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, July 07, 2025 - 03:00 PM

Call to Order

Clerk of Superior and State Courts

1 Approve the ratification of the purchase of record preservation, digital archiving and historic indexing services for the Clerk of Court to Kofile Technologies, Inc., of Dallas, TX, in the amount of $96,027.40.

Financial Services

2 Approve the renewal of annual contract for IFB #014-45 New Tires, Related Parts and Services for various County departments to Kesler Tire Service, Inc. of Gainesville, GA and Harrison Tire Service of Gainesville, GA. The estimated annual cost is $392,275.00.

3 Approve the award of RFQ/P #46-006 Banking and Investment Services for Financal Services to Wells Fargo Bank, N.A. of Atlanta, GA.

4 Approval and authorization for the Chairman to execute a resolution calling for an election on the question whether to reimpose a Special Purpose Local Option Sales and Use Tax, subject to Hall County Voters' approval of a referendum on November 4, 2025, and authorization for the Chairman to execute any and all documents necessary to effectuate the terms of the agreement, subject to review and approval by the County Attorney.

5 Approval and authorization for the Chairman to execute a Special Purpose Local Option Sales and Use Tax Intergovernmental Agreement among Hall County and all of its Municipalities, and authorization for the Chairman to execute any and all documents to effectuate the terms of the Agreement, subject to review and approval by the County Attorney.

Community Services and Parks

6 Approve the memorandum of understanding with the City of Lula memorializing the respective intentions of Hall County and the City of Lula in the event that SPLOST IX is approved by the voters of Hall County, GA on November 4, 2025 regarding contributions towards funding for mutual park improvements at locations within the City of Lula.

7 Approve the memorandum of understanding with the City of Gillsville memorializing the respective intentions of Hall County and the City of Gillsville in the event that SPLOST IX is approved by the voters of Hall County, GA on November 4, 2025 regarding contributions towards funding for park improvements at 7864 County Line Road, Gillsville, GA.

Gainesville-Hall Metropolitan Planning Organization (GHMPO)

8 Approve the award of RFP #46-013 Highlands to Islands Trail Study - University of North Georgia to McEver Road for the Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Pond & Company, Inc. of Peachtree Corners, GA, in the amount of $75,000.00.

Planning & Zoning

9 **6495 Spout Springs Road | Rezone |** from Agricultural Residential 1 (AR-1) to Highway Business (H-B) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | Commission District 1 | **LJA Engineering, applicant** Note: Tabled at the May 8, 2025 Meeting until the July 10, 2025 Voting Meeting.

10 **6495 Spout Springs Road | Special Use |** fuel sales in Highway Business (H-B) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Fuel sales** | Commission District 1 | **LJA Engineering, applicant** Note: Tabled at the May 8, 2025 Meeting until the July 10, 2025 Voting Meeting.

11 **0 Reservoir Drive | Rezone |** from Residential 1 (R-1) to Agricultural Residential 1 (AR-1) | on a 1.20± acre tract located on the northeast side of Reservoir Drive at its intersection with Old Cornelia Highway | Zoned R-1; Tax Parcel 15018 000123 | **Proposed Use: Permitted uses in AR-1** | Commission District 3 | **Denise R. Jackson, applicant** Note: Tabled at the June 26, 2025 Meeting until the July 10, 2025 Voting Meeting.

12 **5162 Thompson Bridge Road | Amend Conditions of Zoning |** on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A | **Proposed Use: Self-storage facility** | Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

13 **3266 Chestatee Road | Amend Conditions of Zoning |** on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 | **Proposed Use: Agri-entertainment venue** | Commission District 2 | **Brenton Pierce, applicant**

14 **5253 Lawson Road | Special Use |** on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue** | Commission District 3 | **Mary Kirrane, applicant**

15 **5253 Lawson Road | Special Use |** on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Equestrian center with variances** | Commission District 3 | **Mary Kirrane, applicant**

Public Works and Utilities

16 Approve the award of Task Order #2026-003 under RFP/Q #42-002 Demand Services for Resurfacing, Paving, and Full Depth Reclamation of 29.96 miles of Hall County roads for the FY 2026 resurfacing program to Allied Paving Contractors, Inc. of Pendergrass, GA. The estimated cost is $13,159,831.25.

17 Approve the acceptance of $2,190,472.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities and Sidewalks in Oconee Overlook Phase 1 Subdivision. Commission District 3.

18 Approve the extension of a $939,197.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Somerset at Riverbrook Subdivision. Commission District 2.

19 Approve the extension of a $1,378,050.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Reunion Phase 21 Subdivision. Commission District 1.

Tax Assessors

20 Approve the renewal of the annual contract for RFP #42-007 Reappraisal & Equalization Assistance for Certain Real Property for the Tax Assessor's Office to GMASS, Inc. of Norwood, GA. The estimated annual cost is $400,000.00.

21 Consider for approval or denial the 2023 personal property refund in the amount of $322.00 for the overpayment of Hall County taxes regarding account #342361 to Willys Countertops.

22 Consider for approval or denial the 2022, 2023 and 2024 personal property refund in the amount of $695.21 for the overpayment of Hall County taxes regarding account #337193 to William H. Parsons.

Treatment Services

23 Approve the FY26 annual contract with the State of Georgia Department of Human Services for Treatment Services to provide drug screening services and appoint the Treatment Services Director as the Program Designee and authorize the Chairman to execute all related award documents. The estimated annual cost is $148,172.00.

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 maximum

Commission Time

Executive Session

24 Discussion regarding land acquisition, land disposition, personnel matters, potential litigation and/or litigation. Executive Session is not open to the public. Executive Session is a lawfully closed meeting [§ 50-14-1 (a)(2)].

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.

HALL COUNTY
GEORGIA We have it all in Hall

AGENDA ITEM

Clerk of Superior and State Courts

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 371/2025

SUBJECT: Approve the ratification of the purchase of record preservation, digital archiving and historic indexing services for the Clerk of Court to Kofile Technologies, Inc., of Dallas, TX, in the amount of $96,027.40.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: BP

Recommendation:
Approve.

Purpose of Request:

Approve the ratification of the purchase of record preservation, digital archiving and historic indexing services for the Clerk of Court to Kofile Technologies, Inc., of Dallas, TX, in the amount of $96,027.40.

History:
Previous Clerk of Court Charles Baker approved the work included on these invoices on separate dates:

- 3/6/2024 $772.00
- 11/4/2021 $27,860.40
- 6/8/2022 $31,140.00
- 6/8/2022 $28,255.00
- 12/19/2022 $8,000.00

Facts and Issues:
Work was approved by Previous Clerk of Court Charles Baker in past fiscal years.

- 1983-1984 Historical Indexing
- Federal Tax Lien Indexing Volumes 2-7 and binders
- Plat Document Indexing
- Recorder Binders 1959-1970

Options:

Funding Requested $ 96,027.40

Are funds within current budget? Yes

Source of Funds	Restricted 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?	2025-06-26

Approvals:

Submit	Approve	Purchasing	Budget
BP	BP	AP	JM
Finance	**Attorney**	**Administration**	**Clerk**
TS	WLI	CR	AD

Attachments:

Financial Supplement
Kofile Invoices and Sales Orders

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 371/2025

Funds Requested: $ 96,027.40

Request Budgeted: Yes

Proposed Source of Funding:

Restricted Funds

Budget Transfer Requested:

Yes

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
FY25	203-RESTRICTED PROGRAMS FUND	2180-CLERK OF COURT	521000-PROFESSIONAL SERVICES	$96,027.40

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BP

Phone: 7705317055

Kofile

Invoice

INV-KT-017165
Invoice Date :8/30/2024
Due Date :9/29/2024
Terms :Net 30

Bill To

Hall County Clerk Of Superior Court
Charles Baker
PO Box 1275
Gainesville GA 30503
United States

Ship To

Hall County Clerk Of Superior Court
Charles Baker
225 Green Street SE
Gainesville GA 30501
United States

AMOUNT DUE

$8,000.00

Sales Order Number	PO #	Sales Rep	Shipping Method
Sales Order #SO1630140		Brad Crane	

Quantity	Item	Rate	Amount
4,000	**PS30002_Y** Indexing of Plat Documents (Overage for Sales Order 1590283)	$2.00	$8,000.00

MEMO

Subtotal	$8,000.00
Tax Total (%)	$0.00
Shipping Cost($)	
Invoice Total	$8,000.00
Less Payments/Credits:	-$0.00
Total Amount Due:	**$8,000.00**

Remittance Address
Kofile Technologies, Inc.
PO Box 676184
Dallas, TX 75267-6184

Bank Details for ACH Payments
Bank Name:Capital One, NA
Routing Number: 111901014
Account Name: Kofile
Account Number: 4670098686
Please send remittance advice to: AR@kofile.com

Kofile

1610140

☐ DA1 ☐ DA2 ☑ GA ☐ NC ☐ NV ☐ VT ☐ SERVICES CA (PIA)

SALES ORDER RECEIPT

DATE: 12/19/2022
REP(S): Nakia McFarland
OPPORTUNITY No.: e 315013
REVISION DATE:
CUSTOMER No.:

PROJECT TERM

CONTRACT/AGREEMENT ☐ YES ☑ NO PHASE:
START DATE: 12/31/2022 END DATE: 00/31/2023

CLIENT INFORMATION

CLIENT: Hall County Clerk of Superior Court
PO No.: TxSmartBuy PO:
CONTACT: Charles S. Baker
PHONE: 770-531-7049 FAX: 770-531-7070
EMAIL: cbaker@hallcounty.org
BILL: Hall County Clerk of Superior Court
P.O. Drawer 1275
Gainesville, GA 30503
SHIP TO: ☐ Same as above.
225 Green Street SE
Gainesville, GA 30501

PURCHASING VEHICLE

☑ None ☐ DIMAS-IR-360
☐ Other, specify ☐ EVA Records Grant

DIGITIZATION SPECIFICATIONS

IMAGE: ☐ Yes ☑ No ☐ Grayscale ☐ Color ☐ B&W ☐ TIF ☐ JPG ☐ PDF
Resol: _____ ☐ Format to Local
FILM: ☐ Yes ☑ No ☐ 16mm ☐ 35mm
DUPS. ☐ Yes ☑ No ☐ POS ☐ NEG
Vault Storage: ☐ Yes ☐ No
INDEX: ☑ Yes ☐ No ☑ Full ID ☐ QL Full ☐ QL Lite

SPECIAL INSTRUCTIONS

SHELVING: ☐ YES ☑ NO Unit(s):
Style: n/a
Color: n/a
CABINETS: ☐ YES ☑ NO Unit/s
Style:
B/A PHOTOS: ☐ YES ☐ NO
RETURN ORIGINAL BINDER/SHUCK: ☐ YES ☐ NO

BINDER SPECIFICATIONS

Material: n/a
Color: n/a
SEAL: ☐ Custom ☐ Home ☐ TX Star

DEDICATION LABEL NAMES

☐ Same as previous order.
n/a

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Kofile

1610140

PROJECT INVENTORY

QTY.	DESCRIPTION	UNIT PRICE	ESTIMATED COST
4,000	Indexing of Plat Documents to GSCCCA Standards-Overage for 1590283	$2.00	$8,000.00

PROPOSAL TOTAL	$8,000.00

NOTES

Overage for 1590283 - see Michael Steelman

PRICING BREAKOUTS

PRESERVATION:	
SHELVING/CABINETS:	
IMAGING:	
INDEXING:	$8,000.00
SYSTEM:	
SHIPPING/HANDLING:	

TERMS & CONDITIONS

This order is governed by the terms of the Land of www.kofile.com/termsandconditions/

Payment Terms: Net 30 days from date of executed agreement

CUSTOMER ACCEPTANCE:

Charles Baker
Signature of Authorized Official

Charles Baker
Print Name of Authorized Official

Superior Court Clerk HallCounty, GA.
Title of Authorized Official

December 20, 2022
Date

KOFILE ACCEPTANCE:

Nakia McFarland
Signature of Authorized Official

Nakia McFarland
Print Name of Authorized Official

Account Executive
Title of Authorized Official

1-12-23
Date

Scanned with CamScanner

Kofile

Invoice

INV-KT-018441
Invoice Date :11/29/2024
Due Date :12/29/2024
Terms : Net 30

Bill To

Hall County Clerk Of Superior Court
Charles Baker
PO Box 1275
Gainesville GA 30503
United States

Ship To

Hall County Clerk Of Superior Court
Charles Baker
225 Green Street SE
Gainesville GA 30501
United States

AMOUNT DUE

$28,255.00

Sales Order Number	PO #	Sales Rep	Shipping Method
Sales Order #SO1630106		Brad Crane	

Quantity	Item	Rate	Amount
11,302	**PS5512701_Y** Indexing - Historical Deed Records 1983	$2.50	$28,255.00

MEMO

Subtotal	$28,255.00
Tax Total (%)	$0.00
Shipping Cost($)	
Invoice Total	$28,255.00
Less Payments/Credits:	-$0.00
Total Amount Due:	**$28,255.00**

Remittance Address
Kofile Technologies, Inc.
PO Box 676184
Dallas, TX 75267-6184

Bank Details for ACH Payments
Bank Name:Capital One, NA
Routing Number: 111901014
Account Name: Kofile
Account Number: 4670098686
Please send remittance advice to: AR@kofile.com

Kofile

☐ DALLAS ☐ NV ☒ GA
☐ VT ☐ NC ☐ SERVICES (PFA)

1630106 (Receipt/SO No.) _____ (Contract SO No.)

SALES ORDER RECEIPT

DATE: Jun 8, 2022
REP: Nakia McFarland
OPPORTUNITY No.: P 314487
REVISION DATE:
ACCOUNTING ONLY CUSTOMER No.:

PROJECT TERM

CONTRACT/AGREEMENT: ☐ YES ☒ NO PHASE: /
START DATE: DEADLINE:

CLIENT INFORMATION

CLIENT: Hall County Clerk of Superior Court
PO No.: TxSmartBuy PO:
CONTACT: Charles S Baker
PHONE: 770-531-7049 FAX: 770-531-7070
EMAIL: cbaker@hallcounty.org

BILL: Hall County Clerk of Superior Court
P.O. Drawer 1275
Gainesville, GA 30503

SHIP TO: ☐ *Same as above.*
225 Green Street SE
Gainesville, GA 30501

PURCHASING VEHICLE

☒ None
☐ TXMAS-18-3602 *Texas Only (Based on Navarro RFP)*
☐ EXPIRED // TXMAS-13-36010 *Texas Only (Based on Kofile GSA36)*
☐ Other, *specify:* *Contract/RFP No., etc.*
☐ GSA 70: GS-35F-275AA *Federal Purchase*
☐ GSA 70: GS-35F-275AA *COOP-PURCH: State or Local Govt.*
☐ LVA Records Grant *Library of Virginia*

DIGITIZATION SPECIFICATIONS

IMAGE: ☐ Yes ☒ No Resol. TIFF PDF
FILM: ☐ Yes ☒ No ☐ 16 mm ☐ 35 mm # DUPS.
Vault Storage: ☐ Yes ☒ No
INDEX: ☒ Yes ☐ No ☒ *Full ID* ☐ *Format to Load* ☐ *QL Full* ☐ *QL Lite*

PROJECT INVENTORY

QTY.	DESCRIPTION	UNIT PRICE	ESTIMATED COST
9,364	Historical Indexing of Deed Records 1983	$2.50 per doc	$23,410.00

SPECIAL INSTRUCTIONS

Above numbers are estimates. County will only be invoiced for actual documents indexed. Documents will be indexed according to GSCCCA standards by GSCCCA Certified Indexers. All data will be submitted to GSCCCA for inclusion into the statewide search system.

SHELVING: ☐ YES ☒ NO *Unit(s):* *Style:* *Color:*
CABINETS: ☐ YES ☒ NO *Unit(s):* *Style:*
B/A PHOTOS: ☐ YES ☒ NO
RETURN ORIGINAL BINDER/SHUCK: ☐ YES ☒ NO

BINDER SPECIFICATIONS

Material:
Color:
SEAL: ☐ Custom ☒ None ☐ TX Star

DEDICATION LABEL NAMES

☐ *Same as previous order.*

INTERNAL TOTAL:	
PROPOSAL TOTAL:	$23,410.00

COMPANY BREAKOUTS

PRESERVATION:	
SHELVING/CABINETS:	
IMAGING:	
INDEXING:	$23,410.00
SYSTEM:	
CONTRACT FEE: *[TXMAS 2.23875% / GSA 0.75%]*	
TAXES (e.g. Calif.): *[Inclu. % Rate & Date Pulled]*	

APPROVAL *(By/Date)* Charles Baker v.19.09.03

Kofile

Invoice

INV-KT-018442
Invoice Date :11/29/2024
Due Date :12/29/2024
Terms : Net 30

Bill To

Hall County Clerk Of Superior Court
Charles Baker
PO Box 1275
Gainesville GA 30503
United States

Ship To

Hall County Clerk Of Superior Court
Charles Baker
225 Green Street SE
Gainesville GA 30501
United States

AMOUNT DUE

$31,140.00

Sales Order Number	PO #	Sales Rep	Shipping Method
Sales Order #SO1630105		Brad Crane	

Quantity	Item	Rate	Amount
12,456	**PS5512701_Y** Indexing - Historical Deed Records 1984	$2.50	$31,140.00

MEMO

Subtotal	$31,140.00
Tax Total (%)	$0.00
Shipping Cost($)	
Invoice Total	$31,140.00
Less Payments/Credits:	-$0.00
Total Amount Due:	**$31,140.00**

Remittance Address
Kofile Technologies, Inc.
PO Box 676184
Dallas, TX 75267-6184

Bank Details for ACH Payments
Bank Name:Capital One, NA
Routing Number: 111901014
Account Name: Kofile
Account Number: 4670098686
Please send remittance advice to: AR@kofile.com

Kofile

☐ DALLAS ☐ NV ☒ GA
☐ VT ☐ NC ☐ SERVICES (PFA)

1630105 (Receipt/SO No.) _____ (Contract SO No.)

SALES ORDER RECEIPT

DATE: Jun 8, 2022
REP: Nakia McFarland
OPPORTUNITY No.: P 314179
REVISION DATE:
ACCOUNTING ONLY CUSTOMER No.:

PROJECT TERM

CONTRACT/AGREEMENT: ☐ YES ☒ NO PHASE: /
START DATE: DEADLINE:

CLIENT INFORMATION

CLIENT: Hall County Clerk of Superior Court
PO No.: TxSmartBuy PO:

CONTACT: Charles S Baker
PHONE: 770-531-7049 FAX: 770-531-7070
EMAIL: cbaker@hallcounty.org

BILL: Hall County Clerk of Superior Court
P.O. Drawer 1275
Gainesville, GA 30503

SHIP TO: ☐ Same as above.
225 Green Street SE
Gainesville, GA 30501

PURCHASING VEHICLE

☒ None
☐ TXMAS-18-3602 *Texas Only (Based on Navarro RFP)*
☐ EXPIRED // TXMAS-13-36010 *Texas Only (Based on Kofile GSA36)*
☐ Other, *specify:* *Contract/RFP No., etc.*
☐ GSA 70: GS-35F-275AA *Federal Purchase*
☐ GSA 70: GS-35F-275AA *COOP-PURCH: State or Local Govt.*
☐ LVA Records Grant *Library of Virginia*

DIGITIZATION SPECIFICATIONS

IMAGE: ☐ Yes ☒ No _____ Resol. _____ TIFF _____ PDF

FILM: ☐ Yes ☒ No ☐ 16 mm ☐ 35 mm # DUPS.
Vault Storage: ☐ Yes ☒ No

INDEX: ☒ Yes ☐ No ☒ Full ID ☐ Format to Load ☐ QL Full ☐ QL Lite

PROJECT INVENTORY

QTY.	DESCRIPTION	UNIT PRICE	ESTIMATED COST
12,486	Historical Indexing of Deed Records 1984	$2.50 per doc	$31,215.00

SPECIAL INSTRUCTIONS

Above numbers are estimates. County will only be invoiced for actual documents indexed. Documents will be indexed according to GSCCCA standards by GSCCCA Certified Indexers. All data will be submitted to GSCCCA for inclusion into the statewide search system.

INTERNAL TOTAL:	
PROPOSAL TOTAL:	$31,215.00

SHELVING: ☐ YES ☒ NO *Unit(s):* *Style:* *Color:*

CABINETS: ☐ YES ☒ NO *Unit(s):* *Style:*

B/A PHOTOS: ☐ YES ☒ NO RETURN ORIGINAL BINDER/SHUCK: ☐ YES ☒ NO

BINDER SPECIFICATIONS

Material:
Color:
SEAL: ☐ Custom ☒ None ☐ TX Star

DEDICATION LABEL NAMES

☐ *Same as previous order.*

COMPANY BREAKOUTS

PRESERVATION:	
SHELVING/CABINETS:	
IMAGING:	
INDEXING:	$31,215.00
SYSTEM:	
CONTRACT FEE: *(TXMAS 2.23875% / GSA 0.75%)*	
TAXES (e.g. Calif.): *(Inclu. % Rate & Date Pulled)*	

APPROVAL *(By/Date)* Charles baker v.19.09.03

Kofile

Invoice

INV-KT-015947
Invoice Date :6/6/2024
Due Date :7/6/2024
Terms :Net 30

Bill To

Hall County Clerk Of Superior Court
Charles Baker
PO Box 1275
Gainesville GA 30503
United States

Ship To

Hall County Clerk Of Superior Court
Charles Baker
225 Green Street SE
Gainesville GA 30501
United States

AMOUNT DUE

$27,860.40

Sales Order Number	PO #	Sales Rep	Shipping Method
Sales Order #SO163900		Nakia McFarland	

Quantity	Item	Rate	Amount
92,868	**PS30001_Y** Indexing of Federal Tax Liens Vols 2-7, 13 Compact Binders	$0.30	$27,860.40

MEMO

Subtotal	$27,860.40
Tax Total (%)	$0.00
Shipping Cost($)	
Invoice Total	$27,860.40
Less Payments/Credits:	-$0.00
Total Amount Due:	**$27,860.40**

Remittance Address
Kofile Technologies, Inc.
PO Box 676184
Dallas, TX 75267-6184

Bank Details for ACH Payments
Bank Name:Capital One, NA
Routing Number: 111901014
Account Name: Kofile
Account Number: 4670098686
Please send remittance advice to: AR@kofile.com

Kofile

☐ DALLAS ☐ NV ☒ GA
☐ VT ☐ NC ☐ SERVICES (PFA)

1630068 (Receipt/SO No.) _____ (Contract SO No.)

SALES ORDER RECEIPT

DATE: November 4, 2021
REP: Nakia McFarland
OPPORTUNITY No.: P 313411
REVISION DATE:
ACCOUNTING ONLY CUSTOMER No.:

PROJECT TERM

CONTRACT/AGREEMENT: ☐ YES ☒ NO PHASE: /
START DATE: DEADLINE:

CLIENT INFORMATION

CLIENT: Hall County Clerk of Superior Court
PO No.: TxSmartBuy PO:

CONTACT: Charles S Baker
PHONE: 770-531-7049 FAX: 770-531-7070
EMAIL: cbaker@hallcounty.org

BILL: Hall County Clerk of Superior Court
P.O. Drawer 1275
Gainesville, GA 30503

SHIP TO: ☐ Same as above.
225 Green Street SE
Gainesville, GA 30501

PURCHASING VEHICLE

☒ None
☐ TXMAS-18-3602 *Texas Only (Based on Navarro RFP)*
☐ EXPIRED // TXMAS-13-36010 *Texas Only (Based on Kofile GSA36)*
☐ Other, specify: *Contract/RFP No., etc.*
☐ GSA 70: GS-35F-275AA *Federal Purchase*
☐ GSA 70: GS-35F-275AA *COOP-PURCH: State or Local Govt.*
☐ LVA Records Grant *Library of Virginia*

DIGITIZATION SPECIFICATIONS

IMAGE: ☒ Yes ☐ No Resol. TIFF PDF
FILM: ☐ Yes ☒ No ☐ 16 mm ☐ 35 mm # DUPS.
Vault Storage: ☐ Yes ☒ No
INDEX: ☐ Yes ☒ No ☐ Full ID ☐ Format to Load ☐ QL Full ☐ QL Lite

PROJECT INVENTORY

QTY.	DESCRIPTION	UNIT PRICE	ESTIMATED COST
3,884	Imaging of Federal Tax Liens (13 compact binders, Volumes 2-7 - 3,884 images)	.30	$1,165.20
88,354	Imaging of GED Volumes (Book 1-201, pg 354 - 88,354 images)	.30	$26,506.20

SPECIAL INSTRUCTIONS

Above numbers are estimates. County will only be invoiced for actual images. Images will be sent to GSCCCA for incorporation into the statewide search website for searching by book and page number.

INTERNAL TOTAL:	
PROPOSAL TOTAL:	$27,671.40

COMPANY BREAKOUTS

PRESERVATION:	
SHELVING/CABINETS:	
IMAGING:	$27,671.40
INDEXING:	
SYSTEM:	
CONTRACT FEE: *(TXMAS 2.23875% / GSA 0.75%)*	
TAXES (e.g. Calif.): *(Incl. % Rate & Date Pulled)*	

SHELVING: ☐ YES ☒ NO *Unit(s):* CABINETS: ☐ YES ☒ NO *Unit(s):*
Style: *Style:*
Color:

B/A PHOTOS: ☐ YES ☒ NO RETURN ORIGINAL BINDER/SHUCK: ☐ YES ☒ NO

BINDER SPECIFICATIONS

Material:
Color:
SEAL: ☐ Custom ☒ None ☐ TX Star

DEDICATION LABEL NAMES

☐ *Same as previous order.*

APPROVAL (By/Date) 2-11-22 v.19.09.0

Kofile

Invoice

INV-KT-015519
Invoice Date :4/17/2024
Due Date :5/17/2024
Terms : Net 30

Bill To

Hall County Clerk Of Superior Court
Charles Baker
PO Box 1275
Gainesville GA 30503
United States

Ship To

Hall County Clerk Of Superior Court
Charles Baker
225 Green Street SE
Gainesville GA 30501
United States

AMOUNT DUE

$772.00

Sales Order Number	PO #	Sales Rep	Shipping Method
Sales Order #SO16916768		Brad Crane	FREIGHT

Quantity	Item	Rate	Amount
1	**PSBOTH002** Recorder Binders for Filing Docket and Index to Deeds, Reverse N-R, Jan 1, 1959 to Dec 31, 1970	$697.00	$697.00

MEMO

Subtotal	$697.00
Tax Total (%)	$0.00
Shipping Cost($)	$75.00
Invoice Total	$772.00
Less Payments/Credits:	-$0.00
Total Amount Due:	**$772.00**

Remittance Address
Kofile Technologies, Inc.
PO Box 676184
Dallas, TX 75267-6184

Bank Details for ACH Payments
Bank Name:Capital One, NA
Routing Number: 111901014
Account Name: Kofile
Account Number: 4670098686
Please send remittance advice to: AR@kofile.com

Kofile

Receipt/SO No. _____ Contract SO No. _____

☐ DA1 ☐ DA2 ☑ GA ☐ NC ☐ NV ☐ VT ☐ SERVICES CA (PFA)

SALES ORDER RECEIPT

DATE: March 6, 2024
REP(S): Brad Crane
OPPORTUNITY No.: P
REVISION DATE:
ACCOUNTING ONLY CUSTOMER No.:

PROJECT TERM

CONTRACT/AGREEMENT: ☐ YES ☐ NO PHASE: /
START DATE: END DATE:

CLIENT INFORMATION

CLIENT: Hall County Clerk of Superior Court
PO No.: TxSmartBuy PO: 2-22-2024
CONTACT: Charles Baker
PHONE: 770-531-7025 FAX:
EMAIL: charles.baker@gsccca.org
BILL: Hall County Clerk of Superior Court
PO Box 1275
Gainesville, Georgia 30503

SHIP TO: ☐ Same as above.
225 Green Street, SE
Gainesville, Georgia 30501

PURCHASING VEHICLE

☐ None ☐ TXMAS-18-3602 *Texas Only*
☐ Other, *specify:* *Contract/RFP No., etc.* ☐ LVA Records Grant *Library of Virginia*

DIGITIZATION SPECIFICATIONS

IMAGE: ☐ Yes ☑ No ☐ Grayscale ☐ Color ☐ B&W
☑ TIF ☐ JPG ☐ PDF
Resol: _____ ☑ Format to Load
FILM: ☐ Yes ☑ No ☐ 16 mm ☐ 35 mm
DUPS: ☐ Yes ☑ No ☐ POS ☐ NEG
Vault Storage: ☐ Yes ☑ No
INDEX: ☐ Yes ☑ No ☐ Full ID ☐ QL Full ☐ QL Lite

SPECIAL INSTRUCTIONS

SHELVING: ☐ YES ☐ NO Unit(s):
Style:
Color:

CABINETS: ☐ YES ☐ NO Unit(s):
Style:

B/A PHOTOS: ☐ YES ☐ NO

RETURN ORIGINAL BINDER/SHUCK: ☐ YES ☐ NO

BINDER SPECIFICATIONS

Material:
Color:

SEAL: ☑ Custom ☐ None ☐ TX Star

DEDICATION LABEL NAMES

☐ Same as previous order.

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Kofile

Receipt/SO No. _____ Contract SO No. _____

PROJECT INVENTORY

QTY.	DESCRIPTION	UNIT PRICE	ESTIMATED COST
1	Recorder Binders, Size 17-7/8 X 14-7/8, Capacity 3"	$697.00	$697.00
	Red Indestructo, Smooth Hubs		
	White Canvas Jacket w/Red Corners		
	For Filing Docket and Index to Deeds, Reverse N-R, Jan 1, 1959 to Dec 31, 1970		
1	Shipping	$75.00	$75.00

PROPOSAL TOTAL: $772.00

NOTES:

PRICING BREAKOUTS

PRESERVATION:	
SHELVING/CABINETS:	
IMAGING:	
INDEXING:	
SYSTEM:	
SHIPPING/HANDLING:	

Any applicable taxes or fees will be applied when invoiced.

TERMS & CONDITIONS

This sales order is governed by the terms of use found at www.kofile.com/termsandconditions/.

Payment Terms: Net 30 days from date of executed agreement.

CUSTOMER ACCEPTANCE:

Charles Baker
Signature of Authorized Official

Charles Baker
Print Name of Authorized Official

Charles Baker
Title of Authorized Official

Superior Court Clerk Hall County GA. 3-7-2024
Date:

KOFILE ACCEPTANCE:

Signature of Authorized Official

Print Name of Authorized Official

Title of Authorized Official

Date:

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AGENDA ITEM

Financial Services

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 339/2025

SUBJECT: Approve the renewal of annual contract for IFB #014-45 New Tires, Related Parts and Services for various County departments to Kesler Tire Service, Inc. of Gainesville, GA and Harrison Tire Service of Gainesville, GA. The estimated annual cost is $392,275.00.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: EW

Recommendation:
Approve.

Purpose of Request:
Approve the renewal of annual contract for IFB #014-45 New Tires, Related Parts and Services for various County departments to Kesler Tire Service, Inc. of Gainesville, GA and Harrison Tire Service of Gainesville, GA. The estimated annual cost is $392,275.00.

History:

Kesler Tire Service, Inc. and Harrison Tire Service are the current vendors of this contract and are long standing vendors for the County. Both are in good standing with the County.

Facts and Issues:
This is year two (2) of a possible five (5) year contract.

Due to the current tariff situation the price of imported tires cannot be secured for the term of the contract period. At present, the prices with Harrision Tire are the same as last year but may change depending on supply availibility and tariffs. Kesler made their price list available for FY 2026 - see Attachment A. Every effort will be made by both vendors to keep the cost increase at a minimum. There are no price increases for any of the services offered or on tubes and valves from the previous year's pricing.

Options:

Funding Requested $ 392,275.00

Are funds within current budget?	Yes
Source of Funds	Various
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?	2025-07-01

Approvals:

Buyer	Submit	Purchasing	Budget
JD	JD	AP	JM
Finance	**Attorney**	**Administration**	**Clerk**
TS	WLI	CR	JR

Attachments:

Financial Supplement
Contracts
Attachment A - Kesler Tire
Attachment A - Harrison Tire
Pricing - Harrison Tire

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 339/2025

Funds Requested: $ 392,275.00

Request Budgeted: Yes

Proposed Source of Funding:

Various

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2026	TBD	TBD	522205-VEHICLE MAINTENANCE	$392,275.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: TS

Phone: 770-531-3900

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION

CONTRACT EXECUTION SIGNATURE REQUEST

Date: April 25, 2025

To: David Gibbs, Chairman, BOC

From: Julie Dorough, Buyer

Your signature is requested to execute the attached Contract:

Bid/Contract Number:014-45-1

Bid/Contract Name: Tires (New) & Related Parts & Services Annual Contract

Department(s) Requesting Contract: Various Departments

Award Recipient Name: Kesler Tire Services, Inc., and Harrison Tire

Contract Description:

☒ Annual Contract ☐ New ☒ Renewal

FY 2025 Projected Spend: $384,584

☐ Price Increase Requested Increase Percentage: 0%

☒ Project/Service Contract FY 2026 Estimated Amount: $392,275

☐ Product Contract Estimated Amount: $0

Comment:

Year two (2) of a possible five (5) year contract. Renewal FY 2026. Kesler Tire Services, Inc. and Harrison Tire have been vendors with the County for many years and are both in good standing with the County. Due to the current tariff situation the price of imported tires cannot be secured for the term of the contract period. At present, the prices with Harrison Tire are the same as last year but may change depending on supply availability and tariffs. Kesler made their price list available for FY 2026. See Attachment A. Every effort will be made by both vendors to keep the cost increase to a minimum. There are no price increases for any of the services offered or on tubes and valves from the previous year's pricing. The FY 2026 Estimated amount has been reviewed against the projected FY 2026 budget by Finance.

State of Georgia
County of Hall

Contract #014-45-1

Contract Renewal #1

Tires (New) & Related Parts &Services AnnualContractMarch 18, 2025

Whereas, the County desires to Renew the Contract period for a one year period through June 30, 2026, in accordance with the terms and conditions ofBid #014-45,Tires (New) & Related Parts & Services Annual Contract for dated May 23, 2024;and

Whereas, the Contractor has agreed to this extension and agrees to provide services and/or materials previously supplied in accordance with the original agreement; and

Whereas, with both parties agreeing to the Renewal as stated and therefore, the above numbered contract is hereby changed as follows:

1. By extending the Contract Term through June 30, 2026,
2. Allow for price adjustments as agreed to and recorded in Attachment A,
3. Change Orders: Any and all change orders requested by the successful bidder on this project must be approved in writing prior to any work being performed. Any work performed outside the contract agreement for which compensation over and above the contract is requested must have an approved Change Order. If work is done before approval of a Change Order, the subsequent Change Order will be rejected.

Therefore, With the above change to the original contract set forth herein, the parties hereto agree that all terms and conditions of the original agreement will remain in full force and effect and legally binding on both parties.

In witness whereof, the parties hereto have set their hands and affixed their seals the day and year first above written.

KESLER TIRE SERVICES, INC.

By: Ladonna J Smith
Print Name: Ladonna J-Smith
Title: Owner / CFO

Sworn to and subscribed before me this
16TH Day of April, 2025

Notary Public:
Notary commission expires: 02/11/2028

HALL COUNTY, GEORGIA

By. _____
David Gibbs, Chairman
Board of Commissioners

Date: _____

Attestment: _____
County Clerk

VIRALKUMAR A PATEL
My Commission Expires
NOTARY PUBLIC
February 11, 2028
DOUGLAS COUNTY, GEORGIA

APPROVED AS TO FORM

Nathaniel R. Anderson,
Senior Assistant County Attorney

State of Georgia
County of Hall

Contract #014-45-1

Contract Renewal #1

Tires (New) & Related Parts & Services Annual Contract

April 21, 2025

Whereas, the County desires to Renew the Contract period for a one-year period through June 30, 2026, in accordance with the terms and conditions of Bid #014-45, Tires (New) & Related Parts & Services Annual Contract for dated May 23, 2024; and

Whereas, the Contractor has agreed to this extension and agrees to provide services and/or materials previously supplied in accordance with the original agreement; and

Whereas, with both parties agreeing to the Renewal as stated and therefore, the above numbered contract is hereby changed as follows:

1. By extending the Contract Term through June 30, 2026,
2. Allow for price adjustments as agreed to and recorded in Attachment A,
3. Change Orders: Any and all change orders requested by the successful bidder on this project must be approved in writing prior to any work being performed. Any work performed outside the contract agreement for which compensation over and above the contract is requested must have an approved Change Order. If work is done before approval of a Change Order, the subsequent Change Order will be rejected.

Therefore, With the above change to the original contract set forth herein, the parties hereto agree that all terms and conditions of the original agreement will remain in full force and effect and legally binding on both parties.

In witness whereof, the parties hereto have set their hands and affixed their seals the day and year first above written.

Harrison Tire Service

By: James M Harrison
Print Name: James M Harrison
Title: President

Sworn to and subscribed before me this
24th Day of April, 2025

Notary Public: Janine Maraldo
Notary commission expires: 5/5/26

HALL COUNTY, GEORGIA

By. _____
David Gibbs, Chairman
Board of Commissioners

Date: _____

Attestment: _____
County Clerk

APPROVED AS TO FORM

Nathaniel R. Anderson,
Senior Assistant County Attorney

State of Georgia
County of Hall

Contract #014-45-1

Attachment A - Kesler Tire

Tires (New) & Related Parts &Services AnnualContract March 18, 2025

Whereas, the Contractor and the County have agreed to a change in the contract prices and have recorded them below, and have both agreed to their rates, the prices associated with this contract are hereby changed upon approval of the County:

11R22.5 Firestone FS561 #012709 $386.56

11R24.5 Firestone FD663 LRH 16Ply #281069 $377.78

11R22.5 Firestone FS560 LRG 14Ply #156531 $360.45

12R22.5 Firestone FS561 LRH 16Ply #012715 $395.00

24x12-12 Carlisle Turf Master $125.00

255/60R18 Firestone Firehawk Pursuit #012114 $121.80

9:50R16.5 Firestone Transforce HT 10Ply #189820 $159.13

9R22.5 Sumitomo ST727 Load Range G $328.00

LT215/85R16 Firestone Transforce HT3 #013891 $120.60

LT225/75R16 Firestone Transforce HT3 #013886 $120.60

LT235/85R16 Firestone Transforce HT3 #013892 $129.34

LT245/75R16 Firestone Transforce HT3 #013887 $123.64

LT245/75R17 Firestone Transforce HT3 #013889 $147.09

LT265/70R17 Firestone Transforce AT2 #013868 $167.86

LT265/70R17 Firestone Transforce HT3 #013894 $172.55

LT265/75R16 Firestone Transforce AT2 BL #000182 $150.44

LT265/75R16 Firestone Transforce HT2 #002762 $147.09

LT265/75R16 Firestone Transforce HT2 #002762 $147.09

P215/55R16 Bridgestone Ecopia EP422 #006274 $94.41

P215/55R17 Firestone FR710 #066105 $102.58

P215/60R15 Sumitomo Touring $80.00

P215/60R16 Firestone All Season #003816 $77.13

State of Georgia
County of Hall

Contract #014-45-1

Attachment A

Tires (New) & Related Parts &Services AnnualContract March 18, 2025

Whereas, the Contractor and the County have agreed to a change in the contract prices and have recorded them below, and have both agreed to their rates, the prices associated with this contract are hereby changed upon approval of the County:

P225/45R18 Firestone Indy 500 #012275 $139.30

P225/50R17 Firestone All Season #006253 $100.67

P225/60R16 Firestone All Season #004002 $82.24

P225/60R16 Firestone Weather Grip #011525 $104.53

P225/70R15 Firestone Destination LE3 #005345 $111.35

225/70R19.5 Firestone FS561 14Ply $308.00 (Most Used on Med Units / Need To Add)

225/70R19.5 Continental HSR5 $289.10

225/70R19.5 Continental HDR5 $297.13

P235/50R18 Firestone Firehawk Pursuit #011686 $138.80

P235/65R17 Firestone All Season #003034 $102.03

P235/65R18 Firestone DestinationLE3 #005379 $135.29

P235/70R16 Firestone Destination AT2 #014213 $136.50

P235/70R16 Firestone Destination LE3 #014817 $111.68

P235/70R17XL Firestone Destination LE3 #005362 $127.09

P235/75R15 Firestone Destination LE3 #014819 $120.12

P235/75R15 Firestone Destination AT2 #014043 $113.95

P235/75R15XL Firestone Destination LE3 #014819 $120.12

P235/75R16 Firestone Destination AT2 #005284 $126.30

P245/55R18 Firestone All Season #003057 $131.04

P245/60R18 Firestone Destination LE3 #005384 $128.04

P245/65R17 Firestone Destination LE2 #014818 $$128.35

P245/65R17 Firestone Destination LE3 #005370 $125.02

State of Georgia
County of Hall

Contract #014-45-1

Attachment A

Tires (New) & Related Parts &Services AnnualContract March 18, 2025

Whereas, the Contractor and the County have agreed to a change in the contract prices and have recorded them below, and have both agreed to their rates, the prices associated with this contract are hereby changed upon approval of the County:

P245/65R17 Firestone Destination AT2 #014519 $138.78

P245/70R16 Firestone Destination LE3 #005341 $117.85

P245/70R17 Firestone Destination LE3 #005369 $125.20

245/70R19.5 Michelin Agilis 16Ply $422.28

LT245/75R17 Firestone Transforce HT3 #013889 $147.09

LT245/75R17 Firestone Transforce AT2 #000184 $149.77

P255/70R16 Firestone Destination LE3 #005342 $127.60

255/70R22.5 Firestone FS560 #192982 $345.83

P265/60R17 Firestone Firehawk GT Pursuit #011685 $127.20

P265/60R17 Firestone Pursuit AWT #011691 $133.20

P265/60R18 Firestone Destination LE3 #014937 $144.18

P265/70R16 Firestone Destination AT2 #014298 $133.76

P265/70R16 Firestone Destination LE3 #005354 $138.21

P265/70R17 Firestone Destination LE3 #005374 $141.90

LT265/70R17 Firestone Transforce AT2 #013868 $167.86

P265/70R17 Firestone Destination AT2 #014434 $139.63

P265/75R16 Firestone Destination LE3 #005353 $138.13

P265/75R16 Firestone Destination AT2 #014162 $142.24

315/80R22.5 Firestone FS400 #004168 $563.64

385/65R22.5 Firestone FS818 #247780 $602.78

425/65r22.5 Firestone FS818 #241235 $690.40

ST225/75r15 National Road Max ST $80.00

State of Georgia
County of Hall

Contract #014-45-1

Attachment A - Harrison Tire

Tires (New) & Related Parts & Services Annual Contract

April 21, 2025

Whereas, the Contractor and the County have agreed to a change in the contract prices and have recorded them below, and have both agreed to their rates, the prices associated with this contract are hereby changed upon approval of the County:

Because of the current tariff situation the price of imported tires can not be secured for the term. At present they are the same but may change depending on supply availabity based upon the the cost increase to a minimum.

The only products this could alter are the lawn mower, motor grader, and tractors. The brands are BKT, Power King, Cardiste and Saluo. All Goodyear products and other items will remain fixed at the listed price. The tires that could be issues are a small part of the contract. Please feel free to call and discuss if needed.

Thanks

Jim Harrison

770-536 2361

IFB #014-45 TIRES (NEW) & RELATED PARTS & SERVICE *All quantities are estimated annual usage		
		HARRISON TIRE SERVICE GAINESVILLE, GA
Tires		
Size	Description	Price
10 x 16.5	Titan HD200	$225.76
11L-15	Load Range E, 12 Ply	$121.98
11L-16	Load Range E, 12 Ply	$154.65
11R 22.5	Firestone All Purpose FS561	$376.60
11R 24.5	Bandag BDM Retread	$193.42
11R 24.5	Load Range H, Tread Depth 19	$177.00
11R 24.5	Truck Radial Casing	$80.00
11R22.5	Load Range H, Tread Depth 19	$171.00
11R22.5	Bandag 4310	$171.00
11R22.5	Load Range G, Tread Depth 26	$614.56
11R22.5	Bandag BDM Retread	$188.62
11R22.5	Bandag DR4.3 Retread	$171.00
11R22.5	Truck Radial Casing	$80.00
12 x 16.5	Load Range F, Tread Depth 23, 12 Ply	$172.74
12 x 16.5	PowerKing Super Highway	$230.28
12 x 16.5	Power King KRG27A	$172.74
12 x 16.5	Skid Steer	$172.74
12 x 22.5	16 Ply Firestone A/P FS561	$588.24
12 x 9.5-12	Turf tire	
12.5 x 80	Load Range F	$252.95
13 x 500-8	Rib Tread	$22.79
14 x 17.5	Load Range E, Tread Depth 22, 10 Ply	$305.95
14 x 24	Power King PRG32	$540.56
14.9 x 24	Load Range C, 6 Ply	$359.95
14.9 x 28	Load Range C	$481.38
16.9 x 28	Load Range D, Tread Depth 34, 8 Ply	$514.18
16.9 x 30	BKT R-1 Tractor	$611.72

IFB #014-45 TIRES (NEW) & RELATED PARTS & SERVICE *All quantities are estimated annual usage		
		HARRISON TIRE SERVICE GAINESVILLE, GA
Tires		
Size	Description	Price
10 x 16.5	Titan HD200	$225.76
11L-15	Load Range E, 12 Ply	$121.98
11L-16	Load Range E, 12 Ply	$154.65
11R 22.5	Firestone All Purpose FS561	$376.60
11R 24.5	Bandag BDM Retread	$193.42
11R 24.5	Load Range H, Tread Depth 19	$177.00
11R 24.5	Truck Radial Casing	$80.00
11R22.5	Load Range H, Tread Depth 19	$171.00
11R22.5	Bandag 4310	$171.00
11R22.5	Load Range G, Tread Depth 26	$614.56
11R22.5	Bandag BDM Retread	$188.62
11R22.5	Bandag DR4.3 Retread	$171.00
11R22.5	Truck Radial Casing	$80.00
12 x 16.5	Load Range F, Tread Depth 23, 12 Ply	$172.74
12 x 16.5	PowerKing Super Highway	$230.28
12 x 16.5	Power King KRG27A	$172.74
12 x 16.5	Skid Steer	$172.74
12 x 22.5	16 Ply Firestone A/P FS561	$588.24
12 x 9.5-12	Turf tire	
12.5 x 80	Load Range F	$252.95
13 x 500-8	Rib Tread	$22.79
14 x 17.5	Load Range E, Tread Depth 22, 10 Ply	$305.95
14 x 24	Power King PRG32	$540.56
14.9 x 24	Load Range C, 6 Ply	$359.95
14.9 x 28	Load Range C	$481.38
16.9 x 28	Load Range D, Tread Depth 34, 8 Ply	$514.18
16.9 x 30	BKT R-1 Tractor	$611.72

IFB #014-45 TIRES (NEW) & RELATED PARTS & SERVICE *All quantities are estimated annual usage		
		HARRISON TIRE SERVICE GAINESVILLE, GA
Tires		
Size	Description	Price
10 x 16.5	Titan HD200	$225.76
11L-15	Load Range E, 12 Ply	$121.98
11L-16	Load Range E, 12 Ply	$154.65
11R 22.5	Firestone All Purpose FS561	$376.60
11R 24.5	Bandag BDM Retread	$193.42
11R 24.5	Load Range H, Tread Depth 19	$177.00
11R 24.5	Truck Radial Casing	$80.00
11R22.5	Load Range H, Tread Depth 19	$171.00
11R22.5	Bandag 4310	$171.00
11R22.5	Load Range G, Tread Depth 26	$614.56
11R22.5	Bandag BDM Retread	$188.62
11R22.5	Bandag DR4.3 Retread	$171.00
11R22.5	Truck Radial Casing	$80.00
12 x 16.5	Load Range F, Tread Depth 23, 12 Ply	$172.74
12 x 16.5	PowerKing Super Highway	$230.28
12 x 16.5	Power King KRG27A	$172.74
12 x 16.5	Skid Steer	$172.74
12 x 22.5	16 Ply Firestone A/P FS561	$588.24
12 x 9.5-12	Turf tire	
12.5 x 80	Load Range F	$252.95
13 x 500-8	Rib Tread	$22.79
14 x 17.5	Load Range E, Tread Depth 22, 10 Ply	$305.95
14 x 24	Power King PRG32	$540.56
14.9 x 24	Load Range C, 6 Ply	$359.95
14.9 x 28	Load Range C	$481.38
16.9 x 28	Load Range D, Tread Depth 34, 8 Ply	$514.18
16.9 x 30	BKT R-1 Tractor	$611.72

17.5L24	E Industrial Lug tire	$495.88
18 x 9.5-8	Load Range B, 4 Ply	$58.76
18.4 x 30	R-1 Tread Design	$724.73
22 x 12-8	Carlisle Field Trax	$106.38
22 x 9.5-10	Carlisle All Trail	$108.72
22.5 x 10-8	Load Range B, 2 Ply	$109.01
23 x 10.50-12	Load Range B, 4 Ply	$93.56
235/50R17	Sailun Atrezzo SVA-1	$92.53
24 x 10.5-10	Carlisle All Trail	$124.14
24 x 12-12	Carisle Turf Master	$106.12
25 x 13-9	for Golf Cart	$127.90
255/60R18	Firehawk Pursuit	$119.00
27 x 9.5-15	Samson 8 ply	$136.55
8-14	Load Range F, 8 Ply	$109.80
9 x 14.5	Power King Low Boy HD	$124.55
9.5 x 24	BKT R1 (fits New Holland Tractor)	$232.36
9.50 x 1.56	Load Range E, 8 Ply, Tread Depth 15	$164.29
9.50R16.5	10 Ply Firestone HT Transforce	$185.00
9R22.5	Load Range G	$308.27
LT205/75D15	8 Ply Thunderer R501 STR	$77.69
LT215/85R16	Firestone HT Transforce	$112.00
LT225/75R16	Load Range E	$124.00
LT235/85R16	Load Range E	$115.00
LT245/75R16	Firestone Transforce HT	$121.00
LT245/75R17	10 Ply Firestone HT Transforce	$145.00
LT265/70R17	Load Range E	$165.00
LT265/70R17	Firestone Transforce HT OWL	$165.00
LT265/75R16	Firestone Transforce AT2 BL	$147.05
LT265/75R16	Load Range E	$134.00
LT265/75R16	Firestone Transforce 10P OWL	$134.00
P195/65R15	Cooper CS5 Grand Touring	$89.84
P205/60R15	Sailun Atrezzo SH406	$69.66
P215/55R15	Firestone A/T Destination	
P215/55R16	Uniroyal Tiger Paw	$87.00
P215/55R16	Bridgestone Potenza RE97	$87.00
P215/55R17	Firestone FR710	$151.47

P215/60R15	Sumitomo Touring	$68.50
P215/60R16	Firestone FR710	$82.00
P215/60R16	Cooper CS5 Tour	$82.00
P215/70R15	Treadwear - 400	$80.41
P215/75R14	Load Range C, 102C	$79.97
P215/75R17.5	Sumitomo ST727 LRH A/P	$243.99
P225/45R18	Firestone Firehawk Indy 500	$104.23
P225/50R17	Firestone FR710BW	$102.37
P225/60R16	Firestone FR710 BW	$108.84
P225/60R16	Firestone Fuel Fighter Champion	$108.84
P225/60R16	Goodyear Eagle RS-A	$108.84
P225/60R17	Cooper CS3 Touring	$104.00
P225/65R16	Cooper CSS Tour	$84.72
P225/70R15	Firestone Destination LE2 OWL	$115.00
P225/70R19.5	Continental Hubrid HS3	$274.81
P225/70R19.5	14 Ply, Continental HDR	$274.81
P225/70R22.5	Load Range H, Tread Depth 18	$361.47
P235/50R18	Firestone Firehawk GT Pursuit XL	$149.41
P235/50R18	Cooper CS5 Touring	$149.41
P235/55R17	Goodyear Eagle RS-A SL VSB	$115.00
P235/65R17	Firestone Champion Fuel Fighter Blackwall	$109.00
P235/65R18	Firestone Destination LE2	$124.17
P235/70R16	Firestone Destination All Terrain OWL	$99.85
P235/70R16XL	Firestone LE2 Destination	$99.85
P235/70R17XL	Firestone LE2 Destination	$142.00
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P245/55R18	Goodyear Eagle RS-A SL VSB	$124.00
P245/55R18	Firestone Firehawk Wide Oval	$124.00
P245/60R18	Firestone Destination LE2	$132.46

P245/65R17	Treadwear - 520	$109.00
P245/65R17	Firestone Destination LE2 OWL	$109.00
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P245/75R17	Firestone Transforce AT2 OWL	$145.00
P255/65R17	Goodyear Wrangler Fortitude	$149.62
P255/70R16	Firestone Destination LE2 OWL	
P255/70R22.5	Firestone560	$361.47
P265/60R17	Firestone Firehawk GT Pursuit	$125.51
P265/60R17	Firestone Firehawk PVS # 149558 - Snow Tire	$140.42
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ST185/80R13	Trailer Load Range C Power King Tow Max	$70.07
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ST225/75R15	Load Range D, 8 Ply	$94.10
ST235/80R16	12 Ply Thunderer R501	$121.97
ST235/80R16	Power King Towmax LR E	$120.89
ST235/85R16	14 Ply Sailun trailer tire	$178.69

17.5L24	E Industrial Lug tire	$495.88
18 x 9.5-8	Load Range B, 4 Ply	$58.76
18.4 x 30	R-1 Tread Design	$724.73
22 x 12-8	Carlisle Field Trax	$106.38
22 x 9.5-10	Carlisle All Trail	$108.72
22.5 x 10-8	Load Range B, 2 Ply	$109.01
23 x 10.50-12	Load Range B, 4 Ply	$93.56
235/50R17	Sailun Atrezzo SVA-1	$92.53
24 x 10.5-10	Carlisle All Trail	$124.14
24 x 12-12	Carisle Turf Master	$106.12
25 x 13-9	for Golf Cart	$127.90
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9.5 x 24	BKT R1 (fits New Holland Tractor)	$232.36
9.50 x 1.56	Load Range E, 8 Ply, Tread Depth 15	$164.29
9.50R16.5	10 Ply Firestone HT Transforce	$185.00
9R22.5	Load Range G	$308.27
LT205/75D15	8 Ply Thunderer R501 STR	$77.69
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LT265/70R17	Firestone Transforce HT OWL	$165.00
LT265/75R16	Firestone Transforce AT2 BL	$147.05
LT265/75R16	Load Range E	$134.00
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P205/60R15	Sailun Atrezzo SH406	$69.66
P215/55R15	Firestone A/T Destination	
P215/55R16	Uniroyal Tiger Paw	$87.00
P215/55R16	Bridgestone Potenza RE97	$87.00
P215/55R17	Firestone FR710	$151.47

P215/60R15	Sumitomo Touring	$68.50
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ST235/80R16	12 Ply Thunderer R501	$121.97
ST235/80R16	Power King Towmax LR E	$120.89
ST235/85R16	14 Ply Sailun trailer tire	$178.69

AGENDA ITEM

Financial Services

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 139/2025

SUBJECT: Approve the award of RFQ/P #46-006 Banking and Investment Services for Financal Services to Wells Fargo Bank, N.A. of Atlanta, GA.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: TS

Recommendation:
Approve

Purpose of Request:
Approve the award of RFQ/P #46-006 Banking and Investment Services for Financal Services to Wells Fargo Bank, N.A. of Atlanta, GA.

History:
Wells Fargo Bank is a vendor in good standing with the County.

Facts and Issues:
All banking fees are off-set to $0.00 via interest bearing accounts. If the fees were not offset to interest bearing accounts, the total fees would most likely reach a cost threshold of over $50,000 based on volume of transactions.

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?	2025-03-27

Approvals:

Submit	Purchasing	Budget	Finance
TS	AP	JM	TS

Attorney	Administration	Clerk
WLI	CR	AD

Attachments:

Bid Tab Summary
Contract Signature Request Cover Sheet
Cost Proposal
Contract - Wells Fargo

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 139/2025

Funds Requested: $ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested: No

Funding Source Items:

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: EW

Phone:

RFQ/P #46-006 Banking and Investment Services - Rebid

Bid Tabulation Summary

Bid Opening Date: 04/17/2025

Scores Out of 1,000 Total Maximum Points Available

Bidders	**AmerisBank**	**First Citizen Bank**	**JP MORGAN / Chase**	**SouthState Bank**	**Truist**	**Wells Fargo**
Location	Oakwood, GA	Gainesville, GA	Atlanta, GA / Charlotte, NC	Gainesville, GA	Atlanta, GA	Atlanta, GA
Average Technical Scores	737.65	701.91	761.37	719.08	738.02	816.04
Average Cost Scores	26.04	70.06	31.32	30.51	34.05	44.58
Total Scores	**763.69**	**771.97**	**792.69**	**749.59**	**772.07**	**860.62**

TALLY:

Banks Contacted:	13
Hall County Invitations:	13
Bids Received:	6
No Bids:	4

BANKS RESPONDING:

AMERIS
FIRST CITIZEN
JP Morgan / Chase
SOUTHSTATE
Truist
WELLS FARGO

NO BIDS:

Bank of America - No bid
CADENCE BANK - No bid
PINNACLE BANK - No bid
Renasant - No bid

NO RESPONSES:

Community Bank & Trust - No response
PEACH STATE - No response
Regions Bank - No response

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION

CONTRACT EXECUTION SIGNATURE REQUEST

Date: June 10, 2025

To: David Gibbs, Chairman, BOC

From: Andy Penick, Purchasing Manager

Your signature is requested to execute the attached Contract:

Bid/Contract Number: RFQ/P #46-006

Bid/Contract Name: Banking and Investment Services

Department(s) Requesting Contract: Finance

Recipient Name: Wells Fargo Bank, N.A.

Contract Description:

☐ Annual Contract ☒ New ☐ Renewal

FY 2025 Projected Spend: $ 0.00

☐ Price Increase Requested Increase Percentage: N/A

☒ Project/Service Contract FY 2026 Estimated Amount: $0.00

☐ Product Contract Estimated Amount:

Comment:

This is year one (1) of a five (5) year contract. All banking fees are off-set to $0.00 by interest bearing accounts.

WELLS FARGO



Hall County

Response to Request for Qualifications with Price Proposals for Banking and Investment Services Rebid

RFQ/P #46-006

COST PROPOSAL

April 17, 2025

Submitted by:

Scott Harris
Senior Relationship Manager
404-556-9264
scott.r.harris@wellsfargo.com

John Ewing
Senior Treasury Management Consultant
404-317-3218
john.ewing@wellsfargo.com

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Wells Fargo Cost Proposal

Wells Fargo is pleased to offer the attached Cost Proposal for RFQ/P #46-006 Banking and Investment Services Rebid for Hall County Georgia Board of Commissioners (the County).

EXHIBIT C - MANDATORY COST PROPOSAL WORKSHEETv14 is enclosed.

Incentives

- Waive Treasury fees for the first 8 months of the new contract
- The Earnings Credit Rate (ECR) offered in our pricing is 190 basis points
- A fee waiver for all initial programming and one-time setup costs for any new service additions recommended in this response
- Based on the proposed structure, the County would be able to offset all monthly fees. **Net monthly cost would be $0**

Earnings Credit Rate and Interest Rate

Based on the current strategy of the County we recommend the county maximize earnings credit rate to offset fees and look to invest excess balances. We are offering the County an earnings credit rate of 190 basis points (1.90%).

In the event the County strategy changes we can offer various interest earning vehicles including fixed income, hybrid accounts and interest only accounts.

As partners we will have continuous dialogue with you and your staff about the different options that exist to maximize your deposit value and interest earnings.

Other Considerations

By choosing Wells Fargo as your banking partner, the County will not have to undergo any time consuming and expensive implementations. With Wells Fargo, your services, transmissions, and procedures are in place. Your time can be spent on enhancements to existing processes and adding new services that create efficiencies and cost savings for the County.

While it may be difficult to quantify the cost of a transition, we would ask you to consider the following elements in assigning a value to the cost:

- Labor and Time needed from Information Technology to recreate set up
- Impact to taxpayers
- Impact to vendors
- Creation of new file transmissions
- Cost of setting up new accounts
- Time and cost of changing automated payments into and out of accounts
- Time and cost of learning new systems
- Impact of different customer service levels

Wells Fargo wants to continue to be your banking partner. Our offer of a net monthly cost of **$0** combined with **no cost of transition** offers the best value to the County for your banking partner.

If you have any questions regarding our pricing proposal, please do not hesitate to contact us.

EXHIBIT C	
Mandatory Cost Proposal Worksheet	
RFQ/P #46-006 Banking and Investment Services Rebid	
INSTITUTION NAME: Wells Fargo	
FEE SCHEDULES	**Cost**
ACH Payroll Processing (Direct Deposit) charges:	
One-time set-up fee?	**$0.00**
Monthly or annual fee?	**$0.00**
File Transfer fee?	**$5.00**
Returned Items Charge, per item?	**$2.50**
Online Banking Services:	
Monthly Maintenance Fees, per account?	**$15.00**
Per item charge for transfers between funds? If so, how much per?	**$1.00**
Per Item debit/credit?	**$0.10**
Vendor Payments via EFT:	
One-time set-up fee?	**$0.00**
Monthly or annual fee?	**$0.00**
File Transfer fee for upload to bank?	**$5.00**
Positive Pay Services (for check payments):	
One-time set-up fee?	**$0.00**
Monthly or annual fee?	**$15.00**
Account Features	
Online banking available for all accounts? List cost.	**$0.00**
Account maintenance fee (monthly)?	**$0.00**
CD Provided of all checks cleared monthly?	**$0.00**
CD Charge? If so, how much?	**$0.00**
Check processing fee, per item?	**$0.04**
Deposit fee, per item?	**$0.10**
Stop Payment fee, per item?	**$5.00**
Transfer between funds fee?	**$1.00**
Electronic Debit/Credit fee, per item?	**$0.025**
Wire transfer fee?	**$6.00**
ACH returned item fee?	**$2.50**
NSF Fee, per item?	**$2.00**
Overdraft fee, per item?	**$35.00**
Cost of Deposit Bags?	**$20.00**

Lock Box Services?	**$0.40**
Current Cash Accounts	
Jury Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Sheriff CID Covert Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
SPLOST Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Hall County Magistrate Court Acount (x2)	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Hall County Mac Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Sheriff Inmate Fund Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Jail Work Release Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
2011 CHIP Grant Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Payroll Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**

Per Item Fee?	**$0.10**
Accounts Payable Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Operating Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Insurance Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Hall County Reserve Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Sewer Connection Fees Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
EMS Collection Payments Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
American Rescue Plan Account	
Monthly Maintenance Fee?	**$0.00**
Per Item Fee?	**$0.10**
Community Developemtnt Block Grand (CDBG) 2021	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Pharmacy Account	
Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**
Concentration Account	

Monthly Maintenance Fee?	**$0.00**
Interest Rate?	**1.90%**
Per Item Fee?	**$0.10**

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION
Contract for Services

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT # 46-006

For the provision of

Banking and Investment Services

ARTICLE #101 – INTRODUCTION

This Contract for Banking and Investment Services (hereinafter "Services") is made and as entered into as of _____ (execution date) and July 1, 2025 (effective date) is by and between Hall County, Georgia, Board of Commissioners, (hereinafter "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Wells Fargo Bank, N.A. which is located at 1100 Abernathy Rd. NE, 11th floor, Atlanta, GA 30328. (hereinafter "Bank"). Bank 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 Bank are known individually as a "Party" and collectively as the "Parties".

Nothing contained in this Contract shall be construed to convert the Bank or any of its employees, agents, into a partner, employee, or agent of the County, nor shall either Party to this Contract have any authority to bind the other in any respect.

WHEREAS the Bank represents that it is a federally chartered bank and has signified a willingness to provide Services to the County and the County has relied on such representation; and,

WHEREAS the Parties mutually desire to enter into this Contract to document the provision of Services by the Bank to the County in exchange for payment as compensation; and,

WHEREAS this contract will become legally binding upon signature by both Parties; and,

WHEREAS any attached documents, plans, exhibits, attachments, or references are all incorporated herein by reference, and

NOW, THEREFORE and in consideration of the mutual promises, terms, conditions, covenants, and agreements made as expressed and contained herein, or attached, 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. Bank agrees to provide the Services to the County as detailed as the Scope of Work and the Bank's service documentation governing the accounts and services to be provided pursuant to this Contract (the "Service Documentation"), which Service Documentation was attached as *Appendix Tab P* to the Bank's response dated April 17, 2025 to the County's RFP/Q # 46-006.

B. County and Bank hereby mutually agree that any and all fees charged by Bank will be offset via County's interest-bearing accounts held at Bank in compensation for fees listed on *Exhibit C –Cost Proposal*.

ARTICLE #103 – NOTICES

To the extent that either Party to this Contract is 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
Taylor Samples, CPA
Financial Services Director
Hall County, Georgia
2875 Browns Bridge Rd
Gainesville, GA 30504
tsamples@hallcounty.org
Ph: (770) 531-3900

COUNTY ISSUING OFFICER
Andy Penick
Purchasing Manager
Hall County Purchasing Division
2875 Browns Bridge Rd
Gainesville, GA 30504
apenick@hallcounty.org
Ph: (770) 531-4939

BANK'S CONTACT INFORMATION

Names: Scott Harris, Relationship Manager, scott.r.harris@wellsfargo.com, (404) 556-9264

Company Name: Wells Fargo, N.A.

Physical Address: 1100 Abernathy Rd. NE, 11th Floor, Atlanta, GA 30328

REMIT TO ADDRESS (if different): _____

_____

Notwithstanding the foregoing, the parties agree that service-level notices may be provided in the manner set forth in the Service Documentation.

ARTICLE #104 – NON-EXCLUSIVE RIGHTS

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

ARTICLE #105 – CONTRACT TERM

For multi-year contracts, the term will be for five (5) years, with one (1) initial year followed by four (4) one-year renewal options. Renewals are not automatically renewed nor guaranteed, and are subject to the mutual agreement of the parties.

ARTICLE #106 – CONTRACT AMENDMENTS AND MODIFICATION

This Contract may only be modified, amended, or changed in writing and fully executed by both Parties hereto; provided that the Service Documentation may be amended in accordance with its terms. This Contract 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 failure to meet the timetables set forth herein, the non-breaching Party shall provide a written Notice-to-Cure to the breaching Party which describes the breach of this Contract. The breaching Party 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-to-Cure by thirty (30) days after receipt of the 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 relief as to any bonds issued hereon; provided that, except as expressly provided in the Service Documentation, in no event will either party be liable for any indirect, special, consequential or punitive damages, whether or not the likelihood of such damages was known to such party, and regardless of the form of the claim or action or the legal theory on which it is based. The Bank's liability will be limited to an amount not to exceed 10 times the fees incurred during the calendar month immediately preceding the calendar month in which such loss or damages were incurred (or, if no Bank fees were incurred in such month, the fees incurred in the month in which the losses or damages were incurred).

Additional provisions are:

A. **Delay or Impossibility of Performance**. Any failure or delay must be beyond the reasonable control of and without the fault or negligence of the Bank. 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 Bank under this Contract in an amount agreed to by both parties.

Neither Party shall be held liable or responsible to the other Party nor be deemed to have defaulted under or breached this Contract for failure or delay in fulfilling or performing any obligation under this Contract 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. Notwithstanding the foregoing, a force majeure event does not apply to or in any way limit the County's obligation to timely satisfy payment obligations to the Bank.

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 *ARTICLE #108 – TERMINATION PROVISIONS*.

C. **Transition Cooperation with the County and Cooperation with Other Banks**. Bank 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 Bank. Further, if the County has entered into or enters into contracts with other Banks related to the Services, Bank agrees to cooperate fully with other such Banks. Bank shall not engage in any act that will interfere with the performance of work by any other Bank(s).

ARTICLE #108 – TERMINATION PROVISIONS

The County may terminate this Contract by providing sixty (60) days written notice to the Bank at any time. Should the County terminate this Contract prior to the date of automatic termination, Bank shall provide the County with all services up to the date of termination. The County shall pay the Bank for all work properly performed in compliance with the terms of this Contract up to the date of termination.

A. **Termination for Convenience**. Following sixty (60) days' written notice, the County 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 Bank.

B. **Termination for Cause**. The occurrence of any of the following events shall constitute cause for the County to declare the Bank in default of its obligations under the Contract:
   1. The Bank fails to deliver or has delivered nonconforming Services or fails to perform any material requirement of the Contract or is in violation of a material provision of the Contract including, but without limitation, the expressed warranties made by the Bank.
   2. The County determines that default is likely to occur.
   3. The Bank 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 Bank terminates or suspends its business; or the County reasonably believes that the Bank has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
   4. The Bank 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.
   5. The Bank has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with *ARTICLE #108.C* below constitutes cause for the Bank to declare that the County is in default of its obligations under the Contract.

C. **Notice of Default**. If either Party causes any of the default events set out in *ARTICLE #108 – TERMINATION PROVISIONS*, then either Party shall issue a written Notice of Default to the Party that causes one (1) or more of the default events requesting that the breach or noncompliance be remedied within the period of time specified in the Notice of Default. If the breach or noncompliance is not remedied within the period of time specified in the written notice, the non-breaching Party may:
   1. Immediately terminate the Contract for default without additional written notice; and/or,

2. 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 Bank in the event of any de-appropriation and pay the Bank only for services actually rendered.

E. **Termination due to Failure of Bank to Act.** The County may terminate the Contract for any of the following reasons effective immediately without advance notice:
   1. If the Bank must be certified or licensed as a condition precedent to providing the Services, the revocation, suspension, or other 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 Bank, its agents, employees, have caused, or reasonably could cause, life, health, or safety to be jeopardized.
   3. The Bank furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal, or maliciously incorrect.
   4. Failure of the Bank to obtain, provide, maintain, and deliver the performance and payment bonds (if required) when required under this Contract.

F. **Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by County, the County shall pay only those amounts, if any, due and owing to the Bank for Services actually received 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. **Bank's Termination Duties.** Upon receipt of a Notice of Termination, the Bank shall:
   1. Promptly cease work under the Contract.
   2. Promptly cease use and return to the County any personal property or materials, whether tangible or intangible, provided by the County to the Bank.
   3. Comply with the County's reasonable requests for the timely transfer of accounts and services.
   4. Cooperate in good faith with the County, its employees, agents, and Banks during the transition period between the Notification of Termination and the substitution of any replacement Bank.
   5. Bank is to promptly return any payments made by the County for goods and services that were not delivered by the Bank.

H. **Termination by the Bank.** The Bank shall have the termination rights set forth in the Service Documentation.

ARTICLE #109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY; REIMBURSEMENT BY COUNTY

The Parties agree that the County shall not be responsible for defending or indemnifying any Bank from any claim brought by any third party against the Bank, provided that, to the extent not expressly prohibited by Georgia law, the County will reimburse the Bank, its officers, directors, employees and agents ("Representatives") for all losses and damages that arise out of: (i) use of a service that is not in compliance with the Service Documentation, including any warranty the Bank is required to make to a third party in connection with such service; (ii) any negligent act or omission or intentional misconduct of any of the County's agents or couriers, and (iii) if the Service includes a license or sublicense of any software, any use or distribution of the software by the

County or any person gaining access to the software through the County that is inconsistent with the license or sublicense.

ARTICLE #110 – ASSIGNMENT AND DELEGATION BY BANK

The Bank shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior expressed written consent of the County; provided, however, that the Bank may assign the contract without consent in connection with a merger, acquisition or corporate restructuring involving the Bank.

ARTICLE #111 – USE OF THIRD PARTIES

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.

ARTICLE #112 – 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 #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 Bank shall maintain books, records, and documents in accordance with accounting principles and procedures that are in compliance with applicable federal laws or industry banking practice or its own policies and procedures which document and calculate all charges billed to the County throughout the term of the Contract.

ARTICLE #115 – INTENTIONALLY DELETED

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 – BANK AND COUNTY RIGHTS AND OBLIGATIONS

A. The County has the right at any time to request the Bank to put an immediate stop to any procedure, or the use of any equipment, chemical, material, personnel, etc. considered by the County to be hazardous or toxic to persons, buildings, or surfaces and the Bank will promptly meet with the County to discuss and attempt to resolve the County's concerns.

B. The County has the right to request the Bank to reassign or remove any employee from the premises temporarily or permanently when, in the County's reasonable opinion, the employee is not suitable, and the Bank will promptly meet with the County to discuss and attempt to resolve the County's concerns.
C. Notwithstanding the above, the Bank retains and reserves the sole discretion and decision-making authority with regarding to the matters set forth in Article #117.

ARTICLE #118 – INSURANCE REQUIREMENTS

The Bank must procure and maintain insurance policies at the Bank's own expense and must furnish the County with a certificate of insurance (COI) providing evidence of proof of coverage at least in the amounts indicated in this subsection. The Bank must maintain the following insurance coverage during the term of the Contract, in at least the minimum amounts set forth below, to cover all loss and liability for damages or destruction of property caused by or arising from any and all services carried on and any and all work performed by the Bank pursuant to this Contract:

Workers Compensation Insurance: Required for all contracts.

- $500,000 Bodily Injury by Accident – Each Accident
- $500,000 Bodily Injury by Disease – Each Disease
- $500,000 Bodily Injury by Disease – Each Employee

Additional Provisions: Waiver of Subrogation. The insurer agrees to waive all rights of subrogation for general liability and automobile liability coverage 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. 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.

- $2,000,000 General Aggregate
- $2,000,000 Products & Completed Operations Aggregate
- $1,000,000 Each Occurrence
- $1,000,000 Personal & Advertising Injury
- $500,000 Damages to Premises/Fire/Legal
- $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.

- $1,000,000 Combined Single Limit Or $500,000 per Person/$1,000,000 per Occurrence
- $100,000 Property Damage
- $1,000 for Medical Payments (no fault coverage)

Additional Provisions:

- Uninsured motorist's coverage should be equal to the per occurrence limit except for contracts with other governmental entities.
- Coverage shall be included for any owned, leased, hired, or non-owned autos.

Umbrella Liability Insurance: Required for all contracts.

$1,000,000 per Occurrence

Additional Provisions: Required for all contracts.

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

Crime Insurance: Required for all contracts involving any use, care, custody, or control of any cash, money, securities, and/or wire transfers.
- $1,000,000 Employee Dishonesty
- $1,000,000 Funds Transfer Fraud
- $100,000 Money & Securities
- $1,000,000 Computer Crime
- $100,000 Social Engineering or its equivalent

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

Additional Provisions: Coverage shall include at a minimum:
- Information Security & Privacy Liability
- Regulatory Fines and Penalties
- Payment Card Industry (PCI) – if credit cards and/or banking information is obtained or accessed
- 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.
- $1,000,000 Each Claim/Wrongful Act
- $2,000,000 General Aggregate

ARTICLES #119-#121 – INTENTIONALLY DELETED

ARTICLE #122 – COUNTY PAYMENT TO BANK

A. The County will issue a Notice to Proceed ("NTP") and a Purchase Order(s) ("PO") to the Bank. The terms of this Contract shall be incorporated by reference into any PO(s) issued prior to the expiration or termination of this Contract. The County will issue the NTP and PO(s) by electronic mail (e-mail) to the Bank'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 Bank.

The Bank 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 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 a PO will not be considered for payment. Banks are not to begin work or ship any product on any verbal communication from 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 NTP date to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Bank 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 pursuant to *ARTICLE #106 – CONTRACT AMENDMENTS AND MODIFICATION*, a time extension letter, or as otherwise authorized by the County.

B. **Invoice/Payment**

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

C. **Intentionally Deleted.**

D. **Set-Off Against Sums Owed by the Bank.** If the Bank owes the County any sum under the terms of this Contract, pursuant to any judgment or pursuant to any law, the County may set off the sum owed by the Bank against any sum owed to the Bank, in the County's sole discretion. Any set-off right asserted or exercised by the County is without prejudice to the Bank's right to dispute the County's claims as to the sums owed.

E. **Final Payment.** Bank 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 Bank must not factor or assign payments to another entity or a financial institution. The County will only pay the Party with whom it is contracted. The County will not under any circumstances pay a third party.

ARTICLE #123 – INTENTIONALLY DELETED
(Only required for construction, renovation, and repair projects)

ARTICLE #124 – INTENTIONALLY DELETED
(Only required for construction, renovation, and repair projects)

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 United States and the laws of the State of Georgia, without regard to the conflict of laws principles of any state. For any proceedings regarding this Contract (not otherwise subject to arbitration), the Parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia or a federal court located in Georgia. THE PARTIES EACH WAIVE ALL RIGHTS TO A TRIAL BY JURY IN AN ACTION OR PROCEEDING RELATING TO THIS CONTRACT, THE SERVICE DOCUMENTATION OR THE SERVICES.

ARTICLE #126 – NOTICE OF INTENT TO LITIGATE

Bank hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty (30) days 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 Bank certifies that the Bank participates in the E-Verify federal work authorization program, has been enrolled in the program since November 28, 2006, and will continue to participate in the same; the Bank does not and will not knowingly employ a person who is not legally authorized to work in the United States.

B. Bank further certifies its compliance with the E-Verify federal work authorization program by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit (herein known as *Exhibit E – E-Verify Affidavit*), notarized by an Official Notary Public and incorporated herein by reference.

ARTICLE #128 – ORDER OF PRECEDENCE

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract Documents, the order of precedence shall be in the order set forth in Article #129 below.

ARTICLE #129 – CONTRACT DOCUMENTS AND ATTACHMENTS

The Parties mutually acknowledge that the Contract documents shall consist of the following documents, which are incorporated by reference as if fully set forth herein:

1. This Contract.

2. The Bank's response dated April 17, 2025 to the County's RFP/Q # 46-006, including without limitation the following documents included with such response:

   a. *Exhibit C –Cost Proposal,* a copy of which is attached hereto;
   b. *Exhibit E – E-Verify Affidavit;* and
   c. *Appendix Tab P – Bank's Service Documentation*, a copy of which is attached hereto.

3. The County's RFQ/P #46-006, subject to the Bank's exceptions set forth in the Bank's response thereto.

ARTICLE #130 – SALES TAX EXEMPTION STATUS

The County is exempt from State of Georgia Local Sales and Use Tax. The Bidder understands and acknowledges that they are responsible for any sales and use tax they may incur. The Bidder will not charge the County any sales and use tax as a separate line item. The Bank may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

ARTICLE #131 – HOLD HARMLESS AGREEMENT

During the term of the Contract, the Bank will indemnify, defend and hold harmless the County and its officers, directors, employees, agents and assigns (the "Indemnified Parties") from and against all losses or damages (collectively, "Losses") arising out of, resulting from or relating to the performance of the services provided hereunder which are, in each case, directly caused in whole or in part by the negligent or intentional misconduct of the Bank or any of its officers, directors, employees, agents, subcontractors or assigns, except to the extent such Losses are caused by the negligence or intentional misconduct of the County. In no event will the Bank Fargo be liable for any indirect, special, consequential or punitive damages, whether or not the likelihood

of such damages was known to the Bank, and regardless of the form of the claim or action or the legal theory on which it is based. The Bank's liability under this indemnity will be limited to an amount not to exceed 10 times the Bank's fees incurred during the calendar month immediately preceding the calendar month in which such loss or damages were incurred (or, if no fees were incurred in such month, the fees incurred in the month in which the losses or damages were incurred).

ARTICLE #132 – INTENTIONALLY DELETED

ARTICLE #133 – CONTRACT TERMS AND CONDITIONS

1. All purchases must comply with the Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. The terms "supplier", "vendor", "bidder", "offeror", "Bank", "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 "Bank" for services.
3. "Services" shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning, or otherwise where services are offered for consideration.
4. The Supplier shall only provide services as described on the respective PO and within the Scope of Work and the Supplier's bid response.
5. The Supplier shall not construe any verbal consent to purchase services as valid.
6. The County does not accept substitutions of services 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.
7. The County does not accept automatic contract renewals except for monthly subscription services.
8. The County participates in cooperative purchasing agreements, State of Georgia Statewide Contracts, and other state and local intergovernmental agreements, memoranda of understanding and other such agreements. Access and use of this Contract by another party is subject to the Bank's approval and execution of documentation required by the Bank.
9. The Supplier warrants that the Supplier has a legal right to deliver the services and as described herein.
10. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
11. This issuance of a 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.
12. 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.
13. The Supplier certifies that it is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
14. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier.
15. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

[Signature page follows]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signatures and seals on the day, month, and year below. Bidder must print their company's full legal company name as it appears on their W-9 form below:

Print Bank's Full Legal Name Below:

WELLS FARGO BANK, N.A.

By: R. Scott Harris
R. Scott Harris, Executive Director

Date: 6/23/25

Sworn to and subscribed before me this
23 Day of June, 2025.

Notary Public:

Notary commission expires: 12/11/27
[Locus Notarial Seal/Stamp]

ALICIA HARRIS NOTARY PUBLIC PAULDING COUNTY, GEORGIA MY COMMISSION EXPIRES DECEMBER 11, 2027

HALL COUNTY, GEORGIA

By: _____
David Gibbs, Chairman
Hall County Board of Commissioners

Date: _____

Attestation: _____
Board of Commissioners Clerk

APPROVED AS TO FORM

Nathaniel R. Anderson,
Senior Assistant County Attorney

AGENDA ITEM

Financial Services

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 427/2025

SUBJECT: Approval and authorization for the Chairman to execute a Special Purpose Local Option Sales and Use Tax Intergovernmental Agreement among Hall County and all of its Municipalities, and authorization for the Chairman to execute any and all documents to effectuate the terms of the Agreement, subject to review and approval by the County Attorney.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: TS

Recommendation:
Approve

Purpose of Request:
Approval and authorization for the Chairman to execute a Special Purpose Local Option Sales and Use Tax Intergovernmental Agreement among Hall County and all of its Municipalities, and authorization for the Chairman to execute any and all documents to effectuate the terms of the Agreement, subject to review and approval by the County Attorney.

History:

Hall County has had a SPLOST program since 1985. This will be a reimposition of the SPLOST program.

Facts and Issues:
The County's present SPLOST VIII program will terminate on June 30, 2026, and this item seeks to reimpose a SPLOST Tax immediately following the expiration of the current program.

This intergovermental agreement will be subject to a voter referendum on November 4, 2025.

Options:

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?	2025-07-10

Approvals:

Submit	Budget	Finance	Attorney
TS	DA	TS	WLI
Administration		**Clerk**	
CR		AD	

Attachments:

AGENDA ITEM

Financial Services

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 428/2025

SUBJECT: Approval and authorization for the Chairman to execute a resolution calling for an election on the question whether to reimpose a Special Purpose Local Option Sales and Use Tax, subject to Hall County Voters' approval of a referendum on November 4, 2025, and authorization for the Chairman to execute any and all documents necessary to effectuate the terms of the agreement, subject to review and approval by the County Attorney.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: TS

Recommendation:
Approve

Purpose of Request:
Approval and authorization for the Chairman to execute a resolution calling for an election on the question whether to reimpose a Special Purpose Local Option Sales and Use Tax, subject to Hall County Voters' approval of a referendum on November 4, 2025, and authorization for the Chairman to execute any and all documents necessary to effectuate the terms of the agreement, subject to review and approval by the County Attorney.

History:

All the Municipalities have approved an intergovernmental agreement supporting this call for a referendum.

Facts and Issues:
This resolution directs the Board of Elections to take all actions necessary to call and conduct a special election on November 4, 2025.

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?	2025-07-10

Approvals:

Submit	Budget	Finance	Attorney
TS	DA	TS	WLI
Administration		**Clerk**	
CR		AD	

Attachments:

AGENDA ITEM

Community Services and Parks

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 372/2025

SUBJECT: Approve the memorandum of understanding with the City of Lula memorializing the respective intentions of Hall County and the City of Lula in the event that SPLOST IX is approved by the voters of Hall County, GA on November 4, 2025 regarding contributions towards funding for mutual park improvements at locations within the City of Lula.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BH

Recommendation:
Approve.

Purpose of Request:
The purpose of this Memorandum of Understanding ("MoU") is to memorialize the respective intentions of both Hall County, Georgia and the City of Lula in the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, to contribute funding towards mutual park improvements at three (3) locations within the City of Lula, specifically parks located at 5830 Athens Street, Lula, GA 30554, 5831 Athens Street, Lula, GA 30554, and 5712 Cobb Street, Lula, GA 30554.

History:

The parcel located at 5830 Athens Street is owned by Hall County and was leased to the City of Lula for a period of 25 years per terms of a 2011 IGA.

The parcels located at 5831 Athens Street and 5712 Cobb Street are owned by the City of Lula.

Facts and Issues:
Pending approval of SPLOST IX, Hall County intends invest $1,000,000 and the City of Lula intends to invest $750,000 toward park improvements at these properties and work to establish a cooperative use agreement to include granting the County the ability to use the baseball fields for athletics programming.

Options:

Funding Requested $ 1,000,000.00

Are funds within current budget?	Yes
Source of Funds	Future Capital Funding
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
BH	BH	JM	TS

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Financial Supplement
Memorandum of Understanding

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 372/2025

Funds Requested: $ 1,000,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Future Capital Funding

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2028	TBD	TBD	541400-INFRASTRUCTURE	$500,000.00
2029	TBD	TBD	541400-INFRASTRUCTURE	$500,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BH

Phone: 678-997-5823

Memorandum of Understanding Between
Hall County, Georgia and the
City of Lula

I. Purpose

The purpose of this Memorandum of Understanding ("MoU") is to memorialize the respective intentions of both Hall County, Georgia and the City of Lula in the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, to contribute funding towards mutual park improvements at three (3) locations within the City of Lula, specifically parks located at 5830 Athens Street, Lula, GA 30554, 5831 Athens Street, Lula, GA 30554, and 5712 Cobb Street, Lula, GA 30554,

II. Parties

Hall County, Georgia (hereinafter "the County") and the City of Lula (hereinafter the "the City").

III. The County Agrees to the Following:

In the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, the County intends to provide One Million dollars ($1,000,000.00) towards mutual park improvements within the city of Lula at parks located at 5830 Athens Street, Lula, GA 30554, 5831 Athens Street, Lula, GA 30554, and 5712 Cobb Street, Lula, GA 30554.

IV. The City Agrees to the Following:

In the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, the City intends to provide seven hundred fifty thousand dollars ($750,000.00) towards mutual park improvements within the City of Lula at parks located at 5830 Athens Street, Lula, GA 30554, 5831 Athens Street, Lula, GA 30554, and 5712 Cobb Street, Lula, GA 30554.

V. Representatives

Any communication regarding this contract should be directed to the representatives listed on the following page:

For the County:

Zach Propes
County Administrator
770-535-8288
zpropes@hallcounty.org

For the City:
Frank Etheridge
City Manager
770-869-3801
frank.etheridge@cityoflula.com

Hall County, Georgia

David Gibbs
Chairman
Hall County Board of Commissioners

City of Lula

Joe Thomas
Mayor

AGENDA ITEM

Community Services and Parks

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 373/2025

SUBJECT: Approve the memorandum of understanding with the City of Gillsville memorializing the respective intentions of Hall County and the City of Gillsville in the event that SPLOST IX is approved by the voters of Hall County, GA on November 4, 2025 regarding contributions towards funding for park improvements at 7864 County Line Road, Gillsville, GA.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: BH

Recommendation:
Approve.

Purpose of Request:
The purpose of this Memorandum of Understanding ("MoU") is to memorialize the intention of Hall County, Georgia (hereinafter referred to as "the County") to contribute funding towards park improvements at 7864 County Line Road, Gillsville, GA 30543, and to memorialize the City of Gillsville's (hereinafter referred to as "the City") intention to establish a joint use agreement with the County, to the County's benefit, pertaining to use of the facilities at the park, located at the aforementioned address. The respective intentions of both the County and the City are dependent upon the approval of SPLOST IX on November 4, 2025 by the voters of Hall, County Georgia.

History:

Facts and Issues:
Pending approval of SPLOST IX, Hall County intends invest $1,000,000 toward park improvements at this property and work to establish a cooperative use agreement with the City of Gillsville to include granting the County the ability to use the baseball fields for athletics programming.

Options:

Funding Requested	$ 1,000,000.00
Are funds within current budget?	Yes
Source of Funds	Future Capital Funding
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
BH	BH	JM	TS

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:
Financial Supplement
Memorandum of Understanding
Gillsville MOU

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 373/2025

Funds Requested: $ 1,000,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Future Capital Funding

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2028	TBD	TBD	541400-INFRASTRUCTURE	$500,000.00
2029	TBD	TBD	541400-INFRASTRUCTURE	$500,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BH

Phone:

Memorandum of Understanding Between
Hall County, Georgia and the
City of Gillsville

I. Purpose

The purpose of this Memorandum of Understanding ("MoU") is to memorialize the intention of Hall County, Georgia (hereinafter referred to as "the County") to contribute funding towards park improvements at 7864 County Line Road, Gillsville, GA 30543, and to memorialize the City of Gillsville's (hereinafter referred to as "the City") intention to establish a joint use agreement with the County, to the County's benefit, pertaining to use of the facilities at the park, located at the aforementioned address. The respective intentions of both the County and the City are dependent upon the approval of SPLOST IX on November 4, 2025 by the voters of Hall, County Georgia.

II. Parties

Hall County, Georgia and the City of Gillsville.

III. The County Agrees to the Following:

In the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, the County intends to provide One Million dollars ($1,000,000.00) towards park improvements within the city of Gillsville at the park located at 7864 County Line Road, Gillsville, GA 30543 also known as Gillsville City Park.

IV. The City Agrees To The Following:

In the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, the City intends to enter into a joint use agreement with the County to the County's benefit concerning use of the facilities at the park located at 7864 County Line Road, Gillsville, GA 30543 also known as Gillsville City Park.

V. Representatives

Any communication regarding this contract should be directed to the representatives listed on the following page:

For the County:

Zachary Propes
County Administrator
770-535-8288
zpropes@hallcounty.org

For the City:

Wade Dale
Mayor
770-869-9000
Mayor@townofgillsville.com

Hall County, Georgia

David Gibbs
Chairman
Hall County Board of Commissioners

City of Gillsville

Wade Dale
Mayor

Memorandum of Understanding Between
Hall County, Georgia and the
City of Gillsville

I. Purpose

The purpose of this Memorandum of Understanding ("MoU") is to memorialize the intention of Hall County, Georgia (hereinafter referred to as "the County") to contribute funding towards park improvements at 7864 County Line Road, Gillsville, GA 30543, and to memorialize the City of Gillsville's (hereinafter referred to as "the City") intention to establish a joint use agreement with the County, to the County's benefit, pertaining to use of the facilities at the park, located at the aforementioned address. The respective intentions of both the County and the City are dependent upon the approval of SPLOST IX on November 4, 2025 by the voters of Hall, County Georgia.

II. Parties

Hall County, Georgia and the City of Gillsville.

III. The County Agrees to the Following:

In the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, the County intends to provide One Million dollars ($1,000,000.00) towards park improvements within the city of Gillsville at the park located at 7864 County Line Road, Gillsville, GA 30543 also known as Gillsville City Park.

IV. The City Agrees To The Following:

In the event that SPLOST IX is approved by the voters of Hall County, Georgia on November 4, 2025, the City intends to enter into a joint use agreement with the County to the County's benefit concerning use of the facilities at the park located at 7864 County Line Road, Gillsville, GA 30543 also known as Gillsville City Park.

V. Representatives

Any communication regarding this contract should be directed to the representatives listed on the following page:

For the County:

Zachary Propes
County Administrator
770-535-8288
zpropes@hallcounty.org

For the City:

Wade Dale
Mayor
770-869-9000
Mayor@townofgillsville.com

Hall County, Georgia

_____
David Gibbs
Chairman
Hall County Board of Commissioners

City of Gillsville

_____
Wade Dale
Mayor

AGENDA ITEM

Gainesville-Hall Metropolitan Planning Organization (GHMPO)

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 400/2025

SUBJECT: Approve the award of RFP #46-013 Highlands to Islands Trail Study - University of North Georgia to McEver Road for the Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Pond & Company, Inc. of Peachtree Corners, GA, in the amount of $75,000.00.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: JB

Recommendation:
Approve.

Purpose of Request:
Approve the award of RFP #46-013 Highlands to Islands Trail Study - University of North Georgia to McEver Road for the Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Pond & Company, Inc. of Peachtree Corners, GA, in the amount of $75,000.00.

History:

Facts and Issues:
RFP #46-013 is for the study of a specified corridor between University of North Georgia and McEver Road for the Highlands to Islands Trail.

Options:

Funding Requested	$ 75,000.00
Are funds within current budget?	Yes
Source of Funds	MPO and Development Services
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	BN	BN	AY
Budget	**Finance**	**Attorney**	**Administration**
JM	TS	WLI	CR
Clerk			
AD			

Attachments:

Financial Supplement
Bid Tab
Signature Request Cover Sheet
Contract

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 400/2025

Funds Requested: $ 75,000.00

Request Budgeted: Yes

Proposed Source of Funding:

MPO and Development Services

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2026	250-MULTIPLE GRANT FUND	7411-MPO	521000-PROFESSIONAL SERVICES	$75,000.00
2026	250-MULTIPLE GRANT FUND	7411-MPO	334110-STATEâ€OPERATING DIRECT	$-60,000.00
2026	250-MULTIPLE GRANT FUND	7411-MPO	336002-INTERGOVERNMENTAL REIMBURSE	$-15,000.00
2026	272-DEVELOPMENT SERVICES FUND	4971-ENGINEERING	521000-PROFESSIONAL SERVICES	$5,000.00

Budget Transfer Items:

Additional Information/Comments:

Flowery Branch and Oakwood will each pay $ 5,000 for this study, and then Hall County will match the remaining $ 5,000 from operating funds.

Contact for Questions: JB

Phone: 770-297-5541

RFP #46-013 Highlands to Islands Trail Study - UNG to McEver

Bid Tab Summary

SCORES	**Pond & Company**	**Alta Planning + Design Inc**	**Keck & Wood Inc.**	**RS&H, Inc.**	**Goodwyn Mills Cawood, LLC**	**Tunnell-Spangler & Associates (TSW)**	**Croy Engineering**	**Civil Engineering Consultants, Inc**	**Chattahoochee Group**
	Peachtree Corners, GA	**Atlanta, GA**	**Duluth, GA**	**Atlanta, GA**	**Augusta, GA**	**Peachtree Corners, GA**	**Marietta, GA**	**Marietta, GA**	**Clermont, GA**
Average Technical Scores	697.78	675.56	684.44	657.78	604.44	608.89	577.78	395.56	NO BID
Average Cost Scores	190.00	160.00	140.00	160.00	80.00	60.00	70.00	20.00	NO BID
Total Scores	**887.78**	**835.56**	**824.44**	**817.78**	**684.44**	**668.89**	**647.78**	**415.56**	**NO BID**
Cost	$75,000.00	$88,430.00	$92,000.00	$87,500.00	$114,600.00	$129,500.00	$114,040.00	$37,000.00	NO BID

Number of bids emailed	70
Number of bids emailed to Hall Co	7
Total responses	8
Number of Hall Co responses	0
No Bids	1

Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION

CONTRACT EXECUTION SIGNATURE REQUEST

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Date: June 12, 2025

To: David Gibbs, Chairman, BOC

From: Andrew Youngblood, Purchasing Supervisor

Your signature is requested to execute the attached Contract:

Bid/Contract Number: 46-013

Bid/Contract Name: Highlands to Islands Trail Study-UNG to McEver

Department(s) Requesting Contract: GHMPO

Award Recipient Name: Pond & Company

Contract Description:

☐ Annual Contract ☒ New ☐ Renewal

FY 2025 Projected Spend: $ N/A

☐ Price Increase Requested Increase Percentage: N/A

☒ Project/Service Contract FY 2026 Estimated Amount: $75,000.00

☐ Product Contract Estimated Amount:

Comment:

RFP #46-013 is for the study of a specified corridor for the Highlands to Islands Trail. The FY 2026 Estimated amount has been reviewed against the projected FY 2026 budget by Finance.

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION
Exhibit B – Contract for Services

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT #46-013

For the provision of

Highlands to Islands Trail Study – UNG to McEver

ARTICLE #101 – INTRODUCTION

This Contract for Highlands to Islands Trail Study – UNG to McEver (hereinafter "Services") is made and as entered into as of _____ (execution date) and _____ (effective date) is by and between Hall County, Georgia, (hereinafter "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Pond & Company which is principally located at 3500 Parkway Lane, Suite 500, Peachtree Corners, GA 30092. (hereinafter "Consultant").

WHEREAS Consultant 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 Consultant are known individually as "Party" and collectively as the "Parties"; and,

WHEREAS nothing contained in this Contract shall be construed to convert the Consultant or any of its employees, agents, into a partner, employee, or agent of the County, nor shall either Party to this Contract have any authority to bind the other in any respect; and,

WHEREAS Consultant represents that it complies with the State of Georgia requirements for corporations and has signified a willingness to provide Services to the County and the County has relied on such representation; and,

WHEREAS the Parties mutually desire to enter into this Contract to document the provision of Services by the Consultant to the County in exchange for payment as compensation; and,

WHEREAS this contract will become legally binding upon signature and execution by both Parties; and,

WHEREAS any documents, exhibits, attachments, plans, or references are all incorporated herein by reference.

NOW THEREFORE and in consideration of the mutual promises, terms, conditions, covenants, and agreements made as expressed and contained herein, or attached, 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. Consultant agrees to provide the Services to the County as detailed in the Scope of Work. Unapproved work outside the Scope of Work may not be compensated.
B. County agrees to pay as compensation any fees as listed on the *Exhibit C – Mandatory Cost Proposal Worksheet*, which shall be fixed and firm for the duration of the contract unless modified by mutual consent via an amendment or renewal.

ARTICLE #103 – NOTICES

To the extent that either Party to this Contract is 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
Joseph Boyd, AICP
Transportation Planning Director
GHMPO
2875 Browns Bridge Rd
Gainesville, GA 30504
jboyd@hallcounty.org
Ph: 770-297-5541

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

CONSULTANT'S CONTACT INFORMATION

Contact Name(s): Matthew Wilder

Title(s): Vice President

Company Name: Pond & Company

Physical Address: 3500 Parkway Lane, Suite 500

City, State, ZIP: Peachtree Corners, GA 30092

Email(s): matt.wilder@pondco.com

Phone(s): 678.292.1111

REMIT TO ADDRESS (if different): Same as above

ARTICLE #104 – NON-EXCLUSIVE RIGHTS

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

ARTICLE #105 – CONTRACT TERM

Until substantial and final completion of the Services with final deliverables presented to the Gainesville-Hall Metropolitan Planning Organization (GHMPO) no later than December 1, 2025.

ARTICLE #106 – CONTRACT AMENDMENTS AND MODIFICATION

This Contract may only be modified, amended, or changed in writing and fully executed by both Parties hereto. This Contract 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 failure to meet the timetables set forth herein, the non-breaching Party shall provide a written Notice to Cure to the breaching Party which describes the breach of this Contract. The breaching Party 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 to Cure by thirty (30) days after receipt of the 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 relief as to any bonds issued hereon. Additional provisions are:

A. **Delay or Impossibility of Performance.** Any failure or delay must be beyond the reasonable control of and without the fault or negligence of the Consultant. 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 Consultant under this Contract. If delay results from a third-party's negligent conduct or failure to perform, the Consultant shall not be excused from compliance with the terms and obligations of the Contract.

   Neither Party shall be held liable or responsible to the other Party nor be deemed to have defaulted under or breached this Contract for failure or delay in fulfilling or performing any obligation under this Contract 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 *ARTICLE #108 – TERMINATION PROVISIONS.*

C. **Transition Cooperation with the County and Cooperation with Other Consultants.** Consultant 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 Consultant. Further, if the County has entered into or enters into contracts with other Consultants related to the Services, Consultant agrees to cooperate fully with other such Consultant. Consultant shall not engage in any act that will interfere with the performance of work by any other Consultant(s).

ARTICLE #108 – TERMINATION PROVISIONS

The County may terminate this Contract by providing sixty (60) days' written notice to the Consultant at any time. Should the County terminate this Contract prior to the date of automatic termination, Consultant shall provide the County with all deliverables up to the date of termination thirty (30) days after a Notice to Terminate is issued. The County shall pay the Consultant for all work properly performed in compliance with the terms of this Contract up to the date of termination.

A. **Termination for Convenience.** Following sixty (60) days' written notice, the County 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 Consultant.

B. **Termination for Cause.** The occurrence of any of the following events shall constitute cause for the County to declare the Consultant in default of its obligations under the Contract:
   1. The Consultant 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 expressed warranties made by the Consultant.
   2. The County determines that Consultant's unsatisfactory performance substantially endangers completion or that default is likely to occur.
   3. The Consultant fails to make substantial and timely progress toward performance of the Contract.
   4. The Consultant 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 Consultant terminates or suspends its business; or the County reasonably believes that the Consultant has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
   5. The Consultant 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 Consultant has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with *ARTICLE #108.C* below constitutes cause for the Consultant to declare that the County is in default of its obligations under the Contract.

C. **Notice of Default.** If either Party causes any of the default events set out in *ARTICLE #108 – TERMINATION PROVISIONS*, then either Party shall issue a written Notice of Default to the Party that causes one (1) or more of the default events requesting that the breach or noncompliance be remedied within the period of time specified in the Notice of Default. If the breach or noncompliance is not remedied within the period of time specified in the written notice, the non-breaching Party may:
   1. Immediately terminate the Contract for default without additional written notice; and/or,

2. In the event of a breach by the Consultant, the County may procure substitute Services from another source and charge the difference between the Contract and the substitute Contract to the defaulting Consultant; 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 Consultant in the event of any de-appropriation.

E. **Termination due to Failure of Consultant to Act.** The County may terminate the Contract for any of the following reasons effective immediately without advance notice:
1. If the Consultant must be certified or licensed as a condition precedent to providing the Services, the revocation, suspension, or other 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 Consultant, its agents, or employees have caused, or reasonably could cause, life, health, or safety to be jeopardized.
3. The Consultant furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal, or maliciously incorrect.
4. Reserved.

F. **Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by County, the County shall pay only those amounts, if any, due and owing to the Consultant 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. **Consultant's Termination Duties.** Upon receipt of a Notice of Termination, the Consultant 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 use and return to the County any personal property or materials, whether tangible or intangible, provided by the County to the Consultant.
3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Consultant under the Contract.
4. Cooperate in good faith with the County, its employees, agents, and Consultants during the transition period between the Notification of Termination and the substitution of any replacement Consultant.
5. Consultant is to immediately return any payments made by the County for goods and services that were not delivered by the Consultant.

ARTICLE #109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY

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

ARTICLE #110 – ASSIGNMENT AND DELEGATION BY CONSULTANT

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

ARTICLE #111 – USE OF THIRD PARTIES

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 Consultant under the Contract shall also apply to third parties, if allowed in writing by the County. Any Contract with a third party must also preserve the rights of the County.

ARTICLE #112 – 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 #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 Consultant 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 AND CONDITIONS

The County shall not be bound by any terms and conditions included in any Consultant's sales orders, 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.

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 – CONSULTANT AND COUNTY RIGHTS AND OBLIGATIONS

A. The County has the right at any time to require the Consultant to put an immediate stop to any procedure, or the use of any equipment, chemical, material, personnel, etc. considered by the County to be hazardous or toxic to persons, buildings, or surfaces. The Consultant will utilize acceptable substitutes approved by the County as quickly as possible. In the event of such replacement, Consultant shall (i) notify County of any resulting replacement, (ii) introduce an individual serving as the replacement to County, and/or (iii) provide County with a résumé and any other information regarding an individual that may be reasonably requested by County.
B. The County has the right to require the Consultant to reassign or remove any employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision shall be final, and Consultant will remove the 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 approval.
C. Consultant agrees to obtain prior written approval from the County for the use of subcontractor(s) to provide the Services described in Scope of Work prior to subcontractor's performance of work. Such non-disclosure of subcontractors may result in non-payment for Services.

ARTICLE #118 – INSURANCE REQUIREMENTS

The Consultant must procure and maintain insurance policies at the Consultant's own expense and must furnish the County with a certificate of insurance (COI) providing evidence of proof of coverage at least in the amounts indicated in this subsection. The COI must list "Hall County, Georgia" as the certificate holder and as an additional insured under the commercial general, automobile, and umbrella liability policies as follows: "County of Hall, its Board of Commissioners, officers, employees, servants, and agents, 2875 Browns Bridge Rd, Gainesville, GA, 30504". The policy must protect the Consultant and the County (as an additional insured) from any claims for bodily injury, property damage, or personal injury covered by the indemnification obligations set forth herein throughout the duration of the Contract. The Consultant must maintain the following insurance coverage during the term of the Contract, in at least the minimum amounts set forth below, to cover all loss and liability for damages or destruction of property caused by or arising from any and all services carried on and any and all work performed by the Consultant pursuant to this Contract:

Workers' Compensation Insurance: Required for all contracts.

- $500,000 Bodily Injury by Accident – Each Accident
- $500,000 Bodily Injury by Disease – Each Disease
- $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. 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 service contracts.
- $2,000,000 General Aggregate
- $2,000,000 Products & Completed Operations Aggregate
- $1,000,000 Each Occurrence
- $1,000,000 Personal & Advertising Injury
- $500,000 Damages to Premises/Fire/Legal
- $5,000 Medical Payments

Commercial Auto Liability Insurance: Required for all service contracts, except for goods and/or services that are remote in nature and/or are delivered by a professional delivery service.
- $1,000,000 Combined Single Limit Or $500,000 per Person/$1,000,000 per Occurrence
- $100,000 Property Damage
- $1,000 for Medical Payments (no fault coverage)

Additional Provisions:
- Uninsured motorist's coverage should be equal to the per occurrence limit except for contracts with other governmental entities.
- Coverage shall be included for any owned, leased, hired, or non-owned autos.
- 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.
$1,000,000 per Occurrence

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

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.
- $1,000,000 Each Claim/Wrongful Act
- $2,000,000 General Aggregate
- If written on a claim's made policy, the policy must be maintained for at least two (2) years after the completion of the work and/or contract.

ARTICLE #122 – COUNTY PAYMENT TO CONSULTANT

A. Upon Contract Execution, the County will issue a Notice to Proceed ("NTP") and a Purchase Order ("PO") to the Consultant. The terms of this Contract shall be incorporated by reference into any PO(s) issued prior to the expiration or termination of this Contract. The County will

issue the NTP and PO by electronic mail (e-mail) to the Consultant's representative in ARTICLE #103 – NOTICES.

The Consultant shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County. 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 a NTP will not be considered for payment. Consultant is not to begin work or ship any product on any verbal communication from 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 Work shall remain in effect from the NTP issue date to substantial completion of the project. The Parties agree that the County will not pay or otherwise compensate the Consultant 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 pursuant to ARTICLE #106 – CONTRACT AMENDMENTS AND MODIFICATION, a time extension letter, or as otherwise authorized by the County.

B. **Invoice/Payment**
   1. Consultant shall invoice the County via email each month sent solely to accountspayable@hallcounty.org and only after the County inspects and accepts the Services provided. Receipt of the Services and/or materials do not constitute acceptance. Invoice amounts shall not exceed the Consultant's pricing set forth in *Exhibit C – Mandatory Cost Proposal Worksheet.*
   2. Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Each invoice shall include the Consultant's current "Remit to" address, a description of the Services provided, the invoice amount, the Contract number, and the associated PO number issued.
   3. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted. The County does not pay for services not yet received but only in arrears except by written acceptance of pre-payment or deposit.
   4. The Consultant shall be solely responsible for paying all costs, expenses, and charges it incurs in connection with its performance under the Contract.
   5. Consultant must submit Applications for Payment (Pay Apps) in accordance with the conditions of the Contract.
   6. If monthly progress payments are agreed upon, then County will make such payments upon inspection of services completed by the County's Project Manager. Additionally, the County may employ engineers of record.
   7. Prior to substantial completion, progress payments in an amount equal to 95% of the value of the work completed and 95% percent of the value of materials and equipment not incorporated in the work but delivered and suitably stored, in each case, the aggregate of payments previously made.
   8. Retainage payments shall be paid by County after final acceptance of work.

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 Cure to Consultant. Consultant agrees that upon receipt of the written Notice to Cure it shall make every effort to correct the deficiency or deficiencies within the timeframe prescribed therein. If the Consultant fails to timely correct the deficiency or 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 Consultant's Failure.** If the County determines that the Consultant has failed to perform or deliver any Services as required by the Contract, the Consultant 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 Consultant's compensation, which represents payment for Services that were not delivered. To the extent that the Consultant'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 Consultant. 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 Consultant.** If the Consultant owes the County any sum under the terms of this Contract, pursuant to any judgment or pursuant to any law, the County may set off the sum owed by the Consultant against any sum owed to the Consultant, in the County's sole discretion.

E. **Final Payment.** Consultant 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 Consultant must not factor or assign payments to another entity or a financial institution. The County will only pay the Party with whom it is contracted. The County will not under any circumstances pay a third party.

ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS

Reserved.

ARTICLE #124 – RETAINAGE

The County will retain and withhold funds from compensation in compliance with Georgia law. The 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. Should either party 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 (30) days 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 Consultant 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. Consultant 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. Consultant 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 (herein known as *Exhibit E – E-Verify Affidavit*), notarized by an Official Notary Public and incorporated herein by reference 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 Consultant's response, the order of precedence shall be as follows:

1. Any amendments to the Contract, including all exhibits thereto.
2. The Contract itself, including all exhibits thereto.
3. Attachments appended to the Contract.
4. All other Contract 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 solicitation documents and the Bidder's response, are herein incorporated into this Contract by reference.

ARTICLE #130 – SALES TAX EXEMPTION STATUS

The County is exempt from State of Georgia Local Sales and Use Tax. The Consultant understands and acknowledges that it is responsible for any sales and use tax it may incur. The Consultant will not charge the County any sales and use tax as a separate line item. The Consultant may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

ARTICLE #131 – HOLD HARMLESS AGREEMENT

Consultant hereby agrees to indemnify, hold free and harmless Hall County Government, County Commissioners, its agents, servants, employees, officers, directors, 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 Contract.

ARTICLE #132 – NOT A JOINT VENTURE

The County shall not be bound by any terms and conditions included in any Consultant 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 the addition to the terms and conditions contained herein.

ARTICLE #133 – 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 Consultant's terms and conditions or service level agreements.
4. The County retains the right to "red line" sections of the Consultant's terms and conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order ("PO") and delivery of goods or services serves as the Supplier's full and complete acceptance of the County's terms and conditions.
6. The terms "supplier", "vendor", "bidder", "offeror", "Consultant", "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 "Consultant" for services.
7. The terms "goods", "materials", "commodities", "components", "drawings", "drafts", "renderings", "plans" (physical or digital), software, SaaS, capital asset equipment, vehicles, heavy earth-moving or other equipment (purchased or leased), or other such deliverables are herein denoted as "goods" and shall mean one and the same.
8. "Services" shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning, or otherwise where services are offered for consideration.
9. The Supplier shall transfer and deliver all goods or services described on the respective PO for the consideration set forth herein.
10. The Supplier shall only deliver goods and services as described on the respective PO and within the Scope of Work and the Supplier's bid response.
11. 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.
12. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
13. 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.
14. The County does not accept automatic contract renewals except for monthly subscription services.
15. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items such as window treatments, floor coverings, pre-mixed paints and stains, fabrication, decoration, or otherwise custom designed products specifically for the County.
16. The County will accept backorders only if goods are out of stock and with prior written notice. Suppliers shall ship all quantities that it has in stock and hold orders for backorders.
17. The County participates in cooperative purchasing agreements, State of Georgia Statewide Contracts, and other state and local intergovernmental agreements, memoranda of understanding and other such agreements.
18. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities.
19. 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 addresses exist on the PO.
20. The County shall have the right to inspect all goods or services at the time and place of delivery. The risk of loss of goods shall pass to the County upon completion and final acceptance of the project delivery.
21. Title to the goods shall remain with the Supplier until acceptance by the County. Receipt of goods or services does not constitute acceptance.

22. The Supplier warrants that goods are merchantable, and the Supplier has a legal right to deliver the goods and services and as described herein.
23. Consultant agrees not to assign, in full or in part, this Contract to another party without the County's expressed written consent. Any attempted assignment or delegation shall void and make ineffectual this Contract for all intents and purposes.
24. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
25. This issuance of a 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.
26. All goods and services supplied pursuant to a PO shall, unless otherwise stated, conform exactly to all 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.
27. All media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid for in full by the County are considered County property and shall be delivered to the County upon request.
28. If 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.
29. The Consultant may be suspended, terminated, or debarred if it is determined that the Consultant has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein. Thus, the Consultant certifies that it and its sub-Contractors have not been debarred, suspended, or declared ineligible by any agency of the County, State of Georgia, or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
30. The Consultant certifies that it is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
31. 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. The Supplier shall charge the County the exact amount of freight, delivery, handling, and insurance charges the Supplier incurs.
32. The County does not pay late fees nor interest charges.
33. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier.
34. 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 signatures and seals on the day, month, and year below. Bidder must print their company's full legal company name as it appears on their W-9 form below:

Print Contractor's Full Legal Name Below:

Pond & Company

By: _____

Print Name: Matthew Wilder

Title: Vice President

Sworn to and subscribed before me this

14 day of May, 2025.

Notary Public: Madison Clark

Notary commission expires: 10/3/2026

[Locus Sigilli – Seal or Stamp]

MADISON CLARK
Notary Public - State of Georgia
Fulton County
My Comm. Expires Oct. 3, 2026

HALL COUNTY, GEORGIA

By: _____

David Gibbs, Chairman
Hall County Board of Commissioners

Date: _____

Attestation: _____
Board of Commissioners Clerk

APPROVED AS TO FORM

Nathaniel R. Anderson,
Senior Assistant County Attorney

AGENDA ITEM

Planning & Zoning

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 300/2025

SUBJECT: **6495 Spout Springs Road | Rezone |** from Agricultural Residential 1 (AR-1) to Highway Business (H-B) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | Commission District 1 | **LJA Engineering, applicant** Note: Tabled at the May 8, 2025 Meeting until the July 10, 2025 Voting Meeting.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as "Alternative Design CSP8-C1", and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.
3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.
5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.
6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m. and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

Purpose of Request: **History:**

6495 Spout Springs Road | Rezone | from Agricultural Residential 1 (AR-1) to Highway Business (H-B) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | Commission District 1 | **LJA Engineering, 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
KE	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Application
Narrative
Updated Site Plan
Site Plan
Plat
Maps
Rendering
Deed
Legal Description
Traffic Study
Water Availability
Sewer Availability
Environmental Health Comment
GDOT Comment
Public Works Comment
Fire Comment
Public Comments
Notice Sign

HALL COUNTY
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GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

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

From: Beth Garmon, Director of Planning & Zoning

Date: April 21, 2025

Subject: **6495 Spout Springs Road | Rezone |** from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 3.05± acre portion of a tract| Zoned AR-1; Tax Parcel 15047 000002A (pt.) **| Proposed Use: Commercial development | LJA Engineering, applicant**

The request before you is from LJA Engineering to rezone from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) for a commercial development including fuel sales and a convenience store and restaurants. This item is located within Commission District 1.

At their April 7, 2025 meeting the Hall County Planning Commission voted to recommend **approval, with six (6) conditions (4-1, Varner opposed).**

Staff recommendation: **Approval, with conditions,** as the proposed zoning is consistent with the commercial nature of the surrounding properties.

There were **two (2) comments in opposition submitted** in advance of the Planning Commission meeting. During the public hearing, **one (1) person spoke in favor and seven (7) people spoke in opposition. In addition, two (2) additional comments and a petition opposing the development were submitted at this time.**

Planning Commission Conditions:

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as “Alternative Design CSP8-C1”, and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.

3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.

4. All conditions of zoning shall be made part of any plats created for the property.

5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.

6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m. and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... LJA Engineering

Request ..... (A) **Rezone** | from Agricultural Residential 1 (AR-1) to Highway Business (H-B)

Proposed Use ..... Commercial development with fuel sales

Size ..... 3.05± acres

Zoning ..... Current: Agricultural Residential 1 (AR-1) | Proposed: Highway Business (H-B)

Location ..... **6495 Spout Springs Road |** Tax Parcel 15047 000002A (pt.)

Commission District ..... One

Planning Commission Date ..... April 7, 2025

Staff Recommendation ..... **(A) Approval, with conditions,** as the proposed zoning is consistent with the commercial nature of the surrounding properties

Record Number(s) HZON24-0035

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 4-1 (Varner opposed)

Planning Commission Conditions:

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as "Alternative Design CSP8-C1", and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.

3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.
5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.
6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m. and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

Excerpts from the minutes of the April 7, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Terry Boomer, 130 East Main Street, Canton, presented the request. The applicant has submitted three concurrent requests as part of a proposed commercial development: (A) to rezone a 3.05± acre tract from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD); (B) special use for fuel sales in the Gateway Corridor Overlay District (GCOD); and (C) a variance request to the parking lot design standards of the Gateway Corridor Overlay District (GCOD), which prohibits parking between the principal building and the street. The subject parcel is currently developed with a single-family home built in 1963, and a carport that was enclosed in 2006 (RES2006-02521). Per the narrative, the application is proposing to remove all structures.

Tom Bower, 5317 T L Bower Way, Flowery Branch, presented the request.

Public Forum:

John Moore, 1328 Fairway Drive, Elberton, spoke in favor. Mr. Moore provided a brief history of the property, noting that his family is the current property owner. He stated that he supports bringing businesses to the community.

Rosa Propes, 7038 Boathouse Way, Flowery Branch, spoke in opposition. Her concerns included the introduction of a commercial business into a primarily residential area and increased traffic. Ms. Propes also expressed concern that children might be tempted to cross the busy streets to visit the gas station, potentially leading to safety risks.

Susan Vargas, 6774 Blue Heron Way, Flowery Branch, spoke in opposition. She raised concerns that the proposed development is inconsistent with the character of the community, could lower property values, and that local roads may not be able to handle the additional traffic. Additional concerns included increased litter, the sale of alcohol and tobacco near a school, and potential risks to children's safety.

Karen Caswell, 6832 Big Sky Drive, Flowery Branch, spoke in opposition. Concerns raised were the potential increase in crime, traffic, noise, and a decrease in property values. She stated that the development would create a less safe environment for children and does not align with the surrounding residential character.

Elizabeth Dietz, 6807 Flagstone Way, Flowery Branch, spoke in opposition. Concerns raised were increased traffic and noise, as well as the fact that there are already gas stations in the immediate area.

Andrea Bowen, 6714 Big Sky Drive, Flowery Branch, spoke in opposition. Concerns raised were the light and noise pollution affecting nearby homes, gas fumes, increased litter, potential gas spills, threats to children's safety, and decreased property values.

Diane Scuza, 5404 Mulberry Preserve Drive, Flowery Branch, spoke in opposition. Her concerns included increased traffic on Elizabeth Lane, noting that the road is not designed to accommodate semi-trucks, along with an increase in litter and crime.

Two comments in opposition were received electronically.

Rebuttal

Mr. Boomer stated this development would not increase crime in the area as this is a low-crime area. The development is intended to serve as a convenient option for residents on their way home with a sit-down restaurant as well as a drive-thru restaurant. Mr. Boomer stated that traffic would not be affected as the property is located on a widened road at an intersection. The applicant further states that Spout Springs Road is a major corridor that will accommodate this use and the traffic as it does other existing commercial developments.

Planning Commission Comments:

Mr. Braswell asked what the hours of operation would be for each of the businesses, including fuel deliveries to the gas station as well as trash pickup. Mr. Bower explained fuel deliveries could be scheduled between 9 a.m. to 10 a.m. and 7 p.m. to 8 p.m. but no later than 9 p.m. Mr. Bower stated trash pickup occurs during typical business hours of 8 a.m. to 5 p.m.

A
Motion: A motion to approve, with conditions was made by Frank Sosebee and seconded by Stan Hunt. Vote: 4-1 (Varner opposed)

B
Motion: A motion to approve, with conditions was made by Frank Sosebee and seconded by Shannon Davidson. Vote: 4-1 (Varner opposed)

C
Motion: A motion to deny was made by Frank Sosebee and seconded by Johnny Varner. Vote: 4-1 (Hunt opposed)

Item originally included (C) Variance to section 6.2 – GCOD parking lot design standards. This request was subject to the Planning Commission for final action, and the board voted to deny.

Conditions (applied to A and B):

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as "Alternative Design CSP8-C1", and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.
3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.
5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.
6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m. and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

(A), (B) Staff recommends <u>APPROVAL</u> of the applicant's requests with the following conditions:

1. The property shall be developed in accordance with the site plan dated September 19, 2024, and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.
3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.

(C) Staff recommends DENIAL of the applicant's requests.

The following are exceptions requested by the applicant, and shall warrant determination by the Board should it choose to approve the submitted narrative and site plan:

1. **Section 6.2.5.C.1.b – Parking Lot Design** – The maximum number of parking spaces that may be constructed on impervious surfaces may be no more than 125 percent of the minimum number of parking spaces required in Sec. 8.1.
    - The applicant is proposing 102 parking spaces. **This does not meet the standard.**

2. **Section 6.2.5.C.2.e – Parking Lot Design -** Off street parking must be located to the side or rear of the principal building and may not be located between the principal building and the street.
    - The applicant is proposing parking areas between the principle buildings and Spout Springs Road and Elizabeth Lane. **This does not meet the standard.**

Summary Analysis

The applicant has submitted three concurrent requests as part of a proposed commercial development: (A) to rezone a 3.05± acre tract from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD); (B) Special Use for fuel sales in the Gateway Corridor Overlay District (GCOD); and (C) a variance request to the parking lot design standards of the Gateway Corridor Overlay District (GCOD).

The subject parcel is currently developed with a single-family home built in 1963, and a carport that was enclosed in 2006 (RES2006-02521). Per the narrative, the application is proposing to remove all structures.

The surrounding properties are zoned and developed as outlined below:

North:	City of Flowery Branch: Prince of Peace Catholic Church.
South:	Hall County Highway Business (H-B): Approved for a shopping center (ZON2007-00061). Hall County Planned Residential Development (PRD): Cherokee Bluff High School.
East:	Hall County Residential 1 (R-1): Developed with single-family homes.
West:	City of Flowery Branch: Developed with single-family homes and the Spout Springs branch of the Hall County Library System.

Per the submitted narrative and site plan, the applicant is requesting to rezone to Highway Business (H-B, GCOD) for a commercial development to include fuel sales and eating and drinking establishments. The proposed commercial development includes a 6,000 square foot convenience store, a fuel canopy with 12 pumps, and a 4,500 square foot building with two tenant spaces for proposed restaurants.

Per the site plan, two access points are proposed:

- One full access entrance on Spout Springs Road
- One full access entrance on Elizabeth Lane.

A trip generation memorandum was prepared by Traffic Solutions, LLC; however, no recommendations were provided in the report. Per the narrative, the applicant is proposing a 175 foot deceleration lane along Spout Springs Road and relocating the 10 foot sidewalk along Spout Springs Road accordingly.

The table below compares the proposed parking to Table 8.1.1- Required Parking:

Proposed	Required	Notes	Complies
102 parking spaces	**Fuel Sales**: 1 space per pump **Retail:** 3 spaces per 1,000 square feet **Eating and drinking establishment:** 1 space per 100 square feet of indoor floor area **TOTAL = 80 parking spaces**	Parking may be no more than 125 percent of the minimum number of parking spaces. Total 125 percent maximum = 100 parking spaces	Deficient

Water service will be provided by the City of Gainesville Department of Water Resources as confirmed in an email dated October 4, 2024. Sanitary sewer services will be provided by Hall County Sewer, as confirmed in a letter dated February 18, 2025.

The development standards for the project are identified in the table below and compared to the GCOD requirements (6.2):

GCOD Analysis

Standard	Proposed Work	Notes	Compliance
6.2.5.A.– Transitional buffers	A 25 foot buffer is proposed along the property line abutting the PRD zoning district.	A 25-foot transitional buffer is required adjacent to residential property. Buffers shall comply with GCOD standards.	Complies
6.2.5.B.1 – Additional Landscape and Screening	Foundation plantings	Shrubs must be planted within ten feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 lineal feet of building facade except for sides or rear of building used for loading or service areas. Foundation plantings may	Complies

		be clustered to provide visual interest	
6.2.5.B.2 – Additional Landscape and Screening	10-foot-wide landscape strip along street frontage	Along each street frontage there must be a landscape strip at least 10 feet in width except for perpendicular crossings for driveways and utilities.	Complies
6.2.5.C.1 – Parking Lot Design -Required # of Parking Spaces	102 parking spaces	Off-street parking space calculations are governed by Sec. 8.1 of the UDC. 80 parking spaces required. 100 parking spaces are allowed (per 125 percent maximum)	Deficient
6.2.5.C.2.e – Parking Lot Design - Location	30 of the 102 parking spaces are proposed between the building and the street	Off-street parking must be located to the side or rear of the principal building and may not be located between the building and the street.	Deficient
6.2.5.D – Outdoor lighting	Unknown	Shall comply with GCOD standards.	Unknown
6.2.6 - Architectural Standards	Unknown	Building materials not specified, however, renderings appear to comply with GCOD standards	Complies
6.2.7 – Signs	Two (2) 13 foot freestanding pylon signs are proposed	One 8 foot freestanding monument sign per street frontage permitted. 0-50,000 building gross area = max. 8 ft.	Deficient
6.2.7 – Signs	Two (2) wall signs along the front façade is proposed.	One wall sign is permitted along each facade adjacent to a public right of way.	Deficient

Based on the future land use plan, staff finds the requested zoning designation *is inconsistent* with the Hall County Comprehensive Plan future land use designation of "Suburban Neighborhood-Medium

Density." These areas consist of medium-density, single-family housing (attached or detached). They should be located where there is existing water and sewer infrastructure, or where future infrastructure is expected to be located. Future infrastructure may be driven by the Sewer System Master Plan & Rate Study or by developers willing to fund access where it isn't already planned. Although the property is designated as Suburban Neighborhood, Medium Density, adjacent properties are commercial in nature, and the character of the surrounding area supports commercial uses.

(A) & (B) Zoning Analysis - Rezone and Special Use

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

a. 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 Highway Business (H-B) zoning district is consistent with the use, development, and zoning of adjacent and nearby properties.**

b. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed rezoning and special use should not adversely affect the existing use or usability of adjacent properties.**

c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned.**

d. 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 rezoning and special use is not expected to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service. The property is served by Hall County sewer and City of Gainesville public water.**

e. 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 is inconsistent with the future land use designation of "Suburban Neighborhood, Medium Density"; however, the proposed use and zoning is consistent with nearby zoning districts and supportive of surrounding uses.**

f. 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.**

g. 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.

h. 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.**

i. 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 a single-family home built in 1963.**

j. 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 affecting the use or development of the property.**

k. Whether the change would create an isolated district unrelated to the surrounding districts; **As the property abutting this parcel is zoned H-B, this would not create an isolated district**.

l. 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.**

m. 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.**

n. 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 highway business uses based on the Future Land Use Map; however, the development as proposed requires rezoning and special use approval by the Board of Commissioners.**

o. Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for rezoning and a special use could not be handled alternatively as a variance.**

p. 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.**

q. 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.**

(C) <u>Zoning Analysis</u> - Variance to Section 6.2

The Planning Commission may grant variances in individual cases of unnecessary hardship upon a finding of the board that:

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape, or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **No, there are no extraordinary conditions pertaining to the physical character of the lot to prevent the project design from meeting development standards.**

2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **No evidence has been provided that an unusual hardship exists to prevent the development from complying with parking requirements.**

3. Such conditions are peculiar to the property involved and are not common to other properties in the neighborhood; **There are no conditions peculiar to the property involved that are not common to other properties in the neighborhood.**

4. Such conditions are not the result of any actions of the property owner; **As the current structures on the property will be removed, the project can be designed for the parking ratio and location to be met.**

5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this UDC; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this UDC or for a Conditional Use Permit which has been denied by the Planning Commission. **Relief, if granted, will not impair the purposes and intent of the Unified Development Code of Hall County.**

<u>11.2.6.E - Submission requirements</u>

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

    a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**

    b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement.**

    c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health
In an email dated March 4, 2025, 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 February 27, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office considers the plan conceptual and if approved may require modifications during the development review process."

Hall County Public Works and Utilities
In a memo dated March 6, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:
This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream

Traffic:
Proposed Elizabeth Lane access is in the City of Flowery branch. Approval and permit required. Proposed Spout Springs Road Access will be required to be a right-in/right-out and designed/constructed to GDOT standards.

Utilities
Hall County sewer available. Sewer connection required.

Georgia Department of Transportation
In an email dated March 3, 2025, Henry Stevens, E.I.T., GDOT Civil Engineer 2, stated that GDOT coordination is not required.

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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ZONING APPLICATION

832-640-4862
alakhanicorp@gmail.com

Applicant (Name & Mailing Address)

LJA Engineering
130 East Main Street, Suite 204
Canton, GA 30114
Phone 678-462-4072
Email Address tboomer@lja.com

Property Owner (Name & Mailing Address)

John Roger Moore
6495 Spout Springs Road
Flowery Branch, GA 30542
Phone
Email Address

Proposed Use Proposed Fuel Mart with Fuel Sales and two Restaurants

Contact Person (Name & Mailing Address)

Terry Boomer
130 East Main Street, Suite 204
Canton, GA 30114
Phone 678-462-4072
Email Address tboomer@lja.com

Status of Applicant

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

Requested Action

Existing Zoning: AR-III
Rezone to: H-B
Fee:$ 450
Receipt #:
Check #:

Tax Parcel Number 15047 000002A
Acreage 3.05
Location Address 6495 Spout Springs Rd, Flowery Branch, GA 30542

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

Sign T Boomer Date: 02/13/2025

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
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f: 770-531-3902

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) John Roger Moore

Address 6495 Spout Springs Road

Flowery Branch, GA 30542

Phone Number

Name of applicant(s) LJA Engineering (Terry Boomer)

Address 130 East Main Street, Suite 204

Canton, GA 30114

Phone Number 678-462-4072

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)

John Roger Moore

Personally appeared before me

Kayla Neidermyer

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

Kayla Neidermyer
Notary Public

2/10/2025
Date

OFFICIAL SEAL
KAYLA C NEIDERMYER
Notary Public, Georgia
Jackson County
My Commission Expires
April 20, 2026

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TBPELS 10110501
www.LJA.com
3600 W Sam Houston Pkwy S, Suite 600 Houston, Texas 77042

February 19, 2025

Hall County Georgia
Planning and Development Department
2875 Browns Bridge Road
Gainesville, GA 30504

Re: Signature Authorization for
Applications related to Hall County, Georgia

To Whom it May Concern,

On behalf of LJA Engineering, Inc., Terry Boomer is hereby authorized to sign all submittal applications for Hall County, Georgia, related to the Planning and Development.

If you have any questions or concerns, feel free to contact me at, 713.953.5121 or amckee@lja.com .

Sincerely,

Alan B. McKee, PE
Senior Vice President

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: T Boomer **Date:** 2/13/2025

Applicant's/Owner's Name (Printed): TERRY BOOMER

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: A. Lakh **Date:** 02/09/25

Applicant's/Owner's Name (Printed): Asif Lakhani

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: John Roger Moore **Date:** 02/10/2025

Applicant's/Owner's Name (Printed): John Roger Moore

470.863.1070
www.LJA.com
130 East Main Street, Suite 204, Canton, Georgia 30114

September 19, 2024

Hall County
Planning and Zoning
2875 Browns Bridge Road
Gainesville, GA 30504-5635
Office: (770)-531-6809

Re: Proposed Food Mart with Fuel Sales and two Restaurants
Letter of Intent
Parcel: 13139C0294G
6495 Spout Springs Road
Flowery Branch, GA 30542

To whom it concerns,

On behalf of Reed Creek Food Mart, LLC. Please consider this our Letter of Intent for proposed food mart with fuel sales and two restaurants. The parcel at 6495 Spout Springs Road is currently zoned AR-III. We are requesting a rezoning to H-B to allow for the proposed use mentioned above. The proposed layout will be consistent to the existing area and comply with the Gateway Overlay District. The property is currently 7.32 acres. Reed Creek Food Mart, LLC will be developing 3.05 acres of the west side of the property. We are requesting rezoning to H-B on the 3.05 acres only. The Property currently has a single-family home on the west side. The 1-story structure and its driveway will be removed before construction.

The proposed development consists of 2 free standing buildings. One building will house a food mart with fuel pumps. The second building will house 2 restaurants. The development will have a proposed 102 parking spaces to accommodate for the Hall County required parking for a development of this size and use. The Gateway Overlay District requires 5-10% of the total parking lot area to be landscaped islands. Per the site plan we currently have 10.5% of the total parking lot area as landscaped islands. The appropriate setbacks and buffers, based on Hall County and Gateway Overlay Districts specifications, have been included on the site plan. These include building setback, landscaping strip, and transition buffer. Please see provided site plan for specific locations of setback and buffers.

As per the site plan, we proposed 2 13-foot pylon sign on either side of the west driveway. The 2 driveways will each have a R1-1 36-inch stop sign. Accompanying the stop sign will be 18-inch stop bars. The west driveway will have a 175-foot deceleration lane, with a 100-foot taper. The length of the deceleration lane is consistent with the GDOT standards for a 45-mph road. The 10-foot sidewalk along Spout Springs Road will be relocated accordingly. A proposed lighting plan will be created based on the Hall County and Gateway Overlay district specifications.

The waterline that runs on the west side of the site along Spout Springs Road will be utilized. There is a sewer line that runs into the east side of the property that we will tie into. The County has issued a sewer availability letter to confirm the usability of sewer on property. Sewer availability letter as provided.

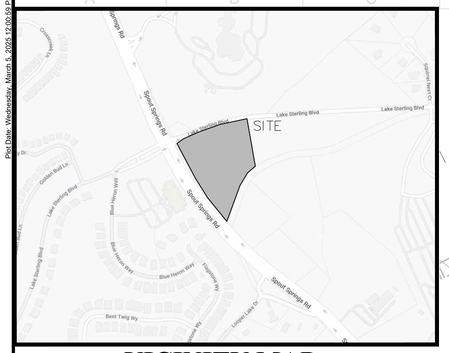
As per the site plan, we have included a 25-foot buffer between the 3.05 acres of property that is requesting a rezoning and the 4.27 acres that will remain zoned as AR-III. There is a state stream located on a portion of the property. All required buffers are included on the site plan.

Sincerely,



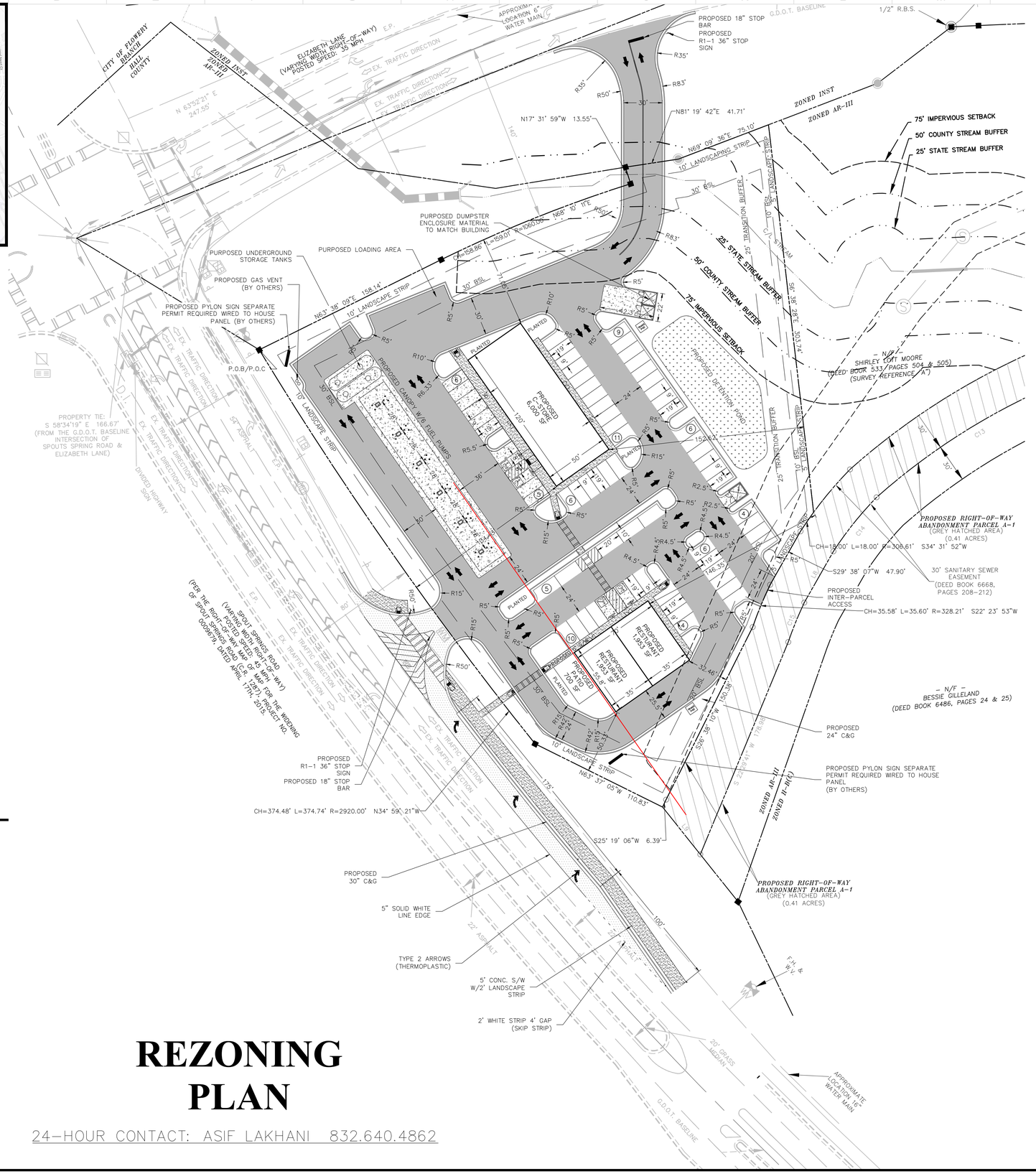
Terry Boomer P.E.,
LJA Engineering, Inc.
Land Development
C: 678-462-4072

Plot Date: Wednesday, March 5, 2025 12:05:59 PM



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13139C0294G, DATED 12/01/2022.



PROPOSED LEGEND

- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVING
- PROPOSED HEAVY DUTY ASPHALT PAVING
- PROPOSED STANDARD DOT PAVING
- GDOT PAVING
- LANDSCAPE STRIP/SETBACK LINE
- PROPERTY LINE
- CURB & GUTTER
- WATER METER (W)
- TRANSFORMER PAD (T)
- ADA RAMP
- SIGN
- CONCRETE WHEEL STOP
- ADA PARKING SYMBOL
- DIRECTIONAL ARROWS
- 24" STOP BAR
- PROPOSED LIGHT POLE

REZONING PLAN

24-HOUR CONTACT: ASIF LAKHANI 832.640.4862

SITE AREA CALCULATIONS

	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
TOTAL SITE AREA	132,799.13	3.05	100.0
EXISTING ONSITE IMPERVIOUS AREA	4,458	0.10	3.4
EXISTING PERVIOUS AREA	153,045	3.51	115.2
PROPOSED ONSITE IMPERVIOUS AREA	84,731	1.95	63.8
BUILDING(S)	9,906	0.23	7.5
SIDEWALK	2,864	0.07	2.2
PAVEMENT/DRIVEWAYS/GRAVEL	71960.00	1.65	54.2
PROPOSED PERVIOUS AREA	48,068	1.10	36.20
TOTAL DISTURBED AREA	0	0.00	N/A
PROPOSED OFFISTE IMP.	8,807	0.20	N/A

SITE DATA

PARCEL ID: (REFERENCE):	15047 000002A
EXISTING LAND USE:	RESIDENTIAL
PROPOSED LAND USE:	CONVENIENCE STORE WITH FUEL SALES AND RETAIL
CURRENT ZONING CLASSIFICATION:	AR-III AGRICULTURAL RESIDENTIAL
PROPOSED ZONING CLASSIFICATION:	H-B HIGHWAY BUSINESS
OVERLAY DISTRICT	GATEWAY OVERLAY
CURRENT LOCAL JURISDICTION:	HALL COUNTY
FLOOD ZONE CLASSIFICATION:	X

BUILDING DATA

C-STORE BUILDING AREA	6,000 SQ. FT.
RETAIL BUILDING AREA	±3,906 SQ. FT.
BUILDING COVERAGE:	± 7.46%
MAX BUILDING HEIGHT (BY CODE):	50 FEET

DIRECTION	REQUIRED SETBACK	PROVIDED SETBACK
FRONT (SOUTH)	30 FEET	SEE PLAN
REAR (NORTH)	25 FEET	SEE PLAN
SIDE (EAST)	20 FEET	SEE PLAN
SIDE (WEST)	30 FEET	SEE PLAN

PROPOSED PARKING DATA

COUNTY PARKING REQUIRED:	
RETAIL SERVICE/SALES (6,000 SQFT)	
1 SPACE FOR EACH 200 SQUARE FEET OF SALES AND/OR SERVICE AREA	30 SPACES
RESTURANT/FASTFOOD (3906 SQFT)	
16 SPACES FOR EACH 1000 SQFT OF GROSS FLOOR AREA	64 SPACES
TOTAL PARKING REQUIRED	94 SPACES
PROVIDED PARKING	
STANDARD SPACES 9'x19'	68 SPACES
FUEL PUMP SPACES	12 SPACES
ACCESSIBLE SPACES 9'x19' (REQUIRED)	4 SPACES
TOTAL PARKING PROVIDED	84 SPACES

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY APPLICABLE FEDERAL, STATE AND LOCAL CODES.

2. REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, TRUCK DOCKS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.

3. TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY: PATTON LAND SURVEYING, LLC

4. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.

5. ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.

6. ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA.

7. ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.

8. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.

9 SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, BASES, FIXTURES WITH LAMPS SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.

10. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.

11. SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.

12. ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.

13. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.

14. ALL CONCRETE SHALL BE 4,000 PSI 28 DAY COMPRESSIVE STRENGTH.

15. PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

16. ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 24" UNLESS OTHERWISE NOTED.

17. PARKING LOT STRIPING SHALL BE INCLUDED IN PAVING CONTRACTOR'S SCOPE FOR WORK. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (MIN).

18. ALL TRAFFIC MARKINGS SHALL BE THERMOPLASTIC AND MEET GDOT SPECIFICATIONS.

LJA
130 E. MAIN STREET STE 204
CANTON, GA 30114
470-863-1070

GEORGIA REGISTERED No. 27020 PROFESSIONAL ENGINEER

02/27/2025
ENGINEER OF RECORD

NO.	DATE	DESCRIPTION	BY	CHK	APV

CIVIL PLANS
6495 SPOUT SPRINGS RD
6495 SPOUT SPRINGS RD, FLOWERY BRANCH, GA 30542.
G.M.D. - 1270, PARCEL # 15047 000002A

REED CREEK FOOD MART, LLC
1176 LANFORD DRIVE SW, LILBURN, GA 30047
ASIF LAKHANI 832.640.4862

0 40' 60' 80'
SCALE: 1"=40'

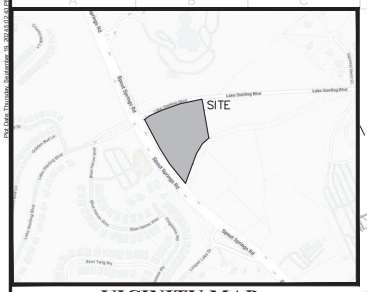
ISSUE DATE
02/27/2025

PROJECT NUMBER
2024-005

SHEET TITLE
SITE PLAN

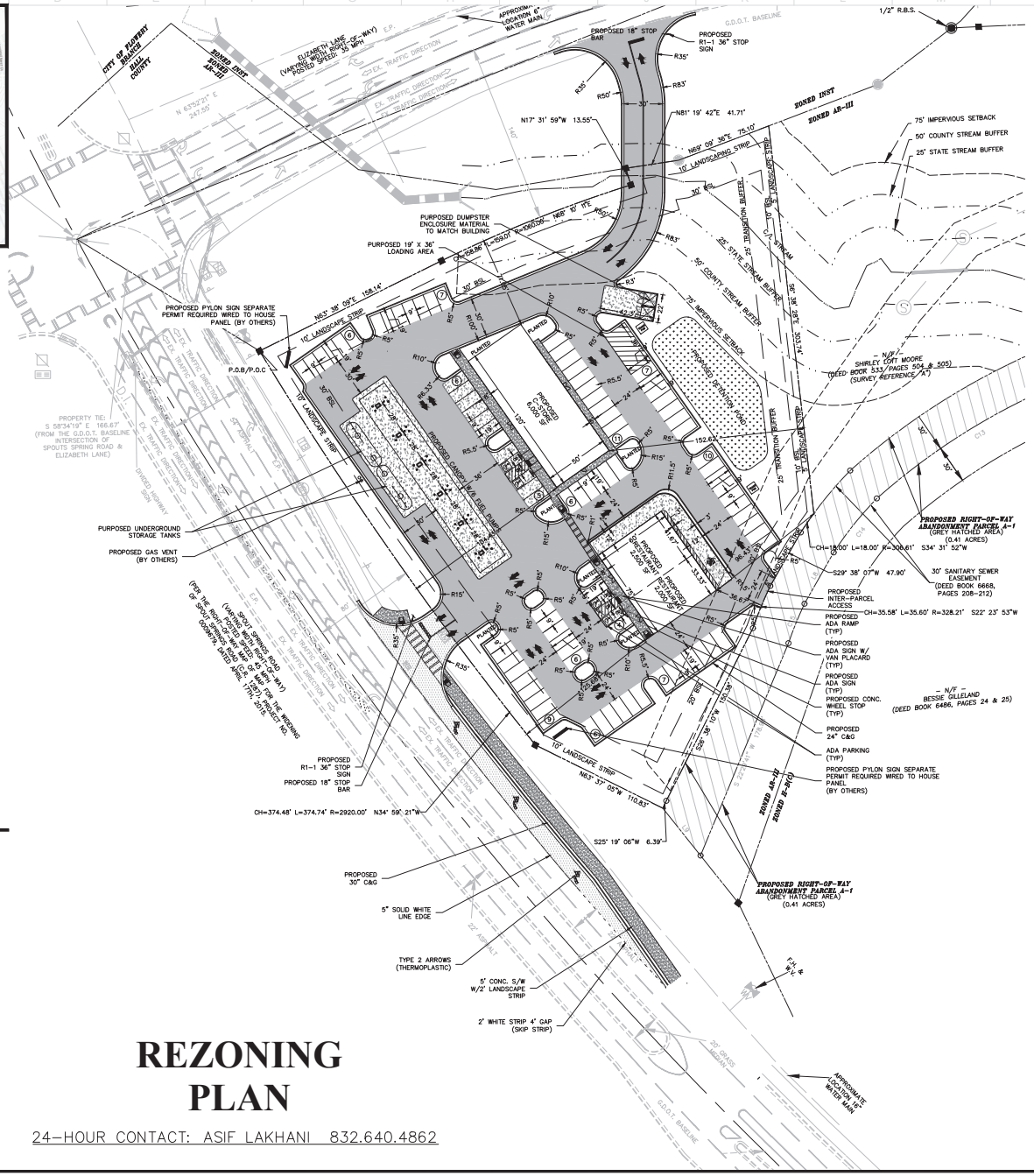
SHEET NUMBER
C1

File Location: s:\sedarchive_01-civil_projects\03-projects_canton_ga_office_assigned_lja\2024-005 spout springs\civil\cad\concept\spout springs cad\



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13139C0294G, DATED 12/01/2022.



LEGEND

PROPOSED

- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVING
- PROPOSED HEAVY DUTY ASPHALT PAVING
- PROPOSED STANDARD DOT PAVING
- GDOT PAVING
- LANDSCAPE STRIP/SETBACK LINE
- PROPERTY LINE
- CURB & GUTTER
- WATER METER (W)
- TRANSFORMER PAD (T)
- ADA RAMP
- SIGN
- CONCRETE WHEEL STOP
- ADA PARKING SYMBOL
- DIRECTIONAL ARROWS
- 24" STOP BAR
- PROPOSED LIGHT POLE

REZONING PLAN

24-HOUR CONTACT: ASIF LAKHANI 832.640.4862

SITE AREA CALCULATIONS

	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
TOTAL SITE AREA	132,799.13	3.05	100.0
EXISTING ONSITE IMPERVIOUS AREA	4,458	0.10	3.4
EXISTING PERVIOUS AREA	153,045	3.51	115.2
PROPOSED ONSITE IMPERVIOUS AREA	80,621	1.85	60.7
BUILDING(S)	10,500	0.24	7.9
SIDEWALK	2,410	0.06	1.8
PAVEMENT/DRIVEWAYS/GRAVEL	70121.00	1.61	52.8
PROPOSED PERVIOUS AREA	46687.8	1.07	35.2
TOTAL DISTURBED AREA	0	0.00	N/A
PROPOSED OFFSITE IMP.	8,807	0.20	N/A

SITE DATA

PARCEL ID: (REFERENCE):	15047 000002A
EXISTING LAND USE:	RESIDENTIAL
PROPOSED LAND USE:	CONVENIENCE STORE WITH FUEL SALES AND RETAIL
CURRENT ZONING CLASSIFICATION:	AR-III AGRICULTURAL RESIDENTIAL
PROPOSED ZONING CLASSIFICATION:	H-B HIGHWAY BUSINESS
OVERLAY DISTRICT	GATEWAY OVERLAY
CURRENT LOCAL JURISDICTION:	HALL COUNTY
FLOOD ZONE CLASSIFICATION:	X

BUILDING DATA

C-STORE BUILDING AREA	6,000 SQ. FT.
RETAIL BUILDING AREA	±4,500 SQ. FT.
BUILDING COVERAGE:	± 9.80%
MAX BUILDING HEIGHT (BY CODE):	50 FEET

DIRECTION	REQUIRED SETBACK	PROVIDED SETBACK
FRONT (SOUTH)	30 FEET	SEE PLAN
REAR (NORTH)	25 FEET	SEE PLAN
SIDE (EAST)	20 FEET	SEE PLAN
SIDE (WEST)	30 FEET	SEE PLAN

PROPOSED PARKING DATA

COUNTY PARKING REQUIRED:	
RETAIL SERVICE/SALES (6,000 SQFT)	
1 SPACE FOR EACH 200 SQUARE FEET OF SALES AND/OR SERVICE AREA	30 SPACES
RESTURANT/FASTFOOD (4,500 SQFT)	
16 SPACES FOR EACH 1000 SQFT OF GROSS FLOOR AREA	72 SPACES
GDOT MAXIMUM PARKING (125% OF REQUIRED)	128 SPACES
TOTAL PARKING REQUIRED	102 SPACES
PROVIDED PARKING:	
STANDARD SPACES 9'x19'	86 SPACES
FUEL PUMP SPACES	12 SPACES
ACCESSIBLE SPACES 9'x19' (REQUIRED)	4 SPACES
TOTAL PARKING PROVIDED	102 SPACES
LANDSCAPED ISLAND TOTAL TO 5-10 PERCENT OF PAVED AREA	10.5%

SITE NOTES

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LJA
130 E. MAIN STREET STE 204
CANTON, GA 30114
470-863-1070

GEORGIA REGISTERED No. 27020 PROFESSIONAL ENGINEER
09/19/2024
ENGINEER OF RECORD

NO.	DATE	DESCRIPTION	BY	CHK	APV

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6495 SPOUT SPRINGS RD
6495 SPOUT SPRINGS RD, FLOWERY BRANCH, GA 30542.
G.M.D. - 1270 PARCEL # 15047 000002A

REED CREEK FOOD MART, LLC
1176 LANFORD DRIVE SW, LILBURN, GA 30047
ASIF LAKHANI 832.640.4862

0 40' 60' 80'
SCALE: 1"=40'

ISSUE DATE: 09/19/2024
PROJECT NUMBER: 2024-005
SHEET TITLE: SITE PLAN
SHEET NUMBER: C1



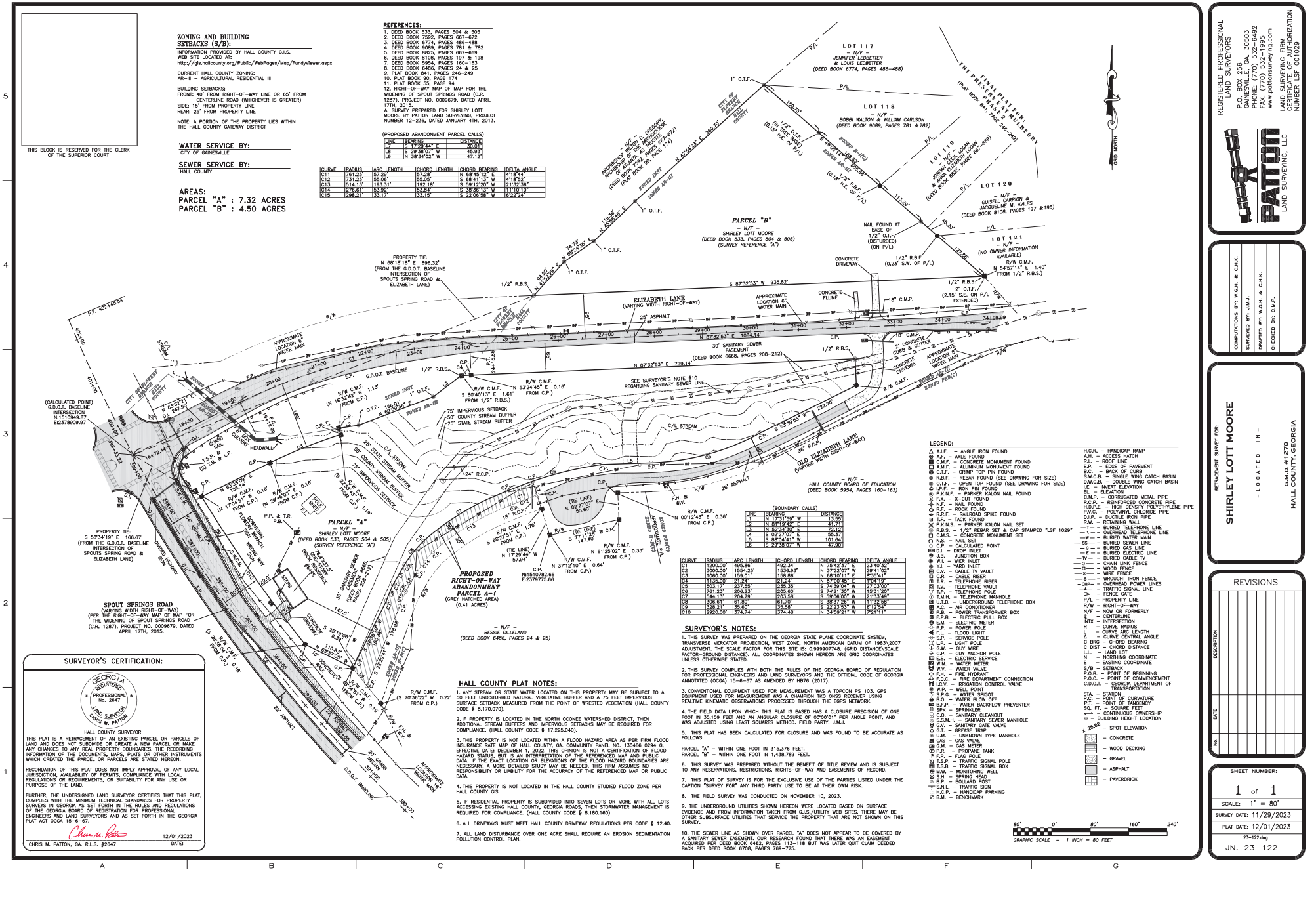
LANDSCAPE RENDERING
6495 SPOUT SPRINGS ROAD
6495 SPOUT SPRINGS RD, FLOWERY BRANCH, GA 30542
LL 1 ~ DISTRICT 01, PARCEL# 13139C0294G

REED CREEK FOOD MART, LLC
1176 LANFORD DRIVE SW, LILBURN, GA 30047
ASIF LAKHANI 832.640.4862

NO.	DATE	DESCRIPTION	BY	CHK	APV

SHEET TITLE: LANDSCAPE RENDERING
SHEET NUMBER:
PROJECT NUMBER: 2024-005
ISSUE DATE: 08/21/24
SCALE: 1"= 30'

130 E. MAIN STREET, STE 204
CANTON, GA 30114
404-883-1070



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C11	1761.23'	57.29'	57.28'	N 68°45'12" E	1°51'44"
C12	731.23'	55.06'	55.05'	S 68°41'13" W	4°18'52"
C13	514.13'	193.31'	192.18'	S 59°12'00" W	21°32'36"
C14	276.61'	53.92'	53.84'	S 38°36'13" W	11°10'10"
C15	298.21'	33.17'	33.15'	S 22°06'58" W	6°22'24"

LINE	BEARING	DISTANCE
L7	S 17°29'44" E	30.01'
L8	S 29°38'07" W	45.93'
L9	N 38°34'02" W	47.12'

LINE	BEARING	DISTANCE
L1	N 17°31'59" W	13.55'
L2	N 81°19'42" E	41.71'
L3	N 52°34'50" E	72.12'
L4	S 02°27'07" E	55.31'
L5	S 88°04'41" E	101.64'
L6	S 29°38'07" W	47.90'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1200.00'	495.86'	492.34'	N 75°42'37" E	23°40'32"
C2	1000.00'	1554.25'	1536.93'	N 37°27'07" W	89°04'02"
C3	1060.00'	159.01'	158.86'	N 68°10'11" E	8°35'41"
C4	1135.00'	21.24'	21.24'	N 87°00'45" E	1°04'19"
C5	503.11'	237.55'	235.35'	N 74°39'04" W	27°03'00"
C6	761.23'	206.23'	205.60'	S 74°21'33" W	15°31'20"
C7	544.13'	204.79'	203.58'	S 59°06'00" W	21°33'49"
C8	306.61'	61.80'	61.70'	S 38°37'26" W	11°32'58"
C9	358.21'	35.58'	35.58'	S 29°21'51" W	6°12'54"
C10	2920.00'	374.74'	374.48'	N 34°59'21" W	7°21'11"

REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532–6492
FAX: (770) 532–9550
www.pattonsurveying.com
LAND SURVEYING FIRM AUTHORIZATION NUMBER LSF 001029
PATTON LAND SURVEYING, LLC

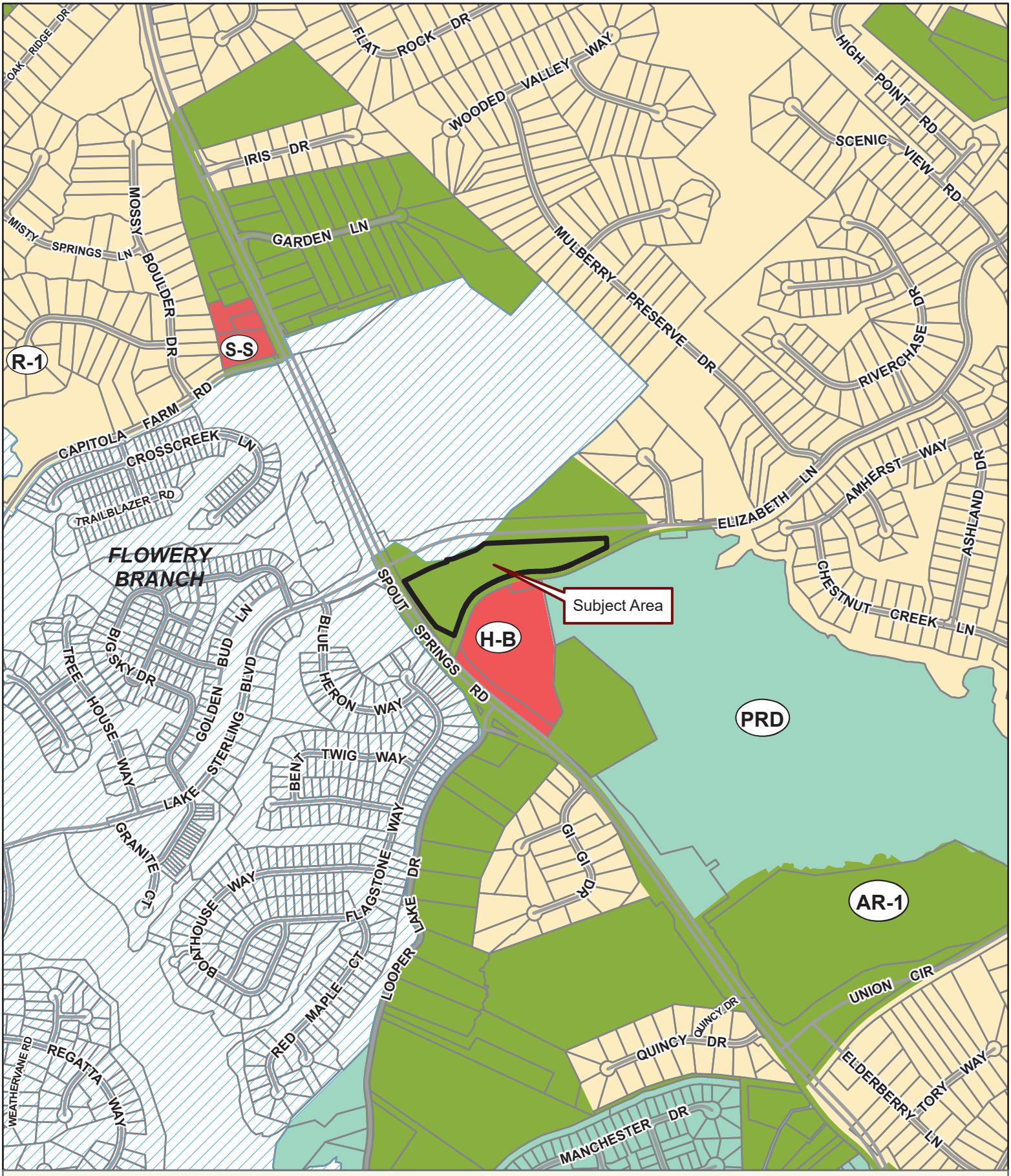
COMPUTATIONS BY: M.G.H. & C.H.K.
SURVEYED BY: J.M.J.
DRAFTED BY: M.G.H. & C.H.K.
CHECKED BY: C.M.P.

RETRACEMENT SURVEY FOR:
SHIRLEY LOTT MOORE
– LOCATED IN –
G.M.D. #1270
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION

SHEET NUMBER: 1 of 1
SCALE: 1" = 80'
SURVEY DATE: 11/29/2023
PLAT DATE: 12/01/2023
23-122.dwg
JN. 23–122

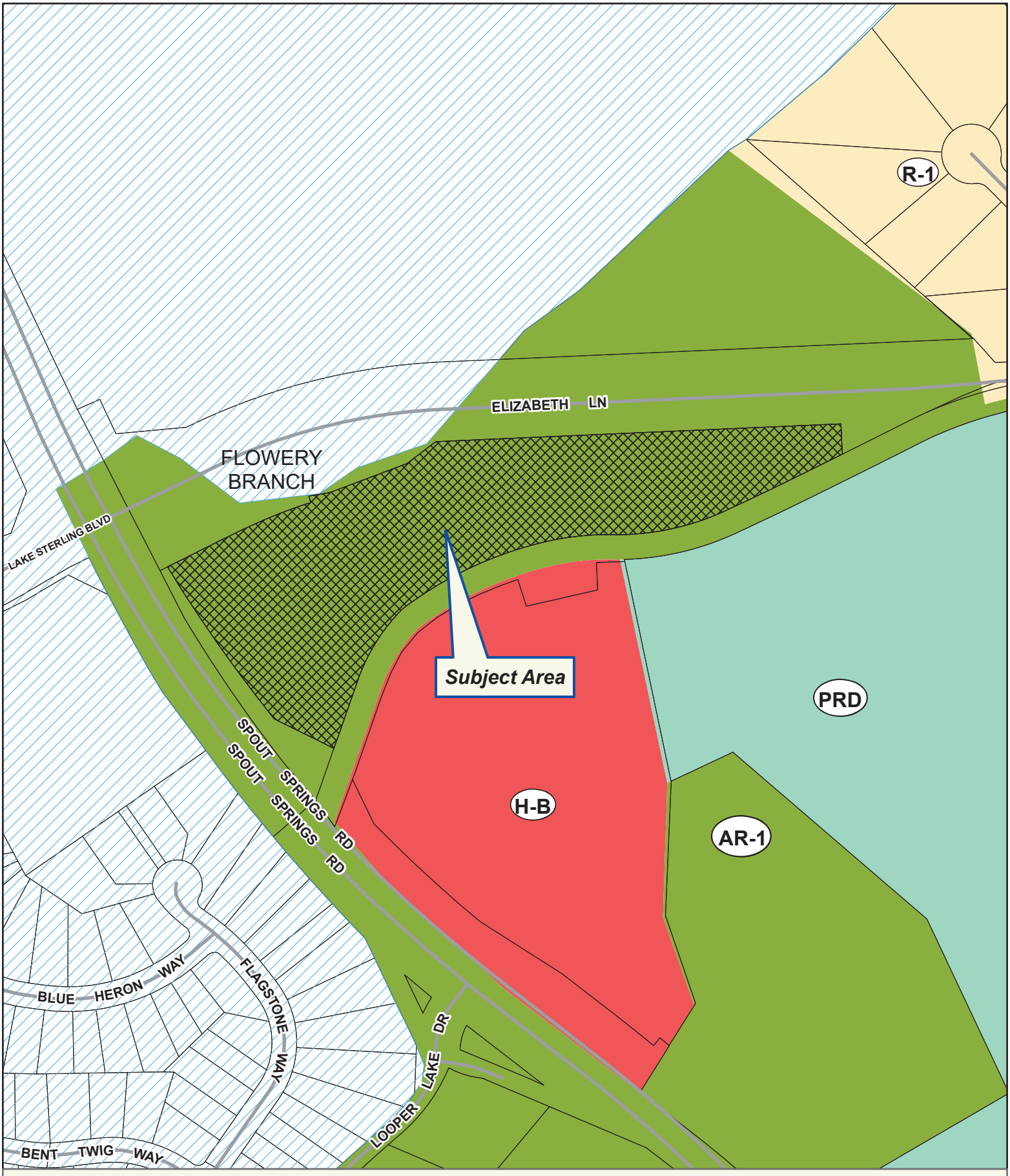


Applicant: LJA ENGINEERING
Tax Parcel #: 15047 000002A (PT.)
Location: 6495 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 04/07/2025**

0 200 400 800
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: LJA ENGINEERING
Tax Parcel #: 15047 000002A (PT.)
Location: 6495 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 04/07/2025**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: LJA ENGINEERING
Tax Parcel #: 15047 000002A (PT.)
Location: 6495 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 04/07/2025**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area

N



1 PROPOSED C-STORE BUILDING FRONT ELEVATION SCALE: NTS

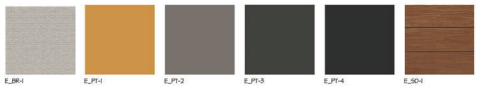


2 PROPOSED FRONT RETAIL BUILDING ELEVATION SCALE: NTS

FINISH SCHEDULE

SYMB.	KEY	ITEM	MANUFACTURER	DESCRIPTION
EXTERIOR FINISHES	E_PT-1	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 6383 GOLDEN RULE
	E_PT-2	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 7011 GAUNTLET GRAY
	E_PT-3	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 7069 IRON ORE
	E_PT-4	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 6258 TRICORN BLACK
	E_SD-1	CONCRETE COMPOSITE SIDING	HARDIE, SMOOTH FINISH PANEL	COLOR TO MATCH E_PT-2
	E_SD-2	CONCRETE COMPOSITE SIDING	NICHIHA	SERIES: VINTAGEWOOD, COLOR: REDWOOD
	E_BR-1	BRICK VENEER	GLEN-GERY	SILVER CITY WIRECUT, WITH DARK GREY GROUT
	E_MTL-1	METAL CANOPIES	TED	DARK BRONZE WITH ACCENT STRIP TO MATCH PT_1

FINISHES PHOTO



3 EXTERIOR FINISHES

TREINIS ARCHITECTURE
PH. 404.954.0806
EMAIL: TREINIS@GMAIL.COM
WWW.TREINIS.COM

PLAN NORTH

"THE PLAZA AT 6495 SPOUT SPRINGS"

NEW C-STORE AND RETAIL BUILDING DESIGN

6495 SPOUT SPRINGS RD, FLOWERY BRANCH GA 30542

No:	Date:	Remarks:
1.	02.08.25	ISSUE FOR REVIEW

REVISIONS:

STATE OF GEORGIA
DARIA TREINIS
REGISTERED ARCHITECT

This drawing is the property of D. Treinis and is not to be reproduced or copied in whole or in part. It is not to be used on any other project and is to be returned upon request. Scales as stated herein are for reference only as normal reproduction processes may alter the accuracy of original drawings.
DESIGN TODAY 2005

DRAWING TITLE:
PROPOSED EXTERIOR ELEVATIONS

ISSUE DATE:

DRAWN BY:
DT

SHEET NUMBER:
A1.00

After recording, return to:
WEINSTEIN & BLACK, LLC
167 Lee Street.
Jefferson, GA 30549
File No:

eFiled and eRecorded
DATE: 12/18/2023
TIME: 10:48 AM
DEED BOOK: 9411
PAGE: 624 - 626
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 8817670606
PT61: 069-2023-008580
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C
Hall County, GA

STATE OF GEORGIA

COUNTY OF HALL

Tax Parcel No. 15047 000002A

EXECUTOR'S DEED OF ASSENT

WHEREAS, SHIRLEY LOTT MOORE died a resident of Hall County, Georgia, on January 16, 2022, leaving a will which has been probated in solemn form in Hall County, Georgia, at the April, 2022 regular term of the Probate Court thereof; and

WHEREAS, under the terms of Item III of said Will, the following described property was devised to **JOHN ROGER MOORE, SR.**:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

This deed is given subject to all easements and restrictions of record, if any.

WHEREAS, the undersigned duly qualified as Executor of the estate described above and is now administering the estate under the terms of said will; and it has been determined that all debts and claims against the estate have been fully paid.

NOW THEREFORE, the undersigned as Executor of the will of the said **SHIRLEY LOTT MOORE,** hereby assents to the devise of said property under the terms of said will, so that title thereto is vested in the said **John Roger Moore, Sr.**, as provided in said will.

WITNESS my hand and seal, this 17th day of **December, 2023**.

Signed, sealed and delivered
on the date set out above in
the presence of:

John Roger Moore, Sr. (SEAL)
John Roger Moore, Sr., as Executor, Estate of
Shirley Lott Moore, Deceased

Annika Waters
Unofficial Witness

Notary Public

DRAKE CORBIN
NOTARY
EXPIRES
GEORGIA
02-01-2025
PUBLIC
JACKSON COUNTY

"EXHIBIT A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in the Georgia Militia District 1270 (Flowery Branch) of Hall County, Georgia and being shown as Parcel "A", being 7.32 acres, and Parcel "B", being 4.50 acres according to Plat by Chris M. Patton, Georgia Registered Land Surveyor dated December 1, 2023 entitled "Retracement Survey For Shirley Lott Moore", recorded at Plat Book 884, Page 186, Hall County, Georgia Records, which Plat is incorporated herein by reference for a more detailed description.

Trip Generation Memorandum – Spout Springs Food Mart

Reed Creek Food Mart, LLC have selected Traffic Solutions to provide services to conduct a trip generation study for a proposed Spout Springs Food Mart development located at 6495 Spout Springs Road in the Flowery Branch, Hall County, Georgia. Located southeast quadrant of the Spout Springs Road and Elizabeth Lane intersection as shown in **Figure 1- Location Map**.

The proposed development will be situated on approximately 3.05 acres encompassing the following:

- Food Mart at 6,000 sf with 12 fueling positions
- Quick Serve Restaurant with Drive Through - 2,500 sf
- Quick Serve Restaurant with Drive Through - 2,000 sf

All vehicular access to the site will be provided by two (2) driveways: fully accessible driveway on Elizabeth Lane and a right-in/right-out driveway on Spout Springs Road as shown in **Figure 2 – Site Plan**.

The accepted procedure for determining the trips generated by the development of a property based on the land use and intensity is to apply the rates or equations developed by the Institute of Transportation Engineers (ITE) as published in the Trip Generation Manual – 11th Edition. The rates or equations in this informational report are calculated from nationally collected data. This method was used to establish the trip generation for the proposed development.

The results of the trip generation for the proposed development are given in **Table 1**. The data in Table 1 shows the distribution of trips that will be entering and exiting the assigned driveways, as well as the new or primary trips that are generated by the proposed land use development.

Figure 1. Site Map



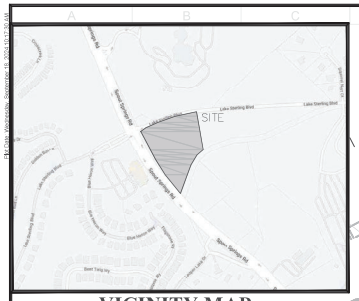
4807 Pepper Tree Lane Douglasville, Georgia 30135 404.545.1925 p 770.949.0635 f trafsollc@gmail.com

Table 1. Trip Generation – Daily, AM/PM Peak Hour and Distribution %

Land Use (ITE Code)	Intensity	Avg Daily Trips		AM Peak Hour			PM Peak Hour		
		Enter	Exit	Enter	Exit	Total	Enter	Exit	Total
Distribution		50%	50%	50%	50%	100%	50%	50%	100%
C-Store 6 ksf w/gas station (945)	12 fueling positions	2101	2102	169	170	339	163	164	327
Distribution		50%	50%	58%	42%	100%	50%	50%	100%
Fast Food Restaurant (933)	2,000 sf	450	451	50	36	86	33	33	66
Distribution		50%	50%	51%	49%	100%	58%	42%	100%
Fast Food Restaurant w/Drive Thru (934)	2,500 sf	584	585	57	55	112	48	35	83
Unadjusted Total Trips		3,135	3,138	276	261	537	244	232	476
C-Store w/gas station Pass-by (945)	76%AM / 75%PM			129	129	258	122	123	245
Fast Food Restaurant Pass-by (934)	50%AM / 55%PM			28	28	56	26	19	46
TOTAL New Trips				119	104	223	96	90	186

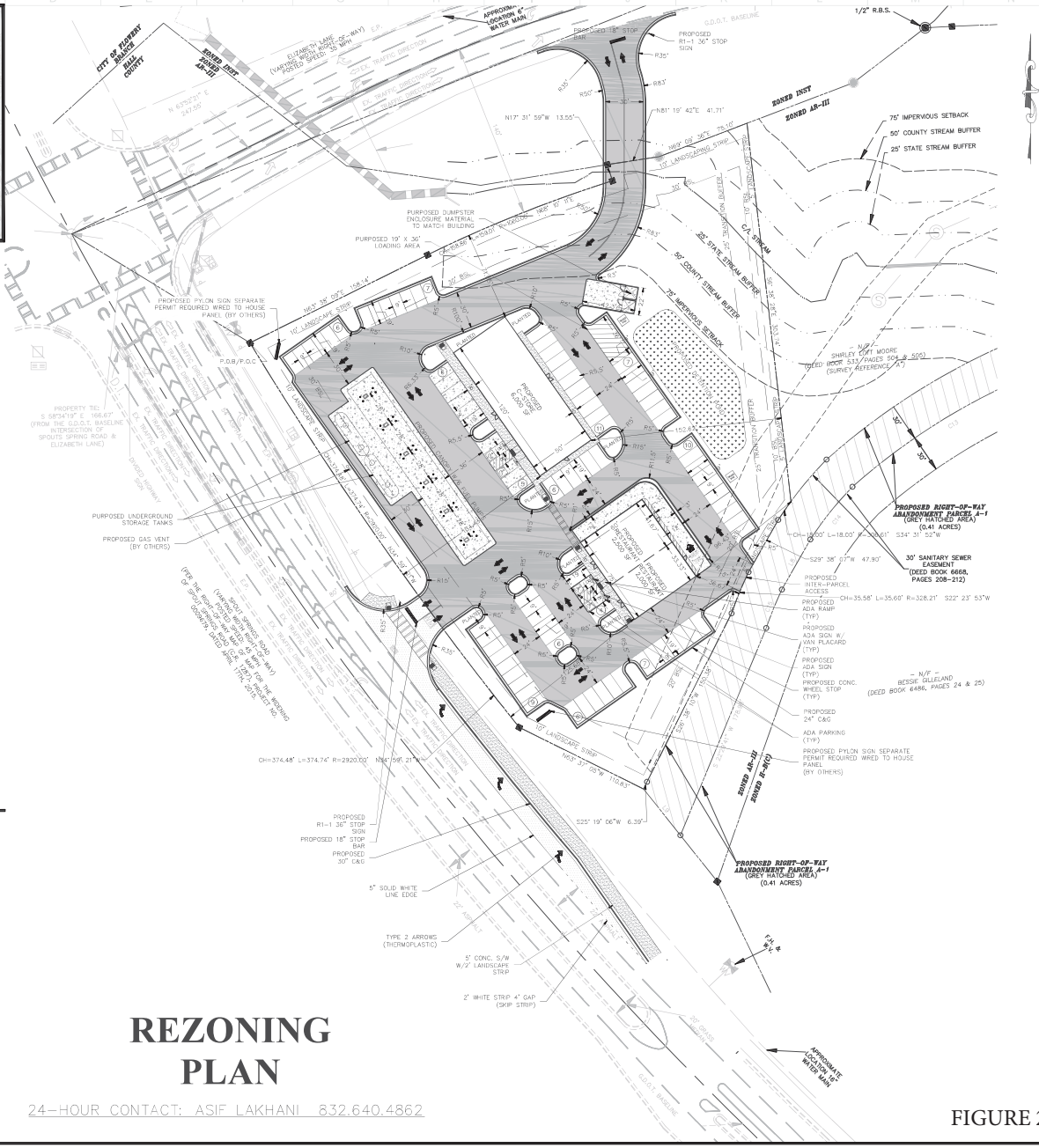
Spout Spring Road is a four-lane divided roadway with a posted speed limit of 45 miles per hour. According to GDOT's data the functional classification of Spout Springs Road is a Minor Arterial. Spout Springs travels in the north/south directions between Interstate 985 to the north and Interstate 85 to the south. According to GDOTs Traffic Analysis and Data Application (TADA), the latest traffic data was collected from count station 139-0441 in April 2023, showing an ADT of 15,550 vehicles traveling along Spout Spring Road, of which – 8,100 (52%) vehicles were travel in the northbound direction and 7,440 (48%) vehicles in the southbound direction.

Elizabeth Lane is a two-lane undivided local roadway with a posted speed limit of 35 miles per hour. Elizabeth Lane. travels in the east/west direction between Spout Springs Road and Cash Road. The land uses on Elizabeth Lane are primarily single-family residential and a secondary entrance to Cherokee Bluff High School. Traffic data was collected on Elizabeth Lane on Wednesday, January 15, 2025. The data shows the daily traffic volume on Elizabeth Lane to be 2,880 vpd, of which 1,340 (47%) were eastbound and 1,540 (53%) were westbound.



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13139C0294G, DATED 12/01/2022.

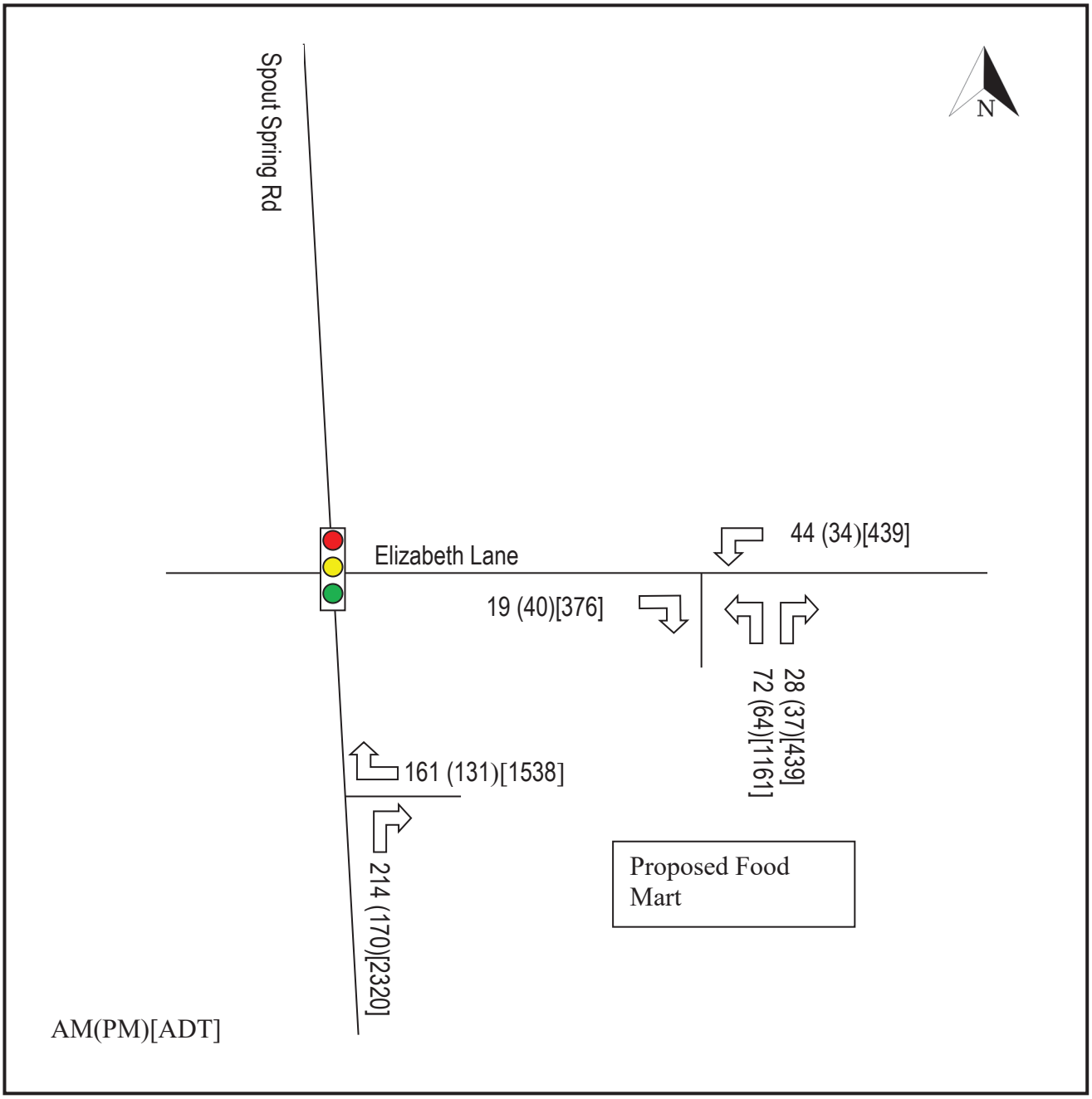

CITY OF FLOWERY BRANCH
HALL COUNTY
BONDED INST 2024-010
BONDED INST BONDED AR-III
75' IMPERVIOUS SETBACK
50' COUNTY STREAM BUFFER
25' STATE STREAM BUFFER
PROPOSED DUMPSTER ENCLOSURE MATERIAL TO MATCH BUILDING
PURPOSED 19' X 36' LOADING AREA
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
P.O.B/P.O.C.
PROPERTY TIES:
S 58°34'19" E 166.60'
(FROM THE G.D.O.T. BASELINE INTERSECTION OF SPOUTS SPRING ROAD & ELIZABETH LANE)
PURPOSED UNDERGROUND STORAGE TANKS
PROPOSED GAS VENT (BY OTHERS)
SPOUTS SPRING ROAD
(VARYING WIDTH RIGHT-OF-WAY)
(PAVING WIDTH VARIES)
(POSTED SPEED: 35 MPH)
PROPOSED 18" STOP BAR
PROPOSED R1-1 36" STOP SIGN
PROPOSED 30" C&G
5' SOLID WHITE LINE EDGE
TYPE 2 ARROWS (THERMOPLASTIC)
5' CONC. S/W W/2' LANDSCAPE STRIP
2' WHITE STRIP 4' GAP (SKIP STRIP)
PROPOSED 1/2" R.B.S.
PROPOSED R1-1 36" STOP SIGN
PROPOSED 24" C&G
PROPOSED RIGHT-OF-WAY ABANDONMENT PARCEL A-1 (GREY HATCHED AREA) (0.41 ACRES)
30' SANITARY SEWER EASEMENT (DEED BOOK 6668, PAGES 208-212)
PROPOSED INTER-PARCEL ACCESS
PROPOSED ADA RAMP (TYP)
PROPOSED ADA SIGN W/ VAN PLACARD (TYP)
PROPOSED ADA SIGN (TYP)
PROPOSED CONC. WHEEL STOP (TYP)
ADA PARKING (TYP)
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
N/F SHIRLEY SOFT MOORE (DEED BOOK 533/PAGES 504 & 505) (SURVEY REFERENCE "A")
N/F BESSIE GILLELAND (DEED BOOK 6486, PAGES 24 & 25)
APPROXIMATE LOCATION OF 6" WATER MAIN
APPROXIMATE LOCATION OF 2" WATER MAIN
G.D.O.T. BASELINE
CA. STREAM
TRANSITION BUFFER
PROPOSED GREASE TRAP
PROPOSED STAND-BY GENERATOR
PROPOSED 6,000 SF C-STORE
PROPOSED CANOPY
PROPOSED 4,500 SF RESTAURANT
PROPOSED 1,500 SF CAR WASH
PROPOSED VACUUMS
PROPOSED 10,000 GAL DIESEL TANK
PROPOSED 12,000 GAL GAS TANK
PROPOSED 12,000 GAL GAS TANK
PROPOSED 10,000 GAL DIESEL TANK

As shown in Table 1, the generated trips for this development consist of primary and pass-by trips. This is due to the nature of the proposed land uses. Primary trips are new trips on the roadway network. Primary trips typically enter the site and exit in the direction from which it entered. Pass-by trips are trips made as intermediate stops on the way from an origin to a primary destination. Pass-by trips are attracted from traffic passing on an adjacent street that contains direct access to the generator and are not new trips added to the system. We utilized the average percentage of pass-by trips as determined by ITE for each land use per AM and PM peak hour. The number of pass-by trips are then subtracted from the total number of trips to get the number of new trips generated by the proposed site.

Trip distribution for each land use is calculated using the data provided by ITE Trip Generation. The trip distribution determines the percentage of trips entering and exiting the proposed site. The total trip patterns for the proposed land uses will be consistent with the existing background traffic. After the trips were distributed along the existing roadway network, each trip type (primary / pass-by) was then assigned to all the access points of the proposed development with a certain level of reasonableness, based on the location of the driveways and each land use. Both primary and pass-by trips were then totaled, as shown in **Figure 3.**

The proposed food mart development is estimated to generate a total of 6,273 average daily trips with 3,135 trips entering the site and 3,138 trips exiting the site. During the AM peak hour, the site will generate 223 total new trips and 186 total new trips during the PM peak hour.

Figure 3. AM/PM/ADT Trip Distribution and Assignments – Total Trips



The proposed food mart development is estimated to generate a total of 6,273 average daily trips with 3,135 trips entering the site and 3,138 trips exiting the site. The need for a left turn lane and /or right turn lane on Elizabeth Lane and Spout Springs Road was analyzed in accordance with the GDOT Regulations for Driveways and Encroachment Control manual.

As with the peak hour trip assignments, the daily entering trips were distributed and assigned to each access point based on the daily traffic patterns of the adjacent street. From the analysis, it shows that of the 3,135 daily trips entering the site, 2,320 (74%) trips will make right turns into the site from Spout Springs Road. The analysis further shows that 376 (12%) trips will make a right turn into the site from Elizabeth Lane and 439 (14%) trips will make a left turn into the site from Elizabeth Lane.

In accordance with the minimum requirements from GDOT guidelines shown below, the driveway intersecting Elizabeth Lane is warranted for a left and right turn lane. While only a right turn lane is warranted on Spout Springs Road.

It is recommended that the turn lanes be installed at the GDOT minimum required storage length and taper for each type of turn lane at the respective roadway posted speed limit.

Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	AADT		AADT	
	<6,000	>= 6,000	<10,000	>= 10,000
35 MPH or Less	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50 MPH	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60 MPH	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65 MPH	Always	Always	Always	Always

Table 4-6 Minimum Volumes Requiring Right Turn Lanes

LEFT TURN REQUIREMENTS – FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
Veterans	ADT		ADT	
	< 6,000	>= 6,000	< 10,000	>= 10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Table 4-7a Minimum Volumes Requiring Left turn Lanes, GDOT Regulations for Driveways & Encroachment Control Manual, Page 4-14, 7/3/2019 Rev. 5.0

Convenience Store/Gas Station - VFP (9-15)
(945)

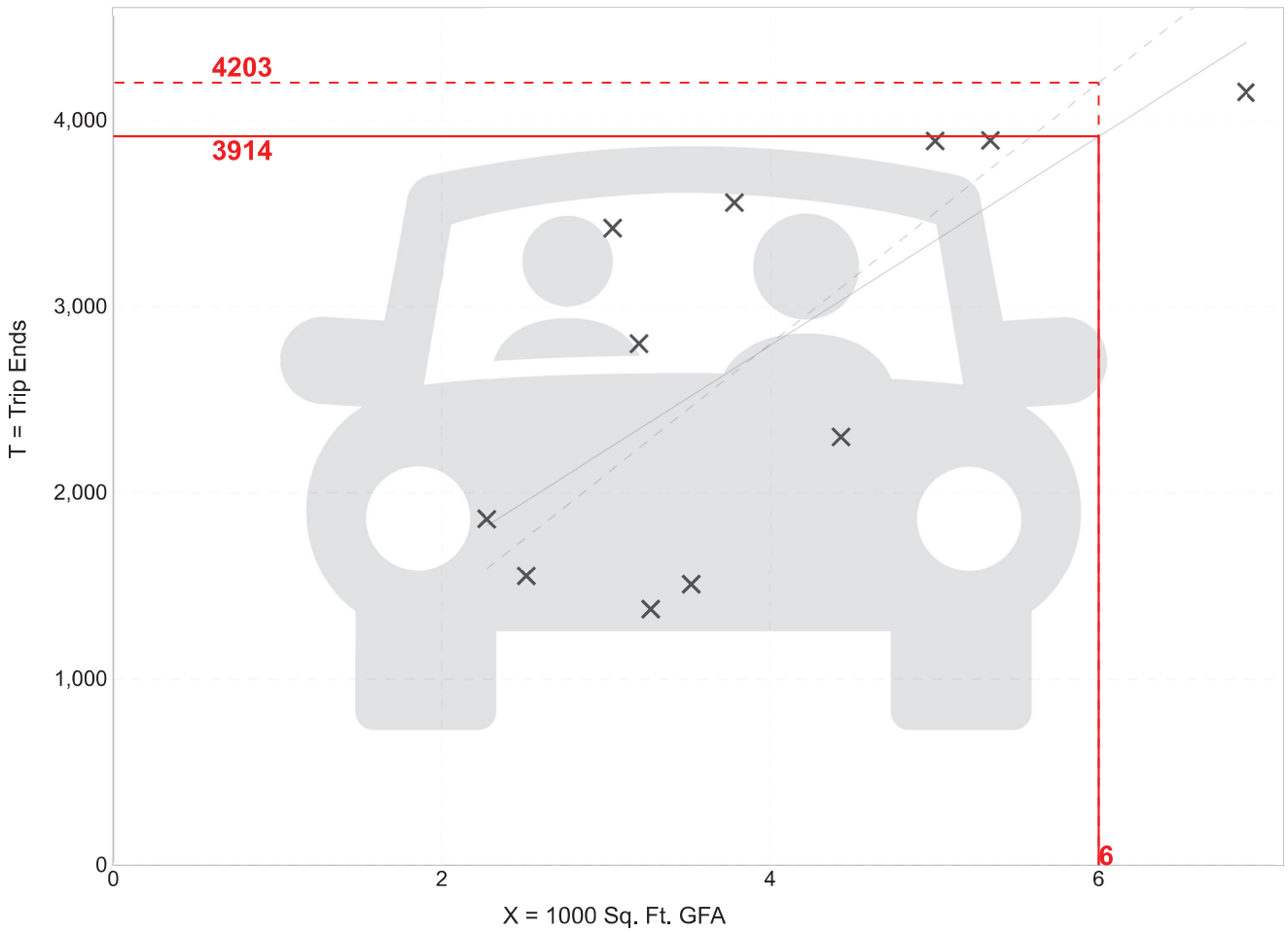
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 11
Avg. 1000 Sq. Ft. GFA: 4
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
700.43	419.93 - 1125.00	206.44

Data Plot and Equation



Fitted Curve Equation: T = 560.88(X) + 548.79

R^2= 0.51

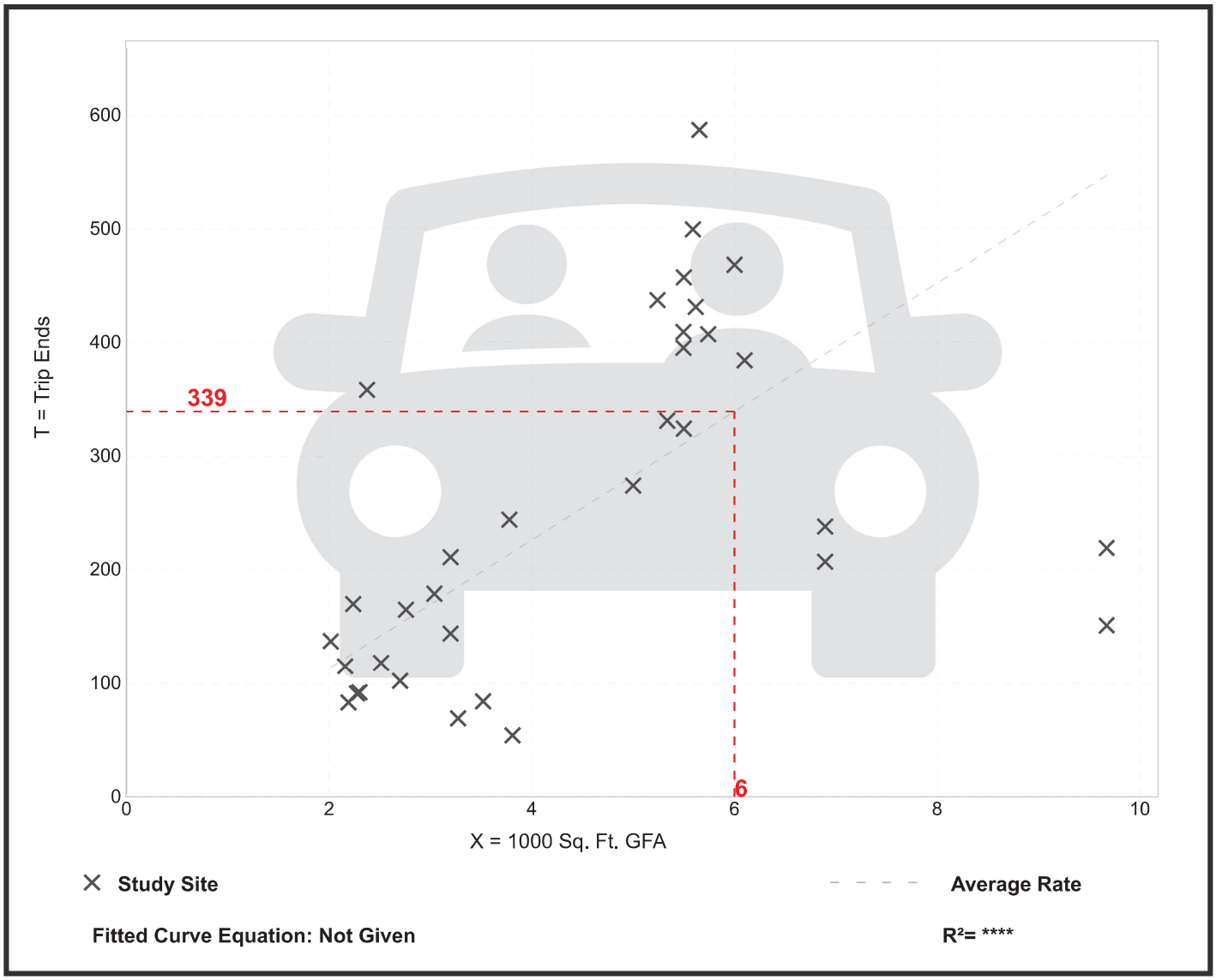
Convenience Store/Gas Station - VFP (9-15)
(945)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 7 and 9 a.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	34
Avg. 1000 Sq. Ft. GFA:	4
Directional Distribution:	50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
56.52	14.17 - 150.67	27.56

Data Plot and Equation



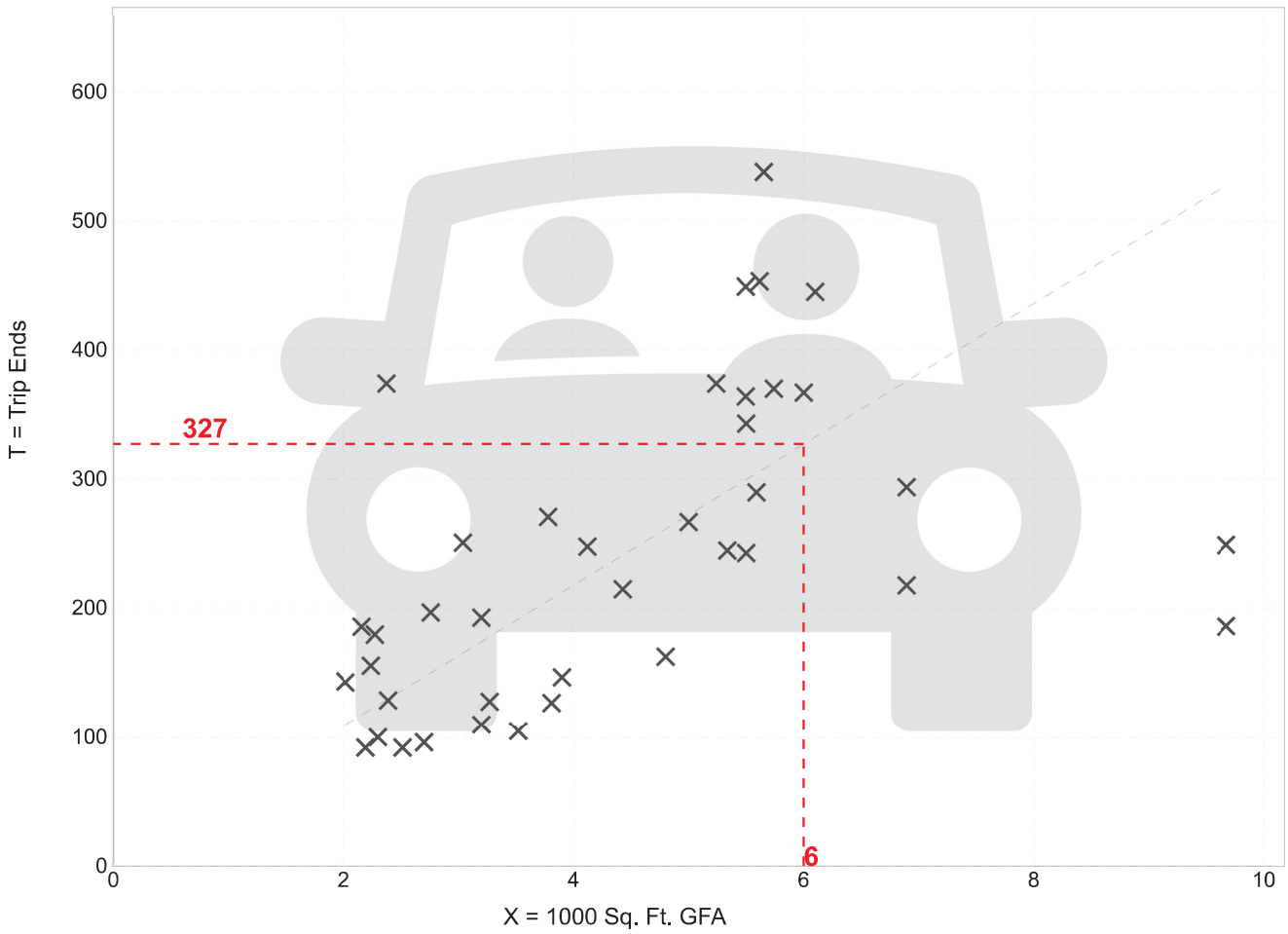
Convenience Store/Gas Station - VFP (9-15)
(945)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 39
Avg. 1000 Sq. Ft. GFA: 4
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
54.52	19.23 - 157.41	23.69

Data Plot and Equation



Fitted Curve Equation: Not Given

R^2= **

Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	945									
Land Use	Convenience Store/Gas Station									
Setting	General Urban/Suburban									
Time Period	Weekday AM Peak Period									
# Data Sites	16 Sites with between 2 and 8 VFP					28 Sites with between 9 and 20 VFP				
Average Pass-By Rate	60% for Sites with between 2 and 8 VFP					76% for Sites with between 9 and 20 VFP				
	Pass-By Characteristics for Individual Sites									
			Survey		Pass-By	Non-Pass-By Trips			Adj Street Peak	
GFA (000)	VFP	State or Province	Year	# Interviews	Trip (%)	Primary (%)	Diverted (%)	Total (%)	Hour Volume	Source
2	8	Maryland	1992	46	87	13	0	13	2235	25
2.1	6	Maryland	1992	26	58	23	19	42	2080	25
2.1	6	Maryland	1992	26	58	23	19	42	2080	25
2.2	8	Maryland	1992	31	47	34	19	53	1785	25
2.2	< 8	Indiana	1993	79	56	6	38	44	635	2
2.2	8	Maryland	1992	35	78	9	13	22	7080	25
2.3	6	Maryland	1992	37	32	41	27	68	2080	25
2.3	< 8	Kentucky	1993	58	64	5	31	36	1255	2
2.3	6	Maryland	1992	37	32	41	27	68	2080	25
2.4	< 8	Kentucky	1993	—	48	17	35	52	1210	2
2.6	< 8	Kentucky	1993	—	72	15	13	28	940	2
2.8	< 8	Kentucky	1993	—	54	11	35	46	1240	2
3	< 8	Indiana	1993	62	74	10	16	26	790	2
3.6	< 8	Kentucky	1993	49	67	4	29	33	1985	2
3.7	< 8	Kentucky	1993	49	66	16	18	34	990	2
4.694	12	Maryland	2000	—	72	—	—	28	2440	30
4.694	12	Maryland	2000	—	78	—	—	22	1561	30
4.694	12	Maryland	2000	—	79	—	—	21	2764	30
4.848	12	Virginia	2000	—	55	—	—	45	1398	30
5.06	12	Pennsylvania	2000	—	84	—	—	16	3219	30
5.242	12	Virginia	2000	—	74	—	—	26	1160	30
5.242	12	Virginia	2000	—	71	—	—	29	548	30
5.488	12	Delaware	2000	—	80	—	—	20	—	30
5.5	12	Pennsylvania	2000	—	85	—	—	15	2975	30
4.2	< 8	Kentucky	1993	47	62	19	19	38	1705	2
4.694	16	Maryland	2000	—	90	—	—	10	2278	30
4.694	16	Delaware	2000	—	74	—	—	26	2185	30
4.694	16	Delaware	2000	—	58	—	—	42	962	30
4.694	16	Delaware	2000	—	84	—	—	16	2956	30
4.694	16	New Jersey	2000	—	79	—	—	21	1859	30
4.694	20	Delaware	2000	—	84	—	—	16	3864	30
4.848	16	Virginia	2000	—	68	—	—	32	2106	30
4.848	16	Virginia	2000	—	85	—	—	15	2676	30
4.848	16	Virginia	2000	—	75	—	—	25	3244	30
4.848	16	Virginia	2000	—	71	—	—	29	1663	30
4.993	16	Pennsylvania	2000	—	75	—	—	25	1991	30
5.094	16	New Jersey	2000	—	86	—	—	14	1260	30
5.5	16	Pennsylvania	2000	—	82	—	—	18	1570	30
5.543	16	Pennsylvania	2000	—	84	—	—	16	1933	30
5.565	16	Pennsylvania	2000	—	77	—	—	23	2262	30
5.565	16	Pennsylvania	2000	—	68	—	—	32	2854	30
5.565	16	New Jersey	2000	—	58	—	—	42	1253	30
5.565	16	New Jersey	2000	—	79	—	—	21	1928	30
5.565	16	New Jersey	2000	---	84	---	---	16	1953	30

Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	945									
Land Use	Convenience Store/Gas Station									
Setting	General Urban/Suburban									
Time Period	Weekday PM Peak Period									
# Data Sites	12 Sites with between 2 and 8 VFP					28 Sites with between 9 and 20 VFP				
Average Pass-By Rate	56% for Sites with between 2 and 8 VFP					75% for Sites with between 9 and 20 VFP				
	Pass-By Characteristics for Individual Sites									
			Survey		Pass-By	Non-Pass-By Trips			Adj Street Peak	
GFA (000)	VFP	State or Province	Year	# Interviews	Trip (%)	Primary (%)	Diverted (%)	Total (%)	Hour Volume	Source
2.1	8	Maryland	1992	31	52	13	35	48	1785	25
2.1	6	Maryland	1992	30	53	20	27	47	1060	25
2.2	< 8	Indiana	1993	115	48	16	36	52	820	2
2.3	< 8	Kentucky	1993	67	57	16	27	43	1954	2
2.3	6	Maryland	1992	55	40	11	49	60	2760	25
2.4	< 8	Kentucky	1993	—	58	13	29	42	2655	2
2.6	< 8	Kentucky	1993	68	67	15	18	33	950	2
2.8	< 8	Kentucky	1993	—	62	11	27	38	2875	2
3	< 8	Indiana	1993	80	65	15	20	35	1165	2
3.6	< 8	Kentucky	1993	60	56	17	27	44	2505	2
3.7	< 8	Kentucky	1993	70	61	16	23	39	2175	2
4.2	< 8	Kentucky	1993	61	58	26	16	42	2300	2
4.694	12	Maryland	2000	—	78	—	—	22	3549	30
4.694	12	Maryland	2000	—	67	—	—	33	2272	30
4.694	12	Maryland	2000	—	66	—	—	34	3514	30
4.848	12	Virginia	2000	—	71	—	—	29	2350	30
5.06	12	Pennsylvania	2000	—	91	—	—	9	4181	30
5.242	12	Virginia	2000	—	70	—	—	30	2445	30
5.242	12	Virginia	2000	—	56	—	—	44	950	30
5.488	12	Delaware	2000	—	73	—	—	27	—	30
5.5	12	Pennsylvania	2000	—	84	—	—	16	4025	30
4.694	16	Maryland	2000	—	89	—	—	11	2755	30
4.694	16	Delaware	2000	—	73	—	—	27	1858	30
4.694	16	Delaware	2000	—	59	—	—	41	1344	30
4.694	16	Delaware	2000	—	72	—	—	28	3434	30
4.694	16	New Jersey	2000	—	81	—	—	19	1734	30
4.694	20	Delaware	2000	—	76	—	—	24	1616	30
4.848	16	Virginia	2000	—	67	—	—	33	2.954	30
4.848	16	Virginia	2000	—	78	—	—	22	3086	30
4.848	16	Virginia	2000	—	83	—	—	17	4143	30
4.848	16	Virginia	2000	—	73	—	—	27	2534	30
4.993	16	Pennsylvania	2000	—	72	—	—	28	2917	30
5.094	16	New Jersey	2000	—	86	—	—	14	1730	30
5.5	16	Pennsylvania	2000	—	90	—	—	10	2616	30
5.543	16	Pennsylvania	2000	—	87	—	—	13	2363	30
5.565	16	Pennsylvania	2000	—	81	—	—	19	2770	30
5.565	16	Pennsylvania	2000	—	76	—	—	24	3362	30
5.565	16	New Jersey	2000	—	61	—	—	39	1713	30
5.565	16	New Jersey	2000	—	86	—	—	14	1721	30
5.565	16	New Jersey	2000	---	81	---	---	19	2227	30

Fast-Food Restaurant with Drive-Through Window
(934)

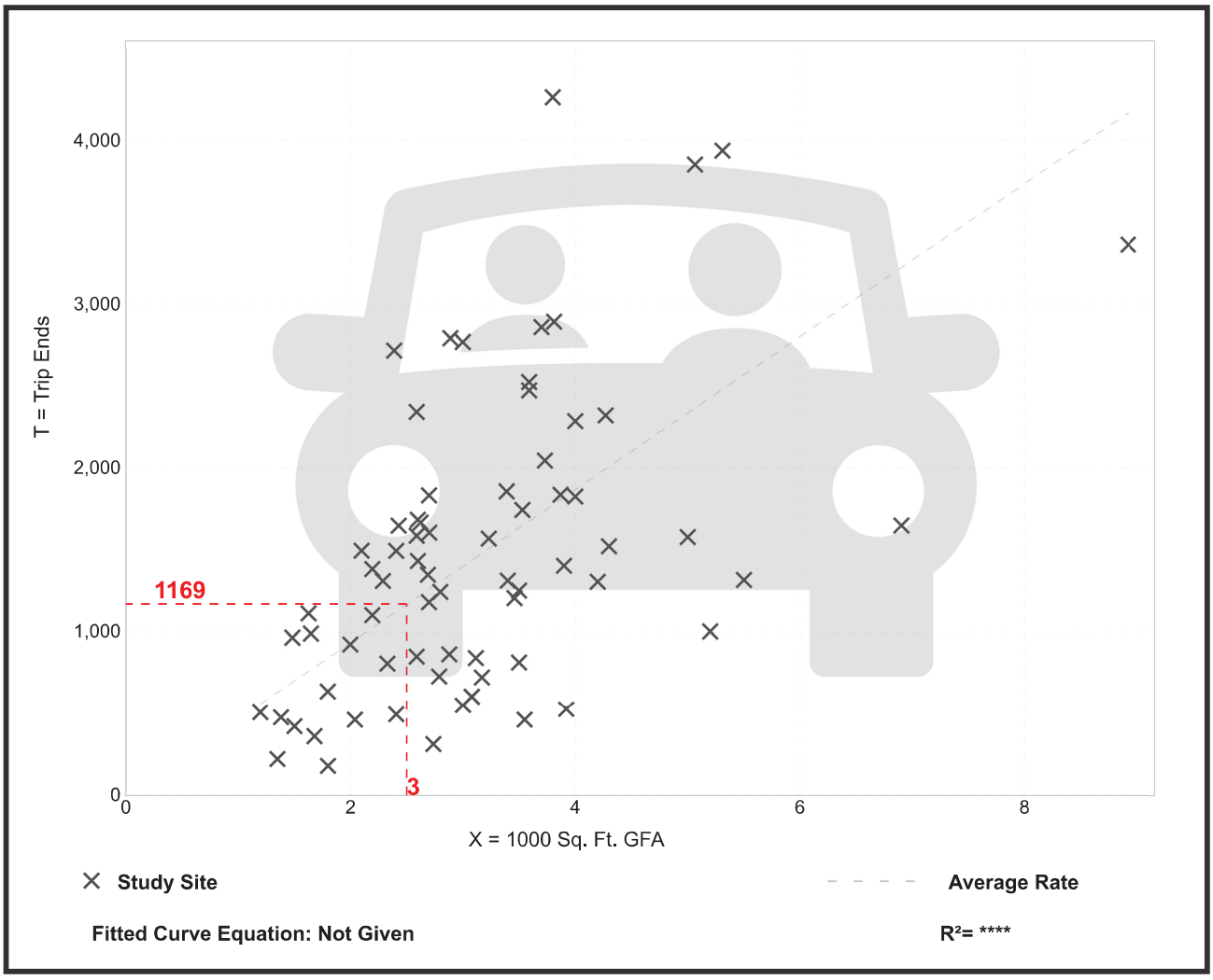
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 71
Avg. 1000 Sq. Ft. GFA: 3
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
467.48	98.89 - 1137.66	238.62

Data Plot and Equation



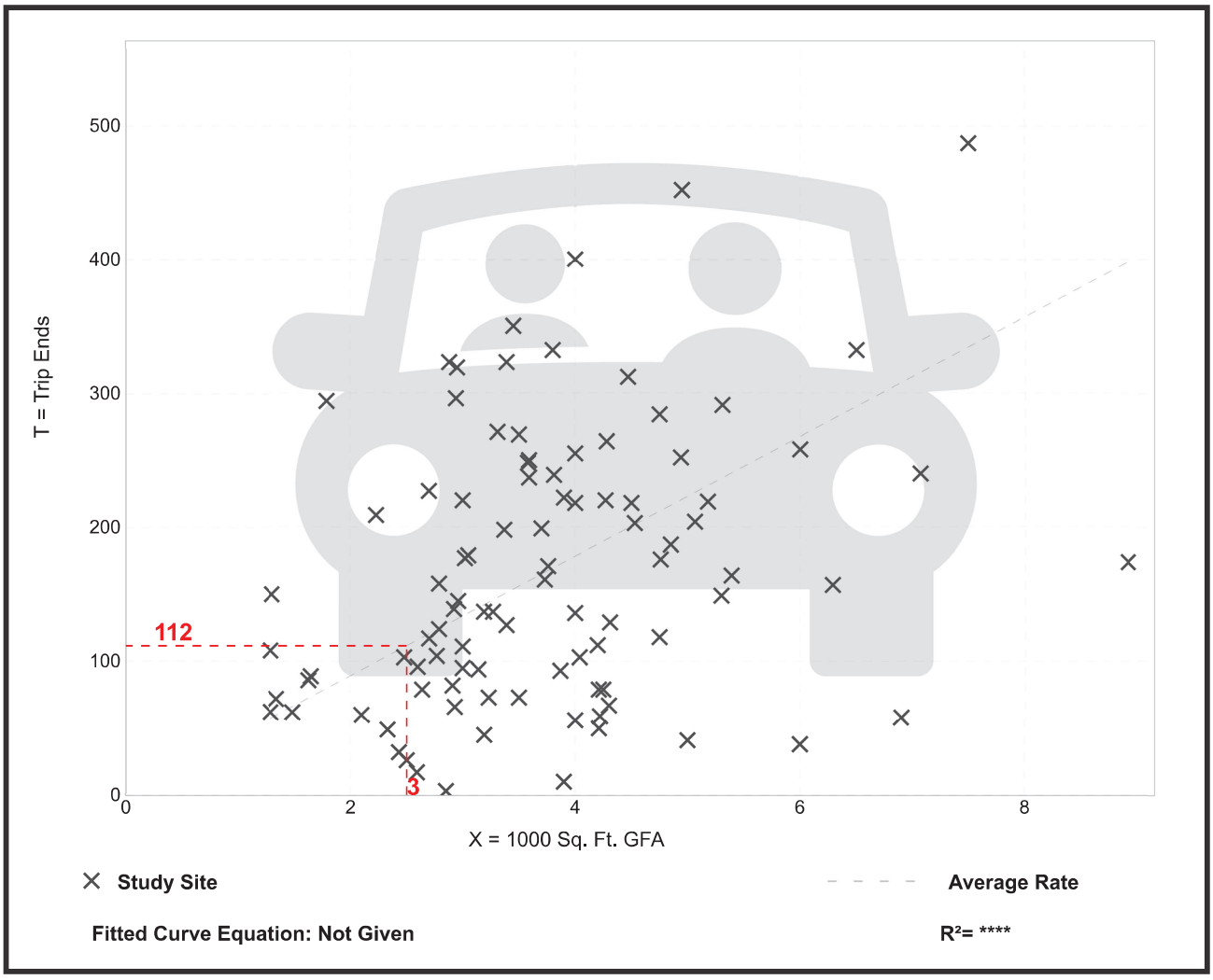
Fast-Food Restaurant with Drive-Through Window
(934)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 7 and 9 a.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	96
Avg. 1000 Sq. Ft. GFA:	4
Directional Distribution:	51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
44.61	1.05 - 164.25	27.14

Data Plot and Equation



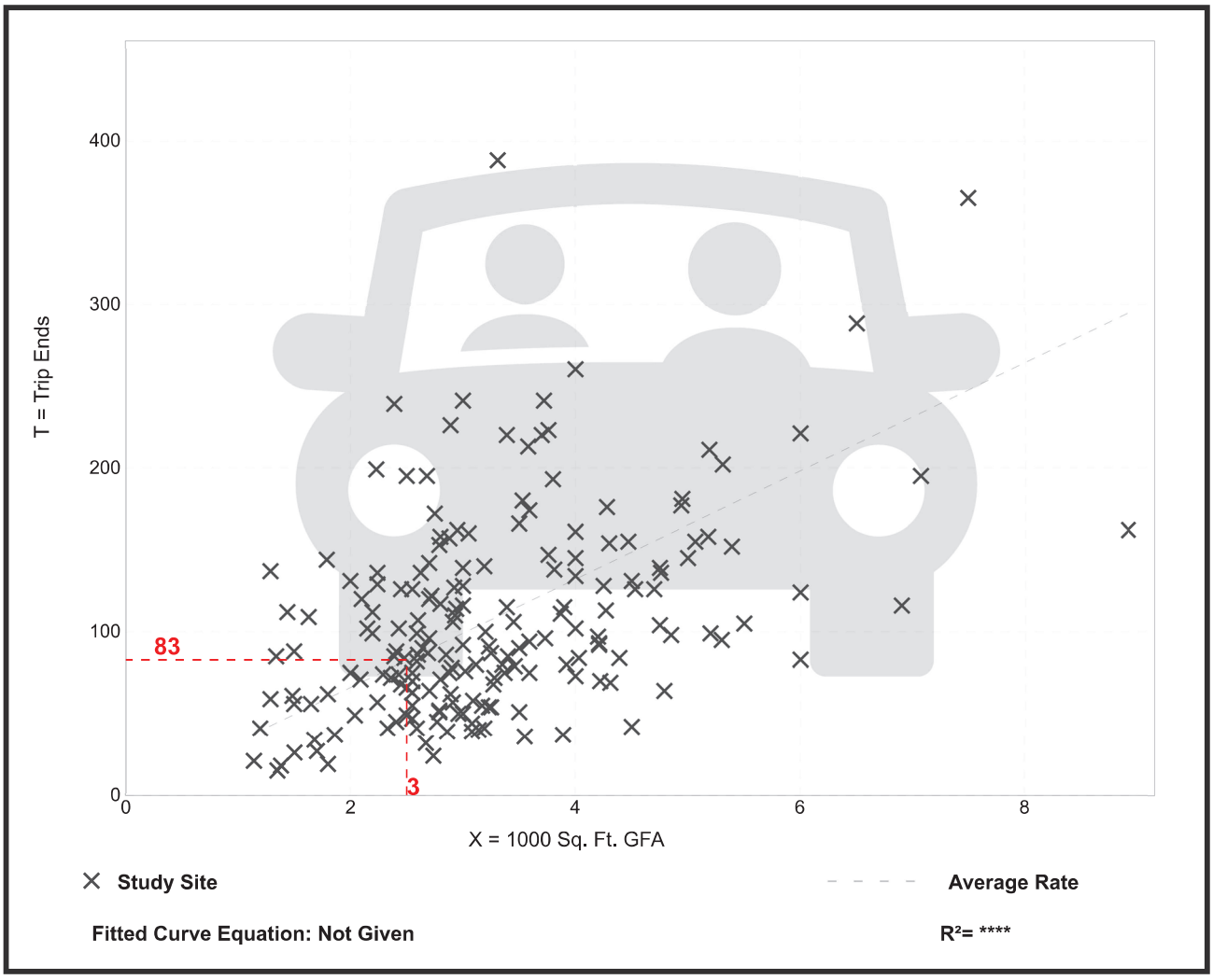
Fast-Food Restaurant with Drive-Through Window
(934)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	190
Avg. 1000 Sq. Ft. GFA:	3
Directional Distribution:	52% entering, 48% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
33.03	8.77 - 117.22	17.59

Data Plot and Equation



Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	934
Land Use	Fast-Food Restaurant with Drive-Through Window
Setting	General Urban/Suburban
Time Period	Weekday AM Peak Period
# Data Sites	5
Average Pass-By Rate	50%

Pass-By Characteristics for Individual Sites

GFA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume	Source
					Primary (%)	Diverted (%)	Total (%)		
1.4	Kentucky	1993	—	62	22	16	38	1407	2
3	Kentucky	1993	—	43	14	43	57	2903	2
3.3	--	1996	—	68	—	—	32	—	21
3.6	Kentucky	1993	—	32	47	21	68	437	2
4.2	Indiana	1993	—	46	23	31	54	1049	2

Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	934
Land Use	Fast-Food Restaurant with Drive-Through Window
Setting	General Urban/Suburban
Time Period	Weekday PM Peak Period
# Data Sites	11
Average Pass-By Rate	55%

Pass-By Characteristics for Individual Sites

GFA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume	Source
					Primary (%)	Diverted (%)	Total (%)		
1.3	Kentucky	1993	—	68	22	10	32	2055	2
1.9	Kentucky	1993	33	67	24	9	33	2447	2
2.8	Florida	1995	47	66	—	—	34	—	30
2.9	Florida	1996	271	41	41	18	59	—	30
3	Kentucky	1993	—	31	31	38	69	4250	2
3.1	Florida	1995	28	71	—	—	29	—	30
3.1	Florida	1996	29	38	—	—	62	—	30
3.2	Florida	1996	202	40	39	21	60	—	30
3.3	—	1996	—	62	—	—	38	—	21
4.2	Indiana	1993	—	56	25	19	44	1632	2
4.3	Florida	1994	304	62	—	—	38	—	30

Fast-Food Restaurant without Drive-Through Window
(933)

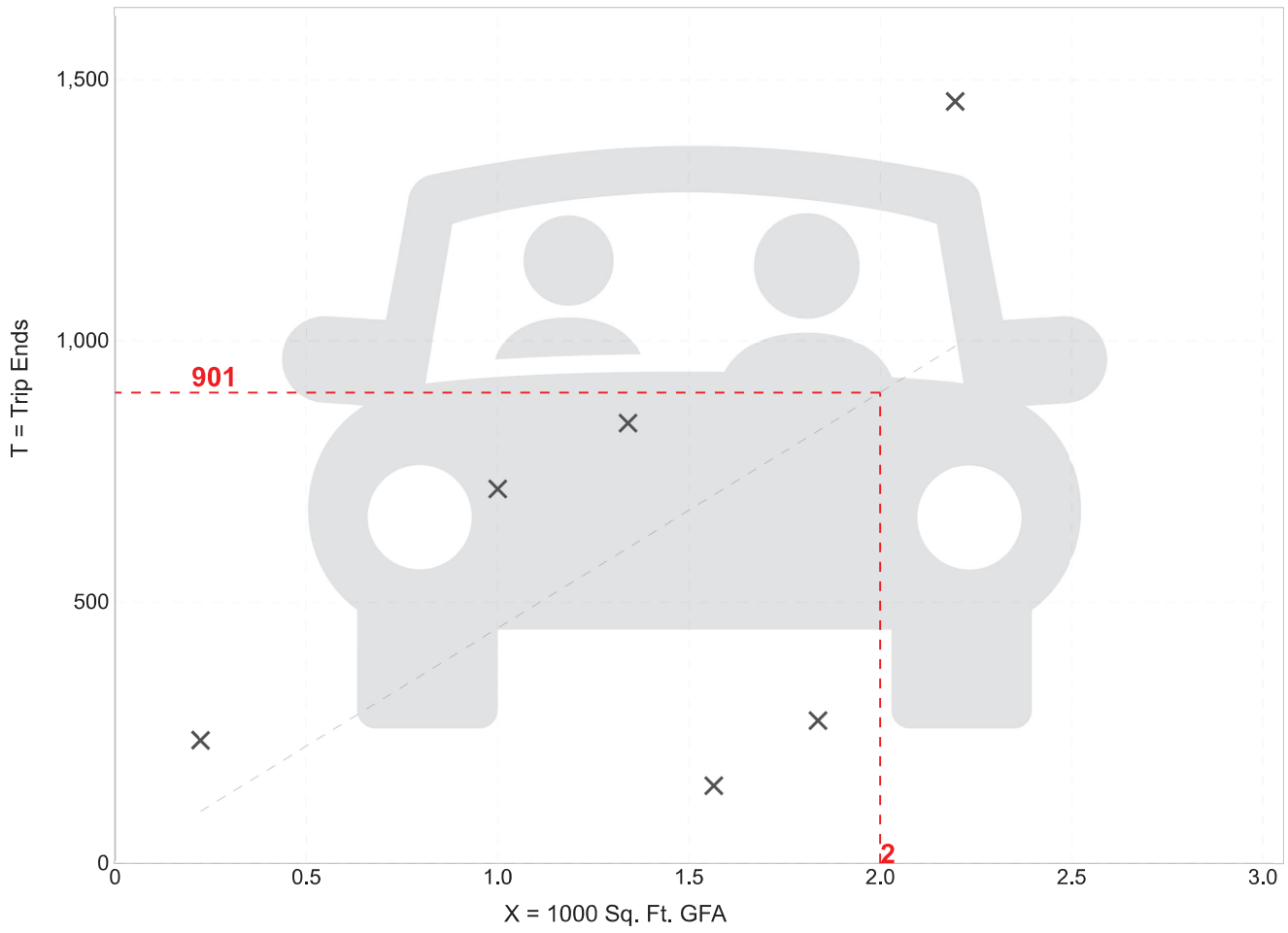
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 6
Avg. 1000 Sq. Ft. GFA: 1
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
450.49	95.91 - 1053.57	310.99

Data Plot and Equation



Fitted Curve Equation: Not Given

R^2= **

Fast-Food Restaurant without Drive-Through Window
(933)

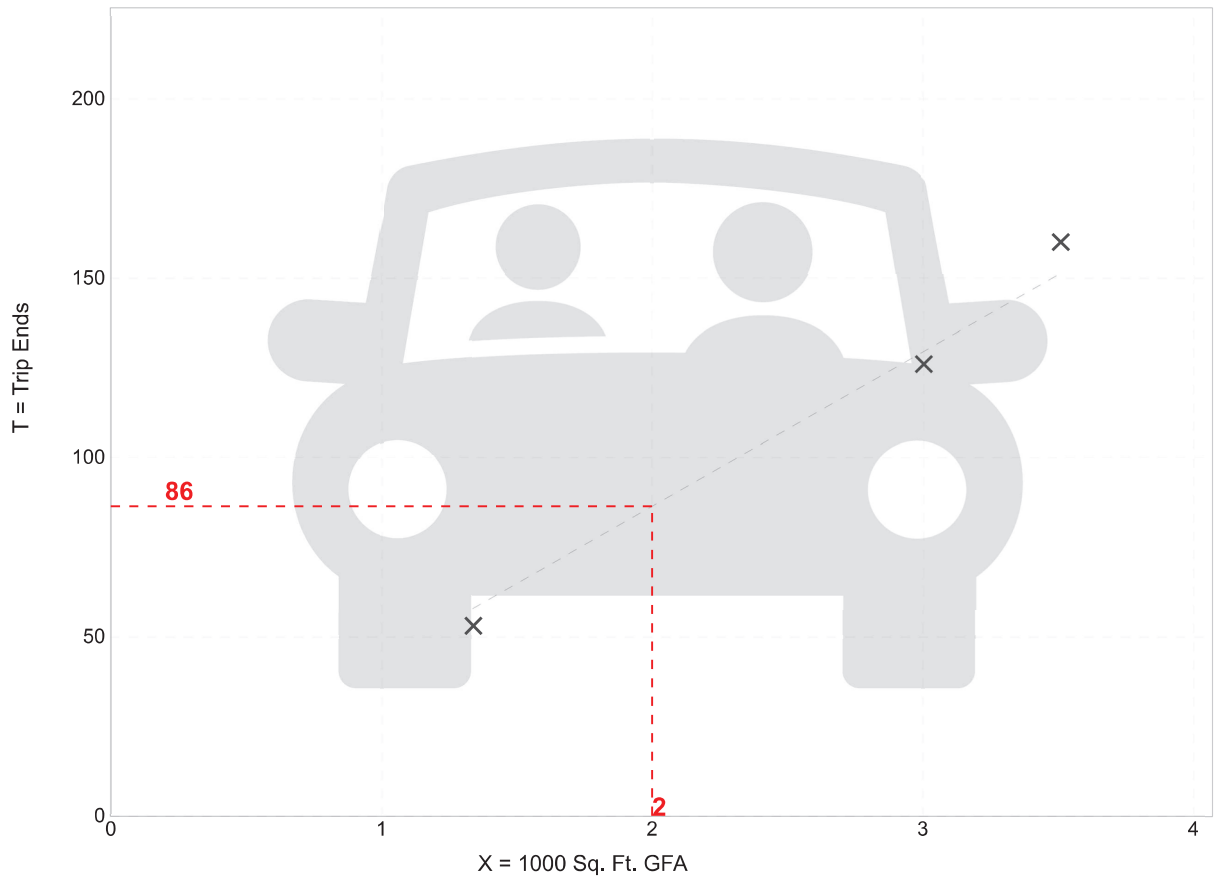
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 3
Avg. 1000 Sq. Ft. GFA: 3
Directional Distribution: 58% entering, 42% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
43.18	39.55 - 45.58	2.84

Data Plot and Equation

Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= **

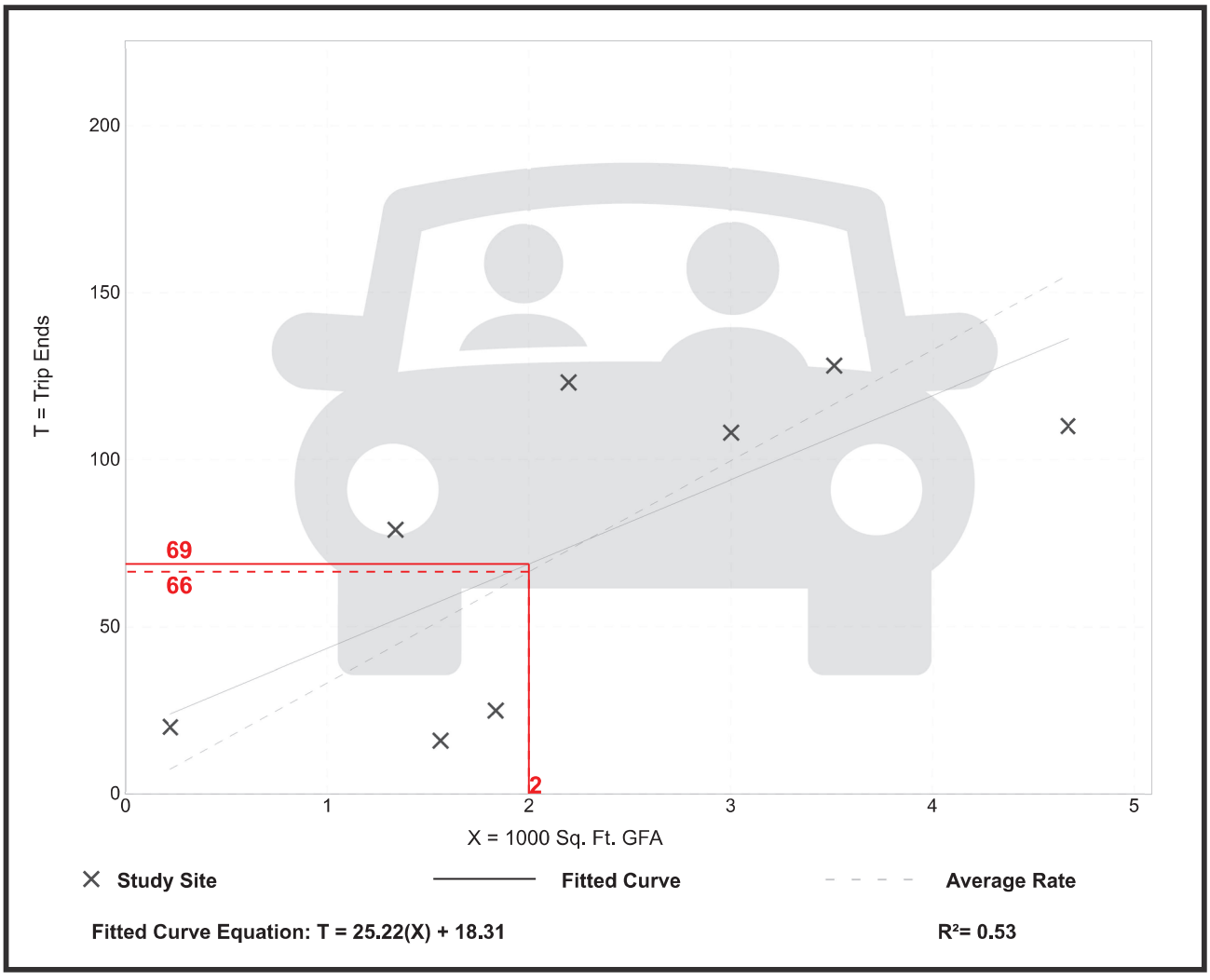
Fast-Food Restaurant without Drive-Through Window
(933)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 8
Avg. 1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
33.21	10.23 - 89.29	17.22

Data Plot and Equation



Fitted Curve Equation: T = 25.22(X) + 18.31

R^2= 0.53

TRAFFIC DATA SERVICES
TRAFFIC SOLUTIONS, LLC TRAFFIC STUDY
ELIZABETH LANE ADT COUNTS

Elizabeth Lane Btwn Spout springs and
Squirrel Nest Ct in Hall County

Site: #1
1/15/2025
Wednesday

Daily Volume

Interval Start	EB		WB		Combined		Interval Start	EB		WB		Combined	
12:00 AM	3	4	2	4	5	8	12:00 PM	16	53	14	56	30	109
12:15 AM	1		2		3		12:15 PM	13		17		30	
12:30 AM	0		0		0		12:30 PM	12		11		23	
12:45 AM	0		0		0		12:45 PM	12		14		26	
1:00 AM	1	4	0	1	1	5	1:00 PM	11	72	18	73	29	145
1:15 AM	1		0		1		1:15 PM	22		20		42	
1:30 AM	2		1		3		1:30 PM	19		12		31	
1:45 AM	0		0		0		1:45 PM	20		23		43	
2:00 AM	1	1	0	3	1	4	2:00 PM	19	91	17	76	36	167
2:15 AM	0		0		0		2:15 PM	24		24		48	
2:30 AM	0		1		1		2:30 PM	24		12		36	
2:45 AM	0		2		2		2:45 PM	24		23		47	
3:00 AM	0	1	0	5	0	6	3:00 PM	27	118	15	184	42	302
3:15 AM	0		1		1		3:15 PM	30		18		48	
3:30 AM	1		3		4		3:30 PM	44		78		122	
3:45 AM	0		1		1		3:45 PM	17		73		90	
4:00 AM	2	4	3	18	5	22	4:00 PM	26	126	25	88	51	214
4:15 AM	0		2		2		4:15 PM	42		20		62	
4:30 AM	0		5		5		4:30 PM	33		25		58	
4:45 AM	2		8		10		4:45 PM	25		18		43	
5:00 AM	0	6	3	41	3	47	5:00 PM	34	141	31	120	65	261
5:15 AM	1		9		10		5:15 PM	32		20		52	
5:30 AM	2		13		15		5:30 PM	39		32		71	
5:45 AM	3		16		19		5:45 PM	36		37		73	
6:00 AM	0	20	15	88	15	108	6:00 PM	36	135	27	102	63	237
6:15 AM	5		19		24		6:15 PM	31		20		51	
6:30 AM	3		25		28		6:30 PM	33		28		61	
6:45 AM	12		29		41		6:45 PM	35		27		62	
7:00 AM	11	65	27	151	38	216	7:00 PM	21	80	19	59	40	139
7:15 AM	13		38		51		7:15 PM	24		11		35	
7:30 AM	19		43		62		7:30 PM	14		12		26	
7:45 AM	22		43		65		7:45 PM	21		17		38	
8:00 AM	22	101	45	169	67	270	8:00 PM	21	73	7	42	28	115
8:15 AM	26		43		69		8:15 PM	17		16		33	
8:30 AM	43		47		90		8:30 PM	20		8		28	
8:45 AM	10		34		44		8:45 PM	15		11		26	
9:00 AM	13	52	30	90	43	142	9:00 PM	15	52	7	15	22	67
9:15 AM	11		29		40		9:15 PM	17		1		18	
9:30 AM	15		17		32		9:30 PM	10		4		14	
9:45 AM	13		14		27		9:45 PM	10		3		13	
10:00 AM	8	53	18	73	26	126	10:00 PM	9	23	4	11	13	34
10:15 AM	9		15		24		10:15 PM	4		3		7	
10:30 AM	16		19		35		10:30 PM	3		3		6	
10:45 AM	20		21		41		10:45 PM	7		1		8	
11:00 AM	8	50	15	65	23	115	11:00 PM	1	14	1	4	2	18
11:15 AM	10		15		25		11:15 PM	5		0		5	
11:30 AM	11		16		27		11:30 PM	2		1		3	
11:45 AM	21		19		40		11:45 PM	6		2		8	

Volume Totals

	EB	WB	Combined
12:00 AM - 12:00 PM	361 (33.8%)	708 (66.2%)	1069
12:00 PM - 12:00 AM	978 (54.1%)	830 (45.9%)	1808
24 Hours	1339 (46.5%)	1538 (53.5%)	2877

Peak Hours

	EB	WB	Combined
12:00 AM - 12:00 PM	7:45 AM	7:45 AM	7:45 AM
Volume	113	178	291
Factor	0.66	0.95	0.81
12:00 PM - 12:00 AM	5:15 PM	3:30 PM	3:30 PM
Volume	143	196	325
Factor	0.92	0.63	0.67

Site Name 139-0441 **Site ID** 0000139_0441 **Description** CR 3501/Spout Springs Rd bn Capitola Farm Rd/Hog Mtn Rd

Each Direction | Time Period: 1 hour | Exclude data: None

	Total Flow	North	South
12:00 am	52	24	28
01:00 am	41	16	25
02:00 am	31	18	13
03:00 am	34	18	16
04:00 am	105	77	28
05:00 am	262	194	68
06:00 am	639	477	162
07:00 am	1103	740	363
08:00 am	1088	679	409
09:00 am	831	459	372
10:00 am	778	468	310
11:00 am	759	419	340
12:00 pm	979	511	468
01:00 pm	899	433	466
02:00 pm	904	433	471
03:00 pm	1100	543	557
04:00 pm	1228	515	713
05:00 pm	1344	598	746
06:00 pm	1183	574	609
07:00 pm	869	372	497
08:00 pm	641	255	386
09:00 pm	384	150	234
10:00 pm	180	84	96
11:00 pm	115	50	65
7am-7pm	12196	6372	5824
6am-10pm	14729	7626	7103
6am-12am	15024	7760	7264
12am-12am	15549	8107	7442
am Peak	07:00 am	07:00 am	08:00 am
Peak Volume	1103	740	409
pm Peak	05:00 pm	05:00 pm	05:00 pm
Peak Volume	1344	598	746

CITY OF
GAINESVILLE

WATER RESOURCES

October 4, 2024

LJA
Attn: Jaeden Prasad
130 East Main Street, Suite 204
Canton, GA 30114

Re: Water Availability
Proposed Retail Development
6495 Spout Springs Road
Parcel 15047 000002A

Dear Jaeden,

The purpose of this letter is to confirm the availability of water service to the above referenced property.

The City of Gainesville owns and operates an existing 16-inch ductile iron water main in the right-of-way of Spout Springs Road adjacent to the subject property.

Currently, the City has adequate domestic water capacity to serve your proposed retail development.

This confirmation of water availability is good for one year from the date of this letter at which time, it will become null and void unless engineered plans have been submitted for issuance of a development permit.

Please call me at (770) 538-2452 should you have any questions.

Sincerely,

Nick Swafford

Nick Swafford
Permitting Services and GIS Manager

cc: Tracy Robar, P.E., Engineering and Construction Division Manager
Chris Thornhill, Project Manager

Hall County Government
PUBLIC WORKS AND UTILITIES

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

BILL NASH, P.E.

Director

William (Bill) H. King III, P.E.

Assistant Director

February 18, 2025

Terry Boomer
130 East Main Street, Suite 204
Canton, GA 30114

Subject: Sanitary Sewer Letter of Availability
Reed Creek Food Mart, LLC
Parcel Id No.: **15047 000002A**
6495 Spout Springs Road
Flowery Branch, GA 30542

Dear Mr. Terry Boomer,

In response to your request, this letter will serve as confirmation that Hall County has sufficient volume to serve **15047 000002A, 6495 Spout Springs Road, GA 30542** for a proposed 5,000 gallons per day commercial development at this time.

The nearest existing sewer line is located in subject property. An outfall sewer line is to be constructed and dedicated to Hall County by developer at owners cost to all upstream properties.

Sanitary sewer capacity allocation is available on a first come, first serve basis by purchasing the sewer taps. As such, this "availability" letter does not guarantee capacity. Additionally, this letter is non-transferable. If the project design changes, this letter is void and a new "availability" letter must be issued.

If you have any questions or need more information, please call the Hall County Public Works and Utilities Department at 770-531-6800.

Sincerely,

Bill Nash

Bill Nash

Application for Sewer Availability Letter

Date: 08/23/2024

Name of Applicant: Terry Boomer Contact Number: 678-462-4072

Address of Applicant: 130 East Main Street, Suite 204

City: Canton State: GA Zip: 30114 E-mail: tboomer@lja.com

Name of Agent: _____ Contact Number: _____

Address of Agent: _____

City: _____ State: _____ Zip: _____ E-mail: _____

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 Agricultural Residential (AR-III) (Present Zoning) to Highway Business (H-B) (Requested Zoning)

For the Purpose of Service Station / Convenience Store (Type of Development)

Address of Property: 6495 Spout Springs Road

Nearest Intersection to Property: Spout Springs Road & Lake Sterling Blvd

Size of Tract: 3.05 acre(s), Lane Lot Number(s): 1 , District(s): 01

Development Estimate Average Daily Sewer Flow (GPD): 5000

Property Tax Parcel Number: 13139C0294G Proposed number of Lots: 1

(Below: For properties within protected watershed districts only)

Gross Density: _____ units per acre Net Density: _____ units per acre

Estimated amount of impervious surface: _____ Minimum Lot Size: _____

Notary

Signature of Owner(s)/Agent(s)

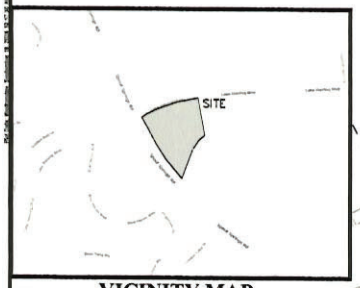
TERRY BOOMER

Printed Name of Owner(s)/Agent(s)

ENGINEER

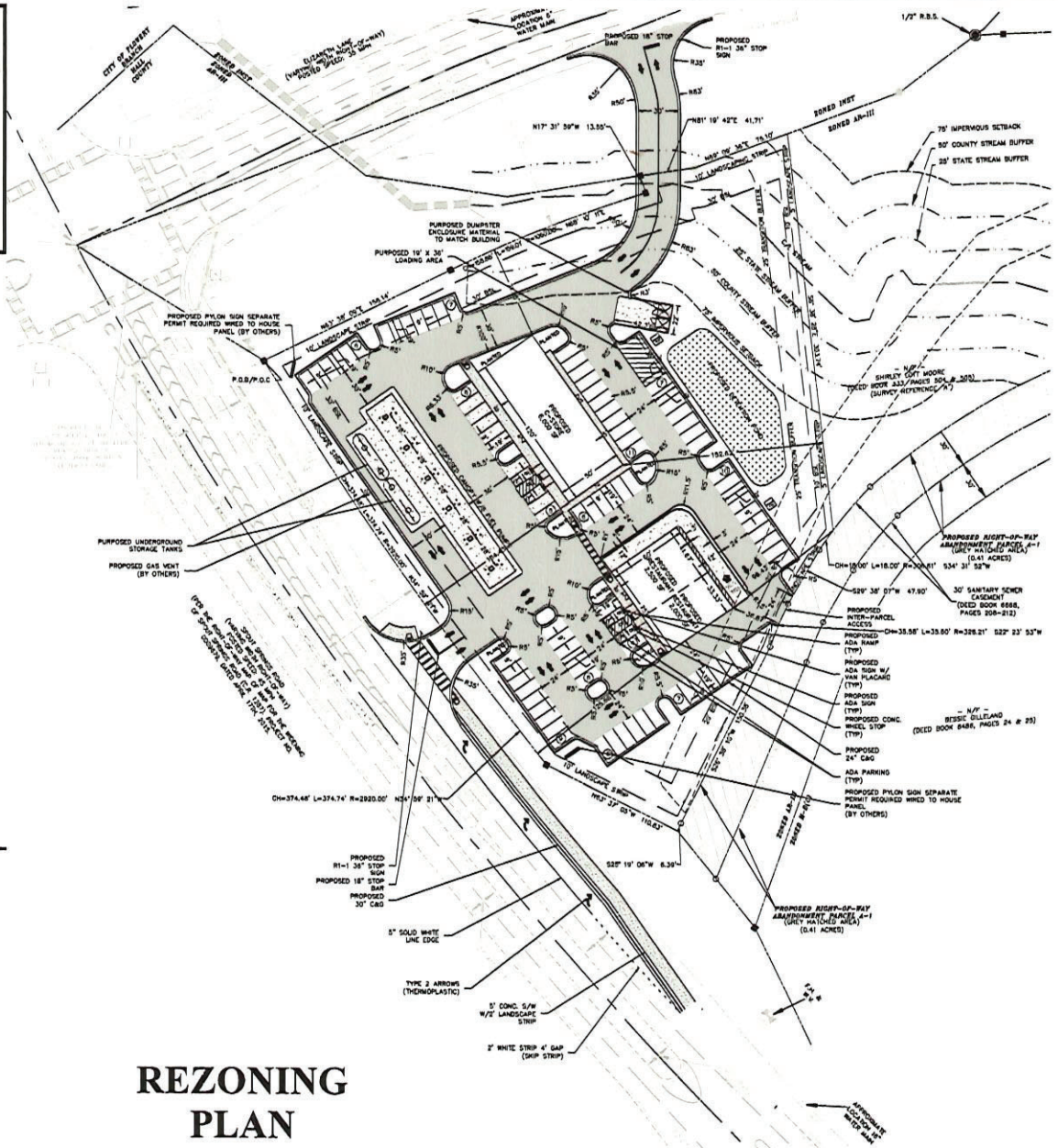
Title of Agent

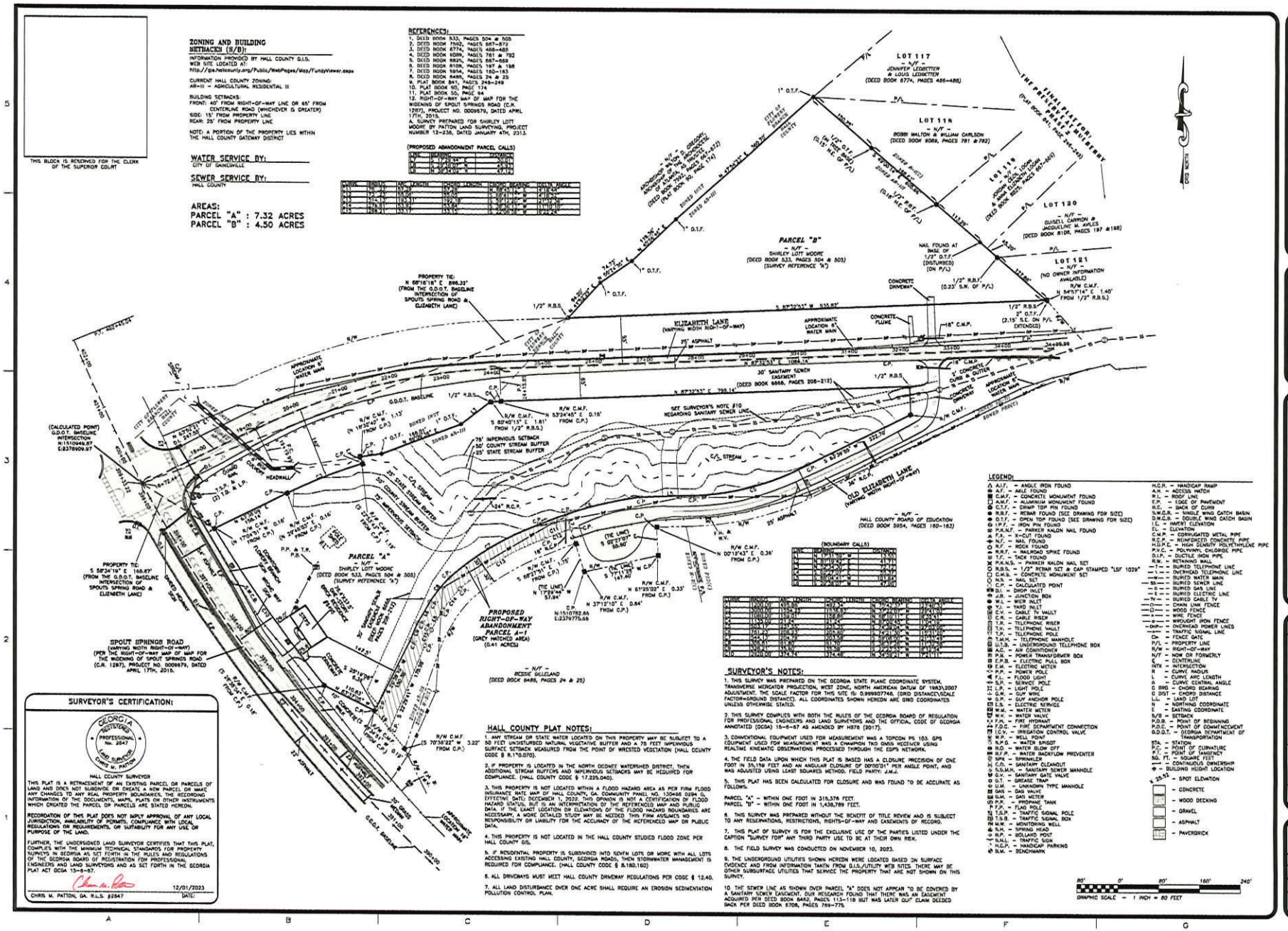
MARISSA BRIDGES NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES October 5, 2024



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13113C0294G, DATED 12/01/2022.


PROPOSED 18" STOP BAR
PROPOSED R1-1 36" STOP SIGN
1/2" R.B.S.
75' IMPERVIOUS SETBACK
50' COUNTY STREAM BUFFER
25' STATE STREAM BUFFER
PROPOSED DUMPSTER ENCLOSURE MATERIAL TO MATCH BUILDING
PROPOSED 19' X 36' LOADING AREA
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
P.O.B./P.O.C.
PROPOSED UNDERGROUND STORAGE TANKS
PROPOSED GAS VENT (BY OTHERS)
PROPOSED RIGHT-OF-WAY ABANDONMENT (PARCEL A-1) (GREY HATCHED AREA) (0.41 ACRES)
30' SANITARY SEWER EASEMENT (DEED BOOK 6668, PAGES 208-212)
PROPOSED INTER-PARCEL ACCESS
PROPOSED ADA RAMP (TYP)
PROPOSED ADA SIGN W/ VAN PLACARD (TYP)
PROPOSED ADA SIGN (TYP)
PROPOSED CONC. WHEEL STOP (TYP)
PROPOSED 24" C&G
ADA PARKING (TYP)
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
- N/F -
BESSIE GILLELAND
(DEED BOOK 8486, PAGES 24 & 25)
PROPOSED R1-1 36" STOP SIGN
PROPOSED 18" STOP BAR
PROPOSED 30" C&G
5' SOLID WHITE LINE EDGE
TYPE 2 ARROWS (THERMOPLASTIC)
5' CONC. S/W W/2' LANDSCAPE STRIP
2' WHITE STRIP 4' GAP (SKIP STRIP)
PROPOSED RIGHT-OF-WAY ABANDONMENT (PARCEL A-1) (GREY HATCHED AREA) (0.41 ACRES)
- N/F -
SHIRLEY COIT MOORE
(DEED BOOK 333/PAGES 504 & 505)
(SURVEY REFERENCE #1)
PROPOSED GRADING LIMIT
PROPOSED BUILDING 10,500 SF
PROPOSED CANOPY
PROPOSED CANOPY
PROPOSED UNDERGROUND STORAGE TANKS
PROPOSED GAS VENT (BY OTHERS)
PROPOSED 24" C&G
PROPOSED 4" SOLID WHITE LINE EDGE
PROPOSED 4" SOLID YELLOW LINE EDGE
PROPOSED 4" DOUBLE SOLID YELLOW LINE
PROPOSED 4" SOLID WHITE LINE EDGE
PROPOSED 4" DOUBLE SOLID YELLOW LINE
PROPOSED 4" SOLID YELLOW LINE EDGE
PROPOSED 4" SOLID WHITE LINE EDGE
PROPOSED 4" SOLID YELLOW LINE EDGE
PROPOSED 4" DOUBLE SOLID YELLOW LIN


ZONING AND BUILDING SETBACKS (B/B):
INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT:
http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx
CURRENT HALL COUNTY ZONING:
AR-III = AGRICULTURAL RESIDENTIAL III
BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE
NOTE: A PORTION OF THE PROPERTY LIES WITHIN THE HALL COUNTY GATEWAY DISTRICT
THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT
WATER SERVICE BY:
CITY OF GAINESVILLE
SEWER SERVICE BY:
HALL COUNTY
AREAS:
PARCEL "A" : 7.32 ACRES
PARCEL "B" : 4.50 ACRES
REFERENCES:
1. DEED BOOK 533, PAGES 504 & 505
2. DEED BOOK 7902, PAGES 687-692
3. DEED BOOK 8774, PAGES 488-489
4. DEED BOOK 9089, PAGES 781 & 782
5. DEED BOOK 8821, PAGES 867-868
6. DEED BOOK 8108, PAGES 197 & 198
7. DEED BOOK 9894, PAGES 180-183
8. DEED BOOK 6488, PAGES 24 & 25
9. PLAT BOOK 841, PAGES 248-249
10. PLAT BOOK 80, PAGE 174
11. PLAT BOOK 50, PAGE 64
12. RIGHT-OF-WAY MAP OF MAP FOR THE WIDENING OF SPOUT SPRINGS ROAD (C.R. 1287), PROJECT NO. 0009679, DATED APRIL 17TH, 2015.
A. SURVEY PREPARED FOR SHIRLEY LOTT MOORE BY PATTON LAND SURVEYING, PROJECT NUMBER 12-236, DATED JANUARY 4TH, 2013.
(PROPOSED ABANDONMENT PARCEL CALLS)
LOT 117 – N/F – JENNIFER LEDBETTER & LOUIS LEDBETTER (DEED BOOK 8774, PAGES 486-488)
LOT 118 – N/F – BOBBI WALTON & WILLIAM CARLSON (DEED BOOK 9089, PAGES 781 & 782)
LOT 119 – N/F – JOSEPH ALLEN LOCKE & ANNA ELIZABETH LOCKE (DEED BOOK 8821, PAGES 867-869)
LOT 120 – N/F – QUISELL CARMON & JACQUELINE M. AVILES (DEED BOOK 8108, PAGES 197 & 198)
LOT 121 – N/F – (NO OWNER INFORMATION AVAILABLE)
PARCEL "B" – N/F – SHIRLEY LOTT MOORE (DEED BOOK 533, PAGES 504 & 505) (SURVEY REFERENCE "A")
PARCEL "A" – N/F – SHIRLEY LOTT MOORE (DEED BOOK 533, PAGES 504 & 505) (SURVEY REFERENCE "A")
ELIZABETH LANE (VARYING WIDTH RIGHT-OF-WAY)
OLD ELIZABETH LANE (VARYING WIDTH RIGHT-OF-WAY)
SPOUT SPRINGS ROAD (VARYING WIDTH RIGHT-OF-WAY) (PER THE RIGHT-OF-WAY MAP OF MAP FOR THE WIDENING OF SPOUT SPRINGS ROAD (C.R. 1287), PROJECT NO. 0009679, DATED APRIL 17TH, 2015.
PROPOSED RIGHT-OF-WAY ABANDONMENT PARCEL A-1 (GREEN HATCHED AREA) (0.41 ACRES)
HALL COUNTY BOARD OF EDUCATION (DEED BOOK 5954, PAGES 180-183)
BESSIE GILLELAND (DEED BOOK 6488, PAGES 24 & 25)
PROPERTY TIE: N 68°16'18" E 896.33' (FROM THE G.D.O.T. BASELINE INTERSECTION OF SPOUTS SPRING ROAD & ELIZABETH LANE)
PROPERTY TIE: S 58°34'19" E 168.67' (FROM THE G.D.O.T. BASELINE INTERSECTION OF SPOUTS SPRING ROAD & ELIZABETH LANE)
(CALCULATED POINT) G.D.O.T. BASELINE INTERSECTION N:1510949.87 E:2378909.97
SEE SURVEYOR'S NOTE #10 REGARDING SANITARY SEWER LINE
78' IMPERVIOUS SETBACK
50' COUNTY STREAM BUFFER
25' STATE STREAM BUFFER
30' SANITARY SEWER EASEMENT (DEED BOOK 6888, PAGES 208-212)
(TIE LINE) N 17°09'46" W 57.04'
(TIE LINE) S 05°27'07" E 50.60'
(TIE LINE) S 17°11'39" W 147.42'
P.O.B. N:1510782.86 E:2379775.66
SURVEYOR'S CERTIFICATION:
GEORGIA REGISTERED PROFESSIONAL No. 2847 LAND SURVEYOR CHRIS M. PATTON
HALL COUNTY SURVEYOR
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.
FURTHER, 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 THE GEORGIA PLAT ACT OCGA 15-6-67.
CHRIS M. PATTON, GA. R.L.S. #2847
12/01/2023
DATE:
HALL COUNTY PLAT NOTES:
1. 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 MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).
2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).
3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13068G 0394 G, (EFFECTIVE DATE) DECEMBER 1, 2022. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.
4. THIS PROPERTY IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.
5. 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)
6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.
7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.
SURVEYOR'S NOTES:
1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983(NSRS 2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.9999027748. (GRID DISTANCE)(SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.
2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB78 (2017).
3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 35,179 FEET AND AN ANGULAR CLOSURE OF 00'00'01" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES METHOD. FIELD PARTY: J.M.J.
5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:
PARCEL "A" – WITHIN ONE FOOT IN 315,378 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 1,438,789 FEET.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.
7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.
8. THE FIELD SURVEY WAS CONDUCTED ON NOVEMBER 10, 2023.
9. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.
10. THE SEWER LINE AS SHOWN OVER PARCEL "A" DOES NOT APPEAR TO BE COVERED BY A SANITARY SEWER EASEMENT. OUR RESEARCH FOUND THAT THERE WAS AN EASEMENT ACQUIRED PER DEED BOOK 8482, PAGES 113-118 BUT WAS LATER QUIT CLAIM DEEDED BACK PER DEED BOOK 8706, PAGES 769-775.
LEGEND:
GRAPHIC SCALE – 1 INCH = 80 FEET
REGISTERED PROFESSIONAL LAND SURVEYORS
PATTON LAND SURVEYING, LLC
P.O. BOX 25
CUMMING, GA. 30503
PHONE: (770) 532-6432
FAX: (770) 532-1995
www.pattonsurveying.com
LAND SURVEYING FIRM CERTIFICATE OF AUTHORIZATION NUMBER LSF 001029
COMPLETED BY: M.S.H. & C.M.P.
SURVEYED BY: J.M.J.
DRAWN BY: M.S.H. & C.M.P.
CHECKED BY: C.M.P.
RETRACEMENT SURVEY FOR:
SHIRLEY LOTT MOORE
– LOCATED IN –
G.M.D. 81770
HALL COUNTY, GEORGIA
REVISIONS
No. DATE DESCRIPTION
SHEET NUMBER: 1 of 1
SCALE: 1" = 80'
SURVEY DATE: 11/29/2023
PLAT DATE: 12/01/2023
23-122.dwg
JN. 23-122

470.863.1070
www.LJA.com
130 East Main Street, Suite 204, Canton, Georgia 30114

September 3, 2024

Hall County
Public Works and Utilities
2875 Browns Bridge Road
Gainesville, GA 30504-5635
Office: (770)-531-3945

Re: Proposed Convenience Store with Fuel Sales and two Restaurants
Sewer Availability Letter
Parcel: 13139C0294G
6495 Spout Springs Road
Flowery Branch, GA 30542

To whom it concerns,

On behalf of Reed Creek Food Mart, LLC. Please consider this our Letter of Intent for proposed convenience store with fuel sales and two restaurants. The parcel 6495 Spout Springs Road is currently zoned AR-III. We would like to request a Sewer Availability letter. We will also be rezoning to H-B to allow convenience store with fuel sales and two restaurants. The proposed layout will be consistent to the existing area and comply with the Gateway overlay district. Our estimated time period for construction is May 2025 – August 2025.

Sincerely,

Terry Boomer P.E.,
LJA Engineering, Inc.
Land Development
C: 678-462-4072

Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, March 4, 2025 1:52 PM
To: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 4.7.25

Please find Environmental Health comments below:

Item 1, 3384 Lee Drive, Muntean: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application. Please note that Zoning approval does not imply approval from other county departments.

Items 2A,B,C 5349 Browns Bridge Road, Hermosillo: 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 3, 6000 Swansey Road, Smith: Must meet all Environmental Health permitting requirements for septic system and Food Service.

Item 4, 3625 McEver Road, Elliott: 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/modification may be required after review of business plan.

Item 5, 6495 Spout Springs Road, LJA Engineering: 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 6, 5691 Woodlin Road, Rouse: Must meet all residential permitting requirements.

Item 7, 0/3566 Athens Hwy, Simpson: 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, 6042 Spout Springs Road, Cox: Must meet all residential permitting requirements.

Item 9, 6700/6702 Yellow Creek Road; Koons: Must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal

will be required to be permitted through EPD if total gallons per day is greater than 10,000gpd. 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. Tourist Accommodation permit/plan review and/or Food Service permit/plan review will be required after review of business plan.

Item 10, 3800 Athens Hwy, Hughes: 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.

Kaitlyn Elliott (Planning)

From: Stevens, Henry K <HStevens@dot.ga.gov>
Sent: Monday, March 3, 2025 8:29 AM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning)
Subject: RE: Tentative Agenda Monday, April 7, 2025 Hall County Planning Commission Meeting

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,

Please see the below comments from GDOT in red.

Thanks,

Henry Stevens, E.I.T.
GDOT Civil Engineer 2
Georgia Department of Transportation
District 1 Traffic Operations- Gainesville
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
470.663.1807 cell

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, February 27, 2025 11:22 AM
Subject: Tentative Agenda Monday, April 7, 2025 Hall County Planning Commission Meeting

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, April 7, 2025** 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, March 6, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 17, 2025

OLD BUSINESS

1. **3384 Lee Drive | Variance** | Section 3.2. to reduce the minimum yards | on a 0.14± acre tract located on the west side of Lee Drive approximately 2,785 feet from its intersection with Lanier Islands Parkway | Zoned AR-1; Tax Parcel 08168 000026 **| Proposed Use: To construct a carport & bring existing single-family residence and carport into compliance | *** Commission District 2 **| Nancy Muntean, applicant**

NEW BUSINESS

2. **(A) 5349 Browns Bridge Road | Special Use** | for vehicle repair within GCOD | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | ** Commission District 2 | **Luis Hermosillo, applicant** **GDOT Coordination Required**

   (B) 5349 Browns Bridge Road | Variance to section 8.1.2 | Off-street parking requirements | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, applicant** **GDOT Coordination Required**

   (C) 5349 Browns Bridge Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, applicant** **GDOT Coordination Required**

3. **6000 Swansey Road | Special Use** | for a rural business in AR-1 | on a 1.50± acre tract located on the north side of Swansey Road approximately 1075 feet from its intersection with Circle Four Ranch | Zoned AR-1; Tax Parcel 15048 000168 | **Proposed use: Rural business** | ** Commission District 1 | **Brandon & Kristin Smith, applicant** **GDOT Coordination Not Required**

4. **3625 McEver Road | Special Use |** to amend conditions of zoning | on a 11.10± acre tract located on the east side of McEver road approximately 708 feet from its intersection with Hilldale Road | Zoned PCD (GCOD); Tax Parcel 08032 000006 | **Proposed Use: Outdoor storage and expansion of services** | ** Commission District 4 | **Thomas L. Elliott III, applicant** **GDOT Coordination Required**

5. **(A) 6495 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | ** Commission District 1 | **LJA Engineering, applicant** **GDOT Coordination Not Required**

   (B) 6495 Spout Springs Road | Special Use | fuel sales in H-B | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Propose Use: Fuel sales** | ** Commission District 1 | **LJA Engineering, applicant** **GDOT Coordination Not Required**

   (C) 6495 Spout Springs Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | * Commission District 1 | **LJA Engineering, applicant** **GDOT Coordination Not Required**

6. **5691 Woodlin Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 17.58± acre tract located on the west side of Woodlin Road approximately 806 feet from its intersection with County Line Road | Zoned AR-1; Tax Parcel 15006B000023 | **Proposed Use: Second dwelling | ** Commission District 3 | Michael Rouse, applicant** **GDOT Coordination Not Required**

7. **0 & 3566 Athens Highway | Rezone** | from Agricultural Residential 1 (AR-1) and Suburban Shopping (S-S, GCOD) to Planned Industrial Development (PID, GCOD) | on a combined 38.52± acre tract located on the southwest side of Athens Highway at its intersection with Mangum Road | Zoned AR-1 & S-S (GCOD); Tax Parcels 15014 000167 & 000233 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Simpson Trucking and Grading, Inc., applicant** **GDOT Coordination Required**

8. **6042 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 9.70± acre tract located on the west side of Spout Springs Road approximately 1,083 feet from its intersection with Castlegate Drive | Zoned AR-1; Tax Parcel 15046 000026 | **Proposed Use: Second dwelling** | ** Commission District 1 | **Bradley Cox, applicant** **GDOT Coordination Not Required**

9. **6700 & 6702 Yellow Creek Road | Rezone** | from Vacation Cottage (V-C) to Planned Commercial Development (PCD) | on a combined 47.14± acre tract located on the west side of Yellow Creek Road at its intersection with Barkers Bend Drive | Zoned V-C; Tax Parcel 11135 000001 & 000001E | **Proposed Use: Campground and event facility** | ** Commission District 2 | **Koons Environmental Design, Inc. c/o Josh Koons, applicant** **GDOT Coordination Not Required**

10. **3800 Athens Highway | Rezone** | from Planned Commercial Development (PCD) (GCOD) and Planned Commercial Farm District (PCFD) to Planned Industrial Development (PID) (GCOD) | on a 99.24 ± acre tract located on the west side of Athens approximately 1,300 ft from its intersection with Blackstock Road | Zoned PCD (GCOD) and PCFD; Tax Parcel 15013 000003 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Hughes Commercial Real Estate, applicant** **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, May 8, 2025, 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, May 8, 2025. 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,

Kaitlyn Elliott
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

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

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning

From: Bill Nash, Director of Public Works and Utilities

Date: March 6, 2025

Subject: April 7, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the April 7, 2025 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. 3384 Lee Drive | Variance | Section 3.2. to reduce the minimum yards | on a 0.14± acre tract located on the west side of Lee Drive approximately 2,785 feet from its intersection with Lanier Islands Parkway | Zoned AR-1; Tax Parcel 08168 000026 **| Proposed Use: To construct a carport & bring existing single-family residence and carport into compliance | *** Commission District 2 **| Nancy Muntean, applicant**

a. **Engineering:** No comment

b. **Traffic:** No comment
c. **Utilities:** No comment

NEW BUSINESS

2. (A) 5349 Browns Bridge Road | Special Use | for vehicle repair within GCOD | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | ** Commission District 2 | **Luis Hermosillo, applicant**

(B) 5349 Browns Bridge Road | Variance to section 8.1.2 | Off-street parking requirements | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, applicant**

(C) 5349 Browns Bridge Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, 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:** Access will need to be approved by GODT
c. **Utilities:** No comment

3. **6000 Swansey Road | Special Use** | for a rural business in AR-1 | on a 1.50± acre tract located on the north side of Swansey Road approximately 1075 feet from its intersection with Circle Four Ranch | Zoned AR-1; Tax Parcel 15048 000168 | **Proposed use: Rural business** | ** Commission District 1 | **Brandon & Kristin Smith, applicant**

a. **Engineering:** No comment
b. **Traffic:** No comment
c. **Utilities:** No comment

4. **3625 McEver Road | Special Use |** to amend conditions of zoning | on a 11.10± acre tract located on the east side of McEver road approximately 708 feet from its intersection with Hilldale Road | Zoned PCD (GCOD); Tax Parcel 08032 000006 | **Proposed Use: Outdoor storage and expansion of services** | ** Commission District 4 | **Thomas L. Elliott III, 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:** No comment

5. **(A) 6495 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | ** Commission District 1 | **LJA Engineering, applicant**

(B) 6495 Spout Springs Road | Special Use | fuel sales in H-B | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Propose Use: Fuel sales** | ** Commission District 1 | **LJA Engineering, applicant**

(C) 6495 Spout Springs Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | * Commission District 1 | **LJA Engineering, 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:** Proposed Elizabeth Lane access is in the City of Flowery branch. Approval and permit required.
Proposed Spout Springs Road Access will be required to be a right-in/right-out and designed/constructed to GDOT standards.
c. **Utilities:** Hall County sewer available. Sewer connection required.

6. **5691 Woodlin Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 17.58± acre tract located on the west side of Woodlin Road approximately 806 feet from its intersection with County Line Road | Zoned AR-1; Tax Parcel 15006B000023 | **Proposed Use: Second dwelling** | ** Commission District 3 **| Michael Rouse, applicant**

a. **Engineering:** North Oconee Reservoir Watershed Protection District 150' impervious set back and 100' buffer on both sides of the creek.
b. **Traffic:** No comment
c. **Utilities:** No comment

7. **0 & 3566 Athens Highway | Rezone** | from Agricultural Residential 1 (AR-1) and Suburban Shopping (S-S, GCOD) to Planned Industrial Development (PID, GCOD) | on a combined 38.52± acre tract located on the southwest side of Athens Highway at its intersection with Mangum Road | Zoned AR-1 & S-S (GCOD); Tax Parcels 15014 000167 & 000233 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Simpson Trucking and Grading, 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:** GDOT access permit required
c. **Utilities:** No comment

8. **6042 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 9.70± acre tract located on the west side of Spout Springs Road approximately 1,083 feet from its intersection with Castlegate Drive | Zoned AR-1; Tax Parcel 15046 000026 | **Proposed Use: Second dwelling** | ** Commission District 1 | **Bradley Cox, applicant**

a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream

b. **Traffic:** No comment
c. **Utilities:** No comment

9. **6700 & 6702 Yellow Creek Road | Rezone** | from Vacation Cottage (V-C) to Planned Commercial Development (PCD) | on a combined 47.14± acre tract located on the west side of Yellow Creek Road at its intersection with Barkers Bend Drive | Zoned V-C; Tax Parcel 11135

000001 & 000001E | **Proposed Use: Campground and event facility** | ** Commission District 2 | **Koons Environmental Design, Inc. c/o Josh Koons, 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:** Access will need to meet Hall County standards
c. **Utilities:** No comment

10. **3800 Athens Highway | Rezone** | from Planned Commercial Development (PCD) (GCOD) and Planned Commercial Farm District (PCFD) to Planned Industrial Development (PID) (GCOD) | on a 99.24 ± acre tract located on the west side of Athens approximately 1,300 ft from its intersection with Blackstock Road | Zoned PCD (GCOD) and PCFD; Tax Parcel 15013 000003 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Hughes Commercial Real Estate, 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:** Existing access will need to be approved by GDOT
c. **Utilities:** No comment

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, February 27, 2025 4:06 PM
To: Beth Garmon (CDI: Planning)
Cc: Kaitlyn Elliott (Planning)
Subject: Fire Comment

Monday, April 7, 2025 Hall County Planning Commission Meeting

1. **(A) 6495 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | ** Commission District 1 | **LJA Engineering, applicant**

   (B) 6495 Spout Springs Road | Special Use | fuel sales in H-B | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Propose Use: Fuel sales** | ** Commission District 1 | **LJA Engineering, applicant**

   (C) 6495 Spout Springs Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | * Commission District 1 | **LJA Engineering, applicant**

The Hall County Fire Marshal's Office considers the plan conceptual 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

Outlook

Opposition to Proposed Rezoning for Fast Food Restaurants and Gas Station

From Jason Lanahan <[redacted]
Date Sat 3/29/2025 8:08 AM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>

You don't often get email from [redacted] 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 Ms. Harmon,

I am writing to express my strong opposition to the proposed rezoning of 6495 Spout Springs Rd. from residential to commercial use, which would allow for the construction of two fast food restaurants and a 12-pump gas station. As a resident & concerned citizen in this community, I believe this development would have significant negative impacts on the quality of life, safety, and character of our neighborhood.

First, the introduction of two fast food restaurants and a large gas station would drastically increase traffic congestion in an area designed for residential use. The constant flow of vehicles, including delivery trucks and late-night customers, would disrupt the peace and safety of families living nearby. Streets meant for quiet residential access are ill-equipped to handle the volume of traffic this commercial development would bring, posing risks to pedestrians, children, and pets.

Second, this rezoning threatens the health and well-being of our community. Fast food outlets contribute to litter, noise pollution, and unhealthy eating options, while a 12-pump gas station raises concerns about air quality and potential environmental hazards like fuel spills. These changes conflict with the residential nature of the area, which prioritizes clean, safe, and family-friendly surroundings.

Finally, approving this rezoning would erode the character of our neighborhood. Residents chose this area for its calm, community-oriented atmosphere—not for the noise, lights, and 24/7 activity of commercial enterprises. Allowing this development sets a precedent that could destabilize property values and invite further encroachment on residential zones.

I urge you to consider the long-term consequences of this proposal and prioritize the interests of the residents who call this area home. I respectfully request that you deny the rezoning application and preserve the integrity of our residential community.

Thank you for your time and consideration. I am happy to discuss this matter further or attend any upcoming hearings on the issue.

Sincerely,
Jason A. Lanahan

7421 Regatta Way, Flowery Branch, GA 30542
[redacted]

Outlook

Opposition to proposed development off of Spout Springs

From Kiley Lanahan <[redacted]>
Date Sat 3/29/2025 9:49 AM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>

You don't often get email from [redacted] 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 Ms. Harmon,

I am writing to express my strong opposition to the proposed rezoning of 6495 Spout Springs Rd. from residential to commercial use, which would allow for the construction of two fast food restaurants and a 12-pump gas station. As a resident & concerned citizen in this community, I believe this development would have significant negative impacts on the quality of life, safety, and character of our neighborhood and church community of Prince of Peace.

First, the introduction of two fast food restaurants and a large gas station would drastically increase traffic congestion in an area designed for residential use. The constant flow of vehicles, including delivery trucks and late-night customers, would disrupt the peace and safety of families living nearby. Streets meant for quiet residential access are ill-equipped to handle the volume of traffic this commercial development would bring, posing risks to pedestrians, children, and pets.

Second, this rezoning threatens the health and well-being of our community. Fast food outlets contribute to litter, noise pollution, and unhealthy eating options, while a 12-pump gas station raises concerns about air quality and potential environmental hazards like fuel spills. These changes conflict with the residential nature of the area, which prioritizes clean, safe, and family-friendly surroundings.

Finally, approving this rezoning would erode the character of our neighborhood. Residents chose this area for its calm, community-oriented atmosphere—not for the noise, lights, and 24/7 activity of commercial enterprises. Allowing this development sets a precedent that could destabilize property values and invite further encroachment on residential zones. We left Gwinnett County for this exact reason and hate that Hall county is proposing the same kind of over development.

I urge you to consider the long-term consequences of this proposal and prioritize the interests of the residents who call this area home. I respectfully request that you deny the rezoning application and preserve the integrity of our residential community.

Thank you for your time and consideration. I am happy to discuss this matter further or attend any upcoming hearings on the issue.

Sincerely,
Kiley Lanahan
7421 Regatta Way, Flowery Branch, GA 30542
[redacted]

Commissioners:

Concerned citizens of Hall County respectfully request that you deny rezoning of 6495 Spout Springs Road | Tax Parcel 15047 000002A (pt.)

We express our strong opposition to the proposed rezoning of 6495 Spout Springs Rd. from AR-1, residential to H-B, Highway Business, commercial use, which would allow for the construction of two fast food restaurants and a 12-pump gas station. As citizens in this community, we believe this development would have significant negative impacts on the quality of life, safety, and character of our neighborhood and surrounding areas.

- The proposed zoning is not consistent with the commercial nature of the surrounding properties. Only the adjacent property is zoned H-B. The remaining properties in the area and spanning from Hog Mountain Rd. to Friendship Rd. are overwhelmingly zoned AR-1, PRD and PUD.
- The requested zoning designation is inconsistent with the Hall County Comprehensive Plan future land use designation of "Suburban Neighborhood-Medium Density."
- Allowing this development sets a precedent that will destabilize property values and invite further encroachment on the other residential zones.
- The introduction of two fast food restaurants and a large gas station create an excessive burden and hardship for developments along Spout Springs Road. It would drastically increase traffic congestion in an area designed for residential use. The constant flow of vehicles, including 18-wheel tractor trailers, delivery trucks and late-night customers, would disrupt the peace and safety of families living nearby. The side streets meant for quiet residential access are ill-equipped to handle the volume of traffic this commercial development would bring, posing risks for pedestrians, children, and pets.
- This rezoning threatens the health and well-being of our community. Fast food outlets contribute to litter, noise pollution, and unhealthy eating options, while a 12-pump gas station raises concerns about air quality and environmental hazards like fuel spills. These changes conflict with the residential nature of the area, which prioritizes clean, safe, and family-friendly surroundings.
- Approving this rezoning would erode the character of our neighborhood. Residents chose this area for its calm, community-oriented atmosphere—not for the noise, lights, and 24/7 activity of commercial enterprises.
- The requested change is out of scale with the needs of the county as a whole and the immediate neighborhood. There are multiple gas stations available within a 5-mile radius. There is no need for another gas station in the area. There are multiple fast food stations located within a 3 mile radius. There is no need for additional fast food restaurants in the area.
- Most notably, the development of a 12-pump gas station with convenience store and 2 fast food restaurants would attract sexual predators and human traffickers. The proximity of Cherokee Bluffs High School and Cherokee Bluffs Middle School

heightens our concerns. Convenience store owners are provided manuals for the purpose of identifying possible human trafficking. This is intentional due to the nature of human trafficking. "HUMAN TRAFFICKING AWARENESS GUIDE for Convenience Retail Employees

- The convenience store intends to sell beer and wine. Georgia code prohibits the sale of alcohol near schools and churches. There are 2 schools adjacent to the proposed property and a church across the street.
  2024 CODE OF GEORGIA, Title 3 - ALCOHOLIC BEVERAGES (§§ 3-1-1 — 3-15-4) Chapter 3 - REGULATION OF ALCOHOLIC BEVERAGES GENERALLY (§§ 3-3-1 — 3-3-40) Article 2 - PROHIBITED ACTS (§§ 3-3-20 — 3-3-34)
  Section 3-3-21 - Sales of alcoholic beverages near churches, school buildings, or other sites. Whether the schools are within 100 yards or ½ mile of the proposed property, the proximity to the schools is too close. There is an exit from school grounds just down the road.
  https://law.justia.com/codes/georgia/title-3/chapter-3/article-2/section-3-3-21/

  Relief, if granted, would cause substantial detriment to the public good or impair the purposes and intent...; however, that no variance may be granted for a use of land or building or structure that is prohibited by this resolution. The sale of alcohol so close to a public high school and middle school, would negatively impact the safety of students attending the schools and is in violation of the Georgia codes.

We urge you to consider the long-term consequences of this proposal and prioritize the interests of the residents who call this area home. If the rezoning is granted, it would cause substantial detriment to the public good. Long after the developer leaves and development is completed, we will remain with the negative impacts. We respectfully request that you deny the rezoning application and preserve the integrity of Hall County and Flowery Branch residential communities.
We encourage our commissioners to practice intelligent, quality development of Hall County that allows for reasonable, controlled growth that positively impacts all residents of Hall County.

Thank you for your time and consideration.

Susan Barcus – [redacted]
Nikki Bowen - [redacted]
Rosa Propst - [redacted]

6495 Spout Springs Rd

Below are several urban designs, crime prevention, and retail safety studies suggest potential dangers and drawbacks associated with backwards facing store fronts. Below are some key concerns,

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1. Reduced Natural Surveillance (Increased Crime Risk)
- Crime Prevention Through Environmental Design (CPTED) principles emphasize that visibility deters criminal activity.
- A backwards-facing entrance may reduce passive surveillance from pedestrians and passing vehicles, making the store more vulnerable to:
  - Robberies (less visibility from the street)
  - Loitering & illicit activities(hidden corners near the entrance)
  - Assaults & thefts (poor lighting and obscured sightlines)
- Supporting Study.
  - A Journal of Urban Design (2018) study found that storefronts facing away from main streets had higher crime rates due to decreased natural surveillance.
  - The UK Home Office recommends that retail entrances face high-traffic areas to deter crime.

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2. Poor Pedestrian Accessibility & Safety Hazards
- If the entrance is not easily visible or requires customers to walk around the building, it can lead to:
  - Increased trip/fall hazards (poorly marked pathways, especially at night).
  - Vehicle-pedestrian conflicts (if customers must cross parking lots or service lanes to enter).
- Supporting Data:
  - A Transportation Research Board report (2020) noted that inconvenient store access leads to improper pedestrian routing, increasing accident risks.

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3. Lower Customer Traffic & Economic Viability
- Stores with poor visibility and accessibility often experience:
  - Fewer spontaneous visits (customers may not notice the store).
  - Longer perceived wait times (if the entrance is awkwardly placed).
- Supporting Study:
  - A Journal of Retailing (2019) analysis found that forward-facing stores had 15-20% higher foot traffic than those with side/rear entrances.

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4. Increased Vulnerability to Vehicle Collisions
- If the store's entrance is near a loading zone or rear parking area:
  - Delivery trucks and cars may obstruct visibility.
  - Back-over accidents (especially in poorly lit areas).
- Supporting Data:
  - The National Highway Traffic Safety Administration (NHTSA) reports that backing accidents are more common in areas with poor visibility.

5. Emergency Response Challenges
- A hidden entrance can delay police, fire, or medical responses in emergencies.
- Supporting Evidence:
  - A National Fire Protection Association (NFPA) guideline recommends clear, street-facing entrances for quicker emergency access.

Here are some case studies and crime statistics that highlight the dangers of convenience stores with poor visibility or backwards-facing orientations:

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1. Case Study: Convenience Store Robberies & Entrance Visibility (Florida, USA)
- Study: "The Impact of Store Layout on Robbery Frequency" (Florida State University, 2016)
- Findings:
  - Stores with entrances facing away from the street experienced 42% more robberies than those with street-facing entrances.
  - Hidden entryways (e.g., behind dumpsters, in alleys) were associated with longer robbery durations due to delayed police detection.
- Recommendation: Stores were advised to relocate entrances to high-visibility areas or install panoramic glass doors to improve surveillance.

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2. Crime Statistics: Convenience Store Theft & Loitering (UK Home Office, 2019)
- Data: Analysis of 1,200 convenience stores in high-crime areas.
- Key Results:
  - Stores with rear/side entrances had:
    - 35% more shoplifting incidents
    - 50% higher loitering complaints
    - 28% longer police response times (due to confusion over access points)
- Solution: The UK's *Secured by Design* program now discourages backwards-facing retail entrances in urban planning.

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3. Case Study: Pedestrian Accidents Near Convenience Stores (Tokyo, Japan)
- Study: "Pedestrian Flow and Retail Access Safety" (University of Tokyo, 2020)
- Findings:
  - Convenience stores with entrances facing parking lots or service lanes had 3x more pedestrian-vehicle collisions than those with direct sidewalk access.
  - Hidden crosswalks (due to poor store orientation) contributed to 62% of trip-and-fall incidents at night.
- Recommendation: Stores were encouraged to align entrances with sidewalks and add reflective pathway markings.

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4. Crime Prevention Through Environmental Design (CPTED) – Real-World Example
- Location: Houston, Texas (Police Department Retail Safety Initiative, 2018)
- Intervention:
  - 10 convenience stores with high robbery rates were modified:
    - Entrances rotated to face the street
    - Dumpsters relocated from entryways
    -Bright lighting & clear window lines installed
- Results After 1 Year:
  - Robberies dropped by 60%
  - Customer traffic increased by 22%

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5. Fatal Back-Over Incident Linked to Poor Store Design (NHTSA Report, 2021)
- Incident: A customer was fatally struck by a delivery truck backing into a convenience store with a rear-facing entrance obscured by fencing.
- NHTSA Findings:
  - 17% of store-related vehicle fatalities occur in lots with poorly visible entrances/exits.
  - Rear-facing designs often lack mirrors, warning alarms, or crosswalk signage.

Key Takeaways from Data & Case Studies
1. **Crime Risk**: Backwards-facing stores are statistically more likely to experience robberies, theft, and loitering.
2. **Safety Hazards**: Poor entrance visibility increases pedestrian-vehicle accidents and trip hazards.
3. **Economic Impact**: Low visibility correlates with reduced foot traffic and longer emergency response times.

Solutions That Worked in High-Risk Areas
✔ Relocating entrances to face main streets (proven in Houston & UK cases).
✔ Adding lighting & clear sightlines (reduced robberies by 60% in Houston).
✔ Installing convex mirrors & backup sensors (prevents back-over accidents).

CLIPPER PETROLEUM

Daniel Parr
Business Devlopment Manager

(678) 865-6729 – Cell

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dparr@clipperpetroleum.com

No Gas Station/Convenience Store Next to Schools
99 people have signed this petition. 28Comments

A 12 pump gas station and convenience store, along with 2 drive-thru fast food restaurants is proposed for the property at 6495 Spout Springs Road | Tax Parcel 15047 000002A. This is at the corner of Spout Springs Rd. and Elizabeth Lane. The property borders Cherokee Bluffs High School.

While initially, this sounds like a good idea, many area residents don't think it's an appropriate location for a gas station. Here is a list of reasons why we are opposed to it. This property abuts Cherokee Bluffs School Grounds.

- Sex trafficking/human trafficking. High school students will most definitely visit the restaurants and drivers will use the gas station. This is a great location for sexual predators. There is even a guide for convenience store owners on how to spot trafficking. Do we really want to put our children and teens in jeopardy like this?
- chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.dhs.gov/sites/default/files/publicatio...
- Teens will have easier access to cigarettes.
- This location will become a meeting place for teens from area schools, including schools from other counties. The students know each other through social media and they would flock to something like this. (I taught 5 years at a middle school, 2 years at a high school and I was an administrator at a high school for 12 years. This type of activity happens all of the time. Do we really want this type of activity so close to our schools and communities? It will bring teens of more dubious backgrounds leading to increases in speeding, home and car break-ins. etc.
- Increased crime and increased access to drugs. Crimes, including crimes related to drug deals have been committed down the road at the gas stations near I985.
- Increased traffic
- Increased littering and pollution
- Increased noise pollution
- The majority of the property between Hog Mount Rd. & Friendship Rd. is zoned PRD, AR-1 & PUD.

We want sensible, quality growth where businesses are clustered away from residential areas.

Comments"

- Linda Cahill United States Apr 07, 2025No, please don't allow.
- Lorraine Veiga United States Apr 07, 2025I oppose a gas station across from our community and next to a school !

- Anonymous United States Apr 07, 2025Do not want more gas stations and fast food next to my neighborhood. Already a high traffic area and too close to two schools.
- Eric Bowman United States Apr 07, 2025The community doesn't need a gas station so close to these schools.
- Jacqueline Woods United States Apr 07, 2025I pray this gets stopped.
- Julie Eichbauer United States Apr 06, 2025We do not want a gas station near our neighborhood or our schools. The proposed development would negatively affect all our property valuation Sterling on the Lake and create a traffic nightmare at the intersection in front of our neighborhood. Please leave our zoning at this location as residential for the benefit of all the homes in Sterling and on Spout Springs as well as for the schools.
- Amber Simmons United States Apr 06, 2025Opposed to gas station. I don't want kids in walking distance to cigarettes/vapes, and alcohol.
- Rick Calkins Calkins United States Apr 05, 2025Keep businesses sell alcohol,tobacco and CBD away from school entrances, out of our neighborhoods and in business sectors.
- Mike Puckett United States Apr 05, 2025A Hall County school, a huge church, a huge subdivision, a Hall County public library right at the four corners of this property. A gas station is the LAST thing Hall County should allow to be put here. PLEASE - listen to your tax-paying constituents.
- Rosa Probst United States Apr 05, 2025This is the wrong type of business for this location. It will INCREASE the traffic for this intersection, which is already unsafe. The traffic from the church creates a hazard for the church members attempting to cross Spout Springs when leaving the church. The traffic from the library and Sterling on the Lake will also be negatively impacted. Plus the home values in Sterling on the Lake will be negatively impacted.
- Jose Doyague United States Apr 04, 2025I expect the Hall County Commission to demonstrate responsible land use management.
- David Gagne United States Apr 04, 2025We do not need a Gas Station selling Alcoholic Beverages so close to schools and a Church. This is a quiet residential area and should remain that way. We do not need the additional traffic or fast food restaurants.
- SHIRLEY A LAWRENCE United States Apr 04, 2025Do we want Spouts Springs Rd to look like Buford Hwy in Chamblee and all of the crime that goes with it?!!!
- Terry Lawrence United States Apr 04, 2025Facilities like these near schools where tobacco and alcohol are readily available become a magnet for young underage students as well as drug dealers looking for new customers. There are sufficient gas stations and convenience stores around us. In my opinion this is a no vote.
- Christine O'Brien United States Apr 04, 2025We definitely don't want a gas station outside Sterling on the Lake. We don't need all the crime and increased traffic right there plus 2 drive thru restaurants. We have so so many near us already and that just adds to the congestion and traffic! Plus we have 4 gas station within 3 miles of us already. Don't need any more!

- Hendrika Herington United States Apr 04, 2025The listed objections relating to proximity to high school are well stated. In addition there are several multi pump stations within a few miles.another one is not needed .
- Karen Lee Roy United States Apr 04, 2025 Would prefer no commercial across from residential.
- Clare Anderson United States Apr 04, 2025No gas station or fast food establishment
- *Bernard Williams United States Apr 04, 2025This must be stopped!*
- Chris Fletcher United States Apr 04, 2025"No!" to developers
- Anonymous United States Apr 04, 2025I agree with all the reasons in the petition above for NOT having this business in the proposed area. These kinds of businesses tend to bring a decline to the surrounding area.
- This type of a business does not belong in the proposed area.
- Susan Barcus United States Apr 04, 2025Beer and wine will be sold at the convenience store. This is too close to a high school. The proximity definitely increases the opportunity for under age students to have access to the alcohol. We want intelligent, quality planning from Hall County Planning Commission. Cluster businesses near commercial districts and not in the midst of residential regions.
- Matthew LaMattina Apr 04, 2025 1This is unwanted in our community with a concern for crime and increased traffic.
- Paul Sasso Apr 04, 2025 1Please do not approve a commercial business like a gas station or any other 24 hour business near the entrance to Sterling on the Laje.
- Karen Caswell United States Apr 04, 2025deleteThe proposed development would dramatically change the character of our predominantly residential & educational (school & library) area of Spout Sorings. There are multiple fast food & gasoline outlets five minutes away in both directions. So we're not in an underserved area re those types of services. Also, in my opinion, our students at the nearby schools would especially be put at risk, as highlighted in other comments. All told, the development would notably negatively impact SOTL quality of life & our property values.
- Anonymous United States Apr 03, 2025I believe a better solution can be achieved to develop this property instead of the present proposed one.
- Carol Kottelenberg United States Apr 03, 2025NO to a gas station!
- Edna Bire United States Apr 03, 2025No gas station across the street from Sterling on Spout Springs


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: LJA ENGINEERING
REQUEST:
REZONE FROM AR-1 TO H-B (GOOD) FOR A COMMERCIAL DEVELOPMENT WITH VARIANCES AND SPECIAL USE FOR FUEL SALES
PUBLIC HEARINGS WILL BE HELD ON:
Date: APR 07, 2025
Time: 5:15 P.M.
&
Date: JULY 10, 2025
Time: 6:00 P.M.
FOR MORE INFORMATION CALL: (770) 531-6699

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

PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.

2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.

3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN FEB 28, 2025 AND NO LATER THAN MAR 9, 2025.

THE ORGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN MAR 9, 2025 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Asif Lakhani **, hereby acknowledge that I have**
Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on 03/07/25 **for** _____.
Date (Name application filed as)

Signature A. Lakh
(The original document is required)

3/10/2025

F PERANI
COM. EXP.
NOTARY
PUBLIC
Jan. 22, 2027
GWINNETT COUNTY, GEORGIA

Revised September 2021

AGENDA ITEM

Planning & Zoning

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 301/2025

SUBJECT: **6495 Spout Springs Road | Special Use |** fuel sales in Highway Business (H-B) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Fuel sales** | Commission District 1 | **LJA Engineering, applicant** Note: Tabled at the May 8, 2025 Meeting until the July 10, 2025 Voting Meeting.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as "Alternative Design CSP8-C1", and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.
3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.
5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.
6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m. and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

Purpose of Request: **History:**

6495 Spout Springs Road | Special Use | fuel sales in Highway Business (H-B) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Fuel sales** | Commission District 1 | **LJA Engineering, 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
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Updated Site Plan
Site Plan
Plat
Maps
Renderings
Deed
Legal Description
Traffic Study
Water Availability
Sewer Availability
Environmental Health Comment
GDOT Comment
Public Works Comment
Fire Comment
Public Comments
Notice Sign

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

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

From: Beth Garmon, Director of Planning & Zoning

Date: April 21, 2025

Subject: **6495 Spout Springs Road | Special Use |** fuel sales in H-B | on a 3.05± acre portion of a tract | Zoned AR-1; Tax Parcel 15047 000002A (pt.) **| Propose Use: Fuel sales | LJA Engineering, applicant**

The request before you is from LJA Engineering for a special use for fuel sales. This item is located within Commission District 1. This request is concurrent with a request to rezone from Agricultural Residential 1 (AR-1) to Highway Business (H-B).

At their April 7, 2025 meeting the Hall County Planning Commission voted to recommend **approval, with six (6) conditions (4-1, Varner opposed).**

Staff recommendation: **Approval, with conditions,** as the proposed zoning is consistent with the commercial nature of the surrounding properties.

There were **two (2) comments in opposition submitted** in advance of the Planning Commission meeting. During the public hearing, **one (1) person spoke in favor and seven (7) people spoke in opposition. In addition, two (2) additional comments and a petition opposing the development were submitted.**

Planning Commission Conditions:

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as “Alternative Design CSP8-C1”, and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.

3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.

4. All conditions of zoning shall be made part of any plats created for the property.

5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.

6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m. and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

HALL COUNTY PLANNING COMMISSION
RTECOMMENDATION REPORT

Applicant ..... LJA Engineering

Request ..... (B) **Special Use** | Fuel sales

Proposed Use ..... Commercial development with fuel sales

Size ..... 3.05± acres

Zoning ..... Current: Agricultural Residential 1 (AR-1) | Proposed: Highway Business (H-B)

Location ..... **6495 Spout Springs Road |** Tax Parcel 15047 000002A (pt.)

Commission District ..... One

Planning Commission Date ..... April 7, 2025

Staff Recommendation ..... **(B) Approval, with conditions**, as the proposed use is with the commercial nature of the surrounding properties; and

Record Number(s) HZCU24-0050

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 4-1 (Varner opposed)

Planning Commission Conditions:

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as "Alternative Design CSP8-C1", and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.

3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.
5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.
6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m. and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

Excerpts from the minutes of the April 7, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Terry Boomer, 130 East Main Street, Canton, presented the request. The applicant has submitted three concurrent requests as part of a proposed commercial development: (A) to rezone a 3.05± acre tract from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD); (B) special use for fuel sales in the Gateway Corridor Overlay District (GCOD); and (C) a variance request to the parking lot design standards of the Gateway Corridor Overlay District (GCOD), which prohibits parking between the principal building and the street. The subject parcel is currently developed with a single-family home built in 1963, and a carport that was enclosed in 2006 (RES2006-02521). Per the narrative, the application is proposing to remove all structures.

Tom Bower, 5317 T L Bower Way, Flowery Branch, presented the request.

Public Forum:

John Moore, 1328 Fairway Drive, Elberton, spoke in favor. Mr. Moore provided a brief history of the property, noting that his family is the current property owner. He stated that he supports bringing businesses to the community.

Rosa Propes, 7038 Boathouse Way, Flowery Branch, spoke in opposition. Her concerns included the introduction of a commercial business into a primarily residential area and increased traffic. Ms. Propes also expressed concern that children might be tempted to cross the busy streets to visit the gas station, potentially leading to safety risks.

Susan Vargas, 6774 Blue Heron Way, Flowery Branch, spoke in opposition. She raised concerns that the proposed development is inconsistent with the character of the community, could lower property values, and that local roads may not be able to handle the additional traffic. Additional concerns included increased litter, the sale of alcohol and tobacco near a school, and potential risks to children's safety.

Karen Caswell, 6832 Big Sky Drive, Flowery Branch, spoke in opposition. Concerns raised were the potential increase in crime, traffic, noise, and a decrease in property values. She stated that the development would create a less safe environment for children and does not align with the surrounding residential character.

Elizabeth Dietz, 6807 Flagstone Way, Flowery Branch, spoke in opposition. Concerns raised were increased traffic and noise, as well as the fact that there are already gas stations in the immediate area.

Andrea Bowen, 6714 Big Sky Drive, Flowery Branch, spoke in opposition. Concerns raised were the light and noise pollution affecting nearby homes, gas fumes, increased litter, potential gas spills, threats to children's safety, and decreased property values.

Diane Scuza, 5404 Mulberry Preserve Drive, Flowery Branch, spoke in opposition. Her concerns included increased traffic on Elizabeth Lane, noting that the road is not designed to accommodate semi-trucks, along with an increase in litter and crime.

Two comments in opposition were received electronically.

Rebuttal

Mr. Boomer stated this development would not increase crime in the area as this is a low-crime area. The development is intended to serve as a convenient option for residents on their way home with a sit-down restaurant as well as a drive-thru restaurant. Mr. Boomer stated that traffic would not be affected as the property is located on a widened road at an intersection. The applicant further states that Spout Springs Road is a major corridor that will accommodate this use and the traffic as it does other existing commercial developments.

Planning Commission Comments:

Mr. Braswell asked what the hours of operation would be for each of the businesses, including fuel deliveries to the gas station as well as trash pickup. Mr. Bower explained fuel deliveries could be scheduled between 9 a.m. to 10 a.m. and 7 p.m. to 8 p.m. but no later than 9 p.m. Mr. Bower stated trash pickup occurs during typical business hours of 8 a.m. to 5 p.m.

A
Motion: A motion to approve, with conditions was made by Frank Sosebee and seconded by Stan Hunt. Vote: 4-1 (Varner opposed)

B
Motion: A motion to approve, with conditions was made by Frank Sosebee and seconded by Shannon Davidson. Vote: 4-1 (Varner opposed)

C
Motion: A motion to deny was made by Frank Sosebee and seconded by Johnny Varner. Vote: 4-1 (Hunt opposed)

Item originally included (C) Variance to section 6.2 – GCOD parking lot design standards. This request was subject to the Planning Commission for final action, and the board voted to deny.

Conditions (applied to A and B):

1. The property shall be approved as a Planned Commercial Development (PCD) and developed in accordance with the site plan dated February 27, 2025 labeled as "Alternative Design CSP8-C1", and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.
3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.
5. No parking spaces shall be designated immediately adjacent to the right-of-way of Spout Springs Road. The number of parking spaces required for each use may be reduced to accommodate this requirement subject to the final review and approval of the Director of Planning and Zoning, or their designee.
6. Business operations shall be limited to the hours between 5:00 a.m. and 11:00 p.m. Fuel deliveries shall only occur between 9:00 a.m. and 9:00 p.m and garbage collection shall only occur between the hours of 9:00 a.m. and 5:00 p.m.

(A), (B) Staff recommends <u>APPROVAL</u> of the applicant's requests with the following conditions:

1. The property shall be developed in accordance with the site plan dated September 19, 2024, and as described in the project narrative dated September 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by Hall County Engineering and the City of Flower Branch, as applicable. Any costs associated with the improvements shall be the responsibility of the developer.
3. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
4. All conditions of zoning shall be made part of any plats created for the property.

(C) Staff recommends DENIAL of the applicant's requests.

The following are exceptions requested by the applicant, and shall warrant determination by the Board should it choose to approve the submitted narrative and site plan:

1. **Section 6.2.5.C.1.b – Parking Lot Design** – The maximum number of parking spaces that may be constructed on impervious surfaces may be no more than 125 percent of the minimum number of parking spaces required in Sec. 8.1.
    - The applicant is proposing 102 parking spaces. **This does not meet the standard.**

2. **Section 6.2.5.C.2.e – Parking Lot Design -** Off street parking must be located to the side or rear of the principal building and may not be located between the principal building and the street.
    - The applicant is proposing parking areas between the principle buildings and Spout Springs Road and Elizabeth Lane. **This does not meet the standard.**

Summary Analysis

The applicant has submitted three concurrent requests as part of a proposed commercial development: (A) to rezone a 3.05± acre tract from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD); (B) Special Use for fuel sales in the Gateway Corridor Overlay District (GCOD); and (C) a variance request to the parking lot design standards of the Gateway Corridor Overlay District (GCOD).

The subject parcel is currently developed with a single-family home built in 1963, and a carport that was enclosed in 2006 (RES2006-02521). Per the narrative, the application is proposing to remove all structures.

The surrounding properties are zoned and developed as outlined below:

North:	City of Flowery Branch: Prince of Peace Catholic Church.
South:	Hall County Highway Business (H-B): Approved for a shopping center (ZON2007-00061). Hall County Planned Residential Development (PRD): Cherokee Bluff High School.
East:	Hall County Residential 1 (R-1): Developed with single-family homes.
West:	City of Flowery Branch: Developed with single-family homes and the Spout Springs branch of the Hall County Library System.

Per the submitted narrative and site plan, the applicant is requesting to rezone to Highway Business (H-B, GCOD) for a commercial development to include fuel sales and eating and drinking establishments. The proposed commercial development includes a 6,000 square foot convenience store, a fuel canopy with 12 pumps, and a 4,500 square foot building with two tenant spaces for proposed restaurants.

Per the site plan, two access points are proposed:

- One full access entrance on Spout Springs Road

- One full access entrance on Elizabeth Lane.

A trip generation memorandum was prepared by Traffic Solutions, LLC; however, no recommendations were provided in the report. Per the narrative, the applicant is proposing a 175 foot deceleration lane along Spout Springs Road and relocating the 10 foot sidewalk along Spout Springs Road accordingly.

The table below compares the proposed parking to Table 8.1.1- Required Parking:

Proposed	Required	Notes	Complies
102 parking spaces	**Fuel Sales**: 1 space per pump **Retail:** 3 spaces per 1,000 square feet **Eating and drinking establishment:** 1 space per 100 square feet of indoor floor area **TOTAL = 80 parking spaces**	Parking may be no more than 125 percent of the minimum number of parking spaces. Total 125 percent maximum = 100 parking spaces	Deficient

Water service will be provided by the City of Gainesville Department of Water Resources as confirmed in an email dated October 4, 2024. Sanitary sewer services will be provided by Hall County Sewer, as confirmed in a letter dated February 18, 2025.

The development standards for the project are identified in the table below and compared to the GCOD requirements (6.2):

GCOD Analysis

Standard	Proposed Work	Notes	Compliance
6.2.5.A.– Transitional buffers	A 25 foot buffer is proposed along the property line abutting the PRD zoning district.	A 25-foot transitional buffer is required adjacent to residential property. Buffers shall comply with GCOD standards.	Complies
6.2.5.B.1 – Additional Landscape and Screening	Foundation plantings	Shrubs must be planted within ten feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 lineal feet of building facade except for sides or rear of building used for loading or service areas.	Complies

		Foundation plantings may be clustered to provide visual interest	
6.2.5.B.2 – Additional Landscape and Screening	10-foot-wide landscape strip along street frontage	Along each street frontage there must be a landscape strip at least 10 feet in width except for perpendicular crossings for driveways and utilities.	Complies
6.2.5.C.1 – Parking Lot Design -Required # of Parking Spaces	102 parking spaces	Off-street parking space calculations are governed by Sec. 8.1 of the UDC. 80 parking spaces required. 100 parking spaces are allowed (per 125 percent maximum)	Deficient
6.2.5.C.2.e – Parking Lot Design - Location	30 of the 102 parking spaces are proposed between the building and the street	Off-street parking must be located to the side or rear of the principal building and may not be located between the building and the street.	Deficient
6.2.5.D – Outdoor lighting	Unknown	Shall comply with GCOD standards.	Unknown
6.2.6 - Architectural Standards	Unknown	Building materials not specified, however, renderings appear to comply with GCOD standards	Complies
6.2.7 – Signs	Two (2) 13 foot freestanding pylon signs are proposed	One 8 foot freestanding monument sign per street frontage permitted. 0-50,000 building gross area = max. 8 ft.	Deficient
6.2.7 – Signs	Two (2) wall signs along the front façade is proposed.	One wall sign is permitted along each facade adjacent to a public right of way.	Deficient

Based on the future land use plan, staff finds the requested zoning designation *is inconsistent* with the Hall County Comprehensive Plan future land use designation of "Suburban Neighborhood-Medium Density." These areas consist of medium-density, single-family housing (attached or detached). They should be located where there is existing water and sewer infrastructure, or where future infrastructure is expected to be located. Future infrastructure may be driven by the Sewer System Master Plan & Rate Study or by developers willing to fund access where it isn't already planned. Although the property is designated as Suburban Neighborhood, Medium Density, adjacent properties are commercial in nature, and the character of the surrounding area supports commercial uses.

(A) & (B) Zoning Analysis - Rezone and Special Use

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

a. 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 Highway Business (H-B) zoning district is consistent with the use, development, and zoning of adjacent and nearby properties.**

b. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed rezoning and special use should not adversely affect the existing use or usability of adjacent properties.**

c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned.**

d. 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 rezoning and special use is not expected to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service. The property is served by Hall County sewer and City of Gainesville public water.**

e. 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 is inconsistent with the future land use designation of "Suburban Neighborhood, Medium Density"; however, the proposed use and zoning is consistant with nearby zoning districts and supportive of surrounding uses.**

f. 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.**

g. 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.

h. 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.**

i. 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 a single-family home built in 1963.**

j. 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 affecting the use or development of the property.**

k. Whether the change would create an isolated district unrelated to the surrounding districts; **As the property abutting this parcel is zoned H-B, this would not create an isolated district**.

l. 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.**

m. 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.**

n. 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 highway business uses based on the Future Land Use Map; however, the development as proposed requires rezoning and special use approval by the Board of Commissioners.**

o. Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for rezoning and a special use could not be handled alternatively as a variance.**

p. 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.**

q. 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.**

(C) <u>Zoning Analysis</u> - Variance to Section 6.2

The Planning Commission may grant variances in individual cases of unnecessary hardship upon a finding of the board that:

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape, or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **No, there are no extraordinary conditions pertaining to the physical character of the lot to prevent the project design from meeting development standards.**

2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **No evidence has been provided that an unusual hardship exists to prevent the development from complying with parking requirements.**

3. Such conditions are peculiar to the property involved and are not common to other properties in the neighborhood; **There are no conditions peculiar to the property involved that are not common to other properties in the neighborhood.**

4. Such conditions are not the result of any actions of the property owner; **As the current structures on the property will be removed, the project can be designed for the parking ratio and location to be met .**

5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this UDC; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this UDC or for a Conditional Use Permit which has been denied by the Planning Commission. **Relief, if granted, will not impair the purposes and intent of the Unified Development Code of Hall County.**

<u>11.2.6.E - Submission requirements</u>

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

    a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**

    b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement.**

    c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health
In an email dated March 4, 2025, 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 February 27, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office considers the plan conceptual and if approved may require modifications during the development review process."

Hall County Public Works and Utilities
In a memo dated March 6, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:
This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation not centerline of stream

Traffic:
Proposed Elizabeth Lane access is in the City of Flowery branch. Approval and permit required. Proposed Spout Springs Road Access will be required to be a right-in/right-out and designed/constructed to GDOT standards.

Utilities
Hall County sewer available. Sewer connection required.

Georgia Department of Transportation
In an email dated March 3, 2025, Henry Stevens, E.I.T., GDOT Civil Engineer 2, stated that GDOT coordination is not required.

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

CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

LJA Engineering
130 East Main Street, Suite 204
Canton, GA 30114
Phone 678-462-4072
Email Address tboomer@lja.com

Property Owner (Name & Mailing Address)

John Roger Moore
6495 Spout Springs Road
Flowery Branch, GA 30542
Phone
Email Address

Proposed Use Food Mart With Fuel Sales and Two Retail Stores

Contact Person (Name & Mailing Address)

Terry Boomer
130 East Main Street, Suite 204
Canton, GA 30114
Phone 678-462-4072
Email Address tboomer@lja.com

Status of Applicant

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

Requested Action

Permissive Use: ☐ HCPC ☐ HCC
Fee:$ 350
Receipt #:
Check #:

Zoning: H-B (Proposed)
Acreage 3.05
Tax Parcel Number 15047 000002A
Location Address 6495 Spout Springs Road, Flowery Branch, GA 30542

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

Sign T Boomer Date: 02/13/2025

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
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) John Roger Moore

Address 6495 Spout Springs Road

Flowery Branch, GA 30542

Phone Number

Name of applicant(s) LJA Engineering (Terry Boomer)

Address 130 East Main Street, Suite 204

Canton, GA 30114

Phone Number 678-462-4072

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)

John Roger Moore

Personally appeared before me

Kayla Neidermyer

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

Kayla Neidermyer
Notary Public

2/10/2025
Date

OFFICIAL SEAL
KAYLA C NEIDERMYER
Notary Public, Georgia
Jackson County
My Commission Expires
April 20, 2026

713.953.5200
TBPELS F-1386
TBPELS 10110501
www.LJA.com
3600 W Sam Houston Pkwy S, Suite 600 Houston, Texas 77042

February 19, 2025

Hall County Georgia
Planning and Development Department
2875 Browns Bridge Road
Gainesville, GA 30504

Re: Signature Authorization for
Applications related to Hall County, Georgia

To Whom it May Concern,

On behalf of LJA Engineering, Inc., Terry Boomer is hereby authorized to sign all submittal applications for Hall County, Georgia, related to the Planning and Development.

If you have any questions or concerns, feel free to contact me at, 713.953.5121 or amckee@lja.com .

Sincerely,

Alan B. McKee, PE
Senior Vice President

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
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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: T Boomer **Date:** 2/13/2025

Applicant's/Owner's Name (Printed): TERRY BOOMER

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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**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: A. Lakh **Date:** 02/09/25

Applicant's/Owner's Name (Printed): Asif Lakhani

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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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: John Roger Moore **Date:** 02/10/2025

Applicant's/Owner's Name (Printed): John Roger Moore

470.863.1070
www.LJA.com
130 East Main Street, Suite 204, Canton, Georgia 30114

September 19, 2024

Hall County
Planning and Zoning
2875 Browns Bridge Road
Gainesville, GA 30504-5635
Office: (770)-531-6809

Re: Proposed Food Mart with Fuel Sales and two Restaurants
Letter of Intent
Parcel: 13139C0294G
6495 Spout Springs Road
Flowery Branch, GA 30542

To whom it concerns,

On behalf of Reed Creek Food Mart, LLC. Please consider this our Letter of Intent for proposed food mart with fuel sales and two restaurants. The parcel at 6495 Spout Springs Road is currently zoned AR-III. We are requesting a rezoning to H-B to allow for the proposed use mentioned above. The proposed layout will be consistent to the existing area and comply with the Gateway Overlay District. The property is currently 7.32 acres. Reed Creek Food Mart, LLC will be developing 3.05 acres of the west side of the property. We are requesting rezoning to H-B on the 3.05 acres only. The Property currently has a single-family home on the west side. The 1-story structure and its driveway will be removed before construction.

The proposed development consists of 2 free standing buildings. One building will house a food mart with fuel pumps. The second building will house 2 restaurants. The development will have a proposed 102 parking spaces to accommodate for the Hall County required parking for a development of this size and use. The Gateway Overlay District requires 5-10% of the total parking lot area to be landscaped islands. Per the site plan we currently have 10.5% of the total parking lot area as landscaped islands. The appropriate setbacks and buffers, based on Hall County and Gateway Overlay Districts specifications, have been included on the site plan. These include building setback, landscaping strip, and transition buffer. Please see provided site plan for specific locations of setback and buffers.

As per the site plan, we proposed 2 13-foot pylon sign on either side of the west driveway. The 2 driveways will each have a R1-1 36-inch stop sign. Accompanying the stop sign will be 18-inch stop bars. The west driveway will have a 175-foot deceleration lane, with a 100-foot taper. The length of the deceleration lane is consistent with the GDOT standards for a 45-mph road. The 10-foot sidewalk along Spout Springs Road will be relocated accordingly. A proposed lighting plan will be created based on the Hall County and Gateway Overlay district specifications.

The waterline that runs on the west side of the site along Spout Springs Road will be utilized. There is a sewer line that runs into the east side of the property that we will tie into. The County has issued a sewer availability letter to confirm the usability of sewer on property. Sewer availability letter as provided.

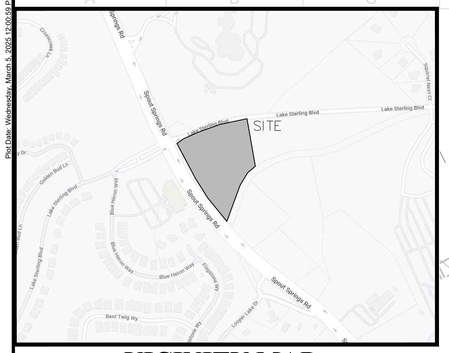
As per the site plan, we have included a 25-foot buffer between the 3.05 acres of property that is requesting a rezoning and the 4.27 acres that will remain zoned as AR-III. There is a state stream located on a portion of the property. All required buffers are included on the site plan.

Sincerely,



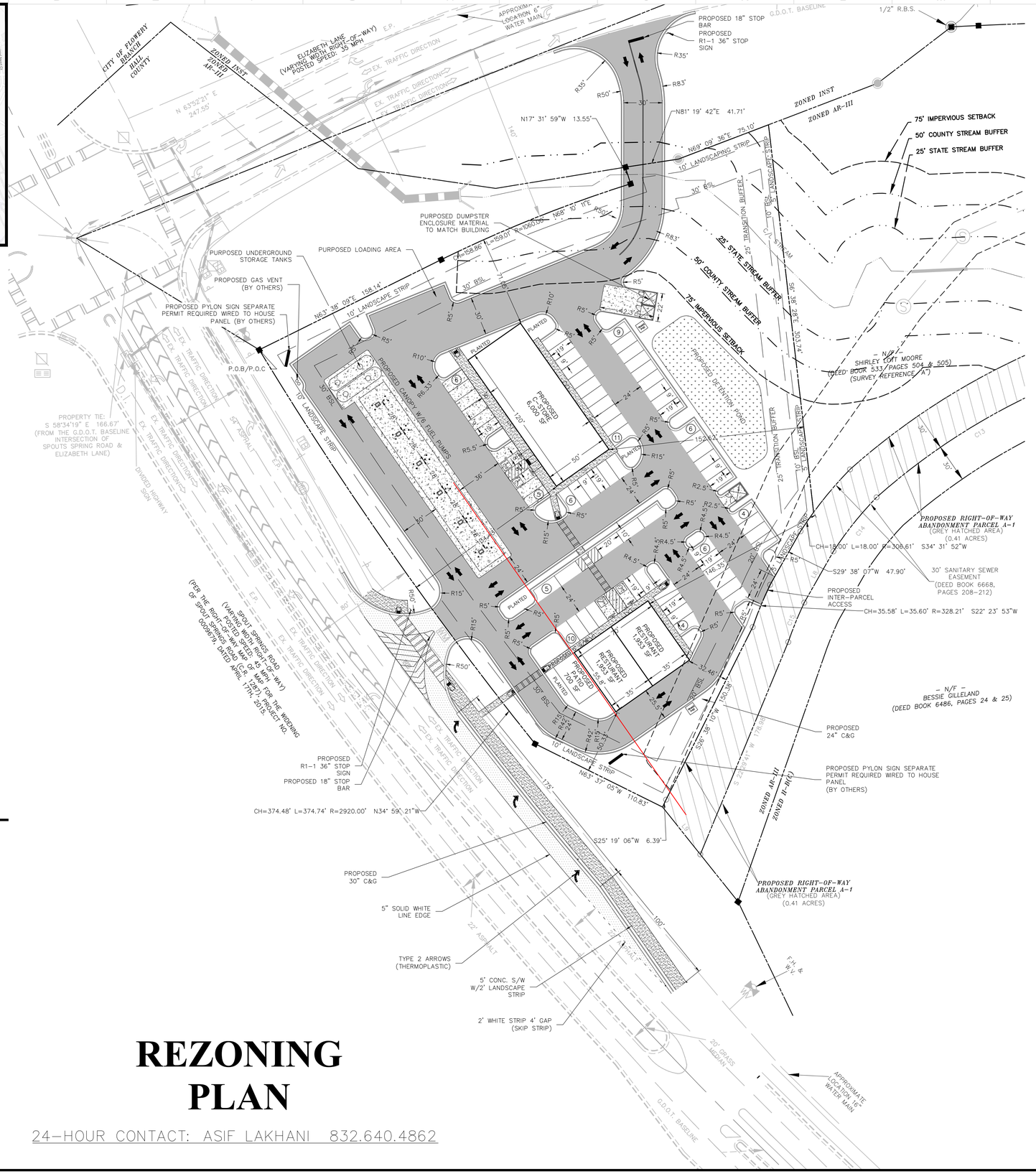
Terry Boomer P.E.,
LJA Engineering, Inc.
Land Development
C: 678-462-4072

Plot Date: Wednesday, March 5, 2025 12:05:59 PM



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13139C0294G, DATED 12/01/2022.



PROPOSED LEGEND

- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVING
- PROPOSED HEAVY DUTY ASPHALT PAVING
- PROPOSED STANDARD DOT PAVING
- GDOT PAVING
- LANDSCAPE STRIP/SETBACK LINE
- PROPERTY LINE
- CURB & GUTTER
- WATER METER (W)
- TRANSFORMER PAD (T)
- ADA RAMP
- SIGN
- CONCRETE WHEEL STOP
- ADA PARKING SYMBOL
- DIRECTIONAL ARROWS
- 24" STOP BAR
- PROPOSED LIGHT POLE

REZONING PLAN

24-HOUR CONTACT: ASIF LAKHANI 832.640.4862

SITE AREA CALCULATIONS

	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
TOTAL SITE AREA	132,799.13	3.05	100.0
EXISTING ONSITE IMPERVIOUS AREA	4,458	0.10	3.4
EXISTING PERVIOUS AREA	153,045	3.51	115.2
PROPOSED ONSITE IMPERVIOUS AREA	84,731	1.95	63.8
BUILDING(S)	9,906	0.23	7.5
SIDEWALK	2,864	0.07	2.2
PAVEMENT/DRIVEWAYS/GRAVEL	71960.00	1.65	54.2
PROPOSED PERVIOUS AREA	48,068	1.10	36.20
TOTAL DISTURBED AREA	0	0.00	N/A
PROPOSED OFFISTE IMP.	8,807	0.20	N/A

SITE DATA

PARCEL ID: (REFERENCE):	15047 000002A
EXISTING LAND USE:	RESIDENTIAL
PROPOSED LAND USE:	CONVENIENCE STORE WITH FUEL SALES AND RETAIL
CURRENT ZONING CLASSIFICATION:	AR-III AGRICULTURAL RESIDENTIAL
PROPOSED ZONING CLASSIFICATION:	H-B HIGHWAY BUSINESS
OVERLAY DISTRICT	GATEWAY OVERLAY
CURRENT LOCAL JURISDICTION:	HALL COUNTY
FLOOD ZONE CLASSIFICATION:	X

BUILDING DATA

C-STORE BUILDING AREA	6,000 SQ. FT.
RETAIL BUILDING AREA	±3,906 SQ. FT.
BUILDING COVERAGE:	± 7.46%
MAX BUILDING HEIGHT (BY CODE):	50 FEET

DIRECTION	REQUIRED SETBACK	PROVIDED SETBACK
FRONT (SOUTH)	30 FEET	SEE PLAN
REAR (NORTH)	25 FEET	SEE PLAN
SIDE (EAST)	20 FEET	SEE PLAN
SIDE (WEST)	30 FEET	SEE PLAN

PROPOSED PARKING DATA

COUNTY PARKING REQUIRED:	
RETAIL SERVICE/SALES (6,000 SQFT)	
1 SPACE FOR EACH 200 SQUARE FEET OF SALES AND/OR SERVICE AREA	30 SPACES
RESTURANT/FASTFOOD (3906 SQFT)	
16 SPACES FOR EACH 1000 SQFT OF GROSS FLOOR AREA	64 SPACES
TOTAL PARKING REQUIRED	94 SPACES
PROVIDED PARKING	
STANDARD SPACES 9'x19'	68 SPACES
FUEL PUMP SPACES	12 SPACES
ACCESSIBLE SPACES 9'x19' (REQUIRED)	4 SPACES
TOTAL PARKING PROVIDED	84 SPACES

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY APPLICABLE FEDERAL, STATE AND LOCAL CODES.

2. REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, TRUCK DOCKS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.

3. TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY: PATTON LAND SURVEYING, LLC

4. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.

5. ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.

6. ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA.

7. ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.

8. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.

9 SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, BASES, FIXTURES WITH LAMPS SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.

10. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.

11. SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.

12. ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.

13. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.

14. ALL CONCRETE SHALL BE 4,000 PSI 28 DAY COMPRESSIVE STRENGTH.

15. PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

16. ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 24" UNLESS OTHERWISE NOTED.

17. PARKING LOT STRIPING SHALL BE INCLUDED IN PAVING CONTRACTOR'S SCOPE FOR WORK. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (MIN).

18. ALL TRAFFIC MARKINGS SHALL BE THERMOPLASTIC AND MEET GDOT SPECIFICATIONS.

LJA
130 E. MAIN STREET STE 204
CANTON, GA 30114
470-863-1070

GEORGIA REGISTERED No. 27020 PROFESSIONAL ENGINEER

02/27/2025
ENGINEER OF RECORD

NO.	DATE	DESCRIPTION	BY	CHK	APV

CIVIL PLANS
6495 SPOUT SPRINGS RD
6495 SPOUT SPRINGS RD, FLOWERY BRANCH, GA 30542.
G.M.D. - 1270, PARCEL # 15047 000002A

REED CREEK FOOD MART, LLC
1176 LANFORD DRIVE SW, LILBURN, GA 30047
ASIF LAKHANI 832.640.4862

0 40' 60' 80'
SCALE: 1"=40'

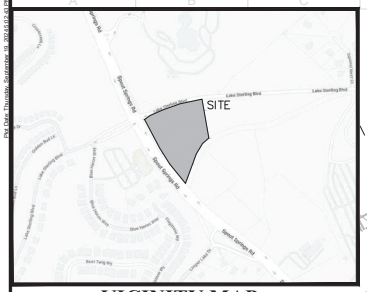
ISSUE DATE
02/27/2025

PROJECT NUMBER
2024-005

SHEET TITLE
SITE PLAN

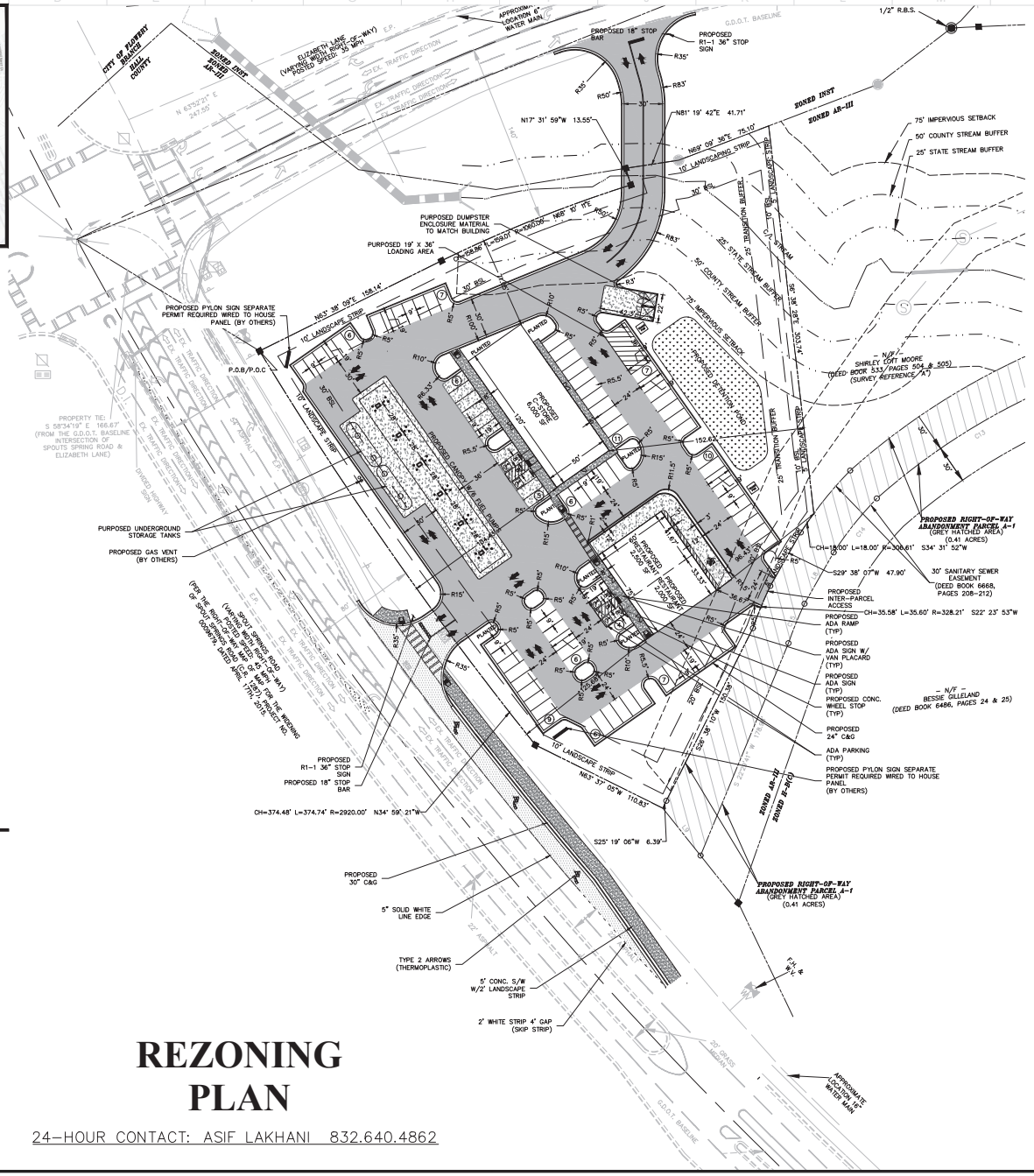
SHEET NUMBER
C1

File Location: s:\sedarchive_01-civil_projects\03-projects_canton_ga_office_assigned_lja\2024-005 spout springs\civil\cad\concept\spout springs cad\



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13139C0294G, DATED 12/01/2022.



LEGEND

PROPOSED

- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVING
- PROPOSED HEAVY DUTY ASPHALT PAVING
- PROPOSED STANDARD DOT PAVING
- GDOT PAVING
- LANDSCAPE STRIP/SETBACK LINE
- PROPERTY LINE
- CURB & GUTTER
- WATER METER (W)
- TRANSFORMER PAD (T)
- ADA RAMP
- SIGN
- CONCRETE WHEEL STOP
- ADA PARKING SYMBOL
- DIRECTIONAL ARROWS
- 24" STOP BAR
- PROPOSED LIGHT POLE

REZONING PLAN

24-HOUR CONTACT: ASIF LAKHANI 832.640.4862

SITE AREA CALCULATIONS

	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
TOTAL SITE AREA	132,799.13	3.05	100.0
EXISTING ONSITE IMPERVIOUS AREA	4,458	0.10	3.4
EXISTING PERVIOUS AREA	153,045	3.51	115.2
PROPOSED ONSITE IMPERVIOUS AREA	80,621	1.85	60.7
BUILDING(S)	10,500	0.24	7.9
SIDEWALK	2,410	0.06	1.8
PAVEMENT/DRIVEWAYS/GRAVEL	70121.00	1.61	52.8
PROPOSED PERVIOUS AREA	46687.8	1.07	35.2
TOTAL DISTURBED AREA	0	0.00	N/A
PROPOSED OFFSITE IMP.	8,807	0.20	N/A

SITE DATA

PARCEL ID: (REFERENCE):	15047 000002A
EXISTING LAND USE:	RESIDENTIAL
PROPOSED LAND USE:	CONVENIENCE STORE WITH FUEL SALES AND RETAIL
CURRENT ZONING CLASSIFICATION:	AR-III AGRICULTURAL RESIDENTIAL
PROPOSED ZONING CLASSIFICATION:	H-B HIGHWAY BUSINESS
OVERLAY DISTRICT	GATEWAY OVERLAY
CURRENT LOCAL JURISDICTION:	HALL COUNTY
FLOOD ZONE CLASSIFICATION:	X

BUILDING DATA

C-STORE BUILDING AREA	6,000 SQ. FT.
RETAIL BUILDING AREA	±4,500 SQ. FT.
BUILDING COVERAGE:	± 9.80%
MAX BUILDING HEIGHT (BY CODE):	50 FEET

DIRECTION	REQUIRED SETBACK	PROVIDED SETBACK
FRONT (SOUTH)	30 FEET	SEE PLAN
REAR (NORTH)	25 FEET	SEE PLAN
SIDE (EAST)	20 FEET	SEE PLAN
SIDE (WEST)	30 FEET	SEE PLAN

PROPOSED PARKING DATA

COUNTY PARKING REQUIRED:	
RETAIL SERVICE/SALES (6,000 SQFT)	
1 SPACE FOR EACH 200 SQUARE FEET OF SALES AND/OR SERVICE AREA	30 SPACES
RESTURANT/FASTFOOD (4,500 SQFT)	
16 SPACES FOR EACH 1000 SQFT OF GROSS FLOOR AREA	72 SPACES
GDOT MAXIMUM PARKING (125% OF REQUIRED)	128 SPACES
TOTAL PARKING REQUIRED	102 SPACES
PROVIDED PARKING:	
STANDARD SPACES 9'x19'	86 SPACES
FUEL PUMP SPACES	12 SPACES
ACCESSIBLE SPACES 9'x19' (REQUIRED)	4 SPACES
TOTAL PARKING PROVIDED	102 SPACES
LANDSCAPED ISLAND TOTAL TO 5-10 PERCENT OF PAVED AREA	10.5%

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY APPLICABLE FEDERAL, STATE AND LOCAL CODES.
2. REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, TRUCK DOCKS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
3. TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY: PATTON LAND SURVEYING, LLC
4. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
5. ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
6. ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA.
7. ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.
8. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
9 SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, BASES, FIXTURES WITH LAMPS SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
10. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
11. SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
12. ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
13. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
14. ALL CONCRETE SHALL BE 4,000 PSI 28 DAY COMPRESSIVE STRENGTH.
15. PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
16. ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 24" UNLESS OTHERWISE NOTED.
17. PARKING LOT STRIPING SHALL BE INCLUDED IN PAVING CONTRACTOR'S SCOPE FOR WORK. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (MIN).
18. ALL TRAFFIC MARKINGS SHALL BE THERMOPLASTIC AND MEET GDOT SPECIFICATIONS.

LJA
130 E. MAIN STREET STE 204
CANTON, GA 30114
470-863-1070

GEORGIA REGISTERED No. 27020 PROFESSIONAL ENGINEER
09/19/2024
ENGINEER OF RECORD

NO.	DATE	DESCRIPTION	BY	CHK	APV

CIVIL PLANS
6495 SPOUT SPRINGS RD
6495 SPOUT SPRINGS RD, FLOWERY BRANCH, GA 30542.
G.M.D. - 1270 PARCEL # 15047 000002A

REED CREEK FOOD MART, LLC
1176 LANFORD DRIVE SW, LILBURN, GA 30047
ASIF LAKHANI 832.640.4862

0 40' 60' 80'
SCALE: 1"=40'

ISSUE DATE: 09/19/2024
PROJECT NUMBER: 2024-005
SHEET TITLE: SITE PLAN
SHEET NUMBER: C1



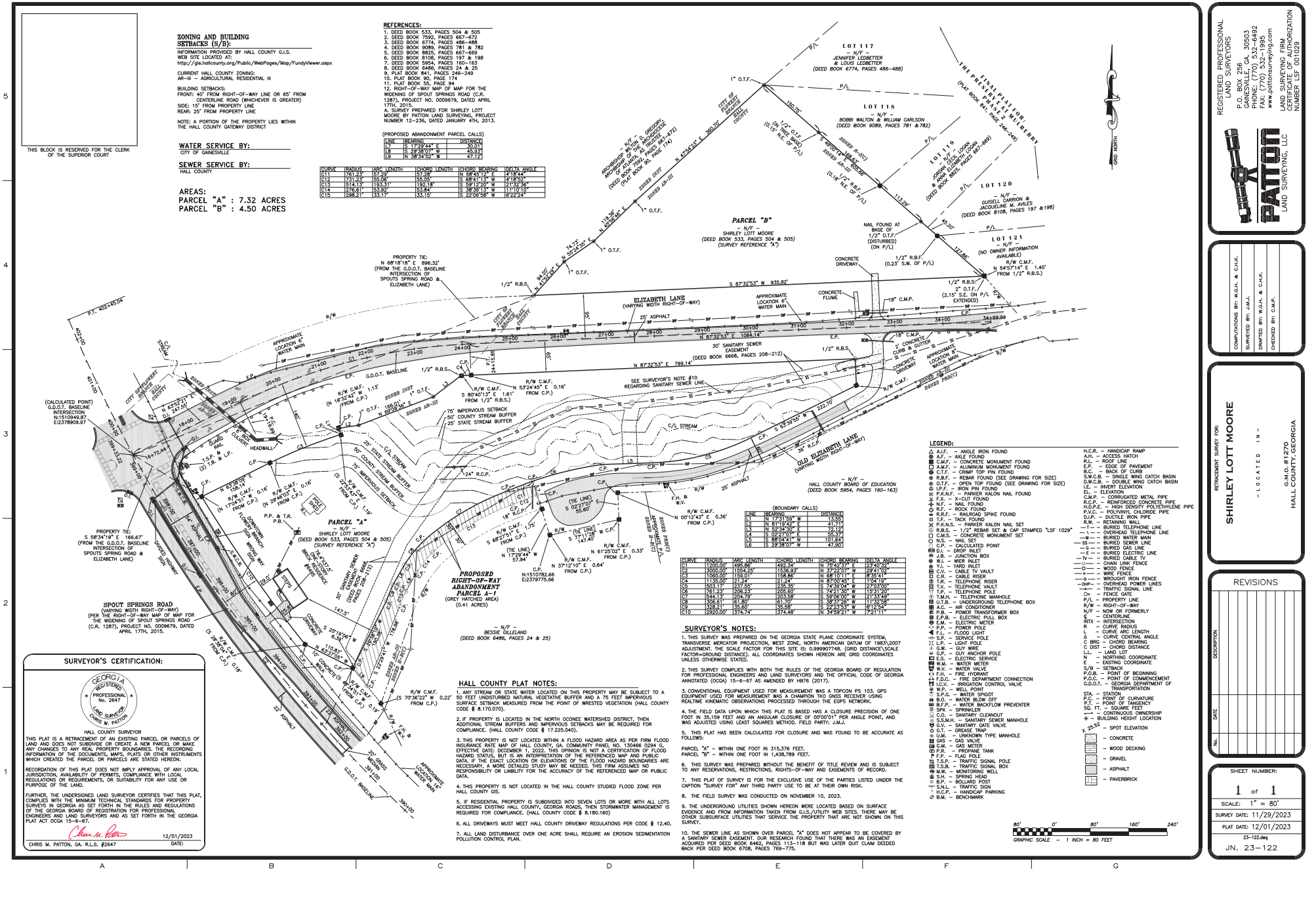
LANDSCAPE RENDERING
6495 SPOUT SPRINGS ROAD
6495 SPOUT SPRINGS RD, FLOWERY BRANCH, GA 30542
LL 1 ~ DISTRICT 01, PARCEL# 13139C0294G

REED CREEK FOOD MART, LLC
1176 LANFORD DRIVE SW, LILBURN, GA 30047
ASIF LAKHANI 832.640.4862

NO.	DATE	DESCRIPTION	BY	CHK	APV

SHEET TITLE: LANDSCAPE RENDERING
SHEET NUMBER:
PROJECT NUMBER: 2024-005
ISSUE DATE: 08/21/24
SCALE: 1"= 30'

130 E. MAIN STREET, STE 204
CANTON, GA 30114
404-883-1070



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C11	1761.23'	57.29'	57.28'	N 68°45'12" E	1°51'44"
C12	731.23'	55.06'	55.05'	S 68°41'13" W	4°18'52"
C13	514.13'	193.31'	192.18'	S 59°12'00" W	21°32'36"
C14	276.61'	53.92'	53.84'	S 38°36'13" W	11°10'10"
C15	298.21'	33.17'	33.15'	S 22°06'58" W	6°22'24"

LINE	BEARING	DISTANCE
L7	S 17°29'44" E	30.01'
L8	S 29°38'07" W	45.93'
L9	N 38°34'02" W	47.12'

LINE	BEARING	DISTANCE
L1	N 17°31'59" W	13.55'
L2	N 81°19'42" E	41.71'
L3	N 52°34'50" E	72.12'
L4	S 02°27'07" E	55.31'
L5	S 88°04'41" E	101.64'
L6	S 29°38'07" W	47.90'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1200.00'	495.86'	492.34'	N 75°42'37" E	23°40'32"
C2	1000.00'	1554.25'	1536.93'	N 37°27'07" W	89°04'02"
C3	1060.00'	159.01'	158.86'	N 68°10'11" E	8°35'41"
C4	1135.00'	21.24'	21.24'	N 87°00'45" E	1°04'19"
C5	503.11'	237.55'	235.35'	N 74°39'04" W	27°03'00"
C6	761.23'	206.23'	205.60'	S 74°21'33" W	15°31'20"
C7	544.13'	204.79'	203.58'	S 59°06'00" W	21°33'49"
C8	306.61'	61.80'	61.70'	S 38°37'26" W	11°32'58"
C9	358.21'	35.58'	35.58'	S 29°21'51" W	6°12'54"
C10	2920.00'	374.74'	374.48'	N 34°59'21" W	7°21'11"

REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532–6492
FAX: (770) 532–9550
www.pattonsurveying.com
LAND SURVEYING FIRM AUTHORIZATION NUMBER LSF 001029
PATTON LAND SURVEYING, LLC

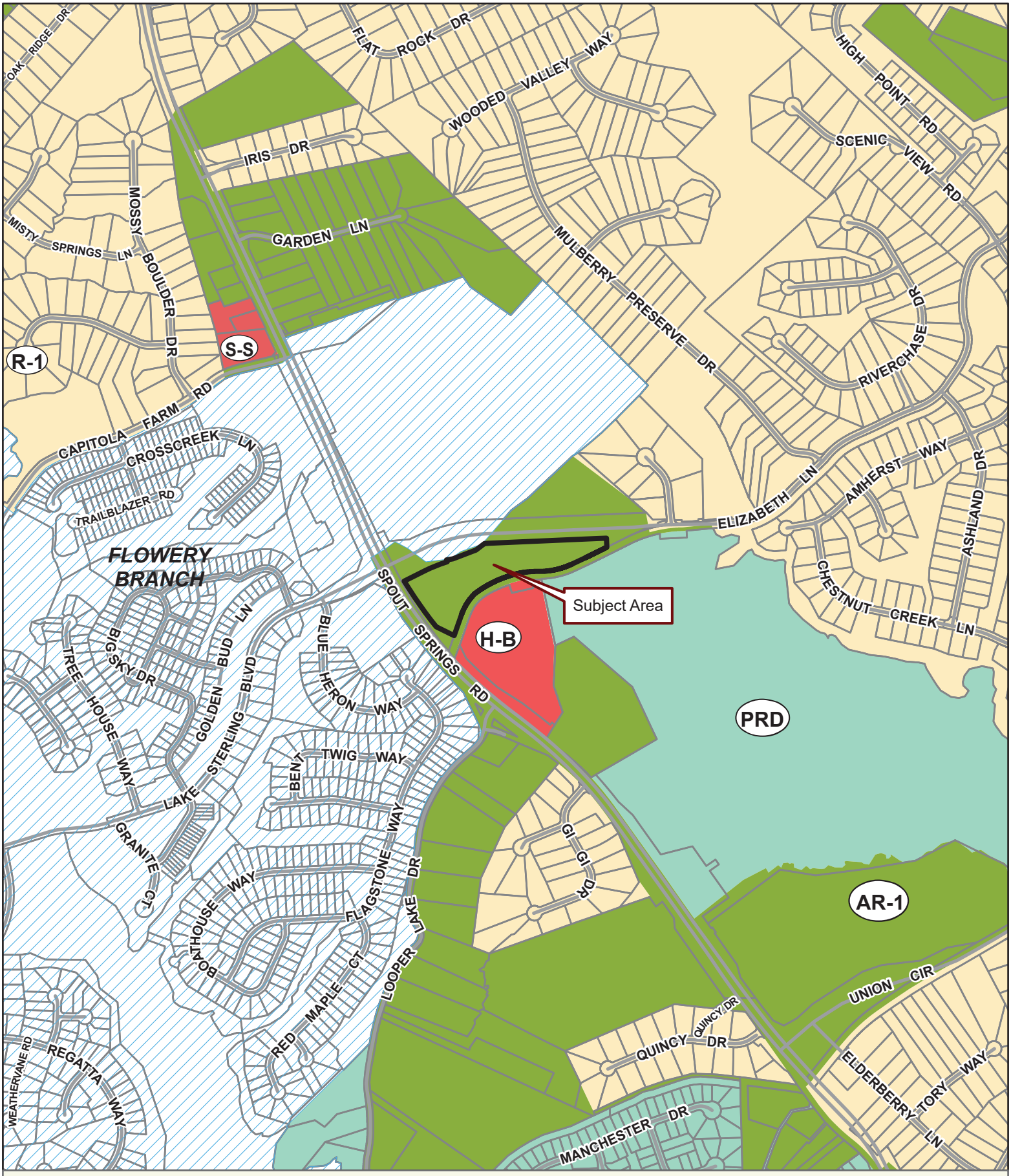
COMPUTATIONS BY: M.G.H. & C.H.K.
SURVEYED BY: J.M.J.
DRAFTED BY: M.G.H. & C.H.K.
CHECKED BY: C.M.P.

RETRACEMENT SURVEY FOR:
SHIRLEY LOTT MOORE
– LOCATED IN –
G.M.D. #1270
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION

SHEET NUMBER: 1 of 1
SCALE: 1" = 80'
SURVEY DATE: 11/29/2023
PLAT DATE: 12/01/2023
23-122.dwg
JN. 23–122

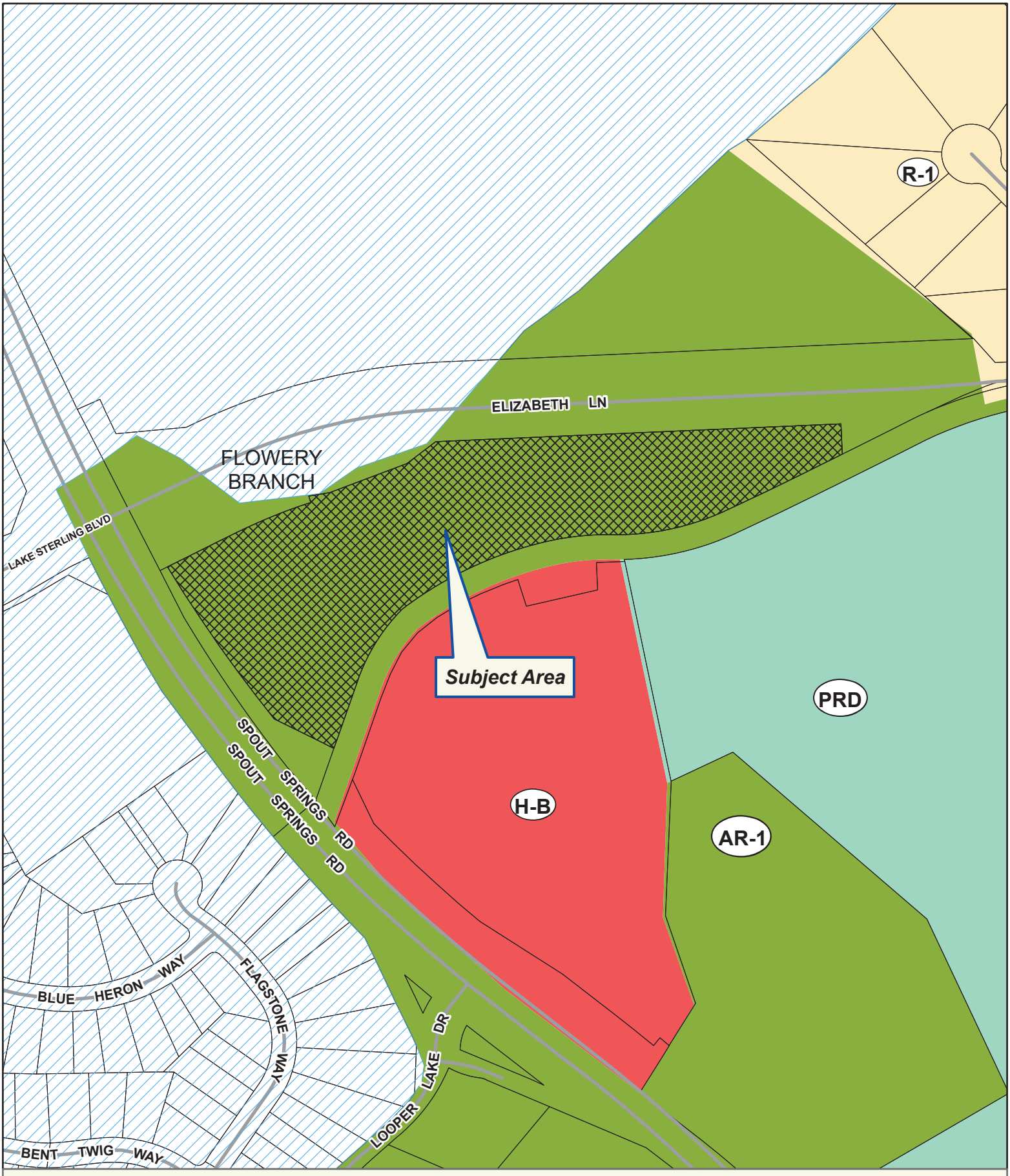


Applicant: LJA ENGINEERING
Tax Parcel #: 15047 000002A (PT.)
Location: 6495 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 04/07/2025**

0 200 400 800
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: LJA ENGINEERING
Tax Parcel #: 15047 000002A (PT.)
Location: 6495 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 04/07/2025**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: LJA ENGINEERING
Tax Parcel #: 15047 000002A (PT.)
Location: 6495 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 04/07/2025**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area

N



1 PROPOSED C-STORE BUILDING FRONT ELEVATION SCALE: NTS

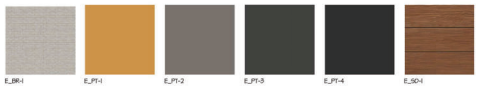


2 PROPOSED FRONT RETAIL BUILDING ELEVATION SCALE: NTS

FINISH SCHEDULE

SYMB.	KEY	ITEM	MANUFACTURER	DESCRIPTION
EXTERIOR FINISHES	E_PT-1	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 6383 GOLDEN RULE
	E_PT-2	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 7011 GAUNTLET GRAY
	E_PT-3	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 7069 IRON ORE
	E_PT-4	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 6258 TRICORN BLACK
	E_SD-1	CONCRETE COMPOSITE SIDING	HARDIE, SMOOTH FINISH PANEL	COLOR TO MATCH E_PT-2
	E_SD-2	CONCRETE COMPOSITE SIDING	NICHIHA	SERIES: VINTAGEWOOD, COLOR: REDWOOD
	E_BR-1	BRICK VENEER	GLEN-GERY	SILVER CITY WIRECUT, WITH DARK GREY GROUT
	E_MTL-1	METAL CANOPIES	TED	DARK BRONZE WITH ACCENT STRIP TO MATCH PT_1

FINISHES PHOTO



3 EXTERIOR FINISHES

TREINIS ARCHITECTURE
PH. 404.954.0806
EMAIL: TREINIS@GMAIL.COM
WWW.TREINIS.COM

PLAN NORTH

"THE PLAZA AT 6495 SPOUT SPRINGS"

NEW C-STORE AND RETAIL BUILDING DESIGN

6495 SPOUT SPRINGS RD, FLOWERY BRANCH GA 30542

No:	Date:	Remarks:
1.	02.08.25	ISSUE FOR REVIEW

REVISIONS:

STATE OF GEORGIA
DARIA TREINIS
REGISTERED ARCHITECT

This drawing is the property of D. Treinis and is not to be reproduced or copied in whole or in part. It is not to be used on any other project and is to be returned upon request. Scales as stated herein are for reference only as normal reproduction processes may alter the accuracy of original drawings.
DESIGN TODAY 2005

DRAWING TITLE:
PROPOSED EXTERIOR ELEVATIONS

ISSUE DATE:

DRAWN BY:
DT

SHEET NUMBER:
A1.00

After recording, return to:
WEINSTEIN & BLACK, LLC
167 Lee Street.
Jefferson, GA 30549
File No:

eFiled and eRecorded
DATE: 12/18/2023
TIME: 10:48 AM
DEED BOOK: 9411
PAGE: 624 - 626
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 8817670606
PT61: 069-2023-008580
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C
Hall County, GA

STATE OF GEORGIA

COUNTY OF HALL

Tax Parcel No. 15047 000002A

EXECUTOR'S DEED OF ASSENT

WHEREAS, SHIRLEY LOTT MOORE died a resident of Hall County, Georgia, on January 16, 2022, leaving a will which has been probated in solemn form in Hall County, Georgia, at the April, 2022 regular term of the Probate Court thereof; and

WHEREAS, under the terms of Item III of said Will, the following described property was devised to **JOHN ROGER MOORE, SR.**:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

This deed is given subject to all easements and restrictions of record, if any.

WHEREAS, the undersigned duly qualified as Executor of the estate described above and is now administering the estate under the terms of said will; and it has been determined that all debts and claims against the estate have been fully paid.

NOW THEREFORE, the undersigned as Executor of the will of the said **SHIRLEY LOTT MOORE,** hereby assents to the devise of said property under the terms of said will, so that title thereto is vested in the said **John Roger Moore, Sr.**, as provided in said will.

WITNESS my hand and seal, this 17th day of **December, 2023**.

Signed, sealed and delivered
on the date set out above in
the presence of:

John Roger Moore, Sr. (SEAL)
John Roger Moore, Sr., as Executor, Estate of
Shirley Lott Moore, Deceased

Annika Waters
Unofficial Witness

Notary Public

DRAKE CORBIN
NOTARY
EXPIRES
GEORGIA
02-01-2025
PUBLIC
JACKSON COUNTY

"EXHIBIT A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in the Georgia Militia District 1270 (Flowery Branch) of Hall County, Georgia and being shown as Parcel "A", being 7.32 acres, and Parcel "B", being 4.50 acres according to Plat by Chris M. Patton, Georgia Registered Land Surveyor dated December 1, 2023 entitled "Retracement Survey For Shirley Lott Moore", recorded at Plat Book 884, Page 186, Hall County, Georgia Records, which Plat is incorporated herein by reference for a more detailed description.

Trip Generation Memorandum – Spout Springs Food Mart

Reed Creek Food Mart, LLC have selected Traffic Solutions to provide services to conduct a trip generation study for a proposed Spout Springs Food Mart development located at 6495 Spout Springs Road in the Flowery Branch, Hall County, Georgia. Located southeast quadrant of the Spout Springs Road and Elizabeth Lane intersection as shown in **Figure 1- Location Map**.

The proposed development will be situated on approximately 3.05 acres encompassing the following:

- Food Mart at 6,000 sf with 12 fueling positions
- Quick Serve Restaurant with Drive Through - 2,500 sf
- Quick Serve Restaurant with Drive Through - 2,000 sf

All vehicular access to the site will be provided by two (2) driveways: fully accessible driveway on Elizabeth Lane and a right-in/right-out driveway on Spout Springs Road as shown in **Figure 2 – Site Plan**.

The accepted procedure for determining the trips generated by the development of a property based on the land use and intensity is to apply the rates or equations developed by the Institute of Transportation Engineers (ITE) as published in the Trip Generation Manual – 11th Edition. The rates or equations in this informational report are calculated from nationally collected data. This method was used to establish the trip generation for the proposed development.

The results of the trip generation for the proposed development are given in **Table 1**. The data in Table 1 shows the distribution of trips that will be entering and exiting the assigned driveways, as well as the new or primary trips that are generated by the proposed land use development.

Figure 1. Site Map



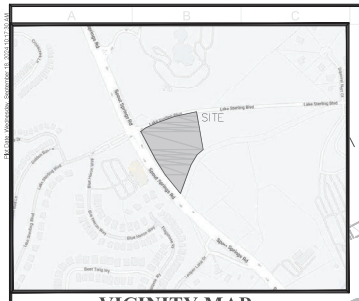
4807 Pepper Tree Lane Douglasville, Georgia 30135 404.545.1925 p 770.949.0635 f trafsollc@gmail.com

Table 1. Trip Generation – Daily, AM/PM Peak Hour and Distribution %

Land Use (ITE Code)	Intensity	Avg Daily Trips		AM Peak Hour			PM Peak Hour		
		Enter	Exit	Enter	Exit	Total	Enter	Exit	Total
Distribution		50%	50%	50%	50%	100%	50%	50%	100%
C-Store 6 ksf w/gas station (945)	12 fueling positions	2101	2102	169	170	339	163	164	327
Distribution		50%	50%	58%	42%	100%	50%	50%	100%
Fast Food Restaurant (933)	2,000 sf	450	451	50	36	86	33	33	66
Distribution		50%	50%	51%	49%	100%	58%	42%	100%
Fast Food Restaurant w/Drive Thru (934)	2,500 sf	584	585	57	55	112	48	35	83
Unadjusted Total Trips		3,135	3,138	276	261	537	244	232	476
C-Store w/gas station Pass-by (945)	76%AM / 75%PM			129	129	258	122	123	245
Fast Food Restaurant Pass-by (934)	50%AM / 55%PM			28	28	56	26	19	46
TOTAL New Trips				119	104	223	96	90	186

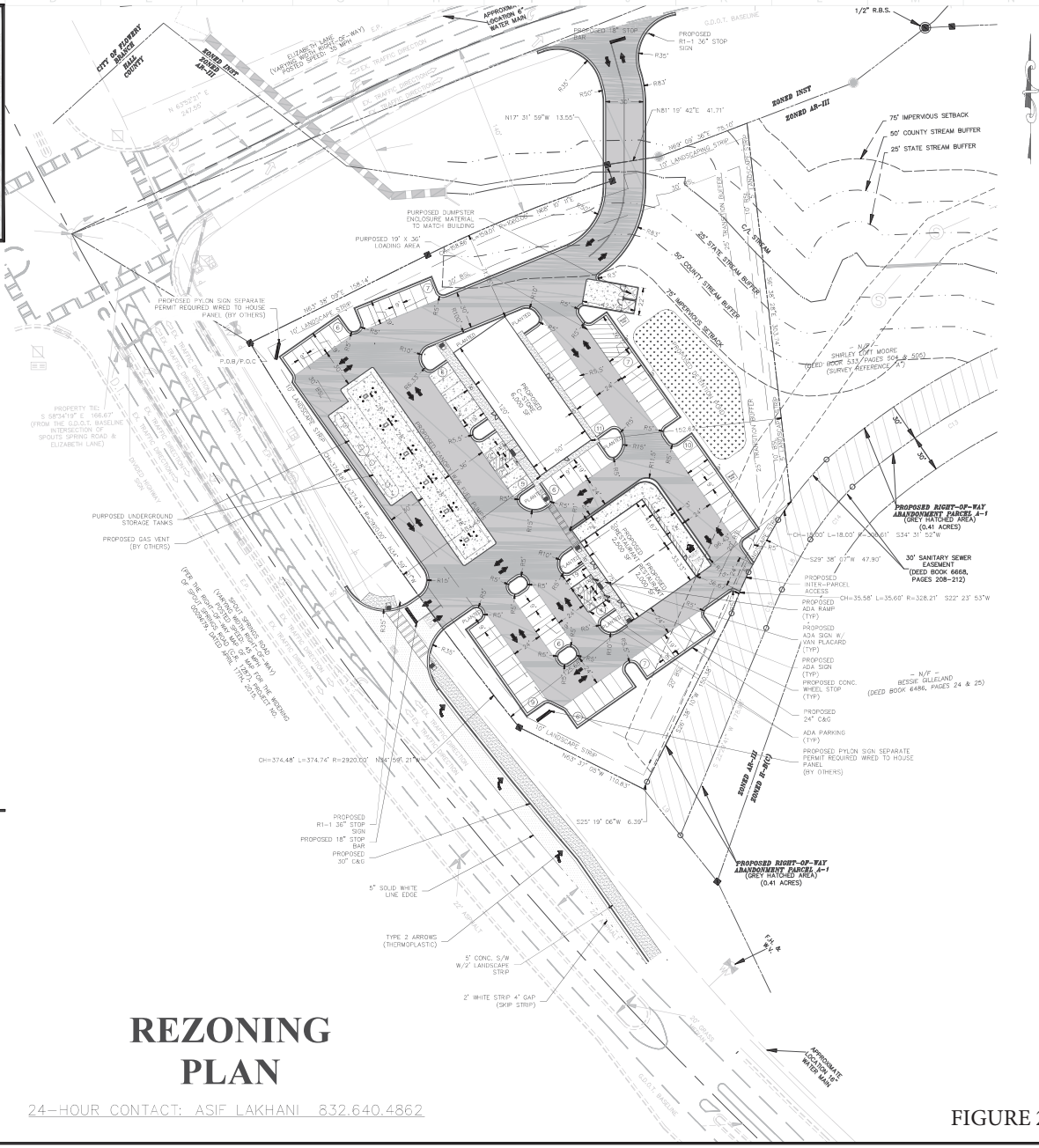
Spout Spring Road is a four-lane divided roadway with a posted speed limit of 45 miles per hour. According to GDOT's data the functional classification of Spout Springs Road is a Minor Arterial. Spout Springs travels in the north/south directions between Interstate 985 to the north and Interstate 85 to the south. According to GDOTs Traffic Analysis and Data Application (TADA), the latest traffic data was collected from count station 139-0441 in April 2023, showing an ADT of 15,550 vehicles traveling along Spout Spring Road, of which – 8,100 (52%) vehicles were travel in the northbound direction and 7,440 (48%) vehicles in the southbound direction.

Elizabeth Lane is a two-lane undivided local roadway with a posted speed limit of 35 miles per hour. Elizabeth Lane. travels in the east/west direction between Spout Springs Road and Cash Road. The land uses on Elizabeth Lane are primarily single-family residential and a secondary entrance to Cherokee Bluff High School. Traffic data was collected on Elizabeth Lane on Wednesday, January 15, 2025. The data shows the daily traffic volume on Elizabeth Lane to be 2,880 vpd, of which 1,340 (47%) were eastbound and 1,540 (53%) were westbound.



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13139C0294G, DATED 12/01/2022.

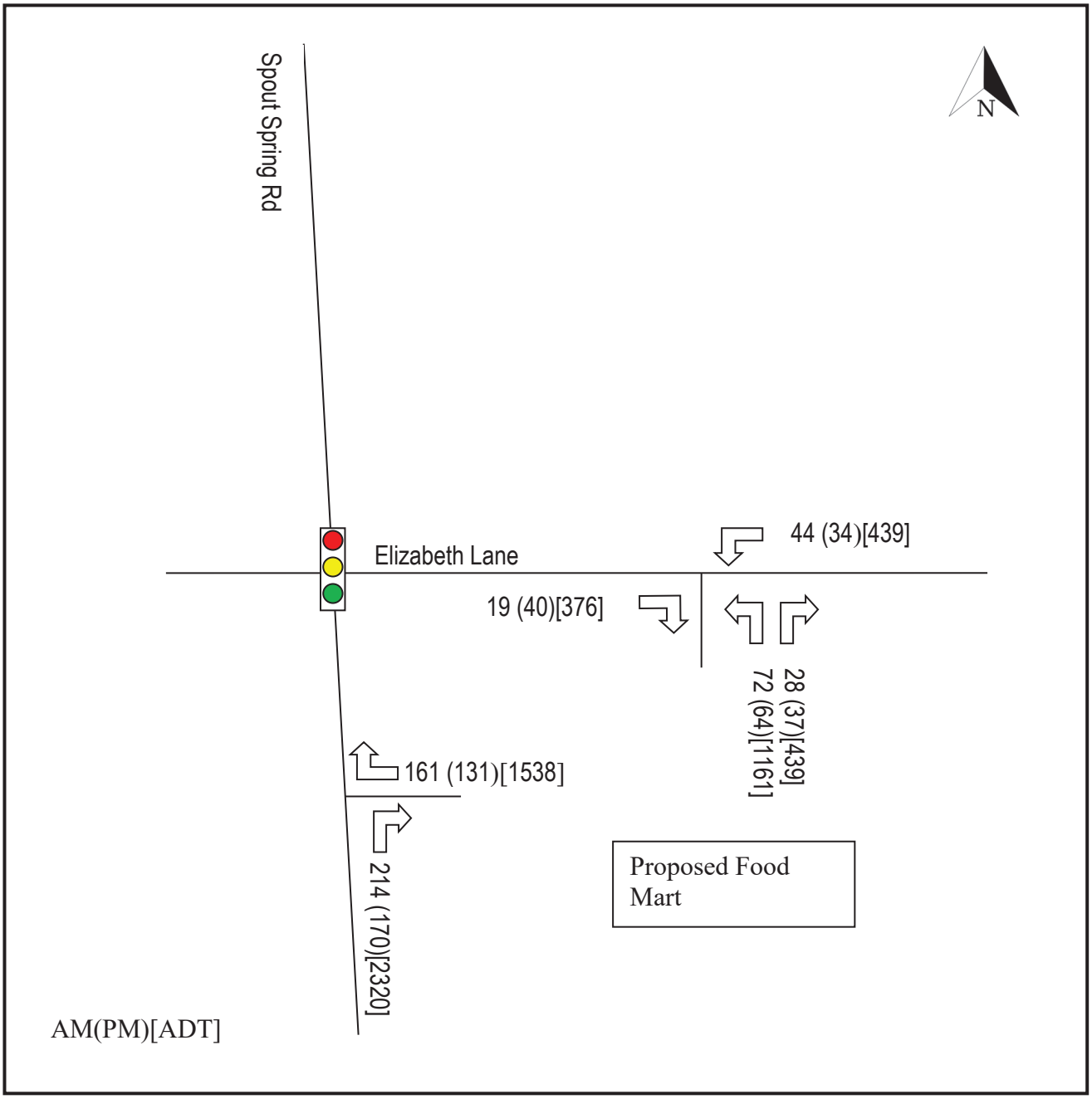

CITY OF FLOWERY BRANCH
HALL COUNTY
BONDED INST 2024-010
BONDED INST BONDED AR-III
75' IMPERVIOUS SETBACK
50' COUNTY STREAM BUFFER
25' STATE STREAM BUFFER
PROPOSED DUMPSTER ENCLOSURE MATERIAL TO MATCH BUILDING
PURPOSED 19' X 36' LOADING AREA
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
P.O.B/P.O.C.
PROPERTY TIES:
S 58°34'19" E 166.60'
(FROM THE G.D.O.T. BASELINE INTERSECTION OF SPOUTS SPRING ROAD & ELIZABETH LANE)
PURPOSED UNDERGROUND STORAGE TANKS
PROPOSED GAS VENT (BY OTHERS)
SPOUTS SPRING ROAD
(VARYING WIDTH RIGHT-OF-WAY)
(PAVING WIDTH VARIES)
(POSTED SPEED: 35 MPH)
PROPOSED 18" STOP BAR
PROPOSED R1-1 36" STOP SIGN
PROPOSED 30" C&G
5' SOLID WHITE LINE EDGE
TYPE 2 ARROWS (THERMOPLASTIC)
5' CONC. S/W W/2' LANDSCAPE STRIP
2' WHITE STRIP 4' GAP (SKIP STRIP)
PROPOSED 1/2" R.B.S.
PROPOSED R1-1 36" STOP SIGN
PROPOSED 24" C&G
PROPOSED RIGHT-OF-WAY ABANDONMENT PARCEL A-1 (GREY HATCHED AREA) (0.41 ACRES)
30' SANITARY SEWER EASEMENT (DEED BOOK 6668, PAGES 208-212)
PROPOSED INTER-PARCEL ACCESS
PROPOSED ADA RAMP (TYP)
PROPOSED ADA SIGN W/ VAN PLACARD (TYP)
PROPOSED ADA SIGN (TYP)
PROPOSED CONC. WHEEL STOP (TYP)
ADA PARKING (TYP)
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
N/F SHIRLEY SOFT MOORE (DEED BOOK 533/PAGES 504 & 505) (SURVEY REFERENCE "A")
N/F BESSIE GILLELAND (DEED BOOK 6486, PAGES 24 & 25)
APPROXIMATE LOCATION OF 6" WATER MAIN
APPROXIMATE LOCATION OF 2" WATER MAIN
G.D.O.T. BASELINE
CA. STREAM
TRANSITION BUFFER
PROPOSED GREASE TRAP
PROPOSED STAND-BY GENERATOR
PROPOSED 6,000 SF C-STORE
PROPOSED CANOPY
PROPOSED 4,500 SF RESTAURANT
PROPOSED 1,500 SF CAR WASH
PROPOSED VACUUMS
PROPOSED 10,000 GAL DIESEL TANK
PROPOSED 12,000 GAL GAS TANK
PROPOSED 12,000 GAL GAS TANK
PROPOSED 10,000 GAL DIESEL TANK

As shown in Table 1, the generated trips for this development consist of primary and pass-by trips. This is due to the nature of the proposed land uses. Primary trips are new trips on the roadway network. Primary trips typically enter the site and exit in the direction from which it entered. Pass-by trips are trips made as intermediate stops on the way from an origin to a primary destination. Pass-by trips are attracted from traffic passing on an adjacent street that contains direct access to the generator and are not new trips added to the system. We utilized the average percentage of pass-by trips as determined by ITE for each land use per AM and PM peak hour. The number of pass-by trips are then subtracted from the total number of trips to get the number of new trips generated by the proposed site.

Trip distribution for each land use is calculated using the data provided by ITE Trip Generation. The trip distribution determines the percentage of trips entering and exiting the proposed site. The total trip patterns for the proposed land uses will be consistent with the existing background traffic. After the trips were distributed along the existing roadway network, each trip type (primary / pass-by) was then assigned to all the access points of the proposed development with a certain level of reasonableness, based on the location of the driveways and each land use. Both primary and pass-by trips were then totaled, as shown in **Figure 3.**

The proposed food mart development is estimated to generate a total of 6,273 average daily trips with 3,135 trips entering the site and 3,138 trips exiting the site. During the AM peak hour, the site will generate 223 total new trips and 186 total new trips during the PM peak hour.

Figure 3. AM/PM/ADT Trip Distribution and Assignments – Total Trips



The proposed food mart development is estimated to generate a total of 6,273 average daily trips with 3,135 trips entering the site and 3,138 trips exiting the site. The need for a left turn lane and /or right turn lane on Elizabeth Lane and Spout Springs Road was analyzed in accordance with the GDOT Regulations for Driveways and Encroachment Control manual.

As with the peak hour trip assignments, the daily entering trips were distributed and assigned to each access point based on the daily traffic patterns of the adjacent street. From the analysis, it shows that of the 3,135 daily trips entering the site, 2,320 (74%) trips will make right turns into the site from Spout Springs Road. The analysis further shows that 376 (12%) trips will make a right turn into the site from Elizabeth Lane and 439 (14%) trips will make a left turn into the site from Elizabeth Lane.

In accordance with the minimum requirements from GDOT guidelines shown below, the driveway intersecting Elizabeth Lane is warranted for a left and right turn lane. While only a right turn lane is warranted on Spout Springs Road.

It is recommended that the turn lanes be installed at the GDOT minimum required storage length and taper for each type of turn lane at the respective roadway posted speed limit.

Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	AADT		AADT	
	<6,000	>= 6,000	<10,000	>= 10,000
35 MPH or Less	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50 MPH	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60 MPH	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65 MPH	Always	Always	Always	Always

Table 4-6 Minimum Volumes Requiring Right Turn Lanes

LEFT TURN REQUIREMENTS – FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
Veterans	ADT		ADT	
	< 6,000	>= 6,000	< 10,000	>= 10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Table 4-7a Minimum Volumes Requiring Left turn Lanes, GDOT Regulations for Driveways & Encroachment Control Manual, Page 4-14, 7/3/2019 Rev. 5.0

Convenience Store/Gas Station - VFP (9-15)
(945)

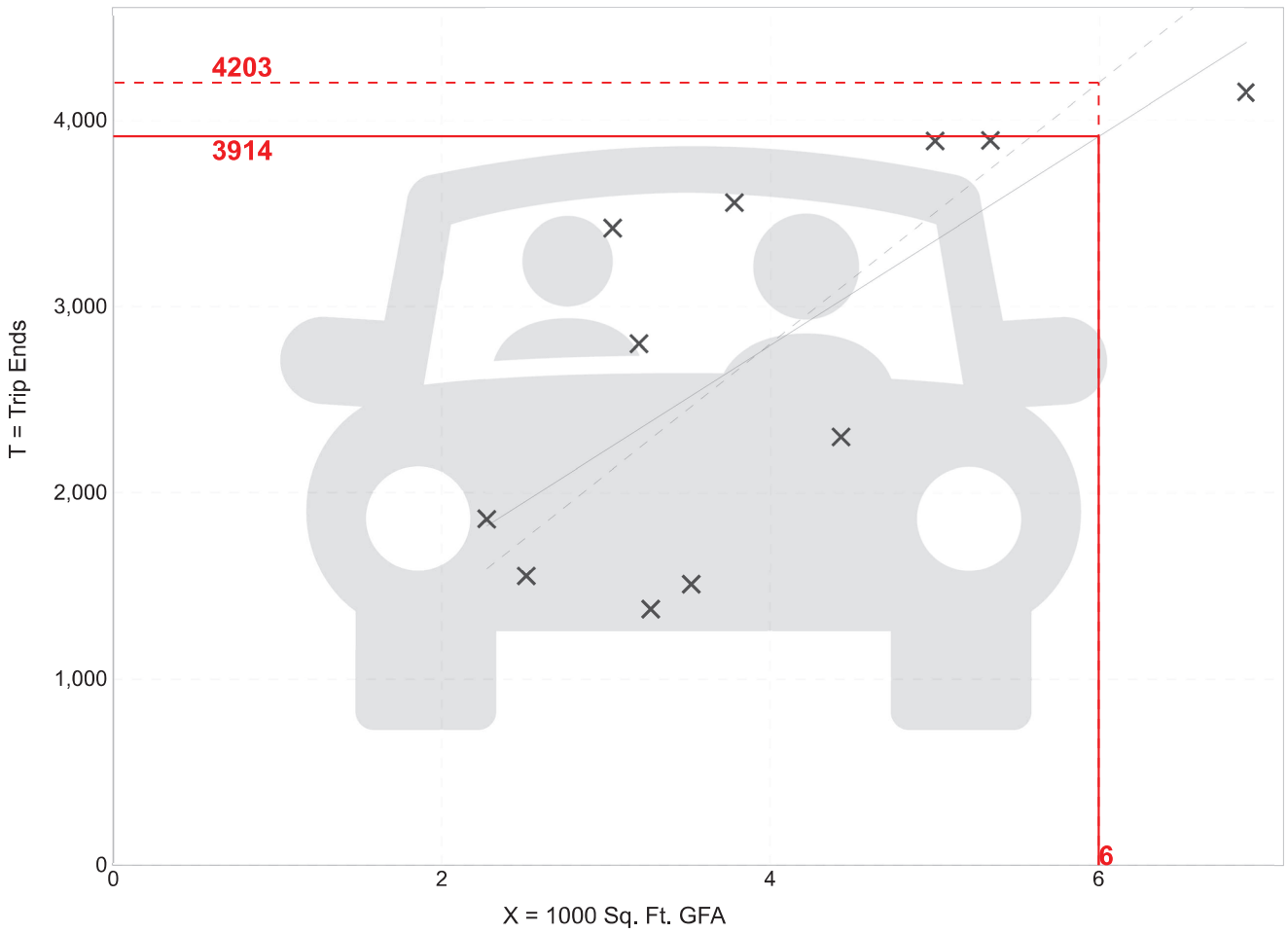
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 11
Avg. 1000 Sq. Ft. GFA: 4
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
700.43	419.93 - 1125.00	206.44

Data Plot and Equation



Fitted Curve Equation: T = 560.88(X) + 548.79

R^2= 0.51

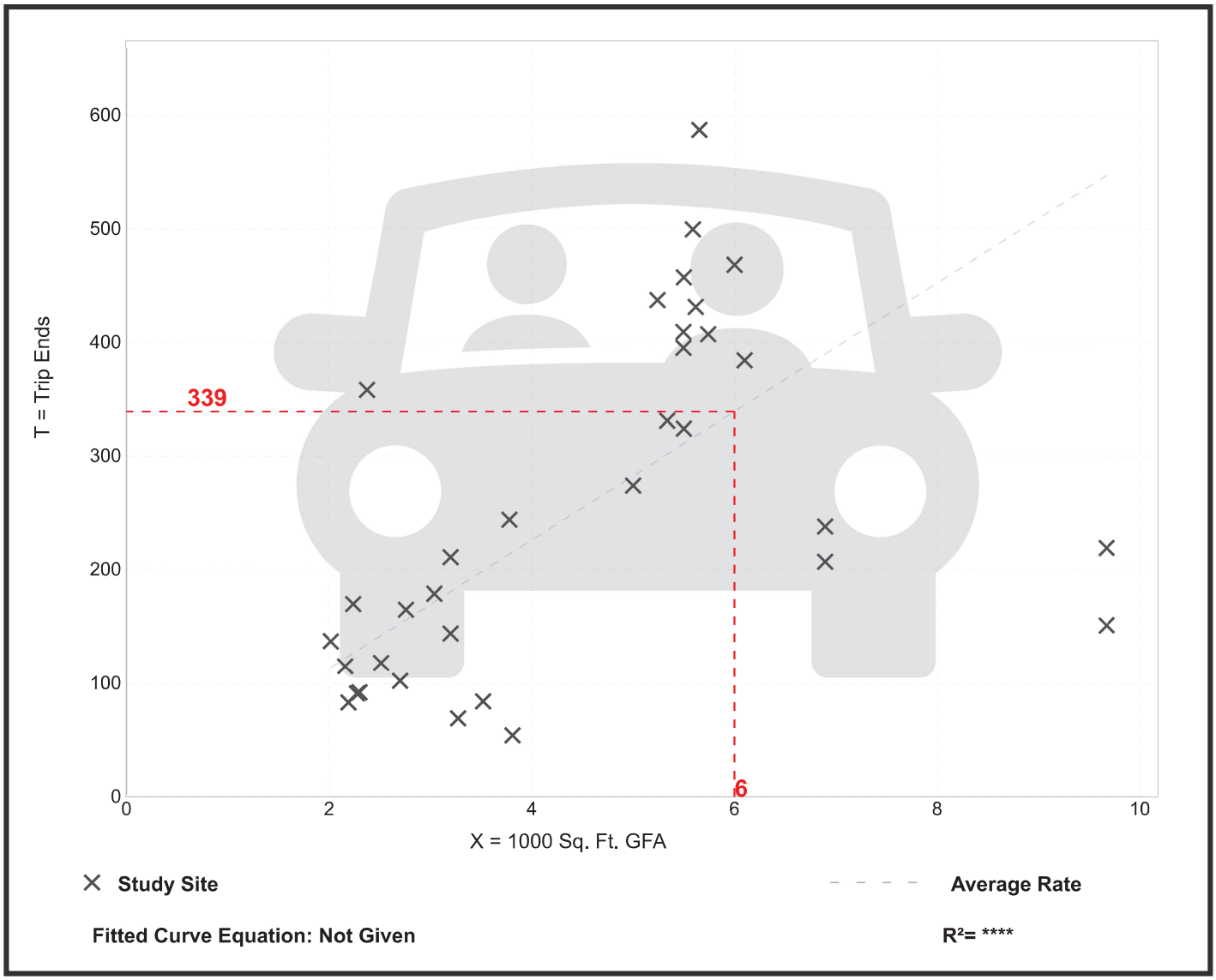
Convenience Store/Gas Station - VFP (9-15)
(945)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 7 and 9 a.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	34
Avg. 1000 Sq. Ft. GFA:	4
Directional Distribution:	50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
56.52	14.17 - 150.67	27.56

Data Plot and Equation



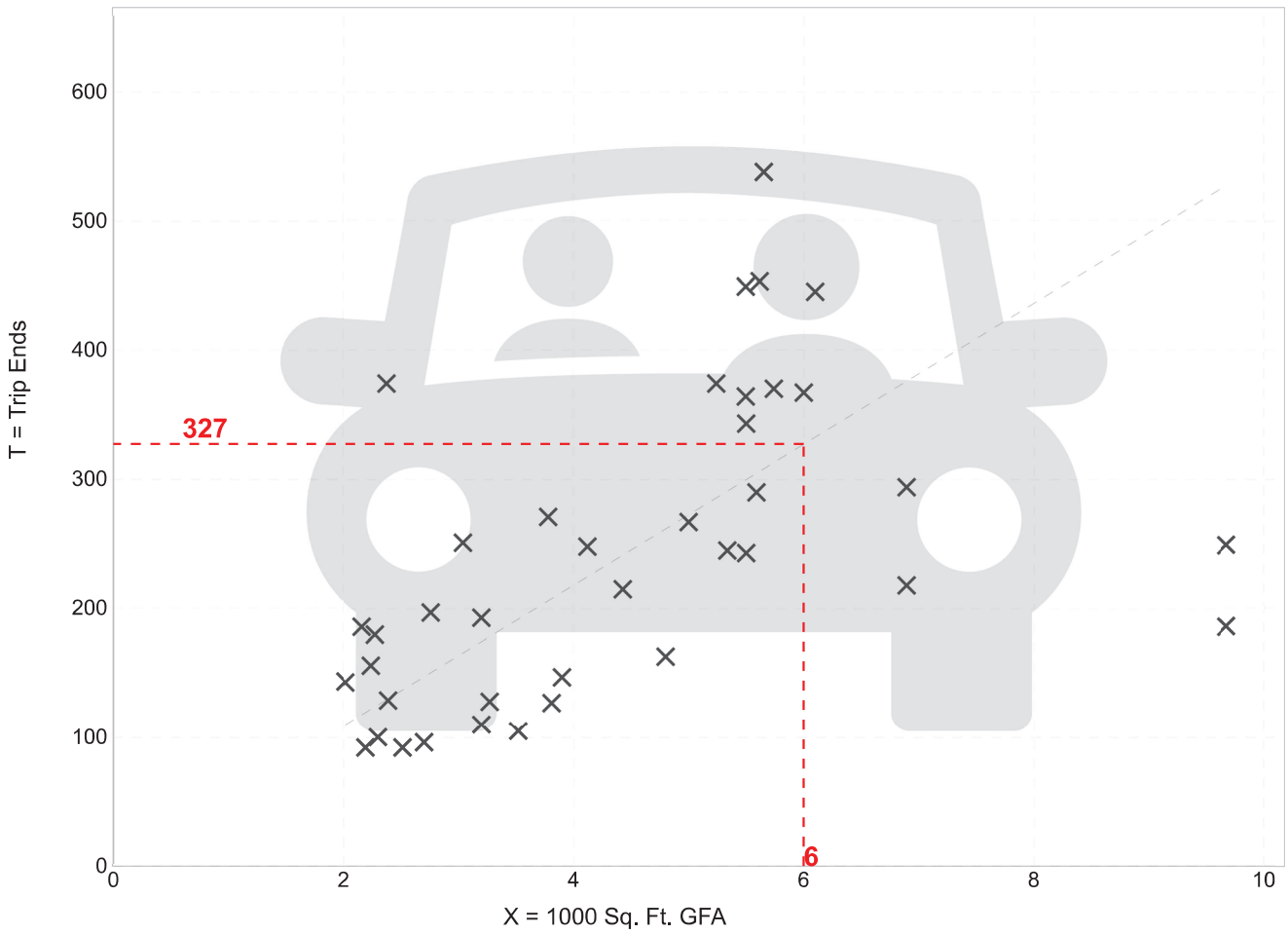
Convenience Store/Gas Station - VFP (9-15)
(945)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 39
Avg. 1000 Sq. Ft. GFA: 4
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
54.52	19.23 - 157.41	23.69

Data Plot and Equation



Fitted Curve Equation: Not Given

R^2= **

Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	945									
Land Use	Convenience Store/Gas Station									
Setting	General Urban/Suburban									
Time Period	Weekday AM Peak Period									
# Data Sites	16 Sites with between 2 and 8 VFP					28 Sites with between 9 and 20 VFP				
Average Pass-By Rate	60% for Sites with between 2 and 8 VFP					76% for Sites with between 9 and 20 VFP				
	Pass-By Characteristics for Individual Sites									
			Survey		Pass-By	Non-Pass-By Trips			Adj Street Peak	
GFA (000)	VFP	State or Province	Year	# Interviews	Trip (%)	Primary (%)	Diverted (%)	Total (%)	Hour Volume	Source
2	8	Maryland	1992	46	87	13	0	13	2235	25
2.1	6	Maryland	1992	26	58	23	19	42	2080	25
2.1	6	Maryland	1992	26	58	23	19	42	2080	25
2.2	8	Maryland	1992	31	47	34	19	53	1785	25
2.2	< 8	Indiana	1993	79	56	6	38	44	635	2
2.2	8	Maryland	1992	35	78	9	13	22	7080	25
2.3	6	Maryland	1992	37	32	41	27	68	2080	25
2.3	< 8	Kentucky	1993	58	64	5	31	36	1255	2
2.3	6	Maryland	1992	37	32	41	27	68	2080	25
2.4	< 8	Kentucky	1993	—	48	17	35	52	1210	2
2.6	< 8	Kentucky	1993	—	72	15	13	28	940	2
2.8	< 8	Kentucky	1993	—	54	11	35	46	1240	2
3	< 8	Indiana	1993	62	74	10	16	26	790	2
3.6	< 8	Kentucky	1993	49	67	4	29	33	1985	2
3.7	< 8	Kentucky	1993	49	66	16	18	34	990	2
4.694	12	Maryland	2000	—	72	—	—	28	2440	30
4.694	12	Maryland	2000	—	78	—	—	22	1561	30
4.694	12	Maryland	2000	—	79	—	—	21	2764	30
4.848	12	Virginia	2000	—	55	—	—	45	1398	30
5.06	12	Pennsylvania	2000	—	84	—	—	16	3219	30
5.242	12	Virginia	2000	—	74	—	—	26	1160	30
5.242	12	Virginia	2000	—	71	—	—	29	548	30
5.488	12	Delaware	2000	—	80	—	—	20	—	30
5.5	12	Pennsylvania	2000	—	85	—	—	15	2975	30
4.2	< 8	Kentucky	1993	47	62	19	19	38	1705	2
4.694	16	Maryland	2000	—	90	—	—	10	2278	30
4.694	16	Delaware	2000	—	74	—	—	26	2185	30
4.694	16	Delaware	2000	—	58	—	—	42	962	30
4.694	16	Delaware	2000	—	84	—	—	16	2956	30
4.694	16	New Jersey	2000	—	79	—	—	21	1859	30
4.694	20	Delaware	2000	—	84	—	—	16	3864	30
4.848	16	Virginia	2000	—	68	—	—	32	2106	30
4.848	16	Virginia	2000	—	85	—	—	15	2676	30
4.848	16	Virginia	2000	—	75	—	—	25	3244	30
4.848	16	Virginia	2000	—	71	—	—	29	1663	30
4.993	16	Pennsylvania	2000	—	75	—	—	25	1991	30
5.094	16	New Jersey	2000	—	86	—	—	14	1260	30
5.5	16	Pennsylvania	2000	—	82	—	—	18	1570	30
5.543	16	Pennsylvania	2000	—	84	—	—	16	1933	30
5.565	16	Pennsylvania	2000	—	77	—	—	23	2262	30
5.565	16	Pennsylvania	2000	—	68	—	—	32	2854	30
5.565	16	New Jersey	2000	—	58	—	—	42	1253	30
5.565	16	New Jersey	2000	—	79	—	—	21	1928	30
5.565	16	New Jersey	2000	---	84	---	---	16	1953	30

Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	945									
Land Use	Convenience Store/Gas Station									
Setting	General Urban/Suburban									
Time Period	Weekday PM Peak Period									
# Data Sites	12 Sites with between 2 and 8 VFP					28 Sites with between 9 and 20 VFP				
Average Pass-By Rate	56% for Sites with between 2 and 8 VFP					75% for Sites with between 9 and 20 VFP				
	Pass-By Characteristics for Individual Sites									
			Survey		Pass-By	Non-Pass-By Trips			Adj Street Peak	
GFA (000)	VFP	State or Province	Year	# Interviews	Trip (%)	Primary (%)	Diverted (%)	Total (%)	Hour Volume	Source
2.1	8	Maryland	1992	31	52	13	35	48	1785	25
2.1	6	Maryland	1992	30	53	20	27	47	1060	25
2.2	< 8	Indiana	1993	115	48	16	36	52	820	2
2.3	< 8	Kentucky	1993	67	57	16	27	43	1954	2
2.3	6	Maryland	1992	55	40	11	49	60	2760	25
2.4	< 8	Kentucky	1993	—	58	13	29	42	2655	2
2.6	< 8	Kentucky	1993	68	67	15	18	33	950	2
2.8	< 8	Kentucky	1993	—	62	11	27	38	2875	2
3	< 8	Indiana	1993	80	65	15	20	35	1165	2
3.6	< 8	Kentucky	1993	60	56	17	27	44	2505	2
3.7	< 8	Kentucky	1993	70	61	16	23	39	2175	2
4.2	< 8	Kentucky	1993	61	58	26	16	42	2300	2
4.694	12	Maryland	2000	—	78	—	—	22	3549	30
4.694	12	Maryland	2000	—	67	—	—	33	2272	30
4.694	12	Maryland	2000	—	66	—	—	34	3514	30
4.848	12	Virginia	2000	—	71	—	—	29	2350	30
5.06	12	Pennsylvania	2000	—	91	—	—	9	4181	30
5.242	12	Virginia	2000	—	70	—	—	30	2445	30
5.242	12	Virginia	2000	—	56	—	—	44	950	30
5.488	12	Delaware	2000	—	73	—	—	27	—	30
5.5	12	Pennsylvania	2000	—	84	—	—	16	4025	30
4.694	16	Maryland	2000	—	89	—	—	11	2755	30
4.694	16	Delaware	2000	—	73	—	—	27	1858	30
4.694	16	Delaware	2000	—	59	—	—	41	1344	30
4.694	16	Delaware	2000	—	72	—	—	28	3434	30
4.694	16	New Jersey	2000	—	81	—	—	19	1734	30
4.694	20	Delaware	2000	—	76	—	—	24	1616	30
4.848	16	Virginia	2000	—	67	—	—	33	2.954	30
4.848	16	Virginia	2000	—	78	—	—	22	3086	30
4.848	16	Virginia	2000	—	83	—	—	17	4143	30
4.848	16	Virginia	2000	—	73	—	—	27	2534	30
4.993	16	Pennsylvania	2000	—	72	—	—	28	2917	30
5.094	16	New Jersey	2000	—	86	—	—	14	1730	30
5.5	16	Pennsylvania	2000	—	90	—	—	10	2616	30
5.543	16	Pennsylvania	2000	—	87	—	—	13	2363	30
5.565	16	Pennsylvania	2000	—	81	—	—	19	2770	30
5.565	16	Pennsylvania	2000	—	76	—	—	24	3362	30
5.565	16	New Jersey	2000	—	61	—	—	39	1713	30
5.565	16	New Jersey	2000	—	86	—	—	14	1721	30
5.565	16	New Jersey	2000	---	81	---	---	19	2227	30

Fast-Food Restaurant with Drive-Through Window
(934)

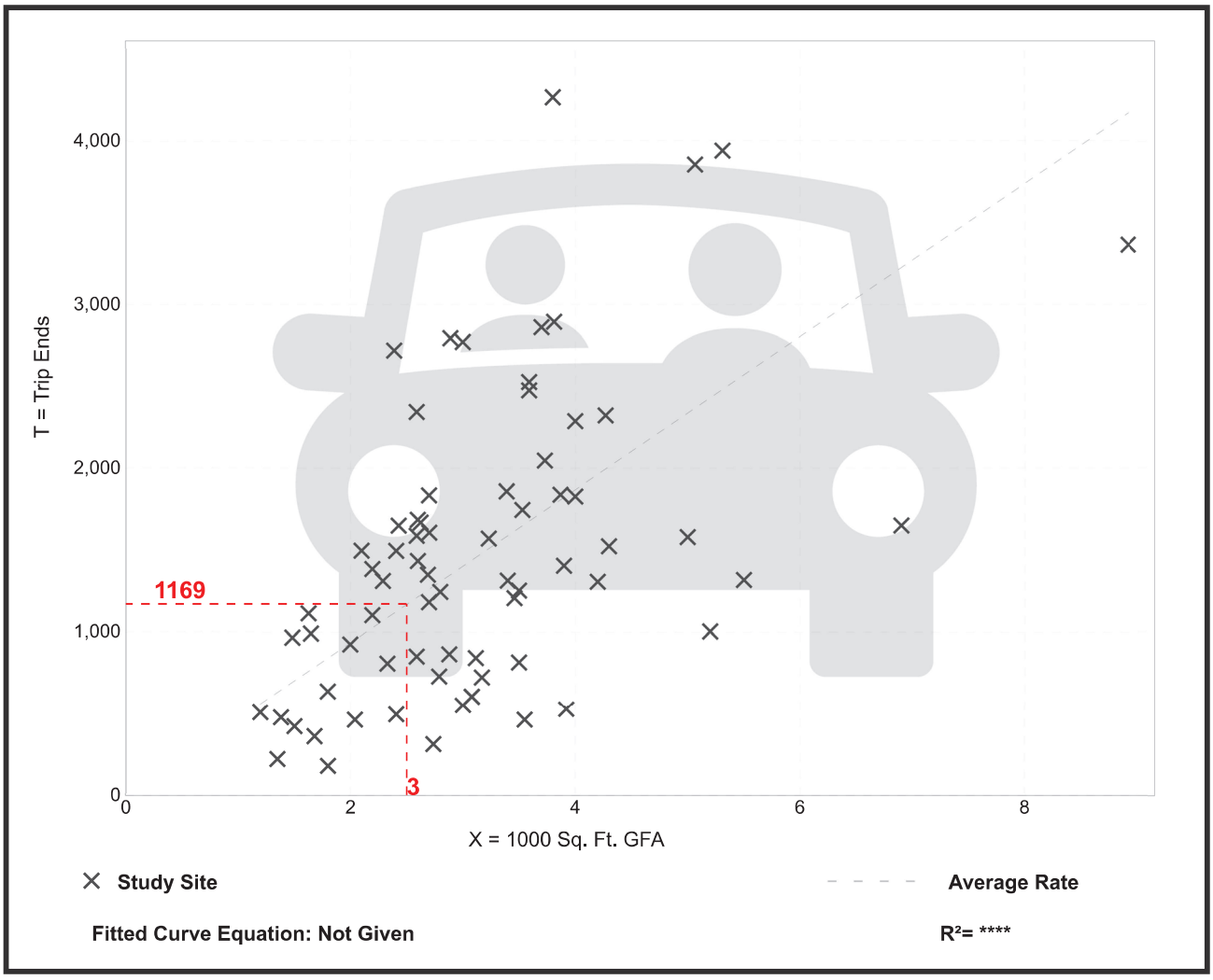
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 71
Avg. 1000 Sq. Ft. GFA: 3
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
467.48	98.89 - 1137.66	238.62

Data Plot and Equation



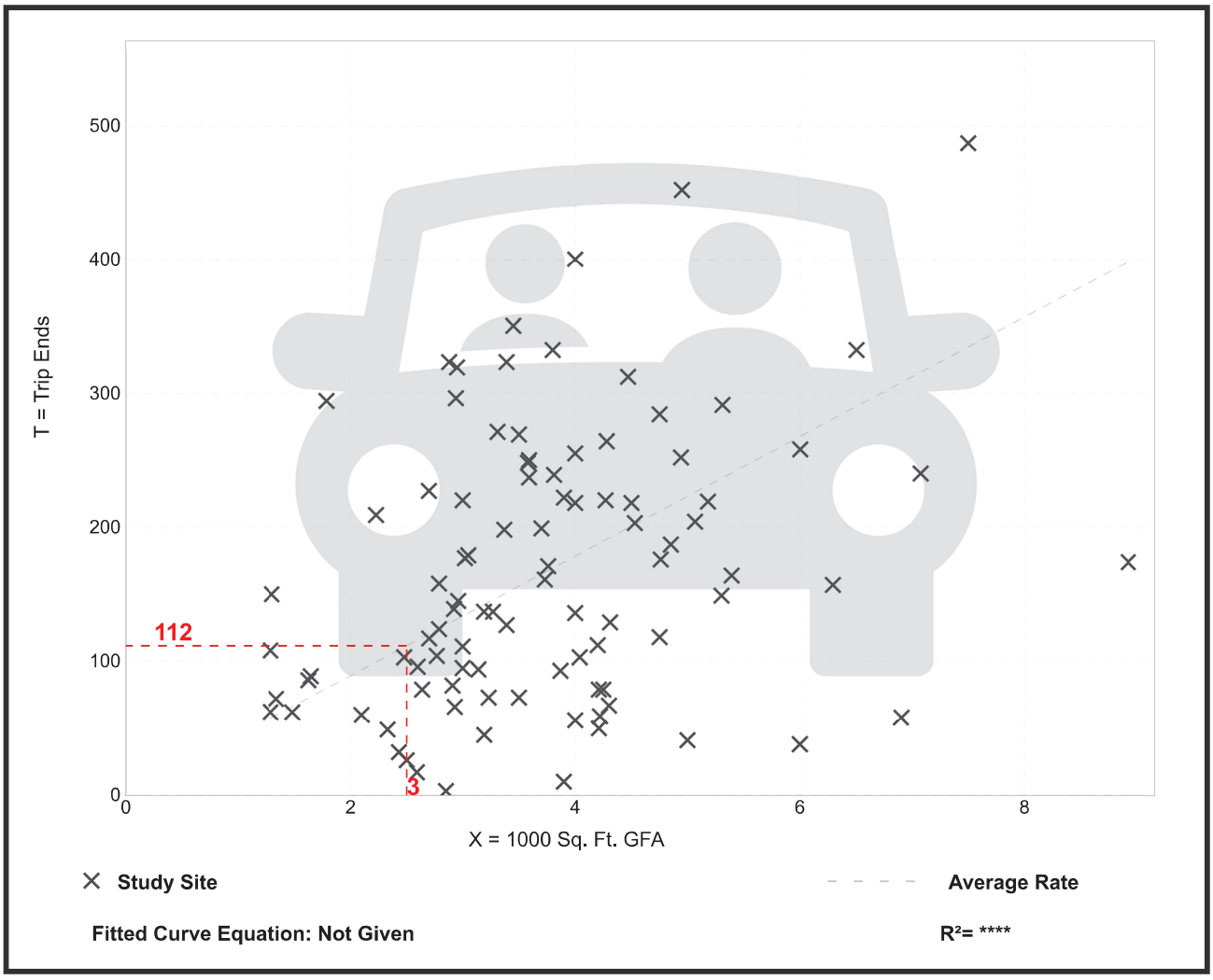
Fast-Food Restaurant with Drive-Through Window
(934)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 7 and 9 a.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	96
Avg. 1000 Sq. Ft. GFA:	4
Directional Distribution:	51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
44.61	1.05 - 164.25	27.14

Data Plot and Equation



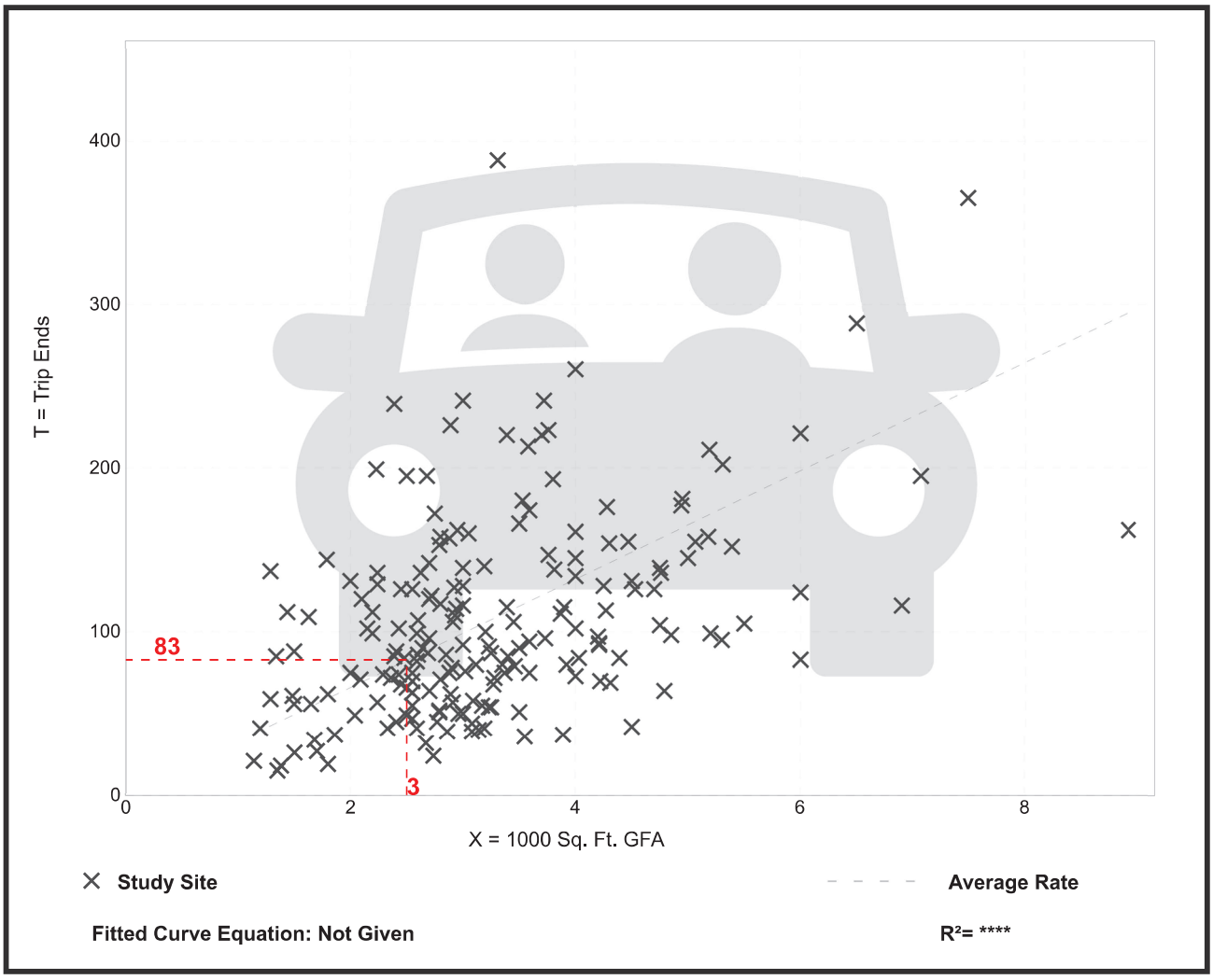
Fast-Food Restaurant with Drive-Through Window
(934)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	190
Avg. 1000 Sq. Ft. GFA:	3
Directional Distribution:	52% entering, 48% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
33.03	8.77 - 117.22	17.59

Data Plot and Equation



Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	934
Land Use	Fast-Food Restaurant with Drive-Through Window
Setting	General Urban/Suburban
Time Period	Weekday AM Peak Period
# Data Sites	5
Average Pass-By Rate	50%

Pass-By Characteristics for Individual Sites

GFA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume	Source
					Primary (%)	Diverted (%)	Total (%)		
1.4	Kentucky	1993	—	62	22	16	38	1407	2
3	Kentucky	1993	—	43	14	43	57	2903	2
3.3	--	1996	—	68	—	—	32	—	21
3.6	Kentucky	1993	—	32	47	21	68	437	2
4.2	Indiana	1993	—	46	23	31	54	1049	2

Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual* , 11th Edition

Land Use Code	934
Land Use	Fast-Food Restaurant with Drive-Through Window
Setting	General Urban/Suburban
Time Period	Weekday PM Peak Period
# Data Sites	11
Average Pass-By Rate	55%

Pass-By Characteristics for Individual Sites

GFA (000)	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume	Source
					Primary (%)	Diverted (%)	Total (%)		
1.3	Kentucky	1993	—	68	22	10	32	2055	2
1.9	Kentucky	1993	33	67	24	9	33	2447	2
2.8	Florida	1995	47	66	—	—	34	—	30
2.9	Florida	1996	271	41	41	18	59	—	30
3	Kentucky	1993	—	31	31	38	69	4250	2
3.1	Florida	1995	28	71	—	—	29	—	30
3.1	Florida	1996	29	38	—	—	62	—	30
3.2	Florida	1996	202	40	39	21	60	—	30
3.3	—	1996	—	62	—	—	38	—	21
4.2	Indiana	1993	—	56	25	19	44	1632	2
4.3	Florida	1994	304	62	—	—	38	—	30

Fast-Food Restaurant without Drive-Through Window
(933)

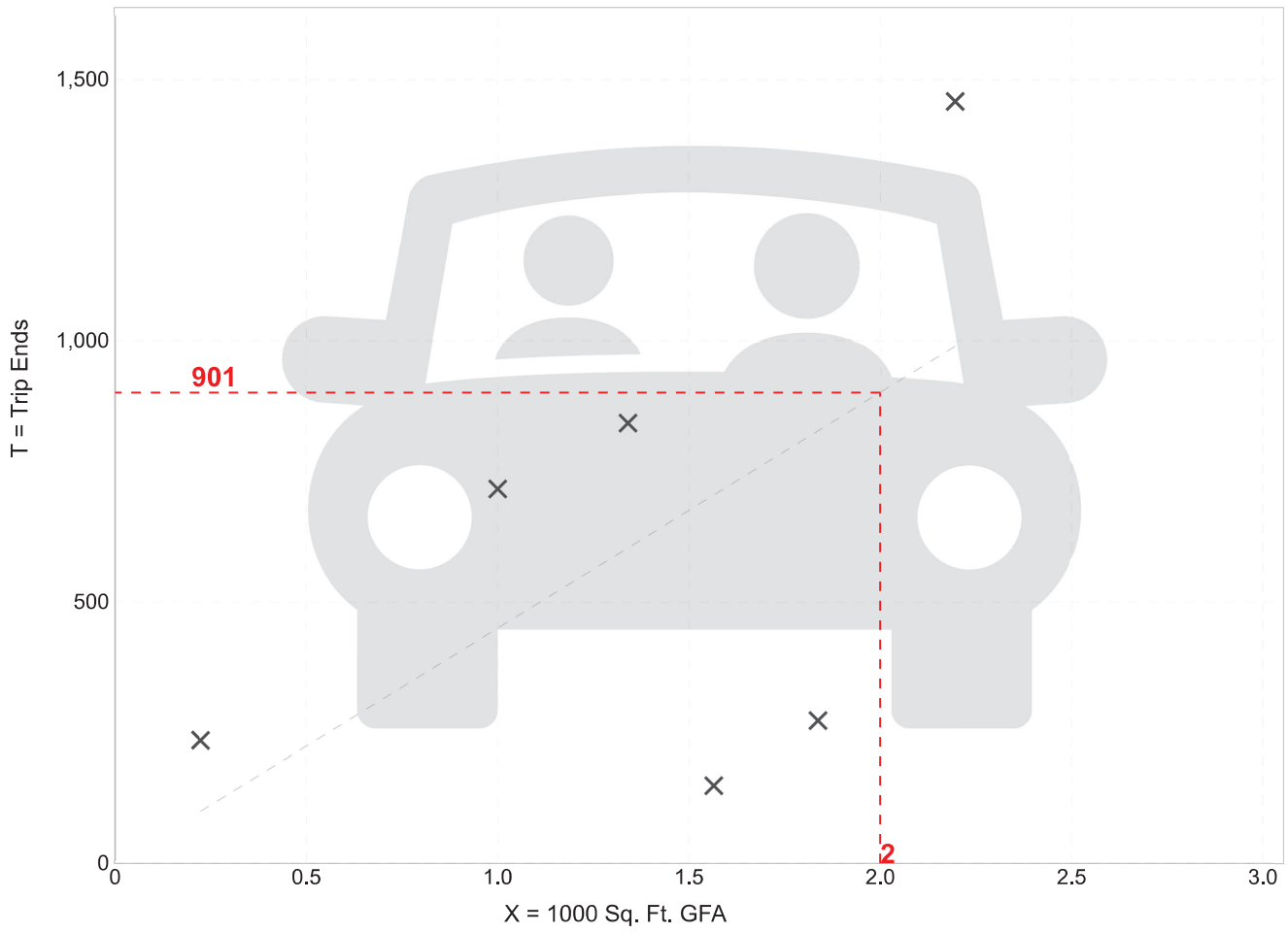
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 6
Avg. 1000 Sq. Ft. GFA: 1
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
450.49	95.91 - 1053.57	310.99

Data Plot and Equation



Fitted Curve Equation: Not Given

R^2= **

Fast-Food Restaurant without Drive-Through Window
(933)

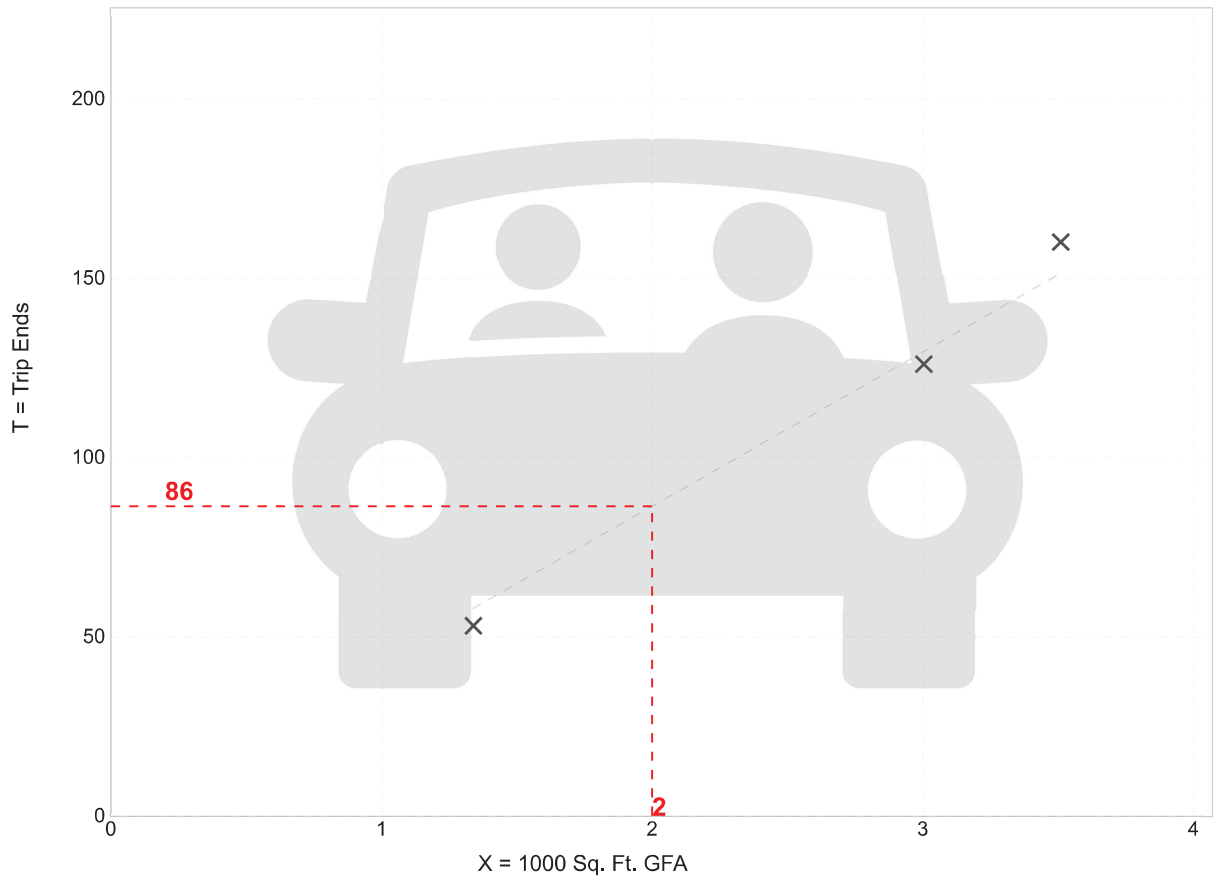
Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 3
Avg. 1000 Sq. Ft. GFA: 3
Directional Distribution: 58% entering, 42% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
43.18	39.55 - 45.58	2.84

Data Plot and Equation

Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= **

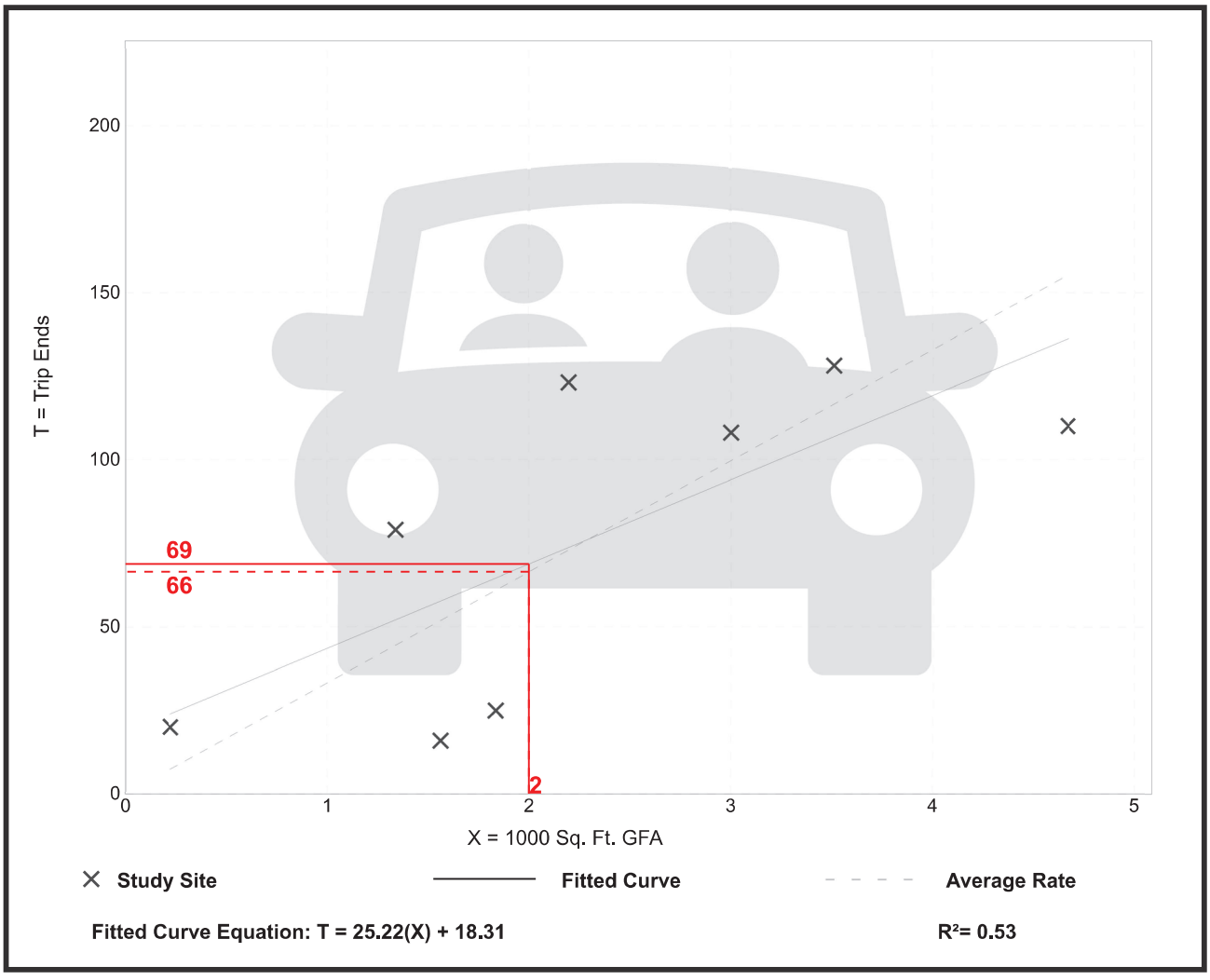
Fast-Food Restaurant without Drive-Through Window
(933)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 8
Avg. 1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
33.21	10.23 - 89.29	17.22

Data Plot and Equation



Fitted Curve Equation: T = 25.22(X) + 18.31

R^2= 0.53

TRAFFIC DATA SERVICES
TRAFFIC SOLUTIONS, LLC TRAFFIC STUDY
ELIZABETH LANE ADT COUNTS

Elizabeth Lane Btwn Spout springs and
Squirrel Nest Ct in Hall County

Site: #1
1/15/2025
Wednesday

Daily Volume

Interval Start	EB		WB		Combined		Interval Start	EB		WB		Combined	
12:00 AM	3	4	2	4	5	8	12:00 PM	16	53	14	56	30	109
12:15 AM	1		2		3		12:15 PM	13		17		30	
12:30 AM	0		0		0		12:30 PM	12		11		23	
12:45 AM	0		0		0		12:45 PM	12		14		26	
1:00 AM	1	4	0	1	1	5	1:00 PM	11	72	18	73	29	145
1:15 AM	1		0		1		1:15 PM	22		20		42	
1:30 AM	2		1		3		1:30 PM	19		12		31	
1:45 AM	0		0		0		1:45 PM	20		23		43	
2:00 AM	1	1	0	3	1	4	2:00 PM	19	91	17	76	36	167
2:15 AM	0		0		0		2:15 PM	24		24		48	
2:30 AM	0		1		1		2:30 PM	24		12		36	
2:45 AM	0		2		2		2:45 PM	24		23		47	
3:00 AM	0	1	0	5	0	6	3:00 PM	27	118	15	184	42	302
3:15 AM	0		1		1		3:15 PM	30		18		48	
3:30 AM	1		3		4		3:30 PM	44		78		122	
3:45 AM	0		1		1		3:45 PM	17		73		90	
4:00 AM	2	4	3	18	5	22	4:00 PM	26	126	25	88	51	214
4:15 AM	0		2		2		4:15 PM	42		20		62	
4:30 AM	0		5		5		4:30 PM	33		25		58	
4:45 AM	2		8		10		4:45 PM	25		18		43	
5:00 AM	0	6	3	41	3	47	5:00 PM	34	141	31	120	65	261
5:15 AM	1		9		10		5:15 PM	32		20		52	
5:30 AM	2		13		15		5:30 PM	39		32		71	
5:45 AM	3		16		19		5:45 PM	36		37		73	
6:00 AM	0	20	15	88	15	108	6:00 PM	36	135	27	102	63	237
6:15 AM	5		19		24		6:15 PM	31		20		51	
6:30 AM	3		25		28		6:30 PM	33		28		61	
6:45 AM	12		29		41		6:45 PM	35		27		62	
7:00 AM	11	65	27	151	38	216	7:00 PM	21	80	19	59	40	139
7:15 AM	13		38		51		7:15 PM	24		11		35	
7:30 AM	19		43		62		7:30 PM	14		12		26	
7:45 AM	22		43		65		7:45 PM	21		17		38	
8:00 AM	22	101	45	169	67	270	8:00 PM	21	73	7	42	28	115
8:15 AM	26		43		69		8:15 PM	17		16		33	
8:30 AM	43		47		90		8:30 PM	20		8		28	
8:45 AM	10		34		44		8:45 PM	15		11		26	
9:00 AM	13	52	30	90	43	142	9:00 PM	15	52	7	15	22	67
9:15 AM	11		29		40		9:15 PM	17		1		18	
9:30 AM	15		17		32		9:30 PM	10		4		14	
9:45 AM	13		14		27		9:45 PM	10		3		13	
10:00 AM	8	53	18	73	26	126	10:00 PM	9	23	4	11	13	34
10:15 AM	9		15		24		10:15 PM	4		3		7	
10:30 AM	16		19		35		10:30 PM	3		3		6	
10:45 AM	20		21		41		10:45 PM	7		1		8	
11:00 AM	8	50	15	65	23	115	11:00 PM	1	14	1	4	2	18
11:15 AM	10		15		25		11:15 PM	5		0		5	
11:30 AM	11		16		27		11:30 PM	2		1		3	
11:45 AM	21		19		40		11:45 PM	6		2		8	

Volume Totals

	EB	WB	Combined
12:00 AM - 12:00 PM	361 (33.8%)	708 (66.2%)	1069
12:00 PM - 12:00 AM	978 (54.1%)	830 (45.9%)	1808
24 Hours	1339 (46.5%)	1538 (53.5%)	2877

Peak Hours

	EB	WB	Combined
12:00 AM - 12:00 PM	7:45 AM	7:45 AM	7:45 AM
Volume	113	178	291
Factor	0.66	0.95	0.81
12:00 PM - 12:00 AM	5:15 PM	3:30 PM	3:30 PM
Volume	143	196	325
Factor	0.92	0.63	0.67

Site Name 139-0441 **Site ID** 0000139_0441 **Description** CR 3501/Spout Springs Rd bn Capitola Farm Rd/Hog Mtn Rd

Each Direction | Time Period: 1 hour | Exclude data: None

	Total Flow	North	South
12:00 am	52	24	28
01:00 am	41	16	25
02:00 am	31	18	13
03:00 am	34	18	16
04:00 am	105	77	28
05:00 am	262	194	68
06:00 am	639	477	162
07:00 am	1103	740	363
08:00 am	1088	679	409
09:00 am	831	459	372
10:00 am	778	468	310
11:00 am	759	419	340
12:00 pm	979	511	468
01:00 pm	899	433	466
02:00 pm	904	433	471
03:00 pm	1100	543	557
04:00 pm	1228	515	713
05:00 pm	1344	598	746
06:00 pm	1183	574	609
07:00 pm	869	372	497
08:00 pm	641	255	386
09:00 pm	384	150	234
10:00 pm	180	84	96
11:00 pm	115	50	65
7am-7pm	12196	6372	5824
6am-10pm	14729	7626	7103
6am-12am	15024	7760	7264
12am-12am	15549	8107	7442
am Peak	07:00 am	07:00 am	08:00 am
Peak Volume	1103	740	409
pm Peak	05:00 pm	05:00 pm	05:00 pm
Peak Volume	1344	598	746

CITY OF
GAINESVILLE

WATER RESOURCES

October 4, 2024

LJA
Attn: Jaeden Prasad
130 East Main Street, Suite 204
Canton, GA 30114

Re: Water Availability
Proposed Retail Development
6495 Spout Springs Road
Parcel 15047 000002A

Dear Jaeden,

The purpose of this letter is to confirm the availability of water service to the above referenced property.

The City of Gainesville owns and operates an existing 16-inch ductile iron water main in the right-of-way of Spout Springs Road adjacent to the subject property.

Currently, the City has adequate domestic water capacity to serve your proposed retail development.

This confirmation of water availability is good for one year from the date of this letter at which time, it will become null and void unless engineered plans have been submitted for issuance of a development permit.

Please call me at (770) 538-2452 should you have any questions.

Sincerely,

Nick Swafford

Nick Swafford
Permitting Services and GIS Manager

cc: Tracy Robar, P.E., Engineering and Construction Division Manager
Chris Thornhill, Project Manager

Hall County Government
PUBLIC WORKS AND UTILITIES

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

BILL NASH, P.E.

Director

William (Bill) H. King III, P.E.

Assistant Director

February 18, 2025

Terry Boomer
130 East Main Street, Suite 204
Canton, GA 30114

Subject: Sanitary Sewer Letter of Availability
Reed Creek Food Mart, LLC
Parcel Id No.: **15047 000002A**
6495 Spout Springs Road
Flowery Branch, GA 30542

Dear Mr. Terry Boomer,

In response to your request, this letter will serve as confirmation that Hall County has sufficient volume to serve **15047 000002A, 6495 Spout Springs Road, GA 30542** for a proposed 5,000 gallons per day commercial development at this time.

The nearest existing sewer line is located in subject property. An outfall sewer line is to be constructed and dedicated to Hall County by developer at owners cost to all upstream properties.

Sanitary sewer capacity allocation is available on a first come, first serve basis by purchasing the sewer taps. As such, this "availability" letter does not guarantee capacity. Additionally, this letter is non-transferable. If the project design changes, this letter is void and a new "availability" letter must be issued.

If you have any questions or need more information, please call the Hall County Public Works and Utilities Department at 770-531-6800.

Sincerely,

Bill Nash

Bill Nash

Application for Sewer Availability Letter

Date: 08/23/2024

Name of Applicant: Terry Boomer Contact Number: 678-462-4072

Address of Applicant: 130 East Main Street, Suite 204

City: Canton State: GA Zip: 30114 E-mail: tboomer@lja.com

Name of Agent: _____ Contact Number: _____

Address of Agent: _____

City: _____ State: _____ Zip: _____ E-mail: _____

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 Agricultural Residential (AR-III) (Present Zoning) to Highway Business (H-B) (Requested Zoning)

For the Purpose of Service Station / Convenience Store (Type of Development)

Address of Property: 6495 Spout Springs Road

Nearest Intersection to Property: Spout Springs Road & Lake Sterling Blvd

Size of Tract: 3.05 acre(s), Lane Lot Number(s): 1 , District(s): 01

Development Estimate Average Daily Sewer Flow (GPD): 5000

Property Tax Parcel Number: 13139C0294G Proposed number of Lots: 1

(Below: For properties within protected watershed districts only)

Gross Density: _____ units per acre Net Density: _____ units per acre

Estimated amount of impervious surface: _____ Minimum Lot Size: _____

Notary

Signature of Owner(s)/Agent(s)

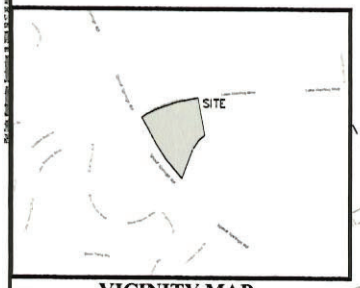
TERRY BOOMER

Printed Name of Owner(s)/Agent(s)

ENGINEER

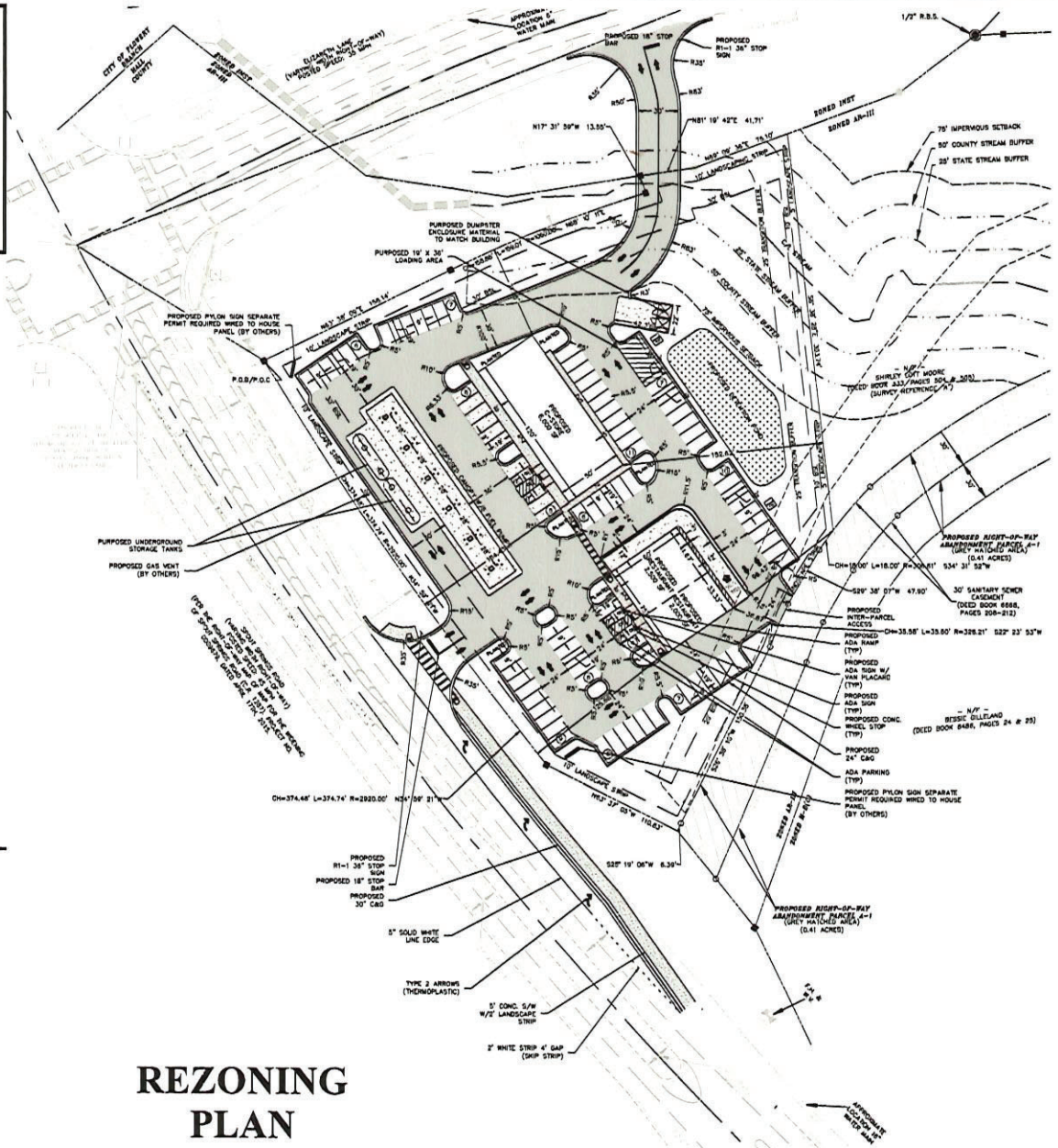
Title of Agent

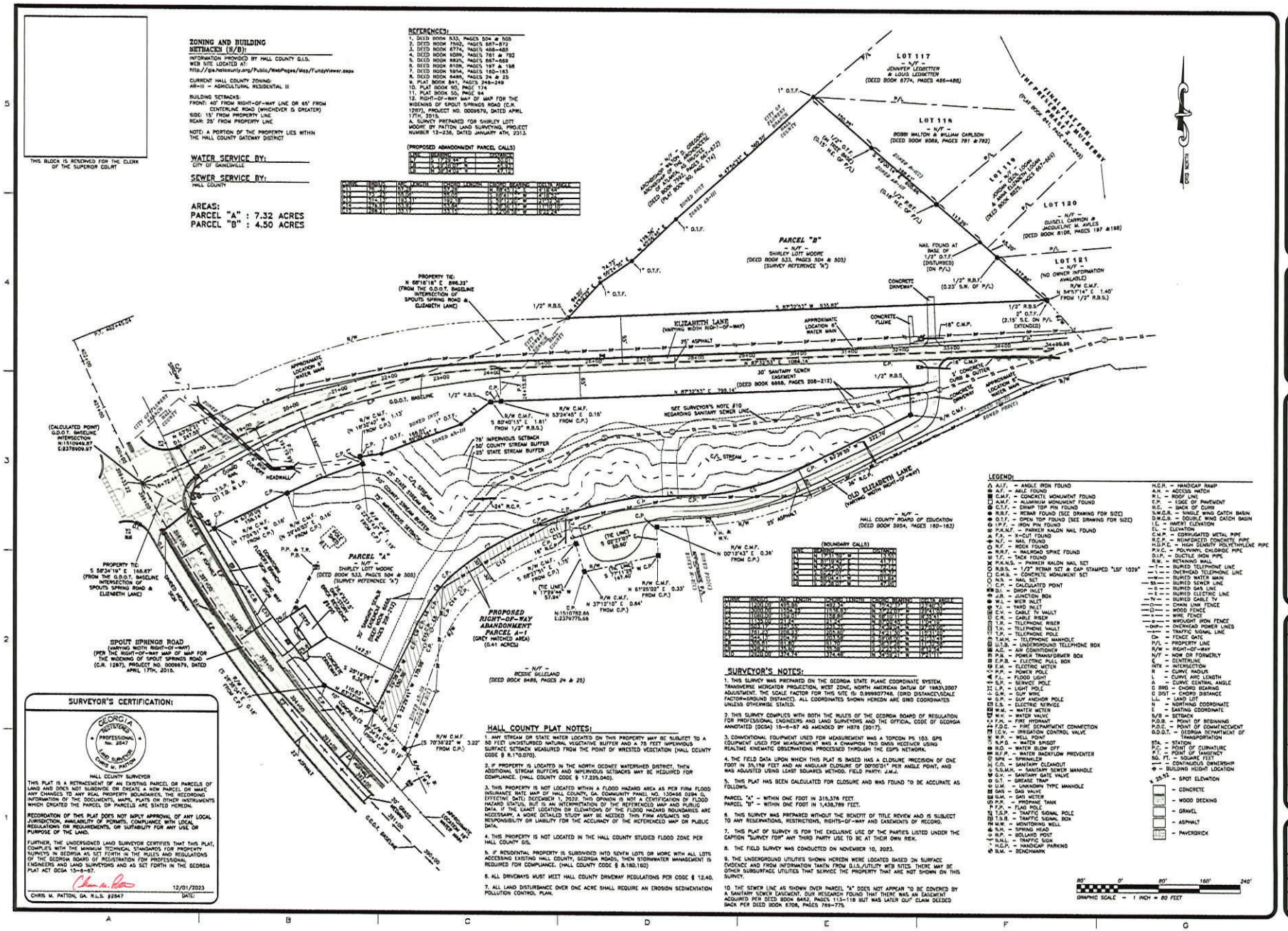
MARISSA BRIDGES NOTARY PUBLIC CHEROKEE COUNTY GEORGIA EXPIRES October 5, 2024



VICINITY MAP

THIS PROPERTY IS LOCATED WITHIN AN AREA OF MINIMAL FLOOD HAZARD (X) AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13113C0294G, DATED 12/01/2022.


PROPOSED 18" STOP BAR
PROPOSED R1-1 36" STOP SIGN
1/2" R.B.S.
75' IMPERVIOUS SETBACK
50' COUNTY STREAM BUFFER
25' STATE STREAM BUFFER
PROPOSED DUMPSTER ENCLOSURE MATERIAL TO MATCH BUILDING
PROPOSED 19' X 36' LOADING AREA
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
P.O.B./P.O.C.
PROPOSED UNDERGROUND STORAGE TANKS
PROPOSED GAS VENT (BY OTHERS)
PROPOSED RIGHT-OF-WAY ABANDONMENT (PARCEL A-1) (GREY HATCHED AREA) (0.41 ACRES)
30' SANITARY SEWER EASEMENT (DEED BOOK 6668, PAGES 208-212)
PROPOSED INTER-PARCEL ACCESS
PROPOSED ADA RAMP (TYP)
PROPOSED ADA SIGN W/ VAN PLACARD (TYP)
PROPOSED ADA SIGN (TYP)
PROPOSED CONC. WHEEL STOP (TYP)
PROPOSED 24" C&G
ADA PARKING (TYP)
PROPOSED PYLON SIGN SEPARATE PERMIT REQUIRED WIRED TO HOUSE PANEL (BY OTHERS)
- N/F -
BESSIE GILLELAND
(DEED BOOK 8486, PAGES 24 & 25)
PROPOSED R1-1 36" STOP SIGN
PROPOSED 18" STOP BAR
PROPOSED 30" C&G
5' SOLID WHITE LINE EDGE
TYPE 2 ARROWS (THERMOPLASTIC)
5' CONC. S/W W/2' LANDSCAPE STRIP
2' WHITE STRIP 4' GAP (SKIP STRIP)
PROPOSED RIGHT-OF-WAY ABANDONMENT (PARCEL A-1) (GREY HATCHED AREA) (0.41 ACRES)
- N/F -
SHIRLEY COIT MOORE
(DEED BOOK 333/PAGES 504 & 505)
(SURVEY REFERENCE #1)
PROPOSED GRADING LIMIT
PROPOSED BUILDING 10,500 SF
PROPOSED CANOPY
PROPOSED CANOPY
PROPOSED UNDERGROUND STORAGE TANKS
PROPOSED GAS VENT (BY OTHERS)
PROPOSED 24" C&G
PROPOSED 4" SOLID WHITE LINE EDGE
PROPOSED 4" SOLID YELLOW LINE EDGE
PROPOSED 4" DOUBLE SOLID YELLOW LINE
PROPOSED 4" SOLID WHITE LINE EDGE
PROPOSED 4" DOUBLE SOLID YELLOW LINE
PROPOSED 4" SOLID YELLOW LINE EDGE
PROPOSED 4" SOLID WHITE LINE EDGE
PROPOSED 4" SOLID YELLOW LINE EDGE
PROPOSED 4" DOUBLE SOLID YELLOW LIN


ZONING AND BUILDING SETBACKS (B/B):
INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT:
http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx
CURRENT HALL COUNTY ZONING:
AR-III = AGRICULTURAL RESIDENTIAL III
BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE
NOTE: A PORTION OF THE PROPERTY LIES WITHIN THE HALL COUNTY GATEWAY DISTRICT
THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT
WATER SERVICE BY:
CITY OF GAINESVILLE
SEWER SERVICE BY:
HALL COUNTY
AREAS:
PARCEL "A" : 7.32 ACRES
PARCEL "B" : 4.50 ACRES
REFERENCES:
1. DEED BOOK 533, PAGES 504 & 505
2. DEED BOOK 7902, PAGES 687-692
3. DEED BOOK 8774, PAGES 488-489
4. DEED BOOK 9089, PAGES 781 & 782
5. DEED BOOK 8821, PAGES 867-868
6. DEED BOOK 8108, PAGES 197 & 198
7. DEED BOOK 9894, PAGES 180-183
8. DEED BOOK 6488, PAGES 24 & 25
9. PLAT BOOK 841, PAGES 248-249
10. PLAT BOOK 80, PAGE 174
11. PLAT BOOK 50, PAGE 64
12. RIGHT-OF-WAY MAP OF MAP FOR THE WIDENING OF SPOUT SPRINGS ROAD (C.R. 1287), PROJECT NO. 0009679, DATED APRIL 17TH, 2015.
A. SURVEY PREPARED FOR SHIRLEY LOTT MOORE BY PATTON LAND SURVEYING, PROJECT NUMBER 12-236, DATED JANUARY 4TH, 2013.
(PROPOSED ABANDONMENT PARCEL CALLS)
LOT 117 – N/F – JENNIFER LEDBETTER & LOUIS LEDBETTER (DEED BOOK 8774, PAGES 486-488)
LOT 118 – N/F – BOBBI WALTON & WILLIAM CARLSON (DEED BOOK 9089, PAGES 781 & 782)
LOT 119 – N/F – JOSEPH ALLEN LOCKE & ANNA ELIZABETH LOCKE (DEED BOOK 8821, PAGES 867-869)
LOT 120 – N/F – QUISELL CARMON & JACQUELINE M. AVILES (DEED BOOK 8108, PAGES 197 & 198)
LOT 121 – N/F – (NO OWNER INFORMATION AVAILABLE)
PARCEL "B" – N/F – SHIRLEY LOTT MOORE (DEED BOOK 533, PAGES 504 & 505) (SURVEY REFERENCE "A")
PARCEL "A" – N/F – SHIRLEY LOTT MOORE (DEED BOOK 533, PAGES 504 & 505) (SURVEY REFERENCE "A")
ELIZABETH LANE (VARYING WIDTH RIGHT-OF-WAY)
OLD ELIZABETH LANE (VARYING WIDTH RIGHT-OF-WAY)
SPOUT SPRINGS ROAD (VARYING WIDTH RIGHT-OF-WAY) (PER THE RIGHT-OF-WAY MAP OF MAP FOR THE WIDENING OF SPOUT SPRINGS ROAD (C.R. 1287), PROJECT NO. 0009679, DATED APRIL 17TH, 2015.
PROPOSED RIGHT-OF-WAY ABANDONMENT PARCEL A-1 (GREEN HATCHED AREA) (0.41 ACRES)
HALL COUNTY BOARD OF EDUCATION (DEED BOOK 5954, PAGES 180-183)
BESSIE GILLELAND (DEED BOOK 6488, PAGES 24 & 25)
PROPERTY TIE: N 68°16'18" E 896.33' (FROM THE G.D.O.T. BASELINE INTERSECTION OF SPOUTS SPRING ROAD & ELIZABETH LANE)
PROPERTY TIE: S 58°34'19" E 168.67' (FROM THE G.D.O.T. BASELINE INTERSECTION OF SPOUTS SPRING ROAD & ELIZABETH LANE)
(CALCULATED POINT) G.D.O.T. BASELINE INTERSECTION N:1510949.87 E:2378909.97
SEE SURVEYOR'S NOTE #10 REGARDING SANITARY SEWER LINE
78' IMPERVIOUS SETBACK
50' COUNTY STREAM BUFFER
25' STATE STREAM BUFFER
30' SANITARY SEWER EASEMENT (DEED BOOK 6888, PAGES 208-212)
(TIE LINE) N 17°09'46" W 57.04'
(TIE LINE) S 05°27'07" E 50.60'
(TIE LINE) S 17°11'39" W 147.42'
P.O.B. N:1510782.86 E:2379775.66
SURVEYOR'S CERTIFICATION:
GEORGIA REGISTERED PROFESSIONAL No. 2847 LAND SURVEYOR CHRIS M. PATTON
HALL COUNTY SURVEYOR
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.
FURTHER, 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 THE GEORGIA PLAT ACT OCGA 15-6-67.
CHRIS M. PATTON, GA. R.L.S. #2847
12/01/2023
DATE:
HALL COUNTY PLAT NOTES:
1. 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 MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).
2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).
3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13068G 0394 G, (EFFECTIVE DATE) DECEMBER 1, 2022. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.
4. THIS PROPERTY IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.
5. 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)
6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.
7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.
SURVEYOR'S NOTES:
1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983(NSRS 2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.9999027748. (GRID DISTANCE)(SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.
2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB78 (2017).
3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 35,179 FEET AND AN ANGULAR CLOSURE OF 00'00'01" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES METHOD. FIELD PARTY: J.M.J.
5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:
PARCEL "A" – WITHIN ONE FOOT IN 315,378 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 1,438,789 FEET.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.
7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.
8. THE FIELD SURVEY WAS CONDUCTED ON NOVEMBER 10, 2023.
9. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.
10. THE SEWER LINE AS SHOWN OVER PARCEL "A" DOES NOT APPEAR TO BE COVERED BY A SANITARY SEWER EASEMENT. OUR RESEARCH FOUND THAT THERE WAS AN EASEMENT ACQUIRED PER DEED BOOK 8482, PAGES 113-118 BUT WAS LATER QUIT CLAIM DEEDED BACK PER DEED BOOK 8706, PAGES 769-775.
LEGEND:
GRAPHIC SCALE – 1 INCH = 80 FEET
REGISTERED PROFESSIONAL LAND SURVEYORS
PATTON LAND SURVEYING, LLC
P.O. BOX 25
CUMMING, GA. 30503
PHONE: (770) 532-6432
FAX: (770) 532-1995
www.pattonsurveying.com
LAND SURVEYING FIRM CERTIFICATE OF AUTHORIZATION NUMBER LSF 001029
COMPLETED BY: M.S.H. & C.M.P.
SURVEYED BY: J.M.J.
DRAWN BY: M.S.H. & C.M.P.
CHECKED BY: C.M.P.
RETRACEMENT SURVEY FOR:
SHIRLEY LOTT MOORE
– LOCATED IN –
G.M.D. 81770
HALL COUNTY, GEORGIA
REVISIONS
No. DATE DESCRIPTION
SHEET NUMBER: 1 of 1
SCALE: 1" = 80'
SURVEY DATE: 11/29/2023
PLAT DATE: 12/01/2023
23-122.dwg
JN. 23-122

470.863.1070
www.LJA.com
130 East Main Street, Suite 204, Canton, Georgia 30114

September 3, 2024

Hall County
Public Works and Utilities
2875 Browns Bridge Road
Gainesville, GA 30504-5635
Office: (770)-531-3945

Re: Proposed Convenience Store with Fuel Sales and two Restaurants
Sewer Availability Letter
Parcel: 13139C0294G
6495 Spout Springs Road
Flowery Branch, GA 30542

To whom it concerns,

On behalf of Reed Creek Food Mart, LLC. Please consider this our Letter of Intent for proposed convenience store with fuel sales and two restaurants. The parcel 6495 Spout Springs Road is currently zoned AR-III. We would like to request a Sewer Availability letter. We will also be rezoning to H-B to allow convenience store with fuel sales and two restaurants. The proposed layout will be consistent to the existing area and comply with the Gateway overlay district. Our estimated time period for construction is May 2025 – August 2025.

Sincerely,

Terry Boomer P.E.,
LJA Engineering, Inc.
Land Development
C: 678-462-4072

Kaitlyn Elliott (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, March 4, 2025 1:52 PM
To: Katie L. Greenway (CDI: Planning); Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 4.7.25

Please find Environmental Health comments below:

Item 1, 3384 Lee Drive, Muntean: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process the building permit application. Please note that Zoning approval does not imply approval from other county departments.

Items 2A,B,C 5349 Browns Bridge Road, Hermosillo: 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 3, 6000 Swansey Road, Smith: Must meet all Environmental Health permitting requirements for septic system and Food Service.

Item 4, 3625 McEver Road, Elliott: 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/modification may be required after review of business plan.

Item 5, 6495 Spout Springs Road, LJA Engineering: 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 6, 5691 Woodlin Road, Rouse: Must meet all residential permitting requirements.

Item 7, 0/3566 Athens Hwy, Simpson: 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, 6042 Spout Springs Road, Cox: Must meet all residential permitting requirements.

Item 9, 6700/6702 Yellow Creek Road; Koons: Must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal

will be required to be permitted through EPD if total gallons per day is greater than 10,000gpd. 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. Tourist Accommodation permit/plan review and/or Food Service permit/plan review will be required after review of business plan.

Item 10, 3800 Athens Hwy, Hughes: 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.

Kaitlyn Elliott (Planning)

From: Stevens, Henry K <HStevens@dot.ga.gov>
Sent: Monday, March 3, 2025 8:29 AM
To: Kaitlyn Elliott (Planning); Beth Garmon (CDI: Planning)
Subject: RE: Tentative Agenda Monday, April 7, 2025 Hall County Planning Commission Meeting

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,

Please see the below comments from GDOT in red.

Thanks,

Henry Stevens, E.I.T.
GDOT Civil Engineer 2
Georgia Department of Transportation
District 1 Traffic Operations- Gainesville
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
470.663.1807 cell

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, February 27, 2025 11:22 AM
Subject: Tentative Agenda Monday, April 7, 2025 Hall County Planning Commission Meeting

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, April 7, 2025** 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, March 6, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 17, 2025

OLD BUSINESS

1. **3384 Lee Drive | Variance** | Section 3.2. to reduce the minimum yards | on a 0.14± acre tract located on the west side of Lee Drive approximately 2,785 feet from its intersection with Lanier Islands Parkway | Zoned AR-1; Tax Parcel 08168 000026 **| Proposed Use: To construct a carport & bring existing single-family residence and carport into compliance | *** Commission District 2 **| Nancy Muntean, applicant**

NEW BUSINESS

2. **(A) 5349 Browns Bridge Road | Special Use** | for vehicle repair within GCOD | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | ** Commission District 2 | **Luis Hermosillo, applicant** **GDOT Coordination Required**

   (B) 5349 Browns Bridge Road | Variance to section 8.1.2 | Off-street parking requirements | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, applicant** **GDOT Coordination Required**

   (C) 5349 Browns Bridge Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, applicant** **GDOT Coordination Required**

3. **6000 Swansey Road | Special Use** | for a rural business in AR-1 | on a 1.50± acre tract located on the north side of Swansey Road approximately 1075 feet from its intersection with Circle Four Ranch | Zoned AR-1; Tax Parcel 15048 000168 | **Proposed use: Rural business** | ** Commission District 1 | **Brandon & Kristin Smith, applicant** **GDOT Coordination Not Required**

4. **3625 McEver Road | Special Use |** to amend conditions of zoning | on a 11.10± acre tract located on the east side of McEver road approximately 708 feet from its intersection with Hilldale Road | Zoned PCD (GCOD); Tax Parcel 08032 000006 | **Proposed Use: Outdoor storage and expansion of services** | ** Commission District 4 | **Thomas L. Elliott III, applicant** **GDOT Coordination Required**

5. **(A) 6495 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | ** Commission District 1 | **LJA Engineering, applicant** **GDOT Coordination Not Required**

   (B) 6495 Spout Springs Road | Special Use | fuel sales in H-B | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Propose Use: Fuel sales** | ** Commission District 1 | **LJA Engineering, applicant** **GDOT Coordination Not Required**

   (C) 6495 Spout Springs Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | * Commission District 1 | **LJA Engineering, applicant** **GDOT Coordination Not Required**

6. **5691 Woodlin Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 17.58± acre tract located on the west side of Woodlin Road approximately 806 feet from its intersection with County Line Road | Zoned AR-1; Tax Parcel 15006B000023 | **Proposed Use: Second dwelling | ** Commission District 3 | Michael Rouse, applicant** **GDOT Coordination Not Required**

7. **0 & 3566 Athens Highway | Rezone** | from Agricultural Residential 1 (AR-1) and Suburban Shopping (S-S, GCOD) to Planned Industrial Development (PID, GCOD) | on a combined 38.52± acre tract located on the southwest side of Athens Highway at its intersection with Mangum Road | Zoned AR-1 & S-S (GCOD); Tax Parcels 15014 000167 & 000233 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Simpson Trucking and Grading, Inc., applicant** **GDOT Coordination Required**

8. **6042 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 9.70± acre tract located on the west side of Spout Springs Road approximately 1,083 feet from its intersection with Castlegate Drive | Zoned AR-1; Tax Parcel 15046 000026 | **Proposed Use: Second dwelling** | ** Commission District 1 | **Bradley Cox, applicant** **GDOT Coordination Not Required**

9. **6700 & 6702 Yellow Creek Road | Rezone** | from Vacation Cottage (V-C) to Planned Commercial Development (PCD) | on a combined 47.14± acre tract located on the west side of Yellow Creek Road at its intersection with Barkers Bend Drive | Zoned V-C; Tax Parcel 11135 000001 & 000001E | **Proposed Use: Campground and event facility** | ** Commission District 2 | **Koons Environmental Design, Inc. c/o Josh Koons, applicant** **GDOT Coordination Not Required**

10. **3800 Athens Highway | Rezone** | from Planned Commercial Development (PCD) (GCOD) and Planned Commercial Farm District (PCFD) to Planned Industrial Development (PID) (GCOD) | on a 99.24 ± acre tract located on the west side of Athens approximately 1,300 ft from its intersection with Blackstock Road | Zoned PCD (GCOD) and PCFD; Tax Parcel 15013 000003 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Hughes Commercial Real Estate, applicant** **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, May 8, 2025, 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, May 8, 2025. 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,

Kaitlyn Elliott
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

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

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning

From: Bill Nash, Director of Public Works and Utilities

Date: March 6, 2025

Subject: April 7, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the April 7, 2025 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. 3384 Lee Drive | Variance | Section 3.2. to reduce the minimum yards | on a 0.14± acre tract located on the west side of Lee Drive approximately 2,785 feet from its intersection with Lanier Islands Parkway | Zoned AR-1; Tax Parcel 08168 000026 **| Proposed Use: To construct a carport & bring existing single-family residence and carport into compliance | *** Commission District 2 **| Nancy Muntean, applicant**

a. **Engineering:** No comment

b. **Traffic:** No comment
c. **Utilities:** No comment

NEW BUSINESS

2. (A) 5349 Browns Bridge Road | Special Use | for vehicle repair within GCOD | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | ** Commission District 2 | **Luis Hermosillo, applicant**

(B) 5349 Browns Bridge Road | Variance to section 8.1.2 | Off-street parking requirements | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, applicant**

(C) 5349 Browns Bridge Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on 0.60± acre tract located on the southeast side of Browns Bridge Road approximately 170 feet from its intersection with Sherri Drive | Zoned H-B (GCOD); Tax Parcel 08080 002058 | **Proposed Use: Vehicle repair, major** | * Commission District 2 | **Luis Hermosillo, 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:** Access will need to be approved by GODT
c. **Utilities:** No comment

3. **6000 Swansey Road | Special Use** | for a rural business in AR-1 | on a 1.50± acre tract located on the north side of Swansey Road approximately 1075 feet from its intersection with Circle Four Ranch | Zoned AR-1; Tax Parcel 15048 000168 | **Proposed use: Rural business** | ** Commission District 1 | **Brandon & Kristin Smith, applicant**

a. **Engineering:** No comment
b. **Traffic:** No comment
c. **Utilities:** No comment

4. **3625 McEver Road | Special Use |** to amend conditions of zoning | on a 11.10± acre tract located on the east side of McEver road approximately 708 feet from its intersection with Hilldale Road | Zoned PCD (GCOD); Tax Parcel 08032 000006 | **Proposed Use: Outdoor storage and expansion of services** | ** Commission District 4 | **Thomas L. Elliott III, 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:** No comment

5. **(A) 6495 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | ** Commission District 1 | **LJA Engineering, applicant**

(B) 6495 Spout Springs Road | Special Use | fuel sales in H-B | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Propose Use: Fuel sales** | ** Commission District 1 | **LJA Engineering, applicant**

(C) 6495 Spout Springs Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | * Commission District 1 | **LJA Engineering, 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:** Proposed Elizabeth Lane access is in the City of Flowery branch. Approval and permit required.
Proposed Spout Springs Road Access will be required to be a right-in/right-out and designed/constructed to GDOT standards.
c. **Utilities:** Hall County sewer available. Sewer connection required.

6. **5691 Woodlin Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 17.58± acre tract located on the west side of Woodlin Road approximately 806 feet from its intersection with County Line Road | Zoned AR-1; Tax Parcel 15006B000023 | **Proposed Use: Second dwelling** | ** Commission District 3 **| Michael Rouse, applicant**

a. **Engineering:** North Oconee Reservoir Watershed Protection District 150' impervious set back and 100' buffer on both sides of the creek.
b. **Traffic:** No comment
c. **Utilities:** No comment

7. **0 & 3566 Athens Highway | Rezone** | from Agricultural Residential 1 (AR-1) and Suburban Shopping (S-S, GCOD) to Planned Industrial Development (PID, GCOD) | on a combined 38.52± acre tract located on the southwest side of Athens Highway at its intersection with Mangum Road | Zoned AR-1 & S-S (GCOD); Tax Parcels 15014 000167 & 000233 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Simpson Trucking and Grading, 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:** GDOT access permit required
c. **Utilities:** No comment

8. **6042 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Agricultural (AG-1) | on a 9.70± acre tract located on the west side of Spout Springs Road approximately 1,083 feet from its intersection with Castlegate Drive | Zoned AR-1; Tax Parcel 15046 000026 | **Proposed Use: Second dwelling** | ** Commission District 1 | **Bradley Cox, applicant**

a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream

b. **Traffic:** No comment
c. **Utilities:** No comment

9. **6700 & 6702 Yellow Creek Road | Rezone** | from Vacation Cottage (V-C) to Planned Commercial Development (PCD) | on a combined 47.14± acre tract located on the west side of Yellow Creek Road at its intersection with Barkers Bend Drive | Zoned V-C; Tax Parcel 11135

000001 & 000001E | **Proposed Use: Campground and event facility** | ** Commission District 2 | **Koons Environmental Design, Inc. c/o Josh Koons, 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:** Access will need to meet Hall County standards
c. **Utilities:** No comment

10. **3800 Athens Highway | Rezone** | from Planned Commercial Development (PCD) (GCOD) and Planned Commercial Farm District (PCFD) to Planned Industrial Development (PID) (GCOD) | on a 99.24 ± acre tract located on the west side of Athens approximately 1,300 ft from its intersection with Blackstock Road | Zoned PCD (GCOD) and PCFD; Tax Parcel 15013 000003 | **Proposed Use: Industrial uses** | ** Commission District 3 | **Hughes Commercial Real Estate, 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:** Existing access will need to be approved by GDOT
c. **Utilities:** No comment

Kaitlyn Elliott (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, February 27, 2025 4:06 PM
To: Beth Garmon (CDI: Planning)
Cc: Kaitlyn Elliott (Planning)
Subject: Fire Comment

Monday, April 7, 2025 Hall County Planning Commission Meeting

1. **(A) 6495 Spout Springs Road | Rezone** | from Agricultural Residential 1 (AR-1) to Highway Business (H-B, GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | ** Commission District 1 | **LJA Engineering, applicant**

   (B) 6495 Spout Springs Road | Special Use | fuel sales in H-B | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Propose Use: Fuel sales** | ** Commission District 1 | **LJA Engineering, applicant**

   (C) 6495 Spout Springs Road | Variance to section 6.2 | Gateway Corridor Overlay District (GCOD) | on a 3.05± acre portion of a tract located on the east side of Spout Springs Road at its intersection with Elizabeth Lane | Zoned AR-1; Tax Parcel 15047 000002A (pt.) | **Proposed Use: Commercial development** | * Commission District 1 | **LJA Engineering, applicant**

The Hall County Fire Marshal's Office considers the plan conceptual 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

Outlook

Opposition to Proposed Rezoning for Fast Food Restaurants and Gas Station

From Jason Lanahan <[redacted]
Date Sat 3/29/2025 8:08 AM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>

You don't often get email from [redacted] 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 Ms. Harmon,

I am writing to express my strong opposition to the proposed rezoning of 6495 Spout Springs Rd. from residential to commercial use, which would allow for the construction of two fast food restaurants and a 12-pump gas station. As a resident & concerned citizen in this community, I believe this development would have significant negative impacts on the quality of life, safety, and character of our neighborhood.

First, the introduction of two fast food restaurants and a large gas station would drastically increase traffic congestion in an area designed for residential use. The constant flow of vehicles, including delivery trucks and late-night customers, would disrupt the peace and safety of families living nearby. Streets meant for quiet residential access are ill-equipped to handle the volume of traffic this commercial development would bring, posing risks to pedestrians, children, and pets.

Second, this rezoning threatens the health and well-being of our community. Fast food outlets contribute to litter, noise pollution, and unhealthy eating options, while a 12-pump gas station raises concerns about air quality and potential environmental hazards like fuel spills. These changes conflict with the residential nature of the area, which prioritizes clean, safe, and family-friendly surroundings.

Finally, approving this rezoning would erode the character of our neighborhood. Residents chose this area for its calm, community-oriented atmosphere—not for the noise, lights, and 24/7 activity of commercial enterprises. Allowing this development sets a precedent that could destabilize property values and invite further encroachment on residential zones.

I urge you to consider the long-term consequences of this proposal and prioritize the interests of the residents who call this area home. I respectfully request that you deny the rezoning application and preserve the integrity of our residential community.

Thank you for your time and consideration. I am happy to discuss this matter further or attend any upcoming hearings on the issue.

Sincerely,
Jason A. Lanahan

7421 Regatta Way, Flowery Branch, GA 30542
[redacted]

Outlook

Opposition to proposed development off of Spout Springs

From Kiley Lanahan <[redacted]>
Date Sat 3/29/2025 9:49 AM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>

You don't often get email from [redacted] 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 Ms. Harmon,

I am writing to express my strong opposition to the proposed rezoning of 6495 Spout Springs Rd. from residential to commercial use, which would allow for the construction of two fast food restaurants and a 12-pump gas station. As a resident & concerned citizen in this community, I believe this development would have significant negative impacts on the quality of life, safety, and character of our neighborhood and church community of Prince of Peace.

First, the introduction of two fast food restaurants and a large gas station would drastically increase traffic congestion in an area designed for residential use. The constant flow of vehicles, including delivery trucks and late-night customers, would disrupt the peace and safety of families living nearby. Streets meant for quiet residential access are ill-equipped to handle the volume of traffic this commercial development would bring, posing risks to pedestrians, children, and pets.

Second, this rezoning threatens the health and well-being of our community. Fast food outlets contribute to litter, noise pollution, and unhealthy eating options, while a 12-pump gas station raises concerns about air quality and potential environmental hazards like fuel spills. These changes conflict with the residential nature of the area, which prioritizes clean, safe, and family-friendly surroundings.

Finally, approving this rezoning would erode the character of our neighborhood. Residents chose this area for its calm, community-oriented atmosphere—not for the noise, lights, and 24/7 activity of commercial enterprises. Allowing this development sets a precedent that could destabilize property values and invite further encroachment on residential zones. We left Gwinnett County for this exact reason and hate that Hall county is proposing the same kind of over development.

I urge you to consider the long-term consequences of this proposal and prioritize the interests of the residents who call this area home. I respectfully request that you deny the rezoning application and preserve the integrity of our residential community.

Thank you for your time and consideration. I am happy to discuss this matter further or attend any upcoming hearings on the issue.

Sincerely,
Kiley Lanahan
7421 Regatta Way, Flowery Branch, GA 30542
[redacted]

Commissioners:

Concerned citizens of Hall County respectfully request that you deny rezoning of 6495 Spout Springs Road | Tax Parcel 15047 000002A (pt.)

We express our strong opposition to the proposed rezoning of 6495 Spout Springs Rd. from AR-1, residential to H-B, Highway Business, commercial use, which would allow for the construction of two fast food restaurants and a 12-pump gas station. As citizens in this community, we believe this development would have significant negative impacts on the quality of life, safety, and character of our neighborhood and surrounding areas.

- The proposed zoning is not consistent with the commercial nature of the surrounding properties. Only the adjacent property is zoned H-B. The remaining properties in the area and spanning from Hog Mountain Rd. to Friendship Rd. are overwhelmingly zoned AR-1, PRD and PUD.
- The requested zoning designation is inconsistent with the Hall County Comprehensive Plan future land use designation of "Suburban Neighborhood-Medium Density."
- Allowing this development sets a precedent that will destabilize property values and invite further encroachment on the other residential zones.
- The introduction of two fast food restaurants and a large gas station create an excessive burden and hardship for developments along Spout Springs Road. It would drastically increase traffic congestion in an area designed for residential use. The constant flow of vehicles, including 18-wheel tractor trailers, delivery trucks and late-night customers, would disrupt the peace and safety of families living nearby. The side streets meant for quiet residential access are ill-equipped to handle the volume of traffic this commercial development would bring, posing risks for pedestrians, children, and pets.
- This rezoning threatens the health and well-being of our community. Fast food outlets contribute to litter, noise pollution, and unhealthy eating options, while a 12-pump gas station raises concerns about air quality and environmental hazards like fuel spills. These changes conflict with the residential nature of the area, which prioritizes clean, safe, and family-friendly surroundings.
- Approving this rezoning would erode the character of our neighborhood. Residents chose this area for its calm, community-oriented atmosphere—not for the noise, lights, and 24/7 activity of commercial enterprises.
- The requested change is out of scale with the needs of the county as a whole and the immediate neighborhood. There are multiple gas stations available within a 5-mile radius. There is no need for another gas station in the area. There are multiple fast food stations located within a 3 mile radius. There is no need for additional fast food restaurants in the area.
- Most notably, the development of a 12-pump gas station with convenience store and 2 fast food restaurants would attract sexual predators and human traffickers. The proximity of Cherokee Bluffs High School and Cherokee Bluffs Middle School

heightens our concerns. Convenience store owners are provided manuals for the purpose of identifying possible human trafficking. This is intentional due to the nature of human trafficking. "HUMAN TRAFFICKING AWARENESS GUIDE for Convenience Retail Employees

- The convenience store intends to sell beer and wine. Georgia code prohibits the sale of alcohol near schools and churches. There are 2 schools adjacent to the proposed property and a church across the street.
  2024 CODE OF GEORGIA, Title 3 - ALCOHOLIC BEVERAGES (§§ 3-1-1 — 3-15-4) Chapter 3 - REGULATION OF ALCOHOLIC BEVERAGES GENERALLY (§§ 3-3-1 — 3-3-40) Article 2 - PROHIBITED ACTS (§§ 3-3-20 — 3-3-34)
  Section 3-3-21 - Sales of alcoholic beverages near churches, school buildings, or other sites. Whether the schools are within 100 yards or ½ mile of the proposed property, the proximity to the schools is too close. There is an exit from school grounds just down the road.
  https://law.justia.com/codes/georgia/title-3/chapter-3/article-2/section-3-3-21/

  Relief, if granted, would cause substantial detriment to the public good or impair the purposes and intent...; however, that no variance may be granted for a use of land or building or structure that is prohibited by this resolution. The sale of alcohol so close to a public high school and middle school, would negatively impact the safety of students attending the schools and is in violation of the Georgia codes.

We urge you to consider the long-term consequences of this proposal and prioritize the interests of the residents who call this area home. If the rezoning is granted, it would cause substantial detriment to the public good. Long after the developer leaves and development is completed, we will remain with the negative impacts. We respectfully request that you deny the rezoning application and preserve the integrity of Hall County and Flowery Branch residential communities.
We encourage our commissioners to practice intelligent, quality development of Hall County that allows for reasonable, controlled growth that positively impacts all residents of Hall County.

Thank you for your time and consideration.

Susan Barcus – [redacted]
Nikki Bowen - [redacted]
Rosa Propst - [redacted]

6495 Spout Springs Rd

Below are several urban designs, crime prevention, and retail safety studies suggest potential dangers and drawbacks associated with backwards facing store fronts. Below are some key concerns,

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1. Reduced Natural Surveillance (Increased Crime Risk)
- Crime Prevention Through Environmental Design (CPTED) principles emphasize that visibility deters criminal activity.
- A backwards-facing entrance may reduce passive surveillance from pedestrians and passing vehicles, making the store more vulnerable to:
  - Robberies (less visibility from the street)
  - Loitering & illicit activities(hidden corners near the entrance)
  - Assaults & thefts (poor lighting and obscured sightlines)
- Supporting Study.
  - A Journal of Urban Design (2018) study found that storefronts facing away from main streets had higher crime rates due to decreased natural surveillance.
  - The UK Home Office recommends that retail entrances face high-traffic areas to deter crime.

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2. Poor Pedestrian Accessibility & Safety Hazards
- If the entrance is not easily visible or requires customers to walk around the building, it can lead to:
  - Increased trip/fall hazards (poorly marked pathways, especially at night).
  - Vehicle-pedestrian conflicts (if customers must cross parking lots or service lanes to enter).
- Supporting Data:
  - A Transportation Research Board report (2020) noted that inconvenient store access leads to improper pedestrian routing, increasing accident risks.

---

3. Lower Customer Traffic & Economic Viability
- Stores with poor visibility and accessibility often experience:
  - Fewer spontaneous visits (customers may not notice the store).
  - Longer perceived wait times (if the entrance is awkwardly placed).
- Supporting Study:
  - A Journal of Retailing (2019) analysis found that forward-facing stores had 15-20% higher foot traffic than those with side/rear entrances.

---

4. Increased Vulnerability to Vehicle Collisions
- If the store's entrance is near a loading zone or rear parking area:
  - Delivery trucks and cars may obstruct visibility.
  - Back-over accidents (especially in poorly lit areas).
- Supporting Data:
  - The National Highway Traffic Safety Administration (NHTSA) reports that backing accidents are more common in areas with poor visibility.

5. Emergency Response Challenges
- A hidden entrance can delay police, fire, or medical responses in emergencies.
- Supporting Evidence:
  - A National Fire Protection Association (NFPA) guideline recommends clear, street-facing entrances for quicker emergency access.

Here are some case studies and crime statistics that highlight the dangers of convenience stores with poor visibility or backwards-facing orientations:

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1. Case Study: Convenience Store Robberies & Entrance Visibility (Florida, USA)
- Study: "The Impact of Store Layout on Robbery Frequency" (Florida State University, 2016)
- Findings:
  - Stores with entrances facing away from the street experienced 42% more robberies than those with street-facing entrances.
  - Hidden entryways (e.g., behind dumpsters, in alleys) were associated with longer robbery durations due to delayed police detection.
- Recommendation: Stores were advised to relocate entrances to high-visibility areas or install panoramic glass doors to improve surveillance.

---

2. Crime Statistics: Convenience Store Theft & Loitering (UK Home Office, 2019)
- Data: Analysis of 1,200 convenience stores in high-crime areas.
- Key Results:
  - Stores with rear/side entrances had:
    - 35% more shoplifting incidents
    - 50% higher loitering complaints
    - 28% longer police response times (due to confusion over access points)
- Solution: The UK's *Secured by Design* program now discourages backwards-facing retail entrances in urban planning.

---

3. Case Study: Pedestrian Accidents Near Convenience Stores (Tokyo, Japan)
- Study: "Pedestrian Flow and Retail Access Safety" (University of Tokyo, 2020)
- Findings:
  - Convenience stores with entrances facing parking lots or service lanes had 3x more pedestrian-vehicle collisions than those with direct sidewalk access.
  - Hidden crosswalks (due to poor store orientation) contributed to 62% of trip-and-fall incidents at night.
- Recommendation: Stores were encouraged to align entrances with sidewalks and add reflective pathway markings.

---

4. Crime Prevention Through Environmental Design (CPTED) – Real-World Example
- Location: Houston, Texas (Police Department Retail Safety Initiative, 2018)
- Intervention:
  - 10 convenience stores with high robbery rates were modified:
    - Entrances rotated to face the street
    - Dumpsters relocated from entryways
    -Bright lighting & clear window lines installed
- Results After 1 Year:
  - Robberies dropped by 60%
  - Customer traffic increased by 22%

---

5. Fatal Back-Over Incident Linked to Poor Store Design (NHTSA Report, 2021)
- Incident: A customer was fatally struck by a delivery truck backing into a convenience store with a rear-facing entrance obscured by fencing.
- NHTSA Findings:
  - 17% of store-related vehicle fatalities occur in lots with poorly visible entrances/exits.
  - Rear-facing designs often lack mirrors, warning alarms, or crosswalk signage.

Key Takeaways from Data & Case Studies
1. **Crime Risk**: Backwards-facing stores are statistically more likely to experience robberies, theft, and loitering.
2. **Safety Hazards**: Poor entrance visibility increases pedestrian-vehicle accidents and trip hazards.
3. **Economic Impact**: Low visibility correlates with reduced foot traffic and longer emergency response times.

Solutions That Worked in High-Risk Areas
✔ Relocating entrances to face main streets (proven in Houston & UK cases).
✔ Adding lighting & clear sightlines (reduced robberies by 60% in Houston).
✔ Installing convex mirrors & backup sensors (prevents back-over accidents).

CLIPPER PETROLEUM

Daniel Parr
Business Devlopment Manager

(678) 865-6729 – Cell

www.clipperpetroleum.com

dparr@clipperpetroleum.com

No Gas Station/Convenience Store Next to Schools
99 people have signed this petition. 28Comments

A 12 pump gas station and convenience store, along with 2 drive-thru fast food restaurants is proposed for the property at 6495 Spout Springs Road | Tax Parcel 15047 000002A. This is at the corner of Spout Springs Rd. and Elizabeth Lane. The property borders Cherokee Bluffs High School.

While initially, this sounds like a good idea, many area residents don't think it's an appropriate location for a gas station. Here is a list of reasons why we are opposed to it. This property abuts Cherokee Bluffs School Grounds.

- Sex trafficking/human trafficking. High school students will most definitely visit the restaurants and drivers will use the gas station. This is a great location for sexual predators. There is even a guide for convenience store owners on how to spot trafficking. Do we really want to put our children and teens in jeopardy like this?
- chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.dhs.gov/sites/default/files/publicatio...
- Teens will have easier access to cigarettes.
- This location will become a meeting place for teens from area schools, including schools from other counties. The students know each other through social media and they would flock to something like this. (I taught 5 years at a middle school, 2 years at a high school and I was an administrator at a high school for 12 years. This type of activity happens all of the time. Do we really want this type of activity so close to our schools and communities? It will bring teens of more dubious backgrounds leading to increases in speeding, home and car break-ins. etc.
- Increased crime and increased access to drugs. Crimes, including crimes related to drug deals have been committed down the road at the gas stations near I985.
- Increased traffic
- Increased littering and pollution
- Increased noise pollution
- The majority of the property between Hog Mount Rd. & Friendship Rd. is zoned PRD, AR-1 & PUD.

We want sensible, quality growth where businesses are clustered away from residential areas.

Comments"

- Linda Cahill United States Apr 07, 2025No, please don't allow.
- Lorraine Veiga United States Apr 07, 2025I oppose a gas station across from our community and next to a school !

- Anonymous United States Apr 07, 2025Do not want more gas stations and fast food next to my neighborhood. Already a high traffic area and too close to two schools.
- Eric Bowman United States Apr 07, 2025The community doesn't need a gas station so close to these schools.
- Jacqueline Woods United States Apr 07, 2025I pray this gets stopped.
- Julie Eichbauer United States Apr 06, 2025We do not want a gas station near our neighborhood or our schools. The proposed development would negatively affect all our property valuation Sterling on the Lake and create a traffic nightmare at the intersection in front of our neighborhood. Please leave our zoning at this location as residential for the benefit of all the homes in Sterling and on Spout Springs as well as for the schools.
- Amber Simmons United States Apr 06, 2025Opposed to gas station. I don't want kids in walking distance to cigarettes/vapes, and alcohol.
- Rick Calkins Calkins United States Apr 05, 2025Keep businesses sell alcohol,tobacco and CBD away from school entrances, out of our neighborhoods and in business sectors.
- Mike Puckett United States Apr 05, 2025A Hall County school, a huge church, a huge subdivision, a Hall County public library right at the four corners of this property. A gas station is the LAST thing Hall County should allow to be put here. PLEASE - listen to your tax-paying constituents.
- Rosa Probst United States Apr 05, 2025This is the wrong type of business for this location. It will INCREASE the traffic for this intersection, which is already unsafe. The traffic from the church creates a hazard for the church members attempting to cross Spout Springs when leaving the church. The traffic from the library and Sterling on the Lake will also be negatively impacted. Plus the home values in Sterling on the Lake will be negatively impacted.
- Jose Doyague United States Apr 04, 2025I expect the Hall County Commission to demonstrate responsible land use management.
- David Gagne United States Apr 04, 2025We do not need a Gas Station selling Alcoholic Beverages so close to schools and a Church. This is a quiet residential area and should remain that way. We do not need the additional traffic or fast food restaurants.
- SHIRLEY A LAWRENCE United States Apr 04, 2025Do we want Spouts Springs Rd to look like Buford Hwy in Chamblee and all of the crime that goes with it?!!!
- Terry Lawrence United States Apr 04, 2025Facilities like these near schools where tobacco and alcohol are readily available become a magnet for young underage students as well as drug dealers looking for new customers. There are sufficient gas stations and convenience stores around us. In my opinion this is a no vote.
- Christine O'Brien United States Apr 04, 2025We definitely don't want a gas station outside Sterling on the Lake. We don't need all the crime and increased traffic right there plus 2 drive thru restaurants. We have so so many near us already and that just adds to the congestion and traffic! Plus we have 4 gas station within 3 miles of us already. Don't need any more!

- Hendrika Herington United States Apr 04, 2025The listed objections relating to proximity to high school are well stated. In addition there are several multi pump stations within a few miles.another one is not needed .
- Karen Lee Roy United States Apr 04, 2025 Would prefer no commercial across from residential.
- Clare Anderson United States Apr 04, 2025No gas station or fast food establishment
- *Bernard Williams United States Apr 04, 2025This must be stopped!*
- Chris Fletcher United States Apr 04, 2025"No!" to developers
- Anonymous United States Apr 04, 2025I agree with all the reasons in the petition above for NOT having this business in the proposed area. These kinds of businesses tend to bring a decline to the surrounding area.
- This type of a business does not belong in the proposed area.
- Susan Barcus United States Apr 04, 2025Beer and wine will be sold at the convenience store. This is too close to a high school. The proximity definitely increases the opportunity for under age students to have access to the alcohol. We want intelligent, quality planning from Hall County Planning Commission. Cluster businesses near commercial districts and not in the midst of residential regions.
- Matthew LaMattina Apr 04, 2025 1This is unwanted in our community with a concern for crime and increased traffic.
- Paul Sasso Apr 04, 2025 1Please do not approve a commercial business like a gas station or any other 24 hour business near the entrance to Sterling on the Laje.
- Karen Caswell United States Apr 04, 2025deleteThe proposed development would dramatically change the character of our predominantly residential & educational (school & library) area of Spout Sorings. There are multiple fast food & gasoline outlets five minutes away in both directions. So we're not in an underserved area re those types of services. Also, in my opinion, our students at the nearby schools would especially be put at risk, as highlighted in other comments. All told, the development would notably negatively impact SOTL quality of life & our property values.
- Anonymous United States Apr 03, 2025I believe a better solution can be achieved to develop this property instead of the present proposed one.
- Carol Kottelenberg United States Apr 03, 2025NO to a gas station!
- Edna Bire United States Apr 03, 2025No gas station across the street from Sterling on Spout Springs


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: LJA ENGINEERING
REQUEST:
REZONE FROM AR-1 TO H-B (GOOD) FOR A COMMERCIAL DEVELOPMENT WITH VARIANCES AND SPECIAL USE FOR FUEL SALES
PUBLIC HEARINGS WILL BE HELD ON:
Date: APR 07, 2025
Time: 5:15 P.M.
&
Date: JULY 10, 2025
Time: 6:00 P.M.
FOR MORE INFORMATION CALL: (770) 531-6699

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

PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.

2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.

3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN FEB 28, 2025 AND NO LATER THAN MAR 9, 2025.

THE ORGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN MAR 9, 2025 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Asif Lakhani **, hereby acknowledge that I have**
Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on 03/07/25 **for** _____.
Date (Name application filed as)

Signature A. Lakh
(The original document is required)

3/10/2025

F PERANI
COM. EXP.
NOTARY
PUBLIC
Jan. 22, 2027
GWINNETT COUNTY, GEORGIA

Revised September 2021

AGENDA ITEM

Planning & Zoning

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 431/2025

SUBJECT: **0 Reservoir Drive | Rezone |** from Residential 1 (R-1) to Agricultural Residential 1 (AR-1) | on a 1.20± acre tract located on the northeast side of Reservoir Drive at its intersection with Old Cornelia Highway | Zoned R-1; Tax Parcel 15018 000123 | **Proposed Use: Permitted uses in AR-1** | Commission District 3 | **Denise R. Jackson, applicant** Note: Tabled at the June 26, 2025 Meeting until the July 10, 2025 Voting Meeting.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BG

Recommendation:
Approval, with conditions

1. 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.
2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
3. All conditions of zoning shall be made part of any plats created for the property.

Purpose of Request:
0 Reservoir Drive | Rezone | from Residential 1 (R-1) to Agricultural Residential 1 (AR-1) | on a 1.20± acre tract located on the northeast side of Reservoir Drive at its intersection with Old Cornelia Highway | Zoned R-1; Tax Parcel 15018 000123 | **Proposed Use: Permitted uses in AR-1** | Commission District 3 | **Denise R. Jackson, applicant** Note: Tabled at the June 26, 2025 Meeting until the July 10, 2025 Voting Meeting.

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
KE	BG	WLI	CR
Clerk			
AD			

Attachments:
Board Memo
Recommendation Report
Application
Narrative
Site Plan
Plat
Maps
Deed
Historic Board of Commissioners Letters and Site Plans
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Letter to Neighbors
Notice Sign

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government
PLANNING AND ZONING

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

From: Beth Garmon, Director of Planning & Zoning

Date: June 9, 2025

Subject: **0 Reservoir Drive | Rezone |** from Residential 1 (R-1) to Agricultural Residential 1 (AR-1) | on a 1.20± acre tract | Zoned R-1; Tax Parcel 15018 000123 **| Proposed Use: Permitted uses in AR-1 |Denise R. Jackson, applicant**

The request before you is from Denise R. Jackson to rezone from Residential 1 (R-1) to Agricultural Residential 1 (AR-1) for permitted uses in AR-1. This item is located within Commission District 3.

At their May 19, 2025 meeting the Hall County Planning Commission voted to recommend **approval, with three (3) conditions (3-1, Davidson opposed and Varner absent).**

Staff recommendation: **Approval, with conditions,** as the proposed zoning is consistent with the "Rural Neighborhood" future land use classification within the Comprehensive Plan.

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

Planning Commission Conditions:

1. 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.
2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:

   "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and

pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

3. All conditions of zoning shall be made part of any plats created for the property.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Denise R. Jackson

Request ..... **Rezone** | from Residential 1 (R-1) to Agricultural Residential 1 (AR-1)

Proposed Use ..... Permitted uses in AR-1

Size ..... 1.20± acres

Zoning ..... **Current:** Residential 1 (R-1) | **Proposed:** Agricultural Residential 1 (AR-1)

Location ..... **0 Reservoir Drive |** Tax Parcel 15018 000123

Commission District ..... Three

Planning Commission Date ..... May 19, 2025

Staff Recommendation ..... **Approval, with conditions** as the proposed zoning is consistent with the "Rural Neighborhood" future land use classification within the Comprehensive Plan

Record Number(s) HZON25-0017

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 3-1 (Davidson opposed, Varner absent)

Planning Commission Conditions:

1. 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.
2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:

   "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and

nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

3. All conditions of zoning shall be made part of any plats created for the property.

Excerpts from the minutes of the May 19, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Denise Jackson, 3774 Old Cornelia Highway, Gainesville, presented the request.

Public Forum:

Marie Steckbauer, 3770 Stone Creek Court, Gainesville, spoke in opposition. Ms. Steckbauer gave a brief history of the common area property and explained that the community wants this property to continue to function as a common area for neighborhood beauty and natural preservation.

Planning Commission Comments:

Mr. Hunt asked if the applicant closed on the property. The applicant stated they closed on August 25, 2023. Mr. Braswell stated neither the Board nor the County can enforce neighborhood covenants.

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 3-1 (Davidson opposed and Varner absent)

Conditions:

1. 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.
2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:

   "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
3. All conditions of zoning shall be made part of any plats created for the property.

Staff recommends APPROVAL of the applicant's requests with the following conditions:

4. 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, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.

5. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
   "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

6. All conditions of zoning shall be made part of any plats created for the property.

Summary Analysis

The applicant is requesting to rezone a 1.20± acre tract from Residential-1 (R-1) to Agricultural Residential (AR-1) to allow for uses permitted in the AR-1 zoning district.

In 2001, the Board of Commissioners approved a 295-lot single-family subdivision and daycare center for a tract of land that includes the subject parcel. In 2004, the final subdivision plat for Stoney Creek at the Reservoir was recorded, designating the parcel at 0 Reservoir Drive (tax parcel 15018 000123) as common area (DEV2004-00073). In 2005, the zoning conditions were amended, reducing the subdivision to 137 lots (ZON2005-00046). The following are the current conditions which are applicable to Stoney Creek at the Reservoir subdivision:

1. The development shall be limited to stick-built homes with a minimum of 1,400 square feet of heated floor space, with an overall average of 1,600 square feet minimum of heated floor space, and all lots bordering the reservoir shall have 1,800 square feet of heated floor space.
2. All septic tanks shall have dual inspection tubes at the inlet and outlet.
3. There shall also be a substitute site selected at preliminary platting to serve as an alternative to the thirty-acre site, not requiring Planning Commission review.
4. The developer's project shall have access to the property being dedicated to the county and the reservoir site.
5. The county will pay for a construction easement across the developer's undeveloped property for construction access road to the reservoir site.
   a) The county will pay fourteen hundred dollars ($1,400.00) per acre for the access easement.
   b) The easement will start at end of Phase I of the development and be fifty feet (50') wide.

c) The developer will design the road and the county will construct (reservoir contractor) the road to county standards. The county will clear and grade the road, provide all stream crossings, install water line as designed by county, not paving the road but providing a year round surface that will not erode.
d) County will provide all soil erosion control measures required.
e) County will provide gate valves and pipe reducers as required by the developer for future phases.

6. Developer will design the waterline in the subdivision and the county will design and construct the waterline to access the subdivision and through the subdivision to the reservoir site.
7. Developer will pay $20.00 per foot for the waterline and $1.00 per foot for design, for all line installed by the county to and through his property.
8. The county will assist the developer in acquiring right-of-way as needed by the development.
9. Water meter fees are to be $1,100.00 per lot for five years.
10. Turn lane will have to be constructed during the initial phase of the project.
11. The required design and construction activities by the county will be incorporated into the Reservoir Construction Contract.
12. The center turn lane at the entrance shall be completed along with the 100th lot of this subdivision, based on the future additional development accessed through this project and the level of traffic on Old Cornelia Highway and said turn lane improvements shall be added to the existing road bond for the project.
13. The 30 acre site that was to be deeded to the Hall County School Board / Hall County Government shall be incorporated into the overall acreage of the development.
14. Development shall be limited to a maximum of 145 lots, with each lot being a minimum of 1.25 acres in size.
15. A statement shall be placed on plans and any plat created for development that indicates future development of the adjoining property will be accessed through this subdivision.
16. All other conditions of zoning not in conflict with the above shall remain in effect.

Currently, the subject property remains undeveloped and wooded.

The surrounding properties are zoned and developed as outlined below:

North: Agricultural Residential 1 (AR-1): Developed with single-family residences.
South: Residential 1 (R-1): Stoney Creek at the Reservoir subdivision, developed with single-family residences.
East: Agricultural Residential 1 (AR-1: Developed with single-family residences.
West: Agricultural Residential 1 (AR-1): Developed with single-family residences.

According to the submitted narrative, the applicant purchased the property located at 3774 Old Cornelia Highway (tax parcel 15018 000045), which borders the subject property identified as 0 Reservoir Drive to the north. After acquiring 3774 Old Cornelia Highway, the applicant discovered an additional tract—0 Reservoir Drive—situated between her property and the Stoney Creek at the Reservoir subdivision. She subsequently purchased both tracts to maintain continuity between them. The applicant is now

requesting to rezone the subject parcel to align the zoning of both properties and to preserve the option of installing driveways from Reservoir Drive. She notes that the deed for 0 Reservoir Drive includes provisions permitting the installation of two driveways. In a letter sent to neighboring property owners, the applicant stated her intention to maintain a buffer of existing trees, shrubs, and grass between Reservoir Drive and the properties.

Water is provided by the City of Gainesville and sanitary sewer services will be provided by on-site septic systems.

Comprehensive Plan Land Use Designation

Based on the future land use plan, staff finds the requested zoning designation *is consistent* with the Hall County Comprehensive Plan future land use designation of "Rural Neighborhood" within the East Hall Character Area. These areas should consist of active farms and agricultural enterprises and low-density, large-lot single-family residential uses. These areas also consist of undeveloped lands likely to face development pressures for new residential or commercial development. Similar to Rural Agriculture, they should have deep setbacks and incorporate a high percentage of open space. Where it occurs, new development should preserve natural features, including tree canopy, waterways, and waterbodies. The Rural Neighborhood designation envisions a density of up to 0.75 dwelling units per acre, or one dwelling unit per one and a half acres. This development has an overall proposed density of 0.34 units per acre.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

a. 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 rezoning is suitable in view of the use, development, and zoning of adjacent and nearby properties.**

b. 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 rezoning will adversely affect nearby properties.**

c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned, however, the applicant cannot construct additional driveways as listed as permissions within the subject properties' deed provisions without rezoning to Agricultural Residential (AR-1).**

d. 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; **If approved, the use is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**

e. 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 is consistent with the Comprehensive Plan and the "Rural Neighborhood" land use designation.**

f. 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.**

g. 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.**

h. 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.**

i. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is currently undeveloped.**

j. 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 affecting the use or development of the property.**

k. Whether the change would create an isolated district unrelated to the surrounding districts; **The change in zoning would align the subject property with the current zoning of adjacent parcels adjacent to the subdivision.**

l. 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.**

m. 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.**

n. 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 agricultural uses based on the Future Land Use Map.**

o. 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.**

p. 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.**

q. 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.**

11.2.6.E - Submission requirements

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

    a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**

    b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement.**

    c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County

Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health
In an email dated April 17, 2025, Emily McGahee stated, "Subject parcel is not recognized as a separate building lot as it was designated as Open Space for subdivision approval."

Georgia Department of Transportation
In an email dated April 21, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is not required.

Hall County Public Works and Utilities
In a memo dated April 18, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:
No comment.

Traffic:
No comment.

Utilities
Hall County service area. No sewer in vicinity.

Hall County Fire Marshal
In an email dated April 15, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated,
"The Hall County Fire Marshal's Office has no comments regarding the rezoning request."

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

HALL COUNTY
GEORGIA
We have it all in Hall

ZONING APPLICATION

Applicant (Name & Mailing Address)

Denise R. Jackson
3774 Old Correlia Hwy
Gainesville, Ga 30507

Phone [redacted]

Email Address [redacted]

Property Owner (Name & Mailing Address)

The Denise Renae Jackson
Revocable Living Trust
(same)

Phone

Email Address

Proposed Use to match zoning of larger tract & retain option of driveway(s)

Contact Person (Name & Mailing Address)

Same as above

Phone

Email Address

Status of Applicant

X Owner
Option to Purchase
Area Resident
Other

Requested Action

Existing Zoning: R-1
Rezone to: AR-1
Fee $
Receipt #:
Check #:

Tax Parcel Number 15018000123
Acreage 1.13
Location Address Reservoir Drive

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

Sign Denise R. Jackson Date: 3-18-2025

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 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: Denise R Jackson **Date:** 3-18-2025

Applicant's/Owner's Name (Printed): Denise R. Jackson

Application for Rezoning of 1.13 acre tract known as Common Area at entrance of Stone Creek at the Reservoir Subdivision

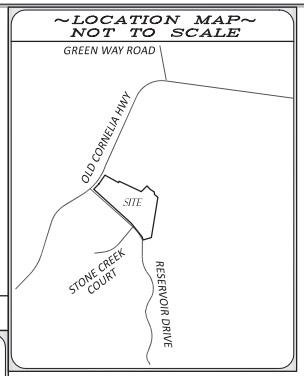
Applicant: Denise R. Jackson

I reside at 3774 Old Cornelia Highway on a 7.33 acre tract of land. After purchasing that property, I became aware that there was a 1.13 acre tract of land between my acreage and the Stone Creek at the Reservoir Subdivision. At that time, the 1.13 acre tract was owned by the daughter of a previous owner of my 7.33 tract. I purchased the 1.13 acre tract in order to keep the two tracts together.

The deed for the 1.13 acre tract contains a provision allowing for the installation of two driveways onto Reservoir Drive. I understand from the Hall County Planning and Zoning Department that before any driveways could be installed, the zoning of the 1.13 acre tract (R-1) would have to match the zoning of the 7.33 acre tract (AR-1).

The purpose of this application for rezoning is to make the 1.13 acre tract match the zoning designation of my 7.33 acre tract, both for consistency and to retain the option of installing other driveways in the future. I currently have no plans to divide the property or install a driveway.

RECEIVED
MAR 19, 2025
Planning & Zoning Department



THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

GENERAL NOTES

FIELD MEASUREMENTS OBSERVED USING AN iGAGE i89 MULTI-FREQUENCY RTK SATELLITE RECEIVER. RELATIVE POSITIONAL ACCURACY FOUND TO BE 0.07'
FIELD DATA ADJUSTED USING THE LEAST SQUARES METHOD

BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN CALCULATED FOR CLOSURE AND FOUND TO HAVE A PRECISION OF 1 FOOT IN 286,098 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.

TYPE OF SURVEY: COMBINATION

SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY:
DB 9195, pg 225 & DB 9362, pg 270

PROPERTY OWNERS AT TIME OF SURVEY:
DENISE RENAE JACKSON REVOCABLE TRUST

PARCEL NUMBERS: 15018 000045 & 15018 000123

THIS SURVEY IS A RESULTING DETERMINATION BASED UPON AVAILABLE RECORDS (PUBLIC OR OTHERWISE PROVIDED) AND FIELD OBSERVATIONS. THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH OR TITLE OPINION BY WATKINS LAND SURVEYING, LLC AND IS SUBJECT TO THE DISCOVERY OF ADDITIONAL DOCUMENTATION THAT MAY AFFECT THE PROPERTY DEPICTED HEREON. THIS SURVEY IS ONLY FOR THE USE AND BENEFIT OF THE PERSON(S) OR ENTITIES SPECIFICALLY STATED HEREON. NO LIABILITY IS EXTENDED TO ANY PERSON(S) OR ENTITIES THAT ARE NOT SPECIFICALLY STATED HEREON.

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

JASON D. WATKINS, RLS #3241

GEORGIA REGISTERED NO. 3241 LAND SURVEYOR JASON D. WATKINS

PREPARED BY
WATKINS
LAND SURVEYING, LLC
P.O. BOX 1424, DAHLONEGA, GA 30533
706-633-4452
watkinslandsurveying@gmail.com
GA CERTIFICATE OF AUTHORIZATION NO. 1363

HALL COUNTY 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 AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE (HALL COUNTY CODE 17.225.040)

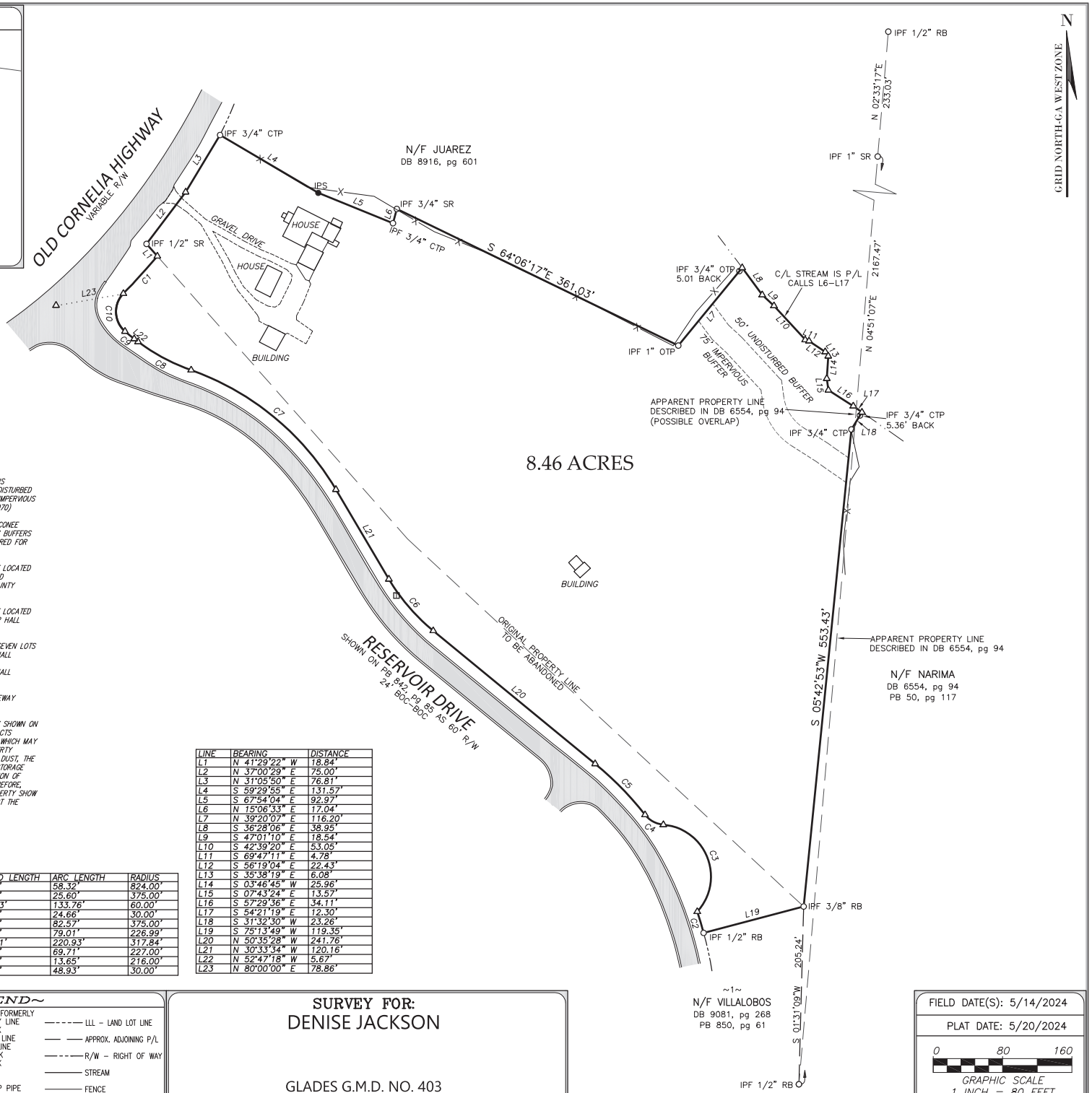
THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP #13139C0225G, HALL COUNTY GEORGIA,DATED 12/1/2022..

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 OF MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 8.180.120 AND 8.180.130)

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

OWNERS, OCCUPANTS AND USERS OF PROPERTY SHOWN ON THIS PLAT ARE HEREBY INFORMED OF THE IMPACTS ASSOCIATED WITH NORMAL FARMING PRACTICES WHICH MAY TAKE PLACE ON ADJACENT AND NEARBY PROPERTY INCLUDING, BUT NOT LIMITED TO NOISE, ODORS, DUST, THE OPERATION OF MACHINERY OF ANY KIND, THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION OF FERTILIZERS, HERBICIDES, AND PESTICIDES. THEREFORE, OWNERS, OCCUPANTS AND USERS OF THE PROPERTY SHOW ON THIS PLAT SHOULD BE PREPARED TO EXPECT THE EFFECTS OF SUCH PRACTICES



CURVE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	RADIUS
C1	N 42°16'39" E	58.30'	58.32'	824.00'
C2	N 16°36'58" W	25.60'	25.60'	375.00'
C3	N 21°18'04" W	107.73'	133.76'	60.00'
C4	N 61°36'49" W	23.97'	24.66'	30.00'
C5	N 44°22'18" W	82.40'	82.57'	375.00'
C6	N 40°37'10" W	78.61'	79.01'	226.99'
C7	N 50°28'21" W	216.51'	220.93'	317.84'
C8	N 61°55'13" W	69.44'	69.71'	227.00'
C9	N 50°58'39" W	13.65'	13.65'	216.00'
C10	N 02°26'41" W	43.68'	48.93'	30.00'

LINE	BEARING	DISTANCE
L1	N 41°29'22" W	18.84'
L2	N 37°00'29" E	75.00'
L3	N 31°05'50" E	76.81'
L4	S 59°29'55" E	131.57'
L5	S 67°54'04" E	92.97'
L6	N 15°06'33" E	17.04'
L7	N 39°20'07" E	116.20'
L8	S 36°28'06" E	38.95'
L9	S 47°01'10" E	18.54'
L10	S 42°39'20" E	53.05'
L11	S 69°47'11" E	4.78'
L12	S 56°19'04" E	22.43'
L13	S 35°38'19" E	6.08'
L14	S 03°46'45" W	25.96'
L15	S 07°43'24" E	13.57'
L16	S 57°29'36" E	34.11'
L17	S 54°21'19" E	12.30'
L18	S 31°32'30" W	23.26'
L19	S 75°13'49" W	119.35'
L20	N 50°35'28" W	241.76'
L21	N 30°33'54" W	120.16'
L22	N 52°47'18" W	5.67'
L23	N 80°00'00" E	78.86'

~LEGEND~

● IPS - IRON PIN SET (ALL IPS SHOWN HEREON ARE 1/2" CAPPED REBARS UNLESS OTHERWISE NOTED)	N/F NOW OR FORMERLY	LLL - LAND LOT LINE
○ IPF - IRON PIN FOUND	P/L PROPERTY LINE	
△ CALCULATED POINT	S/B SET BACK	
⊠ CONCRETE MONUMENT	B/L BUILDING LINE	APPROX. ADJOINING P/L
☎ TELEPHONE PEDESTAL	C/L CENTER LINE	
▣ POWER BOX	DB DEED BOOK	R/W - RIGHT OF WAY
⌀ UTILITY POLE	PB PLAT BOOK	
⛲ FIRE HYDRANT	pg PAGE	STREAM
Ⓜ WATER METER	RB REBAR	
⋈ WATER VALVE	OTP OPEN TOP PIPE	FENCE
Ⓢ SANITARY SEWER MANHOLE	CTP CRIMP TOP PIPE	S SANITARY SEWER
ⓙ JUNCTION BOX	SR SOLID ROD	
	AI ANGLE IRON	P OVERHEAD POWER
	DI DROP INTLET	
	GI GRATE INTLET	

SURVEY FOR:
DENISE JACKSON

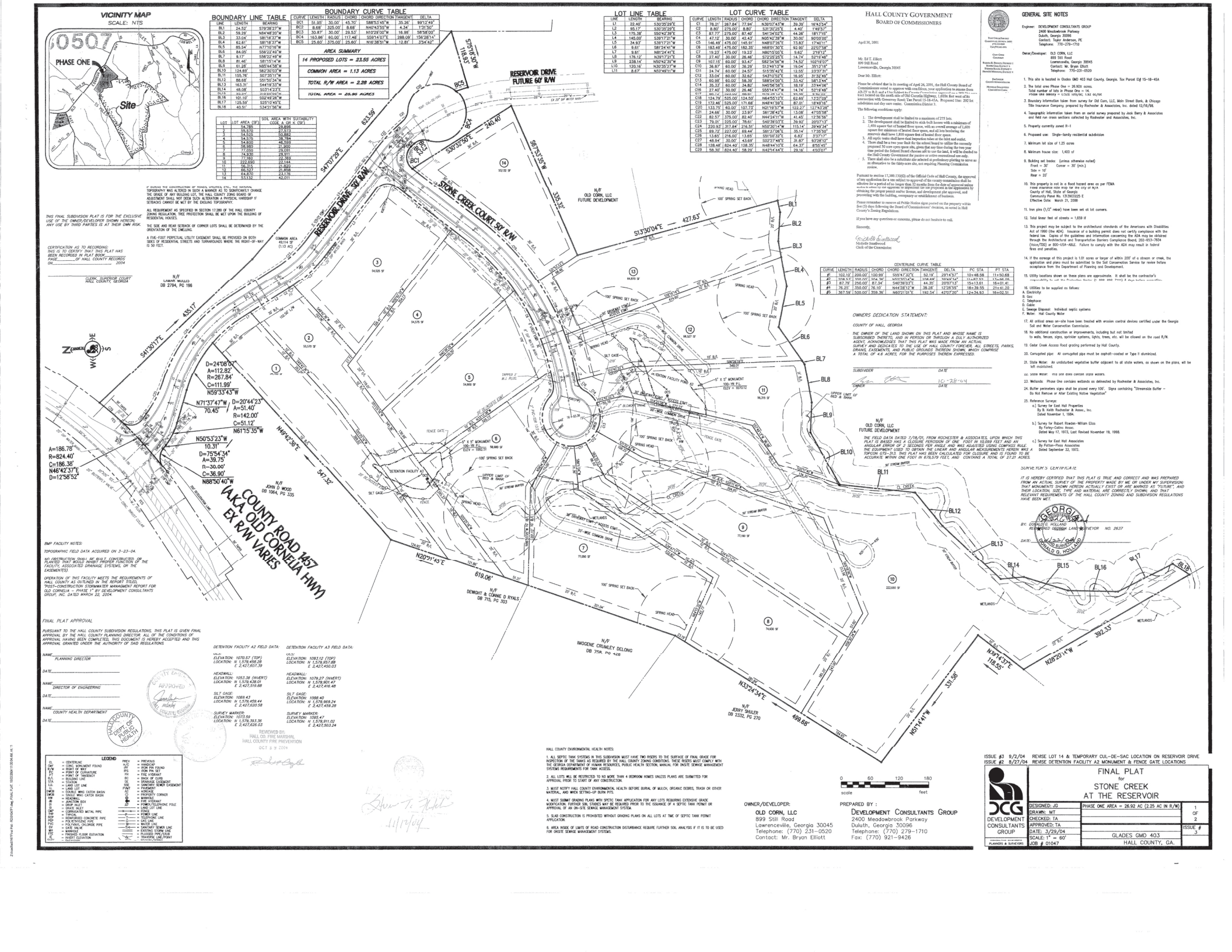
GLADES G.M.D. NO. 403
HALL COUNTY, GEORGIA

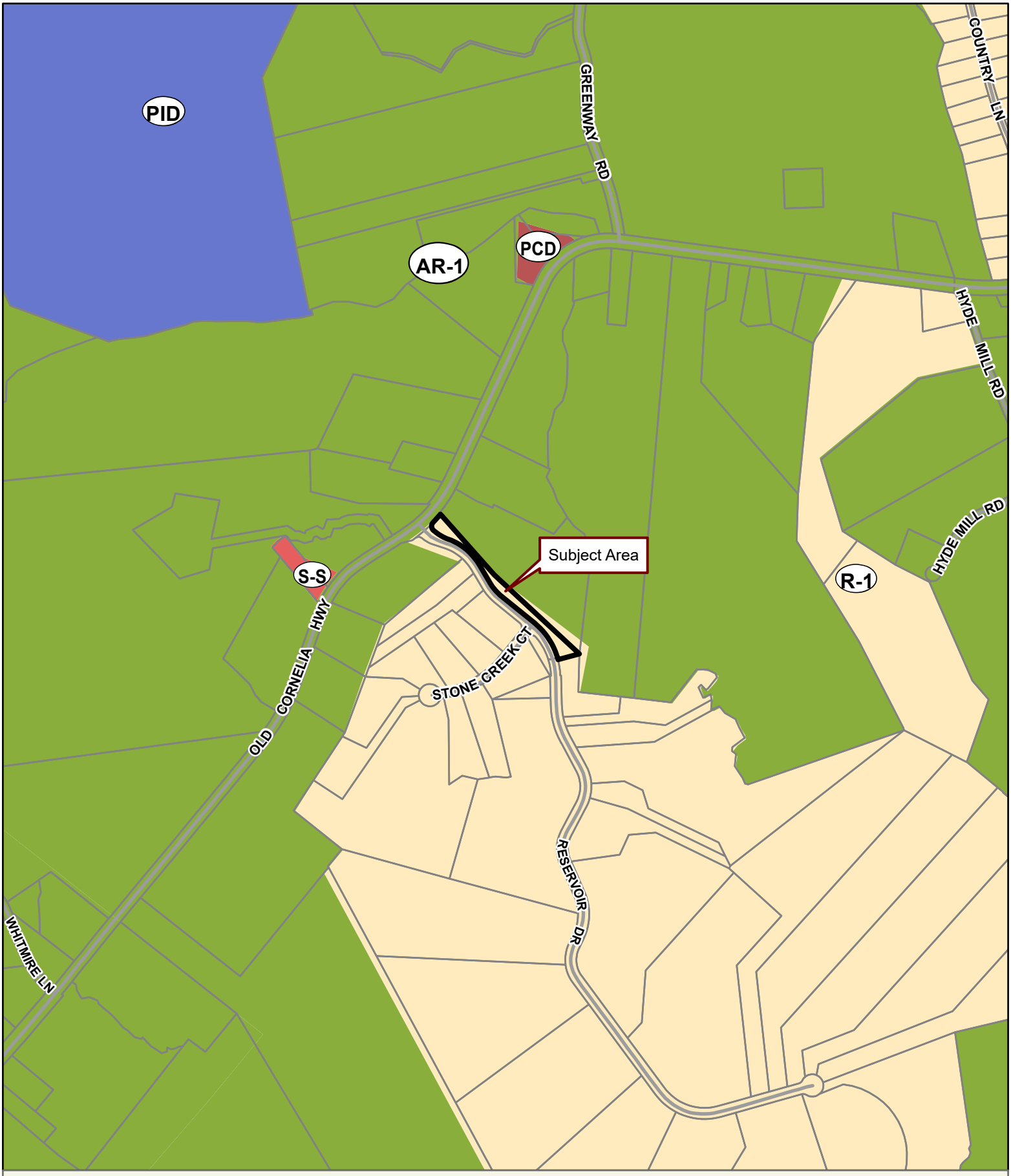
FIELD DATE(S): 5/14/2024

PLAT DATE: 5/20/2024

0 80 160
GRAPHIC SCALE
1 INCH = 80 FEET

PROJECT No. 24-011


VICINITY MAP
SCALE: NTS
PHASE ONE
Site
BOUNDARY LINE TABLE
BOUNDARY CURVE TABLE
LOT LINE TABLE
LOT CURVE TABLE
AREA SUMMARY
14 PROPOSED LOTS = 23.55 ACRES
COMMON AREA = 1.13 ACRES
TOTAL R/W AREA = 2.28 ACRES
TOTAL AREA = 26.96 ACRES
SOIL AREA WITH SUITABILITY
HALL COUNTY GOVERNMENT
BOARD OF COMMISSIONERS
GENERAL SITE NOTES
RESERVOIR DRIVE
FUTURE 60' R/W
STONE CREEK COURT 50' R/W
RESERVOIR DRIVE 50' R/W
COUNTY ROAD 1457
(AKA OLD CORNELIA HWY)
EX R/W VARIES
N/F
OLD CORN, LLC
FUTURE DEVELOPMENT
N/F
LAMAR MULLIS
DB 2794, PG 196
N/F
JOHN U WOOD
DB 1064, PG 335
N/F
DEWIGHT & CONNIE D RYALS
DB 715, PG 303
N/F
IMOGENE CRUMLEY DELONG
DB 759A PG 428
N/F
JERRY SHULER
DB 2335, PG 270
N/F
OLD CORN, LLC
FUTURE DEVELOPMENT
COMMON AREA
43,114 SF
(1.13 AC)
DETENTION FACILITY A1
DETENTION FACILITY A2 FIELD DATA:
DETENTION FACILITY A3 FIELD DATA:
OWNERS DEDICATION STATEMENT:
COUNTY OF HALL, GEORGIA
SURVEYOR'S CERTIFICATE
FINAL PLAT APPROVAL
BMP FACILITY NOTES:
LEGEND
HALL COUNTY ENVIRONMENTAL HEALTH NOTES:
OWNER/DEVELOPER:
OLD CORN, LLC
899 Still Road
Lawrenceville, Georgia 30045
Telephone: (770) 231-0520
Contact: Mr. Bryan Elliott
PREPARED BY :
DEVELOPMENT CONSULTANTS GROUP
2400 Meadowbrook Parkway
Duluth, Georgia 30096
Telephone: (770) 279-1710
Fax: (770) 921-9426
FINAL PLAT
for
STONE CREEK
AT THE RESERVOIR
DEVELOPMENT CONSULTANTS GROUP
PHASE ONE AREA = 26.92 AC (2.25 AC IN R/W)
DESIGNED: JG
DRAWN: MT
CHECKED: TA
APPROVED: TA
DATE: 3/29/04
SCALE: 1" = 60'
JOB # 01047
GLADES GMD 403
HALL COUNTY, GA.
1 OF 2
ISSUE # 3
ISSUE #3 9/2/04 REVISE LOT 14 & TEMPORARY CUL-DE-SAC LOCATION ON RESERVOIR DRIVE
ISSUE #2 8/27/04 REVISE DETENTION FACILITY A2 MONUMENT & FENCE GATE LOCATIONS

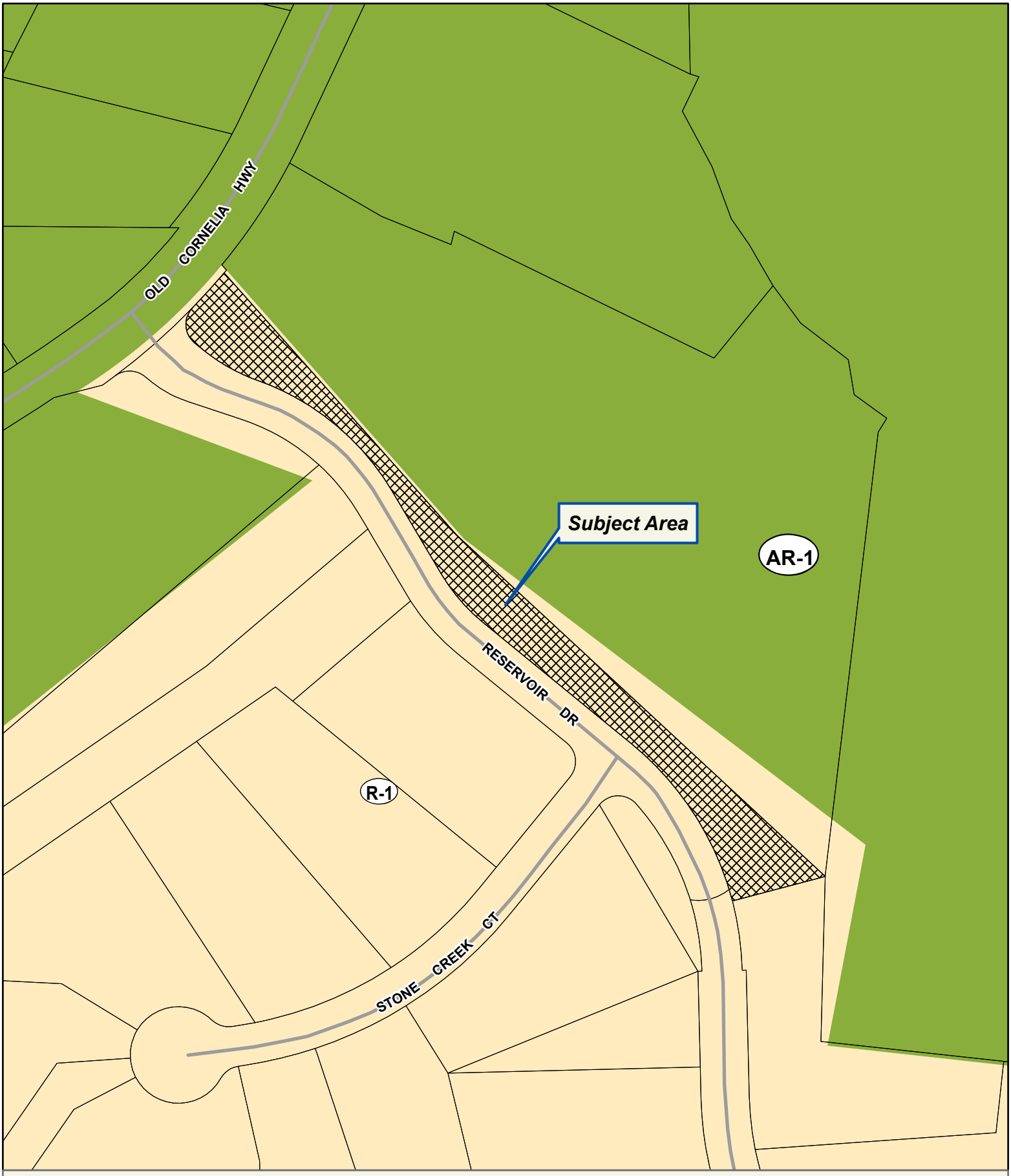


Applicant: DENISE R. JACKSON
Tax Parcel #: 15018 000123
Location: 0 RESERVOIR DRIVE, GAINESVILLE, GA 30507
Commission District 3 **PC Mtg. Date: 05/19/2025**

0 200 400 800
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: DENISE R. JACKSON
Tax Parcel #: 15018 000123
Location: 0 RESERVOIR DRIVE, GAINESVILLE, GA 30507
Commission District 3 **PC Mtg. Date: 05/19/2025**

0 50 100 200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: DENISE R. JACKSON
Tax Parcel #: 15018 000123
Location: 0 RESERVOIR DRIVE, GAINESVILLE, GA 30507
Commission District 3 **PC Mtg. Date: 05/19/2025**

0 50 100 200
Feet

Zoning Boundary
City Limits
Subject Area

N

After Recording Return To:

Hunt & Taylor Law Group, LLC
1001 Riverside Drive, Suite A
Gainesville, GA 30501

File No.: HT23-0056

FILED & RECORDED 09/01/2023 1:10 PM
DEED BOOK 9362 PAGES 270 - 271
FILING FEES: $25.00
PT61: 069-2023-005850 TRANSFER TAX: $4.50
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C Hall County, GA

For Official Use By Clerk's Office Only

STATE OF GEORGIA
COUNTY OF HALL

WARRANTY DEED

THIS INDENTURE, made this 25th day of August, 2023, between

Caroline Elizabeth Mullis

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

The Denise Renae Jackson Revocable Living Trust

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

WITNESSETH:

THAT: Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which 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 Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.

SUBJECT to restrictive covenants and general utility easements of record.

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

Signed, sealed and delivered in the presence of:

Unofficial Witness

Caroline Elizabeth Mullis (SEAL)

Notary Public
Commission Expires: 03/25/2027

PEDRO FIGUEROA
NOTARY PUBLIC, STATE OF NEW YORK
01FI0003719
QUALIFIED IN KINGS COUNTY
COMMISSION EXPIRES MARCH 25, 2027

EXHIBIT "A"

Legal Description

File Number: HT23-0056

All that tract or parcel of land lying and being in Glades 403 GMD of Hall County, Georgia, consisting of a 1.13 acre tract of land fronting on the Northeasterly right-of-way of Reservoir Drive and labeled "Common Area" according to a plat of Stone Creek at the Reservoir recorded in Plat Book 842, Page 85, Hall County, Georgia Records, reference to said plat of survey and the record thereof being hereby made for a more complete legal description.

The above-described property is conveyed subject to the following restrictive covenants:

1. For a period of five years from and after the date of this deed, the above-described property shall not be developed or disturbed and no structures may be placed thereon, other than a maximum of two driveways which conform to the same standards applicable to driveways in the Stone Creek at the Reservoir Subdivision.

2. Grantor and its successors and assigns may place and maintain landscaping on the above-described property within twenty-five feet of the boundary line between the above-described property and the Stone Creek at the Reservoir Subdivision beginning at a point 350 feet from Cornelia Highway. The landscaping is to be installed at the expense of Grantor, its successors or assigns pursuant to a landscaping plan furnished to and approved by Grantee. Grantee may not disturb such landscaping for a period of three years from the date of this deed except as is reasonably necessary for the construction of driveways as allowed under Covenant 1 above, and to allow Grantor, its successors and assigns, reasonable access for maintenance of same.

HALL COUNTY GOVERNMENT
BOARD OF COMMISSIONERS

POST OFFICE BOX 1435
GAINESVILLE, GEORGIA 30503
(770) 535-8288
FAX (770) 531-3972

TOM OLIVER
CHAIRMAN

DEBORAH LYNN, DISTRICT 1
BILLY POWELL, DISTRICT 2
STEVE GAILEY, DISTRICT 3
DEBORAH K. MACK, DISTRICT 4

JIM SHULER
COUNTY ADMINISTRATOR

PHIL SUTTON
ASSISTANT COUNTY ADMINISTRATOR

MICHELLE SMALLWOOD
COMMISSION CLERK

May 4, 2005

Mr. Bryan Elliott
Old Corn, LLC
5628 Church Street
Flowery Branch, Georgia 30542

Dear Mr. Elliott:

Please be advised that in its meeting of April 28, 2005, the Hall County Board of Commissioners voted to approve with conditions, the application of Old Corn, LLC to amend an existing R-I-C zoning on a 293± acre tract located on the south side of Old Cornelia Highway, 1,600± feet west of its intersection with Greenway Road; a.k.a. 3756 Old Cornelia Highway; Tax Parcel 15-18-45A. Proposed Use: Modify conditions of original rezoning. Commission District 3

The following conditions apply:

1. The construction of a ditch section along the existing road to the reservoir will only be approved with revised construction plans showing grading to meet county standards for that cross section.

2. The center turn lane at the entrance shall be completed along with the 100th lot of this subdivision, based on the future additional development accessed through this project and the level of traffic on Old Cornelia Highway and said turn lane improvements shall be added to the existing road bond for the project.

3. The 30 acre site that was to be deeded to the Hall County School Board / Hall County Government shall be incorporated into the overall acreage of the development.

4. Development shall be limited to a maximum of 145 lots, with each lot being a minimum of 1.25 acres in size.

5. A statement shall be placed on plans and any plat created for development that indicates future development of the adjoining property will be accessed through this subdivision.

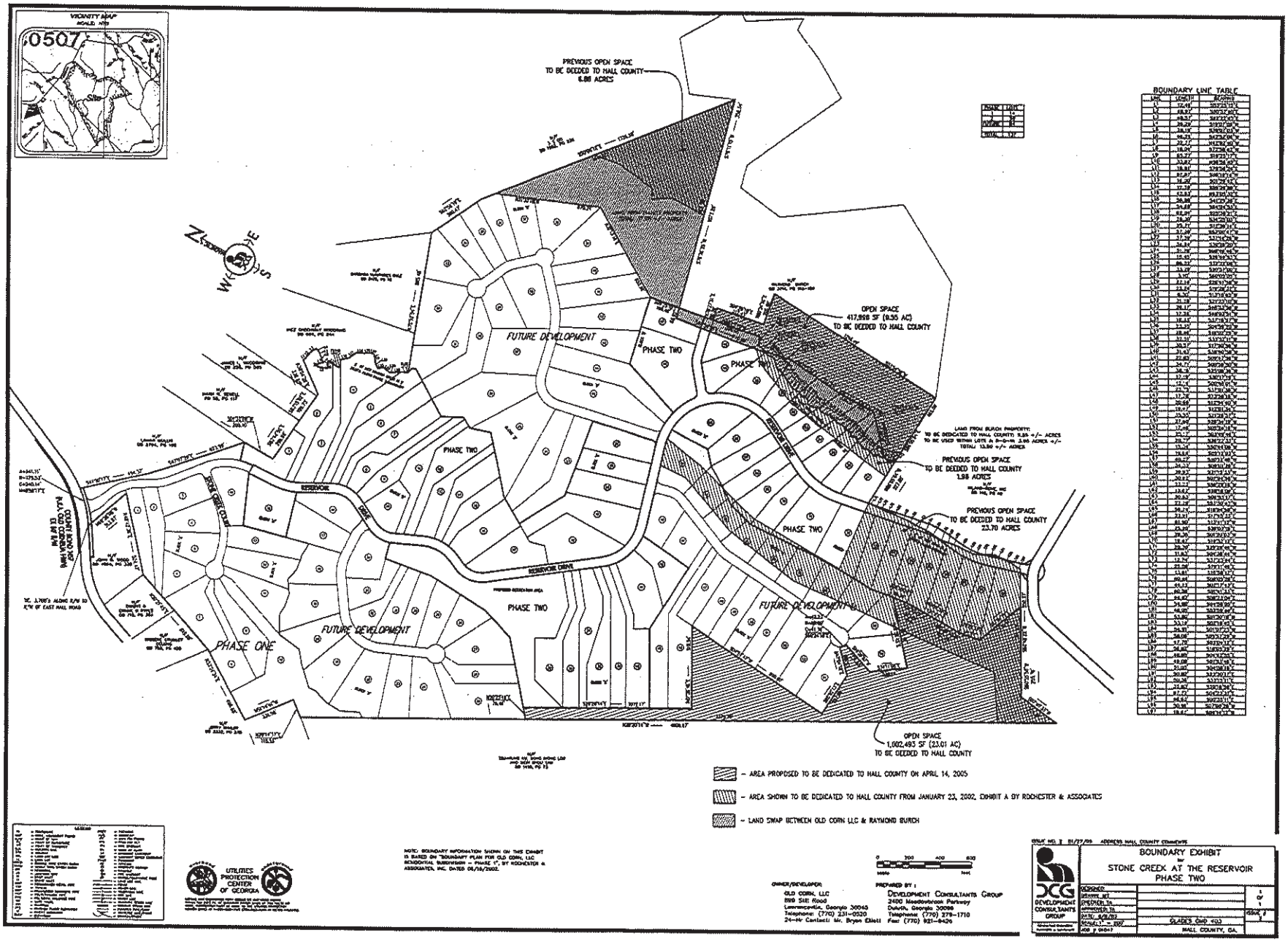
6. All other conditions of zoning not in conflict with the above shall remain in effect.

Please do not hesitate to contact me if you have any questions concerning this action taken by the commission.

Sincerely,

Michelle Smallwood
Commission Clerk

c: Planning & Zoning
Building Inspection
Tax Commissioner
Public Works & Utilities
Business License
Tax Assessor



BOUNDARY LINE TABLE

LINE	LENGTH	BEARING
L1	52.49'	S83°37'11"E
L2	68.57'	S86°57'40"E
L3	98.51'	N83°22'45"E
L4	98.09'	S19°01'09"E
L5	58.15'	S76°51'53"E
L6	96.25'	S42°26'00"E
L7	32.71'	N52°24'40"E
L8	18.04'	S37°38'47"E
L9	63.27'	S18°33'11"E
L10	53.27'	S28°56'50"E
L11	38.81'	S78°56'50"E
L12	97.87'	S48°10'10"W
L13	98.92'	S01°29'43"E
L14	97.38'	S88°39'38"E
L15	57.58'	S82°35'45"E
L16	98.98'	S41°27'26"E
L17	94.68'	S64°18'28"E
L18	82.26'	S25°37'36"E
L19	98.48'	S34°29'50"E
L20	93.21'	S12°28'11"E
L21	97.49'	S32°08'47"E
L22	97.36'	S33°16'29"E
L23	94.84'	S35°08'39"E
L24	91.78'	S88°56'45"E
L25	94.65'	S38°52'51"E
L26	96.32'	S33°39'08"E
L27	93.09'	S30°37'38"E
L28	3.00'	S60°02'00"E
L29	93.16'	S38°13'26"E
L30	93.80'	S15°08'23"E
L31	8.30'	S12°33'08"E
L32	91.38'	S21°37'10"E
L33	98.11'	S48°52'04"E
L34	97.36'	S48°56'45"E
L35	98.45'	S37°18'17"W
L36	93.35'	S04°38'38"E
L37	95.48'	S18°08'08"E
L38	91.91'	S33°37'51"E
L39	93.51'	S12°39'08"E
L40	91.43'	S38°50'38"E
L41	92.85'	S00°07'38"E
L42	96.71'	S48°38'38"E
L43	98.13'	S25°08'38"E
L44	97.39'	S12°08'38"E
L45	97.39'	S38°08'38"E
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L95	97.39'	S38°08'38"E
L96	97.39'	S38°08'38"E
L97	97.39'	S38°08'38"E
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L105	97.39'	S38°08'38"E
L106	97.39'	S38°08'38"E
L107	97.39'	S38°08'38"E
L108	97.39'	S38°08'38"E
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L114	97.39'	S38°08'38"E
L115	97.39'	S38°08'38"E
L116	97.39'	S38°08'38"E
L117	97.39'	S38°08'38"E

NOTE: BOUNDARY INFORMATION SHOWN ON THIS EXHIBIT IS BASED ON "BOUNDARY PLAN FOR OLD CORN, LLC RESIDENTIAL SUBDIVISION – PHASE 1", BY ROCHESTER & ASSOCIATES, INC. DATED 08/16/2002.

UTILITIES PROTECTION CENTER OF GEORGIA

OWNER/DEVELOPER
OLD CORN, LLC
890 SHE Road
Lawrenceville, Georgia 30043
Telephone: (770) 231-0520
24-Hr Contact Mr. Bryan Elliott

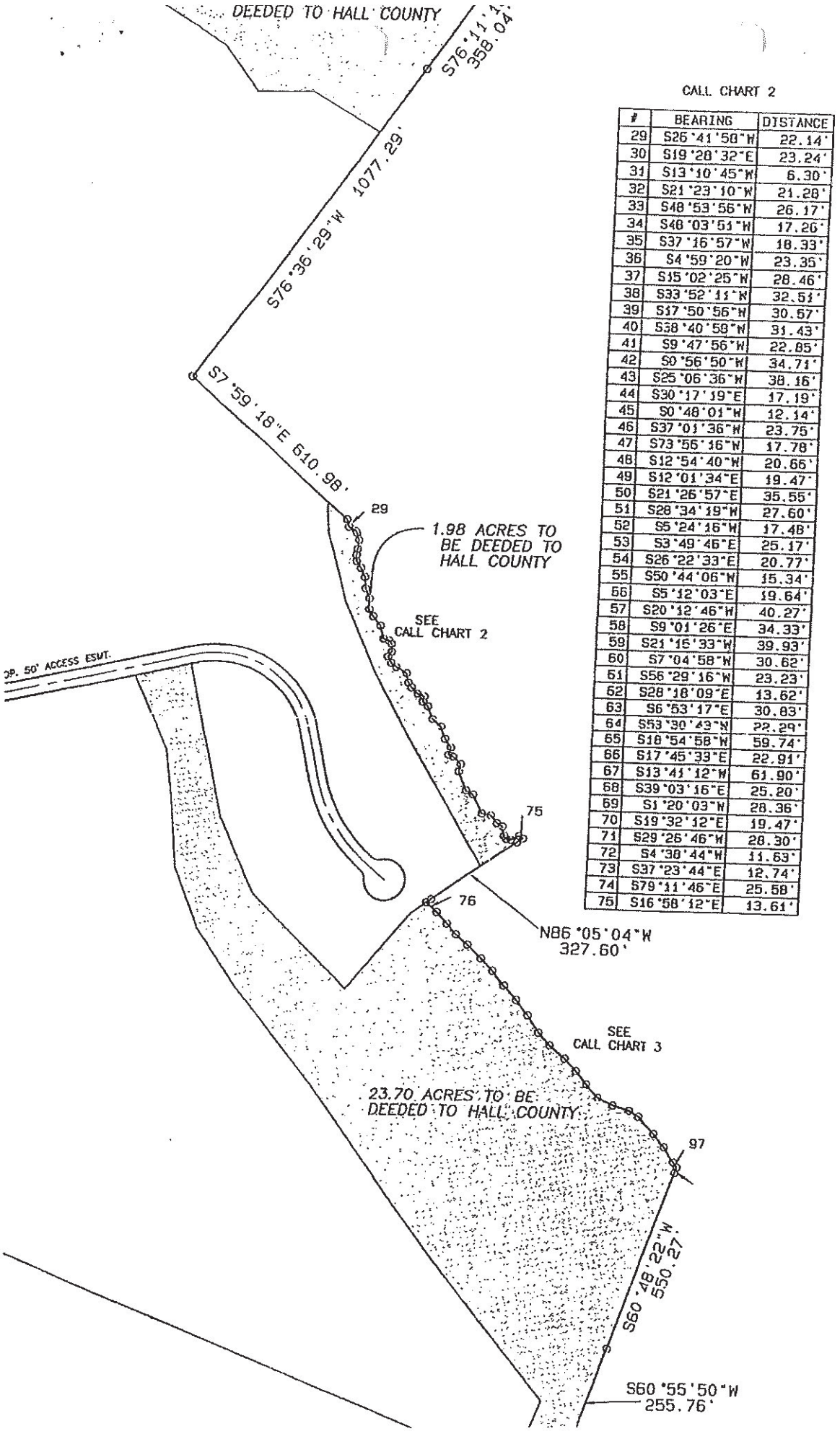
PREPARED BY:
DEVELOPMENT CONSULTANTS GROUP
2400 Meadowbrook Parkway
Duluth, Georgia 30096
Telephone: (770) 279-1710
Fax: (770) 921-8426

DCG DEVELOPMENT CONSULTANTS GROUP

BOUNDARY EXHIBIT
for
STONE CREEK AT THE RESERVOIR
PHASE TWO

GLADES GMD 403
HALL COUNTY, GA.

Z:\Acad\Jobs\01047\Construction Plans\01047PP.dwg, BOUN EXHIBIT, 01/26/05 03:18:06 PM, 1a, 1:2.6923



CALL CHART 2

#	BEARING	DISTANCE
29	S26°41'50"W	22.14'
30	S19°28'32"E	23.24'
31	S13°10'45"W	6.30'
32	S21°23'10"W	21.28'
33	S48°53'56"W	26.17'
34	S48°03'51"W	17.26'
35	S37°16'57"W	18.33'
36	S4°59'20"W	23.35'
37	S15°02'25"W	28.46'
38	S33°52'11"W	32.51'
39	S17°50'56"W	30.57'
40	S38°40'58"W	31.43'
41	S9°47'56"W	22.85'
42	S0°56'50"W	34.71'
43	S25°06'36"W	38.16'
44	S30°17'19"E	17.19'
45	S0°48'01"W	12.14'
46	S37°01'36"W	23.75'
47	S73°56'16"W	17.78'
48	S12°54'40"W	20.66'
49	S12°01'34"E	19.47'
50	S21°26'57"E	35.55'
51	S28°34'19"W	27.60'
52	S5°24'16"W	17.48'
53	S3°49'46"E	25.17'
54	S26°22'33"E	20.77'
55	S50°44'06"W	15.34'
56	S5°12'03"E	19.64'
57	S20°12'46"W	40.27'
58	S9°01'26"E	34.33'
59	S21°15'33"W	39.93'
60	S7°04'58"W	30.62'
61	S56°29'16"W	23.23'
62	S28°18'09"E	13.62'
63	S6°53'17"E	30.83'
64	S53°30'49"W	22.29'
65	S18°54'58"W	59.74'
66	S17°45'33"E	22.91'
67	S13°41'12"W	61.90'
68	S39°03'16"E	25.20'
69	S1°20'03"W	28.36'
70	S19°32'12"E	19.47'
71	S29°26'46"W	28.30'
72	S4°38'44"W	11.63'
73	S37°23'44"E	12.74'
74	S79°11'46"E	25.58'
75	S16°58'12"E	13.61'

rochester & associates
rochester & associates
atlanta (770)718-2500 • gainesville (770)
blairsville (706)745-5105

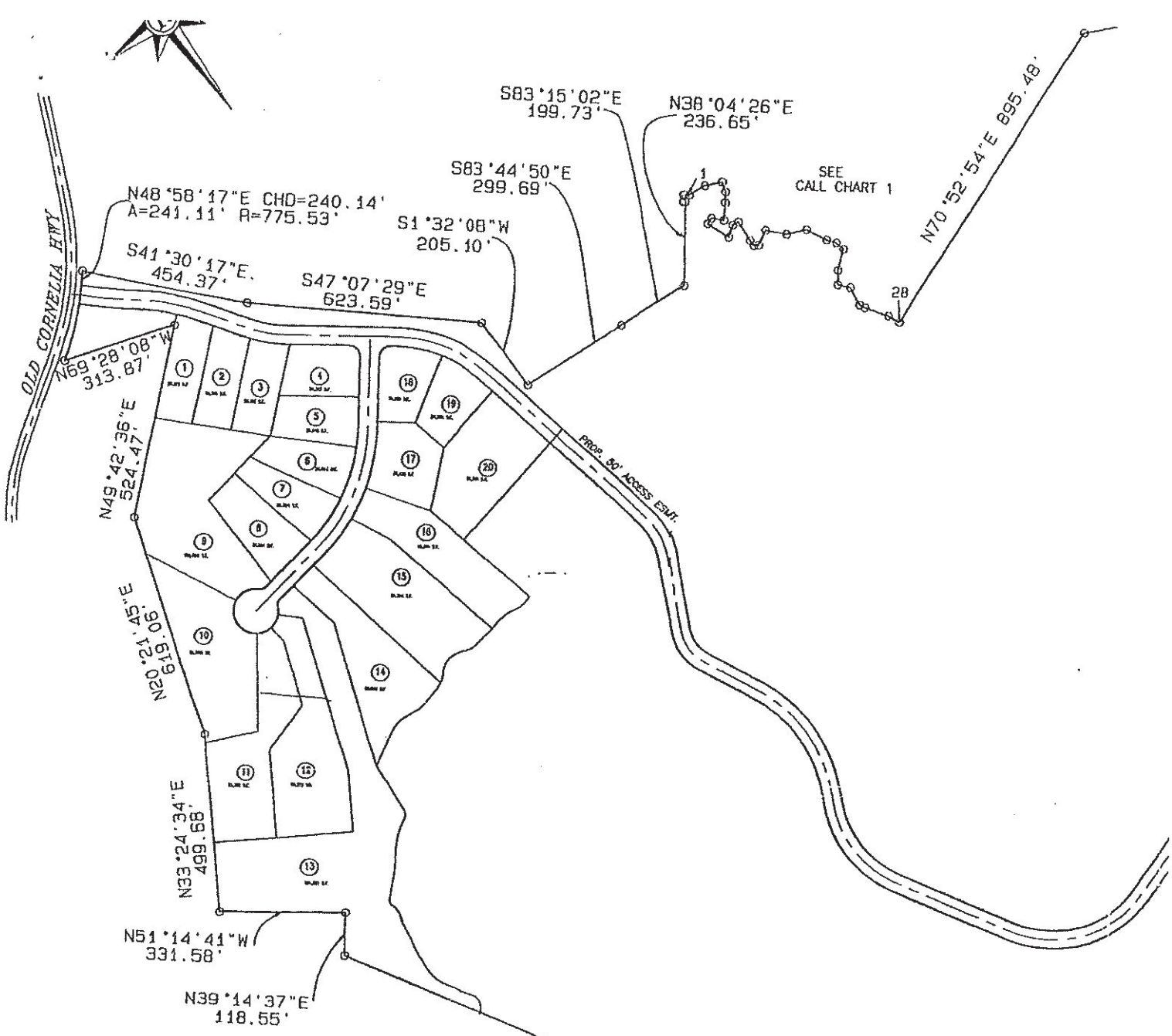
EXHIBIT "A"
FOR :
OLD CORN, LLC
LOCATED IN
GLADES GMD 403
HALL COUNTY, GA.

NO.	DATE	DESCRIPTION
		REVISIONS

GRAPHIC SCALE
0 200 400 800

ANY CHANGES OR ALTERATION MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL OF ROCHESTER & ASSOCIATES, INC. VOIDS THE CERTIFICATION WITH RESPECT TO THIS PROJECT. THE ORIGINAL DRAWING ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.

1



CALL CHART 1

#	BEARING	DISTANCE
1	S53°25'15"E	12.46'
2	S80°32'40"E	49.97'
3	S62°22'45"E	48.57'
4	S19°07'09"W	26.29'
5	S39°07'03"W	28.19'
6	S42°52'06"W	46.25'
7	N42°02'40"W	32.77'
8	S72°58'42"W	18.04'
9	S19°25'17"E	65.77'
10	N56°56'45"E	33.62'
11	S79°56'24"E	16.91'
12	S6°19'14"W	57.97'
13	S1°39'42"E	16.00'
14	S55°26'59"E	12.39'
15	N63°05'32"E	42.63'
16	S41°25'38"E	56.88'
17	S64°04'53"E	54.69'
18	S25°38'21"E	62.04'
19	S34°25'03"E	28.00'
20	S12°36'14"E	25.71'
21	S53°00'47"W	57.08'
22	S37°14'26"W	37.39'
23	S39°26'20"E	34.94'
24	S8°49'46"W	51.78'
25	S26°44'53"E	

CALL CHART 3

#	BEARING	DISTANCE
76	S8°05'28"E	40.44'
77	S2°17'43"E	44.13'
78	S1°41'33"E	40.58'
79	S8°23'04"E	44.42'
80	S4°58'05"E	54.90'
81	S3°59'44"E	48.05'
82	S1°30'18"W	53.80'
83	S2°19'45"E	53.19'
84	S1°07'23"W	54.91'
85	S5°57'29"W	58.06'
86	S3°04'12"E	47.78'
87	S10°05'29"E	56.62'
88	S4°42'55"E	48.85'
89	S1°53'46"E	49.08'
90	S4°08'16"E	51.03'
91	S23°30'17"E	50.82'
92	S33°15'11"E	50.36'
93	S20°16'58"E	32.80'

HALL COUNTY GOVERNMENT
BOARD OF COMMISSIONERS

POST OFFICE BOX 1435
GAINESVILLE, GEORGIA 30503
(770) 535-8260
FAX (770) 531-3972

GARY GIBBS
CHAIRMAN

BRENDA R. BRANCH, DISTRICT 1
ROGER COLE, DISTRICT 2
STEPHEN BLACK, DISTRICT 3
FRANCES MEADOWS, DISTRICT 4

JIM SHULER
COUNTY ADMINISTRATOR

MICHELLE SMALLWOOD
COMMISSION CLERK

October 24, 2001

Mr. Edwin T. Elliott
899 Still Road
Lawrenceville, Georgia 30045

Dear Mr. Elliott:

Please be advised that in its meeting of October 11, 2001, the Hall County Board of Commissioners voted to approve your request to amend conditions of zoning for the previously approved rezoning from AR-IV to R-I-C on a 292.71 acre tract of land, which occurred on April 26, 2001. The original rezoning was approved with five conditions, which will still apply. I have attached a copy of the letter listing all original conditions.

The action taken by the Commission at its October 11, 2001 Meeting was the approval of ten additional conditions; they are as follows:

1. The property identified to be dedicated to the Board of Education will be relocated to the rear of the property adjacent the reservoir site and streams flowing to the reservoir. This will provide additional protection for some of the streams feeding the reservoir and be deeded to Hall County, not the School System.
2. The developers project shall have access to the property being dedicated to the county and the reservoir site.
3. The county will pay for a construction easement across the developer's undeveloped property for construction access road to the reservoir site.
   a) The county will pay fourteen hundred dollars ($1,400.00) per acre for the access easement.
   b) The easement will start at end of Phase I of the development and be fifty feet (50') wide.
   c) The developer will design the road and the county will construct (reservoir contractor) the road to county standards. The county will clear and grade the road, provide all streams crossings, install water line as designed by county, not paving the road but providing a year round surface that will not erode.

d) County will provide all soil erosion control measures required.

e) County will provide gate valves and pipe reducers as required by the developer for future phases.

4. Developer will design the waterline in the subdivision and the county will design and construct the waterline to access the subdivision and through the subdivision to the reservoir site.
5. Developer will pay $20.00 per foot for the waterline and $1.00 per foot for design, for all line installed by the county to and through his property.
6. A center turn lane must be constructed prior to site permitting for phases of the development totaling in excess of one hundred (100) lots.
7. The county will assist the developer in acquiring right-of-way as needed by the development.
8. Water meter fees are to be $1,100.00 per lot for five years.
9. Turn lane will have to be constructed during the initial phase of the project.
10. The required design and construction activities by the county will be incorporated into the Reservoir Construction Contract.

Please contact me if any additional information is necessary.

Sincerely,

Michelle Smallwood
Clerk of the Commission

c: Planning & Zoning
Business License
Tax Assessor
Building Inspection
Public Works & Utilities
Tax Commissioner

HALL COUNTY GOVERNMENT
BOARD OF COMMISSIONERS

POST OFFICE BOX 1435
GAINESVILLE, GEORGIA 30503
(770) 535-8260
FAX (770) 531-3972

GARY GIBBS
CHAIRMAN

BRENDA R. BRANCH, DISTRICT 1
ROGER COLE, DISTRICT 2
STEPHEN BLACK, DISTRICT 3
FRANCES MEADOWS, DISTRICT 4

JIM SHULER
COUNTY ADMINISTRATOR

MICHELLE SMALLWOOD
COMMISSION CLERK

April 30, 2001

Mr. Ed T. Elliott
899 Still Road
Lawrenceville, Georgia 30045

Dear Mr. Elliott:

Please be advised that in its meeting of April 26, 2001, the Hall County Board of Commissioners voted to approve with conditions, your application to rezone from AR-IV to R-I; and a Use Subject to County Commission approval on a 292.71± acre tract located on the south side of Old Cornelia Highway, 1,600± feet west of its intersection with Greenway Road; Tax Parcel 15-18-45A. Proposed Use: 292 lot subdivision and day care center. Commission District 3.

The following conditions apply:

1. The development shall be limited to a maximum of 275 lots.
2. The development shall be limited to stick-built homes with a minimum of 1,400 square feet of heated floor space, with an overall average of 1,600 square feet minimum of heated floor space, and all lots bordering the reservoir shall have 1,800 square feet of heated floor space.
3. All septic tanks shall have dual inspection tubes at the inlet and outlet.
4. There shall be a two year limit for the school board to utilize the currently proposed 30 acre open space site, given that any time during the two year time period the School Board chooses not to use the land, it will be deeded to the Hall County Government for passive or active recreational use only.
5. There shall also be a substitute site selected at preliminary platting to serve as an alternative to the thirty-acre site, not requiring Planning Commission review.

Pursuant to section 17,380.130(G) of the Official Code of Hall County, the approval of any application for a use subject to approval of the county commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.

Please remember to remove all Public Notice signs posted on the property within five (5) days following the Board of Commissioners' decision, as noted in Hall County's Zoning Regulations.

If you have any questions or concerns, please do not hesitate to call.

Sincerely,

Michelle Smallwood

Michelle Smallwood
Clerk of the Commission

c: Robert C. Bowden
3443 McKenzie Drive
Gainesville, Georgia 30506

Elias Williams
4575 Pines Drive, NW
Atlanta, Georgia 30372

Mr. Brian Rochester
Rochester & Associates
427 Oak Street

Planning & Zoning	Building Inspection
Business License	Public Works
Tax Assessor	Tax Commissioner

Outlook

HCPC Tentative Agenda 5.19.25

From Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>
Date Thu 4/17/2025 12:37 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Cc Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>

Please find Environmental Health comments below:

Item 1, 3625 McEver Road, Elliott: 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/modification may be required after review of business plan.

Item 2, 3911 P. Davidson Road, Hall County Library: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process.

Item 3, 0 Reservoir Drive, Jackson: Subject parcel is not recognized as a separate building lot as it was designated as Open Space for subdivision approval.

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.

Kaitlyn Elliott (Planning)

From: Nembhard, Nakia L <NNembhard@dot.ga.gov>
Sent: Monday, April 21, 2025 4:25 PM
To: Kaitlyn Elliott (Planning)
Subject: RE: Tentative Agenda Monday, May 19, 2025 Hall County Planning Commission Meeting

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,

Below you will find the comments for the properties requested.

3911 P Davidson Road – Won't require coordination.

3625 McEver Road, Oakwood, GA - Will require coordination.

Reservoir Dr – Won't require coordination.

Thanks,

Nakia Nembhard
Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy Suite 100
Gainesville, GA, 30501

(678) 332-8200 Cell
(770) 533-8496 Office

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Tuesday, April 15, 2025 3:04 PM
To: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Subject: Re: Tentative Agenda Monday, May 19, 2025 Hall County Planning Commission Meeting

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,

The application below has been finalized and is ready for comments. Please email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org) by **Friday, April 18, 2025**.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

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: Beth Garmon, Director of Planning and Zoning

From: Bill Nash, Director of Public Works and Utilities

Date: April 18, 2025

Subject: May 19, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the May 19, 2025 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. **3625 McEver Road | Special Use |** to amend conditions of zoning | on a 11.10± acre tract located on the east side of McEver road approximately 708 feet from its intersection with Hilldale Road | Zoned PCD (GCOD); Tax Parcel 08032 000006 | **Proposed Use: Outdoor storage and expansion of services** | ** Commission District 4 | **Thomas L. Elliott III, 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:** Oakwood sanitary sewer in area.

NEW BUSINESS

3911 P Davidson Road | Variance | to reduce the minimum yards | on a 55.23± acre tract located on the north side of P Davidson Road at its intersection with East Hall Road | Zoned AR-1; Tax Parcel 15017 000162 | **Proposed Use: Library addition | *** Commission District 3 | **Hall County Library System, 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:** Hall County service area. No sewer in vicinity

3. **0 Reservoir Drive | Rezone** | from Residential 1 (R-1) to Agricultural Residential 1 (AR-1) | on a 1.20± acre tract located on the northeast side of Reservoir Drive at its intersection with Old Cornelia Highway | Zoned R-1; Tax Parcel 15018 000123 | **Proposed Use: Permitted uses in AR-1 | **** Commission District 3 | **Denise R. Jackson, applicant**

    a. **Engineering:** No comment
    b. **Traffic:** No comment
    c. **Utilities:** Hall County service area. No sewer in vicinity

Outlook

Fire Comment

From John Hornick (Fire Services) <jhornick@hallcounty.org>
Date Tue 4/15/2025 9:26 AM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

Monday, May 19, 2025 Hall County Planning Commission Meeting.

0 Reservoir Drive | Rezone | from Residential 1 (R-1) to Agricultural Residential 1 (AR-1) | on a 1.20± acre tract located on the northeast side of Reservoir Drive at its intersection with Old Cornelia Highway | Zoned R-1; Tax Parcel 15018 000123 | **Proposed Use: Permitted uses in AR-1 | **** Commission District 3 | **Denise R. Jackson, applicant**

The Hall County Fire Marshal's Office has no comments regarding the rezoning request

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

Denise Jackson
3774 Old Cornelia Highway
Gainesville, GA 30507
[redacted]

April 14, 2025

Neighbor
Stone Creek at the Reservoir

Re: Proposed Rezoning of 1.13 acre tract known as Common Area at entrance of Stone Creek at the Reservoir Subdivision

Dear Neighbor:

Please allow me to introduce myself. My name is Denise Jackson and, if you are heading north on Old Cornelia Highway (taking a right turn out of the Stone Creek at the Reservoir Subdivision), I live in the first house on the right. I moved here in October of 2022.

After moving in, I realized that one of the previous owners of my 7.33 acre tract had also owned a 1.13 acre tract located between my property and the Stone Creek at the Reservoir Subdivision. On August 25, 2023, I purchased the 1.13 acre tract of land. It just made sense to me to keep the two tracts together and maintain the buffer between my property and the subdivision. My deed (and those of the previous owners) to the 1.13 acre tract contains an option to install driveways.

The purpose of this letter is to let you know that I have filed an application with the Hall County Planning and Development Department seeking to change the zoning designation of the 1.13 acre tract from R-1 to AR-1. The reason for this proposed rezoning is to make this tract match the zoning designation of my 7.33 acre tract and to be able to retain the option of installing driveways. I emphasize that I currently have no plans to file an application to install a driveway.

My plan is to always keep the trees and shrubs as a buffer between my property and Reservoir Drive and to maintain the grass on that strip of property. As you may or may not know, Tommy and Amy England (your neighbors in the subdivision) have consistently and selflessly cared for and maintained that strip of property for years to keep the entrance to your subdivision looking good. (I understand that neighbors Phillip and Marie Steckbauer maintained the property before the Englands and continue to maintain other parts of the subdivision.) I have communicated with the Englands about its future care.

I wanted to give you notice and an explanation before the sign went up about a proposed rezoning. If you have any questions, you can send me an email at [redacted] Thank you for your time.

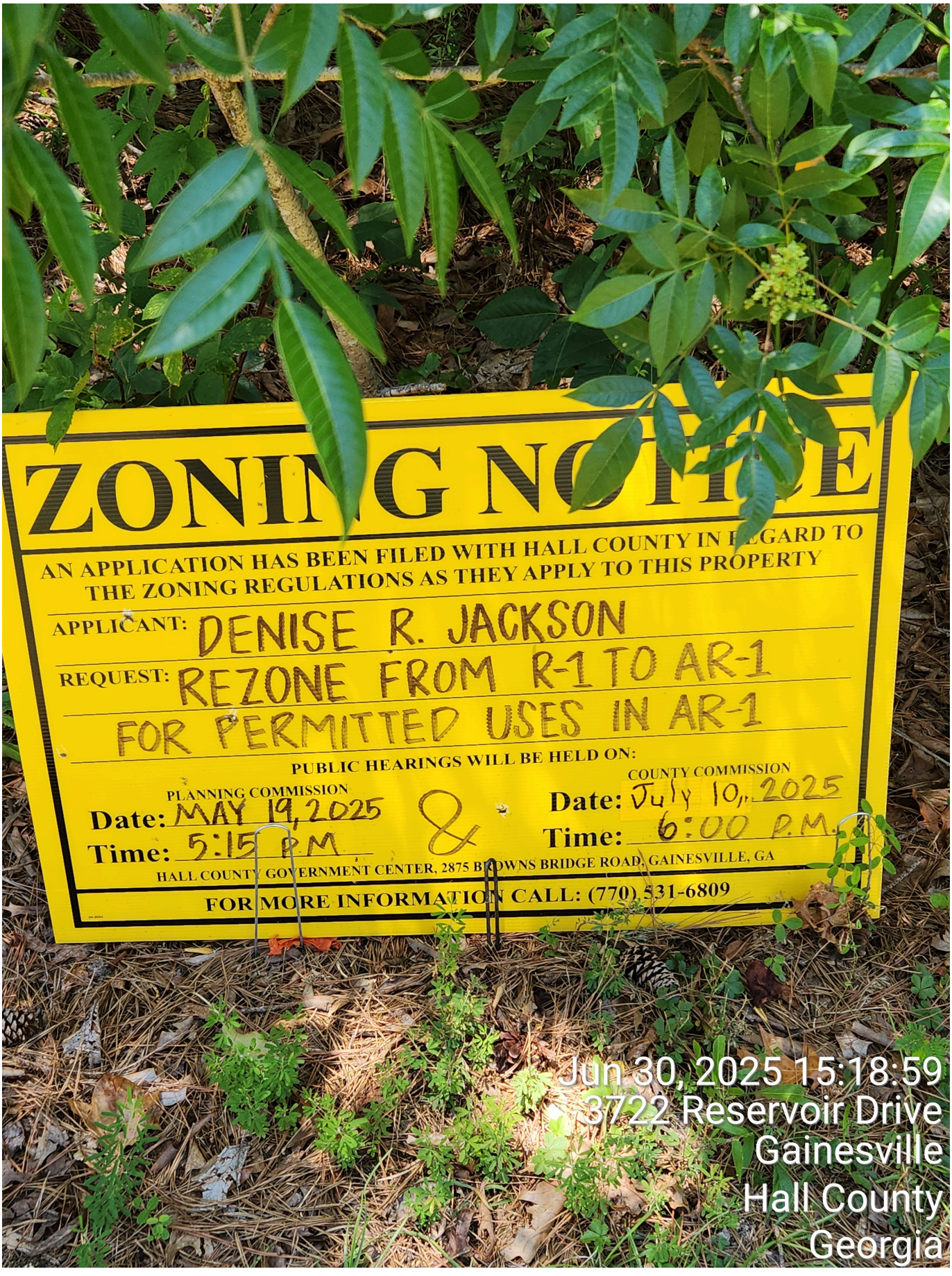
Sincerely,

Denise Jackson

Denise Jackson


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: DENISE R. JACKSON
REQUEST: REZONE FROM R-1 TO AR-1
FOR PERMITTED USES IN AR-1
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: MAY 19, 2025
Time: 5:15 P.M.
COUNTY COMMISSION
Date: July 10 2025
Time: 6:00 P.M.
Jun 30, 2025 15:14:39
3774 Old Cornelia Highway
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: DENISE R. JACKSON
REQUEST: REZONE FROM R-1 TO AR-1
FOR PERMITTED USES IN AR-1
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: MAY 19, 2025
Time: 5:15 P.M.
&
COUNTY COMMISSION
Date: July 10, 2025
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Jun 30, 2025 15:17:07
3718 Reservoir Drive
Gainesville
Hall County
Georgia


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AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
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HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Jun 30, 2025 15:18:59
3722 Reservoir Drive
Gainesville
Hall County
Georgia


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HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 53 -6809
Jun 30, 2025 15:20:31
Gainesville
Hall County
Georgia

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

HALL COUNTY
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PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.

2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.

3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. **A photo of the sign placed at the location is required and must be sent to the Planning Department.**

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN APR 10, 2025 **AND NO LATER THAN** APR 20, 2025.

THE ORGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN APR 20, 2025 **ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.**

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Denise R. Jackson (Please Print Name), **hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required public notice sign was posted on** April 18, 2025 (Date) **for** Denise R Jackson (Name application filed as).

Signature Denise R. Jackson

(The original document is required)

Revised September 2021

Scanned by TapScanner

AGENDA ITEM

Planning & Zoning

REPORT TO:	**Work Session (07/07/25)**
REPORT TO:	**Voting Meeting (07/10/25)**
ITEM NO:	396/2025
SUBJECT:	**5162 Thompson Bridge Road | Amend Conditions of Zoning |** on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A | **Proposed Use: Self-storage facility** | Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BG
Recommendation:

Approval, with conditions

1. The previously approved conditions dated October 21, 2009, as amended and listed below, shall apply:
    a. Development shall be limited to the descriptive narrative submitted for the subject property.
    b. A continuous landscape strip along the frontage except for perpendicular crossing for driveways and utilities shall be planted and approved by the Director of Planning and Zoning or their designee.
    c. The applicant shall present a drawing that locates loading and service areas, display areas, designated parking, and pedestrian access for the subject area.
    d. There shall be a pedestrian pathway connecting parking areas to the entrance of the display area. The number of required parking spaces shall be determined during the site plan review process.
    e. Driveway locations and designs are subject to approval by the Georgia Department of Transportation and the Hall County Engineering Department and will be coordinated with any known improvements of Thompson Bridge Road.
    f. All conditions of zoning shall be made a part of any plat created for the property.
    g. The applicant shall plant a row of Leland Cypress trees to screen both sides of the property.
2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
3. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.
4. A wall sign located on the "office" building as identified on the submitted site plan as well as a free-standing monument sign may be permitted. All signage shall be developed in accordance with the Hall County Unified Development Code unless otherwise specified herein.
5. The existing channel letters located on Building E, as identified on the submitted site plan, shall be allowed to remain.

Purpose of Request:

5162 Thompson Bridge Road | Amend Conditions of Zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A | **Proposed Use: Self-storage facility** | Commission District 3 | **FreeUp Storage Murrayville, 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
BG	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site Plan
Plat
Maps
Renderings
Deed
Legal Description
2009 Board of Commissioners Letter
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government
PLANNING AND ZONING

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

From: Beth Garmon, Director of Planning & Zoning

Date: June 23, 2025

Subject: **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract| Zoned PCD (GCOD); Tax Parcel 11083 003001A **| Proposed Use: Self-storage facility | FreeUp Storage Murrayville, LLC, applicant**

The request before you is from FreeUp Storage Murrayville, LLC for a special use to amend conditions of zoning for a self-storage facility. This item is located within Commission District 3.

At their June 2, 2025 meeting, the Hall County Planning Commission voted to recommend **approval, with five (5) conditions (4-0, Varner absent).**

Staff recommendation: **Approval, with conditions,** as the existing use is consistent with the previous zoning approval and complies with the "Business Nodes and Corridors" future land use designation in the Comprehensive Plan.

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

Planning Commission Conditions:

1. The previously approved conditions dated October 21, 2009, as amended and listed below, shall apply:
    a. Development shall be limited to the descriptive narrative submitted for the subject property.
    b. A continuous landscape strip along the frontage except for perpendicular crossing for driveways and utilities shall be planted and approved by the Director of Planning and Zoning or their designee.
    c. The applicant shall present a drawing that locates loading and service areas, display areas, designated parking, and pedestrian access for the subject area.

d. There shall be a pedestrian pathway connecting parking areas to the entrance of the display area. The number of required parking spaces shall be determined during the site plan review process.
e. Driveway locations and designs are subject to approval by the Georgia Department of Transportation and the Hall County Engineering Department and will be coordinated with any known improvements of Thompson Bridge Road.
f. All conditions of zoning shall be made a part of any plat created for the property.
g. The applicant shall plant a row of Leland Cypress trees to screen both sides of the property.

2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
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3. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. A wall sign located on the "office" building as identified on the submitted site plan as well as a free-standing monument sign may be permitted. All signage shall be developed in accordance with the Hall County Unified Development Code unless otherwise specified herein.

5. The existing channel letters located on Building E, as identified on the submitted site plan, shall be allowed to remain.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... FreeUp Storage Murrayville, LLC

Request ..... **Special Use** | amend conditions of zoning

Proposed Use ..... Self-storage facility

Size ..... 5.79± acres

Zoning ..... Planned Commercial Development (PCD)

Location ..... **5162 Thompson Bridge Road** | Tax Parcel 11083 003001A

Commission District ..... Three

Planning Commission Date ..... June 2, 2025

Staff Recommendation ..... **Approval, with conditions,** as the existing use is consistent with the previous zoning approval and complies with the "Business Nodes and Corridors" future land use designation in the Comprehensive Plan.

Record Number..... HZCU25-0017

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 4-0 (Varner absent)

Planning Commission Conditions:

1. The previously approved conditions dated October 21, 2009, as amended and listed below, shall apply:
    a. Development shall be limited to the descriptive narrative submitted for the subject property.
    b. A continuous landscape strip along the frontage except for perpendicular crossing for driveways and utilities shall be planted and approved by the Director of Planning and Zoning or their designee.
    c. The applicant shall present a drawing that locates loading and service areas, display areas, designated parking, and pedestrian access for the subject area.

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3. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. A wall sign located on the "office" building as identified on the submitted site plan as well as a free-standing monument sign may be permitted. All signage shall be developed in accordance with the Hall County Unified Development Code unless otherwise specified herein.

5. The existing channel letters located on Building E, as identified on the submitted site plan, shall be allowed to remain.

Excerpts from the minutes of the June 2, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Sara Wayne, 5162 Thompson Bridge Road, Murrayville, presented the request. The applicant is requesting to amend the zoning conditions for a combined 6.05± acre tract zoned as Planned Commercial Development (PCD) within the Gateway Corridor Overlay District (GCOD). The proposed amendment

seeks to remove condition #8 from the previous rezoning approval that states the zoning shall remain in effect as long as the applicant is the owner of the property. Additionally, the applicant is submitting a master sign plan. The subject property and adjacent property at 5172 Thompson Bridge Road were rezoned on October 21, 2009, from Highway Business (H-B) to Planned Commercial Development (PCD) to allow outside yard sales (ZON2009-00051) with 8 conditions.

Public Forum:

Sandra Dorsey, 5391 Jerry Burruss Road, Murrayville, questioned if more storage was being built or if this application only concerned signage. Mr. Braswell clarified this application was just to modify the signage.

Planning Commission Comments:

Mr. Hunt asked if the application included one sign or the four signs already posted at the business. The applicant stated the application was for the reconstruction of the sign on top of the business that has fallen into disrepair. Mr. Hunt asked if the other roof sign on the office building will be changed as well. The applicant was unsure. Mr. Hunt explained the applicant's business is out of compliance with Gateway Corridor Overlay District standards so the banner signs and sign on the one-story building would need to be removed.

***Motion:* A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 4-0 (Varner absent)**

Conditions:

1. The previously approved conditions dated October 21, 2009, as amended and listed below, shall apply:
    a. Development shall be limited to the descriptive narrative submitted for the subject property.
    b. A continuous landscape strip along the frontage except for perpendicular crossing for driveways and utilities shall be planted and approved by the Director of Planning and Zoning or their designee.
    c. The applicant shall present a drawing that locates loading and service areas, display areas, designated parking, and pedestrian access for the subject area.
    d. There shall be a pedestrian pathway connecting parking areas to the entrance of the display area. The number of required parking spaces shall be determined during the site plan review process.
    e. Driveway locations and designs are subject to approval by the Georgia Department of Transportation and the Hall County Engineering Department and will be coordinated with any known improvements of Thompson Bridge Road.
    f. All conditions of zoning shall be made a part of any plat created for the property.
    g. The applicant shall plant a row of Leland Cypress trees to screen both sides of the property.

2. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
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3. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. A wall sign located on the "office" building as identified on the submitted site plan as well as a free-standing monument sign may be permitted. All signage shall be developed in accordance with the Hall County Unified Development Code unless otherwise specified herein.

5. The existing channel letters located on Building E, as identified on the submitted site plan, shall be allowed to remain.

Staff recommends <u>APPROVAL</u> of the applicant's request, with the following conditions:

1. The previously approved conditions dated October 21, 2009, as amended and listed below, shall apply:

   a. Development shall be limited to the descriptive narrative submitted for the subject property.
   b. A continuous landscape strip along the frontage except for perpendicular crossing for driveways and utilities shall be planted and approved by the Director of Planning and Zoning or their designee.
   c. The applicant shall present a drawing that locates loading and service areas, display areas, designated parking, and pedestrian access for the subject area.
   d. There shall be a pedestrian pathway connecting parking areas to the entrance of the display area. The number of required parking spaces shall be determined during the site plan review process.
   e. Driveway locations and designs are subject to approval by the Georgia Department of Transportation and the Hall County Engineering Department and will be coordinated with any known improvements of Thompson Bridge Road.

f. All conditions of zoning shall be made a part of any plat created for the property.
g. The applicant shall plant a row of Leland Cypress trees to screen both sides of the property.

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3. No variances to Gateway Corridor Overlay District (GCOD) standards and no additional variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Hall County UDC, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All signage shall be developed in accordance with the Hall County Unified Development Code.

Summary Analysis

The applicant is requesting to amend conditions of zoning on a combined 6.05± acre tract zoned Planned Commercial Development (PCD) within the Gateway Corridor Overlay District (GCOD) to remove condition #8 of the previously approved rezoning as well as to submit a master sign plan.

The subject property and adjacent property at 5172 Thompson Bridge Road were rezoned on October 21, 2009, from Highway Business (H-B) to Planned Commercial Development (PCD) to allow outside yard sales (ZON2009-00051) with the following conditions:

1. Development shall be limited to the descriptive narrative submitted for the subject property.
2. A landscape strip continuous along the frontage except for perpendicular crossing for driveways and utilities shall be planted as approved by the Planning Department.
3. The applicant shall present a drawing that locates loading and service areas, display areas, designated parking, and pedestrian access for the subject area.
4. There shall be a pedestrian pathway connecting parking areas to the entrance of the display area. The number of required parking spaces shall be determined during the site plan review process.
5. Driveway locations and designs are subject to approval by the Georgia Department of Transportation and the Hall County Engineering Department and will be coordinated with any known improvements of Thompson Bridge Road.
6. All conditions of zoning shall be made a part of any plat created for the property.
7. The applicant shall plant a row of Leland Cypress trees to cover both sides of the property.
8. The zoning shall remain in effect as long as the applicant is the owner of the property.

A variance was approved on January 26, 2017, as part of a reconfiguration and subdivision of the property and the construction of new storage buildings subject to the following condition:

1. Allow setbacks of 10 feet on the left, 10 feet on the right and 5 feet on the front with Mr. Yamala having the final say when the survey is submitted.

The plat creating the current configuration of both parcels was approved on April 17, 2019. The owner of these properties then sold each parcel to different parties in 2019 (5162 Thompson Bridge Road) and 2022 (5172 Thompson Bridge Road) according to Hall County tax records. The subject property was then sold to the applicant, FreeUp Storage Murrayville, LLC, on December 17, 2021.

Per the submitted narrative, the applicant requests removal of condition #8 of the original rezoning conditions which states "The zoning shall remain in effect as long as the applicant is the owner of the property." The applicant states that the self-storage facility was separated from the unrelated commercial buildings on the adjacent parcel by plat and the parcels are no longer under the same ownership.

Additionally, the applicant is proposing a master sign plan to address the signage as presented in the submitted narrative. Per the submitted site plan, there are 14 buildings on the site. The site plan shows the location of an existing freestanding sign, an existing wall sign, and two proposed wall signs.

Per a site visit by Planning staff on May 14, 2025, three wall signs are currently present on the property, one located on the office building, one on the one-story building and the other on Building E, all as identified on the site plan. Additionally, two banner signs are located on the one-story building. Measurements for these existing signs were not provided by the applicant excluding the signage on Building E, which measures 90 square feet.

The applicant has proposed to replace the wall sign on the one-story building with a 48.8 square foot wall sign. This exceeds the 30 square feet allowed per the county code. The Hall County Unified Development Code allows one wall sign per establishment which must be located along the side of the establishment that includes its public entrance with one additional wall sign allowed along each façade adjacent to a public right-of-way. The code also limits wall signs to 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater.

The proposed master sign plan exceeds the allowed size and number of signs per establishment.

Below is a chart comparing the existing and proposed signage against the Hall County UDC:

Signage Type	Existing	Proposed	Compliance
Monument Sign	1 free-standing sign (height and square footage not provided)	Applicant proposes to bring the existing freestanding sign into compliance with GCOD.	Complies
Building E Wall Sign	**Square footage:** 90 sqft **Location:** Not located on primary entrance or a façade fronting right-of-way	**Square Footage:** 90 sqft (maintain existing sign & location)	***Deficient*** Exceeds maximum square footage allowed and number of wall

			signs per establishment
One-story Building Wall Sign	1 wall sign & 2 banners (square footage not provided)	**Square Footage:** 48.8 sq ft (new sign proposed)	***Deficient*** Exceeds the maximum square footage allowed & number of wall signs per establishment
Office Building Wall Sign	1 wall sign (square footage not provided)	**Square Footage:** 30 sqft maximum (new sign proposed)	***Deficient*** Exceeds the number of wall signs per establishment

Zoning Analysis

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

a) 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 commercial use of the property is suitable in view of the use, development and zoning of adjacent and nearby properties; however, no hardship is present to support deviation from the Hall County sign code.**

b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed removal of condition #8 of ZON2009-00051 will adversely affect adjacent or nearby property; however, no hardship is present to support deviation from the Hall County sign code.**

c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned under its development approvals with the exception of condition #8 of ZON2009-00051. Approval by the Board of Commissioners is required to amend conditions of the previous zoning.**

d) 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 removal of condition #8 of ZON2009-00051 and the addition of a master sign plan is not anticipated to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**

e) 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 commercial use associated with the property is consistent with the future land use designation of Business Nodes and Corridors.**

f) 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 affected by the existing zoning restrictions.**

g) 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 values including construction types, proposed uses, and maintenance.**

h) The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has identified a hardship imposed on the property owner under its development approvals with the ownership limitation of condition #8 of ZON2009-00051 which states "The zoning shall remain in effect as long as the applicant is the owner of the property."**

i) 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; A**ccording to building permit records, construction of the self-storage facility began in 2005 with the last building constructed in 2020.**

j) 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 affecting the use or development of the property; however, the lot has been subdivided into two lots and sold to two different property owners.**

k) Whether the change would create an isolated district unrelated to the surrounding districts; **As the property is already zoned Planned Commercial Development (PCD) within the Business Nodes and Corridors future land use designation, the request would not create an isolated district unrelated to the surrounding districts.**

l) 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.**

m) Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed amendment to remove condition #8 of ZON2009-00051 is not out of scale with the needs of the county as a whole or the immediate neighborhood; however, no hardship is present to support deviation from the Hall County sign code.**

n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There may be other sites within Hall County that are appropriately zoned for a self-storage facility; however, no hardship is present to support deviation from the Hall County sign code.**

o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request to amend conditions could not be handled alternatively as a variance.**

p) 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.

q) 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.**

11.2.6.E - Submission requirements

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

    a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**

    b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement.**

    c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission**. This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health
In an email dated May 1, 2025, Emily McGahee stated, "No comment."

Georgia Department of Transportation
In an email dated April 28, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is required.

Hall County Public Works and Utilities
In a memo dated May 2, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:
No comment

Traffic:
No comment

Utilities:
Not in Hall County Sewer Service Area

Hall County Fire Marshal
In an email dated April 28, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments to amend condition 8 as requested by the applicant."

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

SPECIAL / CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Free Up Storage Murrayville LLC
PO Box 17120
Golden CO 80402
Phone 720.231.1380
Email Address danielle@spartan-investors.com

Property Owner (Name & Mailing Address)

FreeUp Storage Murrayville LLC
PO Box 17120
Golden CO 80402
Phone 720.231.1380
Email Address same

Proposed Use Amending Conditions of ZON2009-00051 + Master Sign Plan

Contact Person (Name & Mailing Address)

Danielle Tricarico
PO Box 17120
Golden CO 80402
Phone 720.231.1380
Email Address danielle@spartan-investors.com

Status of Applicant

X Owner
⌋ Option to Purchase
⌋ Area Resident
⌋ Other

Requested Action

Type of Request:
⊓ SU ⊓ CUP
Fee:$
Receipt #:
Check #:

Zoning: PCD(C)
Acreage 6.05± acres

Tax Parcel Number 11083 003001A
Location Address 5162 Thompson Bridge Rd, Murrayville GA

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

Sign [signature] Date: 02/27/25

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: _____

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 10-07-2021

Employer Identification Number: [redacted]

Form: SS-4

Number of this notice: CP 575 B

FREEUP STORAGE MURRAYVILLE LLC
RYAN GIBSON MBR
1440 BRICKYARD ROAD STE 4
GOLDEN, CO 80403

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 87-3002414. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065 03/15/2022

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

(IRS USE ONLY) 575B 10-07-2021 FREE B 9999999999 SS-4

IMPORTANT REMINDERS:

* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.

* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.

* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is FREE. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

Keep this part for your records. CP 575 B (Rev. 7-2007)

Return this part with any correspondence
so we may identify your account. Please
correct any errors in your name or address.

CP 575 B

9999999999

Your Telephone Number Best Time to Call
( ) -
_____ _____

DATE OF THIS NOTICE: 10-07-2021
EMPLOYER IDENTIFICATION NUMBER: 87-3002414
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

FREEUP STORAGE MURRAYVILLE LLC
RYAN GIBSON MBR
1440 BRICKYARD ROAD STE 4
GOLDEN, CO 80403

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: Rayan Gibson **Date:** 02/27/25

Applicant's/Owner's Name (Printed): Rayan Gibson

NARRATIVE

5162 Thompson Bridge Road, Gainesville, GA

April 4, 2025

We are requesting to Amend Conditions of Zoning (ZON2009-00051) as related to Condition #8 regarding ownership and use of the property, as well as, approval of a Master Sign Plan. Free-Up Storage purchased this self-storage development in 2021. Conditions specific to the previous owner came to our attention when we recently applied for a sign permit.

Background: In 2009, this property was rezoned from Highway Business to Planned Commercial Development in conjunction with the adjacent property at 5174/5176 Thompson Bridge Road to allow outdoor yard sales. There was an internal pedestrian connection and a reciprocal parking arrangement proposed that was not implemented. Since the rezoning, the lot line between these two parcels was adjusted in April of 2019 by Plat separating the mini-storage development from the adjacent and unrelated commercial buildings. The property owner who was the applicant of the rezoning sold these two parcels to separate parties in 2021 and 2022.

Property Information:

- **Access:** There is no easement for a walk-through; the property is fully fenced with controlled access at the front and no entry points from other areas.
- **Retention Pond Maintenance:** We are responsible for maintaining the retention pond on our property.
- **Improvements Made:** Following the purchase, we installed parking as indicated on the site plan.
- **Signage:** There was previously a sign located at the old country store front, but it has come down twice in the last two years. We are proposing new wall signage.
- **Current Condition:** The property has trees bordering the left side, which are located outside the fence. We have not expanded the property's frontage since the purchase.

We have made the following upgrades to the property:

- Property has been repainted and all damaged metal repaired
- Fence on the right side of the property has been replaced with an 8-foot fence and a pedestrian gate has been added for emergency exit if there is loss of power
- More security cameras have been added to the property
- Asphalt work was done around the property
- Electric locks put on all the doors to buildings
- Glass replaced on window in old Murrayville store

Requests:

- Eliminate the condition limiting approval to a specific owner.
- Recognize this property as an independent parcel with its own conditions.
- Approval of a Master Sign Plan

MASTER SIGN PLAN

Wall Signage

A. 48.8 square foot internally illuminated sign on the front elevation of the "One Story Building" not to extend above the building fascia.
B. 30 square foot sign on the front elevation of the "Office Building" not to extend above the building fascia. This sign may or may not be internally illuminated.
C. Existing channel letters "Climate Controlled" on Building E to remain.

Freestanding Sign

Existing freestanding sign to be replaced with a Monument style sign in compliance with County ordinance having a maximum sign area of 64 square feet, height of 10 feet and being 15 feet from any property line.

Temporary Signage

Any future temporary signage will comply with County ordinance.

We have maintained the use of the property as a storage facility since the purchase and are committed to ensuring its continued success. Thank you for your attention to this matter. Please feel free to reach out if you have any questions or require further information.

Randy Trapanick | Director of Operations

FreeUp Storage

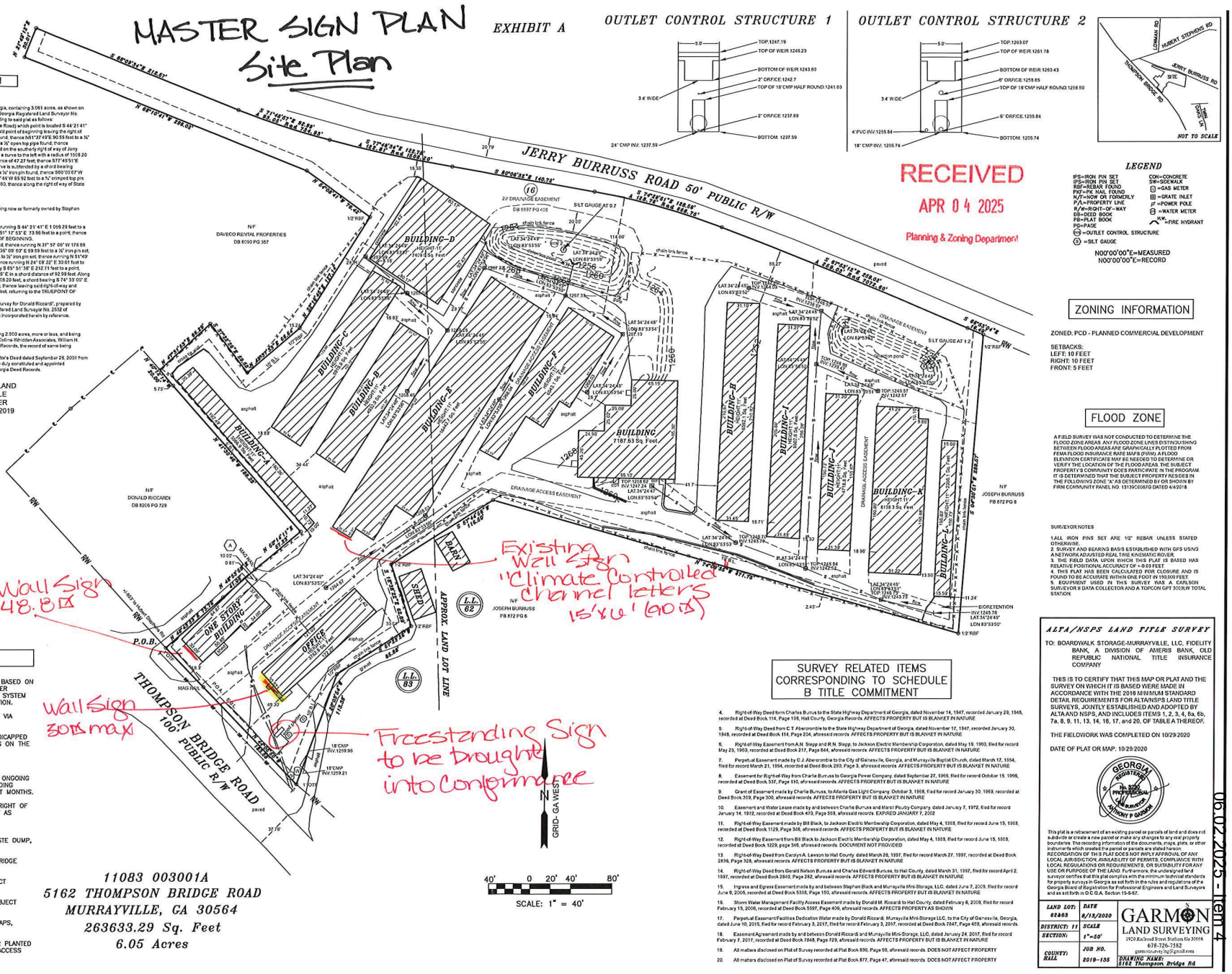
Email rtrapanick@freeupstorage.com

Web www.FreeUpStorage.com

Address: 17301 W. Colfax Ave. Suite 120, Golden, CO 80401

MASTER SIGN PLAN
Site Plan

EXHIBIT A



OUTLET CONTROL STRUCTURE 1

OUTLET CONTROL STRUCTURE 2

RECEIVED
APR 04 2025
Planning & Zoning Department

LEGEND

IPS=IRON PIN SET	CON=CONCRETE
IPS=IRON PIN SET	SW=SIDEWALK
RBF=REBAR FOUND	=GAS METER
PKF=PK NAIL FOUND	=GRATE INLET
N/F=NOW OR FORMERLY	=POWER POLE
P/L=PROPERTY LINE	=WATER METER
R/W=RIGHT-OF-WAY	=FIRE HYDRANT
DB=DEED BOOK	=OUTLET CONTROL STRUCTURE
PB=PLAT BOOK	=SILT GAUGE
PG=PAGE	

N00°00'00"E=MEASURED
N00°00'00"E=RECORD

RECORD LEGAL DESCRIPTION

Exhibit A
All that tract or parcel of land lying and being in Land Lots 62 & 83 of the 11th District, Hall County, Georgia, containing 3.061 acres, as shown on that Plat of Survey dated November 18,2004, prepared for Donald Riccardi by Farley-Collins-Whidden, Georgia Registered Land Surveyor No. 2632). Said Plat is hereby incorporated by reference. Said tract being more particularly described according to said plat as follows:
BEGINNING at appoint found on the northeasterly right of way of State Route 60 (a.k.a Thompson Bridge Road) which point is located S 44°21'41" E 1296.29' from the centerline intersection of State Route 60 and Hubert Stephens Road, thence from said point of beginning leaving the right of way of State Route 60 N51°37'53"E 73.99 feet to a point; thence N37°04'38"W 236.54' to a 1" iron pin found; thence N51°37'45"E 90.55 feet to a ½" iron pin found; thence S37°57'06"E 209.09 feet to a ½" iron pin found; thence N19°31'23"E 64.53 feet to a ½" open top pipe found; thence S77°45'01"E 12.97 feet to a ¼" open top pipe found; thence N10°30'48"E 332.12 feet to an iron pin found on the southerly right of way of Jerry Burruss Road; thence along the right of way of Jerry Burruss Road the following courses and distances: a curve to the left with a radius of 1503.20 feet, an arc length of 47.28 feet, which curve is subtended by a chord bearing S76°52'55"E a chord distance of 47.27 feet; thence S77°45'01"E 140.72 feet; thence a curve to the right with a radius of 655.75 feet, an arc length of 69.82 feet, which curve is subtended by a chord bearing S74°43'05"E a chord distance of 69.8 feet; thence leaving said right of way S06°48'05"W 190.16 feet to a ½" iron pin found; thence S85°09'07"W 291.82 feet to a ½" iron pin found; thence S15°29'08"E 62.93 feet to an ½" iron pin found; thence S59°27'44"W 85.92 feet to a ½" crimped top pin found; thence S32°33'26"W 113.23 feet to a point found on the northeasterly right of way of State Route 60; thence along the right of way of State Route 60 N41°48'53"W 183.38 feet, returning to the Point of Beginning.

Exhibit A
All that tract or parcel of land lying and being in Land Lot 83, 11th Land District, Hall County, Georgia, being now or formerly owned by Stephen Black, consisting of 1.00 acres, as being more particularly described as follows:

Commencing at the intersection of the centerlines of State Route 60 and Hubert Stephens Road, thence running S 44° 21' 41" E 1 059.29 feet to a point on the northeastern right-of-way of State Route 60, thence leaving said right-of-way and running N 51° 17' 53" E 73.99 feet to a point, thence running N 51° 17' 53" E 151.25 feet to a ½" open top pipe found said point consisting the TRUE POINT OF BEGINNING.
From that TRUE POINT OF BEGINNING thence running S 79° 51' 29" W 54.53 feet to a ½" iron pin found, thence running N 31° 57' 06" W 179.99 feet to a ½" iron pin set; thence running N 49° 48' 57" E 69.32 feet to a ½" iron pin set; thence running S 35° 09' 50" E 59.59 feet to a ½" iron pin set, thence running N 52° 00' 17" E 69.58 feet to a ½" iron pin set; thence running N 34°33' 13" E 127.10 feet to 36" iron pin set, thence running N 51°49' 30" W 78.42 feet to a ½" iron pin set; thence running N 85° 51' 38" W 295.02 feet to a ½" iron pin set, thence running N 24° 08' 22" E 30.01 feet to ½" iron pin set on the southern right-of-way of Jerry Burruss Road; thence running along said right-of-way S 85° 51' 38" E 212.71 feet to a point, thence continuing along said right-of-way in a curve having radius 734.93 feet, chord bearing S 69° 29' 15" E in a chord distance of 52.99 feet. Along said curve for an arc distance of 93.05 feet to a point; thence continuing in a curve having a radius of 1,503.20 feet, a chord bearing S 74° 33' 05" E in a chord distance of 73.53 feet. Along said curve for an arc distance of 73.54 feet to a ½" iron pin found; thence leaving said right-of-way and running S 10° 30' 48" W 332.12 feet to a ¼" open top pipe found, thence running N 77° 45' 01" W 12.97 feet, returning to the TRUE/POINT OF BEGINNING.
The above-described tract consisting of 1.00 acres. Identified as Tract 4 on that Plat of Survey entitled "Survey for Donald Riccardi", prepared by William H. Collins, Georgia Registered Land Surveyor No. 1435, and William E. Whidden, Georgia Registered Land Surveyor No. 2632 of Farley-Collins-Whidden Assoc, dated November 18, 2004, as last revised March 4, 2005, said plat being incorporated herein by reference.

Exhibit A
All that tract or parcel of land, lying and being in Land Lot 82. 11th District, Hall County, Georgia, containing 2.500 acres, more or less, and being more particularly described on that survey for Donald Riccardi, dated July 29, 2006, prepared by Farley-Collins-Whidden Associates, William H. Collins, RLS # 1435, which survey is filed of record in Plat Book 850, page 96, Hall County, Georgia Plat Records, the record of same being incorporated herein by reference for a more full and complete descriptionof said property
The above described property is a portion of that conveyed to Charles Edward Burruss in that Administrator's Deed dated September 25, 2001 from Eddie Burruss as the duly constituted and appointed Administrator of the Estate of Charlie Burruss as the duly constituted and appointed Administrator of the Estate of Charlie Burruss, recorded in Deed Book 3094, pages 5-8, Hall County, Georgia Deed Records.

THE ABOVE DESCRIBED PARCEL IS THE SAME LAND DESCRIBED IN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER 2019.231.TBR, AND EFFECTIVE DATE APRIL 10, 2019

ENCROACHMENTS

(A) BUILDING ENCROACHES ADJOINING PROPERTY 0.81 AND THE BUILDING SETBACK LINE 10.00'

General Notes

GN1 THE MERIDIAN FOR ALL BEARINGS SHOWN HEREON IS BASED ON A GPS NETWORK ADJUSTED REAL TIME KINEMATIC ROVER READING WITHIN THE GEORGIA WEST COORDINATE GRID SYSTEM AND IS REFLECTED IN THE SURVEYED LEGAL DESCRIPTION.

GN2 THERE IS DIRECT ACCESS TO THE SUBJECT PROPERTY VIA THOMPSON BRIDGE ROAD A PUBLIC ROAD.

GN3 THERE ARE 0 REGULAR PARKING SPACES AND 0 HANDICAPPED PARKING SPACES FOR A TOTAL OF 0 PARKING SPACES ON THE SUBJECT PROPERTY.

GN4 PARCEL NUMBERS OF SUBJECT SITE: 11083 003001A

GN5 ON THE DATE OF THE FIELD SURVEY THERE WAS NOT ONGOING OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

GN6 SURVEYOR IS UNAWARE OF ANY CHANGES IN STREET RIGHT OF WAY LINES, EITHER COMPLETED OR PROPOSED EXCEPT AS NOTED.

GN7 ON THE DATE OF THE FIELD SURVEY THERE WAS NOT OBSERVABLE EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

GN8 THE POSTED ADDRESS ON SITE IS 5162 THOMPSON BRIDGE ROAD MURRAYVILLE, GA 30564

GN9 THERE WERE NO OBSERVED WETLANDS ON THE SUBJECT PROPERTY.

GN10 THERE WERE NO OBSERVED PARTY WALLS ON THE SUBJECT PROPERTY.

GN11 ALL PARCELS ARE CONTIGUOUS AND THERE ARE NO GAPS, GORES, OR OVERLAPS.

GN12 NO OBSTRUCTIONS SHALL BE BUILT, CONSTRUCTED, OR PLANTED WITH IN THE FACILITY, ITS ASSOCIATED DRAINAGE, OR ACCESS EASEMENTS

11083 003001A
5162 THOMPSON BRIDGE ROAD
MURRAYVILLE, GA 30564
263633.29 Sq. Feet
6.05 Acres

ZONING INFORMATION

ZONED: PCD - PLANNED COMMERCIAL DEVELOPMENT

SETBACKS:
LEFT: 10 FEET
RIGHT: 10 FEET
FRONT: 5 FEET

FLOOD ZONE

A FIELD SURVEY WAS NOT CONDUCTED TO DETERMINE THE FLOOD ZONE AREAS. ANY FLOOD ZONE LINES DISTINGUISHING BETWEEN FLOOD AREAS ARE GRAPHICALLY PLOTTED FROM FEMA FLOOD INSURANCE RATE MAPS (FIRM). A FLOOD ELEVATION CERTIFICATE MAY BE NEEDED TO DETERMINE OR VERIFY THE LOCATION OF THE FLOOD AREAS. THE SUBJECT PROPERTY'S COMMUNITY DOES PARTICIPATE IN THE PROGRAM. IT IS DETERMINED THAT THE SUBJECT PROPERTY RESIDES IN THE FOLLOWING ZONE "X" AS DETERMINED BY OR SHOWN BY FIRM COMMUNITY PANEL NO. 13139C0085D DATED 6/4/2018

SURVEYOR NOTES

1.ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
2. SURVEY AND BEARING BASIS ESTABLISHED WITH GPS USING A NETWORK ADJUSTED REAL TIME KINEMATIC ROVER.
3. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF +-0.03 FEET.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 150,000 FEET.
5. EQUIPMENT USED IN THIS SURVEY WAS A CARLSON SURVEYOR B DATA COLLECTOR AND A TOPCON GPT 3003LW TOTAL STATION

SURVEY RELATED ITEMS CORRESPONDING TO SCHEDULE B TITLE COMMITMENT

4. Right-of-Way Deed form Charles Burrus to the State Highway Department of Georgia, dated November 14, 1947, recorded January 29, 1948, recorded at Deed Book 114, Page 198, Hall County, Georgia Records. AFFECTS PROPERTY BUT IS BLANKET IN NATURE
5. Right-of-Way Deed from C T Abercrombie to the State Highway Department of Georgia, dated November 17, 1947, recorded January 30, 1948, recorded at Deed Book 114, Page 204, aforesaid records AFFECTS PROPERTY BUT IS BLANKET IN NATURE
6. Right-of-Way Easement from A.N. Sapp and R.N. Stupp, to Jackson Electric Membership Corporation, dated May 19, 1960, filed for record May 25, 1960, recorded at Deed Book 217, Page 644, aforesaid records AFFECTS PROPERTY BUT IS BLANKET IN NATURE
7. Perpetual Easement made by C.J. Abercrombie to the City of Gainesville, Georgia, and Murrayville Baptist Church, dated March 17, 1954, filed for record March 21, 1954, recorded at Deed Book 280, Page 3, aforesaid records AFFECTS PROPERTY BUT IS BLANKET IN NATURE
8. Easement for Right-of-Way from Charlie Burruss to Georgia Power Company, dated September 27, 1968, filed for record October 15, 1968, recorded at Deed Book 337, Page 110, aforesaid records. AFFECTS PROPERTY BUT IS BLANKET IN NATURE
9. Grant of Easement made by Charlie Burruss, to Atlanta Gas Light Company, October 3, 1968, filed for record January 30, 1969, recorded at Deed Book 339, Page 300, aforesaid records AFFECTS PROPERTY BUT IS BLANKET IN NATURE
10. Easement and Water Lease made by and between Charlie Burruss and Marel Poultry Company, dated January 7, 1972, filed for record January 14, 1972, recorded at Deed Book 472, Page 569, aforesaid records. EXPIRED JANUARY 7, 2002
11. Right-of-Way Easement made by Bill Black, to Jackson Electric Membership Corporation, dated May 4, 1988, filed for record June 15, 1988, recorded at Deed Book 1128, Page 306, aforesaid records AFFECTS PROPERTY BUT IS BLANKET IN NATURE
12. Right-of-Way Easement from Bill Black to Jackson Electric Membership Corporation, dated May 4, 1988, filed for record June 15, 1988, recorded at Deed Book 1229, page 346, aforesaid records. DOCUMENT NOT PROVIDED
13. Right-of-Way Deed from Carolyn A. Lawson to Hall County, dated March 26, 1997, filed for record March 27, 1997, recorded at Deed Book 2636, Page 326, aforesaid records. AFFECTS PROPERTY BUT IS BLANKET IN NATURE
14. Right-of-Way Deed from Gerald Nelson Burruss and Charles Edward Burruss, to Hall County, dated March 31, 1997, filed for record April 2, 1997, recorded at Deed Book 2640, Page 282, aforesaid records AFFECTS PROPERTY BUT IS BLANKET IN NATURE
15. Ingress and Egress Easement made by and between Stephen Black and Murrayville Mini-Storage, LLC, dated June 7, 2005, filed for record June 9, 2005, recorded at Deed Book 5338, Page 150, aforesaid records. AFFECTS PROPERTY BUT IS BLANKET IN NATURE
16. Storm Water Management Facility Access Easement made by Donald M. Rosati to Hall County, dated February 6, 2006, filed for record February 15, 2006, recorded at Deed Book 5597, Page 406, aforesaid records AFFECTS PROPERTY AS SHOWN
17. Perpetual Easement/Facilities Dedication Water made by Donald Riccardi, Murrayville Mini-Storage LLC. to the City of Gainesville, Georgia, dated June 10, 2015, filed for record February 3, 2017, filed for record February 3, 2017, recorded at Deed Book 7847, Page 459, aforesaid records.
18. Easement Agreement made by and between Donald Riccardi and Murrayville Mini-Storage, LLC, dated January 24, 2017, filed for record February 7, 2017, recorded at Deed Book 7849, Page 729, aforesaid records AFFECTS PROPERTY BUT IS BLANKET IN NATURE
19. All matters disclosed on Plat of Survey recorded at Plat Book 850, Page 96, aforesaid records. DOES NOT AFFECT PROPERTY
20. All matters disclosed on Plat of Survey recorded at Plat Book 877, Page 47, aforesaid records. DOES NOT AFFECT PROPERTY

ALTA/NSPS LAND TITLE SURVEY

TO: BOARDWALK STORAGE-MURRAYVILLE, LLC, FIDELITY BANK, A DIVISION OF AMERIS BANK, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6a, 6b, 7a, 8, 9, 11, 13, 14, 16, 17, and 20, OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON 10/29/2020

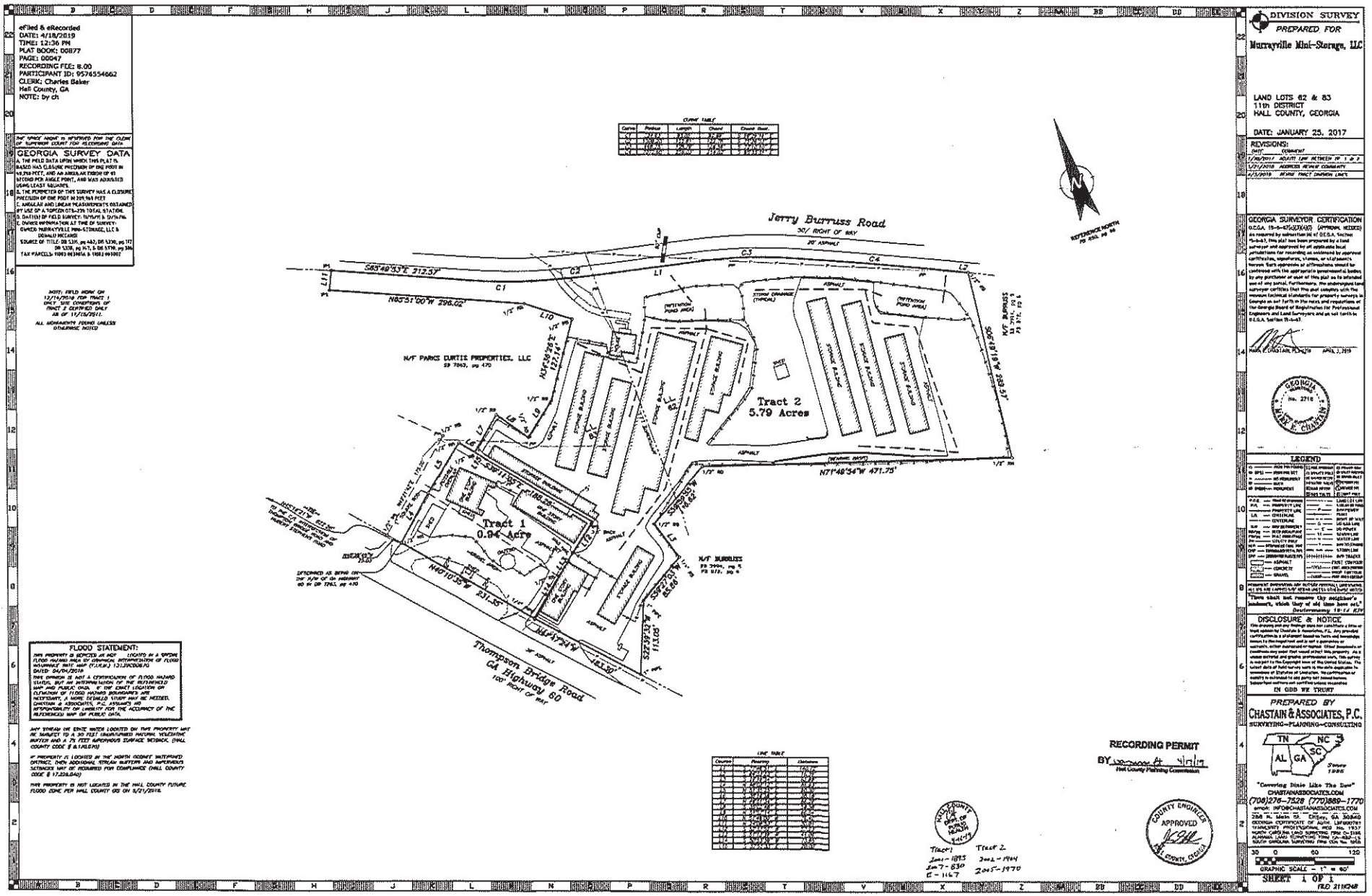
DATE OF PLAT OR MAP: 10/29/2020

GEORGIA REGISTERED No. 3226 PROFESSIONAL LAND SURVEYOR ANTHONY P GARMON

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.

LAND LOT: 82&83	DATE 8/13/2020	GARMON LAND SURVEYING
DISTRICT: 11	SCALE 1"=50'	1920 Railroad Street Statham Ga 30666
SECTION:		678-726-7582
COUNTY: HALL	JOB NO. 2019-135	garmonsurvey.tg@gmail.com
		DRAWING NAME: 5162 Thompson Bridge Rd

06.02.2025 - Item 4



https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=2558979&key1=877&key2=47&county=69&countyname=HALL&userid=891638&appid=28 1/1



Applicant: FREEUP STORAGE MURRAYVILLE, LLC

Tax Parcel #: 11083 003001A

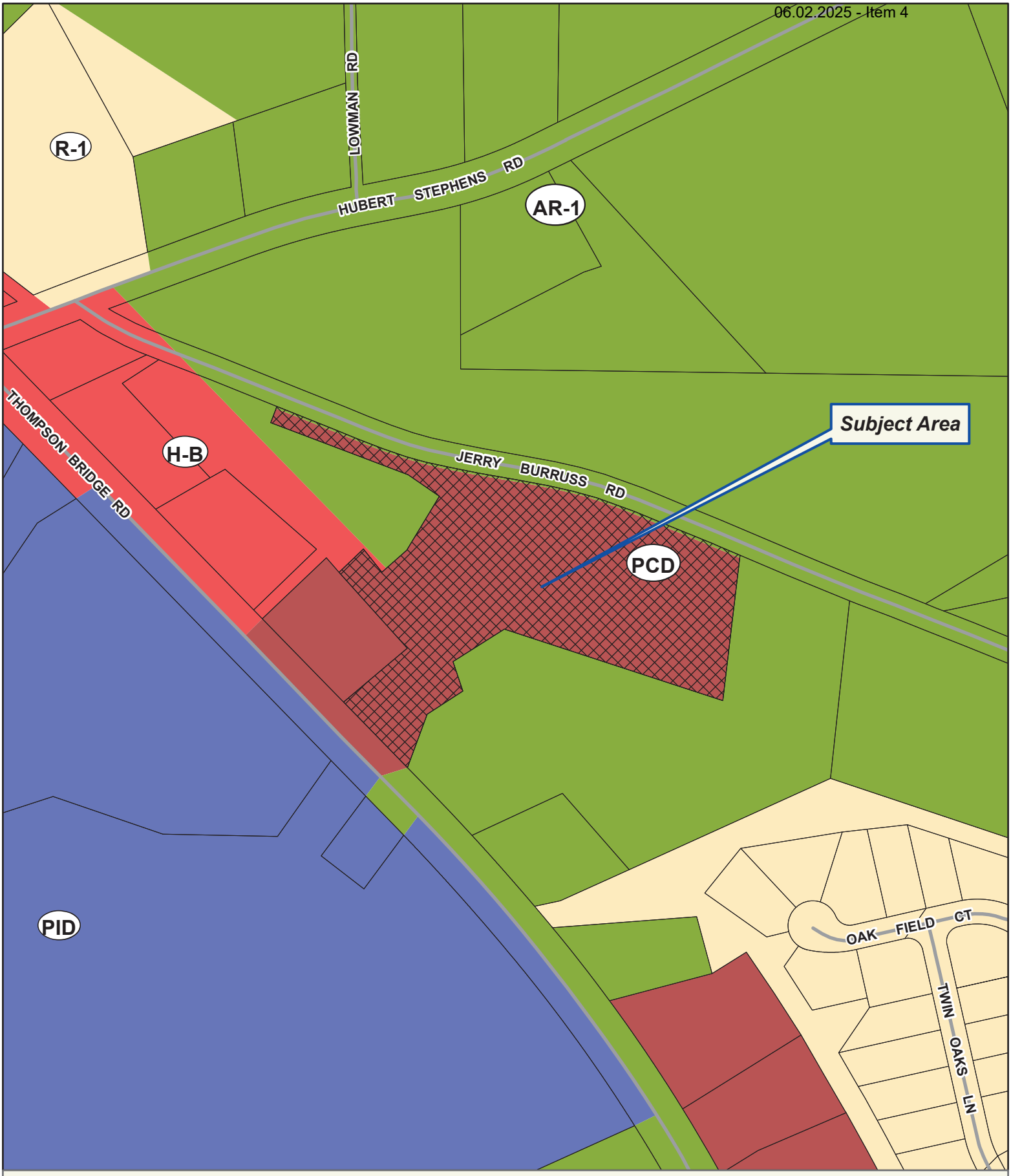
Location: 5162 THOMPSON BRIDGE ROAD, MURRAYVILLE, GA 30564

Commission District 3 **PC Mtg. Date: 06/02/2025**

0 50 100 200
Feet

Zoning Boundary
City Limits
Subject Area

N

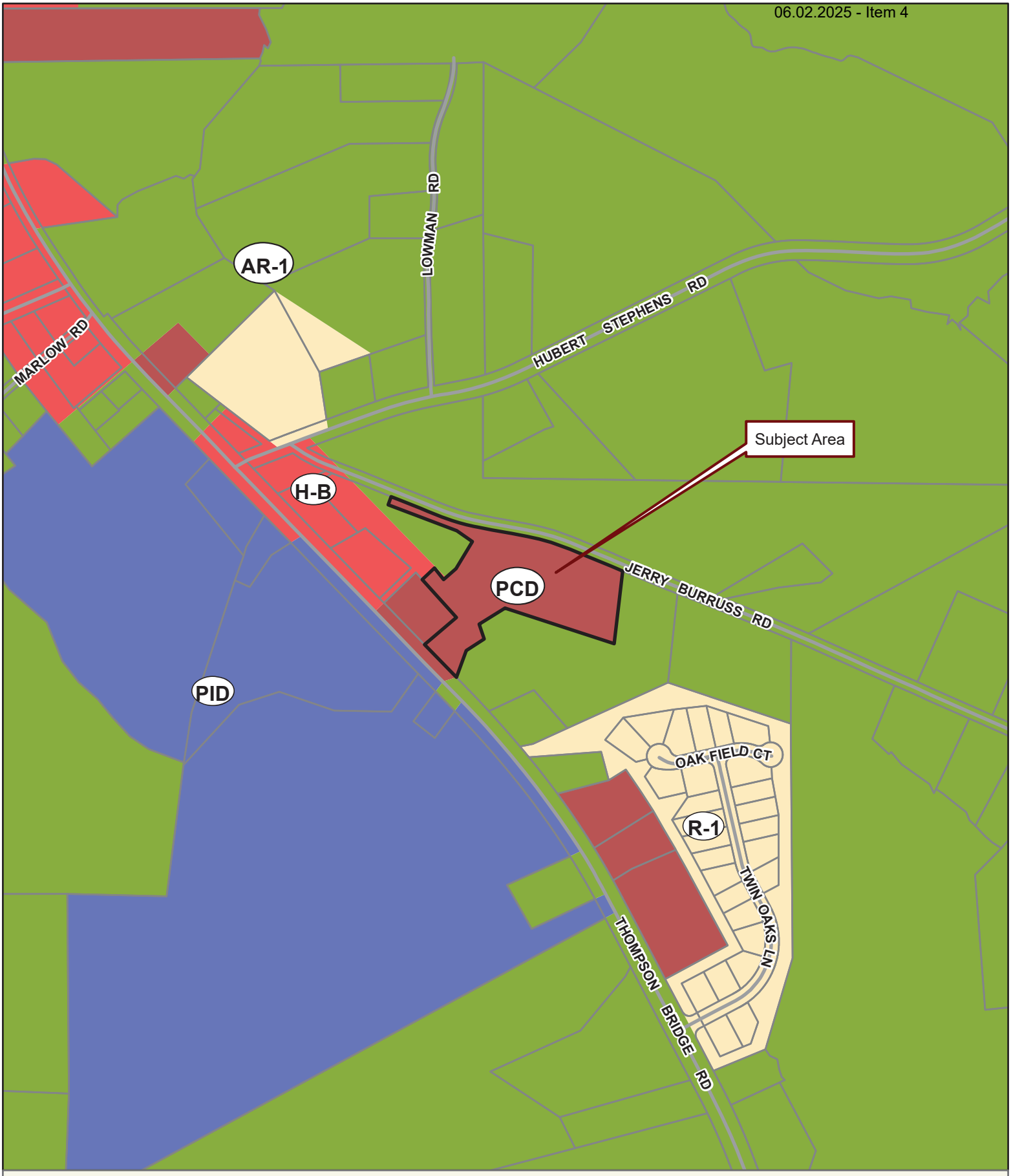


Applicant: FREEUP STORAGE MURRAYVILLE, LLC
Tax Parcel #: 11083 003001A
Location: 5162 THOMPSON BRIDGE ROAD, MURRAYVILLE, GA 30564
Commission District 3 **PC Mtg. Date: 06/02/2025**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: FREEUP STORAGE MURRAYVILLE, LLC
Tax Parcel #: 11083 003001A
Location: 5162 THOMPSON BRIDGE ROAD, MURRAYVILLE, GA 30564
Commission District 3 **PC Mtg. Date: 06/02/2025**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

FreeUp Storage - Murrayville GA

Option A: Channel Letters on Raceway
Sign Area: 48.8sqft



Proposed

Specifications

- letters on raceway
- Acrylic faces with applied vinyl graphics
- Black trim and returns
- Raceway color to match facade

Colors

36 Blue

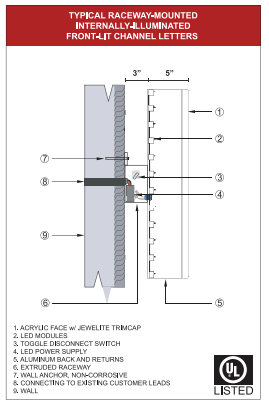
143 Poppy Red

Existing





Cross Section



06.02.2025 - Item 4

Client Name:	Location:		APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation.	Project Manager: Paul Rzewuski Paul@elevatesigngroup.com	Elevate Sign Group O: 630-656-1085 F: 630-668-9335 www.elevatesigngroup.com 1120 N. Ridge Ave. Lombard IL 60148
	5162 Thompson Bridge Rd, Murrayville, GA 30564	Last Revision: 00/00/0000 Sales Order #: 0000 Drawing#: 0000v1/e1	CLIENT APPROVAL LANDLORD APPROVAL		

The intent of this drawing is to show a conceptual representation of the proposed signage, due to variations in printing, fabrication, painting, substrates, and finishes. The final product may differ from drawing. Superimposed drawings are intended to show orientation and location of the proposed signage. It may not be exactly to scale. Color swatches or chips can be provided if requested by customer. If colors are not specified a close match will be provided and determined by the project manager.
Accepted: By signing this document you the customer accepts that the above proposed signage specifications, colors, spelling, and conditions are satisfactory and authorize Elevate Sign Group to do the work as specified.
Document Ref: QEWCQ-HMP2G-UTST9-3VWJP
E THE SOLE PROPERTY OF ELEVATE SIGN GROUP, LTDAND MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION FROM Elevate Sign Group, Ltd.

NCS 1088865-06

After recording, return to:
Alexandra Garza, Esq.
2 PILLARS LAW
706 Wilcox Street
Castle Rock, CO 80104

STATE OF GEORGIA
COUNTY OF FULTON

Tax Parcel No. 11083-003001A

eFiled and eRecorded
DATE: 01/10/2022
TIME: 4:17 PM
DEED BOOK: 9034
PAGE: 492 - 497
FILING FEES: $25.00
TRANSFER TAX: $11,947.50
PARTICIPANT ID: 1983094574
PARTICIPANT ID: 7067927936
PT61: 069-2022-000176
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into this 17th day of December, 2021 by and between **BOARDWALK STORAGE - MURRAYVILLE, LLC** a Georgia limited liability company (herein referred to as "**Grantor**"), and **FREEUP STORAGE MURRAYVILLE LLC**, a Georgia limited liability company, or its assigns (herein referred to as "**Grantee**").

WITNESSETH THAT, the said Grantor, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars, and other good and valuable consideration, in hand paid at or before the delivery of this deed, the receipt and sufficiency of which are hereby acknowledged, and pursuant to proper authority, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey to the said Grantee, and its successors and assigns, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING in Land Lots 63 and 83 and 62 of the 11th District, Hall County, Georgia being more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference.

TOGETHER WITH all fixtures, structures and improvements located on such property and the easements, rights, members and appurtenances thereunto appertaining.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, privileges, easements, members and appurtenances belonging or thereunto appertaining, to the only proper use and benefit of the Grantee and its successors and assigns forever in FEE SIMPLE.

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=80397831&key1=9034&key2=492&county=69&countyname=HALL&userid=891638&appid=4 1/1

AND EXCEPT for those matters set forth on **Exhibit "B"** attached hereto and incorporated herein by reference, Grantor will warrant and defend the title to said premises against the claims of all persons claiming by, through or under Grantor, but not otherwise.

{REMAINDER OF PAGE LEFT INTENTIONALLY BLANK}

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=80397831&key1=9034&key2=492&county=69&countyname=HALL&userid=891638&appid=4 1/1

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed, sealed and delivered by its duly authorized officer on the date above written.

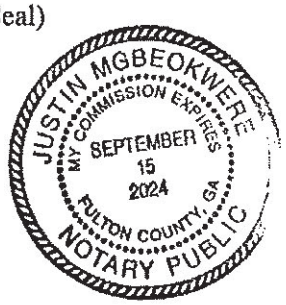
Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

My commission expires: 9/15/24

(Notary Seal)



BOARDWALK STORAGE-MURRAYVILLE, LLC,
a Georgia limited liability company

By: Boardwalk Development Group, LLC
a Georgia limited liability company
its Manager

By: _____(Seal)
Rajen Sheth, Manager

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=80397831&key1=9034&key2=492&county=69&countyname=HALL&userid=891638&appid=4 1/1

EXHIBIT B

PERMITTED EXCEPTIONS

1. Any minerals or mineral rights leased, granted or retained by current or prior owners.

2. Taxes and assessments for the year 2022, liens due and payable, and subsequent years, not yet due and payable, and taxes for prior years arising from reassessments or digest disputes.

3. No insurance is afforded as to the amount of acreage or square footage contained in the Land.

4. Rights of upper and lower riparian owners in and to the waters of any creek or stream that bounds or traverses the Land, free from increase, decrease or pollution.

5. Rights of tenants, as tenants only, under unrecorded leases.

6. Easements as conveyed in Right-of-Way Deed from Charlie Burruss to State Highway Department of Georgia, dated November 14, 1947, filed for record January 29, 1948 and recorded in Deed Book 114, Page 198, Hall County, Georgia records.

7. Easements as conveyed in Right-of-Way Deed from C. T. Abercrombie to State Highway Department of Georgia, dated November 17, 1947, filed for record January 30, 1948 and recorded in Deed Book 114, Page 204, aforesaid records.

8. Right-of-Way Easement from A.N. Stepp and R.N. Stepp to Jackson Electric Membership Corporation, dated May 19, 1960, filed for record May 25, 1960, and recorded in Deed Book 217, Page 644, aforesaid records.

9. Easement for Right-of-Way from Charlie Burruss to Georgia Power Company, dated September 27, 1966, filed for record October 15, 1966, and recorded in Deed Book 337, Page 110, aforesaid records.

10. Grant of Easement from Charlie Burruss to Atlanta Gas Light Company, dated October 3, 1968, filed for record January 30, 1969, and recorded in Deed Book 389, Page 300, aforesaid records; as evidenced by plat recorded in Plat Book 41, Page 112, aforesaid records.

11. Right-of-Way Easement from Bill Black to Jackson Electric Membership Corporation, dated May 4, 1988, filed for record June 15, 1988, and recorded in Deed Book 1229, Page 346, aforesaid records.

EXHIBIT A

5162 Thompson Bridge Road

All that tract or parcel of land being in Land Lot 62 and 83 of the 11th district of Hall County, Georgia and being more particularly described as follows:

Beginning At A Point Along The Northerly Right-Of-Way Of Thompson Bridge Road (100' Right-Of-Way) 983 Feet From The Easterly Right-Of-Way Of Hubert Stephens Road; Thence leaving Said Right-Of-Way North 48°43'33" East A Distance Of 73.76 Feet To A Point; Thence North 48°53'58" East A Distance Of 41.06 Feet To A Point; Thence North 50°14'11" East A Distance Of 57.23 Feet To A Point; Thence North 41°30'46" West A Distance Of 188.28 Feet To A Point; thence North 40°12'14" West A Distance Of 20.00 Feet To A Point Thence North 47°31'53" East A Distance Of 66.29 Feet To A Point, Thence South 37°22'29" East A Distance Of 59.58 Feet To A Point; Thence North 49°37'33" East A Distance Of 66.54 Feet To A Point; Thence North 32°16'45" East A Distance Of 127.14 Feet To A Point; Thence North 54°08'41" West A Distance Of 76.42 Feet To A Point; Thence North 68°10'41" West A Distance Of 296.02 Feet To A Point; Thence North 21°49'12" East A Distance Of 30.01 Feet To A Point Along The Right-Of-Way Of Jerry Burruss Road (50' Right-Of-Way); Thence Following Said Right-Of-Way South 68°09'34" East A Distance Of 212.57 Feet To A Point; Thence With A Curve Turning To The left With An Arc length Of 93.05 Feet, With A Radius Of 734.93 Feet, With A Chord Bearing Of South 71°48'57" East, With A Chord length Of 92.99 Feet To A Point; Thence With A Curve Turning To The left With An Arc Length Of 122.81 Feet, With A Radius Of 1508.20 Feet, With A Chord Bearing Of South 77°46'34" East, With A Chord Length Of 122.78 Feet To A Point; Thence South 80°06'32" East A Distance Of 140.72 Feet To A Point; Thence With A Curve Turning To The Right With An Arc Length Of 128.76', With A Radius Of 668.75', With A Chord Bearing Of South 74°29'51" East, With A Chord length Of 128.56', To A Point; Thence With A Compound Curve Turning To The Right With An Arc length Of 259.03', With A Radius Of 7072.60', With A Chord Bearing Of South 67°53'12" East, With A Chord length Of 259.02', To A Point; Thence South 66°53'04" East A Distance Of 16.49 Feet To A Point; Thence leaving Said Right-Of-Way South 04°30'51" West A Distance Of 289.57 Feet To A Point; Thence North 74°09'35" West A Distance Of 471.75 Feet To A Point; Thence South 57°44'56" West A Distance Of 116.50 Feet To A Point; Thence South 18°38'22" East A Distance Of 62.89 Feet To A Point; Thence South 57°23'26" West A Distance Of 85.88 Feet To A Point; Thence South 20°03'54" West A Distance Of 113.38 Feet To A Point Along The Right-Of-Way Of Thompson Bridge Road; Thence Following Said Right-Of-Way North 44°05'50" West A Distance Of 183.58 Feet To A Point; Which Is The Point Of Beginning.

HALL COUNTY GOVERNMENT
BOARD OF COMMISSIONERS

POST OFFICE DRAWER 1435
GAINESVILLE, GEORGIA 30503
(770) 535-8288
FAX (770) 531-3972

TOM OLIVER
CHAIRMAN

BOBBY BANKS, DISTRICT 1
BILLY POWELL, DISTRICT 2
STEVE GAILEY, DISTRICT 3
ASHLEY BELL, DISTRICT 4

CHARLEY NIX
COUNTY ADMINISTRATOR

PHIL SUTTON
ASSISTANT COUNTY ADMINISTRATOR

HEATHER BENNETT
COMMISSION CLERK

JESSICA YORK
EXECUTIVE ASSISTANT

November 2, 2009

Mr. Donald Riccardi
4856 Newton Drive
Gainesville, GA 30506

Dear Mr. Riccardi:

Please be advised that in its meeting of October 21, 2009, the Hall County Board of Commissioners voted to approve your application to rezone from H-B to PCD, a 7.01± acre tract located on the east side of Thompson Bridge Road, 1,056± ft. southeast of its intersection with Stephens Road; a.k.a. 5162, 5172, 5174, and 5176 Thompson Bridge Road; Tax Parcels 11083 003001A and 002. Proposed Use: Outside yard sales. Commission District Three.

The following conditions of zoning apply:

1. Development shall be limited to the descriptive narrative submitted for the subject property.

2. A landscape strip continuous along the frontage except for perpendicular crossing for driveways and utilities shall be planted as approved by the Planning Department.

3. The applicant shall present a drawing that locates loading and service areas, display areas, designated parking, and pedestrian access for the subject area.

4. There shall be a pedestrian pathway connecting parking areas to the entrance of the display area. The number of required parking spaces shall be determined during the site plan review process.

5. Driveway locations and designs are subject to approval by the Georgia Department of Transportation and the Hall County Engineering Department and will be coordinated with any known improvements of Thompson Bridge Road.

6. All conditions of zoning shall be made a part of any plat created for the property.

7. The applicant shall plant a row of Leland Cypress trees to cover both sides of the property.

8. The zoning shall remain in affect as long as the applicant is the owner of the property.

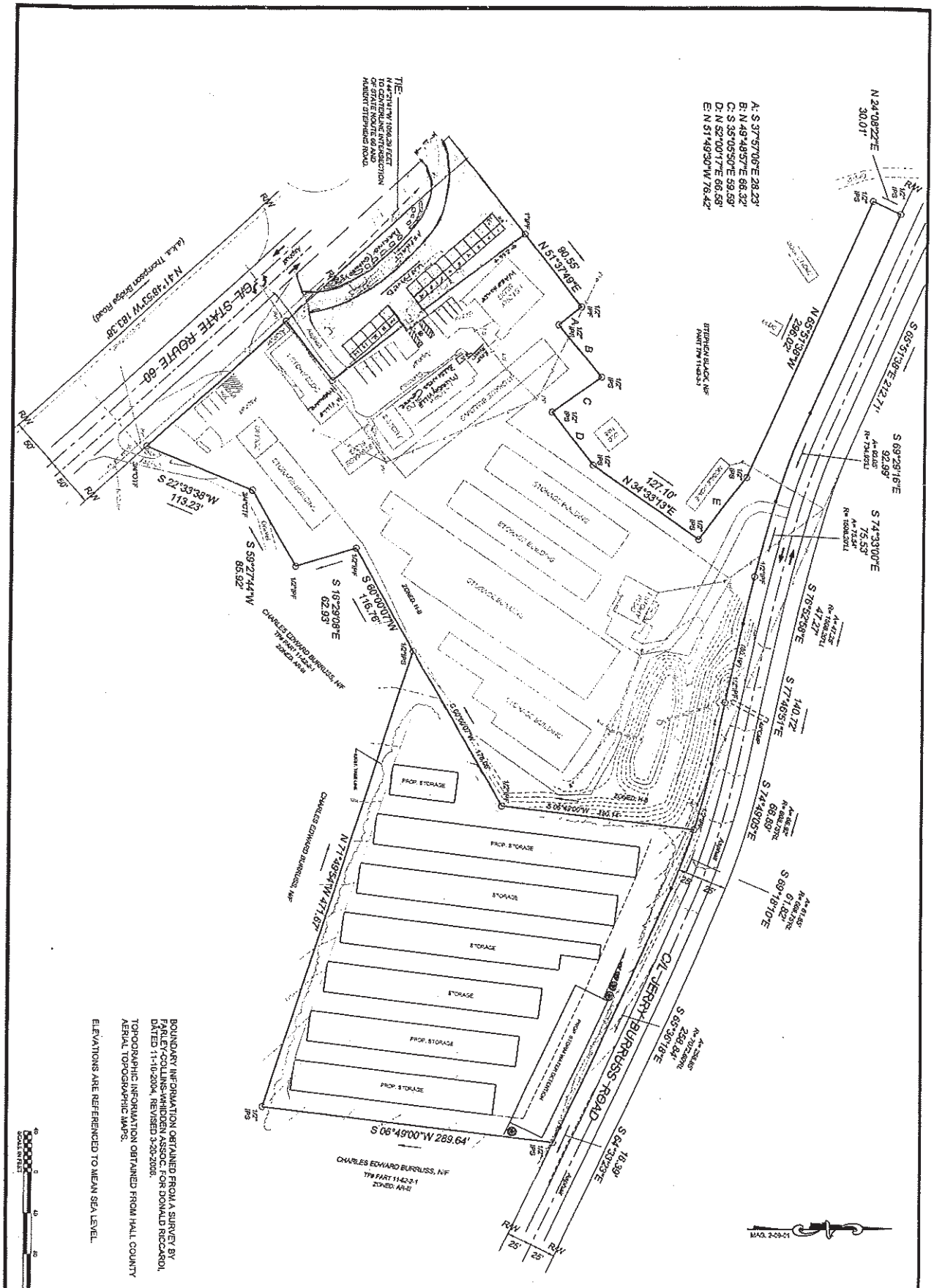
If you have questions or require any additional information you may reach me at 770.535.8288.

Sincerely,

Heather Bennett

Heather Bennett
Commission Clerk

cc: Planning and Zoning
Building Inspections
Business License
Public Works
Tax Commissioner
Tax Assessor



SCALE IN FEET

BOUNDARY INFORMATION OBTAINED FROM A SURVEY BY FARLEY-COLLINS-WHIDDEN ASSOC. FOR DONALD RICCARDI, DATED 11-10-2004, REVISED 3-20-2006.

TOPOGRAPHIC INFORMATION OBTAINED FROM HALL COUNTY AERIAL TOPOGRAPHIC MAPS.

ELEVATIONS ARE REFERENCED TO MEAN SEA LEVEL.

DONALD RICCARDI
MINI-WAREHOUSE FACILITY PHASE 2
EXISTING CONDITIONS
STATE ROUTE 60
HALL COUNTY, GEORGIA

DATE	REVISION

Vertical Scale: 1" = 40'
Horizontal Scale: 1" = 40'
Designed By: NEH
Drawn By: NEH
Checked: NEH
Sheet 2 of 12
Date: 10/04/06
Job Number: 06015

C CROSS ENGINEERING
CIVIL ENGINEERS
P.O. BOX 5186 770-536-0339
GAINESVILLE, GA 30504

Outlook

HCPC Tentative Agenda 6.2.25

From Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>
Date Thu 5/1/2025 4:56 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>

Please find Environmental Health comments below.

Item 1, 2017 Athens Hwy, Herbert: No comment in regards to monument sign.

Item 2, 504 John Harm Way, Q Crescent Holdings: No comment.

Item 3, 3266 Chestatee Rd, Pierce: Existing commercial septic system sized for 750gpd/150 guests.

Item 4, 5162 Thompson Bridge Rd, FreeUp Storage: No comment.

Items 5A/B, 5253 Lawson Road, Kirrane: Must meet all Environmental Health commercial septic system permitting requirements. An onsite sewage management system (and bathroom structure) will be required on the property for the requested use. Applicant has already been informed of Environmental Health requirements.

Items 6A/B, 4745 Cagle Mill Road: The entire development 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.

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.

Outlook

RE: June 2, 2025 Hall County Planning Commission Meeting

From Nembhard, Nakia L <NNembhard@dot.ga.gov>
Date Mon 4/28/2025 2:00 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

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,

Below you will find the comments on whether coordination will be needed.

2017 Athens Highway – If sign will be placed on Athens St and not Athens Hwy no coordination will be need. Any placing sign on GDOT R/W will require coordination.

504 John Harm Way – No coordination.

3266 Chestatee Road – No Coordination.

5162 Thompson Bridge Rd – Will require coordination.

5253 Lawson Road – No coordination.

4745 Cagle Mill Rd, 4673 & 4691 Noah Martin Drive – Will need coordination if intent is to create driveway on SR 365, if not no coordination will be needed.

Thanks,

Nakia Nembhard
Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy Suite 100

Gainesville, GA, 30501

(678) 332-8200 Cell
(770) 533-8496 Office

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, April 24, 2025 4:24 PM
Subject: June 2, 2025 Hall County Planning Commission Meeting

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 **June 2, 2025** 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 **May 2, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – May 19, 2025

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

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

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning

From: Bill Nash, Director of Public Works and Utilities

Date: May 2, 2025

Subject: June 2, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the June 2, 2025 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

a. **Engineering**: No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

a. **Engineering:** No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue |** ** Commission District 2 | **Brenton Pierce, 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:** Not in Hall County Sewer Service Area

4. **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A **| Proposed Use: Self-storage facility |** ** Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

    a. **Engineering:** No comment
    b. **Traffic:** No comment
    c. **Utilities:** Not in Hall County Sewer Service Area

5. **(A) 5253 Lawson Road | Special Use** | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue |** ** Commission District 3 | **Mary Kirrane, 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:** Not in Hall County Sewer Service Area

6. **4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone |** from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) | on a combined 130.84± acre tract located on the west side of Cagle Mill Road at its intersection with Noah Martin Drive |

Zoned AR-1; Tax Parcels 15007 000254(pt), 15019 000114 & 000043 **| Proposed Use: 323-unit residential development |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming.
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

7. **4745 Cagle Mill Road | Rezone |** from Agricultural Residential 1 (AR-1) to Planned Industrial Development (PID, GCOD) | on a 10.57± acre portion of a tract located on the east side of Cornelia Highway (GA-365) approximately 4,970 feet from its intersection with Cagle Road | Zoned AR-1; Tax Parcel 15007 000254(pt) **| Proposed Use: Industrial uses |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

Outlook

Fire Comment

From John Hornick (Fire Services) <jhornick@hallcounty.org>
Date Mon 4/28/2025 2:00 PM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

June 2, 2025 Hall County Planning Commission Meeting.

4. **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A | **Proposed Use: Self-storage facility |** ** Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

The Hall County Fire Marshal's Office has no comments to amend condition 8 as requested by the applicant.

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: FREEUP STORAGE MURRAYVILLE, LLC
REQUEST: SPECIAL USE TO AMEND CONDITIONS OF ZONING FOR A SELF-STORAGE FACILITY
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: JUNE 02, 2025
Time: 5:15 P.M.
&
COUNTY COMMISSION
Date: JULY 10, 2025
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

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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PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.

2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.

3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN APR 25, 2025 AND NO LATER THAN MAY 04, 2025.

THE ORGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN MAY 04, 2025 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Randy Trapanick (Please Print Name) **, hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required public notice sign was posted on** 4/28/2025 (Date) **for** Freeup Storage Murrayville (Name application filed as).

Signature randy trapanick

(The original document is required)

AGENDA ITEM

Planning & Zoning

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 395/2025

SUBJECT: **3266 Chestatee Road | Amend Conditions of Zoning |** on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 | **Proposed Use: Agri-entertainment venue** | Commission District 2 | **Brenton Pierce, applicant**

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions

1. Development is approved as generally shown on the concept plan dated April 4, 2025, and described in the project narrative dated April 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The proposed use shall operate within the parameters of the Hall County Noise Ordinance- Title 8.80.020. Wedding receptions and other outdoor events may have unamplified music outdoors with limited amplification permitted during wedding ceremonies.
3. Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.
4. The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.
5. The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.
6. The subject parcel shall be held to Hall County Engineering Stormwater Management Regulations.
7. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.
8. Hours of operation shall be: Sunday through Thursday 9:00 a.m. to 9:00 p.m. and Friday and Saturday 9:00 a.m. to 10:00 p.m.
9. Applicant shall only use professional DJ services.
10. Business License renewals shall be approved by the Board of Commissioners.
11. No outside amplification after 8:30 p.m.
12. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.
13. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Purpose of Request:

3266 Chestatee Road | Amend Conditions of Zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 | **Proposed Use: Agri-entertainment venue** | Commission District 2 | **Brenton Pierce, 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
BG	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site Plan
Plat
Maps
Deed
2018 Board of Commissioners Letter
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government
PLANNING AND ZONING

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

From: Beth Garmon, Director of Planning & Zoning

Date: June 23, 2025

Subject: **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue | Brenton Pierce, applicant**

The request before you is from Brenton Pierce for a special use to amend conditions of zoning for an agri-entertainment venue. This item is located within Commission District 2.

At their June 2, 2025 meeting, the Hall County Planning Commission voted to recommend **approval, with thirteen (13) conditions (4-0, Varner absent).**

Staff recommendation: **Approval, with conditions,** as the proposed use is consistent with the "Rural Agriculture" future land use classification within the Comprehensive Plan.

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

Planning Commission Conditions:

1. Development is approved as generally shown on the concept plan dated April 4, 2025, and described in the project narrative dated April 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The proposed use shall operate within the parameters of the Hall County Noise Ordinance- Title 8.80.020. Wedding receptions and other outdoor events may have unamplified music outdoors with limited amplification permitted during wedding ceremonies.

3. Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.

4. The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.

5. The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.

6. The subject parcel shall be held to Hall County Engineering Stormwater Management Regulations.

7. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

8. Hours of operation shall be: Sunday through Thursday 9:00 a.m. to 9:00 p.m. and Friday and Saturday 9:00 a.m. to 10:00 p.m.

9. Applicant shall only use professional DJ services.

10. Business License renewals shall be approved by the Board of Commissioners.

11. No outside amplification after 8:30 p.m.

12. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.

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

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Brenton Pierce

Request ..... **Special Use** |amend conditions of zoning

Proposed Use ..... Agri-entertainment venue

Size ..... 27.96± acres

Zoning ..... Agricultural Residential 1 (AR-1)

Location ..... **3266 Chestatee Road** | Tax Parcel 10059 000012

Commission District ..... Two

Planning Commission Date ..... June 2, 2025

Staff Recommendation ..... **Approval, with conditions,** as the proposed use is consistent with the "Rural Agriculture" future land use classification within the Comprehensive Plan.

Record Number..... HZCU25-0018

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 4-0 (Varner absent)

Planning Commission Conditions:

1. Development is approved as generally shown on the concept plan dated April 4, 2025, and described in the project narrative dated April 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The proposed use shall operate within the parameters of the Hall County Noise Ordinance- Title 8.80.020. Wedding receptions and other outdoor events may have unamplified music outdoors with limited amplification permitted during wedding ceremonies.

3. Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.

4. The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.

5. The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.

6. The subject parcel shall be held to Hall County Engineering Stormwater Management Regulations.

7. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

8. Hours of operation shall be: Sunday through Thursday 9:00 a.m. to 9:00 p.m. and Friday and Saturday 9:00 a.m. to 10:00 p.m.

9. Applicant shall only use professional DJ services.

10. Business License renewals shall be approved by the Board of Commissioners.

11. No outside amplification after 8:30 p.m.

12. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.

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

Excerpts from the minutes of the June 2, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request. Ms. Greenway further clarified this was to amend condition #9 to allow for a new owner or management company to oversee the operation of the business.

Carla Walker, 340 Jesse Jewel Parkway, Suite 650, Gainesville, presented the request. The applicant is requesting to amend the conditions of zoning on a 27.96± acre tract zoned Agricultural Residential 1 (AR-1) to remove the previously approved condition #9, which limits the ownership of the agri-entertainment event venue to the applicant only. The property is currently developed with a single-family residence and a detached garage both constructed in 1985, a shop built in 2000, and a pole barn that was constructed in 2000 and remodeled in 2018 (COM2018-00424). An agri-entertainment venue operates on the property, and has an active business license (BUS-0032979). The subject property was approved for a use subject to county commission on March 22, 2018, for an agri-entertainment event venue (ZON2018-00003) and subject to 13 conditions.

Public Forum:

Pat Moore, 4612 Ridge Gate Drive, Gainesville, spoke in opposition. Ms. Moore questioned whether the venue would continue to evolve and disturb the surrounding residential area. Mr. Braswell clarified this application is only for the consideration of a change to a condition of their previous approval. Ms. Moore raised a concern about allowing a third-party management company to oversee the business. Mr. Braswell explained the business would still be required to renew the business license every year and the County would be updated regarding who is running the business. Ms. Moore asked what could be done about the current noise disturbances outside of the business hours and Mr. Braswell explained that those instances should be reported to the County through the Marshal's Office.

***Motion:* A motion to approve, with conditions was made by Frank Sosebee and seconded by Shannon Davidson. Vote: 4-0 (Varner absent)**

Conditions:

1. Development is approved as generally shown on the concept plan dated April 4, 2025, and described in the project narrative dated April 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The proposed use shall operate within the parameters of the Hall County Noise Ordinance- Title 8.80.020. Wedding receptions and other outdoor events may have unamplified music outdoors with limited amplification permitted during wedding ceremonies.

3. Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.

4. The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.

5. The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.

6. The subject parcel shall be held to Hall County Engineering Stormwater Management Regulations.

7. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

8. Hours of operation shall be: Sunday through Thursday 9:00 a.m. to 9:00 p.m. and Friday and Saturday 9:00 a.m. to 10:00 p.m.

9. Applicant shall only use professional DJ services.

10. Business License renewals shall be approved by the Board of Commissioners.

11. No outside amplification after 8:30 p.m.

12. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.

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

Staff recommends <u>APPROVAL</u> of the applicant's request, with the following conditions:

1. Development is approved as generally shown on the concept plan dated April 4, 2025, and described in the project narrative dated April 4, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The proposed use shall operate within the parameters of the Hall County Noise Ordinance-Title 8.80.020. Wedding receptions and other outdoor events may have unamplified music outdoors with limited amplification permitted during wedding ceremonies.
3. Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.
4. The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.
5. The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.
6. The subject parcel shall be held to Hall County Engineering Stormwater Management Regulations.
7. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.
8. Hours of operation shall be: Sunday through Thursday 9:00 a.m. to 9:00 p.m. and Friday and Saturday 9:00 a.m. to 10:00 p.m.
9. Applicant shall only use professional DJ services.
10. Business License renewals shall be approved by the Board of Commissioners.
11. No outside amplification after 8:30 p.m.
12. No variances or development exceptions are granted as part of this request that are not explicitly granted herein. The development shall comply with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.

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

Summary Analysis

The applicant is requesting to amend the conditions of zoning on a 27.96± acre tract zoned Agricultural Residential 1 (AR-1) in order to remove the previously approved condition #9 which limits the ownership of the agri-entertainment event venue to the previous applicant only.

The property is currently developed with a single-family residence and a detached garage, both constructed in 1985; a shop built in 2000; and a pole barn that was constructed in 2000 and remodeled in 2018 (COM2018-00424). An agri-entertainment venue is also located on the property and operates with an active business license (BUS-0032979).

The subject property was approved for a use subject to county commission on March 22, 2018, for an agri-entertainment event venue (ZON2018-00003). The special use approval was subject to the following 13 conditions:

1. The development is approved as generally shown on the concept plan and as described in the February 20, 2018, project narrative.
2. The proposed use shall operate within the parameters of the Hall County Noise Ordinance - Title 8.80.020. Wedding receptions and other outdoor events may have unamplified music outdoors with limited amplification permitted during wedding ceremonies.
3. The barn shall be inspected by Hall County Building Inspections to meet the building code for assembly purposes.
4. Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.
5. The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.
6. The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.
7. The subject parcel shall be held to Hall County Engineering Stormwater Management Regulations.
8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.
9. Approval for the request shall be limited to the applicant only. In the event that the property is sold, any new owners shall be required to get approval by the Hall County Board of Commissioners.
10. Hours of operation shall be: Sunday through Thursday 9:00 a.m. to 9:00 p.m. and Friday and Saturday 9:00 a.m. to 10:00 p.m.
11. Applicant shall only use of professional DJ services.
12. Business License renewals shall be approved by the Board of Commissioners.
13. No outside amplification after 8:30 p.m.

Per the narrative, the applicant is requesting to amend condition #9 to allow for the continued agri-entertainment venue use under a different owner or third-party management company. Currently, the agri-entertainment venue's operation is limited to the property owner only. No other changes are being proposed as part of this request.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

a) 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 use of the property is suitable in view of the use and development of adjacent and nearby properties.**

b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed special use does not adversely affect the existing use or usability of adjacent properties.**

c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned.**

d) 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 amendment of conditions is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**

e) 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 agri-entertainment venue was previously established by board approval on March 22, 2018 and the requested modification is not likely to impact the designated future land use of the area.**

f) 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.**

g) 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 values 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.**

h) The relative gain to the public as compared to the hardship imposed upon the individual property owner; **The applicant states that a hardship is being imposed on the property owner under the development approvals which limit the operation of the agri-entertainment venue.**

i) 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 a single-family residence and a detached garage, both constructed in 1985; a shop built in 2000; and a pole barn constructed in 2000 and remodeled in 2018 (COM2018-00424). An agri-entertainment venue is also located on the property and operates with an active business license (BUS-0032979).**

j) 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.**

k) Whether the change would create an isolated district unrelated to the surrounding districts; **No change to the current zoning of Agricultural Residential 1 (AR-1) is proposed.**

l) 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.**

m) Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The property is currently zoned Agricultural Residential 1 (AR-1) and the proposed amendments are not out of scale with the needs of the County as a whole or the immediate neighborhood.**

n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **All agri-entertainment venues are considered a special use and must be approved by the Board of Commissioners.**

o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request to amend conditions could not be handled alternatively as a variance.**

p) 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.**

q) 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.**

11.2.6.E - Submission requirements

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

   a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**

   b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement.**

   c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health
In an email dated May 1, 2025, Emily McGahee stated, "Existing commercial septic system sized for 750gpd/150 guests."

Georgia Department of Transportation
In an email dated April 28, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is not required.

Hall County Public Works and Utilities
In a memo dated May 2, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:
This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Show stream buffer and impervious setback from wrested vegetation not centerline of stream

Traffic:
No comment.

Utilities:
Not in Hall County Sewer Service Area.

Hall County Fire Marshal
In an email dated April 28, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments to amend condition 9 as requested by the applicant."

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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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Brenton Pierce
3266 Chestatee RD
Gainesville GA 30506
Phone [redacted]
Email Address [redacted]

Property Owner (Name & Mailing Address)

Brenton Pierce and Amy Pierce
3266 Chestatee RD
Gainesville GA 30506
Phone [redacted]
Email Address [redacted]

Proposed Use Agri-Entertainment Permit

Contact Person (Name & Mailing Address)

Phone
Email Address

Status of Applicant

- [X] Owner
- [ ] Option to Purchase
- [ ] Area Resident
- [ ] Other

Requested Action

Permissive Use:
[ ] HCPC [ ] HCC
Fee:$
Receipt #:
Check #:

Zoning: AR-1
Acreage 27.96

Tax Parcel Number 10059 000012
Location Address 3266 Chestatee RD Gainesville GA 30506

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

Sign [signature] Date: 4/7/25

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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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:** 3/20/25

Applicant's/Owner's Name (Printed): Brenton Pierce

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

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: _____

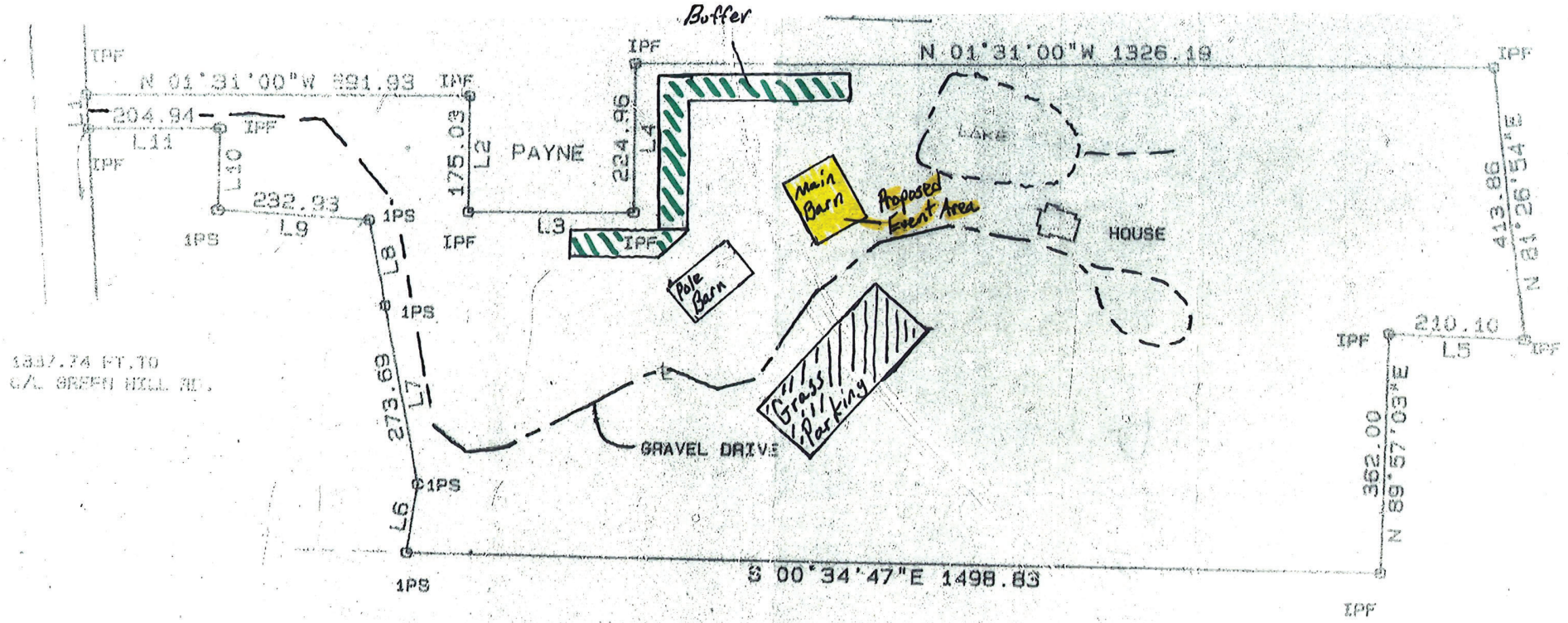
Applicant's/Owner's Signature: _____ **Date:** 4/7/25

Applicant's/Owner's Name (Printed): Brenton Pierce

RECEIVED
APR 04 2025
Planning & Zoning Department

Narrative
3266 Chestatee Road

For the past seven (7) years, my wife and daughter and I have successfully created a sought-after event venue at the barn on our family property. We come before the Board of Commissioner each year to renew our business license for this use of our property, and we diligently follow each of the zoning conditions for our business as we have since 2018. I believe we have been responsible neighbors and business owners. We'd like to preserve the ability to continue running our event venue business and having our barn used for weddings and special events. For this reason, I am requesting that condition # 9 of the 2018 approval, which limit the operation of the event venue to just myself, be removed so that my family members, possibly a third-party management company, or a subsequent owner can continue our event venue business. My family lives on this property and has other property adjacent to the event barn. It is important for us that any event, whether we run it or someone else were allowed to run it, continue to adhere to time and noise regulations that we have observe for every event. When the original zoning conditions were first placed on our event venue, it was a new business. Now, we have a track record of responsible and successful use of the barn as an event venue.



LINE	BEARING	DISTANCE
1	S 84°38'00"W	50.87
2	N 88°29'51"E	175.03
3	N 01°38'59"W	253.87
4	S 88°27'19"W	224.96
5	S 00°55'54"W	210.10
6	N 82°35'59"W	105.01
7	S 77°07'36"W	273.69
8	S 76°24'39"W	132.09
9	S 01°46'21"W	232.93
10	S 89°08'43"W	123.61
11	S 01°31'49"E	204.94

200 100 0 200 400 600

PLAT FOR HOWARD DONOVAN

LL NO: 58&59 DISTRICT: [illegible]

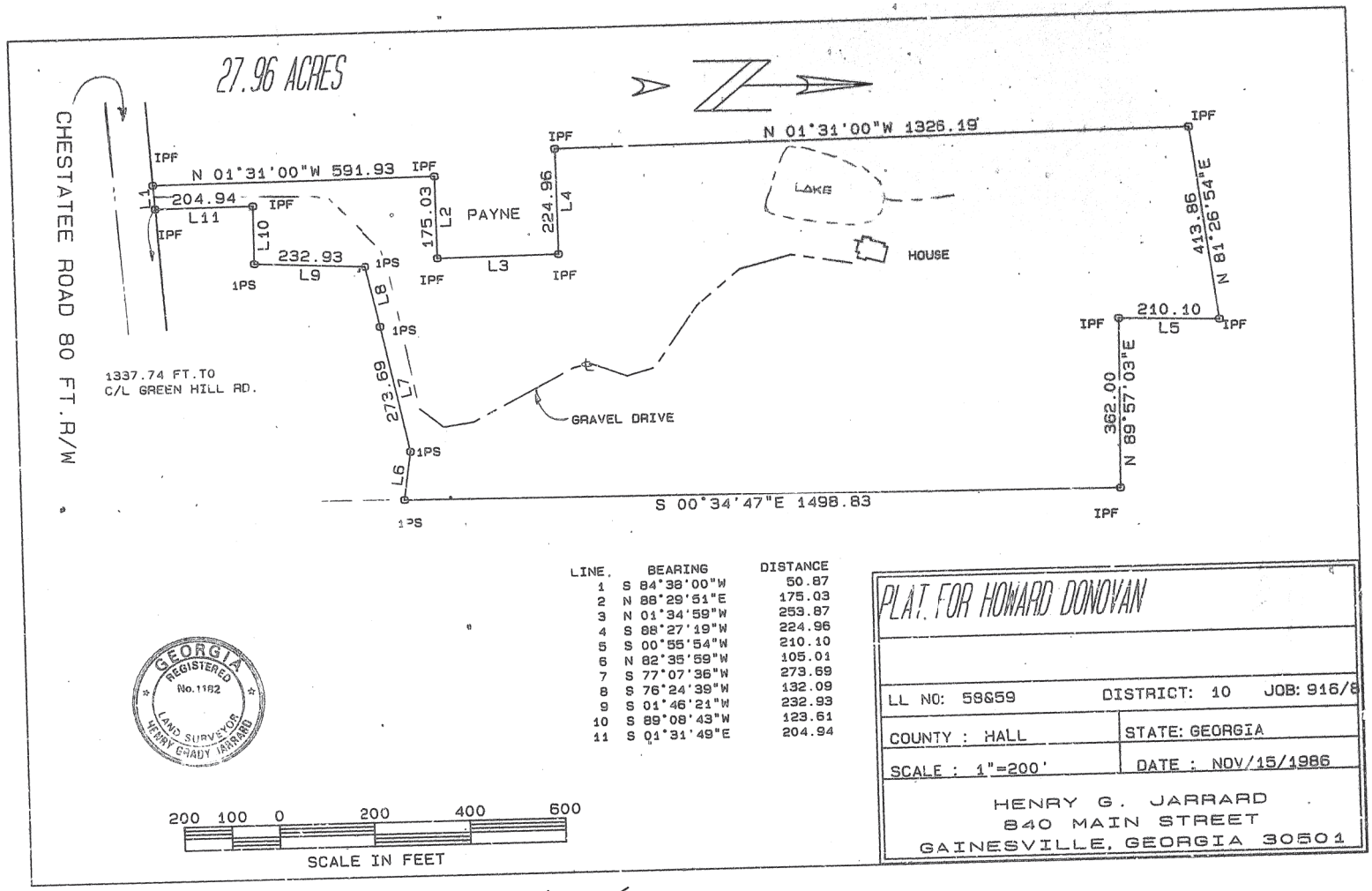
COUNTY : HALL STATE: GEORGIA

SCALE : 1"=200' DATE : [illegible]

HENRY G. [illegible]

06.02.2025 - Item 3

06.02.2025 - Item 3



LINE.	BEARING	DISTANCE
1	S 84°38'00"W	50.87
2	N 88°29'51"E	175.03
3	N 01°34'59"W	253.87
4	S 88°27'19"W	224.96
5	S 00°55'54"W	210.10
6	N 82°35'59"W	105.01
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9	S 01°46'21"W	232.93
10	S 89°08'43"W	123.61
11	S 01°31'49"E	204.94

GEORGIA REGISTERED No.1182 LAND SURVEYOR HENRY GRADY JARRARD

PLAT FOR HOWARD DONOVAN

LL NO: 58&59 DISTRICT: 10 JOB: 916/8

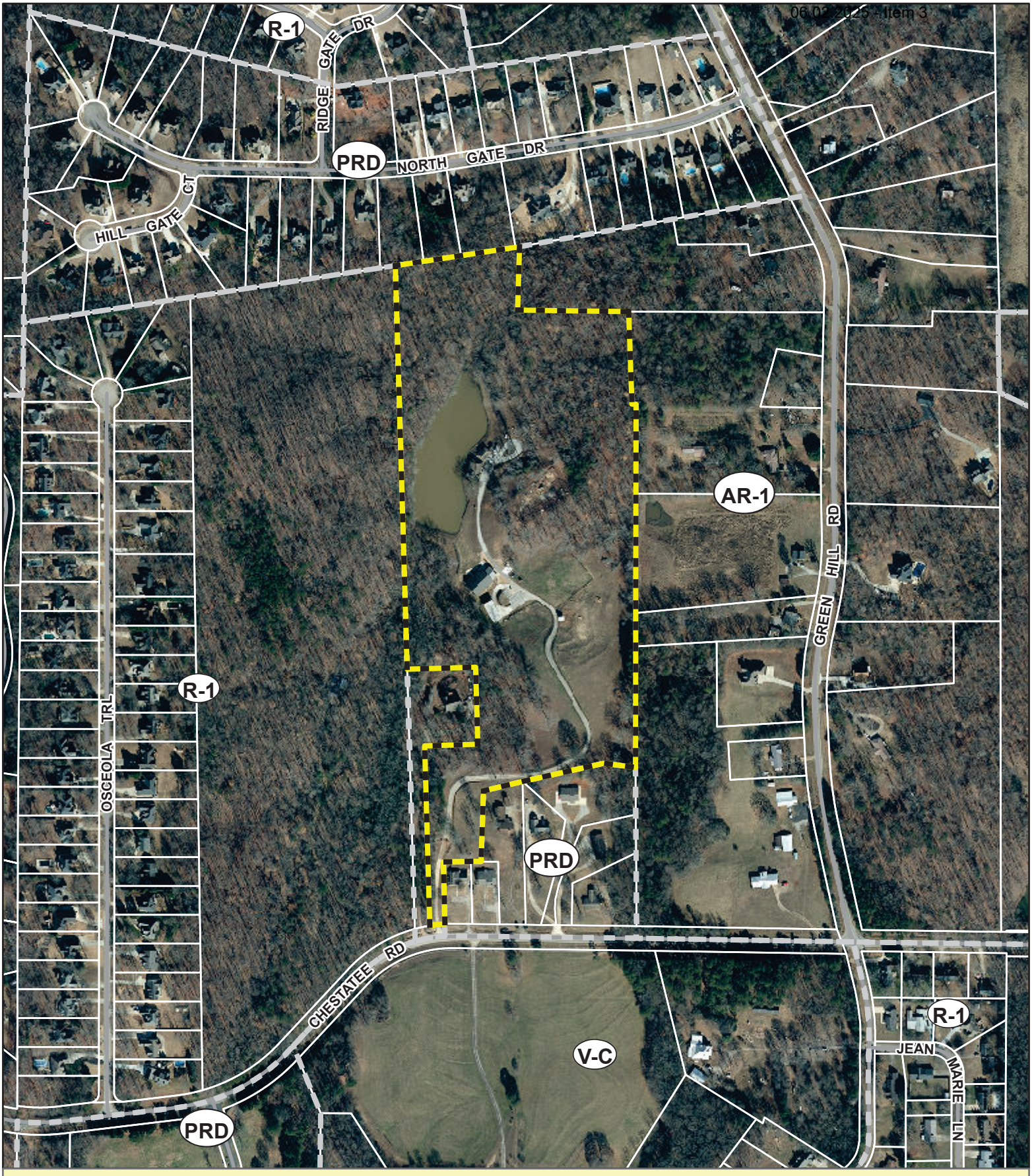
COUNTY : HALL STATE: GEORGIA

SCALE : 1"=200' DATE : NOV/15/1986

HENRY G. JARRARD
840 MAIN STREET
GAINESVILLE, GEORGIA 30501

Recorded December 11 1986 ~ Dwight D. Wood Clerk

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?key1=O0116&key2=231&county=69&countyname=HALL&userid=659362&appid=28

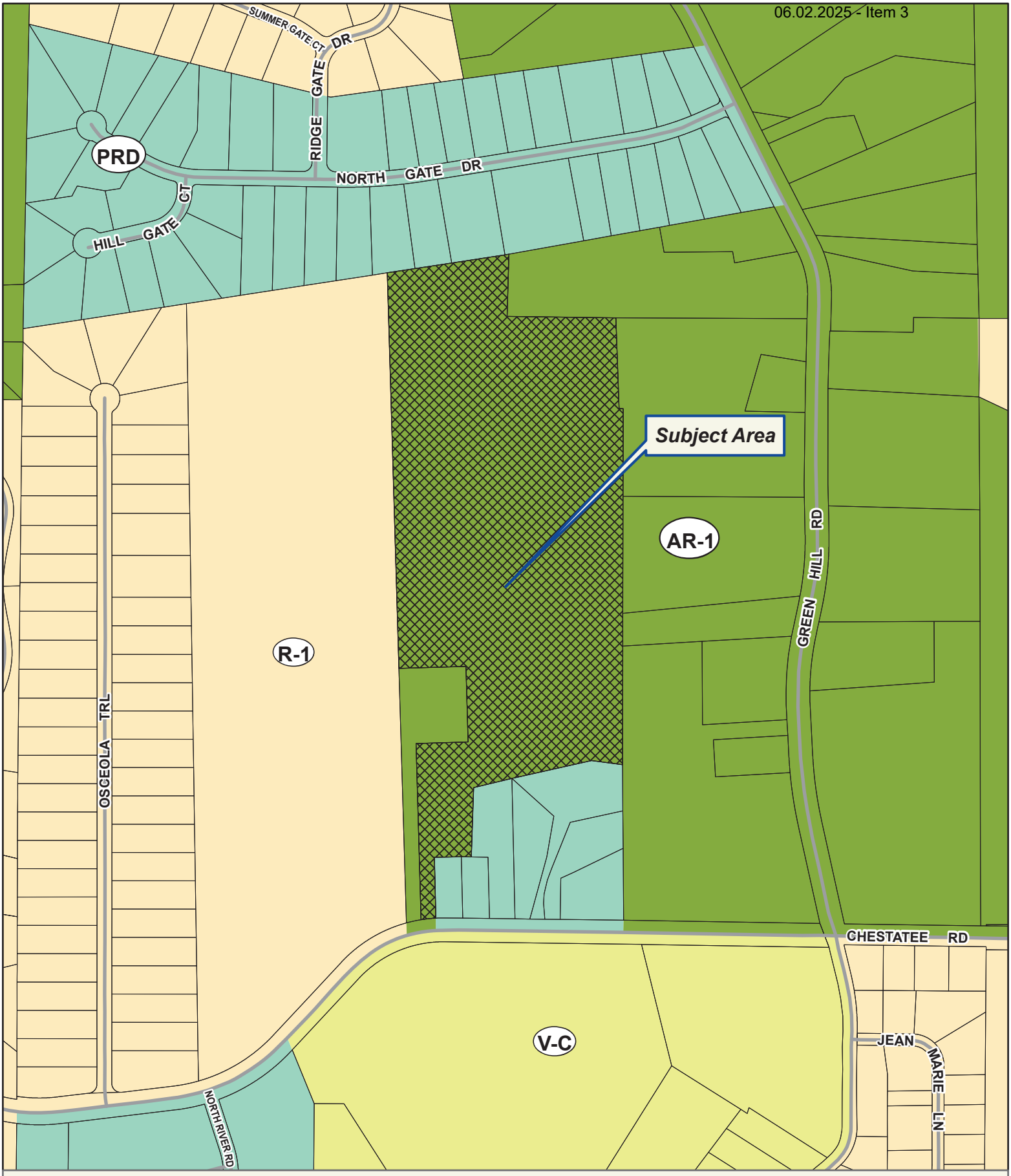


Applicant: BRENTON PIERCE
Tax Parcel #: 10059 000012
Location: 3266 CHESTATEE ROAD, GAINESVILLE, GA 30506
Commission District 2 **PC Mtg. Date: 06/02/2025**

0 125 250 500
Feet

Zoning Boundary
City Limits
Subject Area

N

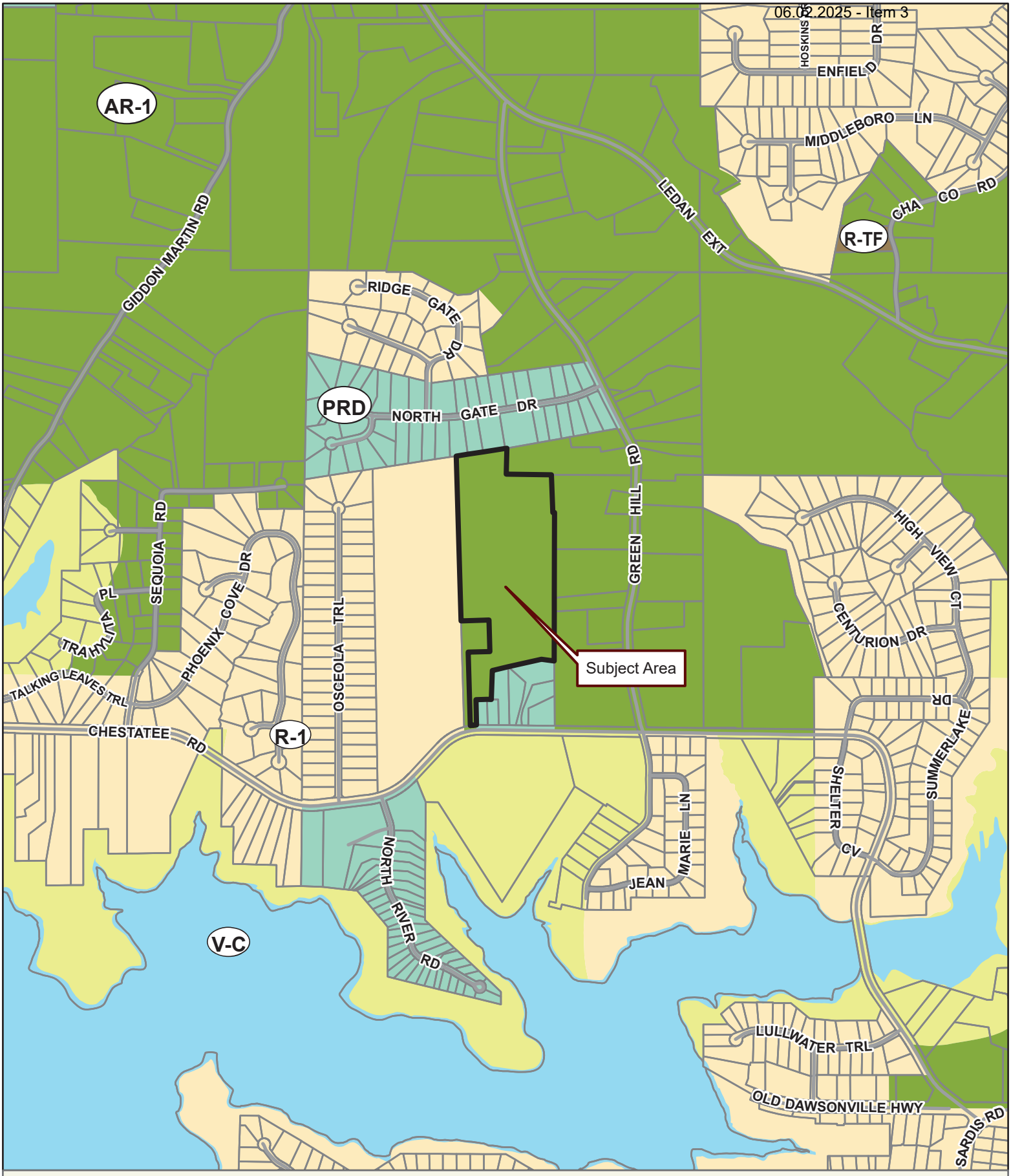


Applicant: BRENTON PIERCE
Tax Parcel #: 10059 000012
Location: 3266 CHESTATEE ROAD, GAINESVILLE, GA 30506
Commission District 2 **PC Mtg. Date: 06/02/2025**

0 125 250 500
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: BRENTON PIERCE
Tax Parcel #: 10059 000012
Location: 3266 CHESTATEE ROAD, GAINESVILLE, GA 30506
Commission District 2 **PC Mtg. Date: 06/02/2025**

0 200 400 800
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure

N

eFiled and eRecorded
DATE: 04/04/2024
TIME: 12:23 PM
DEED BOOK: 9456
PAGE: 244 - 245
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 6073054394
PT61: 069-2024-002220
RECORDED BY: NB
CLERK: Charles Baker, C.S.C
Hall County, GA

after recording, return to:
WALKER, BALL & DIMO, LLC
340 JESSE JEWELL PKWY, STE 650
GAINESVILLE, GA 30501

LIMITED WARRANTY DEED

Survivorship - Deed Prep Only

THIS INDENTURE is made this 29th day of **March, 2024**, between

BRENTON L. PIERCE
(hereinafter referred to as "Grantor")

and

BRENTON L. PIERCE and AMY J. PIERCE
(hereinafter referred to as "Grantee")

("Grantors" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits.)

WITNESSETH

GRANTORS, in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described property, to wit:

All that lot or parcel of land lying and being in Land Lot 58 and 59, 10th Land District, Hall County, Georgia, as shown on a plat of survey entitled "Plat for Howard Donovan," prepared by Henry G. Jarrard, Georgia Registered Land Surveyor, dated November 15, 1986, containing 27.96 acres according to said plat. Said plat is recorded in Plat Book 116, Page 231, Hall County, Georgia Plat Records and is incorporated herein by reference for a more complete description of said property. This property is designated as 3266 Chestatee Road and Tax Parcel 10059 000012 according to the 2023 system of numbering properties by the Hall County, Georgia Tax Assessor's office. Said property is conveyed together with and subject to all easements, covenants, and restrictions of record, if any.

TO HAVE AND TO HOLD the Land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE as joint tenants with rights of survivorship and not as tenants in common.

AND GRANTORS WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of all persons whomsoever claiming by, under, or through said Grantor.

EXECUTED under seal as of the date above.

Signed, sealed, and delivered in the presence of

Unofficial Witness

Notary Public

JENIFER DIMO NOTARY PUBLIC COMMISSION EXPIRES MAY 21, 2027 GA HALL COUNTY

GRANTOR:

(SEAL)

BRENTON L. PIERCE

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

POST OFFICE DRAWER 1435
GAINESVILLE, GEORGIA 30503

t: 770.535.8288 | f: 770.531.3972

CHAIRMAN
Richard P. Higgins

Kathy L. Cooper, District 1
Billy Powell, District 2
Scott Gibbs, District 3
Jeff Stowe, District 4

COUNTY ADMINISTRATOR
Jock A. Connell

ASSISTANT
COUNTY ADMINISTRATOR
Marty Nix

ASSISTANT
COUNTY ADMINISTRATOR
Lisa Johnsa

COMMISSION CLERK
Lisa A. Ritchie

Hall County Government

BOARD OF COMMISSIONERS

April 2, 2018

Brenton Pierce
P.O. Box 7801
Gainesville, GA 30506

RE: Use Subject Application

To Whom It May Concern:

Please be advised that in its meeting of March 22, 2018, the Hall County Board of Commissioners voted to approve the following application with the listed conditions:

- Application of Brenton L. Pierce for a Use Subject to County Commission approval for an Agri-Entertainment District on a 27.96± acre tract located on the north side of Chestatee Road, 910±ft. east of its intersection with North River Road; a.k.a. 3266 Chestatee Road; Zoned AR-III; Tax Parcel 10059 000012. Proposed Use: Event Venue. Commission District 2.
  CONDITIONS:
  1) The development is approved as generally shown on the concept plan and as described in the February 20, 2018 project narrative.
  2) The proposed use shall operate within the parameters of the Hall County Noise Ordinance – Title 8.80.020. Wedding receptions and other outdoor events may have unamplified music outdoors with limited amplification permitted during wedding ceremonies.
  3) The barn shall be inspected by Hall County Building Inspections to meet the building code for assembly purposes.
  4) Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.
  5) The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.
  6) The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.

7) The subject parcel shall be held to Hall County Engineering Stormwater Management Regulations.
8) Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.
9) Approval for the request shall be limited to the applicant only. In the event that the property is sold, any new owners shall be required to get approval by the Hall County Board of Commissioners.
10) Hours of operation shall be: Sunday through Thursday 9:00 a.m. to 9:00 p.m. and Friday and Saturday 9:00 a.m. to 10:00 p.m.
11) Applicant shall only use of professional DJ services
12) Business License renewals shall be approved by the Board of Commissioners
13) No outside amplification after 8:30 p.m.

"Pursuant to section 17.380.13- of the Official Code of Hall County, the approval of any application for a use subject to approval of the County Commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business."

Please contact me if you have questions or if you require any additional information concerning this action of the Board.

Sincerely,

Lisa A. Ritchie
Hall County Commission Clerk

CC: Srikanth Yamala, Planning Director

Outlook

HCPC Tentative Agenda 6.2.25

From Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>
Date Thu 5/1/2025 4:56 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>

Please find Environmental Health comments below.

Item 1, 2017 Athens Hwy, Herbert: No comment in regards to monument sign.

Item 2, 504 John Harm Way, Q Crescent Holdings: No comment.

Item 3, 3266 Chestatee Rd, Pierce: Existing commercial septic system sized for 750gpd/150 guests.

Item 4, 5162 Thompson Bridge Rd, FreeUp Storage: No comment.

Items 5A/B, 5253 Lawson Road, Kirrane: Must meet all Environmental Health commercial septic system permitting requirements. An onsite sewage management system (and bathroom structure) will be required on the property for the requested use. Applicant has already been informed of Environmental Health requirements.

Items 6A/B, 4745 Cagle Mill Road: The entire development 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.

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.

Outlook

RE: June 2, 2025 Hall County Planning Commission Meeting

From Nembhard, Nakia L <NNembhard@dot.ga.gov>
Date Mon 4/28/2025 2:00 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

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,

Below you will find the comments on whether coordination will be needed.

2017 Athens Highway – If sign will be placed on Athens St and not Athens Hwy no coordination will be need. Any placing sign on GDOT R/W will require coordination.

504 John Harm Way – No coordination.

3266 Chestatee Road – No Coordination.

5162 Thompson Bridge Rd – Will require coordination.

5253 Lawson Road – No coordination.

4745 Cagle Mill Rd, 4673 & 4691 Noah Martin Drive – Will need coordination if intent is to create driveway on SR 365, if not no coordination will be needed.

Thanks,

Nakia Nembhard
Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy Suite 100

Gainesville, GA, 30501

(678) 332-8200 Cell
(770) 533-8496 Office

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, April 24, 2025 4:24 PM
Subject: June 2, 2025 Hall County Planning Commission Meeting

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 **June 2, 2025** 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 **May 2, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – May 19, 2025

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

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

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning

From: Bill Nash, Director of Public Works and Utilities

Date: May 2, 2025

Subject: June 2, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the June 2, 2025 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

a. **Engineering**: No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

a. **Engineering:** No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue |** ** Commission District 2 | **Brenton Pierce, 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:** Not in Hall County Sewer Service Area

4. **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A **| Proposed Use: Self-storage facility |** ** Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

    a. **Engineering:** No comment
    b. **Traffic:** No comment
    c. **Utilities:** Not in Hall County Sewer Service Area

5. **(A) 5253 Lawson Road | Special Use** | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue |** ** Commission District 3 | **Mary Kirrane, 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:** Not in Hall County Sewer Service Area

6. **4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone |** from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) | on a combined 130.84± acre tract located on the west side of Cagle Mill Road at its intersection with Noah Martin Drive |

Zoned AR-1; Tax Parcels 15007 000254(pt), 15019 000114 & 000043 **| Proposed Use: 323-unit residential development |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming.
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

7. **4745 Cagle Mill Road | Rezone |** from Agricultural Residential 1 (AR-1) to Planned Industrial Development (PID, GCOD) | on a 10.57± acre portion of a tract located on the east side of Cornelia Highway (GA-365) approximately 4,970 feet from its intersection with Cagle Road | Zoned AR-1; Tax Parcel 15007 000254(pt) **| Proposed Use: Industrial uses |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

Outlook

Fire Comment

From John Hornick (Fire Services) <jhornick@hallcounty.org>
Date Mon 4/28/2025 1:57 PM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

June 2, 2025 Hall County Planning Commission Meeting

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue |** ** Commission District 2 | **Brenton Pierce, applicant**
   The Hall County Fire Marshal's Office has no comments to amend condition 9 as requested by the applicant.

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: BRENTON PIERCE
REQUEST: SPECIAL USE TO AMEND CONDITIONS OF ZONING FOR AN AGRI-ENTERTAINMENT VENUE
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: JUNE 02, 2025
Time: 5:15 P.M.
&
COUNTY COMMISSION
Date: JULY 10, 2025
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

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*

PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.

2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.

3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN APR 25, 2025 AND NO LATER THAN MAY 04, 2025.

THE ORGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN MAY 04, 2025 ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Brenon Pierce **, hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required public notice sign was posted on** 05/02/2025 **for** Brenton Pierce **.**

Please Print Name

Date

(Name application filed as)

Signature _____

(The original document is required)

AGENDA ITEM

Planning & Zoning

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 397/2025

SUBJECT: **5253 Lawson Road | Special Use |** on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue** | Commission District 3 | **Mary Kirrane, applicant**

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.
3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.
4. All conditions of zoning shall be made as part of any plats or development plans created for the property.
5. The approval of an equestrian center and agri-entertainment venue is only applicable to the current owner of this property.
6. No outside amplification of voice, music or instruments of any kind shall be permitted.
7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.
8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.
9. There shall be no more than 6 weddings and 2 birthday parties per year.

Purpose of Request: **History:**

5253 Lawson Road | Special Use | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue** | Commission District 3 | **Mary Kirrane, 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
BG	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Application
Narrative
Site Plan
Plat
Maps
Deed
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Tax Assessors Comments
Public Comments
Notice Sign

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government
PLANNING AND ZONING

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

From: Beth Garmon, Director of Planning & Zoning

Date: June 23, 2025

Subject: **5253 Lawson Road | Special Use |** on a 30.77± acre tract| Zoned AR-1; Tax Parcel 11008 000023 **| Proposed Use: Agri-entertainment venue| Mary Kirrane, applicant**

The request before you is from Mary Kirrane for a special use to allow an agri-entertainment venue. This item is located within Commission District 3.

At their June 2, 2025 meeting, the Hall County Planning Commission voted to recommend **approval, with nine (9) conditions (3-1, Davidson opposed and Varner absent).**

Staff recommendation: **Approval, with conditions,** as the proposed rezoning is consistent with the "Rural Neighborhood" future land use classification within the Comprehensive Plan.

There were **five (5) comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke in opposition during the public hearing.**

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the

Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All conditions of zoning shall be made as part of any plats or development plans created for the property.

5. The approval of an equestrian center and agri-entertainment venue is only applicable to the current owner of this property.

6. No outside amplification of voice, music or instruments of any kind shall be permitted.

7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.

8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

9. There shall be no more than 6 weddings and 2 birthday parties per year.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Mary Kirrane

Request ..... (A) **Special Use**

Proposed Use ..... (A) Agri-entertainment venue

Size ..... 30.77± acres

Zoning ..... Agricultural Residential 1 (AR-1)

Location ..... **5253 Lawson Road** | Tax Parcel 11008 000023

Commission District ..... Three

Planning Commission Date ..... June 2, 2025

Staff Recommendation ..... **Approval, with conditions,** as the proposed use is consistent with the "Rural Neighborhood" future land use classification within the Comprehensive Plan.

Record Number..... HZCU25-0019

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 3-1 (Davidson opposed, Varner absent)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All conditions of zoning shall be made as part of any plats or development plans created for the property**.**

5. The approval of an equestrian center and agri-entertainment venue is only applicable to the current owner of this property.

6. No outside amplification of voice, music or instruments of any kind shall be permitted.

7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.

8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

9. There shall be no more than 6 weddings and 2 birthday parties per year.

Excerpts from the minutes of the June 2, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Mary Kirrane, 5253 Lawson Road, Gainesville, presented the request. The applicant is requesting approval of two special uses: (A) an agri-entertainment venue and (B) an equestrian center with variances from the standards on a 30.77± acre tract zoned Agricultural Residential 1 (AR-1). The subject property is currently developed with a single-family residence and barn, both constructed in 1997, as well as a poultry house constructed in 1960 as indicated in Hall County tax records.

Public Forum:

Bob Swoszowski, 5295 Lawson Road, Gainesville, spoke in opposition. Concerns raised were the safety of those that walk the road daily with the increased traffic, that the business contrasts with the current residential character of the area, and the proximity of the venue building to his residence.

Leah Parsons, 5352 Lawson Road, Gainesville, spoke in opposition. Concerns raised were how the application differs from the current rural character, increased traffic and noise, effect on the neighbors, and questioning if there were an emergency plan in case of a fire due to Lawson Road not having fire hydrants. Ms. Parsons further requested the Board to consider requiring speed tables be added to the road if they approve this request.

Kathy Parsons, 5322 Lawson Road, Gainesville, spoke in opposition. The concerns raised were the safety of those that walk the road daily, an increase in traffic and noise, and safety risks to homeowners' animals.

Tommy Towe, 6781 Jake Kemp Road, Murrayville, spoke in opposition. Concerns raised were the light and noise pollution that the venue would create and the disruption of the rural character.

Raymond Dover, 5393 Lawson Road, Gainesville, spoke in opposition. Concerns raised were about the impact to farm animals on Lawson Road that the venue would cause as well as the venue not being consistent with the rural character.

Lucia Towe, 5184 Brit Whitmire Road, Gainesville, spoke in opposition. The concerns raised were the increased traffic, increased noise, and disruptions to surrounding homeowners in evening hours.

Wanda Swoszowski, 5295 Lawson Road, Gainesville, spoke in opposition. Her concerns were the safety to the homeowners affected by the increased traffic, and noise disruptions in the evening hours to the surrounding neighbors.

Rebuttal

Ms. Kirrane expressed she does not want to change the rural nature of the street. She will not be installing a sign at Lawson Road. Ms. Kirrane stated she will only have 6 weddings a year and 2 birthday parties, to be held on Saturdays from the hours of 11 a.m. to 4 p.m. with less than 100 attendees. She also stated the venue would not be visible from the road.

Planning Commission Comments:

Mr. Hunt asked the applicant what the operational hours would be for the venue. The applicant stated the hours of operation would be from 11 a.m. to 4 p.m., only on Saturdays, and up to 6 events a year. Mr. Hunt asked if the music would be amplified and the applicant answered that it would not. Mr. Hunt asked for further explanation of the birthday party events listed in the narrative. The applicant explained this would be for those who have a horse and would want to be able to include their horse in the event. The applicant further stated the venue would not be advertised out to the public. Mr. Hunt asked how many birthday parties per year the venue would host. The applicant stated a maximum of 2 with the same operational hours as weddings with no activities between October and March. Mr. Hunt asked staff if the number of events could be limited in the business license. Ms. Garmon confirmed they could. Mr. Hunt asked the applicant if they were be receptive to reducing the number of attendees to 75. The applicant was agreeable.

A
Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 3-1 (Davidson opposed, Varner absent)

B
Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 3-1 (Davidson opposed, Varner absent)

Conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All conditions of zoning shall be made as part of any plats or development plans created for the property**.**

5. The approval of an equestrian center and agri-entertainment venue is only applicable to the current owner of this property.

6. No outside amplification of voice, music or instruments of any kind shall be permitted.

7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.

8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

9. There shall be no more than 6 weddings and 2 birthday parties per year.

(A) & (B) Staff recommends <u>APPROVAL</u> of the applicant's request, with the following conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, and the project narrative dated April 14, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 100, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All conditions of zoning shall be made a part of any plats or development plans created for the property.

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

1. **Section 7.7.2.B** – Equestrian Center- No structure for the keeping of equines, including stables, may be located within 200 feet of any property line.

    - The applicant is proposing to use the existing barn for the keeping of equine, which is approximately 65 feet from property line. **This does not meet the standard.**

Summary Analysis

The applicant is requesting approval of two special uses for (A) an agri-entertainment venue and (B) an equestrian center with variances from the standards on a 30.77± acre tract zoned Agricultural Residential 1 (AR-1).

The subject property is currently developed with a single-family residence and barn, both constructed in 1997, as well as a chicken house constructed in 1960 as indicated in Hall County tax records.

The surrounding properties are zoned Agricultural Residential 1 (AR-1) and are developed with single-family residences.

Per the narrative, the applicant is requesting a special use approval for two uses: an agri-entertainment venue and an equestrian center to offer equestrian-themed weddings. The applicant will partner with a non-profit organization, The Last Stop Horse Rescue, which provides care for abandoned and abused horses brought in by the Hall County Humane Society. In addition to providing care for the horses, the non-profit also provides equine therapy to physically and mentally challenged youth. All revenue generated from the weddings will support the non-profit organization. No new structures are proposed for wedding-related activities, although a two-stall restroom facility will be added to comply with Environmental Health requirements.

Per the submitted narrative, the applicant is proposing a maximum of three weddings per month and the number of guests would be limited to 100. Weddings will occur during daylight hours on weekends with a minimum of three staff members present on-site during the events. The existing gravel parking area can accommodate up to 80 vehicles. Two parking attendants will be available to shuttle attendants using a golf cart if needed.

Per the site plan, the existing barn is approximately 65 feet from the northern property line, and will be used for the keeping of horses as well as other activities offered by the non-profit. The applicant has requested a variance to section 7.7.2.b. to allow this structure to be closer than the required distance of 200 feet from any property line.

Based on the future land-use plan, staff finds the requested special use *is consistent* with the Hall County Comprehensive Plan future land use designation of "Rural Neighborhood". The intent of this future land use designation is that these areas should consist of active farms and agricultural enterprises and low-density, large-lot single-family residential use with density of up to 0.75 dwellings per acre. These areas also consist of undeveloped lands likely to face development pressures for new residential or commercial

development. Similar to Rural Agriculture, they should have deep setbacks and incorporate a high percentage of open space. Where it occurs, new development should preserve natural features, including tree canopy, waterways, and waterbodies.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

a) 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 special uses are suitable in view of the use and development of adjacent and nearby properties.**

b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the special use for an agri-entertainment venue or equestrian center would adversely affect the existing use or usability of adjacent properties.**

c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned Agricultural Residential 1 (AR-1); however, a special use for an agri-entertainment venue and equestrian center requires Board of Commissioner approval.**

d) 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 special uses will not cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**

e) 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; **Both proposed special uses are consistent with the Comprehensive Plan and Rural Residential future land use designation and are consistent with the residential use and development of the existing, nearby and adjacent properties.**

f) 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.**

g) 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 values 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.**

h) 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.**

i) 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 zoned Agricultural Residential 1 (AR-1). The site is currently developed with a single-family residence and barn, both constructed in 1997, and a chicken house constructed in 1960 as reflected in county tax records.**

j) 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.**

k) Whether the change would create an isolated district unrelated to the surrounding districts; **This question is not applicable as there are no proposed changes to the zoning classification.**

l) 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.**

m) 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.**

n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Agri-entertainment venues and equestrian centers are both classified as special uses and must be approved by the Board of Commissioners.**

o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for a special use could not be handled alternatively as a variance.**

p) 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.**

q) 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.**

11.2.6.E - Submission requirements

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative

and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

    a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**

    b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement.**

    c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health
In an email dated May 1, 2025, Emily McGahee stated, "Must meet all Environmental Health commercial septic system permitting requirements. An onsite sewage management system (and bathroom structure) will be required on the property for the requested use. Applicant has already been informed of Environmental Health requirements."

Georgia Department of Transportation
In an email dated April 28, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is not required.

Hall County Public Works and Utilities
In a memo dated May 2, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

> **Engineering:**
> This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
>
> **Traffic:**
> No comment.
>
> **Utilities**:
> Not in Hall County Sewer Service Area.

Hall County Fire Marshal
In an email dated April 28, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Tax Assessors
In an email dated April 25, 2025, Steve Watson, Director and Chief Appraiser of Hall Board of Assessors, stated that "Notes from file: 2025 TP ADVISED IF CHANGES POSS BREACH HER PLAN OF ACTION POSSIBLY EARLY OUT??? – 2.3.25 kh snt tp breach estimate- 1.31.25 tp walk in wants to have a wedding venue told that would cause breach cm."

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

HALL COUNTY
GEORGIA
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SPECIAL / CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

MARY KIRRANE
5253 LAWSON ROAD
GAINESVILLE, GA 30506
Phone [redacted]
Email Address [redacted]

Property Owner (Name & Mailing Address)

CMFK TRUST
P. O. BOX 5910
ALPHARETTA, GA 30023
Phone [redacted]
Email Address [redacted]

Proposed Use WEDDING VENUE

Contact Person (Name & Mailing Address)

MARY KIRRANE
5253 LAWSON ROAD
GAINESVILLE, GA 30506
Phone [redacted]
Email Address [redacted]

Status of Applicant

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

Requested Action

Type of Request: ☐ SU ☐ CUP
Fee:$
Receipt #:
Check #:

Zoning: AR-1
Acreage 30.77

Tax Parcel Number 11008 000023
Location Address 5253 LAWSON ROAD, GAINESVILLE, GA 30506

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

Sign Mary Frances (Cissy) Kerrane Date: 4/2/25

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby **withdraw** the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative County Commission Date: _____

County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
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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) CMFK TRUST

Address P. O. BOX 5910

ALPHARETTA, GA 30023

Phone Number [redacted]

Name of applicant(s) MARY KIRRANE

Address 5253 LAWSON ROAD

GAINESVILLE, GA 30506

Phone Number [redacted]

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)

Mary Frances (Cissy) Kirrane

Personally appeared before me

Sarah Ford

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

Notary Public

SARAH FORD
NOTARY PUBLIC
MY COMMISSION EXPIRES 1/24/2026
WHITE COUNTY, GEORGIA

4-3-25

Date

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: Mary F. Cissy Kirrane **Date:** 4/3/25

Applicant's/Owner's Name (Printed): MARY KIRRANE

RECEIVED
APR 14 2025
Planning & Zoning Department

foothills land design

NARRATIVE REPORT
REQUEST FOR SPECIAL USE
HALL COUNTY, GEORGIA

RE: 30.77 acres located at 5253 Lawson Road, Gainesville, GA 30506
Parcel ID 11008 000023

Mary Kirrane (the "Applicant") respectfully submits this Narrative Report to the Hall County Board of Commissioners in support for special use approval for an Agri-Entertainment business to be located on this property. The property is currently zoned AR-1.

Fairmount Farm was designed for equestrian training programs. The Applicant is partnering with "The Last Stop Horse Rescue," a non-profit Gainesville organization. For years, their founder, Joyce H. Pomeroy, and her volunteers have been caring for countless abandoned and abused horses brought to her by the Hall County Humane Society. The Last Stop Horse Rescue program receives no revenue from Hall County.

In addition to providing food and veterinary care for these horses, Joyce has incorporated an educational component into the "Last Stop" experience. Together with her volunteers, they mentor physically and mentally challenged youth; inviting and training these individuals to work with, feed and care for the horses at "Last Stop." The psychological and emotional benefits for these individuals are beyond satisfying. "The Last Stop" program is a benefit not only to the individuals involved and their families, but to the entire Hall County community as well.

The Applicant wishes to offer equestrian-themed weddings, the proceeds of which will assist the "Last Stop" program. The weddings will be on weekends and during daylight hours. No more than 3 weddings per month (seasonal use) will be scheduled. Guests will be limited to no more than 100. All noise, music, etc., will strictly comply with current ordinances and regulations. All food served will be catered and prepared off site. As needed, a wedding planner will supervise all activities, prior to, during and after each event. No less than 3 staff members will be on site during each event. No new buildings (structures) or impervious pavement are proposed for the wedding venue area.

On-site parking will accommodate 80 cars (see site plan) and is over 200' from adjacent properties. Two (security) parking attendants will be available. Two Farm golf carts will be available to shuttle guests, if necessary. No cars will be parked on Lawson Road.

A new 2 stall restroom facility will be provided and will be located more than 50' from adjacent properties (see site plan for approximate location.) This shall be approved by the Hall County Environmental Health department.

Sincerely,

James Irvin, PE
Engineer for Applicant
Foothills Land Design, LLC

Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

Ph: 706-778-0067
Fax: 706-778-0069
www.foothillsld.com

May 23, 2025

Fairmount Farm
5253 Lawson Road
Gainesville, Georgia 30506
Mary F. Kirrane
[redacted]

Location

Fairmount Farm is a 30-acre property located at 5253 Lawson Road, Gainesville Georgia 30506. The property is surrounded by wooded areas on four sides.

History

Since the early 1990's, Fairmount (the Farm) has been a family owned equestrian center where client's horses were boarded while being trained to compete in shows throughout the United States.

Plot

Set back from the frontage road on Lawson, one enters through iron gates and travels one fourth **up a private road. The property consists of 25 acres of rolling and beautifully maintained, verdant- green pastures (all enclosed by white fencing).**

To the southwest, is a 200x40 foot chicken (coop) house. In front of the chicken house is a 155x72 foot enclosed, outdoor riding arena. Continuing up the hill, there is a Bigbee Steel 800x175 foot, covered, indoor riding arena which includes 2 horse stalls (800x200 feet) in total.

Further up the road is a residential cottage and 11 individual horse stalls (20x20) in a "U-shape" configuration, which is enclosed by a grassy patio and water feature. This compound includes a wash stall (30x20) with hot and cold running water, and a (15x10) climate-controlled tack room.

Behind these stalls is a 43x28 foot metal out-building which include a full bathroom, hay-storage facility and partial kitchen.

Water

All 6 enclosed pastures have individual 1 - 2 spickets with water provided by wells on the property. A separate well provides water for the residence/cottage.

Proposed Goal and 2025 Usage

Fairmount Farm was designed for equestrian training programs. Over the last few years there has been NO activity on the farm, and the pastures cry out for the return of horses—the original intent of the property.

We propose to expand the use of the farm and partner with "The Last Stop Horse Rescue," a non-profit Gainesville organization. For years, their founder, Joyce H. Pomeroy, and her volunteers have been caring for countless abandoned and abused horses brought to her by the Hall County Humane Society. The Last Stop Horse Rescue program receives no revenue from Hall County.

In addition to providing food and veterinary care for these horses, Joyce has incorporated an educational component to the "Last Stop" experience. Together with her volunteers, they mentor physically and mentally challenged youth; inviting and training these individuals to work with, feed and care for the horses at "Last Stop."

The psychological and emotional benefits for these individuals is beyond satisfying. "The Last Stop" program is a benefit not only to those involved and their families, but to the entire Hall County community as well.

Our Goal: to offer Equestrian-themed Weddings the proceeds of which will assist the last Stop program.

Picture if you will: green pastures, white fences and a bride in a horse-drawn carriage slowly coming up the road - to be greeted by her wedding guests- all waiting under the welcoming branches of an 80 year old post oak tree.

Such weddings will be on week-ends and during daylight hours. No more than 3 weddings per month (seasonal use) will be scheduled. Guests will be limited to no more than 100.

Noise

All noise, music, etc., will strictly comply with current ordinances and regulations.

Food

All food served will be catered and prepared off site. As needed, a wedding planner will supervise all activities, prior to, during and after each event. No less than 3 staff members will be on site during each event.

Parking

On-site parking will accommodate 70 cars. Two (security) parking attendants will be on available. Two Farm golf carts will be available to shuttle guests, if necessary. No cars will be parked on the street.

Bathroom Facilities

A new 2 stall restroom facility will be provided. (See location on Site map).

New Construction None planned other than the bathroom facility. No variance needed for the new bathroom facility. One of the current structures requires a variance. (The wooded area behind indoor arena).

Other proposed activities

In addition to daylight-hour weddings, we propose hosting trail rides, birthday parties, bird watching programs and other small community activities. The revenue generated will allow Fairmount to assist Joyce and her volunteers and to provide a peaceful and secure environment during the remaining years of those horses Joyce has welcomed into the "Last Stop" program.

****

(1)



Entrance to Fairemount - LAWSON ROAD

(2)



ENTRANCE TO FAIRMOUNT LAWSON ROAD

(3)



PROPOSED PARKING



PROPOSED PARKING



proposed parking area







Joyce H. Pomeroy
Founder

[redacted]





Wedding Area



Indoor Arena & Woods behind



Woods behind Arena

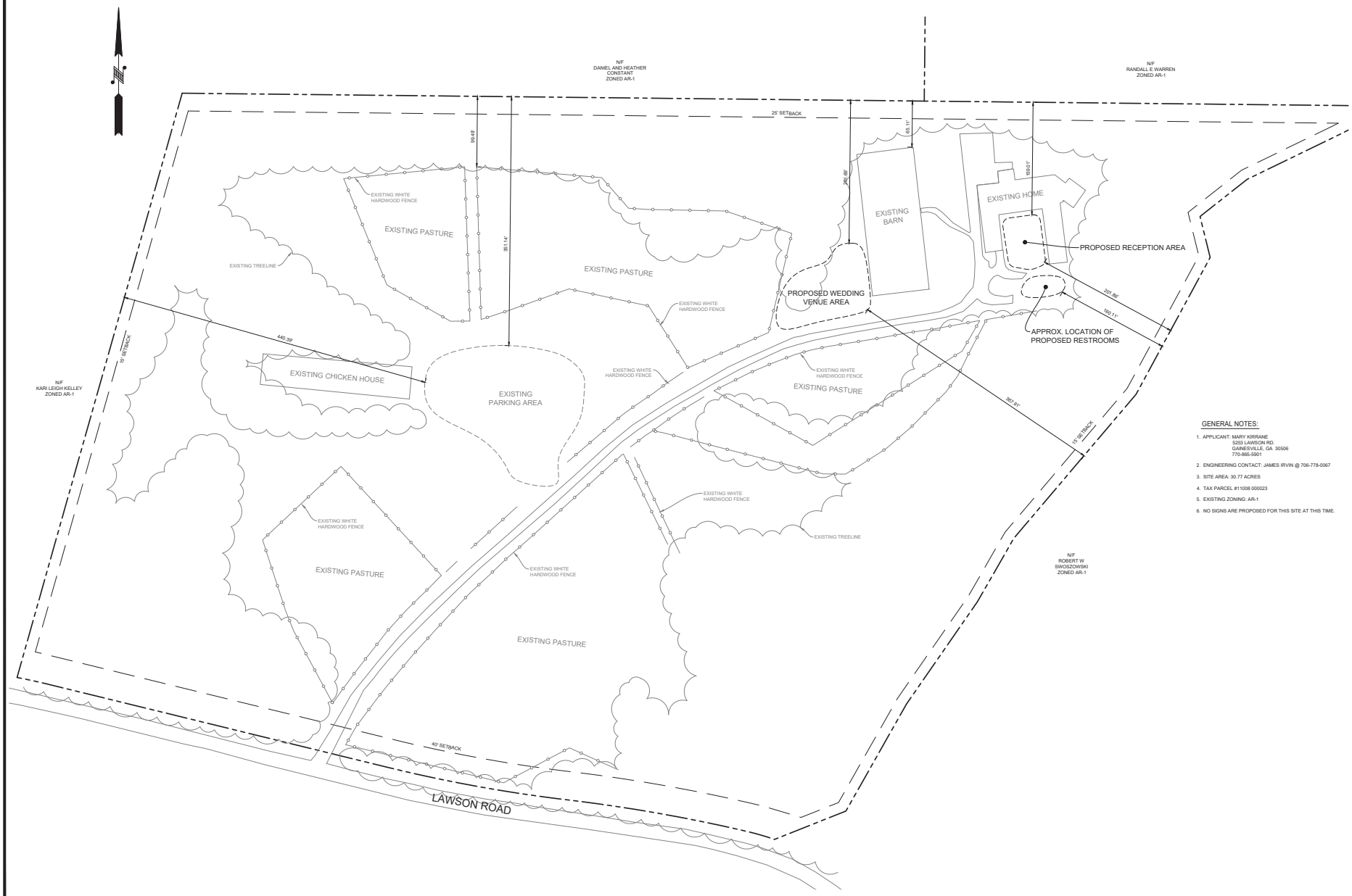


Chicken Coop



Woods behind horse stalls





GENERAL NOTES:

1. APPLICANT: MARY KIRRANE
   5293 LAWSON RD.
   GAINESVILLE, GA 30506
   770-865-5901
2. ENGINEERING CONTACT: JAMES IRVIN @ 706-778-0067
3. SITE AREA: 30.77 ACRES
4. TAX PARCEL #11008 000023
5. EXISTING ZONING: AR-1
6. NO SIGNS ARE PROPOSED FOR THIS SITE AT THIS TIME.

0' 60' 120' 180'
SCALE: 1" = 60'

foothills land design
164 PROFESSIONAL DRIVE
BALL GROUND, GA 30107
PHONE: (706) 778-0067
FAX: (706) 778-0069
www.foothillsld.com

OWNER/ DEVELOPER:
CMFK TRUST
PO BOX 8910
ALPHARETTA, GA 30023

SITE PLAN
FAIRMOUNT FARM
LAND LOT 8, 11TH DISTRICT
HALL COUNTY, GA

REVISIONS:		
NO.	DESCRIPTION	DATE
1	REVISIONS PER COUNTY COMMENTS	4/8/25

GEORGIA REGISTERED No. 29838 PROFESSIONAL ENGINEER JAMES D. IRVIN

GSWCC LEVEL II #98

DATE: APRIL 4, 2025

SCALE: 1" = 60'

SHEET:
C1

JOB #25050

06.02.2025 Item 5

THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.
THIS PROPERTY WAS SURVEYED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL INFORMATION THAT A TITLE SEARCH MAY PRODUCE.

EQUIPMENT USED: WILD T1000 & DI1000 DISTOMAT EDM.

THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

ERROR OF CLOSURE:
1' IN 58,000'+
COMPASS ADJUSTMENT
ERROR OF CLOSURE:
1' IN 150,000'+

J. BENNY ALLEN & RUNELLE HEAD

LL 6
LL 7
LL 5
LL 8

LAND LOT LINE
S88 56'15"E 1700.43

32.077 ACRES

DWELLING
WELL
FENCE
CHICKEN HOUSE
GRAVEL DRIVE
POWER POLE
POWER LINE
N24 33'45"E 883.92

IPF 1/2" REBAR
IPS 1/2" REBAR
IPF 5/8" SOLID
IPF 1/2" REBAR 15.56'SK

No.	Direction	Length
1	S83 50'58"W	80.38
2	S84 19'20"W	340.88
3	S81 21'08"W	94.34
4	S13 30'07"E	38.31
5	S88 38'43"W	218.78
6	S49 36'48"W	885.89
7	S30 11'38"W	103.38
8	S34 55'44"W	170.68
9	S88 43'38"W	173.74
10	S88 53'44"W	118.05
11	N71 30'48"W	67.88
12	N78 38'54"W	64.84
13	N80 28'28"W	77.38
14	N81 48'58"W	197.87
15	N81 17'03"W	78.06
16	N78 55'44"W	83.64
17	N77 25'52"W	86.43
18	N75 53'38"W	817.84
19	N75 34'48"W	168.48
20	N78 13'38"W	80.86
21	N78 30'18"W	40.68
22	N80 36'38"W	58.80
23	N86 23'54"W	69.80

STANLEY COCHRAN

ROBERT SNOSIONSKI

(TIE)
S 81-39 W
518.02' TO
C/L INTERSECTION
LAWSON ROAD &
BRITT WHITMIRE RD.

LANSON ROAD
60' R/W

HENRY G. JARRARD
R.L.S. 1182
840 MAIN STREET
GAINESVILLE, GA.
770-534-3421

PLAT FOR

PATTI P. CORNETT
LAND LOT 8 DISTRICT 11
HALL COUNTY, GEORGIA
FEB/19/1996

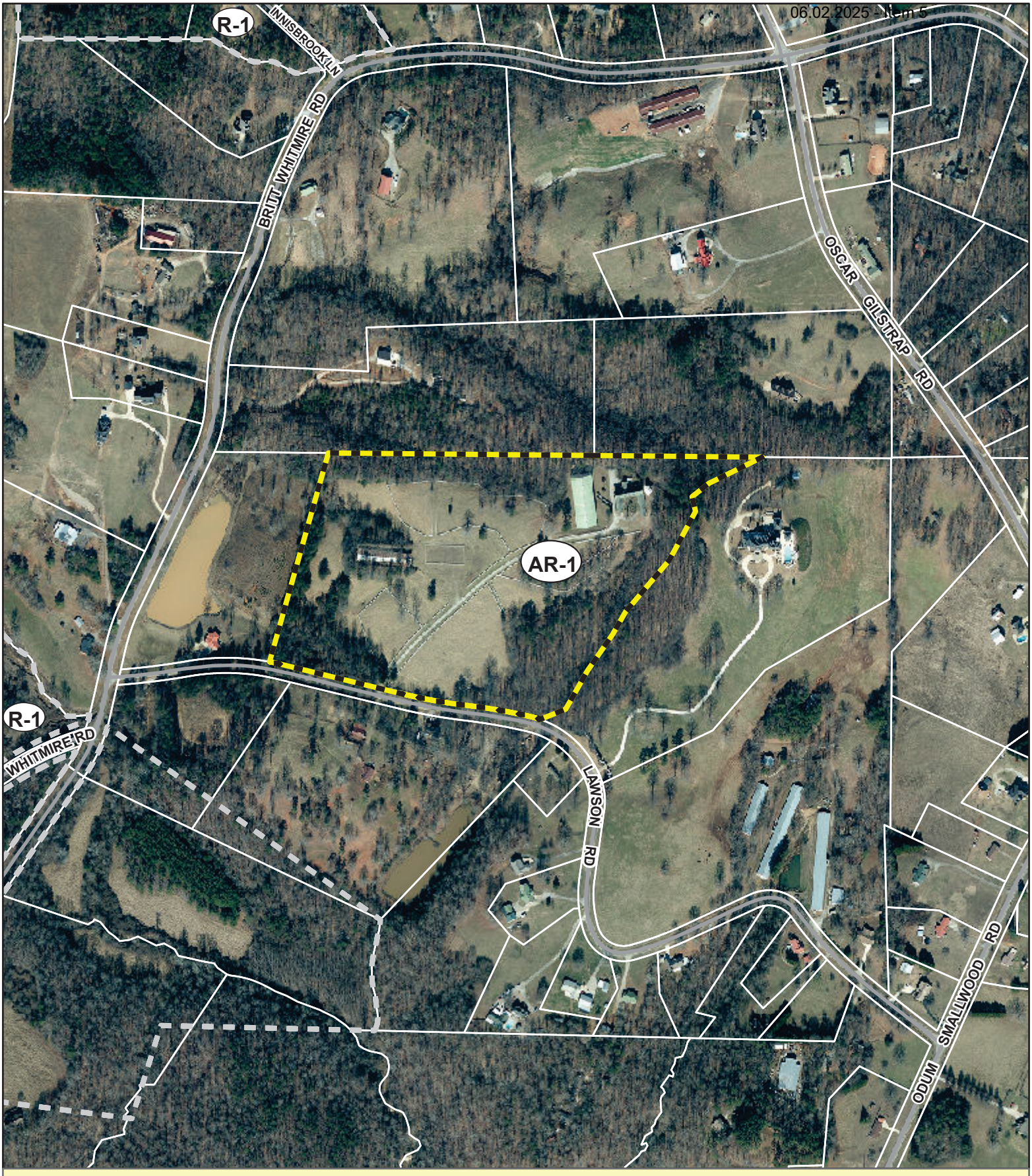
RECORDING PERMIT
By [signature] 5-21-96
HALL COUNTY PLANNING COMMISSION

Georgia, Hall County, Clerk Superior Court
Filed in office this 21 day of May
19 96 at — Recorded in Slide 523
Page MA
Dwight S. Wood
DWIGHT S. WOOD, Clerk

200 0 200 400 600
Scale: 1"= 200'

JOB: 8708-PCB-011-1037-1037P

06.02.2025 - Item 5

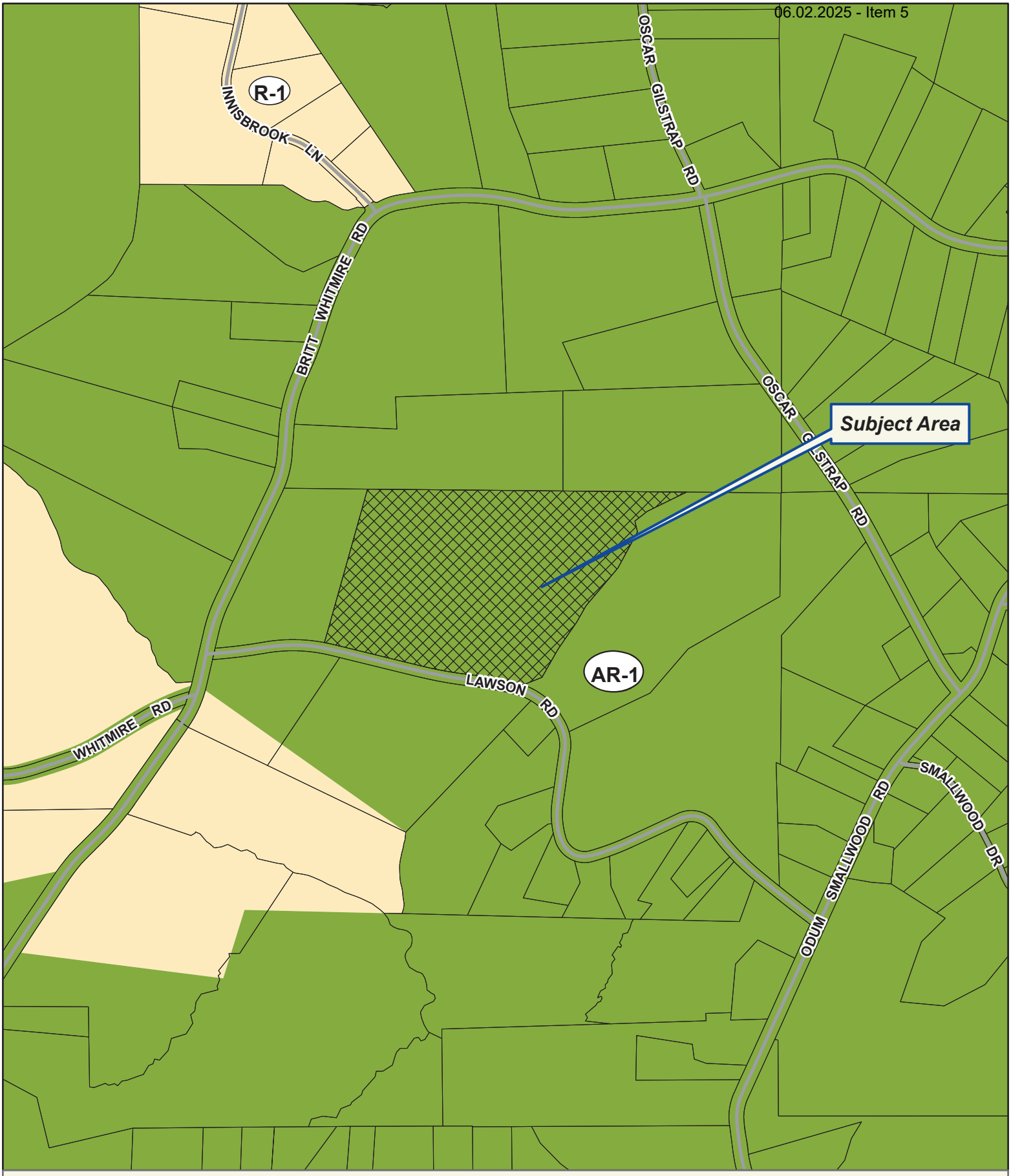


Applicant: MARY KIRRANE
Tax Parcel #: 11008 000023
Location: 5253 LAWSON ROAD, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 06/02/2025**

0 100 200 400
Feet

Zoning Boundary
City Limits
Subject Area

N

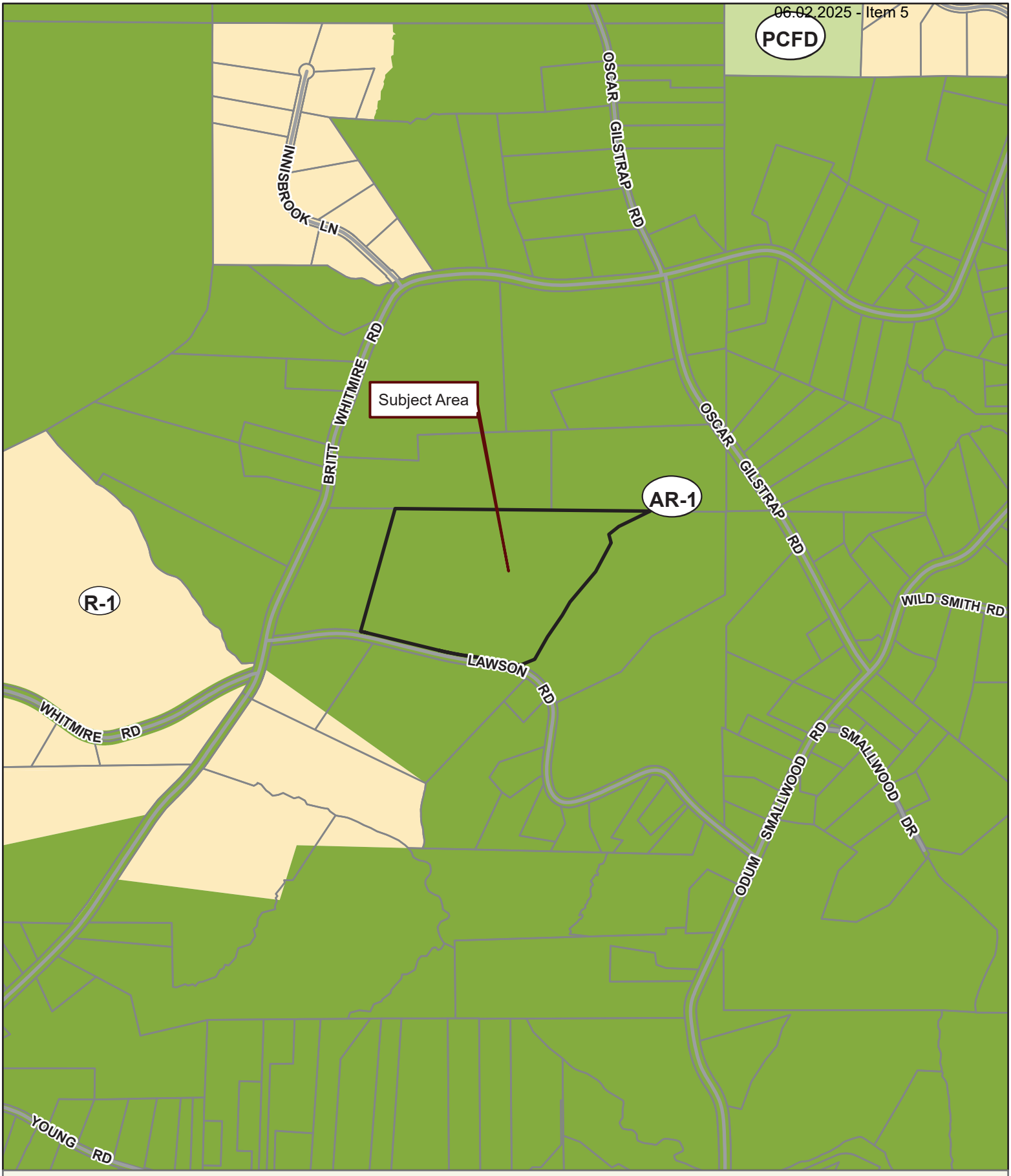


Applicant: MARY KIRRANE
Tax Parcel #: 11008 000023
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Commission District 3 **PC Mtg. Date: 06/02/2025**

0 100 200 400
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: MARY KIRRANE
Tax Parcel #: 11008 000023
Location: 5253 LAWSON ROAD, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 06/02/2025**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

SEND RECORDED DEED TO:
James W. Guthrie
Attorney at Law
1108 Fifth Avenue, Suite 200
San Rafael, California 94901-2916
SEND TAX STATEMENTS TO:
Mary Frances Kirrane, Trustee
CMFK Trust
11 Leeward Road
Belvedere, California 94920

GEORGIA, HALL COUNTY, CLERK
SUPERIOR COURT FILED IN OFFICE
AND RECORDED IN BOOK 4979
PAGE (S) 504-505 THIS 24
DAY OF MAY 20 04 AT 10:33 am
DWIGHT S. WOOD, CLERK BY
1411

000504

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 0
Date 5-24-04
DWIGHT S. WOOD
Clerk Superior Court
By

STATE OF GEORGIA
COUNTY OF HALL

WARRANTY DEED

018785

As a transfer to trust by way of gift and for no consideration, Mary Frances Kirrane ("Grantor"), by these presents does grant, bargain, sell, alien, and convey unto Mary Frances Kirrane as trustee for the benefit of the CMFK Trust ("Grantee"), the tract or parcel of land more fully and completely described Exhibit A, attached hereto and made part hereof by this 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 behalf of 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, the Grantor has signed, sealed, and delivered this deed in the presence of the undersigned notary public this 20th day of May 2004.

Mary Frances Kirrane
Mary Frances Kirrane

Signed, sealed and delivered this 20th day of May 2004, in the presence of

Unofficial witness

STATE OF CALIFORNIA)
COUNTY OF MARIN)

On this 20th day of May 2004, before me, James W. Guthrie, a Notary Public, State of California, personally appeared Mary Frances Kirrane, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity.

WITNESS my hand and official seal.

JAMES W. GUTHRIE
COMM. #1475664
NOTARY PUBLIC • CALIFORNIA
MARIN COUNTY
Comm. Exp. MARCH 31, 2006

Notary Public
State of California

04979
00505

EXHIBIT "A" 000505

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 8, DISTRICT 11, HALL COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, FROM THE INTERSECTION OF THE CENTER LINE OF LAWSON ROAD WITH THE CENTERLINE OF BRITT-WHITMIRE ROAD, RUN ALONG THE NORTHERN RIGHT-OF-WAY OF LAWSON ROAD (HAVING A 60 FOOT RIGHT-OF-WAY) NORTH 81 DEGREES, 30 MINUTES, 00 SECONDS EAST A DISTANCE OF 518.02 FEET EAST TO AN IRON PIN SET ON SAID RIGHT-OF-WAY; THENCE RUN SOUTH 85 DEGREES, 21 MINUTES, 54 SECONDS EAST A DISTANCE OF 62.50 FEET TO A POINT; THENCE RUN SOUTH 80 DEGREES 36 MINUTES 39 SECONDS EAST A DISTANCE OF 68.20 FEET TO A POINT; THENCE RUN SOUTH 75 DEGREES, 06 MINUTES, 09 SECONDS EAST A DISTANCE OF 3.65 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING. THE TRUE POINT OF BEGINNING BEING THUS ESTABLISHED, THENCE, LEAVING SAID RIGHT OF WAY, RUN NORTH 15 DEGREES, 59 MINUTES, 17 SECONDS EAST A DISTANCE OF 859.67 FEET TO AN IRON PIN FOUND ALONG THE LAND LOT LINE SEPARATING LAND LOT 8 FROM LAND LOT 7; THENCE CONTINUING ALONG SAID LAND LOT LINE, RUN SOUTH 88 DEGREES, 56 MINUTES, 15 SECONDS EAST A DISTANCE OF 1700.43 FEET TO AN IRON PIN FOUND; THENCE, LEAVING SAID LAND LOT LINE, RUN SOUTH 63 DEGREES, 50 MINUTES, 52 SECONDS WEST A DISTANCE OF 80.35 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 64 DEGREES, 18 MINUTES, 50 SECONDS, WEST A DISTANCE OF 140.95 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 51 DEGREES, 51 MINUTES, 02 SECONDS WEST A DISTANCE OF 84.34 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 13 DEGREES, 30 MINUTES, 07 SECONDS EAST A DISTANCE OF 59.31 FEET TO AN IRON PIN SET; THENCE RUN SOUTH 28 FEET, 35 MINUTES, 43 SECONDS WEST A DISTANCE OF 219.75 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 40 DEGREES, 30 MINUTES, 49 SECONDS WEST A DISTANCE OF 265.99 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 30 DEGREES, 11 MINUTES, 26 SECONDS WEST A DISTANCE OF 103.28 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 34 DEGREES, 56 MINUTES, 44 SECONDS WEST A DISTANCE OF 175.68 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 29 DEGREES, 43 MINUTES, 36 SECONDS WEST A DISTANCE OF 173.74 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 68 DEGREES, 33 MINUTES, 44 SECONDS WEST A DISTANCE OF 116.05 FEET TO A POINT ALONG THE RIGHT OF WAY OF LAWSON ROAD; THENCE RUN NORTH 71 DEGREES, 30 MINUTES, 48 SECONDS WEST A DISTANCE OF 57.85 FEET TO A POINT; THENCE RUN NORTH 78 DEGREES, 32 MINUTES, 54 SECONDS WEST A DISTANCE OF 64.88 FEET TO A POINT; THENCE RUN NORTH 80 DEGREES, 55 MINUTES, 25 SECONDS WEST A DISTANCE OF 77.36 FEET TO A POINT; THENCE RUN NORTH 81 DEGREES, 46 MINUTES, 59 SECONDS WEST A DISTANCE OF 127.67 FEET TO A POINT, THENCE RUN NORTH 81 DEGREES, 17 MINUTES, 03 SECONDS WEST A DISTANCE OF 76.60 FEET TO A POINT; THENCE RUN NORTH 78 DEGREES, 56 MINUTES, 44 SECONDS WEST A DISTANCE OF 63.24 FEET TO A POINT; THENCE RUN NORTH 77 DEGREES, 25 MINUTES, 55 SECONDS WEST A DISTANCE OF 85.43 FEET TO A POINT; THENCE RUN NORTH 75 DEGREES, 53 MINUTES, 22 SECONDS WEST A DISTANCE OF 217.84 FEET TO A POINT; THENCE RUN NORTH 75 DEGREES, 31 MINUTES, 46 SECONDS WEST A DISTANCE OF 198.49 FEET TO A POINT; THENCE RUN NORTH 76 DEGREES, 13 MINUTES, 36 SECONDS WEST A DISTANCE OF 80.85 FEET TO A POINT; THENCE RUN NORTH 78 DEGREES, 48 MINUTES, 16 SECONDS WEST A DISTANCE OF 36.94 FEET TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING, BEING APPROXIMATELY 30.773 ACRES AND MORE PARTICULARLY SHOWN ON THAT CERTAIN SURVEY FOR PATTI P. CORNETT, DATED FEBRUARY 19, 1996, BY HENRY GRADY JARRARD, GEORGIA REGISTERED LAND SURVEYOR # 1182

Outlook

HCPC Tentative Agenda 6.2.25

From Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>
Date Thu 5/1/2025 4:56 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>

Please find Environmental Health comments below.

Item 1, 2017 Athens Hwy, Herbert: No comment in regards to monument sign.

Item 2, 504 John Harm Way, Q Crescent Holdings: No comment.

Item 3, 3266 Chestatee Rd, Pierce: Existing commercial septic system sized for 750gpd/150 guests.

Item 4, 5162 Thompson Bridge Rd, FreeUp Storage: No comment.

Items 5A/B, 5253 Lawson Road, Kirrane: Must meet all Environmental Health commercial septic system permitting requirements. An onsite sewage management system (and bathroom structure) will be required on the property for the requested use. Applicant has already been informed of Environmental Health requirements.

Items 6A/B, 4745 Cagle Mill Road: The entire development 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.

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.

Outlook

RE: June 2, 2025 Hall County Planning Commission Meeting

From Nembhard, Nakia L <NNembhard@dot.ga.gov>
Date Mon 4/28/2025 2:00 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

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,

Below you will find the comments on whether coordination will be needed.

2017 Athens Highway – If sign will be placed on Athens St and not Athens Hwy no coordination will be need. Any placing sign on GDOT R/W will require coordination.

504 John Harm Way – No coordination.

3266 Chestatee Road – No Coordination.

5162 Thompson Bridge Rd – Will require coordination.

5253 Lawson Road – No coordination.

4745 Cagle Mill Rd, 4673 & 4691 Noah Martin Drive – Will need coordination if intent is to create driveway on SR 365, if not no coordination will be needed.

Thanks,

Nakia Nembhard
Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy Suite 100

Gainesville, GA, 30501

(678) 332-8200 Cell
(770) 533-8496 Office

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, April 24, 2025 4:24 PM
Subject: June 2, 2025 Hall County Planning Commission Meeting

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 **June 2, 2025** 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 **May 2, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – May 19, 2025

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

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

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning

From: Bill Nash, Director of Public Works and Utilities

Date: May 2, 2025

Subject: June 2, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the June 2, 2025 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

a. **Engineering**: No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

a. **Engineering:** No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue |** ** Commission District 2 | **Brenton Pierce, 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:** Not in Hall County Sewer Service Area

4. **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A **| Proposed Use: Self-storage facility |** ** Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

    a. **Engineering:** No comment
    b. **Traffic:** No comment
    c. **Utilities:** Not in Hall County Sewer Service Area

5. **(A) 5253 Lawson Road | Special Use** | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue |** ** Commission District 3 | **Mary Kirrane, 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:** Not in Hall County Sewer Service Area

6. **4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone |** from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) | on a combined 130.84± acre tract located on the west side of Cagle Mill Road at its intersection with Noah Martin Drive |

Zoned AR-1; Tax Parcels 15007 000254(pt), 15019 000114 & 000043 **| Proposed Use: 323-unit residential development |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming.
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

7. **4745 Cagle Mill Road | Rezone |** from Agricultural Residential 1 (AR-1) to Planned Industrial Development (PID, GCOD) | on a 10.57± acre portion of a tract located on the east side of Cornelia Highway (GA-365) approximately 4,970 feet from its intersection with Cagle Road | Zoned AR-1; Tax Parcel 15007 000254(pt) **| Proposed Use: Industrial uses |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

Outlook

Fire Comments

From John Hornick (Fire Services) <jhornick@hallcounty.org>
Date Mon 4/28/2025 2:12 PM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

June 2, 2025 Hall County Planning Commission Meeting

5. **(A) 5253 Lawson Road | Special Use** | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue |** ** Commission District 3 | **Mary Kirrane, 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

Outlook

RE: June 2, 2025 Hall County Planning Commission Meeting

From Steve Watson (Real Property) <rswatson@hallcounty.org>
Date Fri 4/25/2025 8:59 AM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Cc Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>

Kaitlyn:

See my ***comments*** blow.

Respectfully,

Steve Watson,
Director/Chief Appraiser of Hall County Board of Assessors
Hall County Government
(office) 770-531-6733
(cell) 470-691-6375
rswatson@hallcounty.org

HALL COUNTY
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From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, April 24, 2025 4:24 PM
Subject: June 2, 2025 Hall County Planning Commission Meeting

Good Afternoon,

Here is the Tentative Agenda and Maps for the **June 2, 2025** 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 **May 2, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – May 19, 2025

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue |** ** Commission District 2 | **Brenton Pierce, applicant**

4. **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A **| Proposed Use: Self-storage facility |** ** Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

5. **(A) 5253 Lawson Road | Special Use** | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue |** ** Commission District 3 | **Mary Kirrane, applicant** ***Notes from file: 2025 TP ADVISED IF CHANGES POSS BREACH TO HER PLAN OF ACTION POSSIBLE EARLY OUT??? - 2.3.25 kh snt tp breach estimate - 1.31.25 tp walk in wants to have a wedding venue told that would cause breach cm***

6. **(B) 5253 Lawson Road | Special Use |** on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 **| Proposed Use: Equestrian center with variances |** ** Commission District 3 **| Mary Kirrane, applicant** ***Notes from file: 2025 TP ADVISED IF CHANGES POSS BREACH TO HER PLAN OF ACTION POSSIBLE EARLY OUT??? - 2.3.25 kh snt tp breach estimate - 1.31.25 tp walk in wants to have a wedding venue told that would cause breach cm***

6. **4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone |** from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) | on a combined 130.84± acre tract located on the west side of Cagle Mill Road at its intersection with Noah Martin Drive | Zoned AR-1; Tax Parcels 15007 000254(pt), 15019 000114 & 000043 **| Proposed Use: 323-unit residential development |** ** Commission District 3 | **BCBTR, LLC, applicant**

7. **4745 Cagle Mill Road | Rezone |** from Agricultural Residential 1 (AR-1) to Planned Industrial Development (PID, GCOD) | on a 10.57± acre portion of a tract located on the east side of Cornelia Highway (GA-365) approximately 4,970 feet from its intersection with Cagle Road | Zoned AR-1; Tax Parcel 15007 000254(pt) **| Proposed Use: Industrial uses |** ** Commission District 3 | **BCBTR, 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, July 10, 2025**, 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, July 10, 2025. 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.

Kaitlyn Elliott

Planning Commission Clerk

Hall County Community Development and Infrastructure

(770) 531-6810 www.hallcounty.org

HALL COUNTY
GEORGIA
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Swoszowski

Bob & Wanda Swoszowski
5295 Lawson Road Gainesville, GA 30506

Wednesday, April 16, 2025

Dear Sirs,

My wife and I have lived on Lawson Road for the past 38 years. This is a quiet, 8/10-mile road, open at both ends, with approximately 12 homes located along either side.

One of our neighbors, Cecilia Kirrane, who owns the horse farm at 5253 Lawson Road, Gainesville, GA 30506, may be planning to request a rezoning of her property from a private horse farm to an equestrian wedding venue. During a recent conversation with her, she mentioned that she has already met with both the planning commissioner and the fire marshal on-site. I have expressed to her directly that I am opposed to this proposed commercial change.

The residents of Lawson Road, myself included, chose to live here for the peaceful, rural environment — a key reason for moving this far from the city of Gainesville.

If this rezoning request comes before you, I strongly request that you reject it.

With Kindest Regards,

R W Swoszowski

Wanda S. Swoszowski

Bob and Wanda Swoszowski

cc: County Commissioner, Planning Commission & Neighbors of Lawson Rd.

Print

Planning Commission Comments - June 2, 2025 - Submission #119191

Date Submitted: 5/27/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Robert

Last Name*

Swoszowski

Address1*

5295 Lawson Road

Address2

City*

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

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*

To the Planning Commission,

I am writing to respectfully request the opportunity to make a public comment at the upcoming meeting regarding the proposed change in use of a nearby property to an equine wedding venue.
I am firmly opposed to this application for the following reasons:

Lawson Road is a rural, open-ended, two-lane road that stretches just 8/10 of a mile and serves approximately twelve residential homes. It is winding, hilly, and commonly used by neighbors for walking and exercise. The road is quiet and peaceful, without commercial activity or through traffic—just local residents who value the tranquility of this area. My family and I moved here thirty-eight years ago specifically to escape densely packed housing developments, and we continue to live here because of the serenity and sense of community.

The property owner showed my wife and me a layout of the proposed venue. Despite the vast acreage available, the venue is planned to be located just 60 feet from our property line and approximately 300 feet from our home. Given the nature of weddings, which often include alcohol and loud celebrations, I am deeply concerned about the level of noise that would affect our daily life and disrupt the quiet environment we have cherished for decades.

This proposed change would dramatically alter the character of our neighborhood and negatively impact the quality of life for current residents. I did not move to the countryside to live next door to a commercial event space.

I respectfully urge the Commission to deny this application for a zoning change.

Sincerely,

Robert W. Swoszowski

Please write your comments in the box above.

File Upload

Planning Commissioner Comments for Meeting.docx
If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Yes [redacted]

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Swoszowski

Bob & Wanda Swoszowski
5295 Lawson Road Gainesville, GA 30506

Thursday, May 15, 2025

To the Planning Commission,

I am writing to respectfully request the opportunity to make a public comment at the upcoming meeting regarding the proposed change in use of a nearby property to an equine wedding venue.
I am firmly opposed to this application for the following reasons:

Lawson Road is a rural, open-ended, two-lane road that stretches just 8/10 of a mile and serves approximately twelve residential homes. It is winding, hilly, and commonly used by neighbors for walking and exercise. The road is quiet and peaceful, without commercial activity or through traffic—just local residents who value the tranquility of this area. My family and I moved here thirty-eight years ago specifically to escape densely packed housing developments, and we continue to live here because of the serenity and sense of community.

The property owner showed my wife and me a layout of the proposed venue. Despite the vast acreage available, the venue is planned to be located just 60 feet from our property line and approximately 300 feet from our home. Given the nature of weddings, which often include alcohol and loud celebrations, I am deeply concerned about the level of noise that would affect our daily life and disrupt the quiet environment we have cherished for decades.

This proposed change would dramatically alter the character of our neighborhood and negatively impact the quality of life for current residents. I did not move to the countryside to live next door to a commercial event space.

I respectfully urge the Commission to deny this application for a zoning change.

Sincerely,



Robert W. Swoszowski

Print

Planning Commission Comments - June 2, 2025 - Submission #119240

Date Submitted: 5/29/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Kari

Last Name*

Kelley

Address1*

5211 Lawson Road

Address2

City*

GAINESVILLE

State*

GA

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

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*

To the Planning Commission,

We are writing to respectfully urge the Commission to deny the application for the zoning change on Lawson Road. We are firmly opposed to this application for several reasons. My father grew up here and has now passed this land on to me. For as long as I can remember, it has always been a rural, quiet and peaceful area. I was quite happy to inherit such a beautiful piece of property in such a quiet area with no commercial activity and a ton of traffic. We definitely do not want to see a public venue go in right next door to us. The road is only two lanes and most times we walk it with our dogs and see our other neighbors and their furbabies. Most weddings have a tendency to get loud and guests sometimes have tendencies to overdrink which leads to wandering past property lines and leaving trash where it doesn't belong. We just feel that we are fortunate enough to live in an area of the county that is left untouched by large crowds, public access, lots of traffic, and that "close to town" feel.....we fear a venue right next door to us would ruin the out in the country home we have come to love and work so hard to have.

Please consider denying this application for a zoning change.

Sincerely,

Chris & Kari Leigh Kelley

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.

Print

Planning Commission Comments - June 2, 2025 - Submission #119299

Date Submitted: 6/1/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Bucky

Last Name*

Kennedy

Address1*

5411 Lawson Road

Address2

City*

Gainesville

State*

Ga

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I am writing on behalf of my family members that live in 4 houses on Lawson Road. My objection is in regard to location and increased traffic in a quiet neighborhood that is contrasting an increase between Odum Smallwood and Britt Whitmire especially during the school year. Most of the people
On Lawson road have lived here their entire life. The venue in question is extremely close to 2 residences which will create a noise issue. I appreciate your consideration of this matter but strongly encourage you to deny this request for a venue that increases traffic on a small rural road and affects the tranquility of our peaceful road. Thank you. Bucky Kennedy written on behalf of Raymond Dover of 5393 Lawson Road

Please write your comments in the box above.

File Upload

image.jpg

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?

[redacted]

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

From: Bucky Kennedy [redacted]
Subject: Requested zoning objection
Date: June 1, 2025 at 9:09 PM
To: shunt@hallcounty.org

Greetings Mr. Hunt,
I'm writing this email on behalf of my father-in-law Raymond Dover of 5393 Lawson Rd and myself (5411 Lawson Rd.)
I'm writing to you in objection to the proposed zoning request of Mary Kirrane of 5253 Lawson Road. The request is for a Agri-entertainment venue.
My objection is in regard to location and increased traffic on a quiet neighborhood that is constantly seeing an increase of traffic between Odom Smallwood and Brit Whitmire especially during the school year and large school events. This road and neighborhoo is largely agricultural and most of the residence on this road have lived here for the entire life.
The venue in question is extremely close to 2 residences which would create somewhat of a noise issue as we can hear the the ba playing at events at North Hall High School. Surely we will hear music from an event next door.

I appreciate your consideration of this matter but strongly encourage you to deny this request for a venue that increases traffic on a small rural road and affects the tranquility of our peaceful road.

Thank you,
Bucky Kennedy and on behalf of Raymond Dover

Print

Planning Commission Comments - June 2, 2025 - Submission #119294

Date Submitted: 6/1/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Kathy

Last Name*

Parsons

Address1*

5322 Lawson road

Address2

City*

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I have uploaded a document concerning the meeting to be held June 2, 2025 by the Hall County Planning & Zoning Department for the application of 5253 Lawson Road request by Mary Kirrane (applicant)

Kathy Parsons

Please write your comments in the box above.

File Upload

Hall County Commissioners May 2025.docx
If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

[redacted]

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

To the Planning Commission,

June 1, 2025,

I would like to express my comments on this proposal to change the use of a nearby property to an equine wedding venue. I am opposed to this proposal as there are several of my neighbors that live on this road who are opposed as well. We already have a lot of traffic through this road as many people & students as well use this as a shortcut. Many times, the vehicles are going too fast for this road and this venue would add to the problems we experience already with the traffic flow. We have several small children on this road and are trying to raise them in this rural area & want them to be able to get out and play in our yards without concern of an accident due to the flow of more traffic. North Hall students also use this road as a place for the cross county & track students to run. Many of us go out and walk daily on our road and we already must be very careful due to the traffic we already have coming through our road. We all love our rural area, it is a peaceful group of neighbors, and we would love it to remain this way.

Thank you for your consideration in this matter.

Kathy Parsons
Resident of Lawson Road


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: MARY KIRRANE
REQUEST: SPECIAL USE FOR AN AGRI-ENTERTAINMENT VENUE AND EQUESTRIAN CENTER WITH VARIANCES
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: JUNE 02, 2025
Time: 5:15 P.M.
&
COUNTY COMMISSION
Date: JULY 10, 2025
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

Lcortez@hallcounty.org | Planning@hallcounty.org

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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PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.

2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.

3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN APR 25, 2025 **AND NO LATER THAN** MAY 04, 2025.

THE ORGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN MAY 04, 2025 **ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.**

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Mary F Kirrane (Please Print Name), **hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required public notice sign was posted on** 4/30/25 (Date) **for** HLC 425-0019 (Name application filed as).

Signature Mary Kirrane HLC 425-0020

(The original document is required)

AGENDA ITEM

Planning & Zoning

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 398/2025

SUBJECT: **5253 Lawson Road | Special Use |** on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Equestrian center with variances** | Commission District 3 | **Mary Kirrane, applicant**

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.
3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.
4. All conditions of zoning shall be made as part of any plats or development plans created for the property.
5. The approval of an equestrian center and agri-entertainment venue is only applicable to the current owner of this property.
6. No outside amplification of voice, music or instruments of any kind shall be permitted.
7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.
8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.
9. There shall be no more than 6 weddings and 2 birthday parties per year.

Purpose of Request: **History:**

5253 Lawson Road | Special Use | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Equestrian center with variances** | Commission District 3 | **Mary Kirrane, 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
BG	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site Plan
Plat
Maps
Deed
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Tax Assessors Comments
Public Comments
Notice Sign

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government
PLANNING AND ZONING

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

From: Beth Garmon, Director of Planning & Zoning

Date: June 23, 2025

Subject: **5253 Lawson Road | Special Use** | on a 30.77± acre tract| Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Equestrian center with variances** | **Mary Kirrane, applicant**

The request before you is from Mary Kirrane for a special use to allow for an equestrian center with variances. This item is located within Commission District 3.

At their June 2, 2025 meeting, the Hall County Planning Commission voted to recommend **approval, with nine (9) conditions (3-1, Davidson opposed and Varner absent).**

Staff recommendation: **Approval, with conditions,** as the proposed rezoning is consistent with the "Rural Neighborhood" future land use classification within the Comprehensive Plan.

There were **five (5) comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke in opposition during the public hearing.**

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any

other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All conditions of zoning shall be made as part of any plats or development plans created for the property**.**

5. The approval of an equestrian center and agri-entertainment venue is only applicable to the current owner of this property.

6. No outside amplification of voice, music or instruments of any kind shall be permitted.

7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.

8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

9. There shall be no more than 6 weddings and 2 birthday parties per year.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Mary Kirrane

Request ..... (B) **Special Use**

Proposed Use ..... (B) Equestrian center with variances

Size ..... 30.77± acres

Zoning ..... Agricultural Residential 1 (AR-1)

Location ..... **5253 Lawson Road** | Tax Parcel 11008 000023

Commission District ..... Three

Planning Commission Date ..... June 2, 2025

Staff Recommendation ..... **Approval, with conditions,** as the proposed use is consistent with the "Rural Neighborhood" future land use classification within the Comprehensive Plan.

Record Number..... HZCU25-0020

Planning Commission Recommendation..... **Approval, with conditions**

Vote: 3-1 (Davidson opposed, Varner absent)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

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7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.

8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

9. There shall be no more than 6 weddings and 2 birthday parties per year.

Excerpts from the minutes of the June 2, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Mary Kirrane, 5253 Lawson Road, Gainesville, presented the request. The applicant is requesting approval of two special uses: (A) an agri-entertainment venue and (B) an equestrian center with variances from the standards on a 30.77± acre tract zoned Agricultural Residential 1 (AR-1). The subject property is currently developed with a single-family residence and barn, both constructed in 1997, as well as a poultry house constructed in 1960 as indicated in Hall County tax records.

Public Forum:

Bob Swoszowski, 5295 Lawson Road, Gainesville, spoke in opposition. Concerns raised were the safety of those that walk the road daily with the increased traffic, that the business contrasts with the current residential character of the area, and the proximity of the venue building to his residence.

Leah Parsons, 5352 Lawson Road, Gainesville, spoke in opposition. Concerns raised were how the application differs from the current rural character, increased traffic and noise, effect on the neighbors, and questioning if there were an emergency plan in case of a fire due to Lawson Road not having fire hydrants. Ms. Parsons further requested the Board to consider requiring speed tables be added to the road if they approve this request.

Kathy Parsons, 5322 Lawson Road, Gainesville, spoke in opposition. The concerns raised were the safety of those that walk the road daily, an increase in traffic and noise, and safety risks to homeowners' animals.

Tommy Towe, 6781 Jake Kemp Road, Murrayville, spoke in opposition. Concerns raised were the light and noise pollution that the venue would create and the disruption of the rural character.

Raymond Dover, 5393 Lawson Road, Gainesville, spoke in opposition. Concerns raised were about the impact to farm animals on Lawson Road that the venue would cause as well as the venue not being consistent with the rural character.

Lucia Towe, 5184 Brit Whitmire Road, Gainesville, spoke in opposition. The concerns raised were the increased traffic, increased noise, and disruptions to surrounding homeowners in evening hours.

Wanda Swoszowski, 5295 Lawson Road, Gainesville, spoke in opposition. Her concerns were the safety to the homeowners affected by the increased traffic, and noise disruptions in the evening hours to the surrounding neighbors.

Rebuttal

Ms. Kirrane expressed she does not want to change the rural nature of the street. She will not be installing a sign at Lawson Road. Ms. Kirrane stated she will only have 6 weddings a year and 2 birthday parties, to be held on Saturdays from the hours of 11 a.m. to 4 p.m. with less than 100 attendees. She also stated the venue would not be visible from the road.

Planning Commission Comments:

Mr. Hunt asked the applicant what the operational hours would be for the venue. The applicant stated the hours of operation would be from 11 a.m. to 4 p.m., only on Saturdays, and up to 6 events a year. Mr. Hunt asked if the music would be amplified and the applicant answered that it would not. Mr. Hunt asked for further explanation of the birthday party events listed in the narrative. The applicant explained this would be for those who have a horse and would want to be able to include their horse in the event. The applicant further stated the venue would not be advertised out to the public. Mr. Hunt asked how many birthday parties per year the venue would host. The applicant stated a maximum of 2 with the same operational hours as weddings with no activities between October and March. Mr. Hunt asked staff if the number of events could be limited in the business license. Ms. Garmon confirmed they could. Mr. Hunt asked the applicant if they were be receptive to reducing the number of attendees to 75. The applicant was agreeable.

A
Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 3-1 (Davidson opposed, Varner absent)

B
Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 3-1 (Davidson opposed, Varner absent)

Conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, the project narrative dated April 14, 2025, and supplemental narrative dated May 23, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 75, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All conditions of zoning shall be made as part of any plats or development plans created for the property**.**

5. The approval of an equestrian center and agri-entertainment venue is only applicable to the current owner of this property.

6. No outside amplification of voice, music or instruments of any kind shall be permitted.

7. All activities are limited to Saturdays only. Hours of operation shall be limited to 11:00 a.m. to 4:00 p.m.

8. Any future expansion of activities on the property may require approval by the Hall County Board of Commissioners.

9. There shall be no more than 6 weddings and 2 birthday parties per year.

(A) & (B) Staff recommends <u>APPROVAL</u> of the applicant's request, with the following conditions:

1. The property shall be developed in accordance with the site plan dated April 23, 2025, and the project narrative dated April 14, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The number of guests shall not exceed 100, or the maximum occupancy as determined by the Hall County Fire Marshal, whichever is less.

3. 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 Unified Development Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

4. All conditions of zoning shall be made a part of any plats or development plans created for the property.

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

1. **Section 7.7.2.B** – Equestrian Center- No structure for the keeping of equines, including stables, may be located within 200 feet of any property line.

    - The applicant is proposing to use the existing barn for the keeping of equine, which is approximately 65 feet from property line. **This does not meet the standard.**

Summary Analysis

The applicant is requesting approval of two special uses for (A) an agri-entertainment venue and (B) an equestrian center with variances from the standards on a 30.77± acre tract zoned Agricultural Residential 1 (AR-1).

The subject property is currently developed with a single-family residence and barn, both constructed in 1997, as well as a chicken house constructed in 1960 as indicated in Hall County tax records.

The surrounding properties are zoned Agricultural Residential 1 (AR-1) and are developed with single-family residences.

Per the narrative, the applicant is requesting a special use approval for two uses: an agri-entertainment venue and an equestrian center to offer equestrian-themed weddings. The applicant will partner with a non-profit organization, The Last Stop Horse Rescue, which provides care for abandoned and abused horses brought in by the Hall County Humane Society. In addition to providing care for the horses, the non-profit also provides equine therapy to physically and mentally challenged youth. All revenue generated from the weddings will support the non-profit organization. No new structures are proposed for wedding-related activities, although a two-stall restroom facility will be added to comply with Environmental Health requirements.

Per the submitted narrative, the applicant is proposing a maximum of three weddings per month and the number of guests would be limited to 100. Weddings will occur during daylight hours on weekends with a minimum of three staff members present on-site during the events. The existing gravel parking area can accommodate up to 80 vehicles. Two parking attendants will be available to shuttle attendants using a golf cart if needed.

Per the site plan, the existing barn is approximately 65 feet from the northern property line, and will be used for the keeping of horses as well as other activities offered by the non-profit. The applicant has requested a variance to section 7.7.2.b. to allow this structure to be closer than the required distance of 200 feet from any property line.

Based on the future land-use plan, staff finds the requested special use *is consistent* with the Hall County Comprehensive Plan future land use designation of "Rural Neighborhood". The intent of this future land use designation is that these areas should consist of active farms and agricultural enterprises and low-density, large-lot single-family residential use with density of up to 0.75 dwellings per acre. These areas also consist of undeveloped lands likely to face development pressures for new residential or commercial

development. Similar to Rural Agriculture, they should have deep setbacks and incorporate a high percentage of open space. Where it occurs, new development should preserve natural features, including tree canopy, waterways, and waterbodies.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

a) 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 special uses are suitable in view of the use and development of adjacent and nearby properties.**

b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the special use for an agri-entertainment venue or equestrian center would adversely affect the existing use or usability of adjacent properties.**

c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned Agricultural Residential 1 (AR-1); however, a special use for an agri-entertainment venue and equestrian center requires Board of Commissioner approval.**

d) 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 special uses will not cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**

e) 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; **Both proposed special uses are consistent with the Comprehensive Plan and Rural Residential future land use designation and are consistent with the residential use and development of the existing, nearby and adjacent properties.**

f) 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.**

g) 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 values 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.**

h) 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.**

i) 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 zoned Agricultural Residential 1 (AR-1). The site is currently developed with a single-family residence and barn, both constructed in 1997, and a chicken house constructed in 1960 as reflected in county tax records.**

j) 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.**

k) Whether the change would create an isolated district unrelated to the surrounding districts; **This question is not applicable as there are no proposed changes to the zoning classification.**

l) 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.**

m) 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.**

n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Agri-entertainment venues and equestrian centers are both classified as special uses and must be approved by the Board of Commissioners.**

o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for a special use could not be handled alternatively as a variance.**

p) 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.**

q) 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.**

11.2.6.E - Submission requirements

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative

and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:

    a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**

    b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district**. The proposal meets the requirement.**

    c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health
In an email dated May 1, 2025, Emily McGahee stated, "Must meet all Environmental Health commercial septic system permitting requirements. An onsite sewage management system (and bathroom structure) will be required on the property for the requested use. Applicant has already been informed of Environmental Health requirements."

Georgia Department of Transportation
In an email dated April 28, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is not required.

Hall County Public Works and Utilities
In a memo dated May 2, 2025, Bill Nash, Director of Public Works and Utilities, provided the following comments:

> **Engineering:**
> This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
>
> **Traffic:**
> No comment.
>
> **Utilities**:
> Not in Hall County Sewer Service Area.

Hall County Fire Marshal
In an email dated April 28, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Tax Assessors
In an email dated April 25, 2025, Steve Watson, Director and Chief Appraiser of Hall Board of Assessors, stated that "Notes from file: 2025 TP ADVISED IF CHANGES POSS BREACH HER PLAN OF ACTION POSSIBLY EARLY OUT??? – 2.3.25 kh snt tp breach estimate- 1.31.25 tp walk in wants to have a wedding venue told that would cause breach cm."

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

HALL COUNTY
GEORGIA
We have it all in Hall

SPECIAL / CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

MARY KIRRANE
5253 LAWSON ROAD
GAINESVILLE, GA 30506
Phone [redacted]
Email Address [redacted]

Property Owner (Name & Mailing Address)

CMFK TRUST
P. O. BOX 5910
ALPHARETTA, GA 30023
Phone [redacted]
Email Address [redacted]

Proposed Use WEDDING VENUE

Contact Person (Name & Mailing Address)

MARY KIRRANE
5253 LAWSON ROAD
GAINESVILLE, GA 30506
Phone [redacted]
Email Address [redacted]

Status of Applicant

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

Requested Action

Type of Request: ☐ SU ☐ CUP
Fee:$
Receipt #:
Check #:

Zoning: AR-1
Acreage 30.77

Tax Parcel Number 11008 000023
Location Address 5253 LAWSON ROAD, GAINESVILLE, GA 30506

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

Sign Mary Frances (Cissy) Kerrane Date: 4/2/25

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby **withdraw** the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative County Commission Date: _____

County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) CMFK TRUST

Address P. O. BOX 5910

ALPHARETTA, GA 30023

Phone Number [redacted]

Name of applicant(s) MARY KIRRANE

Address 5253 LAWSON ROAD

GAINESVILLE, GA 30506

Phone Number [redacted]

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)

Mary Frances (Cissy) Kirrane

Personally appeared before me

Sarah Ford

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

Notary Public

SARAH FORD
NOTARY PUBLIC
MY COMMISSION EXPIRES 1/24/2026
WHITE COUNTY, GEORGIA

4-3-25

Date

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
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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: Mary F. Cissy Kirrane **Date:** 4/3/25

Applicant's/Owner's Name (Printed): MARY KIRRANE

RECEIVED
APR 14 2025
Planning & Zoning Department

foothills land design

NARRATIVE REPORT
REQUEST FOR SPECIAL USE
HALL COUNTY, GEORGIA

RE: 30.77 acres located at 5253 Lawson Road, Gainesville, GA 30506
Parcel ID 11008 000023

Mary Kirrane (the "Applicant") respectfully submits this Narrative Report to the Hall County Board of Commissioners in support for special use approval for an Agri-Entertainment business to be located on this property. The property is currently zoned AR-1.

Fairmount Farm was designed for equestrian training programs. The Applicant is partnering with "The Last Stop Horse Rescue," a non-profit Gainesville organization. For years, their founder, Joyce H. Pomeroy, and her volunteers have been caring for countless abandoned and abused horses brought to her by the Hall County Humane Society. The Last Stop Horse Rescue program receives no revenue from Hall County.

In addition to providing food and veterinary care for these horses, Joyce has incorporated an educational component into the "Last Stop" experience. Together with her volunteers, they mentor physically and mentally challenged youth; inviting and training these individuals to work with, feed and care for the horses at "Last Stop." The psychological and emotional benefits for these individuals are beyond satisfying. "The Last Stop" program is a benefit not only to the individuals involved and their families, but to the entire Hall County community as well.

The Applicant wishes to offer equestrian-themed weddings, the proceeds of which will assist the "Last Stop" program. The weddings will be on weekends and during daylight hours. No more than 3 weddings per month (seasonal use) will be scheduled. Guests will be limited to no more than 100. All noise, music, etc., will strictly comply with current ordinances and regulations. All food served will be catered and prepared off site. As needed, a wedding planner will supervise all activities, prior to, during and after each event. No less than 3 staff members will be on site during each event. No new buildings (structures) or impervious pavement are proposed for the wedding venue area.

On-site parking will accommodate 80 cars (see site plan) and is over 200' from adjacent properties. Two (security) parking attendants will be available. Two Farm golf carts will be available to shuttle guests, if necessary. No cars will be parked on Lawson Road.

A new 2 stall restroom facility will be provided and will be located more than 50' from adjacent properties (see site plan for approximate location.) This shall be approved by the Hall County Environmental Health department.

Sincerely,

James Irvin, PE
Engineer for Applicant
Foothills Land Design, LLC

Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

Ph: 706-778-0067
Fax: 706-778-0069
www.foothillsld.com

May 23, 2025

Fairmount Farm
5253 Lawson Road
Gainesville, Georgia 30506
Mary F. Kirrane
[redacted]

Location

Fairmount Farm is a 30-acre property located at 5253 Lawson Road, Gainesville Georgia 30506. The property is surrounded by wooded areas on four sides.

History

Since the early 1990's, Fairmount (the Farm) has been a family owned equestrian center where client's horses were boarded while being trained to compete in shows throughout the United States.

Plot

Set back from the frontage road on Lawson, one enters through iron gates and travels one fourth **up a private road. The property consists of 25 acres of rolling and beautifully maintained, verdant- green pastures (all enclosed by white fencing).**

To the southwest, is a 200x40 foot chicken (coop) house. In front of the chicken house is a 155x72 foot enclosed, outdoor riding arena. Continuing up the hill, there is a Bigbee Steel 800x175 foot, covered, indoor riding arena which includes 2 horse stalls (800x200 feet) in total.

Further up the road is a residential cottage and 11 individual horse stalls (20x20) in a "U-shape" configuration, which is enclosed by a grassy patio and water feature. This compound includes a wash stall (30x20) with hot and cold running water, and a (15x10) climate-controlled tack room.

Behind these stalls is a 43x28 foot metal out-building which include a full bathroom, hay-storage facility and partial kitchen.

Water

All 6 enclosed pastures have individual 1 - 2 spickets with water provided by wells on the property. A separate well provides water for the residence/cottage.

Proposed Goal and 2025 Usage

Fairmount Farm was designed for equestrian training programs. Over the last few years there has been NO activity on the farm, and the pastures cry out for the return of horses—the original intent of the property.

We propose to expand the use of the farm and partner with "The Last Stop Horse Rescue," a non-profit Gainesville organization. For years, their founder, Joyce H. Pomeroy, and her volunteers have been caring for countless abandoned and abused horses brought to her by the Hall County Humane Society. The Last Stop Horse Rescue program receives no revenue from Hall County.

In addition to providing food and veterinary care for these horses, Joyce has incorporated an educational component to the "Last Stop" experience. Together with her volunteers, they mentor physically and mentally challenged youth; inviting and training these individuals to work with, feed and care for the horses at "Last Stop."

The psychological and emotional benefits for these individuals is beyond satisfying. "The Last Stop" program is a benefit not only to those involved and their families, but to the entire Hall County community as well.

Our Goal: to offer Equestrian-themed Weddings the proceeds of which will assist the last Stop program.

Picture if you will: green pastures, white fences and a bride in a horse-drawn carriage slowly coming up the road - to be greeted by her wedding guests- all waiting under the welcoming branches of an 80 year old post oak tree.

Such weddings will be on week-ends and during daylight hours. No more than 3 weddings per month (seasonal use) will be scheduled. Guests will be limited to no more than 100.

Noise

All noise, music, etc., will strictly comply with current ordinances and regulations.

Food

All food served will be catered and prepared off site. As needed, a wedding planner will supervise all activities, prior to, during and after each event. No less than 3 staff members will be on site during each event.

Parking

On-site parking will accommodate 70 cars. Two (security) parking attendants will be on available. Two Farm golf carts will be available to shuttle guests, if necessary. No cars will be parked on the street.

Bathroom Facilities

A new 2 stall restroom facility will be provided. (See location on Site map).

New Construction None planned other than the bathroom facility. No variance needed for the new bathroom facility. One of the current structures requires a variance. (The wooded area behind indoor arena).

Other proposed activities

In addition to daylight-hour weddings, we propose hosting trail rides, birthday parties, bird watching programs and other small community activities. The revenue generated will allow Fairmount to assist Joyce and her volunteers and to provide a peaceful and secure environment during the remaining years of those horses Joyce has welcomed into the "Last Stop" program.

****

(1)



Entrance to Fairemount - LAWSON ROAD

(2)



ENTRANCE TO FAIRMOUNT LAWSON ROAD

(3)



PROPOSED PARKING



PROPOSED PARKING



proposed parking area







Joyce H. Pomeroy
Founder

[redacted]





Wedding Area



Indoor Arena & Woods behind



Woods behind Arena

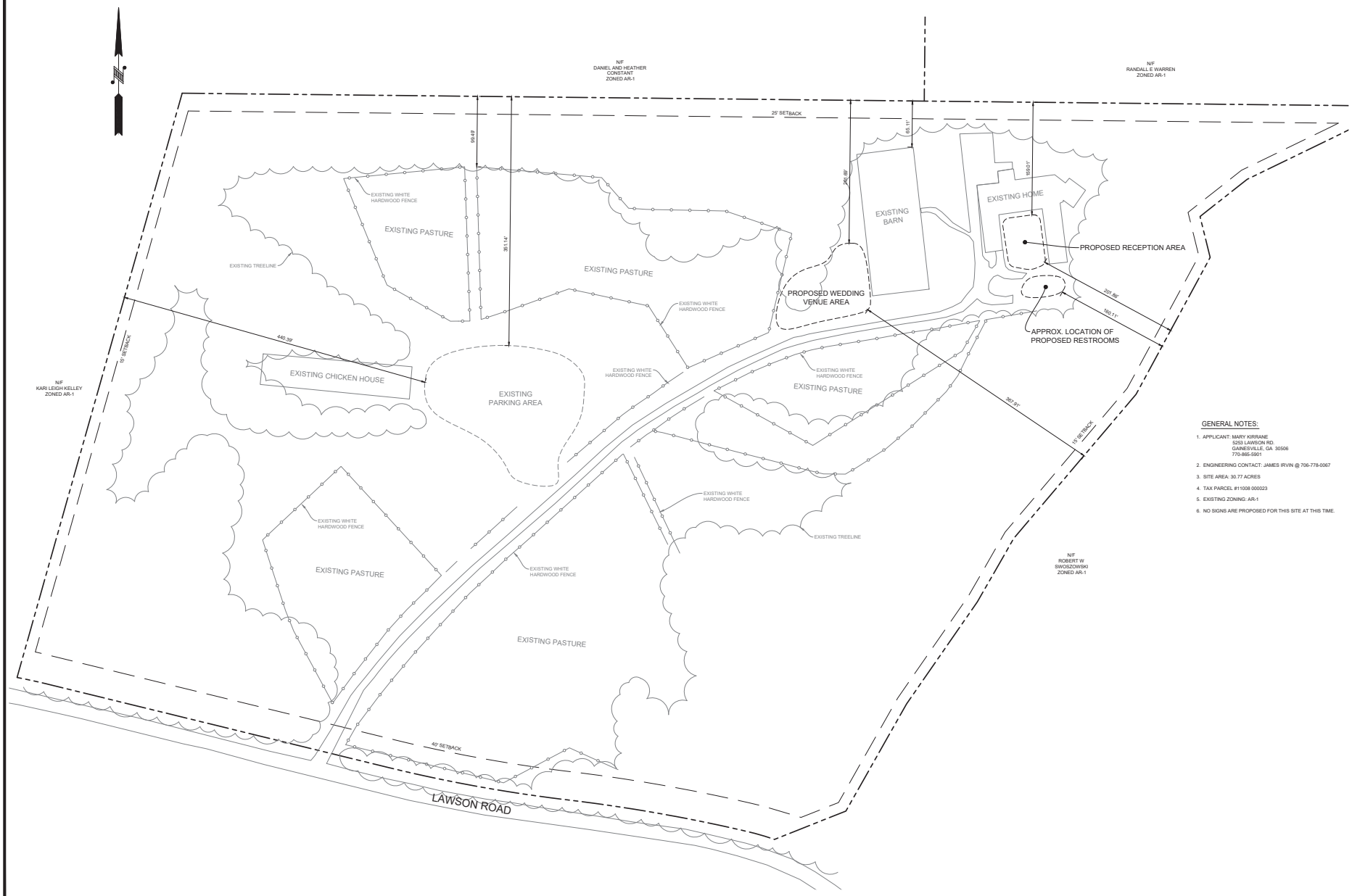


Chicken Coop



Woods behind horse stalls





GENERAL NOTES:

1. APPLICANT: MARY KIRRANE
   5293 LAWSON RD.
   GAINESVILLE, GA 30506
   770-865-5901
2. ENGINEERING CONTACT: JAMES IRVIN @ 706-778-0067
3. SITE AREA: 30.77 ACRES
4. TAX PARCEL #11008 000023
5. EXISTING ZONING: AR-1
6. NO SIGNS ARE PROPOSED FOR THIS SITE AT THIS TIME.

0' 60' 120' 180'
SCALE: 1" = 60'

foothills land design
164 PROFESSIONAL DRIVE
BALL GROUND, GA 30107
PHONE: (706) 778-0067
FAX: (706) 778-0069
www.foothillsld.com

OWNER/ DEVELOPER:
CMFK TRUST
PO BOX 8910
ALPHARETTA, GA 30023

SITE PLAN
FAIRMOUNT FARM
LAND LOT 8, 11TH DISTRICT
HALL COUNTY, GA

REVISIONS:		
NO.	DESCRIPTION	DATE
1	REVISIONS PER COUNTY COMMENTS	4/8/25

GEORGIA REGISTERED No. 29838 PROFESSIONAL ENGINEER JAMES D. IRVIN

GSWCC LEVEL II #98

DATE: APRIL 4, 2025

SCALE: 1" = 60'

SHEET:
C1

JOB #25050

06.02.2025 Item 5

THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.
THIS PROPERTY WAS SURVEYED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL INFORMATION THAT A TITLE SEARCH MAY PRODUCE.

EQUIPMENT USED: WILD T1000 & DI1000 DISTOMAT EDM.

THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

ERROR OF CLOSURE:
1' IN 58,000'+
COMPASS ADJUSTMENT
ERROR OF CLOSURE:
1' IN 150,000'+

J. BENNY ALLEN & RUNELLE HEAD

LL 6
LL 7
LL 5
LL 8

LAND LOT LINE
S88 56'15"E 1700.43

32.077 ACRES

DWELLING
WELL
FENCE
CHICKEN HOUSE
GRAVEL DRIVE
POWER POLE
POWER LINE
N24 33'45"E 883.92

IPF 1/2" REBAR
IPS 1/2" REBAR
IPF 5/8" SOLID
IPF 1/2" REBAR 15.56'SK

No.	Direction	Length
1	S83 50'58"W	80.38
2	S84 19'20"W	340.88
3	S81 21'08"W	94.34
4	S13 30'07"E	38.31
5	S88 38'43"W	218.78
6	S49 36'48"W	885.89
7	S30 11'38"W	103.38
8	S34 55'44"W	170.68
9	S88 43'38"W	173.74
10	S88 53'44"W	118.05
11	N71 30'48"W	67.88
12	N78 38'54"W	64.84
13	N80 28'28"W	77.38
14	N81 48'58"W	197.87
15	N81 17'03"W	78.06
16	N78 55'44"W	83.64
17	N77 25'52"W	86.43
18	N75 53'38"W	817.84
19	N75 34'48"W	168.48
20	N78 13'38"W	80.86
21	N78 30'18"W	40.68
22	N80 36'38"W	58.80
23	N86 23'54"W	69.80

STANLEY COCHRAN

ROBERT SNOSIONSKI

(TIE)
S 81-39 W
518.02' TO
C/L INTERSECTION
LAWSON ROAD &
BRITT WHITMIRE RD.

LANSON ROAD
60' R/W

HENRY G. JARRARD
R.L.S. 1182
840 MAIN STREET
GAINESVILLE, GA.
770-534-3421

PLAT FOR

PATTI P. CORNETT
LAND LOT 8 DISTRICT 11
HALL COUNTY, GEORGIA
FEB/19/1996

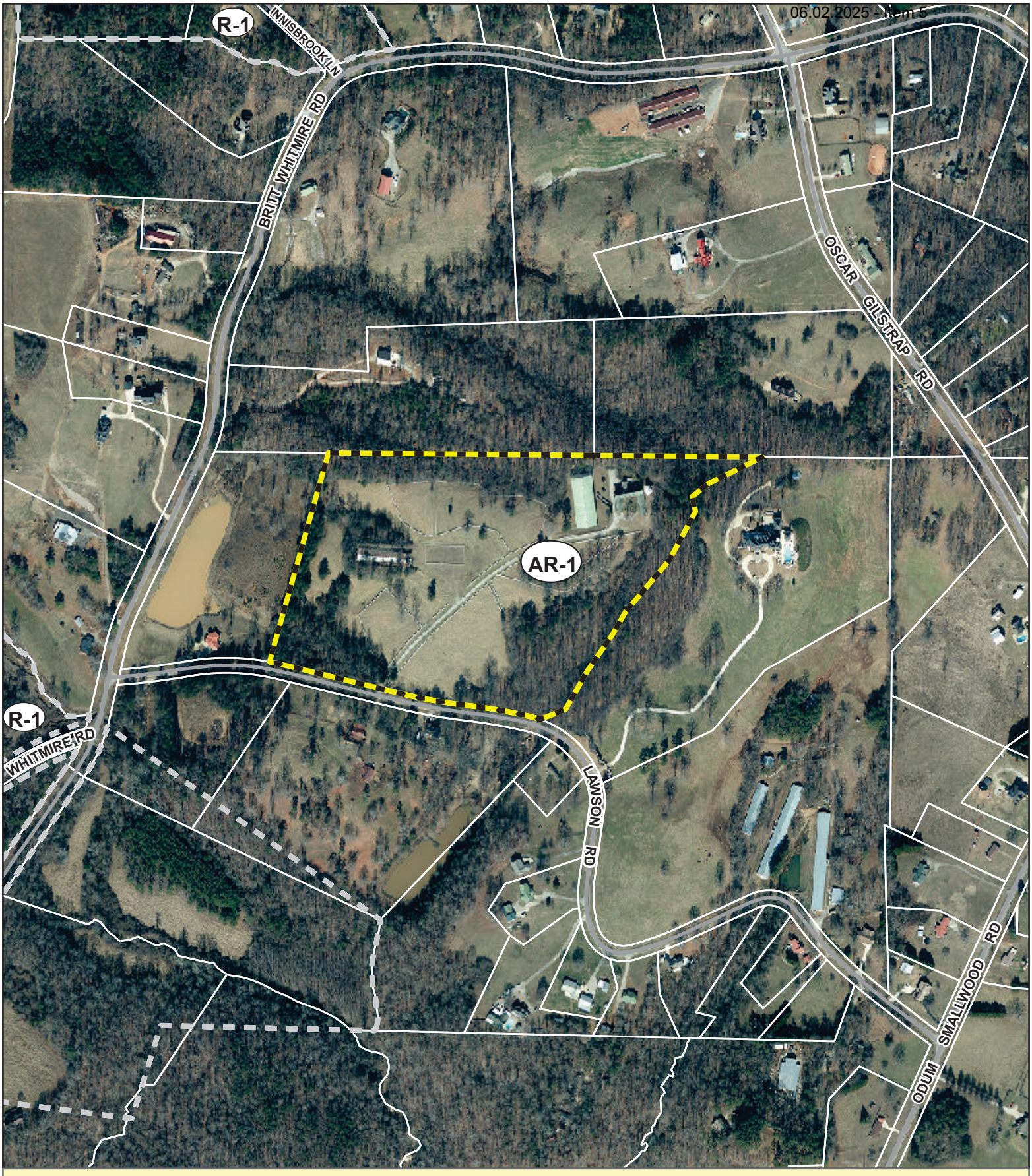
RECORDING PERMIT
By [signature] 5-21-96
HALL COUNTY PLANNING COMMISSION

Georgia, Hall County, Clerk Superior Court
Filed in office this 21 day of May
19 96 at — Recorded in Slide 523
Page MA
Dwight S. Wood
DWIGHT S. WOOD, Clerk

200 0 200 400 600
Scale: 1"= 200'

JOB: 8708-PCB-011-1037-1037P

06.02.2025 - Item 5

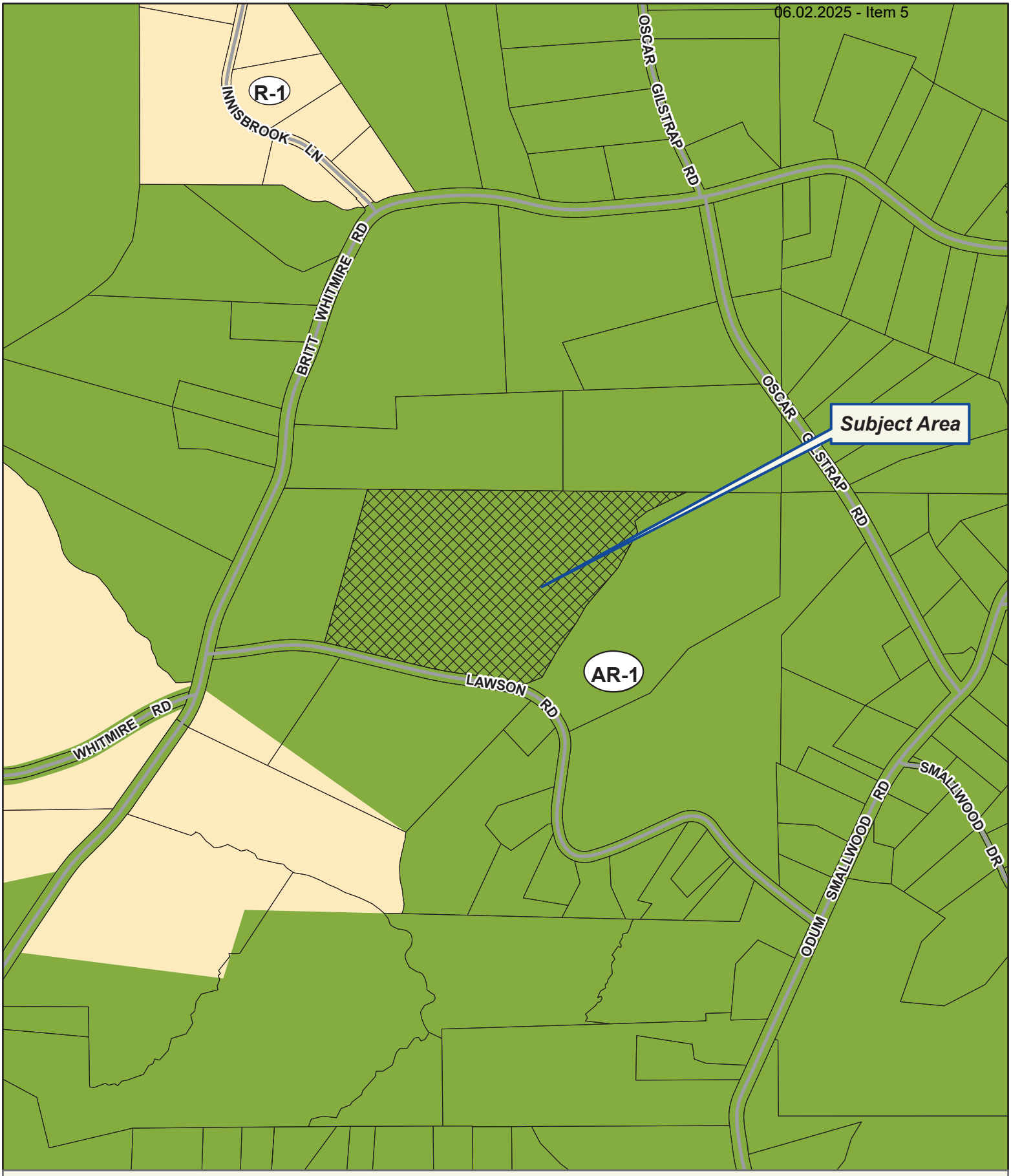


Applicant: MARY KIRRANE
Tax Parcel #: 11008 000023
Location: 5253 LAWSON ROAD, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 06/02/2025**

0 100 200 400
Feet

Zoning Boundary
City Limits
Subject Area

N

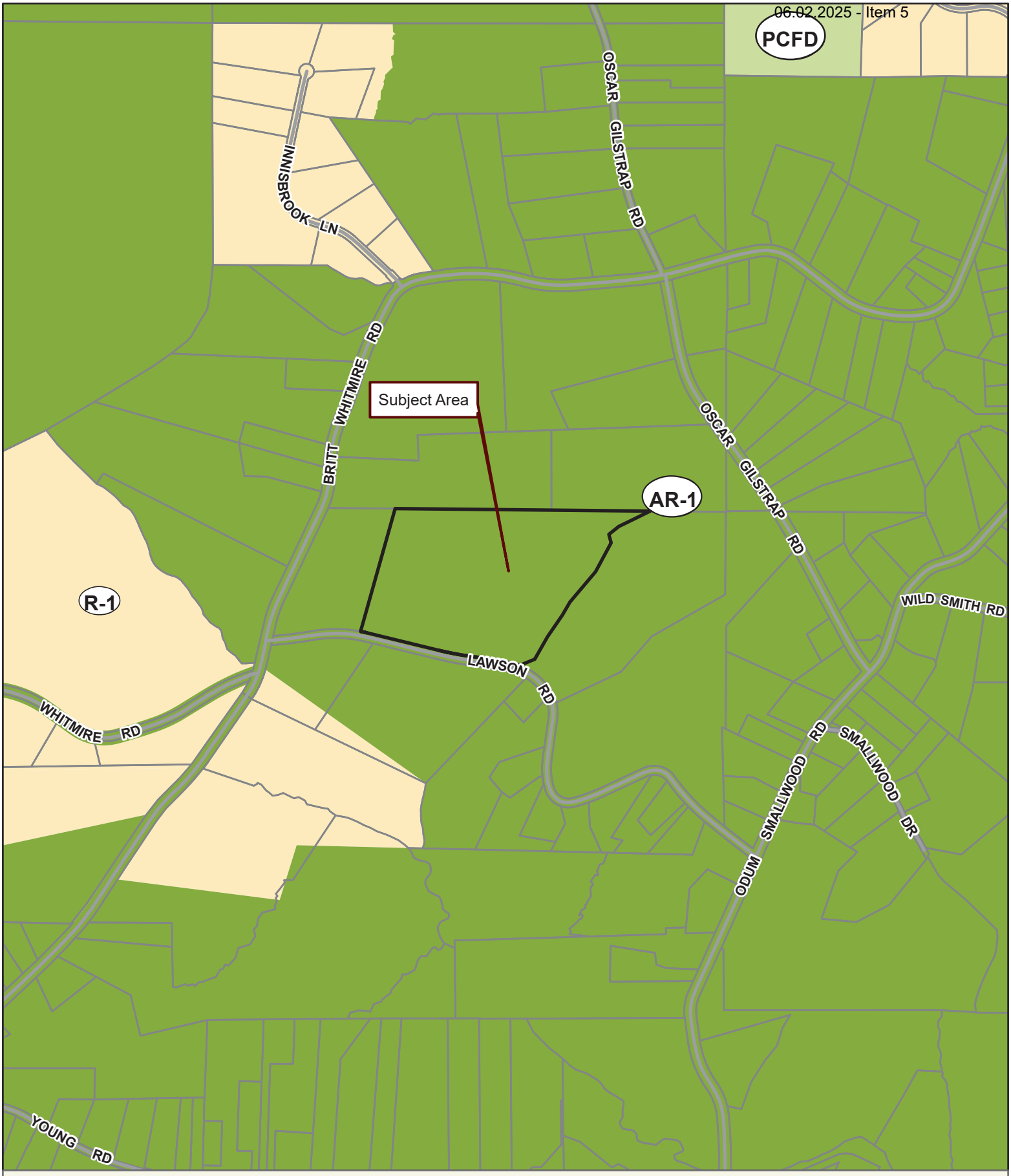


Applicant: MARY KIRRANE
Tax Parcel #: 11008 000023
Location: 5253 LAWSON ROAD, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 06/02/2025**

0 100 200 400
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: MARY KIRRANE
Tax Parcel #: 11008 000023
Location: 5253 LAWSON ROAD, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 06/02/2025**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

SEND RECORDED DEED TO:
James W. Guthrie
Attorney at Law
1108 Fifth Avenue, Suite 200
San Rafael, California 94901-2916
SEND TAX STATEMENTS TO:
Mary Frances Kirrane, Trustee
CMFK Trust
11 Leeward Road
Belvedere, California 94920

GEORGIA, HALL COUNTY, CLERK
SUPERIOR COURT FILED IN OFFICE
AND RECORDED IN BOOK 4979
PAGE (S) 504-505 THIS 24
DAY OF MAY 20 04 AT 10:33 am
DWIGHT S. WOOD, CLERK BY
1411

000504

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 0
Date 5-24-04
DWIGHT S. WOOD
Clerk Superior Court
By

STATE OF GEORGIA
COUNTY OF HALL

WARRANTY DEED

018785

As a transfer to trust by way of gift and for no consideration, Mary Frances Kirrane ("Grantor"), by these presents does grant, bargain, sell, alien, and convey unto Mary Frances Kirrane as trustee for the benefit of the CMFK Trust ("Grantee"), the tract or parcel of land more fully and completely described Exhibit A, attached hereto and made part hereof by this 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 behalf of 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, the Grantor has signed, sealed, and delivered this deed in the presence of the undersigned notary public this 20th day of May 2004.

Mary Frances Kirrane
Mary Frances Kirrane

Signed, sealed and delivered this 20th day of May 2004, in the presence of

Unofficial witness

STATE OF CALIFORNIA)
COUNTY OF MARIN)

On this 20th day of May 2004, before me, James W. Guthrie, a Notary Public, State of California, personally appeared Mary Frances Kirrane, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity.

WITNESS my hand and official seal.

JAMES W. GUTHRIE
COMM. #1475664
NOTARY PUBLIC • CALIFORNIA
MARIN COUNTY
Comm. Exp. MARCH 31, 2006

Notary Public
State of California

04979
00505

EXHIBIT "A" 000505

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 8, DISTRICT 11, HALL COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, FROM THE INTERSECTION OF THE CENTER LINE OF LAWSON ROAD WITH THE CENTERLINE OF BRITT-WHITMIRE ROAD, RUN ALONG THE NORTHERN RIGHT-OF-WAY OF LAWSON ROAD (HAVING A 60 FOOT RIGHT-OF-WAY) NORTH 81 DEGREES, 30 MINUTES, 00 SECONDS EAST A DISTANCE OF 518.02 FEET EAST TO AN IRON PIN SET ON SAID RIGHT-OF-WAY; THENCE RUN SOUTH 85 DEGREES, 21 MINUTES, 54 SECONDS EAST A DISTANCE OF 62.50 FEET TO A POINT; THENCE RUN SOUTH 80 DEGREES 36 MINUTES 39 SECONDS EAST A DISTANCE OF 68.20 FEET TO A POINT; THENCE RUN SOUTH 75 DEGREES, 06 MINUTES, 09 SECONDS EAST A DISTANCE OF 3.65 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING. THE TRUE POINT OF BEGINNING BEING THUS ESTABLISHED, THENCE, LEAVING SAID RIGHT OF WAY, RUN NORTH 15 DEGREES, 59 MINUTES, 17 SECONDS EAST A DISTANCE OF 859.67 FEET TO AN IRON PIN FOUND ALONG THE LAND LOT LINE SEPARATING LAND LOT 8 FROM LAND LOT 7; THENCE CONTINUING ALONG SAID LAND LOT LINE, RUN SOUTH 88 DEGREES, 56 MINUTES, 15 SECONDS EAST A DISTANCE OF 1700.43 FEET TO AN IRON PIN FOUND; THENCE, LEAVING SAID LAND LOT LINE, RUN SOUTH 63 DEGREES, 50 MINUTES, 52 SECONDS WEST A DISTANCE OF 80.35 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 64 DEGREES, 18 MINUTES, 50 SECONDS, WEST A DISTANCE OF 140.95 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 51 DEGREES, 51 MINUTES, 02 SECONDS WEST A DISTANCE OF 84.34 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 13 DEGREES, 30 MINUTES, 07 SECONDS EAST A DISTANCE OF 59.31 FEET TO AN IRON PIN SET; THENCE RUN SOUTH 28 FEET, 35 MINUTES, 43 SECONDS WEST A DISTANCE OF 219.75 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 40 DEGREES, 30 MINUTES, 49 SECONDS WEST A DISTANCE OF 265.99 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 30 DEGREES, 11 MINUTES, 26 SECONDS WEST A DISTANCE OF 103.28 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 34 DEGREES, 56 MINUTES, 44 SECONDS WEST A DISTANCE OF 175.68 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 29 DEGREES, 43 MINUTES, 36 SECONDS WEST A DISTANCE OF 173.74 FEET TO AN IRON PIN FOUND; THENCE RUN SOUTH 68 DEGREES, 33 MINUTES, 44 SECONDS WEST A DISTANCE OF 116.05 FEET TO A POINT ALONG THE RIGHT OF WAY OF LAWSON ROAD; THENCE RUN NORTH 71 DEGREES, 30 MINUTES, 48 SECONDS WEST A DISTANCE OF 57.85 FEET TO A POINT; THENCE RUN NORTH 78 DEGREES, 32 MINUTES, 54 SECONDS WEST A DISTANCE OF 64.88 FEET TO A POINT; THENCE RUN NORTH 80 DEGREES, 55 MINUTES, 25 SECONDS WEST A DISTANCE OF 77.36 FEET TO A POINT; THENCE RUN NORTH 81 DEGREES, 46 MINUTES, 59 SECONDS WEST A DISTANCE OF 127.67 FEET TO A POINT, THENCE RUN NORTH 81 DEGREES, 17 MINUTES, 03 SECONDS WEST A DISTANCE OF 76.60 FEET TO A POINT; THENCE RUN NORTH 78 DEGREES, 56 MINUTES, 44 SECONDS WEST A DISTANCE OF 63.24 FEET TO A POINT; THENCE RUN NORTH 77 DEGREES, 25 MINUTES, 55 SECONDS WEST A DISTANCE OF 85.43 FEET TO A POINT; THENCE RUN NORTH 75 DEGREES, 53 MINUTES, 22 SECONDS WEST A DISTANCE OF 217.84 FEET TO A POINT; THENCE RUN NORTH 75 DEGREES, 31 MINUTES, 46 SECONDS WEST A DISTANCE OF 198.49 FEET TO A POINT; THENCE RUN NORTH 76 DEGREES, 13 MINUTES, 36 SECONDS WEST A DISTANCE OF 80.85 FEET TO A POINT; THENCE RUN NORTH 78 DEGREES, 48 MINUTES, 16 SECONDS WEST A DISTANCE OF 36.94 FEET TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING, BEING APPROXIMATELY 30.773 ACRES AND MORE PARTICULARLY SHOWN ON THAT CERTAIN SURVEY FOR PATTI P. CORNETT, DATED FEBRUARY 19, 1996, BY HENRY GRADY JARRARD, GEORGIA REGISTERED LAND SURVEYOR # 1182

Outlook

HCPC Tentative Agenda 6.2.25

From Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>
Date Thu 5/1/2025 4:56 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>

Please find Environmental Health comments below.

Item 1, 2017 Athens Hwy, Herbert: No comment in regards to monument sign.

Item 2, 504 John Harm Way, Q Crescent Holdings: No comment.

Item 3, 3266 Chestatee Rd, Pierce: Existing commercial septic system sized for 750gpd/150 guests.

Item 4, 5162 Thompson Bridge Rd, FreeUp Storage: No comment.

Items 5A/B, 5253 Lawson Road, Kirrane: Must meet all Environmental Health commercial septic system permitting requirements. An onsite sewage management system (and bathroom structure) will be required on the property for the requested use. Applicant has already been informed of Environmental Health requirements.

Items 6A/B, 4745 Cagle Mill Road: The entire development 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.

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.

Outlook

RE: June 2, 2025 Hall County Planning Commission Meeting

From Nembhard, Nakia L <NNembhard@dot.ga.gov>
Date Mon 4/28/2025 2:00 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

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,

Below you will find the comments on whether coordination will be needed.

2017 Athens Highway – If sign will be placed on Athens St and not Athens Hwy no coordination will be need. Any placing sign on GDOT R/W will require coordination.

504 John Harm Way – No coordination.

3266 Chestatee Road – No Coordination.

5162 Thompson Bridge Rd – Will require coordination.

5253 Lawson Road – No coordination.

4745 Cagle Mill Rd, 4673 & 4691 Noah Martin Drive – Will need coordination if intent is to create driveway on SR 365, if not no coordination will be needed.

Thanks,

Nakia Nembhard
Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy Suite 100

Gainesville, GA, 30501

(678) 332-8200 Cell
(770) 533-8496 Office

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, April 24, 2025 4:24 PM
Subject: June 2, 2025 Hall County Planning Commission Meeting

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 **June 2, 2025** 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 **May 2, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – May 19, 2025

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

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

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

MEMORANDUM

To: Beth Garmon, Director of Planning and Zoning

From: Bill Nash, Director of Public Works and Utilities

Date: May 2, 2025

Subject: June 2, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the June 2, 2025 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

a. **Engineering**: No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

a. **Engineering:** No comment
b. **Traffic:** No comment
c. **Utilities:** Not in Hall County Sewer Service Area

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue |** ** Commission District 2 | **Brenton Pierce, 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:** Not in Hall County Sewer Service Area

4. **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A **| Proposed Use: Self-storage facility |** ** Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

    a. **Engineering:** No comment
    b. **Traffic:** No comment
    c. **Utilities:** Not in Hall County Sewer Service Area

5. **(A) 5253 Lawson Road | Special Use** | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue |** ** Commission District 3 | **Mary Kirrane, 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:** Not in Hall County Sewer Service Area

6. **4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone |** from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) | on a combined 130.84± acre tract located on the west side of Cagle Mill Road at its intersection with Noah Martin Drive |

Zoned AR-1; Tax Parcels 15007 000254(pt), 15019 000114 & 000043 **| Proposed Use: 323-unit residential development |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming.
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

7. **4745 Cagle Mill Road | Rezone |** from Agricultural Residential 1 (AR-1) to Planned Industrial Development (PID, GCOD) | on a 10.57± acre portion of a tract located on the east side of Cornelia Highway (GA-365) approximately 4,970 feet from its intersection with Cagle Road | Zoned AR-1; Tax Parcel 15007 000254(pt) **| Proposed Use: Industrial uses |** ** Commission District 3 | **BCBTR, 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
Show FEMA and Hall County studied Flood plains that are present on site.
North Oconee Reservoir Watershed Protection District requires 100-foot stream buffers with a 150-foot impervious set back on both sides of the stream as measured from the stream banks.
b. **Traffic:** This development is currently under staff review and comment will be forthcoming
c. **Utilities:** Hall County service area. Sewer is available along Cornelia Highway.

Outlook

Fire Comment

From John Hornick (Fire Services) <jhornick@hallcounty.org>
Date Mon 4/28/2025 2:14 PM
To Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

June 2, 2025 Hall County Planning Commission Meeting

6. **(B) 5253 Lawson Road | Special Use |** on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 **| Proposed Use: Equestrian center with variances |** ** Commission District 3 **| Mary Kirrane, 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

Outlook

RE: June 2, 2025 Hall County Planning Commission Meeting

From Steve Watson (Real Property) <rswatson@hallcounty.org>
Date Fri 4/25/2025 8:59 AM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Cc Cher Melendez (Tax Assessors) <cmelendez@hallcounty.org>

Kaitlyn:

See my ***comments*** blow.

Respectfully,

Steve Watson,
Director/Chief Appraiser of Hall County Board of Assessors
Hall County Government
(office) 770-531-6733
(cell) 470-691-6375
rswatson@hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, April 24, 2025 4:24 PM
Subject: June 2, 2025 Hall County Planning Commission Meeting

Good Afternoon,

Here is the Tentative Agenda and Maps for the **June 2, 2025** 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 **May 2, 2025.** Email comments to Beth (bgarmon@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – May 19, 2025

NEW BUSINESS

1. **2017 Athens Highway | Variance to Section 8.6 |** Sign standards | on an 2.20± acre tract located on the north side of Athens Highway at its intersection with Athens Street | Zoned H-B (GCOD); Tax Parcel 15032E002012A(pt) **| Proposed Use: Monument sign |** * Commission District 4 | **Kevin Herbert, applicant**

2. **504 John Harm Way | Variance to Section 8.6 |** Sign standards | on a 18.35± acre tract located on the east side of Crescent Drive, approximately 265 feet from its intersection with White Sulphur Road | Zoned PRD; Tax Parcel 15033D000008 **| Proposed Use: Entrance monument sign |** * Commission District 3 | **Q Crescent Holdings, LLC, applicant**

3. **3266 Chestatee Road | Special Use |** to amend conditions of zoning | on a 27.96± acre tract located on the north side of Chestatee Road approximately 948 feet from its intersection with North River Road | Zoned AR-1; Tax Parcel 10059 000012 **| Proposed Use: Agri-entertainment venue |** ** Commission District 2 | **Brenton Pierce, applicant**

4. **5162 Thompson Bridge Road | Special Use |** to amend conditions of zoning | on a 5.79± acre tract located on the northeast side of Thompson Bridge Road approximately 1,045 feet from its intersection with Hubert Stephens Road | Zoned PCD (GCOD); Tax Parcel 11083 003001A **| Proposed Use: Self-storage facility |** ** Commission District 3 | **FreeUp Storage Murrayville, LLC, applicant**

5. **(A) 5253 Lawson Road | Special Use** | on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 | **Proposed Use: Agri-entertainment venue |** ** Commission District 3 | **Mary Kirrane, applicant** ***Notes from file: 2025 TP ADVISED IF CHANGES POSS BREACH TO HER PLAN OF ACTION POSSIBLE EARLY OUT??? - 2.3.25 kh snt tp breach estimate - 1.31.25 tp walk in wants to have a wedding venue told that would cause breach cm***

6. **(B) 5253 Lawson Road | Special Use |** on a 30.77± acre tract located on the north side of Lawson Road approximately 642 feet from its intersection with Britt Whitmire Road | Zoned AR-1; Tax Parcel 11008 000023 **| Proposed Use: Equestrian center with variances |** ** Commission District 3 **| Mary Kirrane, applicant** ***Notes from file: 2025 TP ADVISED IF CHANGES POSS BREACH TO HER PLAN OF ACTION POSSIBLE EARLY OUT??? - 2.3.25 kh snt tp breach estimate - 1.31.25 tp walk in wants to have a wedding venue told that would cause breach cm***

6. **4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone |** from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) | on a combined 130.84± acre tract located on the west side of Cagle Mill Road at its intersection with Noah Martin Drive | Zoned AR-1; Tax Parcels 15007 000254(pt), 15019 000114 & 000043 **| Proposed Use: 323-unit residential development |** ** Commission District 3 | **BCBTR, LLC, applicant**

7. **4745 Cagle Mill Road | Rezone |** from Agricultural Residential 1 (AR-1) to Planned Industrial Development (PID, GCOD) | on a 10.57± acre portion of a tract located on the east side of Cornelia Highway (GA-365) approximately 4,970 feet from its intersection with Cagle Road | Zoned AR-1; Tax Parcel 15007 000254(pt) **| Proposed Use: Industrial uses |** ** Commission District 3 | **BCBTR, 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, July 10, 2025**, 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, July 10, 2025. 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.

Kaitlyn Elliott

Planning Commission Clerk

Hall County Community Development and Infrastructure

(770) 531-6810 www.hallcounty.org

HALL COUNTY
GEORGIA
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Swoszowski

Bob & Wanda Swoszowski
5295 Lawson Road Gainesville, GA 30506

Wednesday, April 16, 2025

Dear Sirs,

My wife and I have lived on Lawson Road for the past 38 years. This is a quiet, 8/10-mile road, open at both ends, with approximately 12 homes located along either side.

One of our neighbors, Cecilia Kirrane, who owns the horse farm at 5253 Lawson Road, Gainesville, GA 30506, may be planning to request a rezoning of her property from a private horse farm to an equestrian wedding venue. During a recent conversation with her, she mentioned that she has already met with both the planning commissioner and the fire marshal on-site. I have expressed to her directly that I am opposed to this proposed commercial change.

The residents of Lawson Road, myself included, chose to live here for the peaceful, rural environment — a key reason for moving this far from the city of Gainesville.

If this rezoning request comes before you, I strongly request that you reject it.

With Kindest Regards,

R W Swoszowski

Wanda S. Swoszowski

Bob and Wanda Swoszowski

cc: County Commissioner, Planning Commission & Neighbors of Lawson Rd.

Print

Planning Commission Comments - June 2, 2025 - Submission #119191

Date Submitted: 5/27/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Robert

Last Name*

Swoszowski

Address1*

5295 Lawson Road

Address2

City*

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

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*

To the Planning Commission,

I am writing to respectfully request the opportunity to make a public comment at the upcoming meeting regarding the proposed change in use of a nearby property to an equine wedding venue.
I am firmly opposed to this application for the following reasons:

Lawson Road is a rural, open-ended, two-lane road that stretches just 8/10 of a mile and serves approximately twelve residential homes. It is winding, hilly, and commonly used by neighbors for walking and exercise. The road is quiet and peaceful, without commercial activity or through traffic—just local residents who value the tranquility of this area. My family and I moved here thirty-eight years ago specifically to escape densely packed housing developments, and we continue to live here because of the serenity and sense of community.

The property owner showed my wife and me a layout of the proposed venue. Despite the vast acreage available, the venue is planned to be located just 60 feet from our property line and approximately 300 feet from our home. Given the nature of weddings, which often include alcohol and loud celebrations, I am deeply concerned about the level of noise that would affect our daily life and disrupt the quiet environment we have cherished for decades.

This proposed change would dramatically alter the character of our neighborhood and negatively impact the quality of life for current residents. I did not move to the countryside to live next door to a commercial event space.

I respectfully urge the Commission to deny this application for a zoning change.

Sincerely,

Robert W. Swoszowski

Please write your comments in the box above.

File Upload

Planning Commissioner Comments for Meeting.docx
If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Yes [redacted]

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Swoszowski

Bob & Wanda Swoszowski
5295 Lawson Road Gainesville, GA 30506

Thursday, May 15, 2025

To the Planning Commission,

I am writing to respectfully request the opportunity to make a public comment at the upcoming meeting regarding the proposed change in use of a nearby property to an equine wedding venue.
I am firmly opposed to this application for the following reasons:

Lawson Road is a rural, open-ended, two-lane road that stretches just 8/10 of a mile and serves approximately twelve residential homes. It is winding, hilly, and commonly used by neighbors for walking and exercise. The road is quiet and peaceful, without commercial activity or through traffic—just local residents who value the tranquility of this area. My family and I moved here thirty-eight years ago specifically to escape densely packed housing developments, and we continue to live here because of the serenity and sense of community.

The property owner showed my wife and me a layout of the proposed venue. Despite the vast acreage available, the venue is planned to be located just 60 feet from our property line and approximately 300 feet from our home. Given the nature of weddings, which often include alcohol and loud celebrations, I am deeply concerned about the level of noise that would affect our daily life and disrupt the quiet environment we have cherished for decades.

This proposed change would dramatically alter the character of our neighborhood and negatively impact the quality of life for current residents. I did not move to the countryside to live next door to a commercial event space.

I respectfully urge the Commission to deny this application for a zoning change.

Sincerely,



Robert W. Swoszowski

Print

Planning Commission Comments - June 2, 2025 - Submission #119240

Date Submitted: 5/29/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Kari

Last Name*

Kelley

Address1*

5211 Lawson Road

Address2

City*

GAINESVILLE

State*

GA

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

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*

To the Planning Commission,

We are writing to respectfully urge the Commission to deny the application for the zoning change on Lawson Road. We are firmly opposed to this application for several reasons. My father grew up here and has now passed this land on to me. For as long as I can remember, it has always been a rural, quiet and peaceful area. I was quite happy to inherit such a beautiful piece of property in such a quiet area with no commercial activity and a ton of traffic. We definitely do not want to see a public venue go in right next door to us. The road is only two lanes and most times we walk it with our dogs and see our other neighbors and their furbabies. Most weddings have a tendency to get loud and guests sometimes have tendencies to overdrink which leads to wandering past property lines and leaving trash where it doesn't belong. We just feel that we are fortunate enough to live in an area of the county that is left untouched by large crowds, public access, lots of traffic, and that "close to town" feel.....we fear a venue right next door to us would ruin the out in the country home we have come to love and work so hard to have.

Please consider denying this application for a zoning change.

Sincerely,

Chris & Kari Leigh Kelley

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.

Print

Planning Commission Comments - June 2, 2025 - Submission #119299

Date Submitted: 6/1/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Bucky

Last Name*

Kennedy

Address1*

5411 Lawson Road

Address2

City*

Gainesville

State*

Ga

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I am writing on behalf of my family members that live in 4 houses on Lawson Road. My objection is in regard to location and increased traffic in a quiet neighborhood that is contrasting an increase between Odum Smallwood and Britt Whitmire especially during the school year. Most of the people
On Lawson road have lived here their entire life. The venue in question is extremely close to 2 residences which will create a noise issue. I appreciate your consideration of this matter but strongly encourage you to deny this request for a venue that increases traffic on a small rural road and affects the tranquility of our peaceful road. Thank you. Bucky Kennedy written on behalf of Raymond Dover of 5393 Lawson Road

Please write your comments in the box above.

File Upload

image.jpg

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?

[redacted]

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

From: Bucky Kennedy [redacted]
Subject: Requested zoning objection
Date: June 1, 2025 at 9:09 PM
To: shunt@hallcounty.org

Greetings Mr. Hunt,
I'm writing this email on behalf of my father-in-law Raymond Dover of 5393 Lawson Rd and myself (5411 Lawson Rd.)
I'm writing to you in objection to the proposed zoning request of Mary Kirrane of 5253 Lawson Road. The request is for a Agri-entertainment venue.
My objection is in regard to location and increased traffic on a quiet neighborhood that is constantly seeing an increase of traffic between Odom Smallwood and Brit Whitmire especially during the school year and large school events. This road and neighborhoo is largely agricultural and most of the residence on this road have lived here for the entire life.
The venue in question is extremely close to 2 residences which would create somewhat of a noise issue as we can hear the the ba playing at events at North Hall High School. Surely we will hear music from an event next door.

I appreciate your consideration of this matter but strongly encourage you to deny this request for a venue that increases traffic on a small rural road and affects the tranquility of our peaceful road.

Thank you,
Bucky Kennedy and on behalf of Raymond Dover

Print

Planning Commission Comments - June 2, 2025 - Submission #119294

Date Submitted: 6/1/2025

Comments completed in the form below will be submitted into the record for the June 2, 2025 meeting of the Hall County Planning Commission.

First Name*

Kathy

Last Name*

Parsons

Address1*

5322 Lawson road

Address2

City*

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

(A) 5253 Lawson Road | Special Use

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I have uploaded a document concerning the meeting to be held June 2, 2025 by the Hall County Planning & Zoning Department for the application of 5253 Lawson Road request by Mary Kirrane (applicant)

Kathy Parsons

Please write your comments in the box above.

File Upload

Hall County Commissioners May 2025.docx
If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

[redacted]

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

To the Planning Commission,

June 1, 2025,

I would like to express my comments on this proposal to change the use of a nearby property to an equine wedding venue. I am opposed to this proposal as there are several of my neighbors that live on this road who are opposed as well. We already have a lot of traffic through this road as many people & students as well use this as a shortcut. Many times, the vehicles are going too fast for this road and this venue would add to the problems we experience already with the traffic flow. We have several small children on this road and are trying to raise them in this rural area & want them to be able to get out and play in our yards without concern of an accident due to the flow of more traffic. North Hall students also use this road as a place for the cross county & track students to run. Many of us go out and walk daily on our road and we already must be very careful due to the traffic we already have coming through our road. We all love our rural area, it is a peaceful group of neighbors, and we would love it to remain this way.

Thank you for your consideration in this matter.

Kathy Parsons
Resident of Lawson Road


ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: MARY KIRRANE
REQUEST: SPECIAL USE FOR AN AGRI-ENTERTAINMENT VENUE AND EQUESTRIAN CENTER WITH VARIANCES
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: JUNE 02, 2025
Time: 5:15 P.M.
&
COUNTY COMMISSION
Date: JULY 10, 2025
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

Lcortez@hallcounty.org | Planning@hallcounty.org

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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PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.

2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.

3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN APR 25, 2025 **AND NO LATER THAN** MAY 04, 2025.

THE ORGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN MAY 04, 2025 **ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.**

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Mary F Kirrane (Please Print Name), **hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required public notice sign was posted on** 4/30/25 (Date) **for** HLC 425-0019 (Name application filed as).

Signature Mary Kirrane HLC 425-0020

(The original document is required)

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 407/2025

SUBJECT: Approve the award of Task Order #2026-003 under RFP/Q #42-002 Demand Services for Resurfacing, Paving, and Full Depth Reclamation of 29.96 miles of Hall County roads for the FY 2026 resurfacing program to Allied Paving Contractors, Inc. of Pendergrass, GA. The estimated cost is $13,159,831.25.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:
Approve the award of Task Order #2026-003 under RFP/Q #42-002 Demand Services for Resurfacing, Paving, and Full Depth Reclamation of 29.96 miles of Hall County roads for the FY 2026 resurfacing program to Allied Paving Contractors, Inc. of Pendergrass, GA. The estimated cost is $13,159,831.25.

History:

Facts and Issues:
This task order is the result of the competitively bid RFQ/P #42-002 Demand Services for On-Call Paving & Full Depth Reclamation Contractors.

Options:

Funding Requested	$ 13,159,831.25
Are funds within current budget?	Yes
Source of Funds	SPLOST VIII, LMIG
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	BN	BN	AY
Budget	**Finance**	**Attorney**	**Administration**
JM	TS	WLI	CR
Clerk			
JR			

Attachments:
Financial Supplement
Bid Tab
Contract Signature Request
Task Order 2026-003
Road Resurfacing Map
Road Resurfacing Map Key

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 407/2025

Funds Requested: $ 13,159,831.25

Request Budgeted: Yes

Proposed Source of Funding:

SPLOST VIII, LMIG

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2026	221-STATE ROAD GRANT FUND	4971-ENGINEERING	541400-INFRASTRUCTURE	$4,951,569.00
2026	324-SPLOST VIII	4971-ENGINEERING	541400-INFRASTRUCTURE	$8,208,262.25

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BR

Phone: 770-531-6800

TO #:	2026-003 Resurfacing 29.96 Miles of Hall County Roads	Allied Paving	Pittman Construction
		Pendergrass, GA	Conyers, GA
ITEM NO.	ITEM DESCRIPTION	PRICE	PRICE
1	Lump Sum Bid	$13,159,831.25	$16,256,372.32

Total number of bids sent: 2

Number of bids sent to Hall County contractors: 0

Number of bids received: 2

Number of Hall County bids received: 0

Number of "No Bids": 0

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION

CONTRACT EXECUTION SIGNATURE REQUEST

Date: June 19, 2025

To: David Gibbs, Chairman, BOC

From: Andrew Youngblood, Purchasing Supervisor

Your signature is requested to execute the attached Contract:

Bid/Contract Number: 2026-003

Bid/Contract Name: Resurfacing 29.96 Miles of Hall County Roads

Department(s) Requesting Contract: Public Works

Award Recipient Name: Allied Paving Contractors, Inc.

Contract Description:

☐ Annual Contract ☒ New ☐ Renewal

FY 2025 Projected Spend: $ N/A

☐ Price Increase Requested Increase Percentage: N/A

☒ Project/Service Contract FY 2026 Estimated Amount: $13,159,831.25

☐ Product Contract Estimated Amount:

Comment:

This task order is the result of the competitively bid RFQ/P #42-002 Demand Services for On-Call Paving & Full Depth Reclamation Contractors. The FY 2026 Estimated amount has been reviewed against the projected FY 2026 budget by Finance.

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Hall County Government
FINANCIAL SERVICES
PURCHASING DIVISION

Task Order #2026-003

May 19, 2025

For the provision of

Resurfacing 29.96 Miles of Hall County Roads

Demand Services for On-Call Paving & Full Depth Reclamation Contract #42-002

PROJECT DESCRIPTION

Hall County, Georgia Board of Commissioners' Public Works Department is issuing this Task Order #2026-003 to Demand Services for On-Call Paving & Full Depth Reclamation contractors to resurface approximately 29.96 miles of various Hall County roads according to the Scope of Work and Georgia Department of Transportation (GDOT) standards.

SCHEDULE OF EVENTS

Release Date: Monday, May 19, 2025
Pre-bid Site Visit: Bidders are welcome to visit each site at their leisure.
Bidder Questions Due Date: Friday, May 30, 2025. Send questions to andrew.youngblood@hallcounty.org.
Response to Bidder Questions Due Date: Monday, June 2, 2025
Bid Due Date: Thursday, June 5, 2025, by 2:00pm

Bidders must respond with their Task Order proposals via e-mail to andrew.youngblood@hallcounty.org by 2:00pm EST, Thursday, June 2, 2025. The County's Project Manager is:

Blair Reynolds, Project Engineer
Hall County Public Works Department
Office: (770) 531-6800
breynolds@hallcounty.org

SPECIFICATIONS and SCOPE OF WORK:

This project is for the resurfacing of approximately 29.96 miles of various County roads listed on *Attachment C – Road Schedule*. The awarded contractor will be required to install asphalt pavement as specified in the specifications, and any required striping.

A pre-bid meeting is not required; however, Contractors are welcome to visit each site individually at their leisure. The awarded Contractor will be required to attend a pre-construction meeting scheduled by the Hall County Project Engineer. The awarded Contractor is required to provide,

in hard copy and thumb drive format, a construction schedule produced in Microsoft Project at the time of the scheduled pre-construction meeting.

Schedule

The awarded Contractor will be responsible for preparing all roads listed on *Attachment C – Road Schedule*. The line item for patching shall include the Contractor removing the defective material, disposing of the waste, delivering the asphalt, and installing the new hot mix asphalt. This patching work may be accomplished by milling and inlaying with full depth asphalt or by other means as approved by the project engineer. The project engineer shall specify the locations and depth of the patching done by the awarded Contractor. The awarded Contractor may estimate a depth of 2" of asphalt patch for bidding purposes.

The completion date for this project is June 30, 2026. Equal time extension will be given if the anticipated awarding date of the contract is delayed. Required completion dates are the dates that all work is to be completed. Hall County expects the awarded Contractor to begin work within 10 business days of the issuance of a Notice to Proceed and to maintain adequate progress to ensure the contract is completed by completion date. The awarded Contractor must include any anticipated inclement weather days and Holiday days within the allowed contract time. See Attachment "A" for information on inclement weather days. Hall County may consider any unusual number of inclement weather days for time extension.

Contractor is to notify Blair Reynolds, Hall County Project Engineer, at 770-531-6800 to keep him advised of any weather delay days, delays associated to utility facility relocation delays, or other delays in contract time.

Traffic Control

The awarded Contractor shall provide traffic control to include all items necessary to maintain safe travel for the public. Traffic control shall include, but is not limited to, road closed signs, barricades, detour signs, flagging, work zone signs, low/soft shoulder signs, etc. All traffic control devices and work zones shall comply with the Manual on Uniform Traffic Control Devices (MUTCD), latest edition. All traffic control items shall be maintained by the Contractor at all times throughout the length of the project. The low/soft shoulder signs shall be maintained until vegetation is established on the shoulders.

Inspections

A Hall County Engineer or Engineering Inspector will be on-site during the entire resurfacing process for all those projects. Work hours will be Monday through Friday, 8am to 5pm. Please contact the Project Engineer to schedule resurfacing work at least 24 hours in advance.

General

All design, detailing, fabrication, construction, and construction vehicles shall conform to the State of Georgia Department of Transportation, Standard Specifications of Transportation Systems, 2001 edition, unless otherwise noted.

Contractor is required to properly dispose of all removed driveway concrete. No concrete shall be buried within the right-of-way.

Quantities are approximate only. Actual quantities for pay items will be derived by field measurements and weight measurements. Contractor is to field verify the widths of all roads. Resurfacing shall be over existing asphalt only.

The Contractor shall install all required striping as quickly as possible but no longer than 24 hours after the road is completed unless directed otherwise by the project engineer.

The Contractor is required to construct shoulders on this project.

The Contractor shall be responsible for the replacement of any and all Traffic Signal Loops located on this project.

The Contractor shall deliver **all millings** to the Hall County Landfill located at **1700 Oakbrook Drive, Gainesville, GA 30507.**

The Contractor shall utilize the Leveling Electronics on the Asphalt Spreader on any roads that are longer than 1 mile in length unless otherwise directed by the Hall County Inspector.

Crack Sealing Scope:
The following roads are the **only** roads to be considered for **crack sealing**:
Allen Road, Cook Drive, East Hall Road (Sec. 2), Evian Way, Fuller Road (Sec. 2), Hilldale Road, Joe Chandler Road (Sec. 2), Nancy Creek Road, Shoreline Drive, and Tapawingo Drive.

Spout Springs Road (Sec. 2) will be a 2" mill/inlay only. Patching will be minimal and will be determined by the Hall County Inspector.

Shoulder Construction
Any borrow/waste/disposal areas or borrow material needed as part of this bid item in order to complete shoulder construction is included in the overall bid item. Contractor is required to delineate borrow/waste/disposal areas to the Hall County Project Engineer for his approval. Erosion and Sedimentation Control measures are required on any borrow/waste/disposal areas as part of the overall bid price.

The Contractor is to build shoulders on all base and pavement projects as directed by the Project Engineer. Shoulder construction consists of building up the shoulder elevation to match the new pavement elevation and extending this new built-up material to the point where the shoulder begins to drop off into the ditch or fill slope. This build up is not expected to be greater than six (6) inches in depth. The minimum required shoulder width is two (2) feet. The shoulders are to drain away from the pavement whenever possible. In the case where the existing shoulder was previously too high, the Contractor will tie in from the new pavement elevation to an appropriate point to provide satisfactory drainage. Whenever possible, the Contractor is expected to extend the shoulder width so as to retain the same shoulder width that occurs due to the higher elevation of the pavement. The Contractor is required to smooth and compact the new shoulder material with clean material that is free from rocky material that could create voids or cause poor turf establishment. The Contractor is required to remove all grubbing debris from new shoulder material. The Contractor is required to utilize an unerodible soil type so as to minimize repair trips at the Contractor's expense. The Contractor is required to sweep new pavement as shoulder construction activities proceed.

The Contractor is to install temporary shoulders as needed to ensure that the elevation difference between the pavement edge and the shoulder is a maximum of two and one half (2 ½) inches or less. Permanent shoulders shall be constructed as soon as possible after the road is completed. Payment for temporary shoulders shall be included in the unit price for shoulder construction. There will be no separate payment for temporary shoulders.

Bidding Information
Hall County reserves the right to delete or add quantities to best serve the interests of the county.

Allied Paving Contractors, Inc.
(Full Legal Corporate Name)

By: _____

Title: Vice President

Print Name: Bryan Jones

Sworn to and subscribed before me this

12th Day of June, 2025.

Notary Public: _____

Notary commission expires: _____

KRISTI SUN HALL
NOTARY PUBLIC
My Commission Expires
01-26-2029
JACKSON COUNTY, GEORGIA

HALL COUNTY, GEORGIA

By: _____
David Gibbs, Chairman
Hall County Board of Commissioners

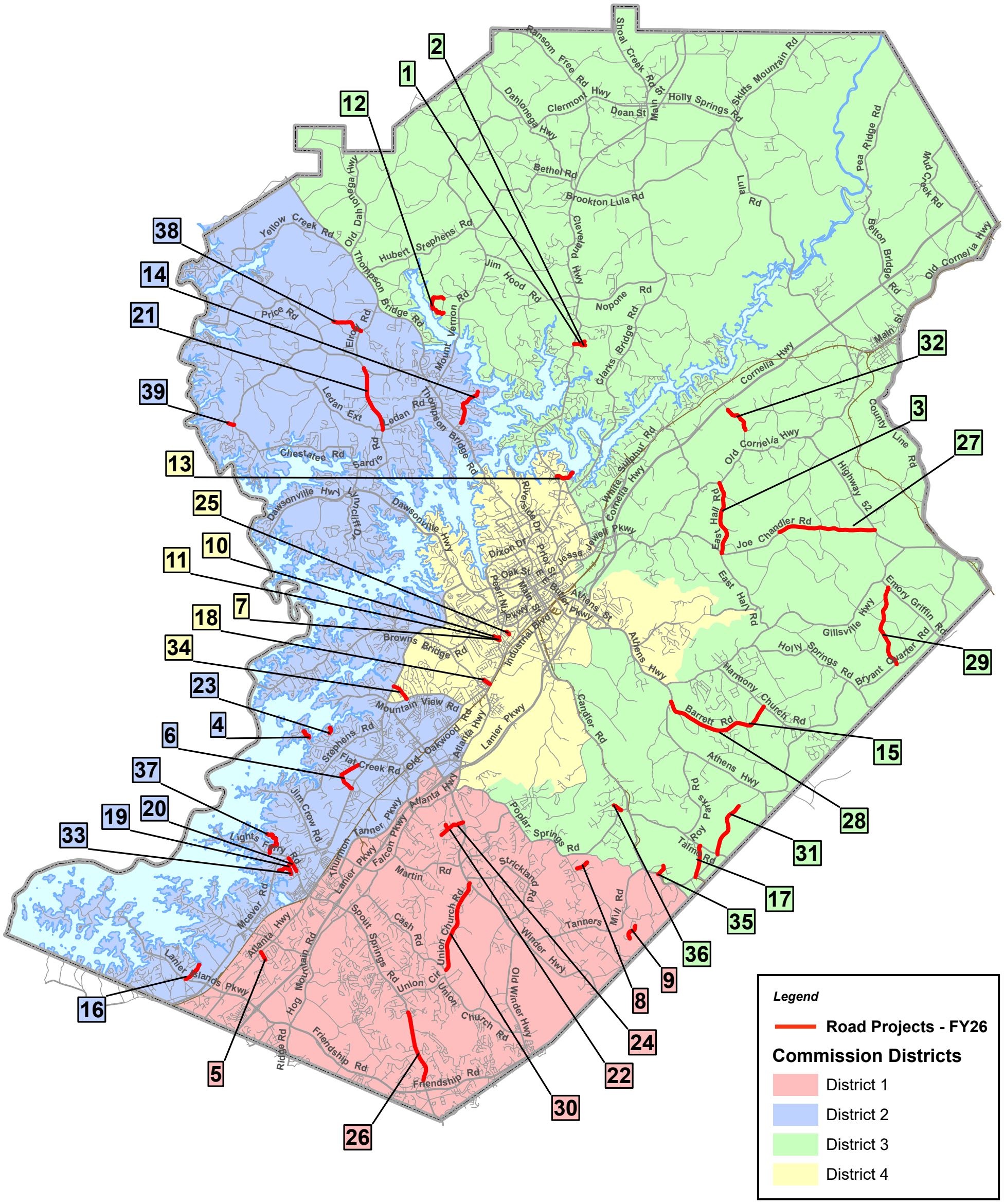
Date: _____

Attestation: _____
Board of Commissioners Clerk

APPROVED AS TO FORM

_____
Nathaniel R. Anderson,
Senior Assistant County Attorney

PROPOSED FY26
LOCAL RESURFACING PROGRAM
HALL COUNTY, GEORGIA



Hall County Community Development & Infrastructure
Public Works & Utilities
Engineering Division

Gainesville - Hall County GIS

Date: 6/17/2025

0 0.5 1 2 3 4 5 6 7 8 9 10 11 12 Miles

Map_Key	RATING_RANK	PROJECT	COMM_DIST	MILEAGE	BEGIN	END	2024_TOTAL_RATING	PROJECT_COST	FUNDING
1	1	Creekstone Drive	3	0.294	US 129 North	Terminus	76	141,960.55	FY25 LMIG
2	2	Pebble Creek Point	3	0.105	Brookview Landing	Terminus	73	50,700.20	FY25 LMIG
3	3	East Hall Road (Sec. 2)	3	1.93	Joe Chandler Road	Old Cornelia Highway	72	931,917.87	FY25 LMIG
4	4	Hidden Harbour Landing	2	0.313	Flat Creek Road	Terminus	71	151,134.87	FY25 LMIG
5	5	Mount Salem Circle (Sec. 2)	1	0.229	Atlanta Highway	Section 1	71	110,574.71	FY25 LMIG
6	6	Allen Road	2	0.968	McEver Road	J. White Road	71	467,407.51	FY25 LMIG
7	7	Conner Street	4	0.19	Atlanta Highway	Mincey Avenue	71	91,743.21	FY25 LMIG
8	8	Creek Wood Drive	1	0.313	Creek Wood Place	Terminus	71	151,134.87	FY25 LMIG
9	9	Evian Way	1	0.431	Riviere Point	Terminus	71	208,112.23	FY25 LMIG
10	10	Mincey Avenue	4	0.128	Conner Street	Pittman Street	71	61,805.95	FY25 LMIG
11	11	Pittman Street	4	0.072	Conner Street	Highland Terrace	71	34,765.85	FY25 LMIG
12	12	Shoreline Drive	3	0.935	Harold Welchel Road	Harold Welchel Road	71	451,473.17	FY25 LMIG
13	13	Tapawingo Drive	4	0.537	US 129 North	Terminus	71	259,295.28	FY25 LMIG
14	14	Nancy Creek Road	2	1.045	Cochran Road	Gainesville City Limits	71	504,587.66	FY25 LMIG
15	1	Burton Mill Road	3	0.67	Barrett Road (@ Greggs Rd)	Harmony Church Road	78	323,515.53	2025 LRA
16	2	Lee Drive	2	0.593	Lanier Islands Parkway	Terminus	76	286,335.39	2026 LRA
17	3	Mabery Road	3	0.835	Belmont Highway	Talmo Road	76	403,187.27	2027 LRA
18	4	2nd Street	4	0.207	Atlanta Highway	Cross Street	76	99,951.81	2028 LRA
19	5	Jamestown Drive	2	0.194	Lights Ferry Road	Terminus	76	93,674.65	2029 LRA
20	6	Lights Ferry Road (Sec. 2)	2	0.386	McEver Road	Flowery Branch City Limits	76	186,383.57	2030 LRA
21	7	Sardis Road (Sec. 2)	2	1.713	Ledan Road (roundabout)	Price Road	76	827,137.47	2031 LRA
22	8	Valley Creek Drive	1	0.671	Winder Highway	Terminus	75	323,998.39	2032 LRA
23	9	Hidden Harbor Trail	2	0.182	Hidden Harbor Drive	Terminus	74	87,880.34	2033 LRA
24	10	Legacy Walk Drive	1	0.135	Valley Creek Drive	Terminus	74	65,185.97	2034 LRA
25	11	Mountain Crest Drive	4	0.095	McConnell Drive	Gainesville City Limits	74	45,871.61	2035 LRA
26	1	Spout Springs Road (Sec. 2)	1	1.85	Section 1 (End of Four Lane)	Braselton City Limits	82	893,289.15	2025 Local Funding
27	2	Joe Chandler Road (Sec. 2)	3	2.516	Timber Ridge Road	SR 52 (Lula Road)	82	1,214,873.24	2026 Local Funding
28	3	Barrett Road	3	2.323	US 129 South (Athens Hwy)	Burton Mill Road	78	1,121,681.46	2027 Local Funding
29	4	Buffington Road	3	2.186	Bryant Quarter Road	Emory Griffin Road	76	1,055,529.77	2028 Local Funding
30	5	Union Church Road (Sec. 1)	1	2.415	Winder Highway	Cash Road	76	1,166,104.49	2029 Local Funding
31	6	Fuller Road (Sec. 2)	3	1.455	Talmo Road	Gravel	75	702,559.85	2030 Local Funding
32	7	Simpson Road	3	0.78	Whitehall Road	Greenway Road	74	376,630.02	2031 Local Funding
33	8	Germantown Drive	2	0.45	Flowery Branch City Limits	Terminus	74	217,286.55	2032 Local Funding
34	9	Hilldale Road	4	0.48	McEver Road	Mountain View Road	74	231,772.32	2033 Local Funding
35	10	Cook Drive	3	0.285	Candler Highway	Dixieland Farm Road	74	137,614.82	2034 Local Funding
36	11	Hopewell Lane (Sec. 1)	3	0.233	Poplar Springs Road	Huntingford Drive	74	112,506.15	2035 Local Funding
37	12	Trudy Drive	2	0.816	Lights Ferry Road	Terminus	74	394,012.94	2036 Local Funding
38	13	Grant Road	2	0.827	Bark Camp Road	Elrod Road	74	399,324.39	2037 Local Funding
39	15	Nix Bridge Road	2	0.174	Cool Springs Road	Stratford Drive	73	84,017.47	2038 Local Funding

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 418/2025

SUBJECT: Approve the acceptance of $2,190,472.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities and Sidewalks in Oconee Overlook Phase 1 Subdivision. Commission District 3.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Approve the acceptance of $2,190,472.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities and Sidewalks in Oconee Overlook Phase 1 Subdivision. Commission District 3.

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	JS	JM	TS

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Guaranty Performance/Maintenance Agreement
Final Plat Information

STATE OF GEORGIA,
COUNTY OF HALL

Bond No.: 101516704

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, GDCI GA 9, L.P. (owner/principal, hereinafter referred to as "Principal"), and Merchants National Bonding, Inc. (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 $2,190,472.00 * (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, GDCI GA 9, L.P. (principal) is owner of the Subdivision known as Oconee Overlook Phase 1 Subdivision, which subdivision is shown on a plat prepared by Christopher Moore & Associates, Inc., Georgia Registered Surveyor Number 2828, and

WHEREAS, GDCI GA 9, L.P. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Oconee Overlook Phase 1 Subdivision for recording purposes, and

WHEREAS, GDCI GA 9, L.P. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Oconee Overlook Phase 1 Subdivision for public maintenance (not applicable to private developments); GDCI GA 9, L.P. (principal) and Merchants National Bonding, Inc. (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, GDCI GA 9, L.P. (principal) agrees that all construction of the street system of Oconee Overlook Phase 1 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. GDCI GA 9, L.P. (principal), and Merchants National Bonding, Inc. (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 Oconee Overlook Phase 1 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, Merchants National Bonding, Inc. (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

GDCI GA 9, L.P. (principal) and Merchants National Bonding, Inc. (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by Merchants National Bonding, Inc. (surety) from Hall County authorizing release of GDCI GA 9, L.P. (principal) and Merchants National Bonding, Inc. (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on 6/19/2025 (Date) and expires on 6/19/2027 (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. 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 19th day of June, 2025.

- GDCI GA 9, L.P.
~~PRINCIPAL~~ By: Pacific Land LLC, As Its G.P.

By: _____
(Corporate Officer or other authorized representative)
Evan Fowler, Director of Finance
Principal's Address:
The Centrum Building, 780 Johnson Ferry Rd, Suite 153
Sandy Springs, GA 30342

- Merchants National Bonding, Inc.
SURETY

By: _____
Susan Ritter, Attorney-in-Fact

Surety's Address:
P.O. Box 14498
Des Moines, IA 50306-3498

- 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.

MERCHANTS BONDING COMPANY™

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Amy Smith; Barbara Duncan; Brook T Smith; Deborah S Neichter; Jacob Motto; James T Smith; Jason D Cromwell; Jill Kemp; Kelsy Hoagland; Leigh McCarthy; Lynnette Long; Melissa Ray; Michael Ocasio; Raymond M Hundley; Susan Ritter; Suzanna Knight; Theresa Hintzman; William O Walker

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and April 27, 2024 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015 and amended on April 27, 2024.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and aut hority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 7th day of August , 2024 .

MERCHANTS NATIONAL BONDING, INC. INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By Larry Taylor

President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 7th day of August 2024 , before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

NOTARIAL SEAL IOWA

Penni Miller
Commission Number 787952
My Commission Expires
January 20, 2027

Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, Elisabeth Sandersfeld, Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., 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 still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 19th day of June 2025 .

MERCHANTS NATIONAL BONDING, INC. INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

Secretary

POA 0018 (6/24)

Final Plat Information

Consider Acceptance of $2,190,472.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities and Sidewalks in Oconee Overlook Phase 1 Subdivision

Subject Subdivision is located off Gillsville Highway

NAME OF SUBDIVISION:	Oconee Overlook Phase 1
NAME OF OWNER/DEVELOPER:	GDCI GA 9, L.P.
ADDRESS:	The Centrum Building 780 Johnson Ferry Rd, Suite 153 Sandy Springs, GA 30342
TYPE OF MAINTENANCE BOND:	Guaranty Performance/Maintenance
DATE OF BOND:	June 19, 2025
AMOUNT OF BOND:	$2,190,472.00
FINANCIAL INSTITUTION: AND ADDRESS:	Merchants National Bonding, Inc. P.O. BOX 14498 Des Moines, IA 50306-3498
Account No.:	101516704

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
3	Holden Street	50	3894	20	P.M.	----
3	Ryker Road	50	4007	20	P.M.	----
3	Garfield Court	50	1550	20	P.M.	----
3	Daxton Lane	50	1231	20	P.M.	----
3	Joe Parker Road Ext.	50	261	20	P.M.	----

NOTES:

NUMBER OF LOTS:	307
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	252.59 AC

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 415/2025

SUBJECT: Approve the extension of a $939,197.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Somerset at Riverbrook Subdivision. Commission District 2.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Approve the extension of a $939,197.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Somerset at Riverbrook Subdivision. Commission District 2.

History:

Facts and Issues:

Options:

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

Approvals:

Submit	Approve	Budget	Finance
WS	BN	JM	TS

Attorney	Administration	Clerk

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:
Final Plat Information
Continuation Certificate
Guaranty Performance/Maintenance Agreement

Final Plat Information

Approve the extension of a $939,197.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Somerset at Riverbrook Subdivision. Commission District 2.

Subject Subdivision is located off Price Road

NAME OF SUBDIVISION:	Somerset at Riverbrook
NAME OF OWNER/DEVELOPER:	Riverbrook Investment, LLC
ADDRESS:	655 Engineering Drive, Suite 208 Peachtree Corners, GA 30092
TYPE OF MAINTENANCE BOND:	Guaranty Performance/Maintenance
DATE OF BOND:	August 1st, 2023
AMOUNT OF BOND:	$939,197.00
FINANCIAL INSTITUTION: AND ADDRESS:	Arch Insurance Company Harborside 3 210 Hudson Street, Suite 300 Jersey City, NJ 07311-1107
Account No.:	SU1196586

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
2	Runnel Hill	50	1339.39	20	P.M.	----
2	Streamlet Way	50	838.83	20	P.M.	----
2	Billabong Trail	50	748.1	20	P.M.	----
2	Brookburn Park	50	734.66	20	P.M.	----

NOTES:

NUMBER OF LOTS:	185
CURB & GUTTER:	24” Rolled Back
TOTAL ACRES OF S/D:	41.77 AC

CONTINUATION CERTIFICATE

In consideration of the premium charged,

$37,568.00 hereby continues in force:

Bond #: SU1196586

Dated: 8/1/2023

In the amount of: Nine Hundred Thirty Nine Thousand One Hundred Ninety Seven Dollars and 00/100 ($ $939,197.00) on behalf of Hall County, Georgia for the period:

Beginning: 7/31/2025

And Ending: 7/31/2027 subject to all terms and conditions of said bond, PROVIDED that the liability of

Arch Insurance Company (NAME OF SURETY) shall not exceed in the aggregate the amount above written, whether the loss shall have occurred during the term of said bond or during any continuation or continuations thereof, or partly during said term and partly during any continuation or continuations thereof.

Signed and Sealed: 6/27/2025 (date)

By: _____

Attorney-In-Fact
Charles J. Nielson

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.

POWER OF ATTORNEY

Know All Persons By These Presents:
That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Brett Rosenhaus of Delray Beach, FL
Charles D. Nielson, Charles J. Nielson, David R. Hoover and Jarrett Merlucci of Miami Lakes, FL (EACH)
F. Danny Gann, Edward T. Ward and Audria R. Ward of Atlanta, GA (EACH)
John R. Neu and Kevin Wojtowicz of St. Petersburg, FL (EACH)
Laura D. Mosholder of Orlando, FL

its true and lawful Attorney(s)in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed: Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars ($90,000,000.00).
This authority does not permit the same obligation to be split into two or more bonds In order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on December 10, 2020, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:
"**VOTED**, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on December 10, 2020:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on December 10, 2020, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company. **In Testimony Whereof,** the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this **22nd day of October, 2021**.

Attested and Certified

Regan A. Shulman, Secretary

Arch Insurance Company – Corporate Seal 1971 – Missouri

Arch Insurance Company

Stephen C. Ruschak, Executive Vice President

STATE OF PENNSYLVANIA SS
COUNTY OF PHILADELPHIA SS

I, **Michele Tripodi**, a Notary Public, do hereby certify that Regan A. Shulman and Stephen C. Ruschak personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.

Commonwealth of Pennsylvania - Notary Seal
MICHELE TRIPODI, Notary Public
Philadelphia County
My Commission Expires July 31, 2025
Commission Number 1168622

Michele Tripodi, Notary Public
My commission expires 07/31/2025

CERTIFICATION

I, Regan A. Shulman, Secretary of the Arch Insurance Company, do hereby certify that the attached **Power of Attorney dated October 22, 2021** on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Stephen C. Ruschak, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 7th day of June, 20 25.

Regan A. Shulman, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:
Arch Insurance – Surety Division
3 Parkway, Suite 1500
Philadelphia, PA 19102

Arch Insurance Company – Corporate Seal 1971 – Missouri

To verify the authenticity of this Power of Attorney, please contact Arch Insurance Company at SuretyAuthentic@archinsurance.com
Please refer to the above named Attorney-In-Fact and the details of the bond to which the power is attached.

Bond No. SU1196586

STATE OF GEORGIA,
COUNTY OF HALL

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Riverbrook Investment, LLC (owner/principal, hereinafter referred to as "Principal"), and Arch Insurance 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 $ 939,197.00 * * (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Riverbrook Investment, LLC (principal) is owner of the Subdivision known as SOMERSET AT RIVERBROOK Subdivision, which subdivision is shown on a plat prepared by ACRE PROFESSIONAL SURVEYOR, Georgia Registered Surveyor Number 3209, and

WHEREAS, Riverbrook Investment, LLC (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of SOMERSET AT RIVERBROOK Subdivision for recording purposes, and

WHEREAS, Riverbrook Investment, LLC (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of SOMERSET AT RIVERBROOK Subdivision for public maintenance (not applicable to private developments);

Riverbrook Investment, LLC (principal) and Arch Insurance Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Riverbrook Investment, LLC (principal) agrees that all construction of the street system of SOMERSET AT RIVERBROOK

* Nine Hundred Thirty Nine Thousand One Hundred Ninety Seven Dollars and 00/100

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.

Riverbrook Investment, LLC (principal), and

Arch Insurance 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 SOMERSET AT RIVERBROOK 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,

Arch Insurance Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Riverbrook Investment, LLC (principal) and

Arch Insurance Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by

Arch Insurance Company (surety) from Hall County authorizing release of

Riverbrook Investment, LLC (principal) and

Arch Insurance Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on August 1, 2023 (Date) and expires on July 31, 2025 (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. 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 1st day of August, 2023.

- Riverbrook Investment, LLC
  PRINCIPAL
  By: _____
  (Corporate Officer or other authorized representative)

  Principal's Address:
  655 Engineering Drive, Suite 208
  Peachtree Corners , GA 30092

- Arch Insurance Company
  SURETY
  By: _____
  (Authorized Representative) Charles J. Nielson
  Attorney-in-Fact

  Surety's Address:
  Harborside 3, 210 Hudson Street, Suite 300
  JERSEY CITY, NJ 07311 - 1107

- 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.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.

POWER OF ATTORNEY

Know All Persons By These Presents:
That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Brett Rosenhaus of Delray Beach, FL
Charles D. Nielson, Charles J. Nielson, David R. Hoover and Jarrett Merlucci of Miami Lakes, FL (EACH)
F. Danny Gann, Edward T. Ward and Audria R. Ward of Atlanta, GA (EACH)
John R. Neu and Kevin Wojtowicz of St. Petersburg, FL (EACH)
Laura D. Mosholder of Orlando, FL

its true and lawful Attorney(s)in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed: Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars ($90,000,000.00). This authority does not permit the same obligation to be split into two or more bonds In order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on December 10, 2020, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:
"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on December 10, 2020:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on December 10, 2020, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company. In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 22nd day of October, 2021.

Attested and Certified

Regan A. Shulman, Secretary

Arch Insurance Company

Stephen C. Ruschak, Executive Vice President

STATE OF PENNSYLVANIA SS
COUNTY OF PHILADELPHIA SS

I, Michele Tripodi, a Notary Public, do hereby certify that Regan A. Shulman and Stephen C. Ruschak personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.

Commonwealth of Pennsylvania - Notary Seal
MICHELE TRIPODI, Notary Public
Philadelphia County
My Commission Expires July 31, 2025
Commission Number 1168622

Michele Tripodi, Notary Public
My commission expires 07/31/2025

CERTIFICATION

I, Regan A. Shulman, Secretary of the Arch Insurance Company, do hereby certify that the attached Power of Attorney dated October 22, 2021 on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Stephen C. Ruschak, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 1st day of August, 20 23.

Regan A. Shulman, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:
Arch Insurance – Surety Division
3 Parkway, Suite 1500
Philadelphia, PA 19102

To verify the authenticity of this Power of Attorney, please contact Arch Insurance Company at SuretyAuthentic@archinsurance.com
Please refer to the above named Attorney-in-Fact and the details of the bond to which the power is attached.

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER

6699

AMERIS BANK

McKinley Construction
655 ENGINEERING DRIVE, SUITE 208
Norcross, Georgia 30092
470-268-4202

08/01/2023

PAY TO THE ORDER OF HALL COUNTY BOARD OF COMMISSIONERS

$ **1,000.00**

One Thousand Dollars

DOLLARS

HALL COUNTY BOARD OF COMMISSIONERS
2875 Browns Bridge Road
Gainesville, GA 30504
United States

AUTHORIZED SIGNATURE

MEMO

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑈006699⑈ ⑆061201754⑆ 20489184099⑈

6699

McKinley Construction

V2135--HALL COUNTY B
Print As: HALL COUNTY BO,

Date	Bill #
Acct	Mer
07/31/2023	073
14001--Construction In P	BOA
Net Amount	

HSWB23 - 0004
Bond Dep

ige Road
:0504

Ameris Bank
8409_MC_Oper 8409
Date: 08/01/2023

Company	Amount Entered	Amount Paid
Mckinley Construction	$1,000.00	$1,000.00
		$1,000.00

WWW.CHECKSAMATIC.COM - (800) 555-6374

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 417/2025

SUBJECT: Approve the extension of a $1,378,050.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Reunion Phase 21 Subdivision. Commission District 1.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Approve the extension of a $1,378,050.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Reunion Phase 21 Subdivision. 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?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
WS	BN	JM	TS

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:
Final Plat Information
Reunion 21 RIDER
Guaranty Performance/Maintenance Agreement

Final Plat Information

Approve the extension of a $1,378,050.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Reunion Phase 21 Subdivision.

Subject Subdivision is located off Spout Springs Road

NAME OF SUBDIVISION:	Reunion Phase 21
NAME OF OWNER/DEVELOPER:	Pulte Home Corporation
ADDRESS:	2475 Northwinds Pkwy, Suite 600 Alpharetta, GA 30009
TYPE OF MAINTENANCE BOND:	Guaranty Performance/Maintenance
DATE OF BOND:	August 7th, 2023
AMOUNT OF BOND:	$1,378,050.00
FINANCIAL INSTITUTION: AND ADDRESS:	Berkley Insurance Company 475 Steamboat Road Greenwich, CT 06830
Account No.:	0255631

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
1	Pine Top Court	50	758.4	20	P.M.	----
1	Maple Brook Lane	50	3350.9	20	P.M.	----
1	Thistle Down Way	50	1869.9	20	P.M.	----
1	Red Cedar Court	50	302.6	20	P.M.	----

NOTES:

NUMBER OF LOTS:	140
CURB & GUTTER:	24” Rolled Back
TOTAL ACRES OF S/D:	57.16 AC

SURETY RIDER
Berkley Insurance Company

To be attached to and form a part of

Bond No. 0255631

Effective Date: August 7, 2023

Bond Amount: $1,378,050.00

Executed by: Pulte Home Company, LLC, a Michigan limited liability company, as Principal

and by: Berkley Insurance Company, as Surety

in favor of: Hall County, Georgia

Description: Reunion Phase 21 Guaranty Performance/Maintenance Agreement Bond

in consideration of the mutual agreements herein contained, the Principal and the Surety hereby consent to the changing:

- **Expiration Date from August 7, 2025 to August 7, 2027**

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated.

This rider is effective: June 26, 2025

Signed and Sealed: June 26, 2025

Surety: Berkley Insurance Company

By: _____
Jeremy Polk, Attorney-in-Fact

No. BI-7991i-el

POWER OF ATTORNEY
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: ***Jeremy Polk or Matthew Erra of USI Insurance Services, LLC of Phoenix, AZ*** its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.$50,000,000.00),** to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 2nd day of May, 2024.

Attest:
By _____
Philip S. Welt
Executive Vice President & Secretary

Berkley Insurance Company
By _____
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)
) ss:
COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 2nd day of May, 2024, by Philip S. Welt and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

_____
Notary Public, State of Connecticut

MARIA C. RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES 04-30-2029

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and seal of the Company, this 26th day of June, 2025.

_____
Vincent P. Forte

DocuSign Envelope ID: F828608D-5494-4662-8C8D-57B9D4479CBE

STATE OF GEORGIA,
COUNTY OF HALL

Bond No. 0255631

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Pulte Home Company, LLC (owner/principal, hereinafter referred to as "Principal"), and Berkley Insurance 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 $ 1,378,050.00 * (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Pulte Home Company, LLC (principal) is owner of the Subdivision known as Reunion Phase 21 Subdivision, which subdivision is shown on a plat prepared by Brandon T. Miller, . , Georgia Registered Surveyor Number Survey #2945 , and

WHEREAS, Pulte Home Company, LLC (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Reunion Phase 21 Subdivision for recording purposes, and

WHEREAS, Pulte Home Company, LLC (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Reunion Phase 21 Subdivision for public maintenance (not applicable to private developments);

Pulte Home Company, LLC (principal) and

(surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Pulte Home Company, LLC (principal) agrees that all construction of the street system of Reunion Phase 21

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.

Pulte Home Company, LLC (principal), and

Berkley Insurance 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 Reunion Phase 21 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,

Berkley Insurance Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Pulte Home Company, LLC (principal) and

Berkley Insurance Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by

Berkley Insurance Company (surety) from Hall County authorizing release of

Pulte Home Company, LLC (principal) and

Berkley Insurance Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on August 7, 2023 (Date) and expires on August 7, 2025 (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. 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 7th day of August, 2023.

- Pule Home Company, LLC
  PRINCIPAL
  By: _____
  (Corporate Officer or other authorized representative)
  Gregory S. Rives, Assistant Treasurer
  Principal's Address:
  2475 Northwinds Pkwy #600
  Alpharetta, GA 30090

- Berkley Insurance Company
  SURETY
  By: _____ Jeremy Polk, Attorney-in-Fact
  (Authorized Representative)
  Surety's Address:
  475 Steamboat Rd
  Greenwich, CT 06830

- Approved:
  Hall County
  By: _____
  (Chairman)

ACKNOWLEDGEMENT BY PRINCIPAL

STATE OF GEORGIA)

) ss.

COUNTY OF COBB)

This record was acknowledged before me on August 7th, 2023, appeared Gregory S. Rives, Pulte Home Company, LLC, who provided to me on the basis of satisfactory evidence to be the person who appeared before me and is personally known to me.

WITNESS my hand official seal.

Signature of Notary Public

T JESSICA MASK
Notary Public - State of Georgia
Cobb County
My Commission Expires Feb 21, 2026

T. JESSICA MASK
Notary Public State of Georgia
My Commission Expires: February 21, 2026

No. BI-7991h-el

POWER OF ATTORNEY
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: ***Jeremy Polk or Matthew Erra of USI Insurance Services, LLC of Phoenix, AZ*** its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 12th day of April, 2023.

BERKLEY INSURANCE COMPANY CORPORATE SEAL 1975 DELAWARE

Attest:

By _____
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By _____
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)
) ss:
COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 12th day of April, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

_____
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

BERKLEY INSURANCE COMPANY CORPORATE SEAL 1975 DELAWARE

Given under my hand and seal of the Company, this 7th day of August, 2023.

_____
Vincent P. Forte

AGENDA ITEM

Tax Assessors

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 263/2025

SUBJECT: Approve the renewal of the annual contract for RFP #42-007 Reappraisal & Equalization Assistance for Certain Real Property for the Tax Assessor's Office to GMASS, Inc. of Norwood, GA. The estimated annual cost is $400,000.00.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: SW

Recommendation:
Approve.

Purpose of Request:
Approve the renewal of the annual contract for RFP #42-007 Reappraisal & Equalization Assistance for Certain Real Property for the Tax Assessor's Office to GMASS, Inc. of Norwood, GA. The estimated annual cost is $400,000.00.

History:
GAMSS, Inc. holds the current contract and has proven to be a good and reliable vendor for the County in servicing this contract. There are no requested price increases for this renewal period.

Facts and Issues:
This is year five (5) of a possible five (5) year contract.

Options:

Funding Requested	$ 400,000.00
Are funds within current budget?	Yes
Source of Funds	General Fund
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Buyer	Submit	Approve	Purchasing

Buyer	Submit	Approve	Purchasing
JD	JS	RW	AP
Budget	**Finance**	**Attorney**	**Administration**
JM	TS	WLI	CR
Clerk			
JR			

Attachments:

Financial Supplement
Contract

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 263/2025

Funds Requested: $ 400,000.00

Request Budgeted: Yes

Proposed Source of Funding:

General Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2026	100-GENERAL FUND	1550-TAX ASSESSOR	521000-PROFESSIONAL SERVICES	$400,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: SW

Phone: 770-531-6733

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

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Penick

Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION

CONTRACT EXECUTION SIGNATURE REQUEST

Date: April 23, 2025

To: David Gibbs, Chairman, BOC

From: Julie Dorough, Buyer

Your signature is requested to execute the attached Contract:

Bid/Contract Number: 42-007-4

Bid/Contract Name: Property & Equalization Assistance for Certain Real Property Annual Contract

Department(s) Requesting Contract: Tax Assessor

Award Recipient Name: GMASS

Contract Description:

☒ Annual Contract ☐ New ☒ Renewal

FY 2025 Projected Spend: $500,000.00

☐ Price Increase Requested Increase Percentage: 0%

☒ Project/Service Contract FY 2026 Estimated Amount: $400,000

☐ Product Contract Estimated Amount: $0

Comment:

Year five (5) of a five (5) year contract. Renewal FY 2026.
GMASS has held the contract for many years and is a vendor in good standing with the County. There are no requested price increases for this renewal.
The FY 2026 Estimated amount has been reviewed against the projected FY 2026 budget by Finance.

State of Georgia
County of Hall

Contract #42-007-4

Contract Renewal #4

March 25, 2025

Reappraisal & Equalization Assistance for Certain Real Property Annual Contract

Whereas, the County desires to Renew the Contract period for a one-year period through June 30, 2026, in accordance with the terms and conditions of Bid #42-007, Reappraisal & Equalization Assistance for Certain Real Property Annual Contract for dated August 11, 2021; and

Whereas, the Contractor has agreed to this extension and agrees to provide services and/or materials previously supplied in accordance with the original agreement; and

Whereas, with both parties agreeing to the Renewal as stated and therefore, the above numbered contract is hereby changed as follows:

1. By extending the Contract Term through June 30, 2026,
2. Allow for price adjustments as agreed to and recorded in Attachment A,
3. Change Orders: Any and all change orders requested by the successful bidder on this project must be approved in writing prior to any work being performed. Any work performed outside the contract agreement for which compensation over and above the contract is requested must have an approved Change Order. If work is done before approval of a Change Order, the subsequent Change Order will be rejected.

Therefore, With the above change to the original contract set forth herein, the parties hereto agree that all terms and conditions of the original agreement will remain in full force and effect and legally binding on both parties.

In witness whereof, the parties hereto have set their hands and affixed their seals the day and year first above written.

GMASS

By: KReese
Print Name: Kristi Reese
Title: President, GMASS Inc

HALL COUNTY, GEORGIA

By. _____
David Gibbs, Chairman
Hall County Board of Commissioners

Date: _____

Sworn to and subscribed before me this

28 Day of March, 2025

Notary Public: Keri L Wall
Notary commission expires: 5-21-25

APPROVED AS TO FORM

Nathaniel R. Anderson,
Senior Assistant County Attorney

AGENDA ITEM

Tax Assessors

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 422/2025

SUBJECT: Consider for approval or denial the 2023 personal property refund in the amount of $322.00 for the overpayment of Hall County taxes regarding account #342361 to Willys Countertops.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: SW

Recommendation:
Deny.

Purpose of Request:
Consider for approval or denial the 2023 personal property refund in the amount of $322.00 for the overpayment of Hall County taxes regarding account #342361 to Willys Countertops.

History:

Facts and Issues:

Options:

Willys Countertops was discovered as a Business Personal Property account in calendar year 2022 from a business license. Willy Quinteros owned two businesses, Willys Mechanical, LLC which was already on the tax digest and the new business of Willys Countertops.

For tax year 2023 Willys Countertops was added as a business personal property account and a business personal property form was mailed in 2022, however, the form was not returned.

Therefore, the fair market value of the business equipment, furniture, and inventory for Willys Countertop was estimated at $20,000. An assessment notice was mailed for 2023 on May 12, 2023; no appeal was ï¬led.

The property owner paid the 2023 bill on 04/01/2025 and emailed the request for refund on 04/02/2025 stating the business closed on 01/31/2023.

Since the business did not close until after 1/1/2023 we cannot recommend approval of the refund as January 1 is the lien date or date of appraisal in Georgia. Therefore, staff and the Board of Assessors recommend denial since the business did not close until after 1/1/2023. The account has been deleted for 2024 and forward.

Approve or deny refund.

Funding Requested	$ 322.00
Are funds within current budget?	Yes
Source of Funds	General Fund
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
RW	RW	JM	TS

Attorney	Administration	Clerk
WLI	CR	AD

Attachments:

Financial Supplement
Willys Countertops - Supporting Documentation

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 422/2025

Funds Requested: $ 322.00

Request Budgeted: Yes

Proposed Source of Funding:

General Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	0000 - NOT APPLICABLE	311100-REAL PROPERTYâ€CURRENT	$322.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: SW

Phone: 770.531.6733

2023 Refund Request

Personal Property account 342361

Willys Countertops

2335 Monroe Dr

Gainesville GA 30507

Willys Countertops was picked up for Business Personal Property in 2022 from a business license. In 2023 a reporting form was mailed but was not returned to us filled out so an estimated value of $20,000 was placed on the business to cover assets and inventory. An assessment notice was mailed and no appeal was filed. Taxpayer paid the bill on 04/01/2025 and emailed the request for refund on 04/02/2025 stating the business closed on 01/31/2023.

We are recommending that the request be sent to the BOC for denial of the refund due to the taxpayer stating the business closed after the date of assessment of 1/1/2023.

Attached is the written request for the refund, the tax commissioners estimate of the refund if the request was valid, and the code showing date of assessment.

Archived: Monday, May 12, 2025 2:56:11 PM
Subject: FW: Willys countertops
Importance: Normal
Sensitivity: None

From: Clarissa Flores (Tax Assessors) <cflores@hallcounty.org>
Sent: Wednesday, April 2, 2025 3:19 PM
To: Rebecca Rainey (Tax Assessors) <rrainey@hallcounty.org>; willysmechanical@gmail.com
Cc: Christopher L. Daugherty <cldaugherty@hallcounty.org>
Subject: FW: Willys countertops
Importance: High

Good afternoon Mr. Quinteros,

We have received your request and I am forwarding your email to our manager Rebecca Rainey as she handles the refund request.

Rebecca,

Please see Refund request per taxpayer closed business in 2023.

Kindly,

Clarissa Flores
Hall County Board of Assessors
Personal Property Admin Coordinator
Direct: 770-297-2668
Office: 770-531-6749
cflores@hallcounty.org
Hall County Government

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

From: Christopher L. Daugherty
Sent: Wednesday, April 2, 2025 3:03 PM
To: personal.property
Subject: FW: Willys countertops

Luke Daugherty

Hall County Board of Assessors
Personal Property Auditor
Direct: 770-531-6750
Office: 770-531-6749
cldaugherty@hallcounty.org
Hall County Government

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

From: Willysmechanical <willysmechanical@gmail.com>
Sent: Wednesday, April 2, 2025 2:53 PM
To: Christopher L. Daugherty <cldaugherty@hallcounty.org>
Subject: Willys countertops

You don't often get email from willysmechanical@gmail.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.

Good afternoon my name is Willy Quinteros and I went to the hall county commissioner office to pay for my business taxes wish is Willy's mechanical but they charge me for Willy's countertops which that was my business but I closed on 01/31/23 I would like to know if I can get a refund for this

Thanks

WILLYS MECHANICAL LLC
Ducts & Equipment Installations
Office: (470) 824-7909
Cell: (678) 414-5403
Willysmechanical@gmail.com
2335 Monroe dr Gainesville Ga 30507

13452115-39-3-3*

HALL COUNTY BOARD OF ASSESSORS
PO BOX 1780
GAINESVILLE GA 30503-1780
770-531-6749
RETURN SERVICE REQUESTED

PT-306 (revised Jan 2016)

9812PPNA 5/8/23 K

13452115 9812-PNA 39 3 3 3

WILLYS MECHANICAL LLC
2335 MONROE DR
GAINESVILLE GA 30507-7344

Official Tax Matter - 2023 Tax Year

This correspondence constitutes an official notice of ad valorem assessment for the tax year shown above.

Annual Assessment Notice Date: May 12, 2023

Last date to file a written appeal: June 26, 2023

***** This is not a tax bill - Do not send payment *****

County property records are available online at: qpublic.net/ga/hall

A

The amount of your ad valorem tax bill for the year shown above will be based on the **Appraised** (100%) and **Assessed** (40%) values specified in **BOX 'B'** of this notice. **You have the right to submit an appeal regarding this assessment to the County Board of Tax Assessors.** If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. Appeal forms which may be used are available at https://dor.georgia.gov/documents/property-tax-appeal-assessment-form.

At the time of filing your appeal you must select one of the following appeal methods:

(1) County Board of Equalization (value, uniformity, denial of exemption, or taxability)
(2) Arbitration (value)
(3) County Hearing Officer (value or uniformity, on non-homestead real property or wireless personal property valued, in excess of $500,000)

All documents and records used to determine the current value are available upon request. For further information regarding this assessment and filing an appeal, you may contact the county Board of Tax Assessors which is located at PO Box 1780 Gainesville Ga 30503 and which may be contacted by telephone at: (770) 531-6749. **Your staff contacts are CHER MELENDEZ and ADAM MONFORTON.**

Additional information on the appeal process may be obtained at https://dor.georgia.gov/property-tax-real-and-personal-property

B

Account Number	Property ID Number	Acreage	Tax Dist	Covenant Year	Homestead
342361	15032F000023B	0.00	01		
Property Description	WILLYS COUNTERTOPS				
Property Address	2335 MONROE DR				

	Taxpayer Returned Value	Previous Year Fair Market Value	Current Year Fair Market Value	Current Year Other Value
100% Appraised Value	0	0	20,000	0
40% Assessed Value	0	0	8,000	0

REASONS FOR ASSESSMENT NOTICE

C2 -New Machinery and Equipment added.
NA -New Account No Return Filed 10% Penalty Applied

C

The estimate of your ad valorem tax bill for the current year is based on the previous or most applicable year's millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions.

Taxing Authority	Other Exempt	Homestead Exempt	Net Taxable Value	Previous Millage	Estimated Tax
NET COUNTY 120	0	0	8,000	0.004141	33.13
SCHOOL140	0	0	8,000	0.015990	127.92
NET UNINC FIRE 160	0	0	8,000	0.002650	21.20
PENALTY ON	0	0	8,000	0.025721	20.58
EMERGENCY	0	0	8,000	0.000571	4.57
DEVELOPMENT	0	0	8,000	0.001005	8.04
PARKS & LEISURE	0	0	8,000	0.000364	2.91
SCHOOL BOND 145	0	0	8,000	0.001000	8.00

Total Estimated Tax	226.35

HALL COUNTY Tax Commissioner
SERVICE | EFFICIENCY | ACCOUNTABILITY

2023 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER

www.hallcountytax.org
propertytax@hallcounty.org
Phone: 770.531.6950
Text: 833.602.8497
PO Box 1579 • Gainesville GA 30503

PROPERTY OWNER(S)	MAP CODE	DISTRICT	ACREAGE	EXEMPTIONS	TAX BILL #
WILLYS MECHANICAL LLC	P342361	1 UNINCORPORATED	0		2023-123409

LEGAL DESCRIPTION: WILLYS COUNTERTOPS

LOCATION	BUILDING +	LAND VALUE =	FAIR MARKET VALUE x 40% =	ASSESSED VALUE
2335 MONROE DR	0	0	20,000	8,000

TAXING ENTITY	ASSESSED - VALUE	LESS = EXEMPTIONS	TAXABLE x VALUE	MILLAGE = RATE	GROSS - TAX	CREDITS =	NET TAX
STATE	8000	0	8000	0	0.00	0.00	0.00
GROSS COUNTY M&O	8000	0	8000	6.009	48.07	0.00	27.52
SALES TAX CREDIT	0	0	8000	-2.569	0.00	-20.55	0.00
SCHOOL M&O	8000	0	8000	15.64	125.12	0.00	125.12
SCHOOL BOND	8000	0	8000	1	8.00	0.00	8.00
GROSS UNINC FIRE	8000	0	8000	3.887	31.10	0.00	21.20
INSURANCE PREMIUM CREDIT	0	0	8000	-1.237	0.00	-9.90	0.00
EMERGENCY SERVICES	8000	0	8000	0.571	4.57	0.00	4.57
DEVELOPMENT SERVICES	8000	0	8000	1.005	8.04	0.00	8.04
PARKS & LEISURE SERVICES	8000	0	8000	0.364	2.91	0.00	2.91
SOLID WASTE FEE	0	0	0	0	0.00	0.00	0.00
LATE OR NON FILING PENALTY	0	0	0	0	19.74	0.00	19.74
TOTAL				**24.6700**	**$247.55**	**-$30.45**	**$217.10**

PAYMENT OPTIONS

Online: www.hallcountytax.org
(American Express, Discover, MasterCard, Visa, PayPal, E-Check)
By Mail: *Check, American Express, Discover, MasterCard, Visa accepted.*
In Person: *(Appointments preferred, limited walk-in availability): Hall County Government Center | 2875 Browns Bridge Rd | Gainesville GA 30504 M-F 8am-5pm*
Drive-Up Drop Box: *(Available 24/7) Located across from front doors at the Hall County Government Center under the breezeway.*

2023 Current Due	$217.10
Penalty	$43.44
Interest	$34.46
Other Fees	$27.00
Previous Payments	$0.00
Delinquent Tax as of Billing Date	$0.00
TOTAL DUE	$322.00

2023 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER
PO Box 1579 • Gainesville GA 30503

WILLYS MECHANICAL LLC

2335 MONROE DRIVE

GAINESVILLE, GA 30507

BILL #	DUE DATE	TOTAL DUE	LOCATION
2023-123409	11/15/2023	$322.00	2335 MONROE DR

MAP CODE	DESCRIPTION
P342361	WILLYS COUNTERTOPS

Make check payable to **Hall County Tax Commissioner** and include bill number on check. Payments by American Express, Discover, MasterCard, Visa accepted. Please fill out information below and return by mail, place in drop box or email:

AMOUNT $_____ EXPIRATION DATE _____
CARD # _____
CARD BILLING ZIP CODE _____ CVV _____
CARDHOLDER PRINTED NAME _____
CARDHOLDER SIGNATURE _____
PHONE NUMBER _____

Credit and Debit Card Fees Apply

☐ Check here if making address change (see back)

Account	342361			
Year	Original Value	Corrected Value	Difference	Estimated County Refund
2023	20,000	0	20,000	$ 322.00

HALL COUNTY Tax Commissioner
SERVICE | EFFICIENCY | ACCOUNTABILITY

2023 Property Tax Statement

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	LEGAL DESCRIPTION:	WILLYS COUNTERTOPS			

LOCATION	BUILDING +	LAND VALUE =	FAIR MARKET VALUE x 40% =	ASSESSED VALUE
2335 MONROE DR	0	0	20,000	8,000

TAXING ENTITY	ASSESSED - VALUE	LESS = EXEMPTIONS	TAXABLE x VALUE	MILLAGE = RATE	GROSS - TAX	CREDITS =	NET TAX
STATE	8000	0	8000	0	0.00	0.00	0.00
GROSS COUNTY M&O	8000	0	8000	6.009	48.07	0.00	27.52
SALES TAX CREDIT	0	0	8000	-2.569	0.00	-20.55	0.00
SCHOOL M&O	8000	0	8000	15.64	125.12	0.00	125.12
SCHOOL BOND	8000	0	8000	1	8.00	0.00	8.00
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PARKS & LEISURE SERVICES	8000	0	8000	0.364	2.91	0.00	2.91
SOLID WASTE FEE	0	0	0	0	0.00	0.00	0.00
LATE OR NON FILING PENALTY	0	0	0	0	19.74	0.00	19.74
TOTAL				**24.6700**	**$247.55**	**-$30.45**	**$217.10**

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Online: www.hallcountytax.org
(American Express, Discover, MasterCard, Visa, PayPal, E-Check)
By Mail: Check, American Express, Discover, MasterCard, Visa accepted.
In Person: (Appointments preferred, limited walk-in availability): Hall County Government Center | 2875 Browns Bridge Rd | Gainesville GA 30504 M-F 8am-5pm
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TOTAL DUE	$0.00

2023 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER
PO Box 1579 • Gainesville GA 30503

WILLYS MECHANICAL LLC

2335 MONROE DRIVE

GAINESVILLE, GA 30507

BILL #	DUE DATE	TOTAL DUE	LOCATION
2023-123409	11/15/2023	$0.00	2335 MONROE DR
MAP CODE	**DESCRIPTION**		
P342361	WILLYS COUNTERTOPS		

Make check payable to **Hall County Tax Commissioner** and include bill number on check. Payments by American Express, Discover, MasterCard, Visa accepted. Please fill out information below and return by mail, place in drop box or email:

AMOUNT $_____ EXPIRATION DATE _____
CARD # _____
CARD BILLING ZIP CODE _____CVV_____
CARDHOLDER PRINTED NAME _____
CARDHOLDER SIGNATURE _____
PHONE NUMBER _____

Credit and Debit Card Fees Apply

☐ Check here if making address change (see back)

(1) **Personal property identification.** The appraisal staff shall identify personal property, determine its taxability, and classify it for addition to the county ad valorem tax digest in accordance with this paragraph.

(a) **Distinguishing personal property.** The appraiser shall be required to correctly identify personal property and distinguish it from real property where the proper valuation procedures, as set forth in this Rule, may be followed.

1. Examples. As used in this Chapter, personal property shall be that property defined in Rule 560-11-10-.02(1)(r). This Rule shall provide illustrations to assist the appraiser in the proper interpretation of the definition. However, these illustrations should not be construed in a manner that conflicts with the definition. Examples of personal property are tangible items such as aircraft; boats and motors; inventories of retail stock, finished manufactured or processed goods, goods in process, raw materials and supplies; furniture, personal fixtures, trade fixtures, machinery and equipment.

2. Identification of trade fixtures. When property the appraiser believes is a trade fixture has not been returned by the tenant, the appraiser shall require the tenant to produce their lease agreement and shall carefully review the agreement before making a recommendation to the board of tax assessors regarding the classification of the property in question. The appraiser shall inform the tenant that they may redact, at their option, any information relating to the payments that are required by the lease agreement.

(b) **Assessment date.** Code section 48-5-10 provides that each return by a property owner shall be for property held and subject to taxation on January 1 of the tax year. The appraisal staff shall base their decisions regarding the taxability, tax situs, uniform assessment, and valuation of personal property on the circumstances of such property on January 1 of the tax year for which the assessment is being prepared. When personal property is transferred to a new owner or converted to a new use, the circumstances of such property on January 1 shall nevertheless be considered as controlling.

AGENDA ITEM

Tax Assessors

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 423/2025

SUBJECT: Consider for approval or denial the 2022, 2023 and 2024 personal property refund in the amount of $695.21 for the overpayment of Hall County taxes regarding account #337193 to William H. Parsons.

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: SW

Recommendation:
Deny.

Purpose of Request:
Consider for approval or denial the 2022, 2023 and 2024 personal property refund in the amount of $695.21 for the overpayment of Hall County taxes regarding account #337193 to William H. Parsons.

History:

Facts and Issues:

Options:

Mr. Parsons has a slip at a Hall County marina where he keeps his 1999 Sea Ray 340 Sundancer. Mr. Parsons resides in Cherokee County. Being that the boat is located in Hall County the personal property taxes are to be paid to Hall County.

Mr. Parsons believes that the school tax on his boat is improper and illegal since he is not a Hall County resident. Mr. Parsons also believes that he should be exempt from school tax in Hall County since he is exempt from school tax in Cherokee County where he resides.

Personal Property does not qualify for a homestead exemption. Homestead exemptions are for Real Estate only, 48-5-40.3 states the following:

> *(3) "Homestead" means the real property owned by and in possession of the applicant on January 1 of the taxable year and upon which the applicant resides including, but not limited to, the land immediately surrounding the residence to which the applicant has a right of possession under a bona fide claim of ownership.*

We recommend denial of the refund because there is no exemption for age and school taxes on Personal Property.

Approve or deny refund.

Funding Requested	$ 695.21
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?	No
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
RW	RW	DA	TS

Attorney	Administration	Clerk
WLI	CR	AD

Attachments:

Financial Supplement
Supporting Documentation

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 423/2025

Funds Requested: $ 695.21

Request Budgeted: No

Proposed Source of Funding:

General Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	0000 - NOT APPLICABLE	311100-REAL PROPERTYâ€CURRENT	$695.21

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions:

Phone:

2022 - 2024 Refund Request

Personal Property account 337193

William Parsons

1999 Sea Ray 340 Sundancer

Mr. Parsons has a slip at a Marina in Flowery Branch where he keeps his 1999 Sea Ray 340 Sundancer. Mr. Parsons resides in Cherokee County. Being that the boat is located in Hall County the personal property taxes are to be paid to Hall County.

Homestead exemptions are for Real Estate only and 48-5-40.3 states the following:
(3) “Homestead” means the real property owned by and in possession of the applicant on January 1 of the taxable year and upon which the applicant resides including, but not limited to, the land immediately surrounding the residence to which the applicant has a right of possession under a bona fide claim of ownership.

School Taxes fall under the Homestead exemption.

We recommend the request be sent to the BOC for denial of the refund due to there is no exemption for age and school taxes on Personal Property.

Attached are documents showing the request, paid bills, a spreadsheet showing amounts of school taxes paid for Hall County, and the code for Homestead exemptions.

HALL COUNTY
PERSONAL PROPERTY

MAR 10 2025

RECEIVED BY:_____

Date: 02/27/25
To: Hall County Tax Commissioner
From: William Parsons
Re: improper & illegal Taxing on water craft

Darla Eden and/or Richard Steele,

For the last 4 years you folks have charged me for School Taxes in a town & county in which I have never resided. I have lived in Cherokee County for the last 21 years and Only 'dock' my leisure watercraft vessel at a Marina in Flowery Branch (ie Hall County), but have never lived there. I have been paying school taxes in Cherokee county where I live until last year when I turned 65 yrs of age and now have been 'exempt' from school taxes. So not only have you folks illegally charged me the last 3 years (and I have paid every year!), and now a 4th year for School Taxes in a town I have never resided, but I have additionally been exempt in my own county for this year and last due to my age (>65)! This is all very upsetting, deceitful and illegal!

1) I need you folks to re-adjust the enclosed 2025 taxes deducting the SCHOOL M&O & SCHOOL BOND amts owed for Hall county taxes in which: 1) I don't live in Hall county & 2) I am exempt from all school taxes (> 65 yrs of age!).
2) I will expect a $217.46 credit for illegally charging me for SCHOOL M&O & SCHOOL BOND taxes that I have previously paid in 2024, in which I am except from paying (> 65 yrs of age)
3) I will expect a $212.70 credit for illegally charging me for SCHOOL M&O & SCHOOL BOND taxes that I have previously paid in 2023 in Hall county, for which I have already paid all School Taxes in Cherokee County, the city in which I have always resided!
4) I will expect a $?? credit for illegally charging me for SCHOOL M&O & SCHOOL BOND taxes that I have previously paid in 2022, in Hall County, for which I have already paid all School Taxes in Cherokee County, the city in which I have always resided! (I Can't locate tax receipt of what I previously paid, but you folks have a record of it

I await your 2025 School Tax adjustments, as well as 2024 & 2023 & 2022 tax refunds, as well as any lost interest on these two amounts ASAP.

William Parsons

1004 Ashfern Walk
Woodstock, GA. 30189

HALL COUNTY **Tax Commissioner**

SERVICE | EFFICIENCY | ACCOUNTABILITY

2024 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER

www.hallcountytax.org
propertytax@hallcounty.org
Phone: 770.531.6950
Text: 833.602.8497
PO Box 1579 • Gainesville GA 30503

PROPERTY OWNER	MAP CODE	DISTRICT	EXEMPTION	ACREAGE	TAX BILL #
PARSONS WILLIAM H	P337193	001 UNINCORPORATED		0.00	2024-116585
	LEGAL DESCRIPTION	1999 Sea Ray Boats			

QG02

LOCATION	BUILDING +	LAND =	FAIR MARKET VALUE x 40% =	ASSESSED VALUE
HALL COUNTY PERSONAL PROPERTY 0	$0	$0	$34,000	$13,600

MAR 10 2025

RECEIVED BY:_____

TAXING ENTITY	ASSESSED VALUE	− EXEMPTIONS =	TAXABLE VALUE	x MILLAGE RATE =	GROSS TAX	− CREDITS =	NET TAX
GROSS COUNTY M&O	13,600		13,600	5.573	75.79		43.98
SALES TAX CREDIT	13,600		13,600	-2.339		-31.81	
SCHOOL M&O	13,600		13,600	14.990	203.86		203.86
SCHOOL BOND	13,600		13,600	1.000	13.60		13.60
GROSS UNINC FIRE	13,600		13,600	3.637	49.46		32.64
INSURANCE PREMIUM CREDIT	13,600		13,600	-1.237		-16.82	
EMERGENCY SERVICES	13,600		13,600	0.571	7.77		7.77
DEVELOPMENT SERVICES	13,600		13,600	1.180	16.05		16.05
PARKS & LEISURE SERVICES	13,600		13,600	0.437	5.94		5.94
TOTAL				23.812	$372.47	$-48.63	$323.84

PLEASE NOTE THAT YOUR TAX COMMISSIONER IS RESPONSIBLE FOR THE BILLING AND COLLECTION OF TAX AND IS NOT RESPONSIBLE FOR THE PROPERTY VALUE OR THE MILLAGE RATES WHICH ARE USED TO DETERMINE THE TAX AMOUNT DUE.

PAYMENT OPTIONS

- **Online:** www.hallcountytax.org (Online fees apply)
- **By Mail:** Check or Credit or Debit Cards
- **In Person:** (Appointments preferred): Hall County Government Center | 2875 Browns Bridge Rd | Gainesville GA 30504 M-F 8am-5pm
- **Drive-Up Drop Box:** (Available 24/7): Located across from front doors at the Hall County Government Center under the breezeway.

Scan this QR code to pay your bill online:

2024 Current Due	$323.84
Other Fees	-
Delinquent Tax as of 8-31-2024	-
TOTAL DUE	$323.84

203.86
15.60
217.46

Please Rebate me or credit me this amount. You can't charge me for School taxes when I do not live there! I only dock my BOAT in Hall County. Additionally, I am over 65 & are exempt in cherokee County where I live for School taxes!

HALL COUNTY **Tax Commissioner**

SERVICE | EFFICIENCY | ACCOUNTABILITY

2023 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER

www.hallcountytax.org
propertytax@hallcounty.org
Phone: 770.531.6950
Text: 833.602.8497
PO Box 1579 • Gainesville GA 30503

4G62

MAP ID #	DISTRICT	EXEMPTION	ACREAGE	TAX BILL #
P337193	001 UNINCORPORATED		0.00	2023-116263

LEGAL DESCRIPTION	1999 Sea Ray Boats

LOCATION	BUILDING +	LAND =	FAIR MARKET VALUE x 40% =	ASSESSED VALUE
0	0	0	34,000	13,600

HALL COUNTY
PERSONAL PROPERTY

MAR 10 2025

RECEIVED BY:

TAXING ENTITY	ASSESSED VALUE	- EXEMPTIONS =	TAXABLE VALUE	x MILLAGE RATE =	GROSS TAX	- CREDITS =	NET TAX
GROSS COUNTY M&O	13,600		13,600	6.009	81.72		46.78
SALES TAX CREDIT	13,600		13,600	-2.569		-34.94	
SCHOOL M&O	13,600		13,600	15.640	212.70		212.70
SCHOOL BOND	13,600		13,600	1.000	13.60		13.60
GROSS UNINC FIRE	13,600		13,600	3.887	52.86		36.04
INSURANCE PREMIUM CREDIT	13,600		13,600	-1.237		-16.82	
EMERGENCY SERVICES	13,600		13,600	0.571	7.77		7.77
DEVELOPMENT SERVICES	13,600		13,600	1.005	13.67		13.67
PARKS & LEISURE SERVICES	13,600		13,600	0.364	4.95		4.95
TOTAL				24.670	$387.27	$-51.76	$335.51

PAYMENT OPTIONS

- **Online:** www.hallcountytax.org
  (American Express, Discover, MasterCard, Visa, PayPal, E-Check)
- **By Mail:** Check, American Express, Discover, MasterCard, Visa accepted
- **In Person:** (Appointments preferred, limited walk-in availability): Hall County Government Center | 2875 Browns Bridge Rd | Gainesville GA 30504 M-F 8am-5pm
- **Drive-Up Drop Box:** (Available 24/7): Located across from front doors at the Hall County Government Center under the breezeway.

2023 Current Due	$335.51
Other Fees	-
Delinquent Tax as of 9-1-2023	-
TOTAL DUE	$335.51

Pd 10/15

Credit of
212.70
+ 13.60
226.30

	2022	2023	2024
SCHOOL M&O	236.65	212.7	203.86
SCHOOL BOND	14.80	13.60	13.60
TOTAL	251.45	226.30	217.46

HALL COUNTY Tax Commissioner
SERVICE | EFFICIENCY | ACCOUNTABILITY

2022 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER

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propertytax@hallcounty.org
Phone: 770.531.6950
Text: 833.602.8497

PO Box 1579 • Gainesville GA 30503

PROPERTY OWNER(S)	MAP CODE	DISTRICT	ACREAGE	EXEMPTIONS	TAX BILL #
PARSONS WILLIAM H	P337193	001	0		2022-114972
	LEGAL DESCRIPTION:	1999 SEA RAY			

LOCATION	BUILDING +	LAND VALUE =	FAIR MARKET VALUE x 40% =	ASSESSED VALUE
0	0	0	37,000	14,800

TAXING ENTITY	ASSESSED - VALUE	LESS = EXEMPTIONS	TAXABLE x VALUE	MILLAGE = RATE	GROSS - TAX	CREDITS =	NET TAX
STATE	14800	0	14800	0	0.00	0.00	0.00
GROSS COUNTY M&O	14800	0	14800	7.072	104.67	0.00	61.29
SALES TAX CREDIT	0	0	14800	-2.931	0.00	-43.38	0.00
SCHOOL M&O	14800	0	14800	15.99	236.65	0.00	236.65
SCHOOL BOND	14800	0	14800	1	14.80	0.00	14.80
GROSS UNINC FIRE	14800	0	14800	4.109	60.81	0.00	39.22
INSURANCE PREMIUM CREDIT	0	0	14800	-1.459	0.00	-21.59	0.00
EMERGENCY SERVICES	14800	0	14800	0.571	8.45	0.00	8.45
DEVELOPMENT SERVICES	14800	0	14800	1.005	14.87	0.00	14.87
PARKS & LEISURE SERVICES	14800	0	14800	0.364	5.39	0.00	5.39
SOLID WASTE FEE	0	0	0	0	0.00	0.00	0.00
LATE OR NON FILING PENALTY	0	0	0	0	38.07	0.00	38.07
TOTAL				**25.7210**	**$483.71**	**-$64.97**	**$418.74**

PAYMENT OPTIONS

Online: www.hallcountytax.org
(American Express, Discover, MasterCard, Visa, PayPal, E-Check)
By Mail: Check, American Express, Discover, MasterCard, Visa accepted.
In Person: (Appointments preferred, limited walk-in availability): Hall County Government Center | 2875 Browns Bridge Rd | Gainesville GA 30504 M-F 8am-5pm
Drive-Up Drop Box: (Available 24/7) Located across from front doors at the Hall County Government Center under the breezeway.

2022 Current Due	$418.74
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$418.74
Delinquent Tax as of Billing Date	$0.00
TOTAL DUE	$0.00

2022 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER
PO Box 1579 • Gainesville GA 30503

PARSONS WILLIAM H

1004 ASHFERN WALK

WOODSTOCK, GA 301896200

BILL #	DUE DATE	TOTAL DUE	LOCATION
2022-114972	11/15/2022	$0.00	0

MAP CODE	DESCRIPTION
P337193	1999 SEA RAY

Make check payable to **Hall County Tax Commissioner** and include bill number on check. Payments by American Express, Discover, MasterCard, Visa accepted. Please fill out information below and return by mail, place in drop box or email:

AMOUNT $_____ EXPIRATION DATE _____
CARD # _____
CARD BILLING ZIP CODE _____CVV_____
CARDHOLDER PRINTED NAME _____
CARDHOLDER SIGNATURE _____
PHONE NUMBER _____

Credit and Debit Card Fees Apply

☐ Check here if making address change (see back)

HALL COUNTY Tax Commissioner
SERVICE | EFFICIENCY | ACCOUNTABILITY

2023 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER

www.hallcountytax.org
propertytax@hallcounty.org
Phone: 770.531.6950
Text: 833.602.8497

PO Box 1579 • Gainesville GA 30503

PROPERTY OWNER(S)	MAP CODE	DISTRICT	ACREAGE	EXEMPTIONS	TAX BILL #
PARSONS WILLIAM H	P337193	001	0		2023-116263
	LEGAL DESCRIPTION:	1999 Sea Ray Boats			

LOCATION	BUILDING +	LAND VALUE =	FAIR MARKET VALUE x 40% =	ASSESSED VALUE
0	0	0	34,000	13,600

TAXING ENTITY	ASSESSED - VALUE	LESS = EXEMPTIONS	TAXABLE x VALUE	MILLAGE = RATE	GROSS - TAX	CREDITS =	NET TAX
STATE	13600	0	13600	0	0.00	0.00	0.00
GROSS COUNTY M&O	13600	0	13600	6.009	81.72	0.00	46.78
SALES TAX CREDIT	0	0	13600	-2.569	0.00	-34.94	0.00
SCHOOL M&O	13600	0	13600	15.64	212.70	0.00	212.70
SCHOOL BOND	13600	0	13600	1	13.60	0.00	13.60
GROSS UNINC FIRE	13600	0	13600	3.887	52.86	0.00	36.04
INSURANCE PREMIUM CREDIT	0	0	13600	-1.237	0.00	-16.82	0.00
EMERGENCY SERVICES	13600	0	13600	0.571	7.77	0.00	7.77
DEVELOPMENT SERVICES	13600	0	13600	1.005	13.67	0.00	13.67
PARKS & LEISURE SERVICES	13600	0	13600	0.364	4.95	0.00	4.95
SOLID WASTE FEE	0	0	0	0	0.00	0.00	0.00
TOTAL				**24.6700**	**$387.27**	**-$51.76**	**$335.51**

PAYMENT OPTIONS

Online: www.hallcountytax.org
(American Express, Discover, MasterCard, Visa, PayPal, E-Check)
By Mail: Check, American Express, Discover, MasterCard, Visa accepted.
In Person: (Appointments preferred, limited walk-in availability): Hall County Government Center | 2875 Browns Bridge Rd | Gainesville GA 30504 M-F 8am-5pm
Drive-Up Drop Box: (Available 24/7) Located across from front doors at the Hall County Government Center under the breezeway.

2023 Current Due	$335.51
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$335.51
Delinquent Tax as of Billing Date	$0.00
TOTAL DUE	$0.00

2023 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER
PO Box 1579 • Gainesville GA 30503

PARSONS WILLIAM H

1004 ASHFERN WALK

WOODSTOCK, GA 301896200

BILL #	DUE DATE	TOTAL DUE	LOCATION
2023-116263	11/15/2023	$0.00	0

MAP CODE	DESCRIPTION
P337193	1999 Sea Ray Boats

Make check payable to **Hall County Tax Commissioner** and include bill number on check. Payments by American Express, Discover, MasterCard, Visa accepted. Please fill out information below and return by mail, place in drop box or email:

AMOUNT $_____ EXPIRATION DATE _____
CARD # _____
CARD BILLING ZIP CODE _____CVV_____
CARDHOLDER PRINTED NAME _____
CARDHOLDER SIGNATURE _____
PHONE NUMBER _____

Credit and Debit Card Fees Apply

☐ Check here if making address change (see back)

HALL COUNTY Tax Commissioner
SERVICE | EFFICIENCY | ACCOUNTABILITY

2024 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER

www.hallcountytax.org
propertytax@hallcounty.org
Phone: 770.531.6950
Text: 833.602.8497

PO Box 1579 • Gainesville GA 30503

PROPERTY OWNER(S)	MAP CODE	DISTRICT	ACREAGE	EXEMPTIONS	TAX BILL #
PARSONS WILLIAM H	P337193	001	0		2024-116585
	LEGAL DESCRIPTION:	1999 Sea Ray Boats			

LOCATION	BUILDING +	LAND VALUE =	FAIR MARKET VALUE x 40% =	ASSESSED VALUE
0	0	0	34,000	13,600

TAXING ENTITY	ASSESSED - VALUE	LESS = EXEMPTIONS	TAXABLE x VALUE	MILLAGE = RATE	GROSS - TAX	CREDITS =	NET TAX
GROSS COUNTY M&O	13600	0	13600	5.573	75.79	0.00	43.98
SALES TAX CREDIT	0	0	13600	-2.339	0.00	-31.81	0.00
SCHOOL M&O	13600	0	13600	14.99	203.86	0.00	203.86
SCHOOL BOND	13600	0	13600	1	13.60	0.00	13.60
GROSS UNINC FIRE	13600	0	13600	3.637	49.46	0.00	32.64
INSURANCE PREMIUM CREDIT	0	0	13600	-1.237	0.00	-16.82	0.00
EMERGENCY SERVICES	13600	0	13600	0.571	7.77	0.00	7.77
DEVELOPMENT SERVICES	13600	0	13600	1.18	16.05	0.00	16.05
PARKS & LEISURE SERVICES	13600	0	13600	0.437	5.94	0.00	5.94
SOLID WASTE FEE	0	0	0	0	0.00	0.00	0.00
TOTAL				**23.8120**	**$372.47**	**-$48.63**	**$323.84**

PAYMENT OPTIONS

Online: www.hallcountytax.org
(American Express, Discover, MasterCard, Visa, PayPal, E-Check)
By Mail: Check, American Express, Discover, MasterCard, Visa accepted.
In Person: (Appointments preferred, limited walk-in availability): Hall County Government Center | 2875 Browns Bridge Rd | Gainesville GA 30504 M-F 8am-5pm
Drive-Up Drop Box: (Available 24/7) Located across from front doors at the Hall County Government Center under the breezeway.

2024 Current Due	$323.84
Penalty	$0.00
Interest	$0.00
Other Fees	$0.00
Previous Payments	$323.84
Delinquent Tax as of Billing Date	$0.00
TOTAL DUE	$0.00

2024 Property Tax Statement

Darla Eden CPA TAX COMMISSIONER
Richard Steele CHIEF DEPUTY TAX COMMISSIONER
PO Box 1579 • Gainesville GA 30503

PARSONS WILLIAM H

1004 ASHFERN WALK

WOODSTOCK, GA 301896200

BILL #	DUE DATE	TOTAL DUE	LOCATION
2024-116585	11/15/2024	$0.00	0

MAP CODE	DESCRIPTION
P337193	1999 Sea Ray Boats

Make check payable to **Hall County Tax Commissioner** and include bill number on check. Payments by American Express, Discover, MasterCard, Visa accepted. Please fill out information below and return by mail, place in drop box or email:

AMOUNT $_____ EXPIRATION DATE _____
CARD # _____
CARD BILLING ZIP CODE _____CVV_____
CARDHOLDER PRINTED NAME _____
CARDHOLDER SIGNATURE _____
PHONE NUMBER _____

Credit and Debit Card Fees Apply

☐ Check here if making address change (see back)

48-5-40. Definitions.

As used in this part, the term:

(1) “Applicant” means a person who is:

(A)

(i) A married individual living with his or her spouse;

(ii) An individual who is unmarried but who permanently maintains a home for the benefit of one or more other individuals who are related to such individual or dependent wholly or partially upon such individual for support;

(iii) An individual who is widowed having one or more children and maintaining a home occupied by himself or herself and the child or children;

(iv) A divorced individual living in a bona fide state of separation and having legal custody of one or more children, when the divorced individual owns and maintains a home for the child or children; or

(v) An individual who is unmarried or is widowed and who permanently maintains a home owned and occupied by himself or herself; and

(B) A resident of this state as defined in paragraph (15) of Code Section 40-5-1, as amended.

(2) “Home for the aged” means a facility which provides residential services, healthcare services, or both residential services and healthcare services to the aged.

(3) “Homestead” means the real property owned by and in possession of the applicant on January 1 of the taxable year and upon which the applicant resides including, but not limited to, the land immediately surrounding the residence to which the applicant has a right of possession under a bona fide claim of ownership. The term “homestead” includes the following qualifications:

(A) The actual permanent place of residence of an individual who is the applicant and which constitutes the home of the family;

(B) Where the person who is the applicant holds the bona fide fee title (although subject to mortgage or debt deed), an estate for life, or under any bona fide contract of purchase providing for the conveyance of title to the applicant upon performance of the contract;

(C) Where the building is occupied primarily as a dwelling;

(D) Where the children of deceased or incapacitated parents occupy the homestead of their parents and one of the children stands in the relation of applicant. This subparagraph shall apply whether or not the estate is distributed;

(E) Where a husband or wife occupies a dwelling and the title of the homestead is in the name of the wife;

(F) In the event a dwelling house which is classed as a homestead is destroyed by fire, flood, storm, or other unavoidable accident or is demolished or repaired so that the owner is compelled to reside temporarily in another place, the dwelling house shall continue to be classed as a homestead for a period of one year after the occurrence;

(G) In the event an individual who is the applicant owns two or more dwelling houses, he shall be allowed the exemption granted by law on only one of the houses. Only one homestead shall be allowed to one immediate family group;

(H) Where property is owned and occupied jointly by two or more individuals all of whom occupy the property as a home and if the property is otherwise entitled to a homestead exemption, the homestead may be claimed in the names of the joint owners residing in the home. Where the property on which a homestead exemption is claimed is jointly owned by the occupant and others, the occupant or occupants shall be entitled to claim the full amount of the homestead exemption;

(I) The permanent place of residence of an individual in the armed forces. Any such residence shall be construed to be actually occupied as the place of abode of such individual when the family of the individual resides in the residence or when the family is forced to live elsewhere because of the individual's service in the armed forces;

(J) Absence of an individual from his residence because of duty in the armed forces shall not be considered as a waiver upon the part of the individual in applying for a homestead exemption. Any member of the immediate family of the individual or a friend of the individual may notify the tax receiver or the tax commissioner of the individual's absence. Upon receipt of this notice, the tax receiver or tax commissioner shall grant the homestead exemption to the individual who is absent in the armed forces;

(K) The homestead exempted must be actually occupied as the permanent residence and place of abode by the applicant awarded the exemption, and the homestead shall be the legal residence and domicile of the applicant for all purposes whatever;

(L) In all counties having a population of not less than 25,400 nor more than 25,500, according to the United States decennial census of 2020 or any future such census, where the person who is the applicant holds real property subject to a written lease; the applicant

has held the property subject to such a lease for not less than three years prior to the year for which application is made; and the applicant is the owner of all improvements located on the real property;

(M) The deed reflecting the actual ownership of the property for which the applicant seeks to receive a homestead exemption must be recorded in the deed records of the county prior to the filing of the application for the homestead exemption; and

(N) Absence of an individual from such individual's residence because of health reasons shall not in and of itself be considered as a waiver upon the part of the individual in applying for a homestead exemption if all other qualifications are otherwise met. Any member of the immediate family of the individual or a friend of the individual may notify the tax receiver or the tax commissioner of the individual's absence. Upon receipt of this notice, the tax receiver or tax commissioner shall grant the homestead exemption to the individual who is absent for health reasons.

(4) "Hospital" means an institution in which medical, surgical, or psychiatric care is provided to individuals who are sick, injured, diseased, mentally ill, or crippled. "Hospital" does not include an institution licensed as a nursing home under the laws of this state.

(5) "Institutions of purely public charity," "nonprofit hospitals," and "hospitals not operated for the purpose of private or corporate profit and income" mean such institutions or hospitals which may have incidental income from paying patients when the income, if any, is devoted exclusively to the charitable purpose of caring for patients who are unable to pay and to maintaining, operating, and improving the facilities of such institutions and hospitals, and when the income is not directly or indirectly for distribution to shareholders in corporations owning such property or to other owners of such property.

(6) "Occupied primarily as a dwelling" means:

(A) The applicant or members of his family occupy the property as a home; or

(B)

(i) The applicant or members of his family occupy a portion of the property as a home;

(ii) No more than one exemption may be claimed pursuant to this subparagraph in connection with the occupancy of one building, except in the case of a duplex or double occupancy dwelling when the line of division follows a natural and bona fide plan as to both land and building and the two units thus formed are separately owned and occupied.

AGENDA ITEM

Treatment Services

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 425/2025

SUBJECT: Approve the FY26 annual contract with the State of Georgia Department of Human Services for Treatment Services to provide drug screening services and appoint the Treatment Services Director as the Program Designee and authorize the Chairman to execute all related award documents. The estimated annual cost is $148,172.00.

Meetings:

Work Session Date: 07/07/25

Voting Meeting Date: 07/10/25

Executive Summary:

Presenter: BW

Recommendation:
Approval.

Purpose of Request:

Approve the FY26 contract with the State of Georgia Department of Human Services for the Hall County Treatment Services to provide drug screening services and appoint the Treatment Services Director as the Program Designee and authorize the Chairman to execute all related award documents.

History:
Treatment Services has been providing drug testing services for Hall and Dawson County Department of Family and Children Services for the past 17 years. Since 2013, Treatment Services has entered into formal agreements with DFCS regarding drug testing services and has been awarded contracts annually. This contract period is from July 1, 2025 to June 30, 2026.

Facts and Issues:
Beginning in FY20, the Department of Human Services (DHS) transitioned to a new state-wide contract and pricing agreement. Treatment Services was awarded a non-standard contract to provide drug testing services for our local DFCS offices which has been extended annually. Treatment Services collected 1,718 DFCS screens in 2024. In FY24, DFCS screens resulted in a revenue stream of $148,172, which assists in personnel and operational costs.

Options:

Funding Requested $ 0.00

Are funds within current budget?	Yes
Source of Funds	Restricted Programs
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?	2025-04-19

Approvals:

Grants	Submit	Approve	Grants
JR	BW	JS	SG
Budget	**Finance**	**Attorney**	**Administration**
DA	TS	WLI	CR
Clerk			
AD			

Attachments:

FY26 DFCS Drug Screen Contract

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 425/2025

Funds Requested: $ 0.00

Request Budgeted: Yes

Proposed Source of Funding:

Restricted Programs

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
FY2026	203-RESTRICTED PROGRAMS FUND	2160-TREATMENT SERVICES	341137-DRUG TEST FEEâ€DFACS	$-148,172.00
FY2026	203-RESTRICTED PROGRAMS FUND	2160-TREATMENT SERVICES	521000-PROFESSIONAL SERVICES	$148,172.00

Budget Transfer Items:

Additional Information/Comments:

Treatment Services invoices Department of Family and Children Services for screening provided by the drug testing laboratory. The expenditures and revenues from this contract net to zero.

Contact for Questions: HH

Phone: 770-536-3837

STATE OF GEORGIA
DEPARTMENT OF HUMAN SERVICES
CONTRACT

This Contract is entered into between the Department of Human Services and the Contractor named below:
State Entity's Name: Department of Human Services, through its Division of Family and Children Services (DFCS) hereinafter the "Department" or "DHS"). DHS is the State agency that administers and sets parameters for a statewide system of programs and services that provide public assistance to the disadvantaged, disabled and elderly residents of the State of Georgia (the "State") through a network of other agencies and organizations, pursuant to O.C.G.A. § 49-2-1 et seq.

Contractor's Name: Hall County Board of Commissioners (hereinafter the "Contractor")	Contractor's Address: 2875 Browns Bridge Road, Gainesville, GA 30504
Contractor's FEI #: 58-6000836	Contractor's Accounting Year End Date: 12/31
Contractor's Entity Type: County Government	

Department Administrative Information

DHS Contract #: 42700-040C-26-001691	
DHS (State) Financials Vendor ID #: 14610	CFDA #(s): 93.558
NIGP Code(s): 95207	☐ RFP ☐ RFQ ☐ Sole Source ☐ Consortia Event #: N/A
☐ Exempt ☒ Intergovt.	
Equip. Inv. Locator #: N/A	Multi-Year Contract: ☐ Yes ☒ No
☒ Initial Contract ☐ Emergency	Total Options to Renew: 0

Scope of Services:

I. Contractor will provide the following services/deliverables in accordance with the terms and conditions of the Contract:

1. Adhere to all policies, protocols, and minimum standards as defined by DFCS Delivered Services Unit, Co-Star Fiscal Manual, and DFCS Child Welfare Policy which is incorporated herein by reference.

2. Contractor must maintain a physical brick-and-mortar office space. This location must be properly licensed, accessible to clients, and compliant with all local, state, and federal regulations.

3. Contractor will have adequate technology (i.e. computers, fax, phone, email, internet, etc.) to communicate with DHS/DFCS, County Department staff, Clients, and other partners.

4. Ensure all staff and subcontractors receive a successful criminal history investigation fitness determination letter from the DHS Office of Inspector General prior to service provision. Staff must have the 5-year criminal records check completed by their anniversary date as they reach their fifth (5th) year of service as outlined in the paragraph titled *Criminal History Investigations* of the contract.

5. Conduct and document a Sex Offenders Registry, Pardons and Paroles, and Department of Corrections check within 30 days of contract execution for all existing staff and subcontractors; and within 30 days prior to hire for prospective staff. Thereafter, Contractor will complete the Sex Offenders Registry check annually, within thirty days prior to the staff/subcontractor anniversary date. Each contractor must have a policy on how their agency will regularly monitor compliance for initial hires and annually. Documentation of these checks are required to be maintained in the staff personnel record. The links for the registries follows:

   https://gbi.georgia.gov/services/georgia-sex-offender-registry
   https://papapps.pap.state.ga.us/paroleesearch/search/searchPage;and
   https://gdc.ga.gov/GDC/Offender/Query

6. Conduct and document the results of a Child Protective Services history check through the Georgia Investigation Outcome Notification System (IONS) at https://ionsrequestportal.dhs.ga.gov/General for all staff within 30 days prior to hiring and annually within 30 days prior of the staff's anniversary date. Each Contractor must have a policy on checking CPS history through IONS and if the results of the IONS check reveal a substantiated case, this individual is unable to be employed or continue employment to work with children in the custody of the Division.

7. Within 30 days of contract execution, all existing staff will participate in annual Mandated Reporter training and that any staff hired during the contract period will participate in Mandated Reporter Training as a component of new worker training. This training can be obtained via Pro Solutions website- https://www.prosolutionstraining.com/index.cfm. (Select: Critical Links in Protecting Children in Georgia)

8. The Division promotes respect and dignity and does not tolerate sexual harassment in the workplace. The Division is committed to providing a workplace and environment free from sexual harassment for its employees and for all persons who interact with state government officials. Contractors must provide sexual harassment training for their employees and contractors annually.

9. Ensure all staff and/or sub-contractors complete all mandatory trainings with a test score of 80% or above within 30 days of hire and maintain training certificates in their agency files. Mandatory trainings required annually, will be completed within 30 days of the staff and/or subcontractor's anniversary date.

10. Attend and participate in all mandatory meetings as required by DHS/DFCS.

11. Utilize the Argo Portal to receive and respond to Service Authorization Requests/referrals. Within 48hrs, Contractor will accept or reject the referral in the Argo Portal; and document the reason for rejection.

12. Obtain an approved Service Authorization document from DHS/DFCS, **prior to** service provision.

13. Deliver services consistent with the nature and frequency as outlined in the Service Authorization. Contractor will seek clarification from the DFCS Case Manager and obtain a revised Service Authorization as needed to support service provision.

14. Upload case documentation into the Argo Portal for all billed services per case as verification of billed services. One case/progress note is required per day of service. Exception: Case Notes are not required for behavioral assessments/mental health evaluations unless they are not completed in the required time frame. (within 48 hours of service completion drug screen and 72 hours support services)

15. Work in partnership with child welfare, law enforcement, courts, behavioral health, community groups and churches as a responsible member and link in the social services network. Provide services in a manner which honors and respects culturally different views, beliefs, attitudes, values, and systems in which families raise their children.

16. Accommodate family schedules by offering services at flexible times and locations such as during the afternoon, evening and/or weekend, and at offsite locations based on the client's need.

17. Notify DHS/DFCS in writing, within 24 hours if client is non-compliant with appointment or refuses any referred service provision.

18. Implement an internal continuous quality improvement process to assess at minimum referral decisions, significant incidents, policy violations, employee retention and turnover, training, and performance outcomes. Continuous Quality Improvement (CQI) is the complete process of identifying, describing, and analyzing strengths and challenges and then testing, implementing solutions, and then learning from the results, and revising solutions in a continuous process that yields optimal programmatic functioning and better outcomes for children and families. An approved DHS/DFCS client satisfaction survey to all clients after completion of service. Contractor should keep a copy of the satisfaction survey in client files**.** Exception: Surveys are not required for behavioral assessments/mental health evaluations or transportation services.

19. Verify all professional/para-professional full/part time staff and subcontractors possess the required experience, education (Human Services), licensure, credentials and/or certifications, in accordance with programmatic requirements & Co-Star Fiscal Manual set forth by DHS/DFCS policies and procedures prior to service provision.

20. Submit a completed Agency Roster to the assigned Delivered Service Program Specialist via email by the 15th of the first month of each quarter (July, October, January, April). Provider will maintain records of all required agency/staff/sub-contractor documents to include but not limited to:
    a. Resume
    b. Training Certificates/Certifications
    c. DHS OIG Background Clearance Letter

d. Valid Driver's License
e. College Transcript – Not required for Non-Degreed or Licensed individual
f. Professional License (Licensed Staff and/or Sub-contractors only)

21. Notify the DFCS Delivered Services Unit & the DFCS County Office within 24 hours of any Significant Incident via phone call or email. The provider will follow up by providing a written summary of the incident with 48 hours per the Delivered Service Provider Incident Reporting Protocol, incorporated herein by reference.

22. Contractor will remain in good standing with all existing DHS contracts and/or affiliates in which services/supports are provided to family and/or children. Referrals and/or services may be suspended to address any identified issues related to safety, risk, well-being, financial obligations, or financial reporting requirements.

23. Submit a monthly invoice packet(s) in accordance with the Co-Star fiscal manual rates, staff credentials and programmatic guidelines by the 10th calendar day of each month to the assigned Regional/County Contract Liaisons. DSP must include a detailed justification statement along with all late invoice submissions, regardless of the number of days past due. Initial invoices submitted more than 90 calendar days late are ineligible for processing/payment and will be returned to the provider by the Contract Liaison (CCL).
The packet will consist of the following:
a. Approved DHS/DFCS Invoice Tracking Log
b. Program Invoice (one invoice per case/per month/per program- number of services & dates of service must match the service authorizations)
c. Service Authorization(s)
d. Vehicle Mileage Log (Must have a license plate numbers and physical address for every origin (start point) and destination (end point) and specific purpose for each individual trip.
e. First page of behavioral assessments, as applicable
f. Drug Screen Results, as applicable

24. Invoices sent back for correction are to be resubmitted to the Regional/County Contract Liaison within five (5) business days of receipt of an Invoice Error Letter. Corrected invoices resubmitted more than 30 calendar days late are ineligible for processing/payment and will be returned to the provider by the Contract Liaison. Providers will receive up to two (2) opportunities per invoice to revise and resubmit corrections to the initial errors identified by the Contract Liaison. Upon the second resubmission, all errors must be resolved.

25. Contractor will ensure all staff and/or sub-contractors will only drive 120 miles or less to begin a service.

26. Ensure documented mileage only, at the official state approved mileage rate to support the delivery of services. Mileage may be billed from staff person's residence, official agency address, or current location, whichever is nearer to the destination point. This will also apply to service providers who are asked by the county DFCS Office to travel outside of the referring county to provide services to a family in another county.

27. Contractor will utilize the Outstanding Invoice Spreadsheet Protocol, which is incorporated herein by reference to the contract, for all late/non-payment issues:
a. Contractor must make 3 attempts to resolve any payment issues with the county contract liaison prior to the 45th business day.
b. Check System & Methods Incorporated (SMI) to verify if payment was made.
c. If payment has not been made on or after the 45th business day from last invoice submittal, the Contractor will send the Outstanding Invoice Spreadsheet to the assigned Delivered Service Program Specialist.

<u>Drug Screen Deliverables</u>

28. Submit a completed Agency Roster to the assigned Delivered Service Program Specialist via email by the 15th of the first month of each quarter (July, October, January, April). Provider will maintain records of all required agency/staff/sub-contractor documents to include but not limited to
a. Criminal Background Check/DHS Clearance letter
b. Valid State approved picture ID
c. Proof of training certificate
   i. Hair Follicle Training Certificate
   ii. Urine Training Certificate
   iii. Oral Swab Training Certificate

iv. Sweat Patch Training Certificate
v. Fingernail Test Training Certificate

d. Resume
e. GED/High School Diploma or higher

29. Ensure all staff and/or sub-contractors complete all mandatory trainings with a test score of 80% or above within 30 days of hire and maintain training certificates in their agency files. Mandatory trainings required annually, will be completed within 30 days of the staff and/or subcontractor's anniversary date.
    a. HIPAA
    b. Workplace Violence
    c. Security Awareness

30. Maintain in a secure setting all necessary supplies to complete drug screening services to include:
    a. **Hair Follicle Kits-** 7 panel *(Marijuana, Cocaine, Opiates, PCP, Amphetamines, Methamphetamines including Ecstasy/MDA, and Benzodiazepines)*
    b. **Oral Swab Kits-** 6 panel *(Amphetamines, Benzodiazepines, Cannabinoids, Cocaine, Opiates, PCP)*
    c. **Fingernail Test Kits-** 5 panel *(Amphetamines/Methamphetamines, Marijuana (THC), Phencyclidine, Cocaine, Opiates)*
    d. **Sweat Patch Kits-** 6 panel *(Amphetamines, Methamphetamines, Opiates, Cocaine, PCP & THC)*
    e. **Urine Analysis-** 13 panel (AMP/BUP/BZO/COC/ETG500/Fentanyl/mAMP/MDMA/MTD/OPI/OXY/THC/Tramadol)
    f. **Urine Insta-cup-** 13 panel (*AMP/BUP/BZO/COC/ETG500/Fentanyl/mAMP/MDMA/MTD/OPI/OXY/THC/Tramadol)*

31. Urine Insta-cup testing is only used if requested by DFCS staff for emergency placements, ordered as a condition of visitations, weekends or afterhours.

32. Urine Insta-cup and Urine Analysis services are required to be sent for lab confirmation on positive substances only.

33. Ensure that all drug screen collection results are sent to the assigned Case Manager via Argo upload within 48 hours.

34. Use a laboratory that follows the national guidelines for cut off levels and standards set forth by Substance Abuse and Mental Health Services Administration (SAMHSA).

35. Ensure that all drug screen collection specimens will be sent to a laboratory within 24 hours of collection.

II. The Department will provide the following in accordance with the terms and conditions of the Contract:

1. Provide a correct and fully completed Service Authorization form to the Contractor via the Argo Portal prior to the execution of any service provision.

2. Provide a copy of the Co-Star Fiscal Manual, policy & programmatic minimum standards, requirements, and forms as set forth by DFCS Delivered Service Unit policies/procedures and the State of Georgia.

3. Provide the Contractor with timely notification of any procedural or policy change impacting service delivery, case documentation, or reporting.

4. Provide Contractor at least forty-eight (48) hour notice of mandatory meetings.

5. Review, approve, and process policy waiver requests/extensions in accordance with programmatic timelines.

6. Monitor the delivery and documentation of service by Contractor and issue reports to Contractor about the results of that monitoring.

7. Utilize evidence-based methods to develop baseline data, performance measures, and identify intended outcomes.

8. Notify Contractor within five (5) business days when quality of work is unsatisfactory, or a non-compliance issue is reported to the State Office DFCS Delivered Service Unit. DHS/DFCS shall allow Contractor to respond to allegations in writing prior to an administrative decision to either enter a performance improvement plan, suspend, or terminate the contract.

9. Accept submission of correct and fully completed invoice packets, as described in the contract paragraph titled Invoice Submission no later than the 10th calendar day of each month.

10. Notify Contractor of errors and corrections to be made within ten (10) business days of receipt of invoice.

11. Submit invoices to Regional Accounting, no later than ten (10) business days, after receipt of corrected invoice.

12. Regional Accounting will process payments within thirty (30) calendar days upon receipt and full approval of the invoice packet by Regional Accounting Department.

13. Conduct quality assurance, by monitoring/meeting with the Contractor on a quarterly basis, to resolve any identified issues by the Contractor or DHS/DFCS.

14. Conduct audits of contractual requirements and complete a report that summarizes performance compliance, strengths, and areas of concern. Audits may include announced or unannounced site visits and review of documentation related to service provision and outcomes.

15. Implement and utilize a continuous quality improvement process to improve the Delivered Service Unit's functions including relevant trainings, minimum standards development, risk management, monitoring performance, partnerships with Contractors, and other stakeholders associated with the successful operations of the state's DFCS Delivered Service programming.

16. DFCS County Offices will notify the assigned State Office Delivered Service Program Specialist regarding Contractor issues and corrective action plan development, related to billing or quality of service provision for resolution by completing an incident report in accordance with the protocol sent out.

Contract Cost: ☒ **Expense** ☐ **Revenue**

Total Obligation: $0.00 Federal: $0.00 State: $0.00 Match: $0.00 Other: $0.00

Contract Term:

Initial Contract Start Date: 07/01/2025 Contract Expiration Date: 06/30/2026 Contract Fiscal Year: FY26

Authorized Person(s) to Receive Contract Notices for DHS:

Department of Human Services
Division of Family and Children Services (DFCS)
Attn: DeWana McKinney
47 Trinity Avenue S.W., 2nd Floor
Atlanta, GA 30303-1422
678.634.1611
DeWana.McKinney@dhs.ga.gov

Department of Human Services
Division of Family and Children Services (DFCS)
Attn: Vickie Young
47 Trinity Avenue S.W., 2nd Floor
Atlanta, GA 30303-1422
vickie.young1@dhs.ga.gov

Authorized Person(s) to Receive Contract Notices (Correspondence Only) for Contractor:

Hall County Board of Commissioners
Attn: Heather Herrington
2875 Browns Bridge Road
Gainesville, GA 30504
770.535.8270
Heather.Herrington@hallcounty.org

Contractor's mailing address for all contract payment checks or remittance advice (EFT only) is:

Hall County Board of Commissioners
P.O. Box 1435
Gainesville, GA 30501

SECTION I GENERAL CONTRACT PROVISIONS **SECTION I**

CONTRACT DEFINITIONS:

The following words shall be defined as set forth below:

"Administrative Addendum" means a form issued and executed by the Department to revise certain administrative information that does not affect the terms and conditions of the Contract. For example, DHS may issue an Administrative Addendum to revise contact persons for the Department.

"Contract" means the agreement between the Department and the Contractor including annexes, amendments, renewals, extensions and addenda.

"Contractor" means the provider(s) of the Services under the Contract.

"Department" or **"DHS"** means the State of Georgia Department of Human Services and the Division/Office identified in the Department of Human Services Contract with the Contractor for the Services identified.

"Services" means the services and deliverables as provided in the Contract and described in the Scope of Services.

"State" means the State of Georgia, the Department, and its Divisions/Offices and any other authorized State entities requiring services under or having an interest in the Contract.

CONTRACT DEFINED:

Nothing contained in this Contract shall be construed to constitute the Contractor or any of its employees, agents, or Subcontractors as a partner, employee, or agent of the Department, nor shall either party to this Contract have any authority to bind the other in any respect, it being intended that each shall remain an independent contractor.

This Contract or any performance required by it shall not be assigned, transferred, or delegated to another party without the express prior written consent of the Department.

JURISDICTION:

This Contract is deemed to be made under and shall be construed and enforced in every respect according to the laws of the State of Georgia. Any lawsuit or other action based on a claim arising from this Contract shall be brought in the Superior Court of Fulton County, State of Georgia.

PERIOD OF CONTRACT:

This Contract is a one-year contract unless otherwise specified or terminated earlier in accordance with the applicable terms and conditions.

EXTENSION:

In the event that this Contract shall terminate or be likely to terminate prior to the making of an award for a new contract for services or the completion of all contracted deliverables, the Department may, with the written consent of Contractor, extend this Contract for such period as may be necessary to afford the State a continuous supply of the services.

AMENDMENTS IN WRITING:

The Parties recognize and agree that it may be necessary or convenient for the Parties to amend this Agreement so as to provide for the orderly implementation of all of the undertakings described herein, and the Parties agree to cooperate fully in connection with such amendments if and as necessary. No amendment, waiver, termination, or discharge of this Contract, or any of the terms or provisions hereof, shall be binding upon either Party unless confirmed in writing. Nothing may be modified or amended, except by writing executed by both Parties.

Any agreement of the Parties to amend, modify, eliminate or otherwise change any part of this Contract shall not affect any other part of this Contract, and the remainder of this Contract shall continue to be of full force and effect as set out herein. Except for the specific provisions of the Agreement which are amended, the Agreement remains in full force and effect after such amendment.

DEPARTMENT AND CONTRACTOR CONTACT INFORMATION:

A. CONTACT INFORMATION: The mailing addresses, contact persons, and contact information listed in the Contract may be changed during the term of this Contract by written notification to the other party. All notices provided for herein shall be deemed duly given upon delivery if delivered by hand or via email, or after three (3) days if by regular mail or certified/registered mail.

B. CHANGE IN CONTRACTOR INFORMATION: In the event Contractor's address, legal business name, or entity type or entity status changes during the term of this Contract, Contractor shall contact the Department with the correct information within thirty (30) days of such change.

C. CONTRACT SERVICE DELIVERY SITES: This Contract may involve service delivery site(s). If the Annex titled Service Delivery Sites is included in this contract, the Contractor may move the service delivery site(s) during the term of this Contract with prior written approval of the Division or Office, provided the total cost of the Contract does not either increase or decrease.

NONDISCRIMINATION BY CONTRACTOR AND SUBCONTRACTORS:

A. NONDISCRIMINATION IN EMPLOYMENT PRACTICES: The Contractor agrees to comply with Federal and State laws, rules and regulations, and the Department's policy relative to nondiscrimination in employment practices on the basis of political affiliation, religion, race, color, sex, sexual orientation, gender identity, disability, age, creed, veteran status or national origin. Nondiscrimination in employment practices is applicable to employees, applicants for employment, promotions, demotions, dismissal, and other elements affecting employment/employees.

B. NONDISCRIMINATION IN SERVICE PRACTICES: The Contractor agrees to comply with Federal and State laws, rules and regulations, and the Department's policy relative to nondiscrimination in consumer/customer/client and consumer/customer/client service practices on the basis of political affiliation, religion, race, color, sex, sexual orientation, gender identity, disability, age, creed, veteran status or national origin. Neither shall any individual be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted or supported by the Department.

C. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT: The Contractor agrees to comply with all applicable provisions of the Americans with Disabilities Act (ADA) and any relevant Federal and State laws, rules and regulations regarding employment practices toward individuals with disabilities and the availability/accessibility of programs, activities, or services for consumers/customers/clients with disabilities.

D. CONTRACTOR'S OBLIGATIONS REGARDING SUBCONTRACTORS: The Contractor agrees to require any Subcontractor performing services funded through this Contract to comply with all provisions of the Federal and State laws, rules, regulations and policies described in this paragraph.

CONFIDENTIALITY:

The Contractor agrees to abide by all State and Federal laws, rules and regulations, and DHS policy and procedures respecting confidentiality of an individual's records. The Contractor will not disclose any confidential or protected information obtained in any way from the Department without the express written authorization from the Department. The Contractor agrees to notify the Department within one (1) business day of receipt of a request for records under the Georgia Open Records Act, a subpoena, court order, or request for production of documents seeking confidential information concerning DHS customers or clients.

The parties hereto acknowledge that some material and information that may come into their possession or knowledge in connection with this Contract, or the performance hereof, may consist of confidential and private information, the disclosure of which to or use by third parties may be damaging. The parties therefore agree to hold such material and information in strictest confidence, not to make use thereof other than as is necessary for performance of this Contract, and not to release or disclose any information to any other party except as may be required by law. Each party hereby expressly agrees to immediately remove any such party's employees or subcontractors from performing any work in connection with this Contract upon the other party giving notice that such employee or sub-contractor has failed to meet the confidentiality obligations or standards of this Contract.

INSPECTION OF WORK PERFORMED:

The Department or its authorized representative shall have the right to enter into the premises of Contractor and/or all subcontractors, or any places where duties under this Contract are being performed, to inspect, monitor, or otherwise evaluate the performance under this Contract.

USE OF STATE VEHICLES:

Contractor may use State vehicles in the performance of this Contract; provided that, Contractor may not seek or obtain reimbursement from the Department for mileage when State vehicles are employed.

INDEPENDENT CONTRACTOR RELATIONSHIP:

In its relationship with the Department and the State and for purposes of performing any services assigned under this Contract, Contractor warrants that Contractor is an Independent Contractor. Contractor shall therefore be responsible for compliance with all laws, rules, and regulations involving its employees and any subcontractor(s), including but not limited to employment of labor, hours of labor, health and safety, working conditions, workers' compensation insurance, and payment of wages. Neither Contractor nor any of Contractor's agents, servants, employees, subcontractors or suppliers shall become or be deemed to become agents, servants, or employees of the Department or the State. This Contract shall not be construed so as to create a partnership or joint venture between Contractor and the State or any of its agencies.

CONFLICT OF INTEREST:

The Contractor and the Department certify that the provisions of the O.C.G.A. §§ 45-10-20 through 45-10-29, as amended, and O.C.G.A. §§ 45-10-40 and 45-10-41 which prohibit and regulate certain transactions between certain State officials or Employees and the State of Georgia, have not been violated and will not be violated in any respect.

CONTRACT MODIFICATION/ALTERATION:

A. No modification or alteration of this Contract, except for DHS's administrative changes to the Contract or budget revisions which do not increase or decrease the total dollar value of the Contract (such as the addition of an equipment line item or real estate rental) which have been approved in advance by the Department, will be valid or effective unless such modification is made in writing and signed by both parties and affixed to this Contract as an amendment indicating the DHS contract number involved, the original contracting parties and the original effective date of the Contract and the paragraph(s) being modified or superseded, except as stated in subparagraph B immediately below.

B. In the event that either of the sources of reimbursement for services under this Contract (appropriations from the General Assembly of the State of Georgia, or the Congress of the United States of America) are reduced during the term of this Contract, the Department has the absolute right to make financial and other adjustments to this Contract and to notify the Contractor accordingly. Such adjustment(s) may require a contract amendment including, but not limited to, a termination of the Contract. The certification by the Commissioner of the Department of the occurrence of either of the reductions stated above shall be conclusive.

DEPARTMENT'S RIGHT TO SUSPEND CONTRACT:

The Department reserves the right to suspend the Contract in whole or in part in the event that the Department in its sole discretion initiates an investigation into the performance and delivery of services by Contractor or in good faith determines that there is a likelihood that the Contractor is failing to comply with the quality of services or the specific completion schedule of its duties under the Contract and/or to require further proof of reimbursable expenses prior to payment thereof, and/or to require improvement in the programmatic performance or service delivery.

A. WITHHOLDING PAYMENTS: If Contractor fails to deliver Deliverables or to provide Services which satisfy Contractor' s obligations under this Contract, and, if Contractor fails to correct such failure within 30 Days of the date of DHS' s sending an email to the Contractor Project Manager describing such failure, or such other number of days mutually agreed to in writing by the Parties, DHS shall have the right to withhold any and all payments due hereunder. DHS may withhold any and all such payments due hereunder to Contractor, as aforesaid, without penalty or work stoppage by Contractor, until such failure to perform is cured.

B. REDUCTIONS IN PAYMENTS DUE: Amounts due DHS by Contractor under this Contract, including but not limited to liquidated damages or any other damages caused by any deficiency or delay in the Services or Deliverables may be deducted or set-off by DHS from any money payable to Contractor pursuant to this Contract. If set-off such amounts within five Days of the date of DHS' s sending an email to the Contractor Project Manager describing such failure, DHS may exercise this right, and DHS shall provide Notice to Contractor of any such deduction or set- off. Or DHS may direct the Contractor to make payment directly to DHS for such amounts due. The method of collection of such amounts due is solely and strictly at DHS' s discretion.

C. HOLDBACK: DHS shall retain a Holdback of 20% ("Holdback") of all amounts invoiced by Contractor as prescribed in this Contract. Upon written acceptance by DHS that all work is completed, and the end of the Warranty Period has passed, DHS will release said Holdback to Contractor for payment.

D. RIGHT TO ASSURANCE: If DHS, in good faith, has reason to believe that Contractor does not intend to, or is unable to perform or has refused to perform or continue performing all material obligations under this Contract, DHS may demand in writing that Contractor give a written assurance of intent to perform. Upon failure by Contractor to provide written assurance within the number of Days specified in the demand (in no event less than five business days), DHS may at DHS ' s option, pursue termination of this Contract under the terms and conditions or other rights and remedies available by law or provided by this Contract.

E. TERMINATION REMEDIES: Notwithstanding anything to the contrary herein, in the event of termination of this Contract by DHS, DHS shall, in addition to its other available remedies, have the right to procure the terminated Services and Deliverables that are the subject of this Contract on the open market and Contractor shall be liable for direct damages, which may include, but shall not be limited to the cost difference between the Charges for Deliverables and Services being replaced as a result of such termination and the actual and reasonable replacement costs of substitutes for such Deliverables and/ or Services acquired from another vendor (but in no event greater than the fair market value); and if applicable, reasonable and actual administrative costs incurred by DHS in replacing the Services and Deliverables, such as costs of competitive bidding, mailing, advertising, and staff time.

TERMINATION:

A. DUE TO NON-AVAILABILTY OF FUNDS: Notwithstanding any other provision of this Contract, in the event that either of the sources of reimbursement for services under this Contract (appropriations from the General Assembly of the State of Georgia or the Congress of the United States of America) no longer exist or in the event the sum of all obligations of the Department incurred under this and all other contracts entered into for this program exceeds the balance of such contract sources, then this Contract shall immediately terminate without further obligation of the Department as of that moment. The certification by the Commissioner of the Department of the occurrence of either of the events stated above shall be conclusive.

B. DUE TO DEFAULT OR FOR CAUSE: This Contract may be terminated for cause, in whole or in part, or pursuant to section D at any time by the Department for failure of the Contractor to perform any of the provisions hereof, failure to meet performance standards, required service levels, or violation of state or federal law. Should the Department exercise its right to terminate this Contract under the provisions of this paragraph, the termination shall be accomplished in writing and specify the reason and termination date. The Contractor will be required to submit the final contract expenditure report not later than forty-five (45) days after the effective date of written notice of termination. Upon termination of this Contract, the Contractor shall not incur any new obligations after the effective date of the termination and shall cancel as many outstanding obligations as possible. The above remedies are in addition to any other remedies provided by law or the terms of this Contract.

C. FOR CONVENIENCE: This Contract may be cancelled or terminated by either of the parties without cause. This Contract may be terminated by the Contractor for any reason upon sixty (60) days prior written notice to the Department. This Contract may be terminated by the Department for any reason upon thirty (30) days prior written notice to the Contractor.

D. IMMEDIATE TERMINATION: Notwithstanding any other provision of this Contract, the Department may terminate this Contract if any of the following events occur:

1. Contractor becomes insolvent or liquidation or dissolution or a sale of the Contractor's assets begins.

2. Contractor or any Subcontractor violates or fails to comply with any applicable provision of Federal or State law or regulation.

3. Contractor or any Subcontractor knowingly provides fraudulent, misleading or misrepresentative information to any consumer/customer/client of the Department or to the Department.

4. Contractor has exhibited an inability to meet its financial or services obligations under this Contract.

5. A voluntary or involuntary bankruptcy petition is filed by or against the Contractor under the U.S. Bankruptcy Code or any similar petition under any State insolvency law.

6. An assignment is made by the Contractor for the benefit of creditors.

7. A proceeding for the appointment of a receiver, custodian, trustee, or similar agent is initiated with respect to the Contractor.

8. The Department deems that such termination is necessary if the Contractor or any Subcontractor fails to protect or potentially threatens the health or safety of any consumer/customer/client and/or to prevent or protect against fraud or otherwise protect the State of Georgia's personnel, consumers/customers/clients, facilities, or services.

9. Contractor is debarred or suspended from performing services on any public contracts and/or subject to exclusion from participation in the Medicaid or Medicare programs.

10. Contractor loses or has any license, certification or accreditation sanctioned that is required by this Contract or State and Federal laws.

COOPERATION IN TRANSITION OF SERVICES:

Contractor agrees upon termination of this Contract, in whole or in part, for any reason that it will cooperate as requested by the Department to effectuate the smooth and reasonable transition of the care and services for consumers/customers/clients as directed by the Department. This will include, but not be limited to, the transfer or destruction of consumer/customer/client records, database access codes or passwords and any and all other means necessary to transfer and access electronic data, personal belongings, and funds of all consumers/customers/clients as directed by the Department. Contractor further agrees that should it go out of business and/or cease to operate, all records of consumers/customers/clients served pursuant to this Contract shall be transferred by the Contractor to the Department immediately and shall become the property of the Department. Unless otherwise specified in this Contract, Contractor shall effectuate and accomplish transition at no cost to the Department.

FORCE MAJEURE:

Each party will be excused from performance under this Contract to the extent that it is prevented from performing, in whole or in substantial part, due to delays caused by an act of God, civil disturbance, civil or military authority, war, court order, acts of public enemy, and such nonperformance will not be default under this Contract nor a basis for termination for cause. Nothing in this paragraph shall be deemed to relieve the Contractor from its liability for work performed by any subcontractor. If the services to be provided to the Department are interrupted by a force majeure event, the Department will be entitled to an equitable adjustment to the fees and other payments due under this Contract.

ACCESS TO RECORDS AND INVESTIGATION:

A. The State and Federal government and the Department shall have access to all pertinent books, documents, papers, correspondence, including e-mails, management reports, memoranda, and any other records of the Contractor and Subcontractor (collectively, "records") for the purpose of conducting or reviewing audit examinations, excerpts, and transcripts. Contractor and Subcontractor record retention requirements are seven years from submission of final expenditure report. If any litigation, claim, or audit is started before the expiration of the seven-year period, Contractor shall retain records for seven years after all litigation, claims, or audit findings involving the records have been resolved.

B. The Contractor agrees that the DHS Office of the Inspector General, upon the request of the Commissioner or his designee, has full authority to investigate any allegation of misconduct in performance of duties arising from this Contract made against an employee or agent of the Contractor. The Contractor agrees to cooperate fully in such investigations by providing the Office of the Inspector General full access to its records and by allowing its employees and agents to be interviewed during such investigations.

C. The Department shall have the right to monitor and inspect the operations of the Contractor and any Subcontractor for compliance with the provisions of this Contract and all applicable Federal and State laws and regulations, with or without notice, at any time during the term of this Contract. The Contractor agrees to cooperate fully with these monitoring and inspection activities. Such monitoring and inspection activities may include, without limitation, on-site health and safety inspections, financial and behavioral health/clinical audits, review of any records developed directly or indirectly as a result of this Contract, review of management systems, policies and procedures, review of services authorization and utilization activities, and review of any other areas, activities or materials relevant to or pertaining to this Contract. The Department will provide the Contractor with a report of any findings and recommendations and may require the Contractor to develop corrective action plans as appropriate. Such corrective action plans may include requiring the Contractor to make changes in service authorization, utilization practices, and/or any activity deemed necessary by the Department.

D. The Contractor agrees to make available at all reasonable times during the period set forth below any of the records of the contracted work for inspection or audit by any authorized representative of DOAS, the Georgia State Auditor or other authorized Federal or State agency. Contractor shall preserve and make available its records for a period of seven years from the date of final payment under this Contract and for such period, if any, as is required by applicable statute, by any other paragraph of the RFP, or this Contract. If the Contract is completely or partially terminated, the records relating to the work terminated shall be preserved and made available for a period of seven years from the date of any resulting final settlement. Records that relate to appeals, litigation, or the settlements of claims arising out of the performance of this Contract, or costs and expenses of any such agreement as to which exception has been taken by the State Auditor, other authorized Federal or State agency, or any of their authorized representatives, shall be retained for a period of seven years by Contractor after such appeals, litigation, claims, or exceptions have been resolved.

COLLECTION OF AUDIT EXCEPTIONS:

The Contractor agrees that the Department may withhold net payments equal to the amount which has been identified by an audit, notwithstanding the fact that such audit exception is made against a prior or current contract or subcontract. The Contractor may also repay the Department for the total exception by certified funds.

DEPARTMENT APPROVAL OF SUBCONTRACTS:

The decision to subcontract for services called for in this contract requires no prior approval by the Department. However, the Department requires that any subcontract for services specifies in this contract should be written and a copy made available for review upon request by the Department. The Contractor specifically agrees to be responsible for the performance of any subcontractor or other duties delegated and all provisions of this contract. The Contractor will ensure that the subcontractor abides by all provisions of the contract and regulations applicable to subcontractors. The Contractor agrees to reimburse the Department for any federal or state audit disallowances arising from the subcontractor's performance or non-performance of duties under this contract which are delegated to the subcontractor. All contracts with subcontractors must provide for the Department's access to client records. All subcontractors are subject to the Department's criminal history requirement. All subcontractors must be subject to the same training requirements as Contractors and their employees.

CONTRACTOR/SUBCONTRACTOR LICENSE REQUIREMENTS:

A. The Contractor agrees to maintain any required city, county and State business licenses and any other special licenses required, prior to and during the performance of this Contract.

B. The Contractor is responsible to ensure that Subcontractors are appropriately licensed.

C. The Contractor agrees to notify the Department in writing within one (1) business day of the loss or sanction of any license, certification, or accreditation required by this Contract, or by State or Federal laws. The Contractor agrees that if it loses or is sanctioned with regard to any license, certification or accreditation required by this Contract or State and Federal laws, that this Contract may be terminated immediately in whole or in part.

CONSULTANT/STUDY CONTRACT:

A. The Contractor agrees not to release any information, findings, research, reports, recommendations, or other material developed or utilized during or as a result of this Contract until after the information has been provided to the Department, appropriately presented to the Board of Human Services, and made a matter of public record.

B. The Contractor further agrees that any research, study, review, or analysis of the consumers/customers/clients served under this Contract by any outside individual or organization must be conducted in conformance with 45 CFR part 46, Protection of Human Subjects.

PUBLICITY:

Contractors must ensure that any publicity given to the program or services provided herein identifies the Department as a sponsoring agency. Publicity materials include, but are not limited to, signs, notices, information pamphlets, press releases, brochures, radio or television announcements, or similar information prepared by or for the Contractor. Prior written approval for the materials must be received from the Department's managing programmatic division/office. All media and public information materials must also be approved by the Department's Office of Communication. In addition, the Contractor shall not display the Department's name or logo in any manner, including, but not limited to, display on Contractor's letterhead or physical plant, without the prior written authorization of the Department.

DRUG-FREE WORKPLACE:

A. If Contractor is an individual, he or she hereby certifies that he or she will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of this Contract.

B. If Contractor is an entity other than an individual, it hereby certifies that it will comply with the Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.) and that:

1. A drug-free workplace will be provided for the Contractor's employees during the performance of this Contract; and

2. It will secure from any Subcontractor hired to work in a drug-free workplace the following written certification: "As part of the subcontracting agreement with (Contractor's Name), (Subcontractor's Name), certifies to the Contractor that a drug-free workplace will be provided for the Subcontractor's employees during the performance of this Contract pursuant to paragraph 7 of subsection B of O.C.G.A. § 50-24-3".

C. Contractor may be suspended, terminated, or debarred if it is determined that:

1. The Contractor has made a false certification; or

2. The Contractor has violated such certification by failure to carry out the requirements of O.C.G.A. § 50-24-3 as applicable to entities or O.C.G.A. § 50-24-4 as applicable to individuals.

PARTIES BOUND:

This Contract shall be binding on and beneficial to the parties to this Contract and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

COOPERATION WITH OTHER CONTRACTORS:

In the event that the Department has entered into or enters into agreements with other Contractors for additional work related to the services rendered hereunder, the Contractor agrees to cooperate fully with such other Contractors. The Contractor shall not commit any act that will interfere with the performance of work by any other Contractor.

CONTRACTOR ACCOUNTING REQUIREMENTS:

Contractor agrees to maintain books, records, documents, and other evidence pertaining to the costs and expenses of this Contract (collectively the "records") to the extent and in such detail as will properly reflect all payments received under this Contract. Contractor's accounting procedures and practices shall conform to Generally Accepted Accounting Principles (GAAP)/Governmental Accounting Standards Board (GASB) and the costs properly applicable to the Contract shall be readily ascertainable there from.

TIME OF THE ESSENCE:

The Parties hereby agree that time is of the essence as it relates to the following:

A. Any dates set forth in this Contract or any annex(es) attached hereto;

B. The execution and completion of the services/deliverables as stated in the Scope of Services attached hereto and incorporated herein.

SEVERABILITY:

Any section, subsection, paragraph, term, condition, provision or other part (hereinafter collectively referred to as "part") of this Contract that is judged, held, found, or declared to be voidable, void, invalid, illegal or otherwise not fully enforceable shall not affect any other part of this Contract, and the remainder of this Contract shall continue to be of full force and effect. Any agreement of the parties to amend, modify, eliminate, or otherwise change any part of this Contract shall not affect any other part of this Contract, and the remainder of this Contract shall continue to be of full force and effect.

FEDERAL AND DEPARTMENTAL PROHIBITIONS AND REQUIREMENTS RELATED TO LOBBYING:

A. Pursuant to 31 U.S.C. § 1352, Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions, § 319 of Public Law 101-121, the Contractor agrees that:

1. No Federally appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. As a condition of receipt of any Federal contract, grant, loan, or cooperative agreement exceeding $100,000, the Contractor shall file with the Department a signed "Certification Regarding Lobbying," attached hereto as an Annex.

3. If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions, copies of which may be obtained from the Department.

4. A disclosure form will be filed at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed by Contractor under subparagraphs (b) or (c) of this paragraph. An event that materially affects the accuracy of the information reported includes:

   a. A cumulative increase of $25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or
   b. A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or
   c. A change in the officer(s), employee(s), or member(s) contacted to influence or attempt to influence a covered Federal action.

B. Contractor further agrees that in accordance with the Federal appropriations act:

1. No part of any Federal funds contained in this Contract shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

2. No part of any Federal funds contained in this Contract shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

C. Contractor further agrees that no part of State funds contained in this Contract shall be used for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, Internet, or video presentation designed to support or defeat legislation pending before the General Assembly or any committee thereof, or the approval or veto of legislation by the Governor or for any other related purposes.

D. Penalties:

1. Any Contractor who makes a prohibited expenditure or who fails to file or amend the disclosure form, as required, shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such expenditure.

2. An imposition of a civil penalty under this section does not prevent the United States from seeking any other remedy that may apply to the same conduct that is the basis for the imposition of such civil penalty.

3. The Contractor shall require that the prohibitions and requirements of this paragraph be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

CRIMINAL HISTORY INVESTIGATIONS:

A. The Contractor agrees that, for the filling of positions or classes of positions having direct care/treatment/custodial responsibilities for services rendered under this Contract, applicants selected for such positions shall undergo a criminal history investigation which shall include a fingerprint record check pursuant to the provisions of § 49-2-14 of the Official Code of Georgia, Annotated (O.C.G.A.). New staff/sub-contractors must have a successful criminal history fingerprint background check prior to service provision. Existing staff must have a successful criminal history fingerprint background check every five (5) years from the initial criminal background check. Fingerprint record checks shall be submitted via Live Scan electronic fingerprint technology. Contractor must register with the Georgia Applicant Processing Services (GAPS) at https://ga.state.identogo.com/ and follow the instructions provided at that website.

B. Pursuant to O.C.G.A § 49-2-14, after receiving and reviewing the criminal history report generated through the Idemia-GAPS process, the Department will advise the Contractor if the applicant is eligible or not eligible to provide services to the Department. Said advisement will be accomplished through a fitness determination letter issued by the Department's Office of Inspector General Background Investigations Unit (OIG BIU) within fifteen (15) days of receiving the criminal history record. Circumstances may extend said fifteen (15) days if OIG BIU determines that the applicant's criminal history record needs further review. If it is determined that the applicant is not eligible to provide services to the Department, said applicant will not be eligible to provide services to the Department under any circumstances.

C. The Contractor further agrees to complete a criminal history report including fingerprint record checks of all Foster Parents, residential and group home staff from the National Crime Information Center (NCIC) and the Georgia Crime Information Center (GCIC). The Contractor must obtain satisfactory results of criminal history report before the placement of a child. If the Contractor's Foster Parent fails to successfully pass the criminal history check, such individual will not be qualified to perform any services under this contract. Further, Contractor agrees that if a child is placed in a foster home with Foster Parents for whom the Contractor has not received a satisfactory criminal history report, the Contractor will repay all amounts paid to the Contractor for the Room, Board and Watchful Oversight of the child during any such period when the Contractor had not received a satisfactory criminal history report for the foster parents and the Department may, in its discretion, withhold payments owed to the Contractor under this or any other Contract to recoup the amount paid to the Contractor during such period.

D. Any adult (age 18 and over) residing permanently or temporarily in the home and having access to children must inform the approving agency of any criminal indictments or convictions. A criminal history check including GCIC and NCIC finger printing must be performed, and the outcomes documented. Repeat criminal history check, including fingerprinting, is required at least every (5) years at the time of the Annual Re-evaluation for all current foster parents and adults (age 18 and over) residing in the home.

E. Provisions of this paragraph of the Contract shall not apply to persons employed in day-care centers, group day-care homes, family day-care homes, or childcare learning centers which are required to be licensed, registered, or commissioned by the Department or by the Georgia Department of Early Care and Learning, or to personal care homes required to be licensed, permitted, or registered by the Department of Community Health.

AIDS POLICY:

A. Contractor agrees, as a condition to provision of services to the Department's consumers/customers/clients/patients, not to discriminate against any consumer/customer/client/patient who may have AIDS or be infected with Human Immunodeficiency

Virus (HIV). The Contractor is encouraged to provide or cause to be provided appropriate AIDS training to its employees and to seek AIDS technical advice and assistance from the appropriate division or office of the Department, as the Contractor deems necessary. The Contractor further agrees to refer those consumers/customers/clients/patients requesting additional AIDS related services or information to the appropriate county health department.

B. Notwithstanding subparagraph A above, if the Contractor is a county board of health it agrees to comply with the Needlestick Safety and Prevention Act, Pub. L. 106-430, 114 Stat. 1901, and 29 CFR § 1910.1030. The board further agrees that in the implementation of the Department's programs it will follow those standard operation procedures developed and identified by the appropriate program division of the Department as applicable to the specific programs and as provided to the board by the program division.

C. Notwithstanding subparagraph A above, if the Contractor is a county board of health it agrees to comply with the Needlestick Safety and Prevention Act 29 CFR 1910.10307. The board further agrees that in the implementation of the Department's programs it will follow those standard operation procedures developed and identified by the appropriate program division of the Department as applicable to the specific programs and as provided to the board by the program division.

DEBARMENT:

In accordance with Executive Order 12549, Debarment and Suspension, as implemented at 2 CFR Part 180, 2 CFR Part 376, and 45 CFR § 75.213, Contractor certifies by signing the Annex titled Certification Regarding Debarment, Suspension, Ineligibility And Voluntary Exclusion Lower Tier Covered Transaction that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Contract by any Federal department or agency. Contractor further agrees that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier transactions and in all solicitations for lower tier covered transactions.

NON-SMOKING POLICY FOR CHILDREN'S SERVICES:

The Contractor agrees to comply with the Pro-Children Act of 1994, Public Law 103-227 (codified at 20 U.S.C. §§ 6081-6084), which requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by the Contractor and used routinely or regularly for the provision of health care, day care, early childhood development services, education or library services to children under the age of 18. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty up to $1,000 for each violation and/or the imposition of an administrative compliance order on the Contractor.

ASSIGNMENT AND MERGER:

Contractor shall not assign or transfer any interest in this Contract without the prior written consent of DHS. In case of a merger between Contractor and another entity, Contractor must notify DHS immediately. DHS shall have the right to request that the resulting entity provide sufficient proof of its ability to fulfill and be bound by the terms of the contract and its willingness to do so. DHS in its sole discretion shall have the right to continue the contract with the resulting entity or terminate the contract. If DHS elects to continue the contract, the contract will be amended to reflect the same. No modification of this Contract shall be binding upon the Parties, unless consented to in writing, and signed by both Parties.

FUNDING:

Notwithstanding any other provision of this Contract, the parties hereto acknowledge that the Department, as an agency of the State of Georgia, is prohibited from pledging the state's credit. In the event that the source of payment for the total obligation no longer exists or is insufficient with respect to the Deliverables, this Contract shall terminate without further obligation of the Department as of that moment. The Department shall remain obligated to pay for Services performed and accepted by the Department prior to such termination. The determination of the Department of the events stated above shall be conclusive.

SECTION II TERMS AND CONDITIONS — SECTION II

DEPARTMENT AND CONTRACTOR AGREEMENTS:

The Department has a need for and desires the services/deliverables described in the Scope of Services. The Contractor has represented to the Department its willingness and ability to provide the services/deliverables identified in the Scope of Services. The Contractor agrees to provide the services identified in the Scope of Services.

SECTION III CONTRACT PAYMENT PROVISIONS — SECTION III

The Department will make payments to the Contractor within thirty (30) days of receipt of the required documentation that has been approved by the Department. The following selected terms and conditions apply and may include additional provisions that are set forth in the Annex titled Payment Provisions.

DEPARTMENT PAYMENT TO CONTRACTOR:

The Department will pay the Contractor according to the Rate Schedule attached Annex titled Payment Provisions after receipt of specified documentation and approval by the Department.

INVOICE SUBMISSION:

The Contractor agrees to submit an invoice monthly no later than the 10th calendar day following the end of each month in accordance with the Fixed-Rate Schedule. Any invoice submitted more than ten (10) days following the contract termination date will not be paid by the Department. The invoice form to be used is attached to this Contract in the Annex titled Payment Provisions.

PROGRAMMATIC/PERFORMANCE AND OTHER REPORTS:

The following selected terms and conditions apply and may include additional provisions that are set forth in the Annex titled Reporting Requirements:

The Contractor agrees to submit a quarterly programmatic/performance statistical report not later than the 15th calendar day after the end of each quarter. The report form to be used is attached to this Contract in the Annex titled Reporting Requirements.

SECTION IV COMPLIANCE WITH SPECIFIC STATE AND FEDERAL LAWS, RULES, REGULATIONS AND STANDARDS SECTION IV

STATE AND FEDERAL LAWS, RULES, REGULATIONS AND STANDARDS:

Contractor agrees that all work done as part of this contract will comply fully with all administrative and other requirements established by applicable federal and state laws, rules and regulations, and assumes responsibility for full compliance with all such laws, rules and regulations and agrees to fully reimburse the Department for any loss of funds or resources resulting from non-compliance by the Contractor, its staff, agents, or subcontractor as revealed in any subsequent audits regardless of whether such Contractor, staff, agents, or subcontractors are deemed state officers or employees under the Georgia Tort Claims Act or otherwise. Contractor understands that the following items specifically apply in this contract but do not exclude any other applicable federal or state laws or requirements.

A. The applicable provision concerning Contractor's compliance with the Health Insurance Portability and Accountability Act (HIPAA) is indicated below:

It is understood and agreed that the Department is a "covered entity" as defined by HIPAA of 1996 and the Federal "Standards for Privacy of Individually Identifiable Health Information" promulgated thereunder at 45 CFR Parts 160 and 164. Further, it is agreed that as a business associate of the Department that its use or disclosure of any person's protected health information received from or on behalf of the Department will be governed by the Business Associate Agreement, attached hereto as an Annex, which the Contractor agrees to by signing this Contract and otherwise executing the Business Associate Agreement. Such Business Associate Agreement is executed and is effective simultaneously with this Contract/amendment. However, the Business Associate Agreement will survive this Contract/amendment pursuant to paragraph 10B of the Business Associate Agreement.

B. COMPLIANCE WITH SECURITY MANAGEMENT PROCESS: The Contractor agrees to provide to the DHS Office of Information Technology (OIT) a secure network connection allowing electronic access to all Contractor's facilities that receive, transmit, store or process DHS electronic data. Contractor agrees to provide such connection within five (5) business days of a request from DHS OIT in order for DHS to conduct ongoing risk analysis, risk management and information system activity reviews with regard to security of DHS's electronic data, as defined in the HIPAA Security Rule, 45 CFR § 164.308 (a)(1).

C. 45 CFR Part 75; as used in this Contract, the word Contractor is synonymous with the word Sub grantee as used in this Code of Federal Regulations.

D. COMPLIANCE WITH EXECUTIVE ORDERS CONCERNING ETHICS AND LOBBYIST REGISTRATION: The Contractor agrees to comply in all applicable respects with the Governor's Executive Orders concerning ethics matters, including, but not limited to Executive Order dated January 10, 2011 (Establishing a Code of Ethics for Executive Branch Officers and Employees, including provisions governing former officers and employees) and Executive Order dated October 1, 2003 (Providing for the Registration and Disclosure of Lobbyists Employed or Retained by Vendors to State Agencies). In this regard, the Contractor certifies that any lobbyist engaged to provide services has both registered and made the disclosures required by the Executive Orders.

E. Fair Labor Standards Act of 1938, as amended.

F. When Federal funds are included in the Contract, Contractor/Subrecipient shall adhere to the Procurement Standards as set forth in 2 CFR § 200.318 through § 200.331.

G. COMPLIANCE WITH FEDERAL AND STATE IMMIGRATION LAWS: Contractor agrees that Contractor complies with O.C.G.A. § 13-10-90 *et seq*. regarding security and immigration compliance, and that Contractor has registered with, is authorized to use, uses, and will continue to use the Federal work authorization program. Contractor also agrees that throughout the performance of this Contract, including renewal options, if any, exercised by the Department, Contractor will remain in full compliance with all Federal and State immigration laws, including but not limited to O.C.G.A. §13-10-91.

Contractor certifies by signing and providing the sworn affidavit in the Annex titled Security and Immigration Affidavits that Contractor will comply with O.C.G.A. §. 13-10-90 *et seq*. and will certify the same upon the exercise of each renewal option, if any, by the Department. Furthermore, Contractor agrees to include the provisions contained in the foregoing paragraph in each subcontract and sub-subcontract for services hereunder, require and obtain a sworn affidavit in the applicable format set forth in the Annex titled Security and Immigration Affidavits at the initiation of and throughout the Contract period, and retain the affidavit(s) in accordance with the record retention requirements of this Contract.

H. CONTRACTOR EMPLOYEE WHISTLEBLOWER RIGHTS AND REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS: (a) This Contract and employees working on this Contract will be subject to the whistleblower rights and remedies in the pilot program on Contractor employee whistleblower protections established at 41 U.S.C. 4712 by § 828 of the National Defense Authorization Act for Fiscal Year 2013 Pub. L. 112-239 and FAR 3.908 (b) The Contractor shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in § 3.908 of the Federal Acquisition Regulation. (c) The Contractor shall insert the substance of this clause, including this paragraph (c), in all subcontracts over the simplified acquisition threshold.

I. **CFDA AUTHORIZATION AND NUMBER**: Social Security Act, Title IV, Part A, Section N/A, 42 US Code 601 et seq. (**CFDA # 93.558**).
CFDA AUTHORIZATION AND NUMBER: Social Security Act, as amended, Title XX, 42 US Code 1397 et seq. Omnibus Territories Act, as amended, Title V, Public Law 95-134, 48 US Code 1469 a Omnibus Budget Reconciliation Act of 1981, as amended, Public Law 97-35 (**CFDA # 93.558**)

J. Contractor certifies that Contractor is not currently engaged in and agrees for the duration of this Contract not to engage in, a boycott of Israel, as defined in O.C.G.A. 50-5-85.

AUDITS AND FINANCIAL REPORTING REQUIREMENTS:

Contractors that expend $750,000.00 or more in **Federal funds** during their accounting year agree to have a **single entity-wide audit** conducted for that year in accordance with the provisions of 2 CFR Part 200, Subpart F, entitled Audit Requirements. For additional information regarding external entities audit standards and sanctions, see the Department of Human Services On-line Directives Information System POL 1902 - External Entities Audit Standards and Sanctions.

Contractors expending $750,000 in Federal Funds and/or more than $100,000 in **State funds** during their accounting year agree to have an **entity-wide audit** conducted for that year in accordance with Generally Accepted Auditing Standards issued by the American Institute of Certified Public Accountants. For additional information regarding external entities audit standards and sanctions, see the Department of Human Services On-line Directives Information System POL 1902 - External Entities Audit Standards and Sanctions.

Contractors expending at least $25,000 but less than $100,000 in **Federal/State funds** during their accounting year agree to prepare **unaudited entity-wide financial statements** for that year. Assertions concerning the basis of financial statement preparation must be made by the president or other corporate official. For additional information regarding external entities audit standards and sanctions, see the Department of Human Services On-line Directives Information System POL 1902 - External Entities Audit Standards and Sanctions.

Contractor further agrees to submit one (1) copy of the required audit or financial statements within one hundred eighty (180) days after the close of the Contractor's accounting year to the:

Director, Internal Audits
DHS Office of the Inspector General
47 Trinity Avenue S.W., 2nd Floor
Atlanta, Georgia 30334
Or email to dhs.financialreviews@dhs.ga.gov

CRITICAL INCIDENT REPORTING ("CIR"):

Contractor has the responsibility for ensuring the health and safety of Departmental clients/consumers/customers served under this Contract is not placed in any jeopardy. Therefore, the Contractor shall have an effective response system when critical incidents occur. This responsibility includes, but is not limited to, any and all Subcontractors employed by the Contractor to provide services pursuant to this Contract.

A. In the case of an emergency, Contractor shall call the appropriate local emergency medical services, police, or fire services (i.e., 9-1-1).

B. Contractor shall have a formal written critical incident reporting procedure that is approved by the licensing or certification authority, if applicable, and by the Department.

C. Contractor is responsible for taking necessary actions to protect Departmental clients from any possibility of harm. In doing this, Contractor should preserve possible evidence for an investigation if one is to be conducted.

D. Contractor must notify the appropriate Departmental staff of the critical incident and results of any immediate action taken. Contractor is expected to notify local law enforcement authorities in any situation where there is a potential violation of criminal law.

E. The Department will determine whether the Contractor's actions were appropriate and sufficient, and/or whether additional corrective actions are warranted. In investigating a Critical Incident, the Department will determine:

1. Whether or not client's health, safety and welfare are adequately protected;
2. That the response to the situation and event was reasonable and appropriate;
3. That the Contractor's procedures and system for responding to such incidents were adequate; and that relevant steps to prevent similar incidents were taken;
4. That Contractor and/or its staff or Subcontractors involved in the incident appear to be adequately trained or that additional training needed is to be provided pursuant to the Critical Incident Report.

F. Contractor agrees to cooperate with the Department in its investigation of all Critical Incidents and implement all corrective actions necessary to ensure the safety and well-being of the individuals served under this Contract.

G. Each Contractor shall post a "Notice Concerning Critical Incident Reporting." The signage shall be produced by the Contractor and shall conform in content to the attached Annex titled Department of Human Services Notice Concerning Critical Incident Reporting. The Notice must be posted in a conspicuous, common area accessible to clients/consumers/customers, and the general public.

H. All other required reporting procedures (i.e., child abuse reporting, etc.) and the timelines of other required reports will remain in force and are not replaced or superseded by the CIR process.

I. Contractor shall not use or disclose any information received during the investigation of a critical incident for any purpose not connected with the administration of Contractor's or the Department's responsibilities under this Contract, except with the informed, written consent of the client or the client's legal guardian, as required by law.

SECTION TITLES NOT CONTROLLING:

The section titles used in this Contract are for reference purposes only and shall not be deemed a part of this Contract.

ENTIRE UNDERSTANDING:

This Contract, together with the annexes and all other documents incorporated by reference, represents the complete and final understanding of the parties to this Contract. No other understanding, oral or written regarding the subject matter of this Contract, may be deemed to exist or to bind the parties at the time of execution.

SECTION V CONTRACT ANNEX INCLUSION **SECTION V**

This Contract includes annexes as listed below, which are hereto attached:

Annex A Business Associate Agreement
Annex B Certification Regarding Lobbying
Annex C Debarment Certification
Annex D Notice Concerning Critical Incident Reporting
Annex E Payment Provisions
Annex F Reporting Requirements
Annex G Security and Immigration Compliance Affidavit

SIGNATURES TO CONTRACT BETWEEN THE DEPARTMENT OF HUMAN SERVICES

AND

Hall County Board of Commissioners

CONTRACTS WITH COUNTIES

IN WITNESS WHEREOF, the parties have each hereunto affixed their signatures on the dates indicated.

I, the undersigned Commissioner of Hall County, certify that this Contract is entered in Book No. _____, Page

No. _____, of the official minutes of the Commission of Hall County.

CONTRACTOR EXECUTION:	**DEPARTMENTAL EXECUTION:**
Hall County Board of Commissioners	**Department of Human Services**
Name of Contractor	
Signature	Chief of Staff
Date Signed by Contractor	Date Signed by the Department
Typed name of individual signing *Chairman, Commission of Hall County	
Attestor's signature	**Division/Office Director**
Attestor's typed name	
**Title of Attestor	
Date signed by Attestor	Date signed by Division/Office

*Must be Chairman or sole Commissioner.
**Must be Clerk of Commission.

ANNEX A

BUSINESS ASSOCIATE AGREEMENT

This Business Associate Agreement (hereinafter referred to as "Agreement") is made and entered into by and between the Georgia Department of Human Services (hereinafter referred to as "DHS") and Hall County Board of Commissioners (hereinafter referred to as "Contractor") as an attachment to 42700-040C-26-001691 between DHS and Contractor (hereinafter referred to as "Contract"). The effective date of this Agreement shall be the date the Contract referenced above is executed by Contractor.

WHEREAS, DHS is required by the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 ("HIPAA"), to enter into a Business Associate Agreement with certain entities that provide functions, activities, or services involving the use of Protected Health Information ("PHI") , as defined by HIPAA;

WHEREAS, Contractor, under the Contract provides functions, activities, or services involving the use of Protected Health Information, as defined by HIPAA, and individually identifiable information protected by other state and federal law;

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, DHS and Contractor (each individually a "Party" and collectively the "Parties") hereby agree as follows:

1. Terms used but not otherwise defined in this Agreement shall have the same meaning as those terms have in HIPAA and in Title XIII of the American Recovery and Reinvestment Act of 2009 (the Health Information Technology for Economic and Clinical Health Act, or "HITECH"), and in the implementing regulations of HIPAA and HITECH. Implementing regulations are published as the Standards for Privacy and Security of Individually Identifiable Health Information in 45 C.F.R. Parts 160 and 164. Together, HIPAA, HITECH, and their implementing regulations are referred to in this Agreement as the "Privacy Rule and Security Rule." If the meaning of any defined term is changed by law or regulation, then this Agreement will be automatically modified to conform to such change. The term "NIST Baseline Controls" means the baseline controls set forth in National Institute of Standards and Technology (NIST) SP 800-53 established for "moderate impact" information.

2. Except as limited in this Agreement, Contractor may use or disclose PHI only to the extent necessary to meet its responsibilities as set forth in the Contract provided that such use or disclosure would not violate the Privacy Rule or the Security Rule, if done by DHS. Furthermore, except as otherwise limited in this Agreement, Contractor may:

   A. Use PHI for internal quality control and auditing purposes.

   B. Use or disclose PHI as required by law.

   C. Use and disclose PHI to consult with an attorney for purposes of determining Contractor's legal options with regard to reporting conduct by DHS that Contractor in good faith believes to be unlawful, as permitted by 45 C.F.R. 164.502(j)(1).

3. Contractor warrants that only individuals designated by title or name on Annex A-1 and Annex A -2 will request PHI from DHS or access DHS PHI in order to perform the services of the Contract, and these individuals will only request the minimum necessary amount of information necessary in order to perform the services.

4. Contractor warrants that the individuals listed by title on Annex A -1 require access to PHI in order to perform services under the Contract. Contractor agrees to send updates to Annex A -1whenever necessary. Uses or disclosures of PHI by individuals not described on Annex A -1 are impermissible.

5. Contractor warrants that the individuals listed by name on Annex A -2 require access to a DHS information system in order to perform services under the Contract. Contractor agrees to notify the Project Leader and the Access Control Coordinator named on Annex A -2 immediately, but at least within twenty-four (24) hours, of any change in the need for DHS information system access by any individual listed on Annex A-2. Any failure to report a change within the twenty-four (24) hour time period will be considered a security incident and may be reported to the Privacy Officer, Information Security Officer and the Georgia Technology Authority for proper handling and sanctions.

6. Contractor agrees that it is a Business Associate to DHS as a result of the Contract, and warrants to DHS that it complies with the Privacy Rule and Security Rule requirements that apply to Business Associates and will continue to comply with these requirements. Contractor further warrants to DHS that it maintains and follows written policies and procedures to achieve and maintain compliance with the HIPAA Privacy and Security Rules and updates such policies and procedures as necessary in order to comply with the HIPAA Privacy and Security Rules that apply to Business Associates. These policies and procedures shall be provided to DHS upon request.

7. The Parties agree that a copy of all communications related to compliance with this Agreement will be forwarded to the following Privacy and Security Contacts:

A. At DHS:

Jamila Coleman
DHS Privacy Officer
Georgia Department of Human Services
Office of General Counsel
47 Trinity Avenue SW
Atlanta, GA 30334
404.304.1744
privacy@dhs.ga.gov

Shirlan C. Johnson, CISSP
Chief Information Security Officer
Office of Information Technology
404.655.8371
shirlan.johnson@dhs.ga.gov

B. At Contractor:

Heather Herrington
Director
770.536.3837
Heather.Herrington@hallcounty.org

8. Contractor agrees that it will:

A. Not request, create, receive, use or disclose PHI other than as permitted or required by this Agreement, the Contract, or as required by law.

B. Establish, maintain and use appropriate administrative, physical and technical safeguards to prevent use or disclosure of the PHI other than as provided for by this Agreement or the Contract. Such safeguards must include all NIST Baseline Controls, unless DHS has agreed in writing that the control is not appropriate or applicable.

C. Implement and use administrative, physical and technical safeguards that reasonably and appropriately protect the confidentiality, integrity and availability of the electronic protected health information that it creates, receives, maintains, or transmits on behalf of DHS. Such safeguards must include all NIST Baseline Controls, unless DHS has agreed in writing that the control is not appropriate or applicable.

D. In addition to the safeguards described above, include access controls that restrict access to PHI to the individuals listed on Annex A-1 and Annex A-2, as amended from time to time, and shall implement encryption of all electronic PHI during transmission and at rest.

E. Upon DHS' reasonable request, but no more frequently than annually, obtain an independent assessment of Contractor's implementation of the NIST Baseline Controls and the additional safeguards required by this Agreement with respect to DHS PHI, provide the results of such assessments to DHS, and ensure that corrective actions identified during the independent assessment are implemented.

F. Mitigate, to the extent practicable, any harmful effect that may be known to Contractor from a use or disclosure of PHI by Contractor in violation of the requirements of this Agreement, the Contract or applicable regulations. Contractor shall bear the costs of mitigation, which shall include the reasonable costs of credit monitoring or credit restoration when the use or disclosure results in exposure of information commonly used in identity theft.

G. Ensure that its agents or subcontractors to whom it provides PHI are contractually obligated to comply with at least the same obligations that apply to Contractor under this Agreement, and ensure that its agents or subcontractors comply with the conditions, restrictions, prohibitions and other limitations regarding the request for, creation, receipt, use or disclosure of PHI, that are applicable to Contractor under this Agreement and the Contract.

H. Except for "Non-Reportable Incidents," report to DHS any use or disclosure of PHI that is not provided for by this Agreement or the Contract of which it becomes aware. Non-Reportable Incidents are limited to the following:

i. the unintentional acquisition, access, or use of PHI by a workforce member of Contractor acting under the authority of Contractor, so long as the PHI is not further acquired, accessed, used or disclosed in an impermissible manner; and

ii. the inadvertent disclosure of PHI from a person designated in Annex A-1 or Annex A-2 as authorized to access DHS PHI to a workforce member of Contractor who is not designated in Annex A-1 or Annex A-2, but is authorized to access other Protected Health Information maintained by Contractor, so long as the information is not further acquired, accessed, used or disclosed in an impermissible manner.

I. Make an initial report to DHS in writing in such form as DHS may require within three (3) business days after Contractor (or any subcontractor) becomes aware of the unauthorized use or disclosure. This report will require Contractor to identify the following:

i. The nature of the impermissible use or disclosure (the "incident"), which will include a brief description of what happened, including the date it occurred and the date Contractor discovered the incident;

ii. The PHI involved in the impermissible use or disclosure, such as whether the full name, social security number, date of birth, home address, account number or other information were involved;

iii. Who (by title, access permission level and employer) made the impermissible use or disclosure and who received the PHI as a result;

iv. What corrective or investigational action Contractor took or will take to prevent further impermissible uses or disclosures, to mitigate harmful effects, and to prevent against any further incidents;

v. What steps individuals who may have been harmed by the incident might take to protect themselves; and

vi. Whether Contractor believes that the impermissible use or disclosure constitutes a Breach of Unsecured PHI.

Upon request by the DHS Privacy Officer or the DHS Information Security Officer, Contractor agrees to make a complete report to the DHS in writing within two (2) weeks of the initial report that includes a root cause analysis and a proposed corrective action plan. Upon approval of a corrective action plan by the DHS, Contractor agrees to implement the corrective action plan and provide proof of implementation to the DHS within five (5) business days of DHS' request for proof of implementation.

J. Report to the DHS Officer and the DHS Information Security Officer any successful unauthorized access, modification, or destruction of PHI or interference with system operations in Contractor's information systems as soon as practicable but in no event later than three (3) business days of discovery. If such a security incident resulted in a use or disclosure of PHI not permitted by this Agreement, Contractor shall also make a report of the impermissible use or disclosure as described above. Contractor agrees to make a complete report to the DHS in writing within two weeks of the initial report that includes a root cause analysis and, if appropriate, a proposed corrective action plan designed to protect PHI from similar security incidents in the future. Upon DHS' approval of Contractor's corrective action plan, Contractor agrees to implement the corrective action plan and provide proof of implementation to the DHS.

K. Upon DHS' reasonable request and not more frequently than once per quarter, report to the DHS Information Security Officer any (A) attempted (but unsuccessful) unauthorized access, use, disclosure, modification, or destruction of PHI or (B) attempted (but unsuccessful) interference with system operations in Contractor's information systems. Contractor does not need to report trivial incidents that occur on a daily basis, such as scans, "pings," or other routine attempts that do not penetrate computer networks or servers or result in interference with system operations.

L. Cooperate with DHS and provide assistance necessary for DHS to determine whether a Breach of Unsecured PHI has occurred, and whether notification of the Breach is legally required or otherwise appropriate. Contractor agrees to assist DHS in its efforts to comply with the HIPAA Privacy and Security Rules, as amended from time to time. To that end, the Contractor will abide by any requirements mandated by the HIPAA Privacy and Security Rules or any other applicable laws in the course of this Contract. Contractor warrants that it will cooperate with DHS, including cooperation with DHS privacy officials and other compliance officers required by the HIPAA Privacy and Security Rules and all implementing regulations, in the course of performance of this Contract so that both Parties will be in compliance with HIPAA.

M. If DHS determines that a Breach of Unsecured PHI has occurred as a result of Contractor's impermissible use or disclosure of PHI or failure to comply with obligations set forth in this Agreement or in the Privacy or Security Rules, provide all notifications to Individuals, HHS and/or the media, on behalf of DHS, after the notifications are approved by the DHS. Contractor shall provide these notifications in accordance with the security breach notification requirements set forth in 42 U.S.C. §17932 and 45 C.F.R. Parts 160 & 164 subparts A, D & E as of their respective Compliance Dates, and shall pay for the reasonable and actual costs associated with such notifications.

In the event that DHS determines a Breach has occurred, without unreasonable delay, and in any event no later than thirty (30) calendar days after Discovery, Contractor shall provide the DHS Privacy Officer a list of Individuals and a copy of the template notification letter to be sent to Individuals. Contractor shall begin the notification process only after obtaining DHS' approval of the notification letter.

N. Make any amendment(s) to PHI in a Designated Record Set that DHS directs or agrees to pursuant to 45 CFR 164.526 within five (5) business days after request of DHS. Contractor also agrees to provide DHS with written confirmation of the amendment in such format and within such time as DHS may require.

O. In order to meet the requirements under 45 CFR 164.524, regarding an individual's right of access, within five (5) business days following DHS' request, or as otherwise required by state or federal law or regulation, or by another time as may be agreed upon in writing by the DHS, provide DHS access to the PHI in an individual's Designated Record Set. However, if requested by DHS, Contractor shall provide access to the PHI in a Designated Record Set directly to the individual to whom such information relates.

P. Give the Secretary of the U.S. Department of Health and Human Services (the "Secretary") or the Secretary's designees access to Contractor's books and records and policies, practices or procedures relating to the use and disclosure of PHI for or on behalf of DHS within five (5) business days after the Secretary or the Secretary's designees request such access or otherwise as the Secretary or the Secretary's designees may require. Contractor also agrees to make such information available for review, inspection and copying by the Secretary or the Secretary's designees during normal business hours at the location or locations where such information is maintained or to otherwise provide such information to the Secretary or the Secretary's designees in such form, format or manner as the Secretary or the Secretary's designees may require.

Q. Document all disclosures of PHI and information related to such disclosures as would be required for DHS to respond to a request by an Individual or by the Secretary for an accounting of disclosures of PHI in accordance with 45 C.F.R. § 164.528. By no later than five (5) business days of receipt of a written request from DHS, or as otherwise required by state or federal law or regulation, or by another time as may be agreed upon in writing by the DHS Privacy Officer, Contractor shall provide an accounting of disclosures of PHI regarding an Individual to DHS. If requested by DHS, Contractor shall provide an accounting of disclosures directly to the individual. Contractor shall maintain a record of any accounting made directly to an individual at the individual's request and shall provide such record to the DHS upon request.

R. In addition to any indemnification provisions in the Contract, indemnify the DHS, its officers and employees from any liability resulting from any violation of the HIPAA Privacy and Security Rules or Breach that arises from the conduct or omission of Contractor or its employee(s), agent(s) or subcontractor(s). Such liability will include, but not be limited to, all actual and direct costs and/or losses, civil penalties and reasonable attorneys' fees imposed on DHS.

S. For any requirements in this Agreement that include deadlines, pay performance guarantee payments of $300.00 per calendar day, starting with the day after the deadline and continuing until Contractor complies with the requirement. Contractor shall ensure that its agreements with subcontractors enable Contractor to meet these deadlines.

9. DHS agrees that it will:

A. Notify Contractor of any new limitation in DHS' Notice of Privacy Practices in accordance with the provisions of the Privacy Rule if, and to the extent that, DHS determines in the exercise of its sole discretion that such limitation will affect Contractor's use or disclosure of PHI.

B. Notify Contractor of any change in, or revocation of, authorization by an Individual for DHS to use or disclose PHI to the extent that DHS determines in the exercise of its sole discretion that such change or revocation will affect Contractor's use or disclosure of PHI.

C. Notify Contractor of any restriction regarding its use or disclosure of PHI that DHS has agreed to in accordance with the Privacy Rule if, and to the extent that, DHS determines in the exercise of its sole discretion that such restriction will affect Contractor's use or disclosure of PHI.

D. Prior to agreeing to any changes in or revocation of permission by an Individual, or any restriction, to use or disclose PHI, DHS agrees to contact Contractor to determine feasibility of compliance.

10. The **Term of this Agreement** shall be effective on the Effective Date and shall terminate when all of the PHI provided by DHS to Contractor, or created or received by Contractor on behalf of DHS, is destroyed or returned to DHS, or, if it is infeasible to return or destroy PHI, protections are extended to such information, in accordance with the termination provisions in this section.

A. Termination for Cause. Upon DHS' knowledge of a material breach of this Agreement by Contractor, DHS shall either:

i. Provide an opportunity for Contractor to cure the breach of Agreement within a reasonable period of time, which shall be within thirty (30) calendar days after receiving written notification of the breach by DHS;

ii. If Contractor fails to cure the breach of Agreement, terminate the Contract upon thirty (30) calendar days' notice; or

iii. If neither termination nor cure is feasible, DHS shall report the breach of Agreement to the Secretary of the Department of Health and Human Services.

B. Effect of Termination.

i. Upon termination of this Agreement, for any reason, DHS and Contractor shall determine whether return of PHI is feasible. If return of the PHI is not feasible, Contractor agrees to continue to extend the protections of this Agreement to the PHI for so long as the Contractor maintains the PHI and shall limit the use and disclosure of the PHI to those purposes that made return or destruction of the PHI infeasible. If at any time it becomes feasible to return or destroy any such PHI maintained pursuant to this paragraph, Contractor must notify DHS and obtain instructions from DHS for either the return or destruction of the PHI.

ii. Contractor agrees that it will limit its further use or disclosure of PHI only to those purposes DHS may, in the exercise of its sole discretion, deem to be in the public interest or necessary for the protection of such PHI, and will take such additional actions as DHS may require for the protection of patient privacy and the safeguarding, security and protection of such PHI.

iii. This Effect of Termination section survives the termination of the Agreement.

11. **Interpretation.** Any ambiguity in this Agreement shall be resolved to permit DHS to comply with applicable laws, rules and regulations, the HIPAA Privacy Rule, the HIPAA Security Rule and any rules, regulations, requirements, rulings, interpretations, procedures or other actions related thereto that are promulgated, issued or taken by or on behalf of the Secretary; provided that applicable laws, rules and regulations and the laws of the State of Georgia shall supersede the Privacy Rule if, and to the extent that, they impose additional requirements, have requirements that are more stringent than or have been interpreted to provide greater protection of patient privacy or the security or safeguarding of PHI than those of the HIPAA Privacy Rule.

12. **No Third-Party Beneficiaries.** Nothing express or implied in this Agreement is intended to confer, nor shall anything herein confer, upon any person other than the Parties and the respective successors or assigns of the Parties, any rights, remedies, obligations or liabilities whatsoever.

13. **All other terms and conditions contained in the Contract and any amendment thereto, not amended by this Agreement, shall remain in full force and effect.**

IN WITNESS WHEREOF, Contractor, through its authorized officer and agent, has caused this Agreement to be executed on its behalf as of the date indicated.

Hall County Board of Commissioners

BY: _____ _____
SIGNATURE DATE

_____
PRINTED NAME

_____
TITLE*

* Must be President, Vice President, CEO or Other Officer Authorized to Execute on Behalf of and Bind the Entity to a Contract.

ANNEX A-1

List of Individuals Permitted to Receive, Use and Disclose DHS PHI

The following Position Titles, as employees and/or representatives of Contractor, need access to DHS Protected Health Information in order for Contractor to perform the services described in the Contract:

- Director

Transfers of PHI must comply with DHS Policy and Procedures.

Approved methods of secure delivery of PHI between Contractor and DHS:

- Secure FTP file transfer (preferred)
- Encrypted email or email sent through "secure tunnel" approved by DHS Information Security Officer
- Email of encrypted document (password must be sent by telephone only)
- Encrypted portable media device and tracked delivery method

Contractor must update this list as needed and provide the updated form to DHS. Use of DHS Protected Health Information by individuals who are not described on this Annex A-1, as amended from time to time, is impermissible and a violation of the Agreement. Contractor must update this Annex A-1 as needed and provide the updated form to DHS.

DHS Project Leader Contact Information:

DeWana McKinney
DSU Supervisor
Georgia DHS | Division of Family and Children Services (DFCS)
47 Trinity Avenue S.W., 2nd Floor
Atlanta, GA 30334
678.634.1611
DeWana.McKinney@dhs.ga.gov

ANNEX A-2

Part 1:
Please check beside the correct option. Please select only one option.

_____ Contractor DOES NOT need any user accounts to access DHS Information Systems. Do not complete Part 2 of this form.
__X__ Contractor DOES need user accounts to access DHS Information Systems. Please complete Part 2 of this form.

Part 2:
Please complete the table below if you indicated that Contractor DOES need any user accounts to access DHS Information Systems. Please attach additional pages if needed.

List of Individuals Authorized to Access a DHS Information System Containing PHI

The following individuals, as employees and/or representatives of Contractor, need access to DHS Information Systems containing DHS Protected Health Information in order for Contractor to perform the services described in the Contract:

Full Name	Employer	DHS Information System	Type of Access (Read only? Write?)
Heather Herrington	Hall County Board of Commissioners	ARGO	Read Only

Contractor must notify the Project Leader identified in the Contract immediately, but at least within twenty-four (24) hours, after any individual on this list no longer needs the level of access described. Failure to provide this notification on time is a violation of the Agreement and will be reported as a security incident.

Contractor must update this Annex A-2 as needed and provide the updated form to DHS.

DHS Project Leader Information:

DeWana McKinney
DSU Supervisor
Georgia DHS |Division of Family and Children Services (DFCS)
47 Trinity Avenue S.W., 2nd Floor
Atlanta, GA 30334
678.634.1611
DeWana.McKinney@dhs.ga.gov

ANNEX B

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by § 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____ _____

(Signature of Official Authorized to Sign) Date

_____

Printed Name

_____

Title of Official

ANNEX C

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTION

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative	**Signature**	**Date**

==========

INSTRUCTIONS FOR CERTIFICATION

(1) By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

(2) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

(3) The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(4) The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

(5) The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

(6) The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

(7) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement List (Telephone 202/245-0729).

(8) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(9) Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

ANNEX D

Brian P. Kemp
Governor

Candice L. Broce
Commissioner

Georgia Department of Human Services
Aging Services | Child Support Services | Family & Children Services

NOTICE CONCERNING CRITICAL INCIDENT REPORTING

Georgia Department of Human Services (DHS) requires that its contractors/service providers make every reasonable effort to ensure the safety of the individuals served through its programs.

To report an incident or situation that you feel may lead to serious injury or death to a DHS client or consumer, please contact the DHS Office of Inspector General at:

Email: DHS.Criticalincidents@dhs.ga.gov

Address: 47 Trinity Avenue S.W., 1st Floor
Atlanta, Georgia 30334

ANNEX E

PAYMENT PROVISIONS

Drug Screen Rate Schedule

Drug Screen Invoice

Entitlement Code	Service Description	Price Per Service
Drug Screening Services		
521-51a	Drug Screening Services – Hair Follicle	$137.50
521-51b	Drug Screening Services – Urine Analysis	$110.00
521-51c	Drug Screening Services – Oral Swab	$110.00
521-51y	Drug Screening Services – Sweat Patch	$165.00
521-51g	Drug Screening Services – Court Appearance	$38.50/ hr
521-51h	Drug Screening Services – Refusal (Max 4 per month)	$27.50
521-51i	Drug Screening Services – Missed Appt (Max 6 per month)	$27.50
521-51j	Drug Screening Services – Mileage	$0.67/mi
521-51aa	Drug Screening Services Urine – Synthetic Cannabinoids (*Court Ordered Only*)	$165.00
521-51ab	Drug Screening Services Urine – Synthetic Stimulant (*Court Ordered Only*)	$165.00
521-51ac	Drug Screening Services Urine – Karatom (*Court Ordered Only*)	$165.00
521-51AJ	Drug Screening Services: Urine Insta-cup	$30.00
521-51AL	Drug Screening Services: Fingernail Test	$165.00
521-51z	Drug Screening Services – Lab Affidavit	$27.50
521-51ad	Family Treatment Court Drug Screening Collection & Analysis – Hair Follicle	$82.50
521-51ae	Family Treatment Court Drug Screening Collection & Analysis – Urine	$60.50
521-51af	Family Treatment Court Drug Screening Collection & Analysis – Sweat Patch	$60.50

Drug Screening Services (UAS 521)				FY2026 INVOICE	
Provider Name		**SHINES Resource ID #**			
Street Address				**Invoice #**	
City, State & Zip				**Service Month/Year**	
Phone #		**Email**		**FEI#**	
Bill To: (County DFCS Information)					
County Office				**Phn:**	
				Fax:	
Address					

Contractor Signature

I do solemnly swear, under criminal penalty of a felony for false statements subject to punishment by fine of not more than $1000 or by imprisonment of not less than one nor more than five years, that the above statements are true and I have incurred the described expenses below:

Contractor Name: (Please Print)		Date Submitted	
Contractor Signature		Date Submitted	

Service Authorization Number (SA must be attached):

Case Name and Number:

Date Provider Received Service Authorization:

Date(s) Services Performed:

Provider Employee/Contractor assigned to case:

Adults and/or Children Authorized to Receive Services			
1		11	
2		12	
3		13	
4		14	
5		15	
6		16	
7		17	
8		18	
9		19	
10		20	

Billing Information : Invoice Number -

Code	Description	Rate	Hrs/ Qty	Price
51A	**Drug Screen Services:** Hair Follicle	137.50		0.00
51B	**Drug Screen Services:** Urine Analysis *(lab confirmations on positives only)*	110.00		0.00
51C	**Drug Screen Services:** Oral Swab	110.00		0.00
51Y	**Drug Screen Services:** Sweat Patch	165.00		0.00
51AL	**Drug Screen Services:** Fingernail Test	165.00		0.00
51AA	**Drug Screen Services:** Urine - Synthetic Cannabinoids Stimulants Drug Screening ***(Court ordered only)***	165.00		0.00
51AB	**Drug Screen Services:** Urine - Synthetic Stimulants Drug Screening ***(Court ordered only)***	165.00		0.00
51AC	**Drug Screen Services:** Urine – Synthetic Kratom Drug Screening ***(Court ordered only)***	165.00		0.00
51AJ	**Drug Screen Services:** Urine Insta-cup ***(lab confirmations on positives and emergency use only)***	30.00		0.00
51Z	**Drug Screen Services:** Lab Affidavit	27.50		0.00
51G	**Drug Screen Services:** Court Appearance & Testimony - (Drug Screens Only)($38.50/hr, max $360 per day - mileage included)***(Copy of subpoena required)***	38.50		0.00
51H	**Drug Screen Services:** Drug Screen Refusal - *List client name/date for each refusal* **1.** **2.** **3.** **4.**	27.50		0.00
51I	**Drug Screen Services:** Missed Appointments - *List client name/date for each missed appt* **1.** **4.** **2.** **5.** **3.** **6.**	27.50		0.00
51J	**Drug Screen Services: Mileage** (Max $500)	0.670		0.00
		Total Due		**$ -**

DFCS County Contract Liaison (Please Print)			Date	
Signature				

eff. 7.1.2025

ANNEX F

REPORTING REQUIREMENTS

Delivered Services Unit: Drug Screen (DS)
Agency Roster

Revision date 07/01/2024

Supplier must provide this Agency Roster disclosing all staff and/or sub-contractors that will provide services or assigned management that will be responsible for the agency that will be providing Drug Screen services.

Contracted Agency Name (insert below ↓)			Date Submitted (insert below ↓)		Type of Collection						Status of employee			FOR DSU USE ONLY	
Employee/Subcontractor Name & Hire Date	**Male (M) or Female (F)**	**DFCS Hire Date**	**Supervisor**	**Position Title/Role** (CEO, Supervisor, Collector, etc.)	**Hair Follicle (521.51A)**	**Urine (521.51B)**	**Oral Swab (521.51C)**	**Sweat Patch (521.51Y)**	**Fingernail (521.51AL)**	**Urine Insta-cup (521.51AJ)**	**Employee Status**	**Termination Date**	**Status with Agency**	**Quarter of Review**	**DSU Comments**
Eddie Sample	M	7/1/2024	N/A	CEO	X	X	X	X	X	X	No Longer with Agency	7/1/2024	Still with Agency	Q2	

ANNEX G

SECURITY AND IMMIGRATION COMPLIANCE AFFIDAVIT

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Human Services has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

46833
Federal Work Authorization User Identification Number

07/09/07
Date of Authorization

Hall County Board of Commissioners
Name of Contractor

DFCS Delivered Services
Name of Project

Department of Human Services
Name of Public Employer

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

Executed on February 3, 2025 in Gainesville (city), GA (state).

Signature of Authorized Officer or Agent

Heather Herrington, Director
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 3 DAY OF February, 2025

NOTARY PUBLIC

My Commission Expires: 5-01-26

CORRYNN BUFORD
NOTARY PUBLIC
EXPIRES
GEORGIA
05-01-2026
HALL COUNTY

AGENDA ITEM

Executive Session

REPORT TO: **Work Session (07/07/25)**

REPORT TO: **Voting Meeting (07/10/25)**

ITEM NO: 426/2025

SUBJECT: Discussion regarding land acquisition, land disposition, personnel matters, potential litigation and/or litigation. Executive Session is not open to the public. Executive Session is a lawfully closed meeting [§ 50-14-1 (a)(2)].

Meetings:

Work Session Date: 07/07/25 **Voting Meeting Date:** 07/10/25

Executive Summary:

Presenter: CA

Recommendation:
N/A

Purpose of Request:
Discussion regarding land acquisition, land disposition, personnel matters, potential litigation and/or litigation. Executive Session is not open to the public. Executive Session is a lawfully closed meeting [§ 50-14-1 (a)(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:

Approve	Clerk
JR	JR

Attachments: