1/1/2025	Pending
Competitive BJA Grant	0				
Participants Fees	25,113	Drug Testing Travel Training Treatment	Yes	1/1/2025	Pending
Private Foundation Grant	0				
Revenue from Lab	32,250	Drug Testing Travel Training	Yes	1/1/2025	Pending
SAMHSA	0				
All other non-CACJ Funds	0				

Please use the provided space to provide any additional details regarding Next Fiscal Year Other Funding Sources.
We anticipate a similar operating budget in FY25 as to our approved FY24 budget. The FY25 budget has not yet been reviewed or approved by our Board of Commissioners so all figures are based on FY24 budgets and are subject to reductions per Board review. Our local non-profit, Friends of Recovery (FOR), provides some financial assistance to our programs for such services as trainings but financial donations also experienced a decline over the past calendar and fiscal years. DUI Court has maintained similar enrollment numbers compared to 2023 and has also maintained a consistent program census of nearly 70 participants.

How many years of service does the coordinator position have as of March 31st of 2024? Please, use 0 (zero) if the coordinator has less of one year of service
13

Will the certified court coordinator program be completed by March 31st of 2024?
Yes

Sustainability Plan

How would your program maintain operations in the event state funds were lost and your state grant were reduced or eliminated?
Treatment Services is the agency umbrella encompassing all accountability court programs in our judicial circuit including Hall County DUI Court. We utilize various revenue streams to generate an operating budget which is shared among all programs under our umbrella. Our budget is generated from county funds, DATE funds, participant fees, lab revenue, and grant funding. By utilizing a combined operating budget, we are better able to share resources and provide services to program participants. Hall County DUI Court collects weekly participant fees at the rate of $10 to help offset operational costs. While these funds are helpful, they are not lucrative enough to sustain our program independently which is why operating from a shared budget is crucial to our agency operations.
How much funding have you requested from your county and how much have they approved?
Treatment Services requests funding annually to support salaries/fringe benefits, building maintenance costs, and operational costs. By sharing a combined operational budget, our agency is able to stretch funds further to provide needed services to participants and maintain staff necessary to operate the various programs. We consider program census to calculate overall percentage for each program's operational budget. No operating budget for FY25 has yet been approved by our local Board of Commissioners at the time of this application submission. We are hopeful to receive a similar budget as approved for FY24.

Have you experienced any barriers in obtaining local funds from the counties within your circuit? If so, what are they?
DATE fund collections continue to show decline from pre-pandemic collections which has a large impact on our overall operating budget. We have made strides to increase lab revenue this year but have no control over local DATE fund collections as these are generated from legal cases which are not directly linked to our programs. Additionally, our local BOC has not been amendable to absorbing additional personnel positions at this time which is why continued grant funding is imperative.

Court Narrative

Please describe in detail how state grant funds are budgeted and this funding sources work together to create a comprehensive program.
We are requesting funding for 12 hours per week of our Case Manager's salary and fringe benefits. The Case Manager position is currently funded in part from this grant and county funds. This position is vital to the operations of the DUI Court program and cannot be supported in the county's current budget. We are requesting funding for community policing, drug testing supplies and services, and training. Requested grant funds will support field surveillance visits conducted by off-duty Sheriff's Department officers. Funding will also assist in purchasing drug testing reagents for our in-house lab and costs associated with confirmation and specialty testing.

If you are not using a CSB please explain why.
We have a local treatment provider who provides all therapeutic services to program participants.

Please explain your court's current drug testing methods and why your court chose those methods.
We utilize our in-house lab which is shared among all accountability court programs in our circuit. We currently use Thermofisher reagents on our Mindray BA800 analyzer and test for the following assays: Amphetamine, Benzodiazepine, Cocaine, Heroin, Creatinine, THC, EtG, Methadone, Opiate, Fentanyl, Spice, and Tramadol. We have five lab technicians who work 40 hours each week for collections, analysis, and reporting of all tests. In 2023, we collected and analyzed over 50,600 urine drug screens for our programs and outside providers. Our lab is operational seven days per week with collections hours of 7 am - 6:30 pm on weekdays and 7 am - 12 pm on weekends/holidays. In addition to urine screens, we utilize sweat patch and oral fluid testing methods. We utilize Abbott/Redwood for all confirmation and specialty testing. We established our lab in 2007 and continue to find that it is the most efficient platform for drug testing, given our volume.

What Resources does your court share with other accountability court programs or agencies within your circuit
Drug Lab Drug Tests Surveillance Officer Time Treatment providers Office Space Lab Technicians Transportation/Vehicles for Participants

If your court is requesting an increase of 10% or more than the total amount of state funds awarded in the fiscal year 2024
Our request this year reflects a 37% increase from our FY24 award. Our Case Manager, Nathan Strong has made changes to his benefits which adds additional fringe benefits costs to be covered in FY25. Nathan has been in the case manager role for our program for 11 years. In the past and in this current grant application, we are conservative with our funding requests for our Case Manager position by only requesting 30% of the salary and 100% of fringe be covered through grant funding. Requests in other categories remain similar to FY24 with the only increase requested in Personnel.

If your court has de-obligated state funds within the past two fiscal years, please explain the circumstances and the plan to prevent a de-obligation from occurring in the future.
Any past de-obligation was in response to personnel/staffing issues. While we make every effort to stay fully staffed, this situation is sometimes out of our control and vacancies or changes in pay rate/benefits from old to new staff is not something that can projected exactly. Since we are not allowed to move funds from Personnel to other areas in the grant, they are returned to CACJ if not utilized. We make concerted efforts to spend all funds as approved and awarded and will ensure that future grant funds are spent.

If your court received a note/comment from the CACJ Funding Committee on your fiscal year 2024 grant award, please describe how your court addressed the Committee’s note/comment.
No comment received.

Please provide any additional information below.
None.

Participants Fees

How much did your court collect in participant fees in the previous fiscal year?	Please explain why your court does or does not collect participant fees.	How do those fees support the operations of the court?
30792	Our program collects weekly participant's fees at the rate of $10. We have found that this financial investment by participants helps foster more engagement in treatment and program requirements.	Participant fee collections for the the DUI Court are utilized to help offset costs associated with drug testing. Our lab collected over 50,600 urine drug screens in 2023 and operates 7 days per week. The operational costs of our lab include supplies, personnel time, and contract officers to collect screens during morning/evening hours and weekend shifts. Participants fees directly contribute to funds needed for purchasing reagents, drug testing collection supplies, breathalyzers, and other materials needed for daily lab operation. While these funds are helpful, they are not lucrative enough to adequately sustain program operations.

Personnel Request

Are you requesting funds for personnel?
Yes

Position Title	Hourly Rate	Hours Per Week	Weeks Requested	New Position	Total Salary Requested
Program Case Manager	26.12	12	52		16,299
		Total Personnel Salary Requested			16,299

Please detail what the personnel funds requested will be used for in the box below.
The Case Manager position 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. We have 28 hours/week of the 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 maintained a steady active census in 2023 and census numbers have returned to pre-pandemic levels. With a caseload of 70 participants, this position is critical to program operations.

Fringe Benefits

Position Title	Benefit Requested 1	Benefit Amount 1	Benefit Requested 2	Benefit Amount 2	Benefit Requested 3	Benefit Amount 3	Benefit Requested 4	Benefit Amount 4	Total Anticipated Cost
Program Case Manager	FICA	3,636.10	Health Insurance	26,632.58	Worker's Compensation	146.64	401K/Pension	2,173.08	32,588.40
						Total Fringe Benefits Anticipated Cost			32,588.40

Please use the provided space to provide any additional details regarding fringe benefits requested.
All Case Manager fringe benefits are based on current employee expenses.

Contracts & MOUs

Are you requesting funding for Contracts and MOUs?
Yes

Position Title	Rate Unit	Rateperunit	Total Units Requested	Anticipated Numbers	Provider Type	Total Requested Cost
Law Enforcement Surveillance Officer	Per hour	65.00	384	15.00	Sheriff's Department	24,960
Treatment Provider	Per Session	1,400.00	6	6.00	Non-CSB	8,400
			Total Contracts & MOUs Requested Cost			33,360

Please use the provided space below to describe how the contracts & MOUs requested will be work with your court program.
We wish to continue our surveillance presence by sending two Community Policing officers out into the field for at least 3 hours per week. Our current budget allows for the officers (who work in pairs and average three-hour shifts at $65/hour) to make visits for all five 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 continue providing 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.

County Drug Labs

Do you have a fixed-rate, per test contract with a county drug lab for which you are requesting funds?
No

Rate Per Test	Number of Panels Tested per Rate	Number of Tests Requested	Total

Please describe how your contract with the county for drug lab services breaks down the cost per test in terms of personnel, testing supplies, and reagents.

Drug Testing Supplies Consummables

Are you requesting funds for Drug Testing supplies?
Yes

Consummables	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
		Total Consummables Amount Requested		0.00

Drug Testing Supplies Monitoring

Monitoring Equipment	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
	Total Monitoring Equipment Amount Requested			0.00

Drug Testing Supplies Confirmation or Lab Test

Confirmation Test or In-House Lab	Average Cost Per Test	Numberof Tests Requested	Total Amount Requested
Redwood	14.00	150	2,100.00
Redwood	50.00	150	7,500.00
Redwood	33.00	150	4,950.00
	Total Confirmation or Lab Amount Requested		14,550.00

Drug Testing Supplies Onsite Devices

Onsite Devices	Company Used	Panel Tested	Cost per Unit	Units	Total Unit Requested	Total Amount Requested
				Total Onsite Devices Amount Requested		0.00

Does Court utilize or Operate Local Lab?
County Run Lab

Please use the provided space to provide any additional details regarding drug testing supplies. If you selected 'other' as an option on this section of the grant, please indicate what 'other' is.
We operate an in-house lab utilizing Thermofisher reagents on our Mindray BA800 analyzer. We pay for consumable supplies such as latex gloves and cups from our county operating budget and are only requesting grant funds for confirmation and specialty testing with Abbott/Redwood and reagents (in the next section). 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.

Reagents Drug Testing Supplies

Are you requesting funds for reagents?
Yes

Typical Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Burprenorphine	ThermoFisher	0.29	9,027	2,617.83
Cocaine/Crack	ThermoFisher	0.29	9,027	2,617.83
ETG	ThermoFisher	0.29	9,027	2,617.83
Methadone	ThermoFisher	0.29	9,027	2,617.83
Methamphetamine	ThermoFisher	0.29	9,027	2,617.83
Optiates	ThermoFisher	0.29	9,027	2,617.83
Oxycodone	ThermoFisher	0.29	9,027	2,617.83
THC	ThermoFisher	0.29	9,027	2,617.83
		Total Reagents Supplies Requested Amount		20,942.64

Synthetic Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Fentanyl	ThermoFisher	0.89	400	356.00
Synthetic Cannabinoids (K2/Spice)	ThermoFisher	0.95	425	403.75
Tramadol	ThermoFisher	0.29	150	43.50
		Total Reagents Supplies Requested Amount		803.25

Supplies

Are you requesting funds for supplies?
No

Cost Type	Cost Per Unit	Total Units Requested	Total Requested Amount
		Total Supplies Requested Amount	0.00

Please use the provided space to provide any additional details regarding the supplies and other costs you are requesting.

Equipment

Are you requesting funds for Equipment?
No

Equipment Type	Total Units Requested	Cost Per Unit	Total Requested Amount
	Equipments Total Requested Amount		0.00

Please use the provided space to provide any additional details regarding your equipment request.

Conference Training and Travel

Are you requesting funds to attend the CACJ Annual Training Conference?
Yes

Team Name	Mileage Total	Parking Request	Number Team Members	Total Hotel Nights Per Room	Number Hotel Rooms	Total Anticipated Cost
Hall County DUI Court	240		8	0	0	
			Conference Training and Travel Total Anticipated Cost			0.00

Please use the provided space to provide any additional details regarding your court's request for funding to attend the CACJ Annual Conference
We are requesting funding for travel reimbursement to the annual CACJ conference scheduled for September 15- 18, 2024 in Athens. We are requesting funding for our 8 DUI Court team members. We are less than 51 miles from the conference center so would only be requesting RT mileage for each team member.

In-State Travel

Are you requesting additional training and travel funds for your court?
No

Court Staff/Contractor Name	Training Cost	Mileage(roundtrip)	Numberof Trips	Total Requested
		All Attendee Total Amount Requested		0.00

Please use the provided space to provide any additional details regarding mileage use. If you are requesting mileage between counties, please list the distance between those counties and how many participants were served in each of those counties

Transportation

Are you requesting funds to assist participants with transportation needs?
No

Mode of Transportation Cost Type	Rate Unit	Rate Unit Explanation	Rateper Unit	Total Units	Under Contract	Total
County Vehicle Mileage						
Driver time (County Vehicle)						
Public Transportation						
Private Transportation (Uber/Taxi)						
Bike Share						
Other						
				Total Transportation Cost		0.00

If you are applying for multiple courts, please list the courts.

How many participants do you anticipate will participate in your proposed transportation project (from July 1, 2024 - June 30, 2025)? If you are applying for multiple courts, please list the court name then the number of participants.

How many new participants will your court add if the proposed transportation project is funded? If you are applying for multiple courts, please list the court name and then the number of participants.

Please fully describe your proposed transportation project. Include why the project is needed and cannot be funded by other sources.

If there are additional items regarding your transportation program, please include them in the space below.

Which evidence-based curricula does your court offer?
Anger Management Celebrating Families Cognitive Behavioral Therapy (CBT) Cognitive-Behavioral Interventions for Substance Abuse (CBI-SA) Criminal and Addictive Thinking Dialectical Behavioral Therapy (DBT) Eye Movement Desensitization Reprocessing (EMDR) Hazelden Co-Occurring Disorders Program Hazelden Life Skills Individual Therapy/Counseling Individual-Trauma Integrated Dual Disorders Treatment Living in Balance (LIB) Matrix Early Recovery Skills and Relapse Prevention Moral Reconation Therapy (MRT) Motivational Enhancement Therapy (MET) Motivational Interviewing MRT - Staying Quit MRT - Untangling Relationships MRT - Winning the Invisible War Peer Support Services Prime for Life

Seeking Safety Strengthening Families Thinking for a Change (T4C) Trauma Recovery and Enhancement Model (TREM) Wellness Recovery Action Plan (WRAP)

Which ancillary services do you court provides?

Resume's Writing Assistance Job Interviewing Preparation Life Skills Course Accountability Court Mentor/Mentee Program Accountability Court Alumni Program

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 37 full-time and 3 part-time employees and serve over 600 participants annually. Our Dawson County office operates with 5 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 50,651 drug screens in 2023. In 2022, we provided over 6,000 hours of treatment and experienced a 6% increase in total program enrollments compared to 2022. We conduct on-going, onsite training for new and seasoned staff alike. 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 15% match required for each grant which is fulfilled through county-funded personnel positions assigned to each court program.

Deadline for grant submissions to CACJ: February 29, 2024

Hall Co. DUI Court

Analyte	***# Annual T***	***# Annual K***	***Yield***	***Kit Price***	***Price/Test***	***# of Units***	***Total***
ETOH	*12,000*	*1.2*	*9,027*	*$2,618*	*0.29*	0	$0
Amphetam	*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
Benzodiaze	*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 (Met	*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 CJ	*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 Ox	*12,000*	*1.3*	*9,456*	*$946*	*0.1*	1	$946
Hydrocodo	*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
Propoxyphe	*12,000*	*1.3*	*9,027*	*$2,618*	*0.29*	1	$2,618
Specific Gra	*12,000*	*1.3*	*9,027*	*$908*	*0.1*	0	$0
THC	*30,000*	*3.3*	*9,027*	*$2,618*	*0.29*	0	$0
Heroine/6-A	*12,000*	*1.3*	*9,027*	*$2,618*	*0.29*	1	$2,618
Buprenorpl	*12,000*	*10.7*	*1,118*	*$324*	*0.29*	1	$324
Kratom (M	*2,400*	*2.1*	*1,118*	*$1,288*	*1.15*	1	$1,288
Synthetic C	*2,400*	*2.1*	*1,118*	*$1,062*	*0.95*	0	$0
Synthetic C	*2,400*	*2.1*	*1,118*	*$1,062*	*0.95*	0	$0
Fentanyl II	~	~	~	*$132*	~	2	$264
Fentanyl II	~	~	~	*$132*	~	2	$264
Fentanyl II	~	~	~	*$176*	~	2	$352
						Total Req	***$21,746***

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'25 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 Thursday, February 29, 2024

Available Funding

The amount available for distribution will be determined by the legislature during the 2024 session. There is a 15% cash match requirement.

Award Period

July 1, 2024, through June 30, 2025

Release Date: February 1, 2024

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

104 MARIETTA STREET NW, SUITE 440 | ATLANTA, GEORGIA 30303
404.657.1956 | 877.231.6590 | 404.657.1957 FAX
CJCC.GEORGIA.GOV

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'25 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., February 29, 2024. **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 operating grant application instructional webinar on or about, February 1, 2024. Interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host virtual question and answer webinars on Monday, February 5, 2024 and Wednesday, February 7, 2024, at 11:00 a.m. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.**

Match Requirement (15 percent CASH match)

Applicants must identify the source of the 15 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 15% 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 15 = then divided by 85 will give you your total match

Required Match Example: 15 percent match requirement: for a state award amount of $100,000, match would be calculated as follows:

State Award x 15/85= Match Ex. $100,000 x 15/85 = $17,647

To verify take state award + match x 15% Ex. 117,647 x 15% = 17,647

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'25 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, 2024. The CACJ Funding Committee will assume your court rejects its FY'25 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, 2024. (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 for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

Reporting Requirements

Recipients of this FY'25 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'25. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2024.**

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.

AGENDA ITEM

Treatment Services

REPORT TO: **Work Session (03/25/24)**

REPORT TO: **Voting Meeting (03/28/24)**

ITEM NO: 120/2024

SUBJECT: Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding Program for the Drug Court for staffing, technical and professional services, supplies, and training in the amount of $1,002,462.00, 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 $150,369.00 is required.

Meetings:

Work Session Date: 03/25/24 **Voting Meeting Date:** 03/28/24

Executive Summary:

Presenter: HH

Recommendation:

Approve.

Purpose of Request:

History:

Approve the ratification of the application for the Criminal Justice Coordinating Council's (CJCC) FY 2025 Accountability Court Funding Program for the Drug Court for staffing, technical and professional services, supplies, and training in the amount of $1,002,462.00, 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 $150,369.00 is required.

Treatment Services is the agency umbrella encompassing all accountability court 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 three 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 five 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 40 employees and serve approximately 600 participants. Between regular office hours, in-house counseling groups for Drug Court, HELP Program, Family Treatment Court, drug testing services for the courts and our customers, etc., we operate 7 days a week. Our drug testing lab conducts about 50,000 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.

Staff salary and benefits will be used as in-kind match. If approved, two new positions will be added to this grant for the case manager and intake coordinator. Both positions will be transferring from the ARPA grant and no new positions will be needed in position control.

Options:

Funding Requested	$ 150,369.00
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?	2024-03-11

Approvals:

Submit	Approve	Grants	Budget
HH	JS	PS	EW

Submit	Approve	Grants	Budget

Finance	Attorney	Administration	Clerk
WG	WLI	CR	JR

Attachments:

Financial Supplement
Supplies.pdf
FY25_Drug_Court_Grant_Application.pdf
FY25_Accountability_Court_Solicitation_Packet.pdf
Grant_Narrative.pdf

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 120/2024

Funds Requested: $ 150,369.00

Request Budgeted: No

Proposed Source of Funding:

General/Grant Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	2160-TREATMENT SERVICES	511100-SALARIES	$150,369.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	511100-SALARIES	$600,014.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	521000-PROFESSIONAL SERVICES	$63,862.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	531100-GENERAL SUPPLIES AND MATERIALS	$77,108.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	523500-TRAVEL	$2,050.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	512200-FICA	$44,983.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	512100-HEALTH INSURANCE	$176,808.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	512400-RETIREMENT	$32,237.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	512700-RISK MANAGEMENT ALLOCATION	$5,400.00
2025	250-MULTIPLE GRANT FUND	2161-DRUG COURT	334110-STATEâ€OPERATING DIRECT	$-1,002,462.00

Budget Transfer Items:

Additional Information/Comments:

Staff salary and benefits will be used as in-kind match. If approved, two new positions will be added to this grant for the case manager and intake coordinator. Both positions will be transferring from the ARPA grant and no new positions will be needed in position control.

Contact for Questions: HH

Phone: Ext. 6111

Hall Co. Drug Court

Analyte	***# Annual T***	***# Annual K***	***Yield***	***Kit Price***	***Price/Test***	***# of Units***	***Total***
ETOH	*12,000*	*1.2*	*9,027*	*$2,618*	*0.29*	0	$0
Amphetam	*30,000*	*3.3*	*9,027*	*$2,618*	*0.29*	2	$5,236
Barbiturat	*12,000*	*1.3*	*9,027*	*$2,618*	*0.29*	0	$0
Benzodiaze	*30,000*	*3.3*	*9,027*	*$2,618*	*0.29*	2	$5,236
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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 (Met	*30,000*	*3.3*	*9,027*	*$2,618*	*0.29*	1	$2,618
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Fentanyl II	*500 mL*		*7,705*	*$4,623*	*0.6*	2	$9,246
General Ox	*12,000*	*1.3*	*9,456*	*$946*	*0.1*	0	$0
Hydrocodo	*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
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PH Validity	*12,000*	*1.5*	*7,960*	*$796*	*0.1*	0	$0
Propoxyph	*12,000*	*1.3*	*9,027*	*$2,618*	*0.29*	0	$0
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Buprenorp	*12,000*	*10.7*	*1,118*	*$324*	*0.29*	0	$0
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Fentanyl II	~	~	~	*$132*	~	2	$264
Fentanyl II	~	~	~	*$132*	~	2	$264
Fentanyl II	~	~	~	*$176*	~	2	$352
						Total Req	***$56,308***

Intro Page

Person Name	Email	Phone Number	Committee Personnel	Committee Personnel Phonenumber
Heather Herrington	Heather.Herrington@hallcounty.org	770-536-3837	Heather Herrington	770-536-3837

Court Name	Judicial Circuit Court	Primary Program Accountability Court	Secondary Program Accountablity Court	Courtlevel	Implementation Court
Hall County Drug Court	Northeastern	Adult Felony Drug Court	Veterans Court	Superior	

Total Requested Funds

Sources	Requested Funds	Matched Funds	Total Budget Amount
Personnel	859,442	150,369	1,009,811.31
Contract Services	63,862	0	63,862.00
Drug Testing Supplies	77,108	0	77,107.98
Other Costs	0	0	0.00
Equipment	0	0	0.00
Training and Travel	2,050	0	2,049.60
Transportation	0	0	0.00
Total CACJ funds	1,002,462	150,369	1,152,830.89

Budget Priority

Priority level	Budget Priority	Priority Reason
Personnel	First	The personnel positions we are asking for in this grant are vital to the continued operation of our program. Our Counselors, Case Managers, Lab Technicians, and Clinical Evaluator help ensure the continued functioning of the program and future sustainability. They are vital to the agency as a whole and necessary to continue to level of services we currently provide. We are requesting funding for 2 existing Drug Court positions which have been previously funded by the ARPA Grant. One of these positions, a Case Manager manages our high-risk, high-need track of Drug Court. The Intake Coordinator position will manage the over 400 referrals to both Drug Court and the HELP Program each year. By creating one position to track all referrals and intakes, it will streamline operations and speed up staffing and enrollment time.
Contract Services	Second	Regular surveillance visits by our community policing officers is an integral part of program success and effectiveness. Treatment Services shares a pool of officers who conduct home visits on a weekly basis for all programs in our county. We apply for funding for each program and share these resources to best maximize the number of visits conducted during each shift. We also utilize contract services to help participants pay Work Release fees to decrease time in custody, assist with mental health medications across all programs for individuals who are incarcerated, as well as provide access to MAT.
Drug Testing Supplies	Third	Treatment Services operates an in-house drug testing lab which serves all of the programs in our judicial circuit. We divide our funding request for reagents among all of the programs in our county to better utilize funding and sharing of resources. Continued funding to purchase reagents is vital to the operation of all programs as this ensures compliance with program rules and treatment effectiveness.
Training and Travel	Fourth	We require all staff to attend the annual CACJ Conference along with various other trainings throughout the year. grant funding to cover travel expenses directly related to the CACJ Conference will allow us to ease the financial burden to team members and further incentivize attendance.
Equipment	Fifth	No request made in this category.
Transportation	Sixth	No request made in this category.

Other Costs	Seventh	No request made in this category.

Current Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date
Byrne-JAG Funding	0			
Community Service Boards	0			
Date Fund	35505	Drug Testing Equipment Office Supplies Travel Training Treatment	Yes	1/1/2024
Financial Donations	0			
Governors Office of Highway Safety	0			
Independent 501(c)3	500	Other	Yes	1/1/2024
Juvenile Justice Incentive Grant	0	Evaluation		
Local Government (Municipal or County)	367314	Equipment Evaluation Office Supplies Personnel Other	Yes	1/1/2024
Competitive BJA Grant	0			
Participants Fees	179172	Equipment Personnel Travel Training Treatment	Yes	1/1/2024
Private Foundation Grant	0			
Revenue from Lab	111802	Drug Testing Equipment Travel Training Other	Yes	1/1/2024
SAMHSA	0			
All other non-CACJ Funds	0			

Please use the provided space to provide any additional details regarding Curent Fiscal Year Other Funding Sources.
Our budget is generated from county funds, DATE funds, participant fees, lab revenue, and grant funding. Our local non-profit, Friends of Recovery (FOR), provides some financial assistance to our programs for such services as trainings but financial donations also experienced a decline over the past calendar and fiscal years. In 2023, the Drug Court program experienced a 13% increase in overall program census and is currently serving over 200 participants. Our census cap will increase by 14% in FY25 following the finalized restructure of the Drug Court program which officially adds a Veterans Track. This increase requires greater funding and continued financial collaboration amongst all of our program budgets for optimal efficiency as an agency.

Next Fiscal Year Other Funding Sources

Other Sources	Total Funds	Funds Used	Annual Fundsource	No End Date	Status
Byrne-JAG Funding	0				
Community Service Boards	0				
Date Fund	34,247	Drug Testing Equipment Office Supplies Travel Training Treatment	Yes	1/1/2025	Pending
Financial Donations	0				
Governors Office of Highway Safety	0				
Independent 501(c)3	500	Other	Yes	1/1/2025	Pending
Juvenile Justice Incentive Grant	0				
Local Government (Municipal or County)	375,125	Equipment Evaluation Office Supplies Personnel Other	Yes	1/1/2025	Pending
Competitive BJA Grant	0				
Participants Fees	185,000	Equipment Personnel Travel Training Other	Yes	1/1/2025	Pending
Private Foundation Grant	0				
Revenue from Lab	110,802	Drug Testing Equipment Travel Training Other	Yes	1/1/2025	Pending
SAMHSA	0				
All other non-CACJ Funds	0				

Please use the provided space to provide any additional details regarding Next Fiscal Year Other Funding Sources.

We anticipate a similar operating budget in FY25 as to our approved FY24 budget. The FY25 budget has not yet been reviewed or approved by our Board of Commissioners so all figures are based on FY24 budgets and are subject to reductions per Board review. Treatment Services is the agency umbrella encompassing all accountability court programs in our judicial circuit. Treatment Services utilizes various revenue streams to generate an operating budget which is shared among all programs under our umbrella. Our budget is generated from funds, DATE funds, participant fees, lab revenue, and grant funding. By utilizing a combined operating budget, we are better able to share resources and provide services to program participants. Hall County Drug Court collects monthly participant fees at the rate of $150 to help offset operational costs. While these funds are helpful, they are not lucrative enough to sustain our program independently which is why operating from a shared budget is crucial to our agency operations.

How many years of service does the coordinator position have as of March 31st of 2024? Please, use 0 (zero) if the coordinator has less of one year of service
1

Will the certified court coordinator program be completed by March 31st of 2024?
Yes

Sustainability Plan

How would your program maintain operations in the event state funds were lost and your state grant were reduced or eliminated?
Each year, Treatment Services consolidates and shares resources to stretch grant and operating funds as much as possible. This summer, our agency will combine group treatment resources across multiple accountability courts to decrease redundancy in services. Groups will be classified based on risk-need level, mental health, substance use, and other specialized topics rather than groups being associated with a particular program. This allows for sharing of resources across programs and greatly increases our menu of services. 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 based on the over $3 million economic impact of our programs on the Hall County community. Program participants are charged a monthly fee of $150 to help offset some operational costs.
How much funding have you requested from your county and how much have they approved?
Treatment Services requests funding annually to support salaries/fringe benefits, building maintenance costs, and operational costs. By sharing a combined operational budget, our agency is able to stretch funds further to provide needed services to participants and maintain staff necessary to operate the various programs. We consider program census to calculate overall percentage for each program's operational budget. No operating budget for FY24 has yet been approved by our local Board of Commissioners at the time of this application submission.

Have you experienced any barriers in obtaining local funds from the counties within your circuit? If so, what are they?
While we are hopeful that the county would pick up grant funded positions associated with our grants, we have not yet been successful in securing these positions. We are reliant on the additional positions supported by grants to provide the level of services to our participants. Drug Court is the largest program in our county and serves nearly 200 participants with projections to grow close to 250 by 2024 year end. Additional staff is vital to provide services to this large census and maintain fidelity with best practices. Without these positions, we would have to drastically cut back on program census which would remove the chance of treatment for many eligible individuals.

Court Narrative

Please describe in detail how state grant funds are budgeted and this funding sources work together to create a comprehensive program.
We are requesting funding for 11 total personnel positions. Nine positions are existing positions, and two positions are pre-existing, but have been funded up to this point by the ARPA grant. All 11 positions are vital to program operations given the volume of participants in Drug Court. Treatment Services served over 800 participants in 2023, which is the largest amount to date. Based on statewide reporting, our circuit is the largest accountability court circuit in the state in terms of total participants served. We are requesting funding for community policing, drug testing supplies and services, and training. Requested grant funds will support field surveillance visits conducted by off-duty Sheriff's Department officers. Funding will also assist in purchasing drug testing reagents for our in-house lab and costs associated with confirmation and specialty testing. We continue to share all resources across our entire agency to effectively manage costs.

If you are not using a CSB please explain why.
We provide all treatment in-house by our staff counselors. We partner with our CSB to provide psychiatric (i.e. medication) services to participants in need. Beginning in 2020, we restructured our in-house treatment schedules to better utilize staff and share resources among all programs within Treatment Services. By combining financial and personnel resources, we were able to increase deliverable services to program participants by nearly 12% from pre-COVID schedules. This has allowed for more individualized treatment plans and flexibility to participants which has been very beneficial.

Please explain your court's current drug testing methods and why your court chose those methods.
We utilize our in-house lab which is shared among all accountability court programs in our circuit. We currently utilize Thermofisher reagents on our Mindray BA800 analyzer and test for the following assays: Amphetamine, Benzodiazepine, Cocaine, Heroin, Creatinine, THC, EtG, Methadone, Opiate, Fentanyl, Spice, and Tramadol. We have five lab technicians who work 40 hours each week for collections, analysis, and reporting of all tests. In 2023, we collected and analyzed over 50,600 urine drug screens for our programs and outside providers. Our lab is operational seven days per week with collections hours of 7 am - 6:30 pm on weekdays and 7 am - 12 pm on weekends/holidays. In addition to urine screens, we utilize sweat patch and oral fluid testing methods. We utilize Abbott/Redwood for all confirmation and specialty testing. We established our lab in 2007 and continue to find that it is the most efficient platform for drug testing, given our volume.

What Resources does your court share with other accountability court programs or agencies within your circuit
Drug Lab Drug Tests Surveillance Officer Time Treatment providers Office Space Lab Technicians Transportation/Vehicles for Participants

If your court is requesting an increase of 10% or more than the total amount of state funds awarded in the fiscal year 2024
Our FY25 request reflects a 27.5% increase from our FY24 award. In 2023, our active census numbers increased by 13% and we added REACT, a re-entry track and a Veterans Track. By the end of 2024, we will have 4 tracks with a capacity to serve at least 250 participants. In the FY24 EI grant, we received funds to support a full-time counselor position to assist with the new REACT Track. Our request in FY25 includes an additional case manager position to help manage the caseload of over 200 participants as well as an Intake Coordinator to manage the over 400 referrals to both HELP Court and Drug Court annually. As we finalize our restructure of HELP and Drug Court this summer, it will allow for a 14% census cap increase in Drug Court. Based on CACJ cost per participant calculations, our FY25 request of $917,635 is 14% less than the anticipated $1,048,870 total cost per participant based on our expected census of 230 Drug Track ($4,005 per participant) and 20 Veterans ($6,386 per participants) by the end of FY24.

If your court has de-obligated state funds within the past two fiscal years, please explain the circumstances and the plan to prevent a de-obligation from occurring in the future.
Any past de-obligation was in response to personnel/staffing issues. While we make every effort to stay fully staffed, this situation is sometimes out of our control and vacancies or changes in pay rate/benefits from old to new staff is not something that can projected exactly. Since we are not allowed to move funds from Personnel to other areas in the grant, they are returned to CACJ if not utilized. We make concerted efforts to spend all funds as approved and awarded and will ensure that future grant funds are spent.

If your court received a note/comment from the CACJ Funding Committee on your fiscal year 2024 grant award, please describe how your court addressed the Committee’s note/comment.
No comment received.

Please provide any additional information below.
None at this time.

Participants Fees

How much did your court collect in participant fees in the previous fiscal year?	Please explain why your court does or does not collect participant fees.	How do those fees support the operations of the court?
179172	Our program collects monthly participant's fees at the rate of $150. We have found that this financial investment by participants helps foster more engagement in treatment and program requirements	Participant fee collections for Drug Court are utilized to help offset costs associated with drug testing and treatment. Our lab collected over 50,600 urine drug screens in 2023 and operates 7 days per week. The operational costs of our lab include supplies, personnel time, and contract officers to collect screens during morning/evening hours and weekend shifts. Participants fees directly contribute to funds needed for purchasing reagents, drug testing collection supplies, breathalyzers, and other materials needed for daily lab operation. While these funds are helpful, they are not lucrative enough to adequately sustain program operations.

Personnel Request

Are you requesting funds for personnel?
Yes

Position Title	Hourly Rate	Hours Per Week	Weeks Requested	New Position	Total Salary Requested
Program Coordinator	30.35	40	52		63,128
Lab Technician/Drug Screen Collector	23.12	40	52		48,090
Counselor	26.70	40	52		55,536
Counselor	26.70	40	52		55,536
Counselor	25.41	40	52		52,853
Counselor	27.50	40	52		57,200
Counselor	25.41	40	52		52,853
Program Coordinator	25.41	40	52		52,853
Program Coordinator	28.04	40	52		58,323
Program Case Manager	24.91	40	52		51,813
Program Case Manager	24.91	40	52		51,813
			Total Personnel Salary Requested		599,997

Please detail what the personnel funds requested will be used for in the box below.
The Drug Court grant supports two full-time Lab Technician positions, five full-time Counselor positions, one full-time Case Manager position, and a full-time Clinical Evaluator position, all which are vital to program operations. Our program facilitates 28 in-house treatment groups weekly along with weekly case management and individual counseling sessions. Our request in FY25 includes an additional case manager to manage the caseload of over 200 participants and an

Intake Coordinator to manage the over 400 referrals to HELP Court and Drug Court annually. These are current positions within Drug Court, but have been funded up to this point by the ARPA grant. The Intake Coordinator and Clinical Evaluator is a shared resource to streamline referrals and internal transfers between multiple programs. We have seen an increased number of assessments being conducted, lower rates of denial, and faster enrollment periods since implementing these positions.

Fringe Benefits

Position Title	Benefit Requested 1	Benefit Amount 1	Benefit Requested 2	Benefit Amount 2	Benefit Requested 3	Benefit Amount 3	Benefit Requested 4	Benefit Amount 4	Total Anticipated Cost
Program Coordinator	FICA	4,348.76	Health Insurance	21,613.54	Worker's Compensation	568.10	401K/Pension	2,525.12	29,055.52
Lab Technician/Drug Screen Collector	FICA	3,689.40	Health Insurance	446.16	Worker's Compensation	432.90	401K/Pension	3,847.72	8,416.18
Counselor	FICA	3,837.60	Health Insurance	20,028.58	Worker's Compensation	499.72	401K/Pension	1,110.72	25,476.62
Counselor	FICA	4,330.04	Health Insurance	10,841.22	Worker's Compensation	499.82	401K/Pension	2,343.64	18,014.72
Counselor	FICA	4,348.79	Health Insurance	21,309.86	Worker's Compensation	475.68	401K/Pension	2,525.12	28,659.45
Counselor	FICA	4,281.16	Health Insurance	9,929.40	Worker's Compensation	514.80	401K/Pension	2,288.00	17,013.36
Counselor	FICA	4,348.76	Health Insurance	21,309.86	Worker's Compensation	475.68	401K/Pension	2,525.12	28,659.42
Program Coordinator	FICA	3,897.14	Health Insurance	16,655.08	Worker's Compensation	475.80	401K/Pension	2,114.32	23,142.34
Program Coordinator	FICA	4,463.09	Health Insurance	16,940.82	Worker's Compensation	525.07	401K/Pension	4,667.29	26,596.27
Program Case Manager	FICA	3,819.40	Health Insurance	21,201.96	Worker's Compensation	466.44	401K/Pension	4,145.18	29,632.98
Program Case Manager	FICA	3,618.68	Health Insurance	16,548.22	Worker's Compensation	466.32	401K/Pension	4,145.18	24,778.40
						Total Fringe Benefits Anticipated Cost			259,445.26

Please use the provided space to provide any additional details regarding fringe benefits requested.
All requested salary and fringe benefits are based on current employee figures with no foreseeable changes for FY24. Please note that our Lab Coordinator, Clinical Evaluator, and Intake Coordinator are listed as a Program Coordinators due to lack of position options.

Contracts & MOUs

Are you requesting funding for Contracts and MOUs?
Yes

Position Title	Rate Unit	Rateperunit	Total Units Requested	Anticipated Numbers	Provider Type	Total Requested Cost
Law Enforcement Surveillance Officer	Per hour	65.00	576	20.00	Sheriff's Department	37,440
Local Police Department	Per participant	238.00	30	30.00	Sheriff's Department	7,140
Physician	Per hour	89.25	104	208.00	CSB	9,282
Treatment Provider	Per Session	1,000.00	10	2.00	Non-CSB	10,000
			Total Contracts & MOUs Requested Cost			63,862

Please use the provided space below to describe how the contracts & MOUs requested will be work with your court program.
We wish to continue 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 $65/hour) to make visits for all of our programs. We are requesting funds to assist with payment of initial administrative fees associated with Work Release for eligible participants. 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. Participants repay some of these funds to a designated account which will be utilized to fully sustain this particular project. We anticipate being sustainable within two years and will not have a need to request grant funding for this particular project at that time. $238/participant x 30 participants = $7,140. We also contract with a physician who conducts mental health evaluations at the jail for our participants.

County Drug Labs

Do you have a fixed-rate, per test contract with a county drug lab for which you are requesting funds?
No

Rate Per Test	Number of Panels Tested per Rate	Number of Tests Requested	Total

Please describe how your contract with the county for drug lab services breaks down the cost per test in terms of personnel, testing supplies, and reagents.

Drug Testing Supplies Consummables

Are you requesting funds for Drug Testing supplies?
Yes

Consummables	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
		Total Consummables Amount Requested		0.00

Drug Testing Supplies Monitoring

Monitoring Equipment	Units	Cost Per Unit	Total Units Requested	Total Amount Requested
	Total Monitoring Equipment Amount Requested			0.00

Drug Testing Supplies Confirmation or Lab Test

Confirmation Test or In-House Lab	Average Cost Per Test	Numberof Tests Requested	Total Amount Requested
Redwood	14.00	300	4,200.00
Redwood	50.00	200	10,000.00
Redwood	33.00	200	6,600.00
	Total Confirmation or Lab Amount Requested		20,800.00

Drug Testing Supplies Onsite Devices

Onsite Devices	Company Used	Panel Tested	Cost per Unit	Units	Total Unit Requested	Total Amount Requested
				Total Onsite Devices Amount Requested		0.00

Does Court utilize or Operate Local Lab?
County Run Lab

Please use the provided space to provide any additional details regarding drug testing supplies. If you selected 'other' as an option on this section of the grant, please indicate what 'other' is.
We operate an in-house lab utilizing Thermofisher reagents on our Mindray BA800 analyzer. We pay for consumable supplies such as latex gloves and cups from our county operating budget and are only requesting grant funds for confirmation and specialty testing with Abbott/Redwood and reagents (in the next section). Hall County Drug Court sent off approximately 400 screens to Abbott Labs in 2023. Our lab collected over 50,000 drug screens in 2023, with over 17,000 off those screens belonging to the Drug Court. We wish to maintain or increase this pace to better monitor participant progress by testing for assays which we cannot detect in-house.

Reagents Drug Testing Supplies

Are you requesting funds for reagents?
Yes

Typical Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Barbiturates	ThermoFisher	0.29	18,054	5,235.66
Burprenorphine	ThermoFisher	0.29	9,027	2,617.83
Cocaine/Crack	ThermoFisher	0.29	18,054	5,235.66
ETG	ThermoFisher	0.29	18,054	5,235.66
Methadone	ThermoFisher	0.29	9,027	2,617.83
Methamphetamine	ThermoFisher	0.29	18,054	5,235.66
Optiates	ThermoFisher	0.29	27,081	7,853.49
Oxycodone	ThermoFisher	0.29	18,054	5,235.66
THC	ThermoFisher	0.29	9,027	2,617.83
		Total Reagents Supplies Requested Amount		41,885.28

Synthetic Drugs

Drugs	Company Used	Cost Per test	Total Units Requested	Total Requested Amount
Fentanyl	ThermoFisher	0.89	10,000	8,900.00
Synthetic Cannabinoids (K2/Spice)	ThermoFisher	0.95	4,400	4,180.00
Tramadol	ThermoFisher	0.29	4,630	1,342.70
		Total Reagents Supplies Requested Amount		14,422.70

Supplies

Are you requesting funds for supplies?
No

Cost Type	Cost Per Unit	Total Units Requested	Total Requested Amount
		Total Supplies Requested Amount	0.00

Please use the provided space to provide any additional details regarding the supplies and other costs you are requesting.

Equipment

Are you requesting funds for Equipment?
No

Equipment Type	Total Units Requested	Cost Per Unit	Total Requested Amount
	Equipments Total Requested Amount		0.00

Please use the provided space to provide any additional details regarding your equipment request.

Conference Training and Travel

Are you requesting funds to attend the CACJ Annual Training Conference?
Yes

Team Name	Mileage Total	Parking Request	Number Team Members	Total Hotel Nights Per Room	Number Hotel Rooms	Total Anticipated Cost
Hall County Drug Court (Team A)	240		8	0	0	
Hall County Drug Court (Team B)	240		8	0	0	
			Conference Training and Travel Total Anticipated Cost			0.00

Please use the provided space to provide any additional details regarding your court's request for funding to attend the CACJ Annual Conference
We are requesting funding for travel reimbursement to the annual CACJ conference scheduled for September 15 - 18, 2024 in Athens. We are requesting funding for our Alpha Track/REACT/Veterans Track team members (Team A) and our Bravo Track team members (Team B). We are less than 51 miles from the conference center so would only be requesting RT mileage for each team member.

In-State Travel

Are you requesting additional training and travel funds for your court?
No

Court Staff/Contractor Name	Training Cost	Mileage(roundtrip)	Numberof Trips	Total Requested
		All Attendee Total Amount Requested		0.00

Please use the provided space to provide any additional details regarding mileage use. If you are requesting mileage between counties, please list the distance between those counties and how many participants were served in each of those counties

Transportation

Are you requesting funds to assist participants with transportation needs?

No

Mode of Transportation Cost Type	Rate Unit	Rate Unit Explanation	Rateper Unit	Total Units	Under Contract	Total
County Vehicle Mileage						
Driver time (County Vehicle)						
Public Transportation						
Private Transportation (Uber/Taxi)						
Bike Share						
Other						
				Total Transportation Cost		0.00

If you are applying for multiple courts, please list the courts.

How many participants do you anticipate will participate in your proposed transportation project (from July 1, 2024 - June 30, 2025)? If you are applying for multiple courts, please list the court name then the number of participants.

How many new participants will your court add if the proposed transportation project is funded? If you are applying for multiple courts, please list the court name and then the number of participants.

Please fully describe your proposed transportation project. Include why the project is needed and cannot be funded by other sources.

If there are additional items regarding your transportation program, please include them in the space below.

Which evidence-based curricula does your court offer?

Anger Management
- Celebrating Families
- Cognitive Behavioral Therapy (CBT)
- Cognitive-Behavioral Interventions for Substance Abuse (CBI-SA)
- Criminal and Addictive Thinking
- Dialectical Behavioral Therapy (DBT)
- Eye Movement Desensitization Reprocessing (EMDR)
- Hazelden Co-Occurring Disorders Program
- Hazelden Life Skills
- Individual Therapy/Counseling
- Individual-Trauma
- Integrated Dual Disorders Treatment
- Living in Balance (LIB)
- Matrix Early Recovery Skills and Relapse Prevention
- Moral Reconation Therapy (MRT)
- Motivational Enhancement Therapy (MET)
- Motivational Interviewing
- MRT - Staying Quit
- MRT - Untangling Relationships
- Peer Support Services
- Prime for Life
- Relapse Prevention Therapy (RPT)

Seeking Safety Strengthening Families Thinking for a Change (T4C) Trauma Recovery and Enhancement Model (TREM) Wellness Recovery Action Plan (WRAP)

Which ancillary services do you court provides?

Resume's Writing Assistance Job Interviewing Preparation Life Skills Course Accountability Court Mentor/Mentee Program Accountability Court Alumni Program

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'25 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 Thursday, February 29, 2024

Available Funding

The amount available for distribution will be determined by the legislature during the 2024 session. There is a 15% cash match requirement.

Award Period

July 1, 2024, through June 30, 2025

Release Date: February 1, 2024

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

104 MARIETTA STREET NW, SUITE 440 | ATLANTA, GEORGIA 30303
404.657.1956 | 877.231.6590 | 404.657.1957 FAX
CJCC.GEORGIA.GOV

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'25 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., February 29, 2024. **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 operating grant application instructional webinar on or about, February 1, 2024. Interested applicants are encouraged to view the webinar. Additionally, CACJ and CJCC will host virtual question and answer webinars on Monday, February 5, 2024 and Wednesday, February 7, 2024, at 11:00 a.m. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.**

Match Requirement (15 percent CASH match)

Applicants must identify the source of the 15 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 15% 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 15 = then divided by 85 will give you your total match

Required Match Example: 15 percent match requirement: for a state award amount of $100,000, match would be calculated as follows:

State Award x 15/85= Match Ex. $100,000 x 15/85 = $17,647

To verify take state award + match x 15% Ex. 117,647 x 15% = 17,647

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'25 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, 2024. The CACJ Funding Committee will assume your court rejects its FY'25 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, 2024. (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 for the training dates and attendee requirements.** Expenses for training will be reimbursed by the CACJ Funding Committee.

Reporting Requirements

Recipients of this FY'25 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'25. The CACJ will present implementation courts with the opportunity to select a state approved case management system on or about July 1, 2024.**

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.

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 37 full-time and 3 part-time employees and serve over 600 participants annually. Our Dawson County office operates with 5 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 50,651 drug screens in 2023. In 2022, we provided over 6,000 hours of treatment and experienced a 6% increase in total program enrollments compared to 2022. We conduct on-going, onsite training for new and seasoned staff alike. 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 15% match required for each grant which is fulfilled through county-funded personnel positions assigned to each court program.

Deadline for grant submissions to CACJ: February 29, 2024